

**ORDINANCE 19-31**

**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 SECTIONS 2.4.4(B) AND (D), RELATING TO SPECIAL EXCEPTION PERMITS; AMENDING SECTIONS 2.4.7(B) AND (C) RELATING TO VARIANCE PERMITS; CREATING SECTION 2.4.10(B)(3)(i) RELATING TO RESIDENTIAL DEVELOPMENT IN THE CORPORATE PARK ZONING DISTRICT; AMENDING SECTION 3.1.1 AND TABLE 3.1-1 RELATING TO THE MAXIMUM GROSS DENSITY WITHIN THE CORPORATE PARK ZONING DISTRICT; AMENDING SECTION 3.5.2(F) RELATING TO THE SPECIFIC PURPOSES OF THE CORPORATE PARK ZONING DISTRICT; AMENDING SECTION 4.1.1 AND TABLE 4.1-1 RELATING TO PERMITTED USES IN THE CENTRAL BUSINESS DISTRICT, COMMERCIAL INTENSIVE, CORPORATE PARK, LIGHT & WAREHOUSE INDUSTRIAL, PLANNED DEVELOPMENT – COMMERCIAL, AND PLANNED DEVELOPMENT – TRADITIONAL NEIGHBORHOOD DEVELOPMENT ZONING DISTRICTS; CREATING SECTION 4.3.4(G)(11) RELATING TO THE USE-SPECIFIC STANDARDS FOR MICROBREWERIES; AMENDING SECTION 5.1.3 AND TABLE 5.1-3 RELATING TO THE MAXIMUM GROSS RESIDENTIAL DENSITY AND DIMENSIONAL STANDARDS IN THE COMMERCIAL INTENSIVE AND CORPORATE PARK ZONING DISTRICTS; AMENDING SECTION 5.1.3 AND TABLE 5.1-3 RELATING TO THE MAXIMUM HEIGHT FOR DEVELOPMENT WITHIN THE COMMERCIAL INTENSIVE AND CORPORATE PARK ZONING DISTRICTS; CREATING SECTION 5.2.3(B) RELATING TO SPECIAL HEIGHT REQUIREMENTS IN THE COMMERCIAL INTENSIVE AND CORPORATE PARK ZONING DISTRICTS; AND AMENDING SECTION 10.2 RELATING TO THE DEFINITION OF "DWELLING, LIVE/WORK" AND "MICROBREWERY"; 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 May 30, 2019; and

**WHEREAS**, the LPA conducted a public hearing on the proposed Amendment on June 11, 2019, 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 June 13, 2019, and on July 11, 2019; and

**WHEREAS**, the City Commission conducted public hearings on the proposed Amendment on June 24, 2019, and July 22, 2019, 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 9.      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 24<sup>th</sup> day of June 2019.

PASSED and ADOPTED, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 22<sup>nd</sup> day of July 2019.

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

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Gib Coerper, Mayor  
**SEAL**

**ATTEST:**

**APPROVED AS TO FORM**

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Adam Boukari, City Manager/Clerk

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Marian B. Rush, City Attorney

## EXHIBIT “A”

Section 2.4.4 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 2.4.4 remains in full force and effect:

### 2.4.4 *Special exception permit.*

- (A) *Purpose.* The purpose of this subsection is to provide a means for reviewing applications for approval of uses allowed as special exceptions. These are uses that are generally compatible with the other uses permitted in a zone district, but require individual review of their location, design, configuration, density, intensity, and public facility impact to determine the appropriateness of the use on any particular site in the district and their compatibility with adjacent uses. Special exception uses may require the imposition of conditions to ensure the appropriateness of the use at a particular location.
- (B) *Authority.* The City Commission is authorized to review and decide applications for special exception permits for a building consisting of greater than or equal to 80,000 square feet in area in accordance with this section. The PZB is authorized to review and decide applications for all other special exception permits in accordance with this section. Only those uses identified as special exceptions in Table 4.1-1, Table of Allowed Uses and Table 5.1-3, Table of Dimensional Standards in the Business Zoning Districts, for the CI and CP zoning districts, are authorized to be considered as special exceptions under this section. The designation of a use as a special exception in Table 4.1-1, Table of Allowed Uses or Table 5.1-3, Table of Dimensional Standards in the Business Zoning Districts, for the CI and CP zoning districts, does not constitute an authorization that such use shall be approved as a special exception permit in accordance with this section. Rather, each proposed special exception shall be evaluated for compliance with the standards set forth in this section and the applicable standards for the use in Section 4.3, Use specific standards, or Section 5.2.3(B), if appropriate.
- (C) *Procedure.*
  - (1) *Application submission, review, public notification, and scheduling hearing.* The procedures and requirements for submission and review of an application are established in Section 2.2, Common development review procedures.
  - (2) *Review and recommendation by PZB and review and action by City Commission on application for special exception permit for building greater than or equal to 80,000 square feet in area.*
    - (a) *Review and recommendation by PZB on application for special exception permit for building greater than or equal to 80,000 square feet in area.* After preparation of a staff report, public notification, and the scheduling of a public hearing, the PZB shall conduct a public hearing on the application for a special exception permit for a building greater than or equal to 80,000 square feet in area in accordance with Section 2.3.1, Quasi-judicial public hearings. At the public hearing, the PZB shall consider the application, the relevant support materials, the staff report, and the testimony and evidence given at the public hearing, and following the close of the public hearing, make a report to the City Commission recommending either to approve, approve with conditions, or deny the application based on the standards in Section 2.4.4(D), Special exception standards.
    - (b) *Review and action by City Commission on application for special exception permit for building greater than or equal to 80,000 square feet in area.* After receipt of the report from the PZB, public notification, and the scheduling of a public hearing for the application for a special exception permit for a building greater than or equal to 80,000 square feet in area, the City Commission shall consider the application during a public hearing in accordance with Section 2.3.1, Quasi-judicial public hearings. At the public hearing, the City Commission shall review the application, the relevant support materials, the staff report, the report of the PZB, and the testimony given at the hearing. After the close of the hearing, the City Commission shall either approve, approve with conditions, or deny the application based on the standards in Subsection 2.4.4(D) of this section, Special exception standards.

- (3) *Review and action by PZB on application for special exception permit for uses other than building greater than or equal to 80,000 square feet in area.* After preparation of a staff report, public notification, and the scheduling of a public hearing, the PZB shall conduct a public hearing on the application for a special exception permit for uses other than a building greater than or equal to 80,000 square feet in area in accordance with Section 2.3.1, Quasi-judicial public hearings. At the public hearing, the PZB shall consider the application, the relevant support materials, the staff report, and the testimony and evidence given at the public hearing. After the close of the public hearing, the PZB shall approve, approve with conditions, or deny the application based on the standards in Subsection 2.4.4(D) of this section, Special exception standards.
- (D) *Special exception standards.* A special exception permit shall be approved only upon a finding the applicant demonstrates all the following standards are met:
- (1) *Complies with use specific regulations.* The proposed special exception complies with all relevant standards in Section 4.3, Use specific standards, or Section 5.2.3(B), as applicable.
  - (2) *Compatibility.* The proposed special exception is appropriate for its location and compatible with the character of surrounding lands and the uses permitted in the zone district.
  - (3) *Design minimizes adverse impact.* The design of the proposed special exception minimizes adverse effects, including visual impacts of the proposed use on adjacent lands; furthermore, the proposed special exception avoids significant adverse impact on surrounding lands regarding service delivery, parking and loading, odors, noise, glare, and vibration, and does not create a nuisance.
  - (4) *Design minimizes environmental impact.* The proposed special exception minimizes environmental impacts and does not cause significant deterioration of light, water and air resources, wildlife habitat, stormwater management, scenic resources, and other natural resources.
  - (5) *Roads and other public facilities.* There is adequate public facility capacity available to serve the proposed special exception, and the proposed special exception use is designed to ensure safe ingress and egress onto the site and safe road conditions around the site.
  - (6) *Not injure neighboring land or property values.* The proposed special exception will not substantially injure the use of neighboring land for those uses that are permitted in the zone district, or reduce land values.
  - (7) *Site plan.* A site plan (Subsection 2.4.9 of this section) has been prepared that demonstrates how the proposed special exception use complies with the other standards of this subsection.
  - (8) *Complies with all other relevant laws and ordinances.* The proposed special exception use complies with all other relevant City laws and ordinances, State and Federal laws, and regulations.

Section 2.4.7 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 2.4.7 remains in full force and effect:

2.4.7 *Variance permits.*

- (A) *Overview.* These LDRs include three types of variance permits: zoning variance permits (Subsection 2.4.7(C) of this section); subdivision variance permits (Subsection 2.4.7(D) of this section); and floodplain development variances (Section 2.4.7(E) of these LDRs).
- (B) *Purpose.* The purpose of a variance is to allow certain deviations from the standards of these LDRs, including variance from the dimensional zoning standards (such as height (except as provided for in Section 2.4.4 for the CI and CP zoning districts), parking, landscaping, lot dimensions, and signage standards), and subdivision standards (such as deviations from subdivision layout or public improvement standards) when the applicant demonstrates that, owing to special circumstances or conditions beyond the applicant's control (such as exceptional topographical conditions, narrowness, shallowness, or the shape

of a specific parcel of land), the literal application of the standards in these LDRs would result in undue and unique hardship to the landowner and the deviation would not be contrary to the public interest.

(C) *Zoning variance permits.*

- (1) *Authority.* The BOA is authorized to review and decide zoning variance permits in accordance with this section.
- (2) *Applicability.* The following standards may be varied through the zoning variance permit procedure:
  - (a) The maximum height standards (except as provided for in Section 2.4.4 for the CI and CP zoning districts), maximum lot coverage standards, minimum yards and setbacks standards, minimum lot area standards, and minimum lot width standards in Section 5.1, Dimensional standards tables;
  - (b) The allowable yard encroachments in Section 5.2.2(C), Allowable yard encroachments;
  - (c) The standards in:
    - (i) Section 6.1, Off-street parking and loading standards;
    - (ii) Section 6.2.2, Landscaping standards;
    - (iii) Section 6.2.3, Screening standards;
    - (iv) Section 6.3, Fencing standards;
    - (v) Section 6.4, Exterior lighting standards;
    - (vi) Section 6.5, Signage;
    - (vii) Section 6.6, Infill standards; and
    - (viii) Section 6.8, Large retail design standards.

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.*

- (3) *Exemptions.* The following development shall be exempt from the requirements of this section:
  - (a) *Subdivision into tracts.* Notwithstanding the requirements of F.S. ch. 177, 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, consisting of a division of a 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.
- (i) Residential development in the CP zoning district. A residential development in the Corporate Park (CP) zoning district may be reviewed pursuant to Section 2.4.9, Site plan, of these LDRs. When a residential development in the CP zoning district is reviewed pursuant to Section 2.4.9, such development shall meet all of the following criteria. This exemption shall not preclude a developer from subdividing residential development in the CP zoning district pursuant to this Section 2.4.10.:
- (1) The development shall remain in common ownership;
  - (2) 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); and,
  - (3) 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.

Section 3.1.1 and Table 3.1-1 of the City's LDRs are 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 3.1.1 and Table 3.1-1 remain in full force and effect:

3.1.1 *Establishment of base zone districts.* The following base zone districts are established:

Table 3.1-1. Establishment of Base Zone Districts		
Abbreviation	District Name	Max. Gross Density (DU/AC) [1]
Conservation Districts		
CSV	Conservation	N/A
Agricultural Districts		
A	Agricultural	0.20; 0.50 if homesteaded
Residential Districts		
RSF-1	Residential Single-Family — 1	1
RSF-3	Residential Single-Family — 3	3
RSF-4	Residential Single-Family — 4	4
RSF-6	Residential Single-Family — 6	6
RMH-5	Residential Mobile Home — 5	5; 2 without public utilities
RMH-P	Residential Mobile Home Park	8
RMF-8	Residential Multiple Family — 8	8
RMF-15	Residential Multiple Family — 15	15
Business Districts		
OR	Office Residential	5
CN	Neighborhood Commercial	None
CC	Community Commercial	None
CBD	Central Business District	None
CI	Commercial Intensive	None
CP	Corporate Park	<del>05</del> 4 [2]
ILW	Light and Warehouse Industrial	None



IG	Industrial General	N/A
GF	Governmental Facilities	None
Planned Development Districts		
PD-R	Planned Development - Residential	See Section 3.6.3(A)
PD-TND	Planned Development - Traditional Neighborhood	See Section 3.6.3(B)
PD-EC	Planned Development - Employment Center	See Section 3.6.3(C)
PD-COMM	Planned Development - Commercial	See Section 3.6.3(D)
<p>Notes</p> <p>[1] Maximum gross residential density may be increased by 20 percent for the provision of affordable housing in the RSF-6, RMF-8, and RMF-15 zone districts.  Floor area ratios for business districts are as follows:  0.5 FAR for parcels five acres or greater;  0.75 FAR for parcels less than five acres but greater than one acre;  1.0 FAR for parcels one acre or less.</p> <p>[2] Residential density shall be consistent with the criteria outlined in Sec. 3.5.2(F).</p>		

Section 3.5.2 of the City's LDRs is amended as follows (text that is underlined is to be added and text that is shown as ~~strike through~~ is to be removed). Except as amended herein, the remainder of Section 3.5.2 remains in full force and effect:

**3.5.2 Business district specific purposes.**

**(F) CP, Corporate Park District.**

- (1) The CP District is established and intended to accommodate a range of research and development, technology and life sciences/biotechnology industries, office, supporting retail, and ~~limited complementary~~ residential uses, as indicated in Table 4.1-1. By allowing a range of permitted uses, the CP District is intended to accommodate the development of "flex space" arrangements. Flex space allows a developer to establish different combinations of uses on a site over time.
- (2) ~~Clustered + R~~ Residential development criteria. Development within the Corporate Park zoning district that consists of greater than ~~100~~ 50 acres of contiguous land may provide ~~clustered~~ residential development. ~~The amount of + R~~ residential development options available on any property zoned Corporate Park is further limited by subsections (a) and (b) below and as set forth in Table 5.1-3.
  - (a) ~~Clustered Gross~~ residential development density shall be a maximum of 4 dwelling units per acre:
    - (i) ~~Consist of at least 60 percent of the total allowed residential units within the contiguous area zoned Corporate Park.~~
    - (ii) ~~Must be developed at a net density of six to 12 dwelling units per acre.~~

- (b) For purposes of calculating ~~available gross~~ residential density, the maximum number of dwelling units permitted in a contiguous area shall be determined by the ~~total~~ acreage contained in the property in common ownership as of the effective date of the ordinance adopting the rezoning to Corporate Park.

Section 4.1.1 and Table 4.1-1 of the City's LDRs are amended as follows (text that is underlined is to be added and text that is shown as ~~strike through~~ is to be removed). Except as amended herein, the remainder of Section 4.1.1 and Table 4.1-1 remain in full force and effect:

4.1.1 *Table of allowed uses.*

Table 4.1-1. Table of Allowed Uses																									
P = Permitted use      S = Special exception permit      A = Allowed in the PD districts      Blank cell = Prohibited																									
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	CB D	CI	CP	ILW	IG	GF	COMM	R	TND	EC		
			1	3	4	6	5	P	8	15															
BUSINESS																									
	Recreation/entertainment, outdoor																								
Commercial recreation, outdoor		S													P	<u>P</u>			P	A		A	A		
	Retail sales and services																								
<u>Microbrewery</u>															<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>A</u>		<u>A</u>		<u>4.3.4(G)(11)</u>

Section 4.3.4(G)(11) of the City's LDRs is created as follows (text that is underlined is to be added and text that is shown as ~~strike through~~ is to be removed). Except as amended herein, the remainder of Section 4.3.4(G) remains in full force and effect:

4.3.4 *Business uses.*

(G) *Retail sales and services.* Retail sales and services uses located in a single-tenant building of 20,000 square feet size or larger shall comply with the standards in Subsection 6.8.3, Design standards for business uses, as well as the standards in this section.

(11) *Microbreweries.* A microbrewery shall comply with the following standards:

(a) *Minimum separation from residential uses and zoning.* The following separation shall be required between microbreweries and a residential zone district or use:

(i) *Microbreweries with indoor seating only.* Except for microbreweries within the Corporate Park (CP) zoning district, a microbrewery with indoor seating only shall be located no closer than 100 feet from any residential zone district or use. The distance shall be measured by extending a straight line from the center of the main entrance of the microbrewery to the nearest property line of the residential zone district or use.

(ii) *Microbreweries with outdoor seating.* Outdoor seating areas for a microbrewery shall be located no closer than 250 feet from any residential zone district or use. The distance shall be measured by extending a straight line from the nearest point of the outdoor seating area to the nearest property line of the residential zone district or use.

(b) *Minimum separation from religious institutions.* Microbreweries (including any outdoor seating area) shall be located no closer than 450 feet from any religious institution, as defined by the City's Land Development Regulations. The distance shall be measured from the center of the main entrance of the microbrewery and follow the most direct public route of pedestrian travel to the main entrance of the religious institution.

(c) *Hours of operation.* For microbreweries with indoor seating only, hours of operation for sale and on-premise consumption shall be consistent with Chapter 4, Section 4.2 of the Alachua Code of Ordinances. For microbreweries with outdoor seating, the following hours of operation requirements for the outdoor seating areas shall apply (the following hours of operation requirements do not apply to on-premise consumption for the indoor areas of the microbrewery):

(i) *Weeknights.* Service to outdoor seating areas will end at 10:00 p.m. on weeknights.

(ii) *Weekend nights.* Service to outdoor seating areas will end at 11:00 p.m. on weekend nights.

(d) *No obstruction of pedestrian movement.* Any microbrewery outdoor seating area shall not obstruct the movement of pedestrians along sidewalks or through areas intended for public use.

(e) *Compatibility and compliance with building codes and State regulations.* In approving the use, the City may impose conditions relating to the location, configuration, and operational aspects of a microbrewery outdoor seating area to ensure its compatibility with surrounding uses and its compliance with the City's building codes and ordinances, including noise, and all relevant State laws and regulations.

(f) *Applicability of residential protection standards.* As a condition of the approval of a microbrewery located within 500 feet of any residential district or adjacent to an existing residential single-family or two-family development, the City may impose conditions as set forth in Section 6.6.3, Residential protection standards, to reduce or minimize any potential adverse impacts on the residential land or development.

Section 5.1.3 and Table 5.1-3 of the City's LDRs are 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 5.1.3 and Table 5.1-3 remain in full force and effect:

5.1.3 *Dimensional standards in Business Districts.* All primary and accessory structures in the business zoning districts are subject to the dimensional standards set forth in Table 5.1-3, Table of Dimensional Standards in the Business Zoning Districts. These standards may be further limited or modified by other applicable sections of these LDRs. Rules of measurement and permitted exceptions are set forth in Sections 5.2.1, Lots; 5.2.2, Setbacks and required yards; 5.2.3, Height; and 5.2.4, Bulk.

Table 5.1-3. Table of Dimensional Standards in the Business Zoning Districts										
District and Use	Lots		Minimum Yards and Setbacks				Max. Height (ft.)	Max. Lot	Max. FAR [2]	Max. Gross
	Min. Area (sq. ft.)	Min. Width (ft.)	Front (ft.) [5]	Side (ft.)	Rear (ft.)	Wetland and Watercourse (ft.)		Coverage (incl. accessory structures) [1]		Residential Density (DU/acre)
CI [3]										
All uses	None	None	20	None	15	Sec. 5.2.2(B)	65 <u>See note [8]</u>	None	See note [2]	None
CP [4]										
Dwelling, single-family detached	<del>5,000</del> <u>3,500</u> <u>See note [6]</u>	50 <u>See note [6]</u>	20 <u>See note [7]</u>	7.5 for each <u>See note [7]</u>	15 <u>See note [7]</u>	Sec. 5.2.2(B)	65	40%	N/A	<del>0.5</del> <u>4</u>
Dwelling, single-family attached, townhouse, and multiple-family	5,000 <u>See note [6]</u>	40 <u>See note [6]</u>	15 <u>See note [7]</u>	5 for each building side <u>See note [7]</u>	10 <u>See note [7]</u>					

All other uses	None	None	20	15, except where railroad spur abuts side or rear property line, then none		100 <u>See note [8]</u>	None	See note	N/A
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Notes:

- [1] The maximum lot coverage in the OR district may be increased up to 65 percent by the provision of three or more upper story dwelling units above retail or office uses, provided such units are deed-restricted as affordable housing for low income residents.
- [2] The building square footage occupied by upper story dwelling units that are deed-restricted as affordable housing for low income residents shall not be counted towards the maximum FAR. Floor area ratios for business districts are as follows: 0.5 FAR for parcels five acres or greater; 0.75 FAR for parcels less than five acres, but greater than one acre; 1.0 FAR for parcels one acre or less.
- [3] Minimum lot area, minimum lot width, minimum yard, and minimum setback standards may be reduced by up to 75 percent in the CI Districts to accommodate deed-restricted affordable housing units.
- [4] Residential uses in the CP District shall be consistent with the criteria specified in section 3.5.2(F).
- [5] Front setbacks shall be consistent with the definition of "yard, front" as provided in subsection 5.2.2(A)(7).
- [6] Lot dimensional standards apply only to individual platted lots.
- [7] Building setbacks apply only to individual platted lots or if no platting is proposed, the setback standards apply to the project perimeter. However, all building separation requirements specified in the Florida Building Code are applicable. As used within Table 5.1-3, "project" shall mean all contiguous land zoned CP.
- [8] The maximum height for structures in the CI and CP zoning districts may be increased up to a maximum of 200 feet using the Special Exception process consistent with the applicable standards found in Section 2.4.4(D) and 5.2.3(B)).

Section 5.2.3(A)(2) of the City's LDRs is created as follows (text that is underlined is to be added and text that is shown as ~~struck through~~ is to be removed). Except as amended herein, the remainder of Section 5.2.3 remains in full force and effect:

5.2.3 *Height.*

(A) *Definitions/measurements.*

- (1) Building height means the vertical distance measured from the finished floor elevation of a building to the highest point of the roof surface of a flat roof, to the deck line of a mansard or Bermuda roof, to the mean height level between eaves and ridge of gable, hip, cone, gambrel and shed roofs, and to a height three-fourths of the distance from the ground to the apex of A-frame and dome roofs, as depicted in the diagram below.

- (2) Exclusions from height limitations, included in Sections 5.1.1 through 5.1.3, do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, elevator shaft enclosures, airport control towers, observation towers or other appurtenances usually required to be placed above the roof level and, excepting airport control towers and observation towers, not intended for human occupancy; however, the heights of these structures or appurtenances thereto shall not exceed any height limitations prescribed by the Federal Aviation Administration.
- (3) Grade means the level of the finished ground surface immediately adjacent to the exterior walls of a building.

(B) Special height requirements in the CI and CP zoning districts.

- (1) All structures that are not excluded from height limitations in Section 5.2.3(A)(2) shall comply with the maximum height requirements found in Table 5.1-3.
- (2) Any proposed increase in height above the permitted maximum shall require a Special Exception Permit, which must demonstrate consistency with the Special Exception standards found in Section 2.4.4(D) and the additional standard below:
  - (a) The proposed structure shall not be located within 100 feet of a property boundary of a residential zoning district or a single-family or two-family use.

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 ~~struckthrough~~ is to be removed). Except as amended herein, the remainder of Section 10.2 remains in full force and effect:

Sec. 10.2 *Definitions*

*Dwelling, live/work*, means a structure or portion of a structure combining a residential living space ~~for a group of persons including not more than four adults~~ with an integrated work space principally used by one or more of the residents.

*Microbrewery*, means a facility that produces no more than 15,000 barrels per year of fermented malt beverages on site and may include a taproom for sale of beer for on premise consumption or in sealed containers for takeaway. The microbrewery may include outdoor seating areas.