



**TOWN OF EATONVILLE
PLANNING AND ZONING BOARD**

DATE: May 31, 2024
TO: Planning and Zoning Board
FROM: Tara Salmieri, AICP (Town Planner Consultant)

SUBJECT: Consolidated use Table

BACKGROUND:

The purpose of updating the towns zoning district uses is to provide a consolidated use table that includes a comprehensive list of uses for the town so that additional business, retail, offices, and residential uses are listed to ensure the town provides a range of uses to encourage redevelopment, infill with respect to the existing uses in the town.

SUMMARY:

The consolidated use table will provide for permitted, not permitted, use specific standards and special exceptions, by zoning district. The table also provides for definitions of each use category and use type.

RECOMMENDATION:

Town Planner recommends the planning board makes a motion to accept and recommend **Consolidated Use Table and supporting documentation as submitted.**

Principal Use Table.

Use Category P= Permitted NP= Not permitted Blank Cell – not permitted	Use Type	Residential Districts			Non-Residential Districts				Overlays		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST	
Residential											
Household Living	Dwelling, single-family detached	P	P						P		(1) P in HD/MX/OFF SFH that have been on the parcel prior to 2017 are permitted to continue a SF use.
	Dwelling, townhouse			P							
	Dwelling, two-family (duplex)			P							
	Dwelling, three-family (triplex)			P							
	Dwelling, four-family (fourplex)			P							
	Dwelling, multifamily			P							
	Dwelling unit(s) above non-residential									P	
Group Living	Assisted care community		SE	SE							Adult day care moved under assisted care
	Foster care home	P	P	SE							
	Group dwelling or lodging home	SE	SE	SE							
	Group home, small	P	P								
	Group home, large			SE							
Public, Civic & Intuitional											
Community Service											
	Cemetery										
	Child care center	SE	SE				P				
	Community center/civic club						P			P	
	Community service facility										
	Cultural facility									P	
	Government building										
	Government facilities, general			SE							
	Post office					P	P				
	Religious Institution	SE	SE	SE			P				

Use Category P= Permitted NP= Not permitted Blank Cell – not permitted	Use Type	Residential Districts			Non-Residential Districts				Overlays		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST	
Education	School, higher education (college or university)										
	School, secondary (K-12)	SE	SE	SE							
	School, vocational or trade						P	P			
Health Care	Blood &/ Plasma Banks						SE	SE			
	Clinic and laboratory						P	P	P		
	Hospital						P				
	Medical Marijuana dispensary										ordinance
	Nursing home			P	P						
	Outpatient care facility				P				P		
	Pain management clinic									NP	ordinance
Parks and Open Space	Arboretum/botanical garden										
	Aviary/bird sanctuary										
	Community garden	P	P	P							
	Park, community	P	P	P	p	P	P		P	P	
	Park, neighborhood	P	P	P							
	Park, private			P							
Utility, Transportation, and Communication	Bus or rail terminal, private										
	Newspaper/periodical publishing establishment							P			
	Parking facility, private								P	P	(p) requires It to be a garage
	Parking facility, public						P		P		
	Solar energy collection facility, large-scale							P			
	Television and radio station						P	P			

Use Category P= Permitted NP= Not permitted Blank Cell – not permitted	Use Type	Residential Districts			Non-Residential Districts				Overlays		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST	
	Transportation terminal and station										
	Utility facility, major				P	P	P	P			
	Utility facility, minor				P	P	P				
	Wireless communication facility/tower (*)							P			
Commercial											
Animal Uses	Animal kennel							P			
	Veterinary hospital or clinic						P				
Business Support Services	Call center							P	P		
	Conference or training center					P	P				
	Employment agency				P	P					
Eating, Drinking, and Entertainment	Bars, taverns, and nightclubs				P		P				
	Limited service eating and drinking (non alcoholic) establishments				P	P	P				
	Microbrewery or micro distillery						P				
	Restaurant, take-out/delivery only				P		P				
	Restaurant, sit-down				P		P		P		LDC does not distinguish between type of restaurants (C-3 SE alcohol sales)
	Restaurant, drive thru										
Funeral and Mortuary Services	Crematory							P			
	Funeral home							P			
Office	Contractors' office					P	P				
	General business office				P	P	P		P		
	Professional office				P	P	P		P		
Personal Services					P	SE	P		P		Town code does not define this category

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	Arts, performing arts, and craft studios				P		P			P	
	Beauty salon, barber shop, nail salon				P		P		P	P	
	Interior decorating shop				P		P		P	P	
	Laundry or dry cleaning establishment				P		P		P	P	
	Laundry, self-service				P		P		P		
	Lawn care, pool, or pest control service				P		P				
	Massage therapy establishment				P		P		P	P	
	Personal or household goods repair shop				P		P		P		
	Personal training studio				P				P	P	
	Print shops, job printing, bindery, silk screening				P		P	P			
	Tattoo and piercing										
	Travel agency				P	P	P		P	P	
Recreation and Lodging	Arena, stadium, or amphitheater						SE				
	Bed & Breakfast				P			P	P	P	
	Hotel or Motel							P	P		
	Recreation facility, indoor				SE			P			Code SE pool hall and game room when in a shopping center
	Recreation facility, outdoor										
	Short-term rental unit			SE			SE				Refers to residential lodging
	Theater								P	P	
Retail Sales					P	SE	P			P	LDC does not expand on definition , overlay cultural/history retail shops (add no thrift or pawnshop

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		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST	
	Alcoholic beverage retail sales				P (REMOVE)		P				(1) C3 should permit it is in the code, contradicts as permitted then a SE
	Bank or financial institution				P	P			P		
	Check cashing				P		P				
	Computer hardware service						P				
	Consumer goods establishment				P		P			P	
	Convenient Store without gas						P			P	
	Convenient Store w/gas						SE			NP	
	Drugstore/pharmacy				P	P					
	Farmer's Market				P						
	Grocery store and food market				P		P			P	
	Pawnshop									NP	
	Shopping center				P (change from SE)						Min 1 acre
Vehicle Sales, Rental, Service, and Repair											
	Vehicle repair and service garage				SE		SE	SE		NP	LDC has criteria
	Automobile sales							SE			LDC has Criteria
	Automobile rental							SE			LDC has Criteria
	Vehicle Wash									NP	
Water Related Uses	Boat sales and/or rental, service, or repair							P			
Industrial											
Industrial Service	Educational, scientific, or industrial research or development							P			
	Industrial Service uses							P			

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		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST	
Manufacturing and Production	Manufacturing, assembly or fabrication, light							P			This includes food commissary and wholesaling
Warehouse and Freight Movement Uses											
	Showroom, wholesale								P		Office showroom
	Warehouse, mini storage							SE			LDC has Criteria
	Warehouse, distribution							P			

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Accessory Uses

Use Category	Use Type	Residential Districts			Non-Residential Districts				Mixed Use Districts		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST CULT	
	Accessory dwelling unit	P	P							P	
	Air conditioner compressor unit	P	P	P	P	P	P	P	P	P	
	Automated teller machine (ATM)					P			P		
	Automatic car wash										
	Bicycle parking rack			P	P	P	P		P	P	
	Boathouse			P							
	Boat dock	P	P	P							
	Childcare, home, five or fewer children	P	P	P							
	Childcare, home, six or more children										
	Clubhouse, as accessory to a residential development, golf, or tennis facility			P					P	P	
	Community garden	P	P	P	P	P	P		P	P	
	Composting, small-scale										
	Donation center				P						
	Drive-through facility									NP	
	Electric vehicle (EV) charging station			P	P	P	P	P	P	P	
	Food dispensing vehicle/cart				P	P	P		P	P	
	Garage or carport	P	P	P					P	P	
	Home garden	P	P	P					P	P	
	Home occupation	SE	SE	SE							Consider permitting with conditions
	Leasing office, as accessory to rental apartment complex			P	P	P	P		P	P	

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Use Category	Use Type	Residential Districts			Non-Residential Districts				Mixed Use Districts		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST CULT	
	Minor home structure	P	P	P							
	Office required for operation of primary use							P			
	Outdoor display of merchandise, as accessory to a retail sales use									NP	
	Outdoor mechanical equipment, residential	P	P	P							
	Outdoor seating, as accessory to an eating, drinking, and entertainment use				P	P	P		P	P	
	Outdoor storage, as an accessory use							SE		NP	
	Parking structure and lot, private, as an accessory use			P	P	P	P				
	Rainwater cistern or barrel	P	P	P	P	P	P	P	P	P	
	Retail as an accessory					P	P				
	Satellite dish, accessory	P	P	P	P	P	P	P	P	P	
	Solar energy collection facility, small-scale							P			
	Swimming pool and pool screen enclosure, as accessory to single-family or two-family use	P	P	P							

Temporary Uses

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Use Category	Use Type	Residential Districts			Non-Residential Districts				Mixed Use Districts		Use Specific Standard
		R-1	R-2	R-3	C-1	C-2	C-3	1-1	HD/MX/ OFF	DT HIST CULT	
	Mobile homes intended to house business activities						SE (P)				

Overview of Uses

Structure of the Principal Use Table.

- (1) Organization and Classification of Principal Uses organizes allowable principal uses within the following three-tier classification hierarchy,
 - (A) Use Classifications. The top-level use classifications are very broad and general (Residential Uses; Public, Civic, and Institutional Uses; Commercial Uses; and Light Industrial, Research and Development, and Warehousing Uses).
 - (B) Use Categories. Use categories represent major subgroups of the use classifications that have common functional, product, or physical characteristics, such as the type and amount of activity, type of occupants or users/customers, or operational characteristics. For example, the Commercial Use Classification is divided into multiple use categories, including Eating, Drinking, and Entertainment and Recreation and Tourism uses.

Classification of Principal Uses.

(a) Residential Uses Classification.

- (1) Household Living Uses. The Household Living Uses category includes use types providing for the residential occupancy of a dwelling unit by a single family. Tenancy is generally arranged on a month-to-month or longer basis. Use types include: live-work dwellings, multifamily dwellings, single-family attached (townhome) dwellings, single-family detached dwellings, two-family (duplex) dwellings, and dwelling units within a professional office building for owner or custodian. This use category does not include residential use types that generally involve some level of managed personal care for a larger number of residents (e.g., continuing care communities or large group homes), which are categorized in the Group Living Uses category. Accessory uses common to Household Living Uses include accessory dwelling, home-based businesses, and swimming pools.
- (2) Group Living Uses. The Group Living Uses category includes use types providing for the residential occupancy of a group of living units by persons who may or may not constitute a single family and may receive some level of personal care. Individual living units often consist of a single room or group of rooms without cooking and eating facilities (though some do have such facilities), but unlike a hotel/motel, are generally occupied on a monthly or longer basis. Use types include assisted care community, extended care facility, foster home, group dwelling or lodging home, group home, and similar uses. This use category does not include use types where persons generally occupy living units for periods of less than thirty (30) days (e.g., hotel/motels), which are categorized in the Visitor Accommodation Uses category. It also does not include use types where residents or inpatients are routinely provided more than modest health care services (e.g., nursing homes), which are categorized in the Health Care Uses category. Accessory uses common to group living uses include recreational facilities, administrative offices, and food preparation and dining facilities.

(b) Public, Civic, and Institutional Uses Classification.

- (1) Community Service Uses. The Community Service Uses category includes use types of a public, nonprofit, or charitable nature providing a local service (e.g., child care facility,

cultural, recreational, counseling, funeral services, training, religious) directly to people of the community. Generally, such uses provide ongoing continued service on-site or have employees at the site on a regular basis. The category does not include uses with a residential component. Use types include adult day care; banquet facility; child care center; civic building; community center/civic club; community service facility; cultural facility; government building post office; religious institution; and similar uses. This use category does not include private or commercial health clubs or recreational facilities (categorized in the Recreation/Entertainment Uses category), or counseling in an office setting (categorized in the Office Use category), or passenger terminals for public transportation services (categorized in the Transportation Use category). Accessory uses may include offices, meeting areas, food preparation and dining areas, health and therapy areas, and indoor and outdoor recreational facilities.

- (2) **Education Uses.** The Educational Uses category includes use types such as public schools and private schools (including charter schools) at the elementary, middle, or high school level that provide State-mandated basic education or a comparable equivalent. This use category also includes colleges, universities, and other institutions of higher learning such as vocational or trade schools that offer courses of general or specialized study leading to a degree or certification. Accessory uses at all education uses may include offices, play areas, recreational and sport facilities, cafeterias, theaters, auditoriums, and before- or after-school day care. Accessory uses at colleges or universities may additionally include dormitories, food service, laboratories, health care facilities, meeting areas, athletic facilities and fields, maintenance facilities, and supporting uses (e.g., eating establishments, bookstores).
- (3) **Health Care Uses.** The Health Care Uses category includes use types providing a variety of health care services, including surgical or other intensive care and treatment, various types of medical treatment, nursing care, preventative care, diagnostic and laboratory services, and physical therapy. Care may be provided on an inpatient, overnight, or outpatient basis. Use types include clinic and laboratory; hospital; nursing home; outpatient care facility; pain management clinic; and similar uses. This use category does not include assisted living facilities or similar facilities which focus on providing personal care rather than medical care to residents and are categorized in the Group Living Uses category. Accessory uses may include food preparation and dining facilities, recreation areas, offices, meeting rooms, teaching facilities, hospices, maintenance facilities, staff residences, and limited accommodations for members of patients' families.
- (4) **Parks and Open Space Uses.** The Parks and Open Space Uses category includes use types focusing on open space areas largely devoted to natural landscaping and outdoor recreation, and tending to have few structures. Use types include: arboretum or botanical garden; aviary and bird sanctuary; neighborhood park; community park; and similar uses. This use category does not include golf courses, golf driving ranges, or other primarily outdoor recreational uses (categorized in the Recreation and Lodging Uses category). Accessory uses may include caretaker's quarters, clubhouses, statuary, fountains, maintenance facilities, concessions, and parking.
- (5) **Utility, Transportation, and Communication Uses.** The Utility Uses category includes both major utilities, which are infrastructure services that provide regional or City-wide service, and minor utilities, which are infrastructure services that need to be placed in or near where the service is provided. Large-scale solar energy collection systems that constitute a principal

use of a lot are included as a special type of major utility use. Services may be publicly or privately provided and may include on-site personnel. Accessory uses may include offices, monitoring, or storage areas.

The Transportation Uses category includes use types providing for passenger terminals for surface or water-based transportation. Accessory uses may include freight handling areas, concessions, offices, maintenance, limited storage, and fueling facilities. Use types include passenger stations/terminals for ground transportation services (e.g., buses); park and ride facilities; and parking facilities (as a principal use). This use category does not include transit-related infrastructure such as bus stops and bus shelters (deemed minor utilities under the Utility Uses category).

The Communication Uses category includes use types that accommodate communication-related uses. Use types include television and radio stations; wireless communication facilities; and related uses.

(c) Commercial Uses Classification.

- (1) **Animal Care Uses.** The Animal Care Uses category is characterized by use types related to the provision of medical services, general care, and boarding services for household pets and domestic animals. Use types include animal kennels (that provide boarding); veterinary hospitals or clinics; and similar uses.
- (2) **Business Support Services Uses.** The Business Support Service Uses category includes use types primarily providing routine business support functions for the day-to-day operations of other businesses, as well as to households. Use types include call center; conference or training center; employment agency; and similar uses.
- (3) **Eating, Drinking, and Entertainment Uses.** The Eating or Drinking Establishment Uses category consists of establishments primarily engaged in the preparation and serving of food or beverages for on- or off-premises consumption. Use types include bars and nightclubs; limited-service eating and drinking establishments; microbreweries and microdistilleries; restaurants, take-out/delivery only; restaurants, sit-down; and similar uses. Accessory uses may include areas for outdoor seating, drive-through service facilities, facilities for live entertainment, and valet parking services.
- (4) **Funeral and Mortuary Services Uses.** The Funeral and Mortuary Services Uses category consists of establishments that provide services related to the death of a human being or animal. Use types include crematories; funeral homes; and similar uses.
- (5) **Office Uses.** The Office Uses category includes office buildings that house activities conducted in an office setting, usually with limited contact with the general public, and generally focusing on the provision of business services, professional services (e.g., accountants, attorneys, engineers, architects, planners), financial services (e.g., lenders, brokerage houses, tax preparers), or small-scale video or audio production services that are entirely conducted indoors (e.g. video editing, podcast recording and production). Use types include contractors' offices; general business offices; professional offices; and similar uses. This use category does not include offices that are a component of or accessory to a principal use in another use category, such as medical/dental offices (categorized in the Health Care Uses category) or banks or other financial institutions (categorized in the Retail Sales and Service Uses category). Accessory uses may include cafeterias, lunch rooms, recreational or fitness

facilities, incidental commercial uses, or other amenities primarily for the use of employees in the offices.

- (6) **Personal Service Uses.** The Personal Services Uses category consists of establishments primarily engaged in the provision of frequent or recurrent needed services of a personal nature. Use types include arts, performing arts, or craft studio; beauty salon, barber shop, or nail salon; caterer, interior decorating shop; laundry or dry cleaning pick-up establishment; laundry, self-service; lawn care, pool, or pest control service; personal or household goods repair shop; print shops, job printing, bindery, or silk screening; travel agency; and similar uses.
- (7) **Recreation and Lodging Uses.** The Recreational/Entertainment Uses category includes use types providing indoor or outdoor facilities for recreation or entertainment-oriented activities by patrons or members. Use types include: arenas, stadiums, or amphitheaters; cinemas; country clubs; golf courses; golf driving ranges; nightclubs; performance arts centers; recreation facilities, recreation facilities, indoor (amusement arcades, amusement centers, aquatics centers health clubs, recreation courts, skating facilities, swimming pools, and similar uses); and recreation facilities, outdoor (archery, baseball batting ranges, athletic fields, miniature golf courses, recreation courts, swimming pools, and similar uses). It does not include recreational facilities that are accessory to parks (categorized as open space uses), or that are reserved for use by a residential development's residents and their guests (e.g., accessory community swimming pools and other recreation facilities). Accessory uses may include offices, concessions, snack bars, and maintenance facilities.
- (8) **Retail Sales Uses.** The Retail Sales Uses category includes use types involved in the sale, rental, and incidental servicing of goods and commodities that are generally delivered or provided on the premises to a consumer. Use types include alcoholic beverage retail sales; bank or financial institution; carpentry and cabinet shop; computer hardware service; consumer goods establishment; drugstore/pharmacy; farmers' market; grocery store and food market; shopping center; and related uses. This use category does not include sales or service establishments related to vehicles (the Vehicle Services and Sales Uses category), the provision of financial, professional, or business services in an office setting (categorized in the Office Uses category), uses providing recreational or entertainment opportunities (categorized in the Recreation and Tourism Uses category), uses that provide personal services such as dry cleaning or laundry establishments, or product repair or services for consumer and business goods (categorized in the Personal Services Uses category). Accessory uses may include offices, storage of goods, assembly or repackaging of goods for on-site sale, concessions, ATM machines, and outdoor display of merchandise. No non-medical marijuana sales use is permitted.
- (9) **Vehicle Sales, Rental, Service, Repair, and Parking Uses.** The Vehicle Sales and Service Uses category includes use types involving the direct sales and servicing of motor vehicles, including automobiles, trucks, motorcycles, and recreational vehicles, as well as trailers — whether for personal transport, commerce, or recreation. Use types include automotive repair and service garages; automobile service station; bus or rail terminal; mobility services; personal vehicle sales; personal vehicle rentals; and similar uses. Accessory uses may include offices, sales of parts, maintenance facilities, and vehicle storage.

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- (10) Boat Sales, Rental, Service, Repair, and Parking Uses. The Boat Sales and Service Uses category includes use types involving the direct sales and servicing of boats, including jet ski's, sailboats, motorized boats, as well as trailers — whether for personal transport, commerce, or recreation. Use types include boat sale repair and service garages; boat service station; boat sales; boat rentals; and similar uses. Accessory uses may include offices, sales of parts, maintenance facilities, and boat storage

(d) Light Industrial, Research and Development, and Warehousing Classification.

Industrial Use

All industrial sites shall provide documentation of proposed work product, itemization of raw materials, analysis of waste by products, storage and treatment facilities, operational plans, etc., as required in article III of chapter 40, pertaining to sewers, at the time of application of site plan approval. The public works director will consider such information at the same time as plans are being reviewed for site development, and deficiencies in this data shall be regarded as an insufficiency for the purpose of site plan review.

- (1) Industrial Service Uses. The Industrial Services use category includes use types involving the repair or servicing of industrial or business machinery equipment, products, or by-products, and firms that service consumer goods for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.
- (2) Light Industrial. The Light Industrial use category includes use types involved in the processing, production, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, made for transfer to other plants, or made to order for firms or consumers. This use category does not include heavy manufacturing, which generally has more significant impacts off-site and additional outside storage. Goods are generally not displayed or sold on-site, but if so, such sales are a subordinate part of total sales. Relatively few customers come to the site. Accessory uses may include limited retail sales and wholesale sales, offices, cafeterias, employee recreational facilities, warehouses, storage yards, repair facilities, and security and caretaker's quarters.
- (3) Warehouse and Freight Movement Uses. The Warehouse and Freight Movement Uses category includes use types involving the storage or movement of goods for themselves or other firms or businesses. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present. Accessory uses include offices, truck fleet parking, outdoor storage, and maintenance areas. Example use types include separate storage warehouses (used for storage by retail stores such as furniture and appliance stores), distribution warehouses (used primarily for temporary storage pending distribution in response to customer orders), cold storage plants (including frozen food lockers), and outdoor storage (as a principal use). This use category does not include contractor's yards or uses involving the transfer or storage of solid or liquid.

Use standards and Special Exception conditions.

The following standards are requirements to be met: 1- Use Specific Standards OR 2-Special Exceptions with criteria, they would still require Planning Board recommendation and city council approval. The Special exception's that have criteria will need to have competent substantial evidence for denial if all the conditions are met.

1- Permitted with Conditions:

Accessory Dwelling Units

In support of this concept, the State of Florida enacted Section 163.31771 F.S., which enables a local government to permit ADUs to help meet their affordable housing needs.

- a. *Number of ADUs permitted.* One Accessory Dwelling Unit is permitted per parcel.
- b. *Density Calculation.* An ADU is exempt from density calculations.
- c. *Maximum Size.* The maximum living area for an ADU shall not exceed 60% of the principal dwelling.
- d. *Dimensional Standards.*
 - i. Attached ADUs shall meet the assigned zoning district's setbacks residential dimensional requirements, per Table III-4, Development Regulations by Zoning District.
 - ii. Detached ADUs shall meet the assigned zoning district's front and side yard requirements. The rearyard setback for detached ADU's shall be a minimum of 10' from the property line.
 - iii. The maximum height for detached ADUs shall not to exceed the height of the principal structure.
- e. *Parking Requirements.*
 - i. A minimum of one (1) off-street parking space shall be provided for the ADU, located on the same lot or parcel and served by the same driveway as the principal dwelling unit.
 - ii. This space shall be paved or covered with stabilized surface acceptable to the City Engineer. No ADU parking space shall be located to the rear of the unit unless an alley/local street to the unit is possible
 - iii. The minimum parking requirements for off-street parking, Division 18- off-street and bicycle parking, loading, sec. 3.18.2, Table III-8 shall be met without additional parking for the ADU.
- f. *Architectural Standards*
 - i. Architectural design and exterior finishes of accessory structures shall be consistent and compatible with the principal building. Must have a complementary appearance to that of the principal structure such as wood, stone, and/or manufactured products such as brick, stucco, or decorative concrete block.
 - ii. Entrance features, An ADU is permitted a main entrance in the front façade of the principal structure if the ADU and primary is a shared entryway, if not, the entryway shall be located at the side or rear of the principal structure. This entryway shall contain only one main door on the front façade of the principal structure. An exterior stairway

to an ADU, if proposed, shall not be constructed on the front or street side of the principal dwelling unit.

- iii. Architectural elements such as awnings, parapets, decorative molding, and windows may be utilized to create compatibility and consistency between the appearance of the principal dwelling unit and the ADU.
- iv. A manufactured principal structure may also have a manufactured ADU. If unit is raised, skirting shall be placed around the base, in compliance with any regulations of the National Flood Insurance Program, to ensure neighborhood compatibility.
- v. All applications for ADU shall provide architectural drawings of the proposed structure and photographs showing the complete front facade of the existing principal structure.
- vi. Building Elevations shall be provided for review prior to issuance of permits.
- g. Occupancy Standards
 - i. The owner shall maintain a valid homestead exemption on the property.
 - ii. Short-term rentals (30 consecutive days or less) shall be prohibited unless allowed per Land Development Code .
- h. Impact Fees.
 - i. Impact fees will be assessed as dictated in the Town of Eatonville's Impact Fee Schedule, unless the ADU is used for affordable rental purposes.
 - ii. If used for affordable rental purposes, impact fees shall be waived for an ADU that meets the following criteria:
 - 1. An application for a building permit to construct an affordable rental must include an affidavit from the applicant which attests that the unit will be rented at an affordable rate and/or not being used as a rental unit (allowing multigenerational living)
 - 2. At a minimum, the affordable rate needs to be for a person or persons with moderate-income to an extremely-low- income, very-low-income, or low-income as determined by Housing for Urban Development Department.
- i. Addressing and Utilities
 - i. The ADU is required to have an address and be posted on the unit.
 - ii. ADU may have a separate utility meter, however, it is not required.
- j. Variances and Nonconformities
 - i. For nonconforming structures and lots, an ADU shall be allowed in accordance to the Nonconforming uses and structures section of the Land Development Code. Variances shall not be considered for ADUs.
- k. Building Code. Must comply with the Florida Building Code.

Microbrewery or Microdistillery.

- a. The minimum area of the eating, drinking, and entertainment area of the brewpub or microbrewery shall be at least 1,500 square feet but no more than 65 percent of the total square footage for the establishment.
- b. The establishment shall have fenestration through vision glass, doors, or active outdoor spaces along a minimum of 50 percent of the length of the building side that fronts the street, unless the

building in which it is located is an adaptive re-use and the building makes compliance impracticable.

- c. Facilities for off-site distribution of manufactured beer are allowed only if conducted from the rear of the building, with adequate loading and access for the activity.

Boat Sales, Service, Rental or Repair

- a. Boats shall be not stored as a source of parts.
- b. Discarded parts resulting from any repair work shall be removed promptly from the premises.
- c. The use shall be designed so that service bays are not visible from an adjoining street.
- d. Repair of all boats and equipment shall occur within an enclosed building.
- e. Outdoor boat and equipment storage is allowed in an outdoor storage area that is not visible from roadways and shall be designed to compliment the primary building on site.
- f. Boats that are repaired and awaiting removal shall be stored for no more than 30 consecutive days. A boat abandoned by its lawful owner before or during the repair process may remain on site after the 30 day period, provided the owner or operator of the establishment demonstrates steps have been taken to remove the boat from the premises using the appropriate legal means.
- g. Additional buffering and screening may be required where such use is located in close proximity to residential or retail commercial uses such that there is a minimum ten-foot-wide landscape buffer planted with a minimum of one shade tree every 50 linear feet and a continuous hedge with a minimum height of three feet at time of planting. If the property is located such that the minimum buffer as required by this Land Development Code, landscaping, then the more conservative requirement shall apply.
- h. A lighting plan shall be provided showing all outdoor lighting fixtures, type and wattage. Glare shall be minimized.

Food Truck/Cart

In order to support local entrepreneurship, innovation, and tastes, the city permits food trucks and carts in various areas.

- i. Classifications of food trucks and carts:
 - i. Food Truck: A vehicle (including trailers) operated by a mobile food vendor to prepare and sell food at multiple locations, typically operating at one location for more than 30 minutes.
 - ii. Lunch Truck: A vehicle operated by a mobile food vendor to sell pre-packaged food, such as ice cream and sandwiches, at multiple locations, typically operating at one location for less than 30 minutes.
 - iii. Food Cart: A mobile food vendor that sells pre-packaged food, such as hot dogs or boiled peanuts, from a movable, non-motorized cart.
- j. Requirements. To operate a food truck, food trailer, lunch cart or food cart, all of the following credentials are required:
 - i. Hours of Operation: 6 a.m. – midnight
- k. Frequency:

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- i. 2 times per week, per site, 6 a.m.– 10 pm
 - ii. 2 times per year if school, religious institution, etc., is in residential zoning (R-) zoning
 - iii. Permanent placement requires Planning Division approval.
 - l. Setbacks: All mobile food vendors must be setback a minimum of 5-ft from any public rights-of-way, and 50-ft. from residential zoning districts .
 - m. Improved Surface: All mobile food vendors must locate on an improved parking surface and on an improved property that is not vacant (i.e. vending shall be accessory to an operating principal use).
 - n. State License: All mobile food vendors must obtain the required state license prior to obtaining a business tax receipt from the City of Orlando.
 - o. Business Tax Receipt: Subsequent to the Town’s business tax receipt, vendors must obtain a business tax receipt from Orange County.
 - p. Pedestrian Circulation: All mobile food vendors may not disrupt the pedestrian circulation, vehicular ingress and egress from a property, or landscaped areas of the property.
 - q. Parking Access: Mobile food vendors may not block access to required parking for the development on which the property they are operating.
 - r. Alcohol Sales: No alcohol is allowed to be sold from mobile food vendors.
 - s. Signs: No additional signage is allowed on a development site for mobile food vendors.
 - t. Trash: Mobile food vendors are required to provide trash receptacles for their operation (minimum 48-gallon size), and provide proper disposal of trash and waste associated with their operation. A minimum of one trash can must be provided; but, more may be needed to adequately serve their operation. Recycling containers shall also be provided for any containers that are recyclable.
 - u. Cleanliness: Vendors must keep clean the subject property where they operate, including rights of ways within 25-ft of the subject property of their operation. This includes grease, trash, paper, cups, cans and any other items associated with the vending operation.
 - v. Outdoor Storage: All operations shall be contained within the approved vending vehicle approved by the state.
 - w. Noise: No amplified music, speakers or other noise is allowed as part of the operation.
 - x. Revocation: If at any time the state revokes or suspends food vendor’s license, or the license expires, any approval or authorization by the town under this program is revoked or suspended immediately.

Home Occupation

- a. The purpose and intent of these home occupation standards is to:
 - i. Ensure the compatibility of the home occupation with other uses permitted in the Residential districts;
 - ii. Maintain and preserve the character of residential neighborhoods;
 - iii. Provide peace and domestic tranquility within all residential neighborhoods within the Town and guarantee all residents freedom from excessive noise, excessive traffic, nuisance, fire hazard, and other adverse effects of commercial uses being conducted in residential neighborhoods;

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- b. A home occupation shall be conducted entirely within a dwelling or accessory building on the lot of the occupant conducting the home occupation, and comply with all the following standards:
 - i. The home occupation shall be clearly incidental and subordinate to the use of the dwelling unit by its occupants for residential purposes, and shall under no circumstances change the residential character of the unit.
 - ii. No person other than members of the family residing on the premises shall be engaged in the home occupation.
 - iii. The home occupation shall not change the outside appearance of the building or premises or create other visible evidence of the conduct of the home occupation.
 - iv. A home occupation shall not occupy more than 25 percent of the dwelling unit. A room which has been constructed as an addition to the dwelling, or an attached porch or garage which has been converted into living quarters, shall not be used for a home occupation until two years after the date of its completion, as shown by the records of the Building Division.
 - v. Traffic shall not be generated by the home occupation that is in greater volumes than is normally expected by the residential dwelling unit.
 - vi. No commercial licensed vehicles shall be used by the home occupation.
 - vii. The home occupation shall not use commercially licensed vehicles or vehicles which exceed three-quarter ton, for delivery of materials or supplies to or from the premises.
 - viii. The off-street parking needed to accommodate the home occupation generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.
 - c. No equipment or process shall be used by the home occupation that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises. No explosive or combustible material shall be used or stored on the premises.
 - d. No demonstration of products for sale is permitted.
 - e. The home occupation shall comply with all applicable occupational licenses and other business taxes.

2- Special exceptions with criteria:

Automotive repair.

- a. All repair work and permanent storage of materials merchandise and lubrication repair and servicing equipment shall be conducted within the principal building.
- b. No operator shall permit the storage of motor vehicles for a period in excess of 24 hours unless the vehicles are enclosed in the principal building.
- c. Service or customer vehicles shall be parked on the premises in a manner that will not create traffic hazards or interfere with vehicular maneuvering area necessary to enter or exit the site.
- d. No outdoor work shall be performed except in areas designated for such activity on an approved site plan. Such areas shall be fenced, walled and screened to minimize on and off-site noise, glare, odor, or other impacts.

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- e. Additional buffering and screening may be required where such use is located in close proximity to residential or retail commercial uses.
 - f. Additional uses, such as RV/boat storage and vehicle sales, are permitted in conjunction with this use, provided that they are permitted in the zoning district and all conditions are satisfied.
 - g. Must have a publicly advertised community meeting prior planning and zoning board.

Automotive dealerships vehicle sales.

- a. All outdoor vehicle display areas shall be identified on the site plan.
- b. Visitor/employee parking shall be provided separately from display areas, and shall also be identified on the site plan.
- c. All display areas visible from a public right-of-way or adjacent residential use shall be screened such that there is a minimum ten-foot-wide landscape buffer planted with a minimum of one shade tree every 50 linear feet and a continuous hedge with a minimum height of three feet at time of planting. If the property is located such that the minimum buffer as required by this Land Development Code, landscaping, then the more conservative requirement shall apply.
- d. A lighting plan shall be provided showing all outdoor lighting fixtures, type and wattage. Glare shall be minimized.
- e. Hours of operation shall be restricted if located within 200 feet of a residential district, such that the business hours are 8:00 a.m. to 9:00 p.m. Monday through Saturday, and 10:00 a.m. to 6:00 p.m. on Sundays.
- f. A minimum rear yard buffer area of 50 feet shall be required if adjacent to a residential district or conforming residential use.
- g. All dealership related activities, including office, repair, new car displays and similar uses, **other than used car sales** shall be on contiguous property and shall not be on Kennedy Boulevard.
- h. Outdoor vehicle display areas may be on turf block or any other approved pervious surface.
- i. Tandem parking for two vehicles shall be permitted for vehicle display areas.
- j. Additional uses, such as RV/boat storage and vehicle repair are permitted in conjunction with this use provided that they are permitted in the zoning district and all conditions are satisfied.
- k. Must have a publicly advertised community meeting prior to planning and zoning board.

Vehicle washing or detailing.

Provided that the following minimum standards are met:

- a. The site shall be located in a I-1 district except shall not be on Kennedy Boulevard.
- b. No runoff of wash water onto adjoining properties shall be permitted.
- c. Entrances and exits shall be designed to ensure that waiting lines will not extend into the public right-of-way.
- d. Driveways shall be located at least 50 feet from any intersection.
- e. No lighting shall be permitted which shall constitute a nuisance or shall in any way impair safe movement of traffic on any street or highway.
- f. Except for uses limited to hand washing of ten or fewer cars a day, all washwater shall be recycled.

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- g. Site shall provide adequate stacking with a minimum of five spaces.

Warehouses, mini.

Mini-warehouse developments shall be designed and constructed to comply with the following minimum requirements:

- a. *Use limitation.* Mini-warehouses are intended exclusively for the storage of personal property and goods by the general public and for incidental storage of goods by small commercial uses. Each user shall have direct access to his rented space during all hours of operation. For each cubicle, no utility service other than lighting and one electrical outlet shall be permitted, except for air conditioning, dehumidifying, or similar equipment. Multiple storage cubicles collected into a single building for the purpose of air conditioning or dehumidification may be distinguished from commercial warehouses by the provisions of direct access to a secured storage space by the renter. Mini-warehouse developments shall be limited to storage use only. No business activities, such as sales or service, shall be conducted on the premises. The operation of such a facility shall not be deemed to include a transfer and storage business where the use of vehicles is part of the business. Signs advertising individual businesses shall be prohibited. A mini-warehouse shall not be used as a business address for purposes of obtaining a business tax receipt, except for the mini-warehouse development itself. Manufacture, auto repair, or other similar activities are expressly prohibited.
- b. *Storage.* All storage on the property shall be kept within an enclosed building. No unattended vehicles shall be permitted on the premises unless stored within an enclosed building.
- c. *On-site circulation and driveway widths.*
 - 1. All single-loaded driveways shall be a minimum of 20 feet in width.
 - 2. All double-loaded driveways shall be a minimum of 30 feet in width.
 - 3. Traffic direction shall be designated by signing and/or painting on driveway surfaces.
 - 4. Access to storage cubicles shall only be provided from the interior of the site.
- d. *Off-street parking.* Off-street parking shall be in accordance with chapter 3, article III of this land development code, on-site parking.
- e. *Landscaping.* Landscape buffer areas shall be provided in order to reduce the visual impact of driveways, storage buildings and security fences common to mini-warehouse developments, a combination landscape screen and decorative masonry wall ranging from three feet to six feet in height may be required in the front yard, along the front yard setback, and along any property line that abuts a residential district or public right-of-way. Where interior landscaping is to be provided, priority shall be given to softening end walls visible from a public right-of-way through foundation plantings, and to landscaping perimeter entryway and management office areas.
- f. *Lighting.* All lights shall be shielded to direct light onto the mini-warehouse development and away from adjacent property, but it may be of sufficient intensity to discourage vandalism and theft.
- g. *Building treatment.*
 - 1. Only muted earth-tone colored buildings and doors shall be permitted. Color selection shall be subject to the approval of the town planner.
 - 2. Garage doors or simulated garage doors shall not be permitted on the side of a storage building facing a public right-of-way.
- h. *Hours of operation.* Access to storage facilities shall not be allowed except during approved hours of operation. Hours of operation shall be noted on the site plan submittals and designed to provide maximum safety for users while not interfering with existing or potential users of adjoining properties.

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- i. *Maximum height.* Four story, not to exceed 60 feet. Multiple-story buildings, exceeding 30 feet in height. In order to exceed the 30-foot height, buildings shall include architectural elements typically associated with office/professional buildings including, but not limited to, archways, windows, banding, decorative roof, and masonry or other finished exterior. Detailed building elevations indicating these elements, as well as materials, colors and dimensions shall be included in the site plan. Loading areas and overhead doors shall not be visible from the public right-of-way. Mini-warehouse developments with two or more buildings shall have consistent and coordinated architectural design. The design of the buildings shall be consistent and compatible with surrounding development. In addition to the architectural requirements, the development will be limited to a maximum impervious area of 40 percent on a site encompassing a minimum area of five acres, when located west of Interstate 4. Additionally, front and side corner setbacks or landscape buffers may be required as follows: Five feet of additional setback or buffer for each story over two stories, not to exceed ten feet per building story.

Accessory Use

Mobile homes intended to house business activities provided:

- a. The mobile home will be permitted on the site for a period not to exceed 120 days.
- b. The business must present plans for construction of a permanent structure at the time a request for a temporary mobile home is made.
- c. The business provides a \$1,000.00 bond to be forfeited to the town if the start of construction has not occurred within 60 days of issuance of a temporary mobile home use.