

ARTICLE IV

DEVELOPMENT
STANDARDS

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Sec. 4-1. LAND USE DISTRICTS

4-1.1 Purpose

In order to promote consistency with the goals, objectives, and policies of the Comprehensive Plan and this Code, it is necessary and proper to establish a series of land use districts to ensure that the City can: preserve, promote, protect and improve the public health, safety, comfort, good order, appearance, and general welfare; provide adequate and efficient public facilities and services; conserve and protect natural resources; and, ensure the compatibility of adjacent land uses.

4-1.2 Applicability

All development within each land use district as described in subsection 4-1.3 shall be consistent with the stated purposes, allowable uses and development standards as set forth in this Article.

Sec. 4-1.3 Land Use Districts

The following land use districts or abbreviations shall be used for implementing this Section:

1. R, Residential District;
2. MU-Urban, Mixed Use-Urban District;
3. Com, Commercial District;
4. I, Industrial District;
5. REC, Recreation District;
6. P/I, Public/Institutional District;
7. C, Conservation Special Treatment Area;
8. H, Historic Special Treatment Area;
9. AG-2, Agricultural District;

4-1.4 Land Use District Map

The boundaries and designations of land use districts specified in subsection 4-1.3 shall be as shown on the map entitled "Land Use District Map of the Town of _____, Florida." Such map shall be on file in the office of the City Clerk and shall be available for inspection by all interested parties during normal working hours.

4-1.5 Interpretation of Districts or Boundaries

Where, due to the scale, lack of detail or legibility of the Land Use district Map, the boundary line of any district is uncertain the Director shall determine its location. Any person aggrieved by the location of a boundary line as determined by the City Clerk may appeal the determination to the Appeals Board. The City Clerk and the Appeals Board shall apply the following standards in determining the location of a district boundary line:

1. Land use district boundary lines are intended to follow lot lines, or be parallel or perpendicular thereto, or along the right-of-way lines of alleys, streets, easements, rail lines, or watercourses unless such boundary lines are fixed by dimensions on the Land Use District Map.
2. Where the Land Use District Map indicates a district boundary line along or following a lot line, the lot line shall be the boundary line.
3. Where a land use district boundary line divides a tract or plot of land, the location of the boundary line, unless indicated by dimensions on the land use map, shall be determined by the use of the map scale shown thereon.
4. If, after the application for the foregoing rules, uncertainty still exists as to the exact location of a land use district boundary line, any determination of the boundary line shall give due consideration to the history of the uses of property, the history of building permits, and all other relevant facts.

4-1.6 Scrivener's Error

In the event that an error(s) occurs through drafting, reproduction or other means in the location of a land use district boundary line as shown on the Land Use District Map, the City Clerk will fully document the error(s) and report the results to the Planning Board. The Planning Board shall hold a public hearing concerning the correction of such error(s) and, after conduct of the public hearing, shall have the authority to direct the correction of such error(s) to show accurate land use district boundary lines.

4-1.7 Allowable Uses and Development Standards

1. **R, Residential District**
 - a. Purpose
The purpose of this district is to provide areas for the development of medium to high density residential developments. Development in this classification would allow a maximum detached single family residential density of two (2) dwelling units per acre where central water and sewer systems are not available, a maximum of four (4) dwelling units per acre where a central water system is available, and a maximum of six (6)

dwelling units per acre where central water and sewer is provided. Multifamily residential developments and mobilehome parks will be allowed as conditional uses in this category. Maximum density will be determined by water/sewer availability pursuant to Rules 10D-6 and 40A-3, F.A.C. and other applicable sections of this Code.

b. Allowable Uses

The following uses are allowed as of right in Residential districts, all other uses are conditional uses as specified in paragraph c or prohibited:

- i. Single family detached dwellings on single-family lots. (including manufactured housing, provided only one unit is located on one lot or parcel with: a permanent foundation; wheels, axles, and tongue removed; the bottom enclosed with a customary skirt; and a front entrance porch and driveway provided.)
- ii. Gardens customary to residential occupancy and accessory structures incidental thereto.
- iii. Neighborhood Parks;
- iv. Accessory uses or structures as set forth in section 4-2. of this Article.
- v. Residential subdivisions as specified in Section 4-7 of this Code;
- vi. Public utilities customarily found in residential areas.
- vii. Signs as specified in Article V of this Code.

c. Conditional Uses

The following uses may be allowed in the Residential district upon approval by the Planning Board subject to the following conditions, or any other conditions that might be considered necessary to maintain the integrity of the Residential district.

- i. Public/Institutional uses, except for those including maintenance yards, repair yards, vehicle parking lots, equipment storage, or other similar facilities, provided all landscaping and buffer requirements as specified in Section 4-3 are met.
- ii. Community residential homes shall be allowed when 6 or fewer residents are located in a single-family, noncommercial, residential dwelling provided that such homes are not

located within 1,000 feet of one another and when the location of such homes do not substantially alter the nature and character of the area.

- iii. Multifamily residential buildings.
- iv. Mobile home parks.
- v. Home office of convenience as specified in Section 4-2.
- vi. Home occupations as specified in Section 4-2.
- vii. Boarding house, rooming house, or guest house. (including bed and breakfast establishments)
- viii. Mobile home parks or subdivisions subject to the requirements of section 4-8.
- ix. Child care facilities or family day care home provided that fencing and buffers are provided as specified in Section 4-3 and adequate parking is provided.

d. Development Standards

- i. Minimum lot area(s):
 - 1. With no City water or sewer service available - 21,780 square feet (1/2 acre)
 - 2. With City or Public water services available - 10,890 square feet (1/4 acre)
 - 3. With City or Public water and sewer services available - 7500 square feet
- ii. Minimum lot width(s):
 - Square or rectangular: 75 feet
 - Corner: 90 feet
 - Cul-de-sac or curve: 20 feet
- iii. Maximum building height: Thirty-five (35) feet
- iv. Density: No more than six (6) detached single family dwelling units per acre.
- v. Intensity: No more than 50% lot coverage, 50% required open space.
- vi. Minimum building setbacks for principal structures:
 - Front: 20 feet from lot line
 - Side(s): 10 feet from lot line.
 - Street Side: 20 feet from lot line.
 - Rear: 20 feet from lot line
 - Setbacks on odd-shaped lots will be determined by averaging the setback measures at right angles from the lot line to the building corners.
 - Front setbacks on curves or cul-de-sacs will be determined by measuring at right angles from a line drawn through the front lot line corners to the front of the building.

- Setbacks for corner lots will be determined by measuring the front setback as the distance from the lot line to the side of the building with the main entrance. Side setbacks will be measured from the lot line to the side of the building without a main entrance.
- For buildings with unusual shapes or offset entrances setbacks will be determined by the City Clerk but shall not be less than the minimum required in this Code.

- vii. Minimum setbacks for accessory structures: 3 feet from any abutting property line.
- viii. Parking: 2 spaces per dwelling unit
- ix. Landscaping: All yards must be grassed or vegetated, or otherwise covered with pervious material so as to prevent stormwater runoff and soil erosion.
- x. Buffers: None required

- e. Lots of Record
Where a lot or parcel was duly recorded prior to adoption of this Code and has less area, width or depth required to meet Residential district requirements, said lot may be used for an allowable use provided all lot coverage and setback requirements are met.

2. Mixed Use-Urban District (MU-Urban)

- a. Purpose
The purpose of the mixed use-urban category is to provide areas for an attractive and functional mix of residential, professional office, neighborhood commercial, and other similar medium intensity land uses. Development in this area has an approximately equal proportion of residential and commercial uses. Maximum detached residential density is four (4) units per acre, with maximum impervious surface ratio for commercial use of 80%.

Multifamily housing and mobile home parks will be allowed as conditional uses in accordance with HRS guidelines and other applicable provisions of this code.

b. Allowable Uses

The following uses are allowed as of right in the Mixed Use district, all other uses are conditional uses as specified in paragraph c., or prohibited.

- i. All residential uses and conditional uses allowed in Residential districts.
- ii. Neighborhood and community parks.
- iii. Public/Institutional uses
- iv. Public and private recreation uses
- v. Accessory uses and structures as specified in Section 4-2, including home occupations.
- vi. Signs as provided for in Article V.
- vii. Public utilities

- c. The following uses may be allowed in the Mixed Use district subject to the conditions set forth herein provided that no more than 25% of the area may be used for retail commercial or 50% of the area may be used for office/service related land uses within any MU district.

Neighborhood Commercial Uses

Athletic or health clubs
Antique dealers
Bakery
Bookstore or newsstand
Card or gift shop
Convenience store
Dance or music studio
Child care centers
Delicatessen or carry-out
Drug Store
Dry cleaner
Fast-food restaurant
Florist shop
Garden supplies

Health products
Jewelers
Laundromat, washateria
Locksmith
Printing or copying shop
Repair shop, Electronics
Restaurant
Shoe repair
Food or supermarket
Service or filling station

Other similar low-intensity uses as determined by the Planning Board.

Office, Medical, and Related Uses

Abstract or title companies
Advertising agencies
Agents
Architects, engineers, surveyors
Auditors, accountants
Bonding companies
Book agents
Business college
Employment agency
Film, photography, or art studio
Finance companies

Law offices
Medical offices or clinics
Professional office building
Real estate office
Tailor or seamstress shop
Travel agency

Other related uses as determined by the Planning Board.

The following conditions shall apply to neighborhood commercial and office, medical and related uses in the Mixed Use District.

- i. Gross floor area, either singularly or as a complex, shall not exceed 10,000 square feet with a maximum of 35 parking spaces.
- ii. Hours of operation or opening shall be no more than 7:00 A.M. to 11:00 P.M.
- iii. Landscaped buffers as specified in Section 4-3 shall be installed between any commercial and residential land use or land use district boundary.
- iv. All performance standards as specified in subsection 4-8.1 must be adhered to.

d. **Development Standards**

- i. Minimum Lot Area: 6,500 square feet
- ii. Minimum Lot Widths:
 - Square or rectangular: 65 feet
 - Corner: 75 feet
 - Curve or cul-de-sac: 20 feet
- iii. Maximum Building Height: 35 feet
- iv. Density: No more than 6 detached dwellings units per acre.
- v. Intensity: No more than 80% lot coverage, 20% required open space.
- vi. Minimum Building Setbacks for Principal Structures:
 - Front - 40 feet from lot line for properties fronting upon US 90 - 20 feet from lot line in other areas
 - Side(s) - 10 feet from side lot line
 - Rear - 10 feet from rear property line
- vii. Minimum Setbacks for Accessory Structures: 3 feet from any abutting property line
- viii. Dwellings with zero lot lines and other complexes with courtyard or common parking areas shall be subject to approval by the Planning Board.
- ix. Parking: As specified in Section 4-6.
- x. Landscaping: All yards must be grassed or vegetated, or otherwise covered with impervious material so as to prevent stormwater runoff and soil erosion. For multi-family or non-residential development parking areas shall be landscaped as specified in Section 4-3.
- xi. Buffers: Landscaped buffers as specified in Section 4-3 shall be required between the following land uses or land use districts:
 - Any single-family dwelling or residential district boundary and any multi-family structure or development;
 - Any residential use or district and any non-residential use or district.

3. Commercial District

a. Purpose

The purpose of the Commercial District is to provide adequate areas for commercial development in the city to serve the needs of the population and the traveling public. Maximum impervious surface ratio will be 90 %.

b. Allowable Uses

The following uses are allowed as of right in the Commercial District, all other uses are conditional uses as specified in paragraph d, or prohibited.

- i. Any commercial, retail, wholesale, trade, service, profession, business or occupation required to obtain an occupational license pursuant to Chapter 17, City Code of Ordinances, except for manufacturing, industrial, salvage yards, auto wrecking yards, fuel storage and similar uses.
- ii. Public/Institutional Uses
- iii. Public utilities
- iv. Public and private recreation sites and facilities
- v. Signs as specified in Article V.

c. Conditional Uses

The following uses may be allowed in the Commercial District upon approval by the Planning Board, subject to the following conditions or any other conditions considered necessary to maintain the integrity of the Commercial District.

- i. Any allowable or conditional use allowed in Residential or Mixed-Use districts provided that adjacent commercial or non-residential uses which abut the residential use shall not be subject to the buffer requirements of Section 4-3. The owner or developer of any residential use within the Commercial District shall provide to the City Clerk a written, notarized statement which indicates full knowledge of the Commercial District and that buffer requirements do not apply.
- ii. Uses which sell, serve or allow consumption of alcoholic beverages shall be subject to the provisions of City Ordinance No. _____.

d. Development Standards

- i. Minimum Lot Requirements
Area: 5,000 square feet
Width: Sixty (60) feet at the front lot line.
Depth: One-hundred (100) feet along the side lot line.
- ii. Maximum Building Height: Thirty-five (35) feet
- iii. Density: No more than sixteen (16) dwelling units per acre for approved conditional residential uses.
- iv. Intensity: No more than 90% lot coverage, 10% required open space.
- v. Minimum Building Setbacks:
Front: Forty (40) feet from road right-of-way
Side(s): No less than twenty (20) feet from the property line when the side lot abuts a residential district, or ten (10) feet when abutting another commercial use or district.
Rear: Each lot shall have a rear setback of not less than ten (10) feet from the rear property line, except where the building is serviced from the rear or abuts a residential district in which case the setback shall be thirty (30) feet from the rear property line.
- vi. Parking: As specified in Section 4-6.
- vii. Landscaping: Parking areas shall be subject to the requirements of subsection 4-3.4.
- viii. Buffers: Buffers shall be required between any commercial use and any residential or mixed use land use district as specified in Section 4-3.

4. Industrial Districts

- a. The purpose of the Industrial District is to provide areas for distribution, warehousing, manufacturing, fuel storage, or limited sales activities which, by nature of their normal operations, have the potential to create excessive noise, smoke, emissions, traffic or other characteristics which have the potential to cause nuisances or hazards. Ancillary commercial development shall be limited to no more than 50% of the lot or parcel area. Ancillary commercial development (use or building) shall be subordinate to, customarily incident to, and located to on the

same lot or parcel as the principal use or building.

b. Limitations

Industrial land uses shall be strictly limited to those existing as shown on the Land Use District Map. Any additional industrial areas or expansion of existing industrial areas must be approved by the Town Council on a case-by-case basis.

c. Development Standards

i. Minimum Lot Requirements

Area: 43,560 square feet (1 acre)

Width: One hundred (100) feet at the front lot line.

Depth: Two hundred (200) feet along the side lot line.

ii. Intensity: No more than 50% lot coverage, 50% required open space.

iii. Minimum Building Setbacks:

Front: Fifty (50) feet from road right-of-way or front property line.

Side(s): No less than fifty (50) feet from the property line when the side lot abuts a residential district or road right-of way, ten (10) feet when abutting another commercial use or district.

Rear: Each lot shall have a rear setback of not less than ten (10) feet from the rear property line, except where the building is serviced from the rear or abuts a residential district or road right-of way in which case the setback shall be fifty (50) feet from the rear property line.

iv. Parking: As specified in section 4-6.

v. Landscaping: Parking and storage areas shall be subject to the requirements of section 4-3.

vi. Buffers: Buffers shall be required between any industrial and residential or mixed use land use or districts as specified in section 4-3.

5. Recreation

a. Purpose

The purpose of this district is to provide areas for public recreation, and private recreation open to the public.

- b. Allowable Uses
 - i. Public parks, open space, refuges, ballfields, public ways, golf courses and other such activities intended for public recreation;
 - ii. Public buildings and grounds;
 - iii. Public services and utilities;
 - iv. Private outdoor recreation activities;

- c. Development Standards
 - i. Intensity: No more than 90% lot coverage.
 - ii. Minimum building setbacks
 - Front: 20 feet from property line.
 - Rear: 10 feet from property line abutting any Commercial or Public/Institutional land uses or land use districts, 20 feet from property line abutting Residential or Mixed Use districts.
 - Side(s): 10 feet from property line abutting Residential or Mixed Use districts.
 - iii. Minimum open space: 10% of lot or parcel
 - iv. Parking: As specified in Section 4-6.

- v. Landscaping: 10% of the area to be used for off-street parking as specified in subsection 4-3.4.
- vi. Buffers:
 - Buffers shall be required between abutting Residential or Mixed Use districts;
 - Buffers shall not be required between abutting Commercial or Public/Institutional land uses or land use districts.
 - Requirements for buffers shall be as specified in Section 4-3.

6. Public/Institutional

- a. Purpose

The purpose of this district is to provide areas for public facilities and services. Public facilities include churches, educational facilities, institutions, government centers, and prisons. Maximum impervious service ratio will be 80%.

- b. Allowable Uses

The following uses are allowed as of right in the public/institutional district, all other uses are prohibited.

- i. Churches, tabernacles, synagogues, or other similar houses or worship.
- ii. Public schools, private schools, colleges, universities
- iii. Cemeteries
- iv. Government buildings and grounds
- v. Hospitals, institutions
- vi. Public housing
- vii. Non-profit clubs or organizations.
- viii. Other similar land uses

c. Development Standards

- i. Intensity: No more than 80% lot coverage.
- ii. Minimum building setbacks
 - Front: 20 feet from property line or consistent with existing setbacks.
 - Rear: 10 feet from property line abutting any Commercial or Public/Institutional land use districts, 20 feet from property line abutting Residential or Mixed Use districts.
 - Side(s): 10 feet from property line abutting Residential or Mixed Use districts.
- iii. Minimum open space: 10% of lot or parcel
- iv. Parking: As specified in Section 4-6.
- e. Landscaping: 10% of the area to be used for off-street parking as specified in subsection 4-3.4.
- vi. Buffers:
 - Buffers shall be required between abutting Residential or Mixed Use districts;
 - Buffers shall not be required between abutting Commercial or Public/Institutional land use or land use districts.
 - Requirements for buffers shall be as specified in Section 4-3.

7. Conservation Special Treatment Area

- a. Purpose

The purpose of the Conservation Special Treatment Area is to provide reasonable levels of protection for locally designated environmentally sensitive resources. Designation of areas within this district is not intended to preclude or prohibit development but rather to provide an indicator that physical or environmental features may exist which will require limitations on development, special permit requirements, or special construction methods.
- b. Applicability

The Conservation Special Treatment Area shall be considered an overlay district on the designated

land use district upon which it is superimposed. Unless otherwise specified, the underlying district requirements, including allowable uses, densities, intensities, etc. shall also be applicable within the Conservation Special Treatment Area.

Conservation Special Treatment Areas as shown on the Land Use District Map include:

- i. Water wells and cones of influence;
- ii. Wetlands;
- iii. Flood zones; and,
- iv. Soils with severe limitations to building development.

c. Development Standards

- i. All development undertaken within Conservation Special Treatment Areas shall be in conformance with the environmental protection standards specified in Section 4-4 of this Code.
- ii. Unless otherwise specified, lot coverage in Conservation Special Treatment Areas shall be no greater than 50% of the lot or parcel to be developed; and, residential density shall be limited to two (2) dwelling unit per acre.

8. Historic Special Treatment Areas

a. Purpose

The purpose of the Historic Special Treatment Area is to provide for the protection, preservation, or reuse of identified historic sites.

b. Development Standards

- i. Development and/or redevelopment in the Historic Special Treatment Area shall be evaluated as to potential impacts on historic resources. Structures identified as being of historic significance will be subject to review by the Planning Board and conditional development requirements prior to permits being issued for demolition or substantial alteration. The Jackson County Survey of Historically Significant Sites shall be used to identify properties to which historic preservation requirements of this subsection shall apply.
- ii. The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, 1983 shall be used as a basis to determine the

need for historic preservation and for providing guidelines for rehabilitation of historic structures.

- iii. Incentives may be made available to developers for restoration or rehabilitation of historic properties subject to approval by the Planning Board and City Commission.

9. Agricultural

a. Purpose

The purpose of this land use district is to accommodate areas of the city associated with agriculture or agriculture-related activities. Examples of appropriate uses are crop land, pasture land, orchards and groves, small-scale timber production (less than 1000 acres), and residential development. Maximum residential density shall not exceed one (1) dwelling unit per acre. Impervious service ration shall not exceed 50%.

4-1.8 Supplemental Performance Standards

1. Purpose

The performance standards set forth herein are intended to reduce the potential for nuisances between adjacent land uses and land use districts.

2. Applicability

The following performance standards shall apply to all multi-family and non-residential land uses within the City.

a. Noise

No non-residential development shall be allowed adjacent to residential properties which causes extended sound levels on such residential properties to exceed 60 dBA from 7:00 A.M. to 10:00 P.M., and 55 dBA from 10:00 P.M. to 7:00 A.M. Extended sound levels are those of a continuous or consistently repetitive nature.

b. Lighting and Glare

No multi-family residential or non-residential development shall be allowed adjacent to any low-density residential properties which causes excessive illumination or glare upon such residential properties. All lighting or illumination proposed as part of any multi-family or non-residential development shall be located and installed so that no direct or indirect light falls upon adjacent residential properties. All driveways, parking lots or other vehicular access associated with multi-family or non-residential development shall be designed and constructed so that no direct light from vehicle headlights is

shown upon or into any adjacent residential dwelling.

- c. **Electromagnetic Interference**
In all land use districts, no use, activity or process shall be conducted which produces electric and/or magnetic fields which adversely affect public health, safety or welfare including but not limited to interference with normal radio, telephone, or television reception from off of the premises where the activity is conducted.
- d. **Toxic or Noxious Matter**
The emission of toxic or noxious matter beyond any property line is prohibited.
- e. **Odor**
No offensive odors shall be emitted which are detectable with or without instruments beyond any property line.
- f. **Smoke**
No smoke shall be emitted from any property which violates state air quality standards.
- g. **Eyesores and Junk**
No equipment, material, vehicle or product shall be stored or kept in such a manner as to present an offensive or unsightly appearance when viewed from any adjacent property.

Sec. 4-2. ACCESSORY LAND USES AND STRUCTURES

4-2.1 Accessory Land Uses

1. Purpose

This subsection is intended to regulate the type, location, configuration and conduct of accessory land uses in order to ensure that such accessory uses are not harmful either physically or aesthetically to residents of surrounding areas.

2. Accessory Apartments (Granny Flat or Domestic Quarters)

a. Purpose

The purpose of this subsection is to provide for inexpensive housing units to meet the needs of older households, making housing available to elderly persons who might otherwise have difficulty finding homes and to provide living quarters for housekeeping or maintenance persons on-premises. This section is also intended to protect the property values and residential character of neighborhoods where accessory apartments are located.

b. Standards

Accessory apartments may be allowed in single-family homes provided that all of the following requirements shall be met:

- i. No more than one (1) accessory apartment shall be permitted on any residential lot.
- ii. Any accessory apartment shall be located within the principal structure. An accessory apartment shall not be construed to be located within the principal structure if connected only by a breezeway, roofed passage, or similar structure. Mobile homes shall not be used as an accessory apartment.
- iii. An accessory apartment shall not exceed 25 percent of the gross floor area of the principal structure within which it is located.
- iv. The accessory apartment shall be located and designed not to interfere with the appearance of the principal structure as a single-family dwelling unit.
- v. No variations, adjustments, or waivers to the requirements of this Code shall be allowed in order to accommodate an accessory apartment.

3. Home Occupations

A home occupation shall be allowed in a bona fide dwelling unit within Residential and Mixed Use districts, subject to the following requirements:

- a. No person other than members of the family residing on the premises shall be engaged in such occupation.
- b. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall under no circumstances change the residential character of the structure.
- c. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, other than one sign not exceeding four square feet in area, non-illuminated, mounted flat against the wall.
- d. No home occupation shall occupy more than twenty-five (25) percent of the first floor area of the dwelling. No accessory building, freestanding or attached, shall be used for a home occupation.
- e. No traffic shall be generated by such occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street or right of way.
- f. No equipment, tools, or process shall be used in a home occupation which creates interference to neighboring properties due to noise, vibration, glare, fumes, odors, or electrical interference. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio, telephone, or television receivers off the premises or causes fluctuations in line voltage off the premises.
- g. Fabrication of articles commonly classified under the terms "arts and handicrafts" may be deemed a home occupation, providing no retail sales are made at the home.
- h. Outdoor storage of materials shall not be permitted.
- i. The following shall not be considered home occupations: beauty shops and barbershops (more than one chair), band instrument or dance instructors, swimming instructor, studio for group instruction, public dining facility or tea room, antique or gift shops, photographic studio, fortune telling or similar activity, outdoor repair, food processing, retail sales, nursery school, kindergarten, or child day care center.

- j. The giving of individual instruction to one person at a time such as an art or piano teacher, shall be deemed a home occupation; individual instruction as a home occupation for those activities listed in paragraph i. above shall be prohibited.
- k. A home occupation shall be subject to all applicable City occupation licensing requirements, fees and other business taxes.

4. Home Office of Convenience

A home office of convenience shall be allowed in a dwelling unit within Residential and Mixed Use districts, subject to the following requirements.

- a. No person other than members of the family residing on the premises shall be engaged in the business activity.
- b. The use of the dwelling unit for the home office shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall under no circumstances change the residential character of the structure.
- c. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of business activity. Signs or any visible advertising is prohibited.
- d. No home office shall occupy more than twenty-five (25) percent of the first floor area of the dwelling. No accessory building, freestanding or attached, shall be used for a home office.
- e. No traffic be generated by such home office in greater volumes than would normally be expected in a residential neighborhood.
- f. No equipment, tools, or process shall be used in a home office which creates interference to neighboring properties due to noise, vibration, glare, fumes, odors, or electrical interference. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio, telephone, or television receivers off the premises or causes fluctuations in line voltage off the premises.
- g. Any business activity undertaken in a home office shall be limited to that which is conducted by phone or mail only.
- h. Outdoor storage of materials is prohibited.
- j. A home office of convenience shall be subject to all applicable City occupation licensing requirements, fees and other business taxes.

5. Dining Rooms, Recreation Centers, and other Amenities
 - a. Generally
Residential and non-residential development projects may provide amenities for the exclusive use of the employees and/or residents of the project. Such amenities shall be allowed only as provided below.
 - b. Dining Rooms/Cafeterias/Snack Shops, Etc.
A development may provide a central dining facility to serve the employees and/or residents of the project subject to the following restrictions:
 - i. The facility shall not be open to the general public.
 - ii. There shall be no off-site signs advertising the presence of the facility.
 - c. Community Centers/Recreation Centers
Residential project may provide a central facility to provide a meeting place and indoor recreation opportunities for residents subject to the following restrictions:
 - i. Such facilities shall not include health clubs, gift shops, gyms, and the like offering services to the general public.
 - ii. Parking to serve the building shall be provided as required by this Code.
 - iii. There shall be no identification signs, other than directional signs.
 - d. Employee Fitness Centers
Non-residential development projects may provide a fitness or exercise center for the use of employees subject to the following restrictions:
 - i. Such facilities shall not be open to the general public.
 - ii. There shall be no signs other than directional or occupant signs, identifying the facility.

4-2.2 Accessory Structures

1. Purpose
 - a. It is the purpose of this section to regulate the type, installation, configuration, and use of accessory structures in order to ensure that they are not harmful either aesthetically or physically to residents and surrounding areas.
2. General Standards and Requirements

Any number of different accessory structures may be located on a parcel, provided that the following requirements are met:

- a. There shall be a permitted principal use on the parcel, located in full compliance with all standards and requirements of this Code.
- b. All accessory structures shall comply with standards pertaining to the principal use, unless exempted or superseded elsewhere in this Code.
- c. Accessory structures shall not be located in required buffer or landscape areas.
- d. Accessory structures shall be included in all calculations of impervious surface and stormwater runoff.
- e. Accessory structures shall be subject to development review and shall require a site development plan with full supporting documentation as required in Article II of this Code.
- f. Accessory structures shall be allowed only in side or rear yards, unless otherwise specified herein.

3. Storage Buildings, Shops, Utility Buildings, Greenhouses, Garages, Carports, and Similar Structures

- a. No accessory building shall be used for industrial storage of hazardous, incendiary, noxious, or pernicious materials.
- b. Storage buildings, greenhouses, and the like shall not be located closer than three (3) feet from any abutting interior property line or five (5) feet from any alley right-of-way.
- c. Storage and other buildings regulated by this subsection shall be permitted only in side and rear yards.
- d. Storage and other buildings regulated by this subsection shall be included in calculations for impervious surface, floor area ratio, or any other site design requirements applying to the principal use of the lot.
- e. Motor vehicles, mobile homes, trailers or recreational vehicles shall not be used as storage buildings, utility buildings, or other such uses within any residential district.

4. Private Swimming Pools

- a. Swimming pools shall be permitted only in side and rear yards, and shall conform to accessory building setback requirements.
- b. Enclosures for pools may be considered a part of the principal or accessory structure and shall comply with standards for minimum distance

*Permit
required for
pole barns*

between buildings, yard requirements, and other building location requirements of this Code.

- c. All pools shall be completely enclosed with an approved wall, fence or other substantial structure not less than six (6) feet in height. The enclosure shall completely surround the pool and shall be of sufficient density to prohibit unrestrained admittance to the enclosed area through the use of self-closing and self-latching doors or gates.
- d. No overhead electric power lines shall pass over any pool unless enclosed in conduit and rigidly supported, nor shall any power line be nearer than ten (10) feet horizontally or vertically from the pool's water edge.

5. Fences

- a. Fences or hedges may be located in all front, side and rear yard setback areas. No fences or hedges shall exceed four (4) feet in height when placed in the front yard. Each fence located in the side and rear yard setbacks shall not exceed eight (8) feet in height, and for side yards shall not extend beyond the front of the principal structure.
- b. In areas where the property faces two (2) roadways or is located in any other area construed to be a corner lot, no fence shall be located in the sight distance vision triangle.
- c. Any fence located adjacent to a public right-of-way or private road shall be placed with the finished side facing that right-of-way.
- d. A fence required for safety and protection of hazard by another public agency may not be subject to height limitations above. Approval to exceed minimum height standards may be given by the Planning Board upon receipt of satisfactory evidence of the need to exceed height standards.
- e. No fence or hedge shall be constructed or installed in such a manner as to interfere with drainage on the site, unless such structure is intended for purposes of stormwater management. Gates or removable fences may be required to allow access to utility easements.
- f. No fence, wall or similar structure shall be located in or upon any body of water or submerged lands, or located in such a manner as to restrict public access to or along any riparian property line.

6. Decks, Patios

*Permit
Required*

- a. Decks or patios shall be located in side and rear yards only in residential districts, unless otherwise approved by the Director.
- b. Any enclosure of a deck or patio shall be subject to the development review and site plan requirements as specified in Article II of this Code.
- c. Decks or patios shall not be located closer than three (3) feet from any abutting property line or public right-of-way.
- d. If the deck or patio is attached to the principal structure all setbacks for principal structures shall apply, if attached to an accessory building all setbacks for accessory buildings shall apply.

7. Satellite Dishes/Antennae

- a. Satellite dishes in the residential districts shall be permitted in side or rear yards only.
- b. The satellite dish antenna installation and any part thereof shall maintain vertical and horizontal clearances from any electric lines and shall conform to the National Electric Safety Code.
- c. The satellite dish antenna installation shall meet all FCC and manufacturer specifications, rules, and requirements.
- d. The satellite dish antenna shall be of a nonreflective surface material and shall be made, to the maximum extent possible, to conform and blend, taking into consideration color and location, with the surrounding area and structures.
- e. The satellite dish antenna shall contain no advertising or signage of any type.
- f. The satellite dish antenna installed pursuant to this subsection shall not be used for any commercial purposes. It shall only provide service to the main dwelling structure.
- g. Satellite dish antenna installations shall be limited to one installation per residential lot.
- h. The requirements of this subsection shall not be applicable in Commercial, Public/Institutional or Industrial districts.

Sec. 4-3 BUFFER AND LANDSCAPING STANDARDS

4-3.1 Purpose

The purpose of this Section is to provide for aesthetic improvement during the process of development, mitigate loss of natural vegetation, assist in controlling vehicular and pedestrian traffic, provide standards for maintenance of required open space, and to provide buffers between adjacent land uses.

4-3.2 Applicability

1. Required Buffers

Landscaped buffers are required between land uses or land use districts as follows:

- a. Multi-Family Uses
Between any multi-family use with more than four (4) dwelling units and any other residential land use or land use district;
- b. Mixed Use District
 - i. Between any single-family through quadraplex residential use and any other multi-family residential use, and
 - ii. Between any residential use and any non-residential conditional use;
- c. All Other Districts
Between any residential district and any non-residential district.
- d. Buffers shall not be required for land uses or land use districts which are separated by a public roadway.

2. Waivers

Buffer requirements may be waived by the City Clerk upon approval by the Planning Board. Any such waiver shall only be approved upon delivery by the developer of written, notarized statements of no objection from all adjacent property owners.

4-3.3 Location, Size and Composition of Landscaped Buffers

1. Location

All required buffers shall be located along the side(s) and rear property lines. Rear buffers shall run the entire length of the property line. Side buffers shall be located so as to screen from view from abutting side properties all parking areas and buildings, except in no

case shall a buffer block sight distance of motor vehicle operators entering onto public roadways.

2. Size and Composition

a. Size

Required vegetated buffers shall be at least 3 feet wide and 6 feet in height and of sufficient density so as to block from view abutting land uses. If existing vegetation is sparse or not of sufficient density to block from view abutting land uses a visual screen or fence may be required in conjunction with the vegetated buffer.

b. Composition

- i. Required buffers shall be comprised entirely of natural vegetation if such vegetation is of sufficient density and height as to block from view abutting land uses or land use district.
- ii. Required buffers may also be comprised of landscaped trees, shrubs, vines or other vegetation, or a combination of vegetation, screens, berms, or fences, provided any such buffer is of sufficient density so as to block from view abutting land uses or land use districts.
- iii. Screens or fences may be constructed of wood, block, masonry or other common fencing material provided such buffer is 100% solid material.

3. Pedestrian Access

Pedestrian access such as doors, gates, etc. may be installed, and are encouraged, to provide access between residential areas and adjacent non-residential areas. Such accessways shall only be located so as to provide access to a public right-of-way, unless mutually agreed upon between property owners, and shall not be more than 5 feet in width.

4-3.4 Landscape requirements for off-street parking facilities and vehicular use areas.

Areas used for off-street parking or other vehicular storage must be landscaped for ten percent (10%) of parking area developed, in addition to the following requirements:

1. Setback Areas

- a. All parking areas must be set back ten (10) feet from the property lines in front and four (4) feet from the side and rear lot lines. The area between

the parking areas and the property lines shall be landscaped and may be counted in computing the ten (10) percent landscape requirements.

- b. Natural vegetation may be used, if not cleared, to meet the 10% requirement.
- c. If natural vegetation is not used, a tree shall be planted for each fifty (50) linear feet of lot frontage. Trees may be clustered rather than evenly spaced.
- d. Acceptable landscape materials shall include: Vines, lawn grass, ground cover, pebbles, brick pavers, mulch with low growing plants, including the preservation of existing trees and shrubs.

2. Visual Screen for Vehicular Use Areas

A visual screen or barrier must be used to block from visual view all parking area or vehicular use areas from adjacent public streets, or residential developments, if no buffer exists or is required. The visual screen must consist of twenty (20) percent solid materials and have a minimum height of eighteen (18) inches; low shrubs, hedges, berms, fences or a combination thereof are acceptable.

3. Motor Vehicle Overhang

Motor vehicles shall not overhang into any landscaped setback or planted area.

4. Interior Landscape Requirements for Vehicular Use Areas

Vehicular use or parking areas which are ten thousand (10,000) square feet or greater in size must also meet the following requirements:

- a. At least twenty-five (25) percent of the general landscape requirement shall be devoted to separate interior planting areas of one per ten thousand (10,000) square feet of vehicular use areas.
- b. The interior planting areas shall be located in a manner that assists and helps to control the movement of vehicular and pedestrian traffic.
 - i. Provide a continuous landscape strip between every four rows of parking. This should be a minimum of eight feet in width to accommodate a low hedge and shade trees.
 - ii. Create large planting islands (over 600 square feet) to be located throughout the lot and planted with shade trees, low shrubs,

- and/or ground cover. These should preferably be located at the ends of parking rows.
- iii. Provide planting islands (a minimum of nine feet wide) between every 10 to 15 spaces to avoid long rows of parked cars. Each of these planting islands should provide at least one shade tree having a clear trunk height of at least six feet.

- c. Vehicles may not overhang into any interior planting area.

5. Plant Material Requirements

Any vegetative form used to fulfill any provision of the parking area landscaping requirements must meet the following basic standards:

- a. Trees
Trees must be at least six (6) feet tall when planted and must reach a minimum of fifteen (15) feet at mature height and normal adult drip line of fifteen (15) feet.
- b. Shrubs and Hedges
Shrubs and/or hedges must be a minimum height of eighteen (18) inches when planted.
- c. Ground Covers
Ground covers should be planted with a spacing which will provide seventy-five (75) percent coverage within one year.
- d. Lawn Grasses
Grasses should be planted to a density which will achieve permanent coverage within one year. Planting methods may be seeding, sprigging, plugging or sodding.
- e. Synthetic Plants and Planters
Artificial plant material may not be used for any landscaping requirement. Architectural planters may be substituted for landscape requirements when planted with live plants.
- f. Natural Vegetation
Use of natural vegetation will involve retention of all native or naturally occurring plants, shrubs or trees in required landscaping areas.
Planters for shrubs are required to have a depth of eighteen (18) inches and ten (10) square feet of area. Planters for trees must have a depth of thirty (30) inches and twenty-five (25) square feet of area.

4-3.5 Maintenance Requirements for Landscaping or Buffers

- 1. Responsibility for property maintenance of required landscaping or buffers shall be with the owner of the property or any consenting lessee.
- 2. Maintenance of landscaped areas or vegetated buffers shall consist of:

- Mowing, pruning, removal of litter, replacement of dead plant material, and proper watering, fertilizing, etc.
 - A water supply for irrigation purposes shall be provided for each landscaped or buffered area. Such water supply shall be shown on a landscaping site plan or sketch.
3. Maintenance of visual barriers or fences shall include keeping such structures in good appearance and repair including replacement of damaged or deteriorated sections.

Sec. 4-4. ENVIRONMENTAL PROTECTION STANDARDS

4-4.1 Purpose

The destruction or pollution of environmentally significant resources within the City constitutes a menace to the public health and welfare; creates public nuisances; is harmful to wildlife, fish and other aquatic life; and can be reasonably expected to decrease quality of life for residents of the City. It is hereby declared that the prevention, abatement and control of development activities which cause destruction or pollution of environmentally significant resources are affected with a public interest, and the provisions of this Section are established for the purpose of protecting the health, safety, and general welfare of the public. The purpose of this Section is to provide standards intended to prevent or restrict development activities which destroy or pollute environmentally significant resources, when such development activities are contrary to the public interest.

4-4.2 Applicability

This Section is intended to establish those resources or areas of a development site that must be protected from harmful affects of development. A developer should apply the provisions of this Section to a proposed development site before any other development design work is done. Application of the provisions of this Section will divide a proposed development site into areas that may be developed and areas that must generally be left free of development activity. The proposed development should then be designed to fit within the areas that may be developed. No development order may be issued by the City until such time as the provisions of this Section have been met.

4-4.3 Environmentally Significant Resources

Environmentally significant resources are those identified in the Comprehensive Plan and in subsection 4-1.7, 10 of this Code as follows.

1. Soils;
2. Wetlands;
3. Flood Zones;
4. Aquifer Recharge Areas;
5. Wildlife Habitat;
6. Water Wells and Cones of Influence; and,
7. Natural Vegetation

4-4.4 Protection Standards

1. Soils
All grading, filling, excavation, storage or disposal of soil and earth materials associated with development activities shall be undertaken so as to reduce the

potential for soil erosion and sedimentation of water bodies or drainageways. Erosion control measures shall be required for all such activities.

As part of the development review process required pursuant to Article II of this Code, a developer of Level 2 or Level 3 developments shall include an "Erosion and Sediment Control Plan". Such plan shall contain:

- (a) Calculations of maximum runoff based on the 25-year, 24-hour storm event;
- (b) A description of, and specifications for, sediment retention devices;
- (c) A description of, and specifications for, surface runoff and erosion control devices;
- (d) A description of vegetative measures;
- (e) A map showing the location of all items listed in (a) through (d) in this paragraph.

A developer may propose the use of any erosion and sediment control techniques provided such techniques represent best management practices, and are certified by a registered professional engineer.

Once development activity begins, the developer shall maintain in good order all erosion and sediment control measures specified in the Erosion and Sediment Control Plan regardless of whether the development project is completed or not.

2. Wetlands

Most wetlands constitute a productive and valuable public resource, the unnecessary alteration or destruction of which should be considered contrary to the public interest. As such, the following procedures and restrictions shall apply to development activities in wetlands identified by the City.

(a) Identification

The City shall identify those areas which exhibit physical features indicative of wetlands and shall depict such areas on a map. Wetland areas shown on the map shall be subject to the restrictions set forth in paragraph (b) unless the developer(s) of such areas can satisfactorily demonstrate to the City that wetlands do not exist on the site.

(b) Development Restrictions

The following restrictions shall apply to development activities in wetlands identified pursuant to paragraph (a), and in wetland areas identified by jurisdictional interpretation through DER or the Corps of Engineers.

- i. Use of fill, by dredging or any other means, is prohibited.
- ii. Buildings or structures may be constructed on piles, posts or piers in wetlands provided:
 - There are no upland areas suitable for development after wetlands have been delineated;
 - The building or structure is constructed so as to allow for the continuation of natural functions such as drainage patterns, sedimentation patterns and natural flushing characteristics;
 - The elevation of the lowest habitable floor is at least one foot above the base flood elevation;
 - All development activity is confined to the land area upon which the building is located ("building footprint"); and,
 - Development is undertaken in a manner so as to preserve wetlands on the building site.
- iii. All required permits must also be obtained from the DER or Corps of Engineers, as applicable.
- iv. Residential density shall not exceed one (1) dwelling unit per five (5) acres.
- v. Lot coverage shall be no greater than 30% of the wetland area.
- vi. A buffer of natural vegetation at least ten (10) feet in width shall be maintained between delineated wetlands and any upland development.
- vii. Development shall be clustered on upland areas of the development site where possible.
- viii. Structures used for public utilities or other public purpose may be located in wetland areas provided that disturbance of the wetland is limited to the immediate area necessary to locate such structure.

3. Flood Zones

All development activity undertaken within designated A-zones as shown on the official Flood Insurance Rate Map for Marianna, Florida published by the Federal Emergency Management Agency shall be subject to the restrictions and standards of the City's Flood Damage Prevention Ordinance (Ordinance No. 2011-1), as may be amended or superceded. Development in the floodplain shall be restricted to conservation, recreation, residential, or public purposes only, except that commercial uses may be allowed adjacent to US 90 provided that lot coverage is limited to no more than 50% of the total lot or parcel.

4. Aquifer Recharge Areas

- (a) The City shall restrict lot coverage to 30% of the lot or parcel to be developed in identified aquifer recharge areas.
- (b) All stormwater detention or retention structures shall be constructed so as to comply with minimum groundwater criteria specified in Ch. 17-3, Part IV, FAC.
- (c) A minimum ten (10) foot vegetated buffer shall be required between any structure, including parking areas, and identified aquifer recharge areas.
- (d) The development of public or private facilities which have the potential to discharge pollutants or otherwise contaminate the surface or deep aquifer shall be prohibited in identified aquifer recharge areas, unless the developer can provide assurances that reasonable measures will be undertaken to prevent aquifer contamination.
- (e) All groundwater shall at all places and at all times be free from domestic, industrial, agricultural, or other man-induced non-thermal components of discharges in concentrations which, alone or in combination with other substances, or components of discharges (whether thermal or non-thermal):
 - i. Are harmful to plants, animals or organisms that are native to the soil and responsible for treatment or stabilization of the discharge relied upon by DER permits; or
 - ii. Are carcinogenic, mutagenic, teratogenic, or toxic to human beings, unless specific criteria are established for such components in Rule 17-3.404; or
 - iii. Are acutely toxic to indigenous species of significance to the aquatic community within surface waters affected by the groundwater at the point of contact with surface waters; or
 - iv. Pose a serious danger to the public health, safety, or welfare; or
 - v. Create or constitute a nuisance; or
 - vi. Impair the reasonable and beneficial use of adjacent waters.

5. Wildlife Habitat

Development shall not be permitted which will significantly damage or destroy the habitat of species listed as endangered or threatened as specified in the "Official Lists of Endangered Fauna and Flora in Florida", published by the Florida Game and Fresh Water Fish Commission.

The developer of any areas identified as containing wildlife habitat shall be responsible for the conduct of an analysis to determine the value and extent of such habitat. This habitat analysis shall form the basis of habitat conservation and preservation measures to be established either as a condition of development approval or in an enforceable development agreement pursuant to ss. 163.3220 - .3243, F.S.

6. Water Wells and Cones of Influence

- (a) The City shall prohibit installation of septic tanks within two-hundred (200) feet of municipal potable water wells.
- (b) Land uses which store, transfer or use hazardous materials shall not be permitted within two-hundred (200) feet of municipal potable water wells.
- (c) Underground storage tanks containing gasoline, diesel fuel, or other hazardous substances shall not be permitted within three-hundred (300) feet of municipal potable water wells.
- (d) No new potable water well shall be located within 500 feet of any known source of groundwater contamination.

7. Natural Vegetation

The City shall preserve natural vegetation as part of the required buffers specified in this subsection and in subsection 4-3.3. All developers are strongly encouraged to preserve as much natural vegetation as possible during design and construction of development projects.

Sec. 4-5. UTILITIES

This Section is intended to provide basic standards for availability of utilities services as follows.

4-5.1 Applicability

1. Electricity and Telephone
All habitable developments shall have available a source of electricity and telephone adequate to accommodate the permitted development.
2. Water and Sewer
All habitable development within the City shall be connected onto the City water and sewer system or, if City water and sewer service is not available, within six (6) months of the availability of such service. All connections or extensions into either the water or sewer systems shall be as specified in the Standard Plumbing Code (1988) and/or, if applicable, state rules.
3. Fire Hydrants
The developers of any residential development shall provide a system of fire hydrants which meets or exceeds the standards set forth in Recommended Standards for Water Works, 1982 Edition.
4. Drainage and Stormwater Management
 - a. Site plans submitted pursuant to Article II of this Code shall include a "Drainage and Stormwater Management Plan" which addresses the following requirements.
 - b. Stormwater Design Standards
 - i. Stormwater Quality
Minimum stormwater quality standard is:
 - Retention, or detention with filtration of the runoff from the first one inch of rainfall or for drainage areas less than 100 acres, facilities required to provide retention, or detention with filtration, or the first one half inch of runoff from a 24-hour, critical duration storm event.
 - Higher standards may be applied in areas of special concern as determined by the City Clerk.
 - All stormwater discharge structures shall have sediment controls and skimming devices.
 - Off-site discharge flows shall be limited to non-erosion velocities.

- ii. Stormwater Quantity
Minimum stormwater quantity standard:
 - All developments shall provide facilities required to attenuate the 25-year, 24-hour storm event while limiting discharge to the difference between pre-development levels and post development levels or to the capacity of the receiving water or drainage control structure.
 - The minimum time of concentration shall be ten minutes.
 - Design engineers shall verify the capacity of the outfall system with analytical analysis, unless waived by the City Clerk.

- c. Erosion and Siltation Control
The minimum for erosion and siltation control:
 - i. Provide an erosion and siltation plan for temporary and permanent vegetative and structural control measures.
 - ii. Best management practices contained in the Florida Department of Environmental Regulation's Florida Development Manual: A Guide to Sound Land and Water Management will be followed.
 - iii. Denuded areas shall be stabilized with mulch, sod or other temporary vegetation within 30 days. Final stabilization measures shall be in place within 60 days of final grading.
 - iv. Soil stockpiles shall be protected from erosion. Dust from soil stockpiles shall be controlled.
 - v. Storm drainage inlets shall be protected by hay bales, sod screens or other measures to prevent siltation during construction.
 - vi. Sediment basins, sediment traps, perimeter berms, filter fabric fences, hay bales and other measures indicated on the Erosion Control Plan shall be installed as a first step in land alteration (see subsection 4-4.4,1.).
 - vii. Exemptions may be authorized by the City Clerk as follows: construction of one single family dwelling unit, one duplex, one triplex, or one quadruplex residential unit provided

the unit is not a part of a larger development; or other activities determined by the City Clerk.

d. Drainage and Stormwater Management Plan Requirements

i. The applicant shall provide sufficient information for the City to evaluate the characteristics of the affected area, the potential impacts on City water and the acceptability of compensating measures including: maps, sketches, graphs, tables, photographs, narratives and other information.

ii. The Drainage and Stormwater Management Plan shall be prepared by a professional engineer registered in the State of Florida, unless exempted by the Director.

iii. The Drainage and Stormwater Management Plan shall include the following, unless exempted by the City Clerk.

- Name, address, and telephone number of the applicant.
- Location map and aerial photo outlining project boundaries.
- Existing environmental and hydrologic conditions of the site and receiving waters including:
 - * Predevelopment flow rate, direction and volume of stormwater run-off on the site.
 - * Off-site adjacent upland acreage, water courses, water bodies and wetlands.
 - * Groundwater levels.
 - * Vegetation and soils.
 - * Other appropriate site-specific information including outfall system information.
- Components of the proposed Stormwater Management System including:
 - * Post development flow rate, direction and volume of stormwater run-off with a comparison to predevelopment conditions.

- * Construction plans for stormwater system improvements.
- * Erosion and sedimentation control measure plan (see subsection 4-4.4,1).
- * Plan and schedule for maintenance of Stormwater Management System and erosion/sedimentation control measures.
- * Other appropriate site-specific information.

e. Plan Adherence

- i. The applicant shall be required to adhere to the Drainage and Stormwater Management Plan as approved.
- ii. Any changes or amendments to the plan must be approved by the City.
- iii. After completion of the project, the City shall require the project engineer to certify that the project meets the approved plan.

f. Maintenance

- i. The installed systems required by these standards shall be maintained by the owner unless the City or other agencies have accepted the responsibility of maintenance.
- ii. If the owner fails to maintain his systems, the Director shall give the owner written warning for enforcement action as specified in Section 1-11 of this Code.

g. Inspections

- i. The owner, engineer or contractor shall arrange scheduling with the City for the following inspections during construction:
 - Erosion and sediment control inspection: as necessary to ensure effective control of erosion and sedimentation, including prior to land clearing.
 - Bury inspections: prior to covering of underground drainage structures.
 - Final inspection: when all work, including installation of stormwater management facilities, has been completed.

- h. Off-site Facilities
 - i. Developers may provide off-site quality and quantity stormwater facilities subject to approval by the City Clerk.
 - ii. Developers may request participation by a pro-rata share in existing or planned public or regional stormwater facilities in lieu of on-site facilities subject to a development agreement with the City.

- i. Exemptions to Protection Standards
 - i. Any new development, alteration or improvement of existing structures which will not increase the peak discharge rate, the volume of runoff or deposit additional pollution materials beyond the boundaries of the development.
 - ii. Maintenance work on existing mosquito control drainage structures for public health and welfare purposes.
 - iii. Construction of any structure or addition to an existing structure creating six hundred square feet or less of new impervious surface.
 - iv. Emergencies requiring immediate action to prevent material harm or danger as in fires, violent storms, hurricanes, or other extraordinary hazards. A report of the emergency action will be made to the City as soon as possible.
 - v. Developments which discharge into an existing stormwater treatment facility with sufficient reserve quality and quantity capacity as determined by the Director.
 - vi. Developments which must meet a higher stormwater management standard mandated by another agency.
 - vii. Phased completion of developments project approved before adoption of this Code.

- j. Requirements for Drainage and Stormwater Management Plans may be combined with the requirements for an Erosion and Sediment Control Plan as specified in subsection 4-4.1,1 insofar as all requirements for both plans are met.

Sec. 4-6. TRAFFIC CIRCULATION AND PARKING

4-6.1 Purpose

This Section establishes minimum requirements applicable to transportation systems, including public and private streets, bikeways, pedestrian ways, parking and loading areas, and access control to and from public streets. The standards in this Section are intended to minimize the traffic impacts of development, to assure that all developments adequately and safely provide for the storage and movement of vehicles consistent with good engineering and development design practices, and to promote a convenient and safe motorized and non-motorized transportation system.

4-6.2 Technical Construction Standards

Design and construction of all highways, roads, or streets including pavement width, right-of-way, sight clearance and all other associated design considerations shall be as specified in the most recently published edition of the Manual of Uniform Standards for Design, Construction and Maintenance for Streets and Highways, Florida Department of Transportation (the "Green Book"), unless otherwise specified in this Code.

4-6.3 Functional Classifications of Roadways

Roadways within the City have been identified in the Comprehensive Plan as to functional classification established by the Florida Department of Transportation. Functional classifications of roadways within the City are as follows.

1. Urban Principal Arterial
 - a. US 90 (Lafayette St.)
2. Urban Minor Arterial
 - a. SR 276 (Penn Ave.)
 - b. SR 73 (Jefferson St., S. of US 90)
 - c. SR 166 (Jefferson St., N. of US 90)
3. Urban Collector
 - a. CR 1650 (Cottondale Rd./Milton Ave.)
 - b. CR 0459 (Bump Nose Rd.)
 - c. CR 167 (South St.)
 - d. CR 1665 (Caledonia St., S. of US 90)
 - e. CR 1652 (South St., Dovey St., Madison St.)
 - f. CR 0455 (Russ St.)
 - g. CR 0458 (Kelson St.)
 - h. CR 0457
 - i. CCR 0453 (College St.)
4. Local Streets

All other streets not previously listed.

The preceding functional classifications shall be used in reference to standards as applied in this Section, or as otherwise specified in this Code.

4-6.4 General Design Standards

1. All streets in a new development shall be designed and constructed pursuant to the standards or tests contained in the Technical Construction Standards Manual specified in subsection 4-6.2 and right-of-way standards specified in subsection 4-6.5. Streets may be dedicated to the City upon completion, inspection, and acceptance by the City. Testing of materials pursuant to standards specified in Appendix A may be required by the Director.
2. The street system of the proposed development shall, to the extent practicable, conform to the natural topography of the site, preserving existing hydrological and vegetative patterns, and minimizing erosion potential, runoff, and the need for site alteration. Particular effort should be directed toward securing the flattest possible grade near intersections.
3. Streets shall be designed so as to avoid environmentally sensitive areas.
4. Private streets may be allowed within developments that will remain under common ownership, provided they are designed and constructed pursuant to the standards specified in this Section and inspected and approved by the City.
5. The street layout in all new development shall be coordinated with and interconnected to the street system of the surrounding area.
6. Streets in proposed subdivisions shall be connected to rights-of-way in adjacent areas to allow for proper inter-neighborhood traffic flow. If adjacent lands are vacant but platted, stub outs in the new development shall be provided for future connection(s) to the adjacent platted land.
7. Residential streets shall be arranged to discourage through traffic.
8. Streets shall intersect as nearly as possible at right angles and in no case shall be less than 75 degrees.
9. New intersections along one side on an existing street shall, where possible, coincide with existing intersections. Where an offset (jog) is necessary at an intersection, the distance between centerlines of the intersecting streets shall be no less than 150 feet.

10. No two streets may intersect with any other street on the same side at a distance of less than 400 feet measured from centerline to centerline of the intersecting street. When the intersected street is an arterial, the distance between intersecting streets may be no less than 100 feet.
11. Lots in residential subdivisions shall be designed and arranged so that the front yard and driveway of each lot does not abut, front upon, or connect with any collector or arterial roadway or right-of-way (see subsection 4-6.3).
12. All shopping centers and malls shall have a fire and safety lane of a minimum width of 10 feet contiguous and adjacent to the pedestrian walkway affronting the entrance to shops and stores in the shopping center or mall, and should a pedestrian walkway not exist, then a fire lane shall be contiguous to the exterior perimeter wall of the shopping center or mall structure.

Compliance with this requirement shall be deemed to have been met where there is a minimum of two traffic lanes having a width of not less than 12 feet each which are adjacent and contiguous to the pedestrian walkway affronting the entry into the stores or shops in the shopping center or mall or the exterior perimeter wall thereof.

The fire safety lane shall be posted at intervals of fifty feet by a sign which states: "Fire Safety Lane. Parking, standing or stopping of motor vehicles prohibited at all times."

4-6.5 Rights-of-Way

1. Rights-of-Way Width

Right-of-way requirements for road construction shall be as follows:

Principal Arterial	150 ft.
Minor Arterial	100 ft.
Collector	100 ft.
Local	60 ft.

2. Pavement Width and Materials Testing
 Pavement width for roadway construction shall be as follows. Testing of pavement materials may be required pursuant to standards specified in Appendix A.

	<u>Four-lane</u>	<u>Two-lane</u>
Principal Arterial	60 ft.	36 ft.
Minor Arterial	60 ft.	36 ft.
Collector	60 ft.	36 ft.
Local	48 ft.	24 ft.

3. Protection and Use

- a. No encroachment, including driveway connections, shall be permitted into City rights-of-way, except as authorized by the City.
- b. Use of the right-of-way for public or private utilities, including, but not limited to, sanitary sewer, potable water, telephone wires, cable television wires, gas lines, or electricity transmission, shall be allowed subject to the placement specifications described in Appendix B and other applicable laws or regulations.
- c. Sidewalks and bicycle ways shall be placed within the right-of-way.

4. Vacations of Rights-of-Ways

Applications to vacate a right-of-way shall be approved by the City Commission upon a finding that all of the following requirements are met:

- a. The requested vacation is consistent with the Traffic Circulation Element of the City Comprehensive Plan.
- b. The right-of-way does not provide the sole access to any property. Remaining access shall not be by easement.
- c. The vacation would not jeopardize the current or future location of any utility.
- d. The proposed vacation is not detrimental to the public interest, and provides a positive benefit to the City.

4-6.6 Access Control

1. State Highway System

All driveways, access points, entrances or exits or other vehicular connections to the State Highway System must be authorized by the Florida Department of Transportation. Vehicular connection permits must be obtained by developers pursuant to Chapter 14-96, Florida Administrative Code, such permits are required for vehicular connections onto the State Highway System.

2. Collector and Local Streets

Location and Spacing of Access Points

Location and spacing of access points shall be as specified in subsection 4-6.4 for intersections, and as specified in the Technical Construction Standards Manual (subsection 4-6.2) for other access points.

Emergency Access

- a. All residential subdivisions or multi-family developments, including mobile home parks, with roadway segments over 500 feet in length shall have at least two roadway outlets which will allow for emergency ingress and egress.
- b. Roadway outlets shall be located no closer than 100 feet from one another.

4-6.7 Bicycle and Pedestrian Ways

1. All new developments shall be required to install bicycle paths and/or sidewalks when the need for such facilities has been established as an integral part of the City's non-automotive traffic circulation system. Decisions by the Director in applying the requirement for bicycle paths or sidewalks shall be based on the following criteria:

- a. Application of this requirement is necessary to install or complete a portion of the bicycle path or sidewalk system;
- b. Installation of bicycle path or sidewalks is not contrary to public safety;
- c. The cost of providing bicycle paths or sidewalks is not excessively disproportionate to the need or probable use; and
- d. Other available factors or means do not indicate an absence of need.

2. Technical Construction Standards

Required bicycle paths and sidewalks shall be designed and constructed in conformance with the standards set forth in the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways as published by the Florida Department of Transportation.

4-6.8 Off-Street Parking and Loading

1. General Requirements

In all districts there shall be provided at such time any building or structure is erected or enlarged or increased in capacity, off-street parking spaces for automobiles in accordance with the following requirements.

2. Off-street parking for other than residential use shall be either on the same lot or within two hundred (200) feet of the building it is intended to serve measured from the nearest point of the building to the nearest point of the off-street parking lot, without crossing any major thoroughfare; provided, however, churches may establish joint parking facilities not to exceed fifty (50) percent of the required spaces, with institutions and agencies that do not have a time conflict in parking demand. The joint parking facilities shall be located not to exceed four hundred (400) feet from the church sanctuary.
- b. Residential off-street parking space shall consist of a parking lot, driveway, garage, or combination thereof and shall be located on the lot that they are intended to serve.
- c. For uses not specifically mentioned herein, off-street parking requirements shall be interpreted by the Planning Board.
- d. Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.
- e. Off-street parking existing at the effective date of these regulations in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or use.
- f. Two or more buildings or uses may collectively provide the required off-street parking in which case the required number of parking spaces shall be not less than the sum of the requirements for the several individual uses computed separately.
- g. The required off-street parking shall be for occupants, employees, visitors, patrons and shall be limited in use to motor vehicles. The storage of merchandise, motor vehicles for sale, or the repair of vehicles is prohibited.

- h. Every company car, truck, tractor and trailer normally stored at the plant site shall be provided with off-street parking space in an area reserved for the use as determined by the Planning Board.
- i. In cases of dual functioning of off-street parking where operating hours do not overlap, the Planning and Zoning Board may grant an exception.
- j. Requirements for off-street parking may be reduced, upon approval by the Planning Board, for the purpose of protecting or preserving natural vegetation or other environmental resources.

3. Table of Minimum Required Parking Spaces

<u>Uses</u>	<u>Parking Spaces Required</u>
DWELLINGS	
Single-family, duplex, cluster or town house dwelling units	2 per unit
Apartment or condominium	1.5 per unit (plus 1 per each 10 units)
Community Residential Homes	1 per bedroom
Hotels, motels and mobile home parks	1 per unit (plus 2 per office)
Boarding homes	1 per bedroom
Dormitories	1 per each 3 beds
PUBLIC ASSEMBLY	
Church, temple or other place of worship	1 per 4 seats in main assembly room
Fraternal organization or private club	1 per 300 sq. ft. gross floor area, plus 1.5 per bedroom

Auditorium, theater, gymnasiums or convention hall	1 per 4 seating spaces
Libraries and museums	1 per 500 sq. ft. gross area
Private schools, kindergartens and day care centers	1 per 4 seats in assembly hall plus 1 per classroom
Amusement place, dance hall, swimming pool or exhibition hall	1 per 4 seating spaces or 1 per each 100 sq. ft. of floor or grounds used for amusement or assembly

HEALTH FACILITIES

Hospitals	1.75 per bed
Sanitariums, convalescent homes or similar institutions	1 per 500 sq. ft. of gross floor area
Animal hospitals	1 per 400 sq. ft. of gross floor area
Medical, dental and health offices and clinics	1 per 300 sq. ft. of gross floor area
Funeral parlors or mortuaries	1 per each 4 chapel seats

BUSINESS

Bowling Alley	5 per alley
Food stores and drugstores	1 per 300 sq. ft. of gross floor area (over 4,000 sq. ft.: Use 1 per 100 sq. ft. gross floor area)

Commercial, retail business personal services	1 per 300 sq. ft. of gross floor area
Health Spa or Club	1 per 300 sq. ft. of gross floor area
Business and professional offices	1 per 300 sq. ft. of gross floor area
Banks or other financial institutions	1 per 300 sq. ft. of gross floor area
Printing, publishing or broadcasting	1 per 300 sq. ft. of gross floor area
Restaurant, lounge or establishment for consumption of beverages on premises	1 per 100 sq. ft. of floor area or 1 per 4 seats, whichever is greater
Drive-in restaurants	Subject to approval by the Director
Shopping centers	1 per each 300 sq. ft. of gross floor area up to 15 acre center, and 1 per each 200 sq. ft. gross floor area for over 15 acre center
Convenience food stores	Subject to approval by the Director

4. Off-Street Parking Lot Layout, Construction and Maintenance

Whenever the required off-street parking requires the building of a parking lot, and wherever a parking lot is built, such parking lot shall be laid out, constructed, and maintained in accordance with the following regulations:

- a. Except for parcels of land devoted to one (1) and two (2) family uses, all areas devoted to off-street parking shall be so designed and be of such size that no vehicle is required to back into a public street to obtain egress.

- b. Each parking space shall be not less than two hundred (200) square feet in area (20' x 10') and shall be a marked stall adequate for one motor vehicle.
- c. In any determination of parking requirements as set forth in this section, where the resultant figure contains a fraction, any fraction less than one-half (1/2) may be dropped and any fraction of one-half (1/2) or more shall be counted as one (1) parking space.
- d. Clearly defined driveways used for ingress and egress shall be confined to and shall not exceed twenty-five (25) feet in width, exclusive of curb returns.
- e. All areas devoted to permanent off-street parking as required under this section shall be constructed and maintained in such a manner that no dust will result from continuous use.
- f. The parking lot shall be drained to eliminate surface water, or be constructed of pervious, dustless material so as to allow for percolation.
- g. Where the parking lot abuts side lot lines of a Residential District, there shall be established a setback line four (4) feet from such side lot lines.
- h. Where the parking lot is contiguous to a Residential District which has common frontage in the same block with the parking lot, there shall be established a setback line ten (10) feet from the street right-of-way.
- i. Where the parking lot abuts rear property lines of a Residential District, there shall be established a setback line four (4) feet from the rear lot line.
- j. Where parking is to be provided in the front yard of a multiple-family dwelling, there shall be established a setback line ten (10) feet from the street right-of-way.
- k. Landscaped buffers are required as specified in subsection 4-3.4.
- l. Plans for the layout of a parking lot must be approved by the Planning Board based on design standards specified in a Policy on Geometric Design of Highways and Streets, AHS70, 1984.
- m. The Planning Board shall have the authority to approve off-street parking in any district which is more restrictive than that required for the major land use it is intended to serve subject to the preceding conditions.
- n. The landscaping requirements specified in Section 4-3 shall apply to construction and maintenance of all parking lots.

4-6.9 Storage and Parking Trailers and Commercial Vehicles

Commercial vehicles and trailers of all types, including travel, boat, camping and hauling, shall not be parked or stored on any lot occupied by a dwelling or on any lot in any Residential District except in accordance with the following provisions:

1. Not more than one commercial vehicle, which does not exceed one and one-half (1-1/2) tons rated capacity, per family living on the premises, shall be permitted: and in no case shall a commercial vehicle used for hauling explosives, gasoline or liquefied petroleum products be permitted.
2. A camping or travel trailer shall not be occupied either temporarily or permanently while it is parked or stored in any area except in a mobile home park or designated camping area.

4-6.10 General Requirements for Off-Street Loading and Unloading Requirements

In all districts, and on the same premises with every building, structure, or part thereof, erected and occupied for manufacturing, storage, warehouse goods, display, a department store, a wholesale store, a market, a hotel, a hospital, or other uses similarly involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading services adjacent to the opening used for loading and unloading in order to avoid undue interference with public use of the streets or alleys.

Off-street loading and unloading space shall be provided as follows:

1. One (1) off-street loading and unloading space shall be provided for buildings up to and including twenty thousand (20,000) square feet of floor area, plus one (1) additional off-street loading and unloading space for each additional twenty thousand (20,000) square feet of floor area up to and including one hundred thousand (100,000) square feet.
2. There shall be provided an additional off-street loading and unloading space for each additional forty thousand (40,000) square feet of floor area in excess of one hundred thousand (100,000) square feet.
3. Where trailer trucks are involved such loading and unloading space shall be an area twelve (12) feet by forty-five (45) feet with a fourteen (14) foot height clearance and shall be designed with appropriate means of truck access to a street or alley as well as adequate maneuvering area.
4. All areas devoted to permanent off-street loading and unloading as required under this Section shall be of a sealed-surface construction and maintained in such a manner that no dust will result from continuous use.

4-6.11 Handicapped Parking Requirements

1. Any land use offering parking for the general public shall provide specially designed and marked motor vehicle parking

spaces for the exclusive use of physically disabled persons who have been issued parking permits pursuant to Florida Statutes.

2. Angles or perpendicular parking spaces shall be a minimum of 12 feet wide.
3. Parallel parking spaces shall be located either at the beginning or end of a block or adjacent to driveway entrances.
4. Each parking space shall be conspicuously outlined in blue paint and shall be posted and maintained with a permanent, above grade sign bearing the international symbol of handicapped accessibility and the caption "Parking by Disabled Permit Only."
5. All spaces shall have an adjacent access aisle 5 feet wide minimum.
6. All spaces shall be accessible to a curb ramp when necessary.
7. The minimum number of special parking space shall be 1 per 25 total spaces up to 100 spaces. Above 100 spaces total add 1 additional space per 50 total spaces.

Sec. 4-7 SUBDIVISION STANDARDS

4-7.1 Purpose

The procedures and standards for the development and subdivision of real estate and for the surveying and platting thereof are necessary and appropriate in order to provide for economical and sufficient streets with adequate widths and with proper alignment and grades designed to promote the public safety, health and general welfare, to provide for the harmonious development of the City, for suitable residential neighborhoods with adequate and appropriate building sites, to save unnecessary expenditure of public funds by initial, proper, coordinated construction of streets and to secure adequate provision for water, drainage, sewers and other utilities and to provide proper land records for the convenience of the public and for better identification and permanent location of real estate boundaries.

4-7.2 General Requirements

1. Any owner of land lying within the area of jurisdiction who wishes to divide such land into three (3) or more lots, sites, or divisions for the purpose, whether immediate or future, of sale or building development, or who wishes to resubdivide for this purpose, shall submit a plan of such proposed subdivision to the City Clerk for approval and shall obtain the approval of the Town Council prior to the filing of his subdivision plat for record. Any such plat of subdivision shall conform to the minimum standards set forth in this section and shall be presented in the manner specified in the following subsections. No plat of a subdivision of land within the area of jurisdiction shall be filed or recorded by the Clerk of the Circuit Court without the approval of the Town Council as specified herein.
2. **Title Certification**
Every plat of a subdivision submitted must be accompanied by a title opinion of an attorney at law licensed in Florida or a certification by an abstractor or a title company showing that record title to the land as described and shown on the plat is in the name of the person, persons, corporation, or entity executing the dedication, if any, as it is shown on the plat and, if the plat does not contain a dedication, that the developer has record title to the land. The title opinion or certification shall also show all mortgages not satisfied or released of record nor otherwise terminated by law.
3. **Name of subdivision**
Every subdivision shall be given a name by which it shall be legally known. Such name shall not be the same or in

any way so similar to any name appearing on any recorded plat in the same county as to confuse the records or to mislead the public as to the identify of the subdivision, except when the subdivision is subdivided as an additional unit or section by the same developer or his successors in title. Every subdivision's name shall have legible lettering of the same size and type, including the words "section", "unit", "replat", "amended", etc. The name of the subdivision shall be shown in the dedication and shall coincide exactly with the subdivision name.

4. **Qualification of Person Making Survey and Plat**
Every subdivision of lands made within the provisions of this section shall be made under the responsible direction and supervision of a land surveyor who shall certify on the plat that the plat is a true and correct representation of the lands surveyed, that the survey was made under his responsible direction and supervision, and that the survey data complies with all the requirements of this section. The certification shall bear the signature, registration number, and the official seal of the land surveyor.
5. **Approval of Plat**
Before a plat is offered for recording, it shall be approved by the Town Council and evidence of such approval shall be placed on such plat. If not approved, the Town Council shall return the plat to the land surveyor.
6. **Dedication and Approval**
 - a. Every plat of a subdivision filed for record must contain a dedication by the developer. The dedication shall be executed by all developers having a record interest in the lands subdivided, in the same manner in which deeds are required to be executed. All mortgagees having a record interest in the lands subdivided shall execute, in the same manner in which deeds are required to be executed, either the dedication contained on the plat or a separate instrument joining in and ratifying the plat and all dedications and reservations thereon.
 - b. When a tract or parcel of land has been subdivided and a plat thereof bearing the dedication executed by the developers and mortgagees having a record interest in the lands subdivided and the approval of the Town Council has been secured and recorded in compliance with this section, all streets, alleys, easements, rights-of-way, and public areas shown on such plat, unless otherwise stated, shall be deemed to have been dedicated to the public for the uses and purposes thereon stated. However, nothing herein shall be construed as creating an obligation upon the City to perform any act of construction or

maintenance within such dedicated areas except when the obligation is voluntarily assumed by the City.

7. Plats Made for Recording

Every plat of a subdivision offered for recording shall conform to the following:

- a. It shall be:
 - i. An original drawing made with black permanent drawing ink or varitype process on a good grade linen tracing cloth or with a suitable permanent black drawing ink on a stable base film, a minimum of 0.003 inches thick, coated upon completion with a suitable plastic material to prevent flaking and to assure permanent legibility, or
 - ii. A nonadhered scaled print on a stable base film made by photographic processes from a film scribing tested for residual hypo testing solution to assure permanency. Marginal lines, standard certificates and approval forms shall be printed on the plat with a permanent black drawing ink. A reproducible copy of the original drawing shall be submitted with the original drawing.
- b. Each sheet shall be drawn at a scale of no greater than 1 inch equals 100 feet and shall be drawn with a marginal line completely around each sheet and placed so as to leave at least 1 1/2-inch margin on each of three sides and a 3-inch margin on the left side of the plat for binding purposes.
- c. When more than one sheet must be used to accurately portray the lands subdivided, each sheet must show the particular number of that sheet and the total number of sheets included, as well as clearly labeled matchlines to show where other sheets match or adjoin.
- d. In all cases, the scale used shall be of sufficient size to show all detail and shall be both stated and graphically illustrated by a graphic scale drawn on every sheet showing any portion of the lands subdivided.
- e. The name of the plat shall be shown in bold legible letters. The name of the subdivision shall be shown on each sheet included.
- f. A prominent "north arrow" shall be drawn on every sheet included showing any portion of the lands subdivided. The bearing of azimuth reference shall be clearly stated on the face of the plat in the notes or legend.

- g. Permanent reference monuments shall be placed at each corner of change in direction on the boundary of the lands being platted; however, "P.R.M.s" need not be set closer than 310 feet, but shall not be more than 1400 feet apart. In all cases there shall be a minimum of four "P.R.M.s" placed on the boundary of the lands being platted. Where such corners are in an inaccessible place, "P.R.M.s" shall be set on a nearby offset within the boundary of the plat and such offset shall be so noted on the plat. Where corners are found to coincide with a previously set "P.R.M.", the number on the previously set "P.R.M." shall be shown on the new plat or, if unnumbered, shall so state. Permanent reference monuments shall be set before the recording of the plat and this will be so stated in the surveyor's certificate on the plat. Such "P.R.M." shall be shown on the plat by an appropriate designation.
- h. Permanent Control Points shall be set at the intersection of the centerline of the right-of-way at the intersection of all streets, at "P.C.s," "P.T.s," and "P.C.C.s" and no more than 1,000 feet apart, on tangent, between changes of direction, or along the street right-of-way or block lines at each change in direction and no more than 1,000 feet apart. Such "P.C.P.s" shall be shown on the plat by an appropriate designation.
- i. Each plat shall show the section, township, and range as applicable, or, if in a land grant, the plat will so state.
- j. The name of the city, county, and state in which the land being platted is situated shall appear under the name of the plat as applicable.
- k. Each plat shall show a description of the lands subdivided, and the description shall be the same in the title certification. The description must be so complete that from it, without reference to the plat, the starting point and boundary can be determined.
- l. The circuit court clerk's certificate and the land surveyor's certificate and seal.
- m. All section lines and quarter section lines occurring in the map or plat shall be indicated by lines drawn upon the map or plat, with appropriate words and figures. If the description is by metes and bounds, the point of beginning shall be indicated, together with all nearest government corner or other recorded and well established corner.
- n. Location, width and names of all streets, waterways, or other rights-of-way shall be shown, as applicable.
- o. Location and width of easements shall be shown on the plat or in the notes or legend, and their intended use shall be clearly stated.

- p. All contiguous properties shall be identified by subdivision title, plat book, and page, or, if unplatted, land shall be so designated. If the subdivision platted is a resubdivision or a part or the whole of a previously recorded subdivision, sufficient ties shall be shown to controlling lines appearing on the earlier plat to permit an overlay to be made; the fact of its being a resubdivision shall be stated as a subtitle following the name of the subdivision wherever it appears on the plat.
- q. All lots shall be numbered either by progressive numbers or, if in blocks, progressively numbered in each block, and the blocks progressively numbered or lettered, except that blocks in numbered additions bearing the same name may be numbered consecutively throughout the several additions.
- r. Block corner radii dimensions shall be shown.
- s. Sufficient survey data shall be shown to positively describe the bounds of every lot, block, street easement, and all other areas shown on the plat. When any lot or portion of the subdivision is bounded by an irregular line, the major portion of that lot or subdivision shall be enclosed by a witness line showing complete data, with distances along all lines extended beyond the enclosure to the irregular boundary shown with as much certainty as can be determined or as "more or less," if variable. Lot, block, street, and all other dimensions except to irregular boundaries, shall be shown to a minimum of hundredths of feet. All measurements shall refer to horizontal plane and in accordance with the definition of a foot or meter adopted by the United States Bureau of Standards.
- t. Curvilinear lots shall show the radii, arc distances, and central angles or radii, chord, and chord bearing, or both. Radial lines will be so designated. Direction of nonradial lines shall be indicated.
- u. Sufficient angles, bearings, or azimuth to show direction of all lines shall be shown, and all bearings, angles, or azimuth shall be shown to the nearest second of arc.
- v. The centerlines of all streets shall be shown with distances, angles, bearings, or azimuth. "P.C.s," "P.T.s," "P.R.C.s," "P.C.C.s," arc distance, central angles, tangents, radii, chord, and chord bearing or azimuth or both.
- w. Park and recreation parcels as applicable shall be so designated.
- x. All interior excepted parcels shall be clearly indicated and labeled "Not a part of this plat."
- y. The purpose of all areas dedicated must be clearly indicated or stated on the plat.

- z. When it is not possible to show curve detail information on the map, a tabular form may be used.
- aa. The plat shall include in a prominent place the following statement: "NOTICE: There may be additional restrictions that are not recorded on this plat that may be found in public records of this county."
- bb. All platted utility easements shall provide that such easements shall also be easements for the construction, installation, maintenance, and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This section shall not apply to those private easements granted to or obtained by a particular electric, telephone, gas, or other public utility. Such construction, installation, maintenance, and operation shall comply with the National Electrical Safety Code as adopted by the Florida Public Service Commission.

- 8. **Instructions for Filing Plat**
After the approval by the Town Council, the plat shall be recorded by the circuit court clerk or other recording officer upon submission thereto of such approved plat.

4-7.3 Review of Proposed Subdivisions

- 1. Any developer of any subdivision shall, prior to any land clearing, construction, or improvements, submit to the Director a preliminary sketch plat. Upon approval of the preliminary sketch plat by the City Clerk and the Planning Board, the developer may proceed with the final plat and any other documents required pursuant to this Section.
- 2. All concurrency management requirements as set forth in Article III of this Code must be met.
- 3. At least 15 days prior to the meeting at which it is to be considered, the subdivider shall submit to the City Clerk three (3) copies of a preliminary sketch plat of the proposed subdivision drawn to a scale of not less than one inch equals 100 feet.
- 4. The sketch plat which shall meet the minimum standards of design as set forth in subsection 4-7.5 and shall contain the following.

- a. The proposed subdivision's name and location, the name(s) and address(es) of the owner or owners, and the name of the designer of the plat who shall be a professional civil engineer or Florida registered land surveyor.
 - b. Date, approximate north point, and graphic scale.
 - c. The location of existing and platted property lines, existing streets, buildings, watercourses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility easements or lines, the land use classification on the land to be subdivided and on the adjoining land, and the names of adjoining property owners or subdivisions.
 - d. Plans of public utility layouts showing feasible connections to the existing or any proposed utility systems. All utilities shall be placed underground unless, at the Planning Board's discretion, such installation is not feasible. When water and sewer connections are not practicable, any proposed individual water supply and/or sewage disposal system must be approved by the appropriate state agencies.
 - e. The proposed street names and the locations and dimensions of proposed streets, alleys, easements, parks, and other open spaces, reservations, lot lines, building setback lines and utilities.
 - f. Contours at vertical intervals of not more than one (1) foot except when specifically not required by the Planning Board.
 - g. The acreage of the land to be subdivided.
 - h. Location sketch map showing relationship of subdivision site to area.
4. Within 45 days after submission of the preliminary sketch plat, the Planning Board will review it and indicate approval, disapproval, or approval subject to modification. If a plat is disapproved, reasons for such disapproval shall be stated in writing. If approved subject to modifications, the nature of the required modifications shall be indicated.
 5. One (1) copy of the preliminary sketch plat will be retained in the Planning Board files, one (1) copy shall be returned to the subdivider with any notations at the time of approval or disapproval and the specific changes, if any required; and one copy shall be filed with the City Clerk.
 6. Failure of the Planning Board to act on the preliminary sketch plat within 45 days will be deemed approval of the plat, subject to final approval by the Town Council.

7. The approval of the preliminary sketch plat by the Planning Board will not constitute acceptance of the final plat and will not be indicated on the preliminary sketch plat.
8. The approval of the preliminary sketch plat shall lapse unless a final plat based thereon is submitted within 2 months from the date of such approval unless an extension of time is applied for and granted by the Planning Board.

4-7.4 Final Plat

1. The final plat shall conform substantially to the preliminary sketch plat as approved; and, if desired by the subdivider, it may constitute only that portion of the approved preliminary sketch plat which he proposes to record and develop at the time, provided however, that such portion conforms to all requirements of these standards.
2. At least 10 days prior to the meeting at which it is to be considered the subdivider shall submit a reproducible drawing in black drawing ink and three copies (black and white prints or blue line prints) together with any street profiles or other plans that may be required by the Planning Board.
3. The Planning Board and City Clerk shall approve or disapprove the final plat within 45 days after its submission. Failure of the Planning Board to act on the final plat within such 45 day period shall be deemed approval of it. If the plat is disapproved, the grounds for disapproval shall be stated upon the records of the Planning Board.

Upon approval of the final plat the Planning Board and City Clerk, or if no action is taken by the Board within 50 days of the submission of the plat, it shall be referred to the Town Council with recommendations of final action. When the plat has been approved by the Town Council, one copy will be returned to the subdivider with the approval of the Town Council certified thereon for filing with the Clerk of Circuit Court, as the official plat of record. The original tracing containing all required certifications will be returned to the subdivider for his records and the third copy will be retained in the records of the City. If the plat is disapproved, the grounds for disapproval shall be stated upon the records of the Town Council.

4. Approval of the final plat by the Town Council shall constitute the acceptance by the public of the dedication of any streets or other public way or ground.

5. The final plat shall be recorded as specified in subsection 4-7.2.
6. The following certificates shall be presented with the final plat:
 - a. Certification showing that applicant is the land owner and dedicates streets, rights-of-way and any sites for public use and that all taxes due on the land shall have been paid prior to the time of filing the plat.
 - b. Certification by surveyor or engineer to accuracy of survey and plat and placement of monuments.
 - c. Certification by appropriate state agencies approving planned sewage disposal and water system which are to be installed and dedicated to the City.
 - d. Certification by the City Clerk or his authorized representative that the subdivider has complied with one of the following alternatives:
 - (1) Installation of all improvements in accordance with the requirements of the standards, or
 - (2) Posting of a surety bond in sufficient amount to assure such completion of all required improvements.
 - e. Certification of approval to be signed by the Mayor and City Clerk.

4-7.5 Minimum Design Standards

1. Supervision of Work
All work shall be constructed under the supervision of the developer's engineer, who shall be authorized to require and who shall require that it be constructed in accordance with the development plan and the requirements of this Section. He shall have authority to make minor changes in the development plan consistent with these requirements, but major changes shall not be made without the prior approval of the City Clerk. All necessary certificates indicating the satisfactory installation of the water distribution system and quality of the water as well as the certificates indicating the approval of the sanitary sewer systems by appropriate state agencies are the responsibility of the subdivider's engineer.
2. Measurements and Tests Required
During construction the developer's engineer shall cause to be made such field and laboratory tests as are needed to assure that the work and materials conform with the development plan and the requirements of this section. The results of these tests shall be submitted to the City Clerk in duplicate. All testing of materials shall be as specified in Appendix A of this Code.

3. Streets and Public Ways

Location and construction of all streets shall be as specified in Section 4-6 of this Code. The proposed street system shall extend existing streets or projects. They shall be extended at a width no less than the required minimum width.

Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet minimum street width requirements.

- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
- b. When the subdivision is located on only one side of an existing street, one-half (1/2) of the required right-of-way, measured from the center line of the existing roadway, shall be provided.

All subdivisions shall be designed and constructed so that driveways or vehicular access for each lot do not directly connect onto any arterial or collector roadway. Where possible, lots should be arranged so that front lot lines do not abut any arterial or collector roadway.

Minor terminal streets or courts designed to have one end permanently closed shall be no more than five hundred (500) feet long unless necessitated by topography. They shall be provided at the closed end with a turn-around having an outside roadway diameter of at least eight (80) feet and a street right-of-way diameter of at least one hundred (100) feet or the Planning Board may approve an alternate design.

Where, in the opinion of the Planning Board, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property. Such dead-end streets shall be provided with a temporary turn-around having a roadway diameter of at least eighty (80) feet.

4. Blocks

a. Length

Blocks shall not be less than five hundred feet nor more than twelve hundred feet in length, except as the Planning Board considers necessary to secure efficient use of land or desired features of street pattern. In blocks over eight hundred (800) feet in length the Planning Board may require one (1) or more public cross walks of not less than ten (10) feet in width to extend entirely across the block and at locations deemed necessary.

- b. Width
Blocks shall be wide enough to allow two (2) rows of lots, except where reverse frontage on major streets is provided or where prevented by topographical conditions or size of the property; in which case the Planning Board may approve a single row of lots of a minimum depth not less than 150 feet.
5. Lots
- a. Adequate Building Sites
Each lot shall contain a building site outside the limits of any existing easement or building setback lines required in Section 4-1.
 - b. Arrangement
Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must front upon a public street or road which is not less than sixty (60) feet in width.
 - c. Minimum Size
The size, shape, and orientation of lots shall be as the Planning Board deems appropriate for the type of development and use contemplated. Where public water and sanitary sewer systems are reasonably accessible, the subdivider shall connect with such systems and provide a connection or connections to each lot. Where a public sewer is not accessible, an alternate method of sewage disposal may be used, if it meets all applicable public health regulations. Where possible, septic tanks should be placed in front yards to facilitate future connection onto the central sewer system.

Residential lots not served by public water and sanitary sewer systems shall not be less than 100 feet wide at the building setback line nor less than 21,780 square feet in area; provided, however, greater area may be required by the Planning Board as indicated by data from percolation tests and investigations or as determined by the City, or State agencies.
 - d. Corner Lots
Corner lots shall have sufficient width to conform to the side yard and setback requirements specified in Section 4.1.
6. Public Use and Service Areas
Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as for use as public service areas.

a. Public Open Space

In the same manner as the subdivider shall dedicate necessary rights-of-way and easements the subdivider shall also be required to dedicate land for recreational purposes for the inhabitants of the subdivision.

All sites designated in subdivision plats for public parks and recreation areas shall be dedicated in the plat and also deeded to the City for this purpose. When a subdivision covers an area within which a park or recreation site is shown in the Comprehensive Plan of the City, provision shall be made for the reservation of the site in the Plat for a period of one (1) year to enable the City to purchase or make satisfactory arrangements for acquisition of said site. If the City fails to act within one (1) year, the subdivider may replat the reserved site.

Developers of residential subdivisions consisting of over ten (10) residential lots shall provide land area to be dedicated for public or private recreation use. Land area dedicated for residential use shall be at least equal to the size of one (1) residential lot for each ten (10) lots shown on the plat, and shall be located on upland property with the same site characteristics as the subdivision as a whole. Upon approval of the Town Council, developers may provide funds in lieu of property dedication if such funds are at least equal to the market value of the total lots required for recreation purposes.

If agreement cannot be reached as to a land value, the value shall be determined by arbitration. The Town Council shall appoint a professional land appraiser, the subdivider shall appoint a professional land appraiser, and these two (2) shall appoint a third.

b. Easements for Utilities

Except where alleys are permitted for the purpose, the Planning Board may require easements not less than 20 feet in width, for poles, wires, conduits, storm and sanitary sewers, gas, water or other utility lines along all rear lot lines, along side lot lines if necessary, or if advisable, in the opinion of the Planning Board. Easements of the same or greater width may be required along the lines of or across lots, where necessary for the extension of existing or planned utilities.

c. Community Assets

In all subdivisions due regard shall be shown for all natural features such as large trees and water courses, and for historical spots and similar

community assets which, if preserved, will add attractiveness and value to the property.

7. Suitability of the Land
Neither the Planning Board nor the Town Council shall approve the subdivision of land, if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed.

Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, or for any other uses that may increase flood hazard, endanger health, life or property, or aggravate erosion. Such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

Fill may not be used to raise land in areas subject to flood unless the fill proposed does not restrict the flow of water and unduly increase flood heights.

8. Large Tracts or Parcels
When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of streets in the future and for logical further resubdivision.
9. Group Housing Development
A comprehensive group housing development, including the large scale construction of housing units together with necessary drives and ways of access, may be approved by the Town Council although the design of the project does not include standard streets, lot and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.
10. Utilities
All utilities including electric, telephone, water, sewer, gas, etc. shall be installed and maintained as specified in Section 4-5 of this Code. Where feasible, all utilities shall be placed underground.
11. Other Required Improvements
Other improvements such as curb and gutter, sidewalks, bicycle paths or other similar features may be required as considered necessary by the City.

4-7.6 Development Prerequisite to Final Approval

Every subdivision developer shall be required to construct or install all improvements including streets, utilities, drainage,

etc. before offering any lots or parcels for sale. All improvements shall be constructed to established City standards.

4-7.7 Guarantee in Lieu of Completed Improvements

No final subdivision plat shall be approved by the Planning Board or the City Commission or accepted for record by the County Clerk until one of the following conditions has been met:

- a. All required improvements have been constructed in a satisfactory manner and approved by the City Clerk or his authorized representative.
- b. The Town Council has accepted a surety bond in an amount equal to the estimated cost of installation of the required improvements upon an estimate made by the City Clerk and approved by the Planning Board whereby improvements may be made and utilities installed without cost to the City in the event of default of the subdivider.

4-7.8 Restrictions

1. No person who is the owner or agent of the owner of any subdivision shall transfer, sell, agree to sell, or negotiate to sell, such subdivided land without first having obtained approval of a plat of such subdivision and having recorded the same as is required by this section.
2. No person who is the owner or agent of the owner of any land shall transfer, sell, agree to sell or negotiate to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plan and plat of such subdivision for approval as required by this section and recorded the approved subdivision plat as required.
3. No person shall file or record or attempt to file or record a plat of a subdivision within the City without the approval of such plat as required by this section.
4. No Clerk of Circuit Court or other public official shall receive, file, or record a plat of a subdivision within the City without the approval of such plat as required by this section.
5. It shall be the duty of the City Clerk to enforce the provisions of this section. He shall refuse to grant a permit for the use of premises for the construction of alteration of any building if the same will be in violation of any of the provisions of this section. Any misstatement or inaccuracy on the application for a permit or any violation of the provisions of this section will be sufficient grounds for the denial or revocation of a permit by the City Clerk.

Sec. 4-8 MOBILE HOMES AND MOBILE HOME PARKS

Building Dept
4-8.1

Has to be 1976 or newer with a wind zone 2 or 3.
Purpose City - No older than 5 years
for business purposes has to be ADA Compliant (Americans w/ Disab) the fire marshal has to check size of lot safety issues

The purpose of this Section is to provide standards for the location and placement of individual mobile homes, mobile home parks or mobile home subdivisions.

4-8.2 Applicability

Mobile homes to be placed or otherwise located within the City shall comply with requirements specified herein. Mobile homes shall be used for residential purposes only.

4-8.3 Individual Mobile Homes on Individual Lots (not part of a mobile home park or subdivision)

1. Land Use Districts

An individual mobile home or manufactured housing unit is an allowable use in the Residential and Mixed Use districts.

2. Development Standards

All individual mobile homes shall comply with all minimum standards for the land use district in which they are located and shall have the wheels and tongue removed, the bottom enclosed with a customary mobile home skirt, and have an entrance porch and improved driveway provided. All mobile homes shall have a minimum of 800 square feet of living area.

4-8.4 Mobile Home Parks

1. Land Use Districts

Mobile home parks may be allowed as a conditional use in the Residential and Mixed Use districts.

2. Development Standards

The following property development standards shall apply for all Mobile Home Parks:

- a. No parcel of land containing less than five (5) mobile home spaces available at the time of first occupancy, shall be used for a mobile home park.
- b. The mobile home park shall be subject to the density provisions of the district in which it is located, provided, however, there shall be not less than five thousand (5,000) square feet of lot area for each space provided on the site. This space ratio shall include access roads, automobile parking, accessory building space, and recreational area.
- c. The mobile home park shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.

- d. Yards
 - i. Each mobile home park shall have a front yard of twenty-five (25) feet extending for the full width of the parcel devoted to said use.
 - ii. Each mobile home park shall have a rear yard and a side yard on both sides of the parcel devoted to said use of not less than ten (10) feet.
 - iii. Where a side or rear yard abuts a street, the yard shall be not less than twenty-five (25) feet and all yards shall be landscaped and maintained.
- e. No building or structure erected or stationed in this park shall have a height greater than one (1) story or fifteen (15) feet.
- f. Each mobile home park shall be permitted to display on each street frontage one identifying sign of a maximum size of nine (9) square feet. Said sign shall contain thereon only the name and address of the mobile home park and may be lighted by indirect lighting only.

3. Mobile Home Space Requirements

Each mobile home space shall be of sufficient size that, in addition to the trailer, the following areas shall be provided:

- a. Each mobile home space shall be at least thirty (30) feet wide and such space shall be clearly defined by permanent markers.
- b. There shall be a front yard setback of ten (10) feet from all access roads within the mobile home park.
- c. Mobile homes shall be so harbored on each space so that there shall be at least a twenty (20) foot clearance between mobile homes, and their accessory structures such as carports, patio covers or storage areas provided, however, with respect to mobile homes parked end-to-end, the end-to-end clearance of the mobile home and its accessory structures shall be not less than ten (10) feet. No mobile home shall be located closer than twenty (20) feet from any building within the mobile home park.
- d. There shall be at least one (1) improved, off-street parking space for each trailer space which shall be on the same site as the trailer served, and may be located in the rear or side yard of said trailer space.

4. General Provision

- a. There shall be established and maintained within each park an automobile parking area for the use of guests. The number of spaces within this area shall be equal to one (1) for every four (4) trailer sites.

- b. Access roads within a mobile home park shall be a width of not less than twenty-four (24) feet.
- c. Mobile home spaces may abut upon a driveway of not less than twenty (20) feet in width, which shall have unobstructed access to the access road within the mobile home park. The sole vehicular access shall not be by alley, and all dead-end driveways shall include adequate vehicular turning space or cul-de-sac.
- d. Each mobile home space shall be provided with a connection to a sanitary sewer line or to a sewer system approved by State agencies.
- e. There shall be provided a park and recreation area having a minimum of one hundred and fifty (150) square feet for each mobile home space. Areas shall be consolidated into usable areas with minimum dimensions of not less than thirty (30) feet.
- f. Trailers, with or without toilet facilities, that cannot be connected to a sanitary sewer line shall not be permitted in a mobile home park.
- g. Mobile homes shall not be used for commercial industrial, or other non-residential uses within the mobile home parks.

5. Application for Approval

Applications for approval of Mobile Home Parks shall be filed with the City Clerk. A development order may be issued by the City Clerk after review and approval by the Planning Board and the Town Council. Each application for approval shall be accompanied by three (3) copies of a site plan drawn to an acceptable scale and certified by a professional engineer or architect licensed in the State of Florida. For each site plan the following information shall be shown.

- a. The location and legal description of the proposed mobile home park.
- b. Plans and specifications of all buildings, improvements and facilities constructed or to be constructed within the mobile home park.
- c. The proposed use of buildings shown on the site.
- d. The location and size of all mobile home spaces.
- e. The location of all points of entry and exit for motor vehicles and internal circulation pattern.
- f. The location of all landscaping to be provided.
- g. The location of all lighting standards to be provided.
- h. The location of all walls and fences and the indication of their height and the materials of their construction.
- i. The location of all off-street parking facilities.
- j. The name and address of the applicant.
- k. Such other architectural and engineering data as may be required to permit the City Clerk and Planning

Board to determine if the provisions of this Section are being complied with.

A time schedule for development shall be prepared, which shall demonstrate the applicant's readiness and ability to provide the proposed services. Said time shall be for a period of not more than one (1) year.