

ORDINANCE 18-08

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE CITY'S LAND DEVELOPMENT REGULATIONS ("LDRS"); AMENDING SUBPART B OF THE CITY OF ALACHUA CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; AMENDING SECTION 1.4.5, RELATING TO THE APPLICABILITY OF THE CITY'S LDRS FOR CERTAIN PUBLIC INFRASTRUCTURE PROJECTS; AMENDING SECTION 1.7.7, RELATING TO REQUIREMENTS TO AMEND THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION AND ZONING DESIGNATION ON ANNEXED LANDS AND CLARIFYING CURRENT REGULATIONS PERTAINING TO COMPREHENSIVE PLAN AMENDMENTS AND SITE-SPECIFIC AMENDMENTS TO THE OFFICIAL ZONING ATLAS FOR ANNEXED LANDS; AMENDING SECTION 2.2.2(C)(3), RELATING TO DEVELOPMENT APPLICATION FEE REFUNDS; AMENDING SECTION 2.2.3(E), RELATING TO THE REQUIRED NOTICE AND CONTENT OF REQUESTS FOR PREAPPLICATION CONFERENCES; CREATING A NEW SECTION 2.2.3(G), RELATING TO THE TIMING OF PREAPPLICATION CONFERENCES AND NEIGHBORHOOD MEETINGS; AMENDING SECTION 2.2.9(A), RELATING TO THE REQUIREMENTS FOR PUBLIC NOTICES; AMENDING SECTION 2.2.15(B), RELATING TO THE APPLICABILITY OF TIME FRAMES FOR DEVELOPMENT PERMIT EXTENSIONS; AMENDING SECTION 2.4.9(G)(2), RELATING TO EXTENSION PERIODS FOR SITE PLAN PERMITS; AMENDING SECTION 2.4.10, RELATING TO THE REVIEW PROCEDURES AND REQUIREMENTS FOR ROADWAY IMPROVEMENT PROJECTS IDENTIFIED IN THE CITY'S LONG RANGE TRANSPORTATION PLAN (LRTP); PERMITTING APPLICATIONS FOR SITE PLANS TO BE REVIEWED CONCURRENTLY WITH APPLICATIONS FOR FINAL PLATS; CLARIFYING EXISTING REQUIREMENTS CONCERNING THE PREPARATION OF PLATS; REVISING THE REQUIREMENTS FOR MINOR SUBDIVISIONS; REVISING THE APPLICABILITY AND REVIEW PROCEDURES FOR SUBDIVISIONS USING THE CONSERVATION SUBDIVISION OPTION; REVISING REQUIREMENTS FOR THE SUBMITTAL AND APPROVAL OF CONSTRUCTION PLANS; AND AMENDING THE REVIEW PERIOD FOR CONSTRUCTION PLANS; AMENDING SECTIONS 3.6.3(A)(5), 3.6.3(C)(5), AND 3.6.3(D)(5) FOR INTERNAL CONSISTENCY; AMENDING SECTION 4.1.2 AND TABLE 4.1-1, RELATED TO THE ZONING DISTRICTS IN WHICH ANIMAL SHELTERS AND RESTAURANTS WITH OUTDOOR SEATING ARE PERMITTED USES; AMENDING SECTION 4.4.2(D)(2) AND TABLE 4.4-1, RELATING TO THE ZONING DISTRICTS IN WHICH SWIMMING POOLS, HOT TUBS, AND ORNAMENTAL PONDS AND POOLS ARE PERMITTED AS ACCESSORY USES; AMENDING SECTION 4.5.6(D)(4) FOR INTERNAL CONSISTENCY; AMENDING SECTION 6.1.3(N) FOR INTERNAL CONSISTENCY; AMENDING SECTION 6.1.4(B)(2), RELATING TO EXCEPTIONS FROM OFF-STREET PARKING REQUIREMENTS; CREATING A NEW SECTION 6.1.4(B)(2)(d), RELATING TO OFF-STREET PARKING REQUIREMENTS FOR DEVELOPMENT IN A DEFINED AREA ALONG MAIN STREET; AMENDING SECTION 6.8.1(B), RELATING TO EXEMPTIONS FROM THE DESIGN STANDARDS FOR BUSINESS USES FOR USE TYPES WITHIN THE INDUSTRIAL SERVICES, MANUFACTURING

AND PRODUCTION, WAREHOUSE AND FREIGHT MOVEMENT, WASTE-RELATED SERVICES, AND WHOLESALE SALES USE CATEGORIES WHEN LOCATED WITHIN 500 FEET OF US HIGHWAY 441; AMENDING SECTION 6.8.3(A)(1) TO CORRECT A SCRIVENER'S ERROR; AND AMENDING SECTION 10.2, TO AMEND THE DEFINITIONS OF "ANIMAL HUSBANDRY", "GOOD CAUSE", "INTERNET CAFE", AND "OUTDOOR STORAGE"; PROVIDING A REPEALING CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, a Text Amendment ("Amendment") to the City's Land Development Regulations ("LDRs"), as described below, has been proposed; and

WHEREAS, the City advertised a public hearing to be held before the Planning and Zoning Board, sitting as the Local Planning Agency ("LPA"), on March 1, 2018; and

WHEREAS, the LPA conducted a public hearing on the proposed Amendment on March 13, 2018, and the LPA reviewed and considered all comments received during the public hearing concerning the proposed Amendment and made its recommendation to the City Commission; and

WHEREAS, the City advertised public hearings to be held before the City Commission on March 15, 2018, and on March 29, 2018; and

WHEREAS, the City Commission conducted public hearings on the proposed Amendment on March 26, 2018, and April 9, 2018, and provided for public participation at both public hearings; and

WHEREAS, the City Commission has determined and found the Amendment to be consistent with the City's Comprehensive Plan and City's LDRs; and

WHEREAS, for reasons set forth in this ordinance that is hereby adopted and incorporated as findings of fact, that the Alachua City Commission finds and declares that the enactment of this Amendment is in the furtherance of the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare;

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ALACHUA, FLORIDA:

Section 1. Interpretation of Recitals

The above recitals are true and correct and incorporated in this ordinance.

Section 2. Findings of Fact and Conclusions of Law

The authority for the enactment of this ordinance is Chapter 163, Part I, Florida Statutes; Sections 166.021 and 166.041; and the City's Comprehensive Plan.

Section 3. Amendment to the Land Development Regulations

The proposed Amendment to the City Land Development Regulations are attached as Exhibit "A" and are hereby incorporated herein by reference.

Section 4. Codification of and Correction of Scrivener's Errors

The City Manager or designee, without public hearing, is authorized to correct any typographical errors which do not affect the intent of this ordinance. A corrected copy shall be posted in the public record.

Section 5. Ordinance to be Construed Liberally

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest of the public health, safety, and welfare of the citizens and residents of the City of Alachua, Florida.

Section 6. Repealing Clause

All ordinances or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 7. Severability

It is the declared intent of the City Commission of the City of Alachua that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by any court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance, and the remainder of the ordinance after the exclusions of such part or parts shall be deemed to be valid.

Section 8. Effective Date

This ordinance shall take effect immediately upon its adoption by the City Commission and the signature of the Mayor.

Passed on First Reading the 26th day of March 2018.

PASSED and ADOPTED, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 9th day of April 2018.

**CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA**

Gib Coerper, Mayor
SEAL

ATTEST:

APPROVED AS TO FORM

Traci L. Gresham, City Manager/Clerk

Marian B. Rush, City Attorney

EXHIBIT “A”

Section 1.4.5 of the City’s LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~strikethrough~~ is to be removed). Except as amended herein, the remainder of Section 1.4.5 remains in full force and effect:

1.4.5 Exemptions.

- (A) Acquisition of interests in land by government and construction of public infrastructure for public purpose. The provisions of these LDRs shall not require ~~formal~~-subdivision of land in accordance with Section 2.4.10 as a result of actions taken by the City of Alachua, Alachua County, the School Board of Alachua County, or the State of Florida to acquire land or interest in land for public use, right-of-way (ROW), or easements. The permits as set forth in Article 2, Administration, shall not be required for public infrastructure projects, such as road construction / reconstruction projects, water / wastewater line installations, and other similar projects, undertaken by the City of Alachua, Alachua County, or the State of Florida.

Section 1.7.7 of the City’s LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~strikethrough~~ is to be removed). Except as amended herein, the remainder of Section 1.7 remains in full force and effect:

- 1.7.7 *Annexation*. If lands are annexed into the City, the lands shall retain their current unincorporated zone district classification until ~~the City adopts~~ an amendment to the Comprehensive Plan is adopted by the City which includes the area being annexed. The landowner may request, or the City Commission or Planning and Zoning Board, in the City’s sole discretion, may initiate a zone district classification in accordance with Section 2.4.2, Site specific amendments to Official Zoning Atlas, following adoption of the Comprehensive Plan amendment ~~related to the land~~. The zone district classification shall be consistent with the Comprehensive Plan Future Land Use Map Designation. No development, redevelopment, or expansion shall be initiated until the City adopts an amendment to the Comprehensive Plan and Official Zoning Atlas for the area being annexed. ~~An amendment to the Comprehensive Plan and Official Zoning Atlas shall be initiated by the property owner within one year from the effective date of the annexation.~~

Section 2.2.2(C)(3) of the City’s LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~strikethrough~~ is to be removed). Except as amended herein, the remainder of Section 2.2.2(C) remains in full force and effect:

2.2.2 Application contents, submission schedule, and fees.

(C) Fees.

- (3) Application fees, or portions thereof, are not refundable except where the LDR Administrator determines that an application was accepted in error, the fee paid exceeded the amount due, the application is withdrawn prior to notification of a public hearing (if required), or if the decision-making body or City staff determines the application has been submitted in good faith, but circumstances beyond the applicant's control result in a need to withdraw the application. In no instance shall an application fee, or any portion thereof, be refunded for any costs incurred by the City and directly related to the review of the application, which may include, but is not limited to, review by City Staff or consulting professionals.

Section 2.2.3(E) of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 2.2.3 remains in full force and effect:

2.2.3 *Preapplication conference.*

- (E) *Required information.* Applicants for required preapplication conferences shall provide a written description of the proposal to the LDR Administrator at least three business days in advance of the conference. The written description shall include, at a minimum, a description of the character, location, and magnitude of the proposed development, a concept or sketch plan (if applicable), information regarding the status of public facilities proposed to serve the development, basic environmental information, and any other information determined to be appropriate by the LDR Administrator.

Section 2.2.3(G) of the City's LDRs is created as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 2.2.3 remains in full force and effect:

2.2.3 *Preapplication conference.*

- (G) *Preapplication Conference to be held prior to neighborhood meeting.* When a preapplication conference and a neighborhood meeting are both required for an application, the preapplication conference shall be held before the neighborhood meeting for the application.

Section 2.2.9(A) of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 2.2.9 remains in full force and effect:

2.2.9 *Public notification.* All applications for development approval requiring public hearings shall comply with the Florida Statutes, Table 2.2-2, Timing of Required Notice, and the other provisions of this section with regard to public notification.

- (A) *Content.* All notices for public hearings, unless expressly noted otherwise, whether done by mail (written notice), publication, or posting shall:
- (1) *Application and applicant.* Identify the application ~~and date of filing,~~ and the name of the applicant or the applicant's agent (except posted notice).

Section 2.2.15(B) of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 2.2.15 remains in full force and effect:

- (B) *Extension.* Upon written application submitted at least 30 days prior to the expiration of the development permit period by the applicant, and upon a showing of good cause, the decision-making body or LDR Administrator, as applicable to the original application approval, (whoever approved the original application) may grant one extension not to exceed six months; provided however, that if a different time frame is otherwise established within these LDRs for a specific development permit, such timeframe for the specific development permit shall apply. The development permit approval shall be deemed extended until the decision-making body or LDR Administrator has acted upon the request for extension. Failure to submit an application for an extension within the time limits established in the development permit, appeal, or by this section shall result in the lapse of approval.

Section 2.4.9(G)(2) of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 2.4.9(G) remains in full force and effect:

2.4.9 *Site plan.*

(G) *Expiration .*

- (2) *Extension.* Upon written application submitted at least 30 days prior to the expiration of the permit period by the applicant and upon a showing of good cause, the PZB may grant one extension not to exceed ~~six-12~~ months. The approval shall be deemed extended until the PZB has acted upon the request for extension. Failure to submit an application for an extension within the time limits established by this section shall render the site plan void.

Section 2.4.10 of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 2.4.10 remains in full force and effect:

2.4.10 *Subdivision.*

(B) *Applicability.*

(2) *Overview of development permits required.*

- (b) For nonresidential subdivisions, an application for a site plan (subsection 2.4.9 of this section) approval may run concurrently with an application for construction plans or an application for a final plat. A nonresidential subdivision is not required to show the division of any land into lots or parcels, but shall show all streets and other required infrastructure improvements.
- (3) *Exemptions.* The following development shall be exempt from the requirements of this section:
- (a) *Subdivision into tracts.* Notwithstanding the requirements of Chapter 177, Florida Statutes, the ~~The~~ subdivision of land into two or more tracts of five acres in size or larger provided that no new streets or changes to existing street alignments are proposed, and provided that each tract meets the dimensional standards of these LDRs and has direct access to a public street.
- (b) *Lot split.* A lot split, ~~or the~~ consisting of a division of a ~~parent tract~~ lot of record into no more than two lots, as long as the lot area complies with the dimensional standards of these LDRs. This exemption does not apply to lots within an existing platted subdivision.
- (c) *Land for widening or opening streets.* The public acquisition by purchase of strips of land for the widening or opening of new streets.
- (d) *Partition of land by court.* The partition of land by court decree.
- (e) *Transfer by sale or gift.* The transfer of property without subdivision by sale, gift, succession, or for the purposes of dissolving tenancy in common among tenants.
- (f) *Nonresidential and/or multifamily development.* A development consisting of multifamily, office, commercial, and/or industrial development requiring site plan review pursuant to section 2.4.9 of these LDRs, provided that such development would not result in the creation, relocation, or extension of any street. Such development shall comply with Chapter 177, Part I, Florida Statutes and shall not constitute a division, resubdivision, or combination/consolidation as defined in subsection 2.4.10(B)(1)(a) through (d). Site plans for such development shall indicate the location and specifications of all utility infrastructure, including but not limited to water, wastewater, and electrical facilities, serving the development. This exemption shall not preclude a developer from subdividing a multifamily, office, commercial, and/or industrial development pursuant to this section 2.4.10.

- (g) *Existing nonresidential and/or multifamily development.* Existing multifamily, office, commercial and/or industrial development when the development:
 - (1) Has received approval of a site plan pursuant to section 2.4.9 of these LDRs; and
 - (2) All public and private utility infrastructure approved by the site plan has been constructed; and
 - (3) All public utility infrastructure has been accepted by the applicable entity.
- (h) Roadway improvement projects identified in Long Range Transportation Plan. Roadway improvement projects involving the creation, relocation, or extension of a street or modifications to streets that are identified in the adopted City of Alachua Long Range Transportation Plan, provided however that when the roadway improvement will be performed by an entity other than the City of Alachua, Alachua County, or State of Florida, a surety device in accordance with Section 7.4, Improvement guarantees for public improvements, or Section 6.10, Improvement guarantees for private improvements, as applicable, shall be posted with the City to cover at least 125 percent of the estimated cost of all public or private improvements.
- (E) *Preparation of plats.* All final plats shall be prepared by a surveyor registered in the State of Florida and preliminary plats and construction plans and specifications for required improvements shall be prepared by ~~a~~an engineer registered in the State of Florida. The subdivider shall present ~~a letter~~documentation to the LDR Administrator certifying that the subdivider has employed a registered surveyor and a registered engineer in the preparation of these documents.
- (F) *Minor subdivision.*
 - (1) *Generally.* Excluding subdivisions exempted by Subsection 2.4.10(B)(3) of this section, Exemptions, minor subdivisions constitute:
 - (a) The subdivision of land into six or fewer lots, provided that:
 - (i) No new streets, alleys, or other public ways are created;
 - (ii) No changes are made to the existing rights-of-way of any streets, alleys or other public ways;
 - (iii) No new utilities are required to serve the subdivided land;
 - (iv) The division of land complies with the standards of Article 7, Subdivision Standards;
 - (v) No flag lot is created ~~in a residential district that is inconsistent with existing development patterns;~~ and
 - (vi) The lots have direct access onto a public street that has been accepted for maintenance by the appropriate jurisdiction.
 - (b) Revisions of single lots within an existing platted subdivision.
 - (c) The subdivision of land into 50 or fewer single-family detached or attached lots where a minimum of 25 percent of the lots are restricted for affordable housing for low-income residents.
 - ~~(d) The subdivision of land using the conservation subdivision option in the Agricultural (A) District in accordance with Section 7.9, Conservation subdivision.~~
- (G) *Major subdivision.*
 - (2) *Preliminary plat.*
 - (h) *Expiration.*
 - (i) The approval of a subdivision preliminary plat shall expire at the end of 12 months from the date approval was granted by the City Commission unless the applicant has ~~received~~approval of submitted construction plans.

(3) *Construction plans.*

- (a) *Generally.* Within 12 months of the approval of the subdivision preliminary plat, Construction plans shall be ~~reviewed-submitted~~ in accordance with this section. Construction plans are engineered drawings depicting the precise design, location, and profile of all public facilities proposed for development of the subdivision, including, but not limited to, streets, street markings, street signs, sidewalks, public pedestrian pathways or trails, potable water lines, sanitary sewer lines, public utility meter locations, storm drains, fire suppression systems, and locations of conduit crossings for private utilities.
- (c) *Review and action by LDR Administrator.* The LDR Administrator shall review and take action on the construction plans in accordance with Section 2.2.13, Review by LDR Administrator ~~within 30 days of acceptance of a complete application~~.
- (g) *Appeal to ~~City Commission~~Board of Adjustment.* A decision on construction plans may be appealed to the ~~City Commission~~ Board of Adjustment in accordance with the procedures of ~~Subsection 2.4.9(I) of this section~~ Section 2.4.20, Appeal of interpretation or decision by LDR Administrator.

Section 3.6.3(A)(5) of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 3.6.3(A) remains in full force and effect:

3.6.3 *Additional standards for PD districts.*

(A) *PD-R, Planned Development-Residential District.*

- (5) *Development standards.* Unless otherwise specifically modified by a PD Master Plan, development in a PD-R district shall comply with the applicable standards Article 6, Development Standards, ~~and Article 7, Subdivision Standards~~. All modifications to a development standard in Article 6 ~~or Article 7~~ shall be consistent with this section, and shall be included as a part of the PD Master Plan.

Section 3.6.3(C)(5) of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 3.6.3(C) remains in full force and effect:

3.6.3 *Additional standards for PD districts.*

(C) *PD-EC, Planned Development-Employment Center District.*

- (5) *Development standards.* Unless otherwise specifically modified by a PD Master Plan, development in a PD-EC district shall comply with the applicable standards Article 6, Development Standards, ~~and Article 7, Subdivision Standards~~. All modifications to a development standard in Article 6 ~~or Article 7~~ shall be consistent with this section, and shall be included as a part of the PD Master Plan.

Section 3.6.3(D)(5) of the City's LDRs is created as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 3.6.3(D) remains in full force and effect:

3.6.3 *Additional standards for PD districts.*

(D) *PD-COMM, Planned Development-Commercial District.*

- (5) *Development standards.* Unless otherwise specifically modified by a PD Master Plan, development in a PD-COMM district shall comply with the applicable standards Article 6, Development Standards; ~~and Article 7, Subdivision Standards~~. All modifications to a development standard in Article 6 ~~or Article 7~~ shall be consistent with this section, and shall be included as a part of the PD Master Plan.

Table 4.1-1 of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Table 4.1-1 remains in full force and effect:

Use Category/ Use Type	CSV	A	Residential								Business								Planned Development				Use Specific Standards (Sec. 4.3)	
			Single-Family (RSF)				Mobile Home (RMH)		Multiple Family (RMF)		OR	CN	CC	CBD	CI	CP	ILW	IG	GF	COMM	R	TND		EC
			1	3	4	6	5	P	8	15														
Animal shelter		S										S		<u>P</u>					A				4.3.3(C)(2)	
Restaurant, with outdoor seating									S	S	S	P	P	P	<u>S</u> <u>P</u>	P	S			A	A	A	A	4.3.4(A)(1)

Table 4.4-1 of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Table 4.4-1 remains in full force and effect:

Table 4.4-1. Table of Permitted Accessory Uses																								
A = Permitted Blank = Prohibited																								
Accessory Use Type	CSV	A	Residential								Business								Planned Development				Additional Requirements	
			Single-Family (RSF)				Mobile Home (RMH)		Multiple Family (RMF)		OR	CN	CC	CBD	CI	CP	ILW	IG	GF	COMM	R	TND		EC
			1	3	4	6	5	P	8	15														
Swimming pools, hot tubs, and ornamental ponds and pools		A	A	A	A	A	A	A	A	A	A	A	A	A	A			A	A	A	A	A		

Section 4.5.6(D)(4) of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 4.5.6(D) remains in full force and effect:

4.5.6 *Specific regulations for certain temporary uses and structures.*

(D) *Sale/display of goods other than agricultural products.*

(4) *Duration; sales per year.*

- (a) *Generally.* The temporary sale of nonagricultural products shall be allowed on an individual parcel or site for no more than ~~120-90~~ total days per calendar year.
- (b) *Sales products per site.* The number of temporary sales of products per site per calendar year shall not exceed ~~five~~ three.

Section 6.1.3(N) of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 6.1.3(N) remains in full force and effect:

6.1.3 *General standards for off-street parking and loading.*

- (N) *Large retail establishments.* Off-street surface parking serving a large retail establishment shall be located and configured in accordance with the standards of this section and Section ~~6-8-56.8.3(D)~~, Off-street parking.

Section 6.1.4(B)(2) of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~strikethrough~~ is to be removed). Except as amended herein, the remainder of Section 6.1.4(B) remains in full force and effect:

6.1.4 *Off-street parking standards.*

(B) *Amount required.*

(2) *Exceptions for certain zone districts.*

- (a) ~~Notwithstanding the requirements of Subsection 6.1.4(B)(1) of this section, no~~ No parking shall be required for any uses and activities in the CSV district.
- (b) ~~Notwithstanding the requirements of Subsection 6.1.4(B)(1) of this section, the~~ The minimum number of required off-street parking spaces shall be reduced by 50 percent in the CBD district. Uses in the CBD district are not precluded from utilizing the alternative compliance standards in Section 6.1.11.
- (c) ~~Notwithstanding the requirements of Subsection 6.1.4(B)(1) of this section, no~~ No off-street parking shall be required for any use or activity existing on February 27, 2006. However, if a residential use existing at the time of February 27, 2006, is changed, then off-street parking shall be provided as required in accordance with this section. In addition, uses in buildings constructed after the effective date of these LDRs shall provide off-street parking as required in accordance with this section.
- (d) Off-street parking shall not be required for new development, redevelopment, or additions to an existing development when the development, redevelopment, or addition is adjacent to Main Street and located between NW 150th Avenue and NW 145th Avenue, when it is demonstrated that no feasible option exists to provide off-street parking in accordance with Subsection 6.1.4(B)(1). When it is demonstrated that no feasible option exists to comply with the off-street parking standards established in Subsection 6.1.4(B)(1), but a fractional portion of the required off-street parking could be provided, the development, redevelopment, or addition to existing development shall provide such fractional portion of the off-street parking requirement.

Section 6.8.1(B) of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~strikethrough~~ is to be removed). Except as amended herein, the remainder of Section 6.8.1 remains in full force and effect:

6.8.1 *Applicability.*

- (B) *Exemptions.* Use types within the industrial services, manufacturing and production, warehouse and freight movement, waste-related services, and wholesale sales use categories are exempt from the requirements of this section, except when all of or a portion of a building utilized for such use is within 500 feet of the right-of-way of US Highway 441.

Section 6.8.3(A)(1) of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~strikethrough~~ is to be removed). Except as amended herein, the remainder of Section 6.8.3 remains in full force and effect:

6.8.3 *Design standards for single tenant retail sales and service uses greater than or equal to 20,000 square feet.*

(A) *Facade and material design.*

- (1) *Generally* . All facades facing a street, lands containing existing residential uses, or vacant land classified as CSV, A, RSF-1, RSF-3, RSF-4, RSF-6, RMH-5, RMH-P, RMF-8, or RMF-15, shall be subject to the standards set forth in Subsection 6.8.3(~~BA~~)(2).

Section 10.2 of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~striketrough~~ is to be removed). Except as amended herein, the remainder of Section 10.2 remains in full force and effect:

Animal husbandry, general use category means the active and ongoing propagation, rearing, exercising, feeding, milking, housing, controlling, handling or general care of living animals, including the raising and production of cattle (beef and dairy), pigs, mules, ducks, emus, horses, goats, llama, poultry, sheep and similar animal husbandry uses. Animal husbandry also includes the raising and production of aquatic or hydroponic plants and animals. See also Section 4.2.4(B).

Good cause means ~~as used in Section 2.4.14,~~ impediments to submission of a final development plan ~~such as~~ or delays in securing other permits ~~from other agencies~~ in a timely manner. The term "good cause" does not include adverse market conditions, delays in securing financing, or self-imposed hardships resulting from the actions or inaction of the developer.

Internet café/simulated gambling establishment means a building, edifice, structure, or location, along with its grounds, in which simulated gambling devices are used, operated, or stored, including but not limited to game rooms, arcades, internet cafes, internet centers or sweepstakes redemption centers. The definition does not include any establishment that is expressly permitted by state law, including but not limited to an "arcade amusement center" as defined in F.S. § ~~849.16~~ 546.10.

Outdoor storage means the keeping, ~~in an unroofed area~~ of any goods, junk, material, merchandise or vehicles in the same place for more than 24 hours. This shall not include the display of vehicles for sale in a new or used car sales lot. Such activities may be the principal use of the land where located or as an accessory use to another principal use.