



DATE: May 28, 2025

TO: Members of the Planning & Zoning and Historic Resources Preservation Boards

FROM: William Waters, Director of Community Sustainability

MEETING: June 4 and June 11, 2024

SUBJECT: **Ordinance 2025-04:** Consideration of an ordinance amending multiple sections of Chapter 23 “Land Development Regulations,” to address several housekeeping items and minor changes for clarity, as well as amend and clarify use permit and site plan processes, clarify residential density in the AI district, specify regulations for residential development of nonconforming lots of record in missed use districts, and revise the parking reductions for mixed use development and affordable housing.

---

**PROPOSAL / BACKGROUND/ ANALYSIS:**

The proposed LDR Amendments will modify the following sections of the City’s Land Development Regulations:

- Article 1 – Section 23.1-12: Definitions
- Article 2 – Section 23.2-6: Site Plan Review Team
- Article 2 – Section 23.2-28: Administrative Adjustments/Administrative Use Permits
- Article 2 – Section 23.2-29: Conditional Use Permits
- Article 2 – Section 23.2-30: Site Plan Review
- Article 2 – Section 23.2-31: Site Qualitative Standards
- Article 2 – Section 23.2-32: Site Plans and Specifications
- Article 2 – Section 23.2-39: Affordable/Workforce Housing Program
- Article 3 – Section 23.3-6: Use Tables
- Article 3 – Section 23.3-7: Single-Family Residential (SF-R)
- Article 3 – Section 23.3-13: Mixed Use – East (MU-E)
- Article 3 – Section 23.3-14: Downtown (DT)
- Article 3 – Section 23.3-16: Mixed Use – Federal Highway (MU-FH)
- Article 3 – Section 23.3-17: Mixed Use – Dixie Highway (MU-DH)
- Article 3 – Section 23.3-18: Mixed Use – West (MU-W)
- Article 3 – Section 23.3-19: Transit Oriented Development East (TOD-E)
- Article 3 – Section 23.3-20: Transit Oriented Development West (TOD-W)
- Article 3 – Section 23.3-23: Artisanal Industrial (AI)
- Article 3 – Section 23.3-29: Cultural Arts District Overlay
- Article 4 – Section 23.4-4: Fence, Walls, and Gates
- Article 4 – Section 23.4-10: Off-Street Parking
- Article 4 – Section 23.4-13: Administrative Uses and Conditional Uses
- Article 4 – Section 23.4-15: Cemeteries/Mausoleums/Columbariums

- Article 4 – Section 23.4-16: Mechanical Systems/Equipment for Existing Residential Structures
- Article 4 – Section 23.4-17: Standby Generator/Permanent
- Article 4 – Section 23.4-25: Micro-Units
- Article 5 – Section 23.5-1: Signs

**Accessory Use Area:** Amending the definition for accessory use to specify the maximum total use area that may be devoted to accessory use(s).

**Site Plan Review Team:** Clarifying membership, applications the team reviews, and meeting requirements.

**Administrative and Conditional Use Permits:** Moving AUP regulations from Section 23.2-28 to Section 23.2-29 so that all use permit regulations (AUP and CUP) are in one section; also reorganizing subsections for clarity and conciseness and codifying a use permit amendment process.

**Site Plan Reviews:** Clarifying when a site plan review is required, revising the types of development that require a minor site plan, codifying the site plan modification review, removing redundant language, removing outdated requirements for site plan applications, and adding requirements for site plan modification applications.

**Use Table:** Correcting errors related to allowed residential uses in the Neighborhood Commercial district to align with the existing zoning district regulations and Comprehensive Plan, allowing low-intensity take-out establishments in the BAC district and medium-intensity minor repair and maintenance uses in the I-POC district, creating high-intensity and low-intensity social service center uses, and allowing medium-intensity social service center uses in the NC district.

**Accessory Structures with Special Setbacks in SFR:** Amending accessory structure location regulations for parcels with an existing special front setback requirement in Section 23.3-7 to allow 1 one-story tall accessory structure in front of the principal structure, predicated that the accessory structure has a minimum front setback of at least 75 feet.

**Residential Development in Mixed Use Districts:** Revising language in multiple zoning districts to clarify the zoning regulations for residential development in mixed use zoning districts, as well as special regulations for residential development on lots of record which do not meet minimum lot width or lot area requirements.

**Fencing:** Revising the minimum setback for 6-foot tall fencing along roadways from 1 foot to 18 inches, and clarifying fencing regulations for public and conservation uses.

**Parking Reductions:** Revising parking reductions for mixed use development and affordable housing development from a 25% reduction to a 15% reduction.

**Generators:** Moving regulations for permanent generators to the mechanical equipment section for added clarity, revising the permitted hours for maintenance running, and clarifying zoning districts which prohibit the use of generators with integrated fuel systems.

**Housekeeping Items:** Creating definitions for build-to lines, dark sky lighting, green roofs, and sheds, revising the definitions for impermeable and semi-pervious surfaces to match the minimum setback requirement to the 18-inch fence setback requirement, revising language for retirement homes to instead refer to independent senior living, correcting the types of signage allowed in the Cultural Arts District Overlay, correcting the types of fencing allowed for single-destination retail uses, and removing minimum distance requirements from cemeteries to assisted living facilities, nursing homes, and independent senior living facilities.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning and Zoning Board and Historic Resources Preservation Board recommend that the City Commission adopt Ordinance 2025-04.

**POTENTIAL MOTION:**

I move to **RECOMMEND/NOT RECOMMEND** TO THE CITY COMMISSION TO ADOPT the proposed LDR text amendments included in Ordinance 2025-04.

**Attachments**

- A. Draft Ordinance 2025-04
- B. Exhibit I – Use Table
- C. “Clean Copy” of Exhibits D, E, and G