# INDIAN RIVER COUNTY ORDINANCE 71-3

**INDIAN RIVER COUNTY ZONING ORDINANCE, SEPTEMBER 8, 1971**

## CONTENTS - ZONING ORDINANCE - INDIAN RIVER COUNTY

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEC. 1</td>
<td>ESTABLISHMENT OF ZONING AUTHORITY</td>
<td>1</td>
</tr>
<tr>
<td>SEC. 2</td>
<td>DEFINITIONS</td>
<td>1</td>
</tr>
<tr>
<td>SEC. 3</td>
<td>DISTRICTS AND BOUNDARIES THEREOF</td>
<td>8</td>
</tr>
<tr>
<td>SEC. 4</td>
<td>A-AGRICULTURAL DISTRICT</td>
<td>10</td>
</tr>
<tr>
<td>SEC. 5</td>
<td>R-1E COUNTRY ESTATE DISTRICT</td>
<td>12</td>
</tr>
<tr>
<td>SEC. 6</td>
<td>R-1AA SINGLE FAMILY DISTRICT</td>
<td>13</td>
</tr>
<tr>
<td>SEC. 7</td>
<td>R-1A SINGLE FAMILY DISTRICT</td>
<td>14</td>
</tr>
<tr>
<td>SEC. 8</td>
<td>R-1 SINGLE FAMILY DISTRICT</td>
<td>15</td>
</tr>
<tr>
<td>SEC. 9</td>
<td>R-2W MULTIPLE FAMILY WATERFRONT DISTRICT</td>
<td>16</td>
</tr>
<tr>
<td>SEC. 10</td>
<td>R-2 MULTIPLE FAMILY DISTRICT</td>
<td>17</td>
</tr>
<tr>
<td>SEC. 11</td>
<td>N-3A RETIREMENT DISTRICT</td>
<td>19</td>
</tr>
<tr>
<td>SEC. 12</td>
<td>R-3 MULTIPLE DWELLING DISTRICT</td>
<td>20</td>
</tr>
<tr>
<td>SEC. 13</td>
<td>R-1PM PERMANENT MOBILE HOME SUBDIVISION DISTRICT</td>
<td>22</td>
</tr>
<tr>
<td>SEC. 14</td>
<td>R-1MF MOBILE HOME PARK DISTRICT</td>
<td>24</td>
</tr>
<tr>
<td>SEC. 15</td>
<td>R-1TM TRANSIENT MOBILE HOME DISTRICT</td>
<td>25</td>
</tr>
<tr>
<td>SEC. 16</td>
<td>R-1ME MOBILE HOME ESTATE DISTRICT</td>
<td>26</td>
</tr>
<tr>
<td>SEC. 17</td>
<td>R-1RM RESIDENCE-MOBILE HOME DISTRICT</td>
<td>27</td>
</tr>
<tr>
<td>SEC. 18</td>
<td>R-1 PLANNED BUSINESS DISTRICT</td>
<td>27</td>
</tr>
<tr>
<td>SEC. 19</td>
<td>C-1A RESTRICTED COMMERCIAL DISTRICT</td>
<td>29</td>
</tr>
<tr>
<td>SEC. 20</td>
<td>C-1 COMMERCIAL DISTRICT</td>
<td>30</td>
</tr>
<tr>
<td>SEC. 21</td>
<td>LM-1 LIGHT MANUFACTURING DISTRICT</td>
<td>32</td>
</tr>
<tr>
<td>SEC. 22</td>
<td>M-1 RESTRICTED INDUSTRIAL DISTRICT</td>
<td>33</td>
</tr>
<tr>
<td>SEC. 23</td>
<td>SITE PLAN APPROVAL</td>
<td>34</td>
</tr>
<tr>
<td>SEC. 24</td>
<td>OFF-STREET PARKING AND LOADING REGULATIONS</td>
<td>36</td>
</tr>
<tr>
<td>SEC. 25</td>
<td>GENERAL PROVISIONS</td>
<td>37</td>
</tr>
<tr>
<td>SEC. 26</td>
<td>BOARD OF ADJUSTMENT</td>
<td>46</td>
</tr>
<tr>
<td>SEC. 27</td>
<td>ZONING REGULATIONS AND ZONING DISTRICT BOUNDARY AMENDMENTS</td>
<td>46</td>
</tr>
<tr>
<td>SEC. 28</td>
<td>LEGAL PROVISIONS</td>
<td>47</td>
</tr>
<tr>
<td>SEC. 29</td>
<td>ADMINISTRATIVE PROVISIONS</td>
<td>48</td>
</tr>
<tr>
<td>SEC. 30</td>
<td>INDIAN RIVER COUNTY ZONING DISTRICTS</td>
<td>50</td>
</tr>
</tbody>
</table>

PRICE - $1.00
RESOLUTION NO.  

WHEREAS, by provisions of the Florida Constitution, 1968, and Chapter 71.14 Laws of Florida, local self-government authority is conferred on the Board of County Commissioners under which said Board may adopt or amend a zoning code by home rule ordinance, and

WHEREAS, the Board of County Commissioners of Indian River County has determined that the Indian River County Zoning Regulations of February 1, 1957, and amendments thereto, are outdated and need amending.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Indian River County, Florida.

Section 1. ESTABLISHMENT OF ZONING AND AUTHORITY

In order to lessen congestion in the streets, to secure safety from fire, panic and other dangers; to promote health and general welfare; to provide adequate light and air; to prevent the over-crowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewage, schools, parks and other public improvements; to conserve the value of buildings and to encourage the most appropriate use of land within that area delineated on the official zoning map, exclusive of all incorporated areas, there is hereby adopted and established an amendment to the official zoning plan with appropriate ordinances appurtenant thereto, pursuant to the authority conferred on the Board of County Commissioners of Indian River County.

Section 2. DEFINITIONS

For purposes of this Ordinance, certain terms and words are defined as follows:

Words used in the present tense include the future; words in the singular number include the plural and words in the plural number include the singular; and words "used for" shall include the meaning "designed for"; the word "building" includes the word "structure"; the word "lot" includes the words "plot", "tract", "site" and "space" and the word "shall" is mandatory and not directory.

ACCESSORY USE OR ACCESSORY STRUCTURE: A use or structure on the same lot, with and of a nature customarily incidental and subordinate to the principal use or structure.
AIRPORT OR AIRSTRIP: Any run-way landing area designed, used, or intended to be used either publicly or privately for the landing and taking off of aircraft, including taxiways, storage and tie down areas, hangers and other necessary buildings.

ALLEY: A public or private way which affords only a secondary means of access to property abutting thereon and not intended for general traffic circulation.

BAR: Any place selling and dispensing for drinking on the premises of malt, vinous or other alcoholic beverages.

BUILDING: Any structure designed or built for the support, enclosure, shelter or protection of persons, animals, chattels or property of any kind.

BUILDING, HEIGHT OF: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roof; to the deck line of mansard roofs, and to the mean height between the eaves and ridge for gable, hip or gambrel roofs.

CHILD NURSERY: Any land and/or structure wherein a commercial or institutional establishment is maintained for the training and/or day care of pre-school age children.

CHURCH: Building used primarily by a recognized and established religious sect or denomination for the purpose of worship.

CLINIC: A clinic is an establishment where human patients who are not lodged over night, are admitted for examination and treatment.

CLUB, PRIVATE: Lands and facilities operated by or for a group or association of persons, and their guests, which are not available for unrestricted public access or use. Such a club may be either a profit-making or a non-profit enterprise.

COMMERCIAL FISHERY: A commercial establishment for the receiving, processing, packaging, storage, and wholesale or retail distribution and sale of products of the sea. Such an establishment may include facilities for the docking, loading, unloading, fueling, icing, and provisioning of vessels and for the drying, maintenance and storage of equipment.

DISTRICT: Any section or area of Indian River County to which these regulations apply and within which the Zoning requirements are uniform.
DRIVE-IN BUSINESS: Any place of business or premise which serves, sells, or otherwise makes available its services to patrons situated in automobiles.

DWELLING, SINGLE FAMILY: A building designed for or occupied exclusively by one family as a housekeeping unit.

DWELLING, MULTIPLE FAMILY: A building designed for or occupied by two or more families living independently of each other.

EARTH MOVING: Any change in grade of land 5,000 square feet or larger in area by one foot or more in elevation.

FAMILY: Any number of individuals related by blood, marriage, or legal adoption, and not more than four persons not so related, living together as a single housekeeping unit. Foster children and domestic servants are considered part of a family.

FLOOR AREA: Floor area shall be determined by measuring the outside dimensions of all enclosed floor area under roof, excluding garages, open and screened porches, carports, terraces and patios.

FRUIT STANDS: A building or structure used exclusively for the retail sale of fruit, vegetables, jellies and/or honey.

GARAGE, PRIVATE: A detached accessory building or portion of a main building used for the parking or storage of automobiles of the occupants of the main building. A carport would be considered a private garage.

GASOLINE SERVICE STATION: Any structure, building or land, used for the dispensing, sale, or offering for sale, at retail, of any motor vehicle fuels, oils or accessories and in connection with which is performed general motor vehicle servicing as distinguished from repair service.

GREENHOUSES: A building wherein the temperature and humidity can be regulated for the cultivation of exotic or out of season plants.

GUEST COTTAGES: An accessory dwelling unit which is incorporated in, attached to, or detached from a principal residential building and which is used exclusively by occupants of the principal residence and/or for the non-commercial accommodation of persons visiting the occupants of the principal dwelling.

HOME OCCUPATION: Any occupation or activity carried on within a residential property, where the activity is conducted only by members of the family living within the residence, where products are not offered for sale from the premises, where no evidence of the occupation is
visible or audible from the exterior of the residential property, where traffic is not generated in excess of that customary at residences, and where no commercial vehicles are kept on the premises or parked overnight on the premises unless otherwise permitted by these regulations.

**HOTEL:** Establishment or building providing lodging, food and other service to transients, travelers and long term residents for compensation.

**JUNK:** Old and dilapidated automobiles, trucks, tractors and other such vehicles and parts thereof; wagons and other kind of vehicles and parts thereof; household appliances, scrap building material, scrap contractors' equipment, tanks, casks, cans, barrels, boxes, drums, piping, bottles, glass, old iron, machinery, rags, paper, excelsior, hair, mattresses, beds and bedding or any other kind of scrap or waste material which is stored, kept, handled or displayed.

**JUNK VEHICLE:** A vehicle which has not had a current license plate within a six month period and cannot be moved under its own power.

**JUNK YARD:** A plot of ground or buildings on or in which are stored, kept, handled or displayed old and immobile automobiles, trucks, tractors, wagons and such other materials or parts thereof, or scrap materials, old containers, papers, drums, or other waste material listed under junk.

**KENNEL, COMMERCIAL:** Any lot or premises on which four or more dogs, cats or other domestic animals, at least four months of age, are housed or accepted for boarding, trimming, grooming and/or bathing for which remuneration is received.

**KENNEL, NON-COMMERCIAL:** Any building or buildings and/or land used, designated or arranged for the boarding, breeding, or care of dogs, cats, pets, fowl, or other domestic animals belonging to the owner thereof, kept for purposes of show, hunting, or as pets, (but not to include riding stables).

**LOADING SPACE:** A space within the main building or on the same lot, providing for the standing, loading or unloading of vehicles.

**LOT:** As used in this ordinance, a lot is a lawful building site. Such building site may consist of all, portions or combinations of land parcels described by metes and bounds or lots as shown on a subdivision plat.
LOT, CORNER: A lot fronting upon two or more streets at their intersections.

LOT, FRONT: That portion of a lot which abuts a street. In the case of a corner lot, the shorter of the two front lot lines. On a corner lot where both front lot lines are equal or within 5 feet of the same length, both such lines shall be considered to be front lines for the purpose of determining required yards. On through lots both front lot lines shall be considered to be front lot lines for the purpose of determining required yards.

LOT, INTERIOR: A lot other than a corner lot.

LOT OF RECORD: A lot which is a part of a subdivision, the plat of which has been recorded in the office of the Clerk of the Circuit Court of Indian River County.

LOT, THROUGH: An interior lot having frontage on two streets.

LOT, WIDTH: The distance between side lot lines, measured along the rear of the required front yard.

MARINA: A place for the sale and service of boats and marine supplies, exclusive of boat or ship building or major repairs.

MINING: The removal, either in or upon the soil of the earth or beneath the soil, of any valuable inert or lifeless substance formed or deposited in its present position through natural agencies alone, as a commercial business.

MOBILE HOME: A single or multiple family dwelling manufactured upon chassis or undercarriage as an integral part thereof that may be drawn by a self propelled vehicle and designed for transportation after fabrication on public highways on its own wheels or a flat bed or other trailer to the site where it is to be occupied as a dwelling. Upon arrival at the site, mobile homes are complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or permanent foundations, connections to utilities and other minor adjustments. This definition does not include modular or pre-fabricated homes.

MOBILE HOME PARK: A tract of land in one ownership, which provides rental spaces for mobile homes.

MOBILE HOME SUBDIVISION: A recorded subdivision of land officially recorded, which provides individual sites, for sale, for mobile homes.

MODULAR HOME: A single or multiple family dwelling not manufactu-
ured upon a separate chassis or undercarriage as an integral part there-
of, which meets all of the specifications of the Southern Standard Build-
Code, and designed for transportation after fabrication on a flat bed
or other trailer to its building site where it is to be occupied as a
dwelling.

MOTEL: A building or group of two (2) or more buildings design-
ed and used to provide sleeping accommodations for transients or over-
night guests, with or without restaurant facilities.

NONCONFORMITY: A lot, structure, use of land or use of structure,
or any combination thereof, which was lawful before this Ordinance was
passed or amended, but which would be prohibited under the terms of
this Ordinance.

NURSING OR CONVALESCENT HOME: A home, institution, building or
residence, public or private, whether operated for profit or not, which
provides maintenance, personal care or nursing for a period exceeding
twenty-four hours to three or more ill, physically infirm, convalescing,
or aged persons who are not related by blood or marriage to the opera-
tor. The definition of nursing or convalescent home does not include
hospitals, clinics, or similar institutions which are devoted primarily
to the diagnosis and treatment of the sick or injured.

PARKING LOT: An area or plot of ground, used for the storage or
parking of motor vehicles either for compensation or to provide an
accessory service to a business, industrial or residential use.

RECREATIONAL AND LANDSCAPED OPEN SPACE: Unroofed or screen roof-
ed ornamental landscaped areas and recreational areas which are easily
accessible—and regularly available to occupants of all dwelling units
on the lot wherein the open space is located. Roof tops, porches, raised
decks, parking spaces, driveways, utility and service areas are not
calculated as open space.

RIGHT-OF-WAY LINE: The boundary line between highway, road or
street and a tract or parcel of land adjoining such highway, road or
street. The right-of-way line shall be considered the property line.

SCHOOLS: Public or private schools that offer an institution or
place for instruction or education but not including business, secre-
tarial or vocational schools.

SETBACK: The minimum horizontal distance between the street, rear
or side lines of the lot and the front, rear or side lines of the building,
including porches and carports. When two (2) or more lots under
one (1) ownership are used, the exterior property lines shall be used in determining setbacks.

SHOPPING CENTER: A group of retail stores, planned and developed for the site upon which they are built.

SPECIAL EXCEPTIONS: A special exception is a use that would not be appropriate generally or without restriction throughout a particular zoning district but would, if controlled as to number, area, location or relation to the neighborhood, be appropriate.

STABLE, PRIVATE: A stable with a capacity of not more than one horse for each acre of lot area, whereon such stable is located, and where such horses are owned by the owners or occupants of the premises and are not kept for remuneration, hire or sale.

STABLE, COMMERCIAL: A stable other than a private stable.

STORY: That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there be no floor above it, thence the space between such floor and ceiling next above it.

STREET: A public, or private, thoroughfare which affords the principal means of access to abutting property.

STRUCTURE: Anything constructed or erected, the use of which requires, more or less, permanent location on the ground or attached to something having a permanent location on the ground and shall include tents, lunch wagons, dining cars, camp cars, or other structures on wheels or other supports and used for business, industrial or living purposes.

STRUCTURE ALTERATIONS: Any substantial change, except for repair or replacement, in the supporting members of a building, such as bearing walls, columns, beams or girders, floor joists or roof joists.

SUBDIVISION: The division and recording in accordance with law of a parcel of land into two or more lots or blocks for the purpose of transfer of ownership or development for sale.

TENANT DWELLING: A residential structure located on a bona-fide farm occupied by a transient farm worker employed on the farm.

TRANSIENT MOBILE HOME PARK: A facility which provides short term parking areas for travel trailers, travel campers and mobile homes, along with the provision of utilities, recreation, and related services.

TRANSIENT TRAILER, TRAVEL CAMPER: A vehicle, self-powered or not, designed and/or used for temporary lodging by the user when touring, camping, etc.
YARD: An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the structure shall be used.

YARD, FRONT: A yard extending across the front of a lot between the side yard lines, and being the minimum horizontal distance between the street line and the structure or any projections thereof, other than the projections of uncovered steps. On corner lots all yards which abut the street are considered front yards.

YARD, REAR: A yard extending across the rear of a lot between the side lot lines and between the rear lot line and the nearest structure.

YARD, SIDE: A yard between any structure and the side line of the lot, and extending from the front lot line to the rear yard and being the minimum horizontal distance between a side lot line and the side of any structure.

Section 3. DISTRICTS AND BOUNDARIES THEREOF:

In order to classify, regulate and restrict the use of land, water, buildings and structures; to regulate and restrict the height and bulk of buildings, to regulate the area of yards and other open spaces about buildings; to regulate the intensity of land use, the unincorporated area of Indian River County, Florida, is divided into districts as follows:

<table>
<thead>
<tr>
<th>A</th>
<th>AGRICULTURAL DISTRICT</th>
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<tbody>
<tr>
<td>R-1E</td>
<td>COUNTRY ESTATE DISTRICT</td>
</tr>
<tr>
<td>R-1AA</td>
<td>SINGLE FAMILY DISTRICT</td>
</tr>
<tr>
<td>R-1A</td>
<td>SINGLE FAMILY DISTRICT</td>
</tr>
<tr>
<td>R-1</td>
<td>SINGLE FAMILY DISTRICT</td>
</tr>
<tr>
<td>R-2W</td>
<td>MULTIPLE FAMILY WATERFRONT DISTRICT</td>
</tr>
<tr>
<td>R-2</td>
<td>MULTIPLE FAMILY DISTRICT</td>
</tr>
<tr>
<td>R-3A</td>
<td>RETIREMENT DISTRICT</td>
</tr>
<tr>
<td>R-3</td>
<td>MULTIPLE DWELLING DISTRICT</td>
</tr>
<tr>
<td>R-1PM</td>
<td>PERMANENT MOBILE HOME SUBDIVISION DIST.</td>
</tr>
<tr>
<td>R-1MP</td>
<td>MOBILE HOME PARK DISTRICT</td>
</tr>
<tr>
<td>R-1TM</td>
<td>TRANSIENT MOBILE HOME DISTRICT</td>
</tr>
<tr>
<td>R-1ME</td>
<td>MOBILE HOME ESTATE DISTRICT</td>
</tr>
<tr>
<td>R-1RM</td>
<td>RESIDENCE-MOBILE HOME DISTRICT</td>
</tr>
<tr>
<td>R-1</td>
<td>PLANNED BUSINESS DISTRICT</td>
</tr>
</tbody>
</table>
The boundaries of such districts are hereby fixed and established as shown in the accompanying Zoning Atlas, consisting of sectional maps which are identified by sheet number and an index map. This Zoning Atlas is on file in the office of the Board of County Commissioners of Indian River County, Florida. Each sectional map and the index map are hereby adopted and made a part of this Ordinance as if the matters and information set forth by said maps were fully described herein.

The boundaries of the various districts as shown in the Atlas and the sectional map sheets shall be determined by the boundaries as shown and outlined thereon and when not clearly so determined, by use of the scale shown on said maps unless actual dimensions are noted. Scale and field measurements and map dimensions shall be figured from the centerline of streets, highways, alleys and railroad rights-of-way or public waters, as the case may be. Where uncertainty exists as to the exact location of said boundaries, the following rule shall apply:

A. Where district boundaries lie on or within streets, highways, road right-of-way or public water, the district boundaries shall be the centerline of the same.

B. Where district boundary lines approximately bisect blocks, the boundaries are the median lines of such blocks between the centerline of boundary streets.

C. Where district boundaries are approximately parallel to a street, highway, road, alley, railroad right-of-way or public water, the distance of such boundaries from the centerline thereof shall be, unless otherwise shown by dimension, the median block line.

D. In unsubdivided property or where a district boundary divides a subdivided lot, the location of such boundary, unless the same is indicated by dimensions shall be determined by the use of a scale appearing on a district map. Where a district boundary divides a platted lot, the zone classification of the greater portion shall prevail throughout the lot.

E. In case any further uncertainty exists, the Board of Adjustment shall interpret the intent of the district map as to location of such boundaries.
EXCEPT AS HEREAFTER PROVIDED:

1. No structure shall be erected, constructed, reconstructed, or structurally altered, nor shall any structure or land or combination thereof be used unless the use to which the structure and/or land is to be put is listed in the USES PERMITTED section of the zone district in which the land is located and unless the structure, land, and/or use fully complies with all of the applicable district regulations, except as allowed under Paragraph J, Section 25, General Provisions.

2. The minimum area, yards and other open spaces, including the intensity of use provisions contained in this Ordinance for each and every building hereafter erected, constructed, reconstructed or structurally altered, shall not be encroached upon or considered as area, yard or open space requirements or intensity of use requirements for any other building.

3. In single family districts, every building hereafter erected or structurally altered shall be located on a lot as herein defined, and, in no case shall there be more than the principal building and the customary accessory buildings on one lot or parcel of land.

4. Where front yards, which are yards fronting on a street, may be established on each of two intersecting streets, there shall be a front yard on each street side of a corner lot; provided, however, that the buildable width of such lot shall not be reduced to less than 30 feet and provided, further, that no accessory building on a corner lot shall project into the front lot line on either street.

5. Whenever a dwelling is to be erected in a district other than a residential district, it shall conform to the minimum setback requirements as set forth in the R-3 Multiple Family District.

6. No dwelling shall be erected closer to another dwelling than double the minimum setback restriction except where two dwellings are erected on a single tract of land.

7. A building constructed on a site consisting of two lots must be located either within the required setback from the common or center lot line, or the building must be constructed on both lots.

8. Along the Atlantic Ocean, no building or structure shall be located closer than fifty (50) feet from the western most bluff of the natural vegetation line.

Section 4. A-AGRICULTURAL DISTRICT:

(A) PURPOSE AND INTENT. The purpose and intent of this district is primarily to provide and protect large areas for agricultural land use activities within which other than agricultural
uses will be kept to a minimum and/or accessory to the agricultural use.

It is also to be recognized that the agricultural use serves also as a "holding" district and that as urbanization takes place, lands presently used for agricultural purposes will be subject to change to other land uses.

(B) USES PERMITTED. In this district a building or premises may be used only for the following purposes:

(1) General farming, including all types of agriculture, horticulture and accessory structures.

(2) The mining of earth in removing therefrom minerals and other substances, including earth, sand or marl by hydraulie means or other processes; provided, however, that the land surface shall be restored to a condition suitable for development for residential use within 48 months from the time of the original change of the land surface unless a renewal permit is obtained. If any such mining shall continue for a longer time, then the process of restoring the land surface shall follow the process of the mining in order that the restoring of the surface shall always continue and progress to meet the requirements of restoring within the time provided. Further, that the creation of water areas is specifically permitted, if the banks of such water areas are sloped, graded and dressed up. Such mining shall not be carried on within one hundred and fifty (150) feet of the projected right-of-way line of any existing or proposed public road, nor within one hundred and fifty (150) feet of the outer perimeter of the land area. A mining permit or renewal permit will be issued by the County Administrator only after mined area restoration plans have been submitted to and approved by the Indian River County Zoning Commission and after a performance bond or other acceptable security has been posted, guaranteeing the restoration as planned and approved.

(3) Dairying and commercial raising of livestock and poultry

(4) Stables

(5) Agricultural research laboratories, provided the structure is completely enclosed and is located on an area of not less than thirty (30) acres.

(6) Nurseries, including a structure for sale of products grown on that land, fruit stands and vegetable stands

(7) Single family dwellings

(8) Schools

(9) Churches and other religious and charitable organizations, structures accessory thereto, and appurtenant parking areas

(10) Public buildings

(11) Home occupations

(12) Country clubs and standard golf courses

(13) Public recreation areas and their accessory buildings, and parks owned or operated by the State or County

(14) Power plants, substations, telephone exchanges and utility plants

(15) Cemeteries

(16) Accessory use and structures customarily associated with and subordinate to the above uses, subject to the conditions expressed in Section 25, sub-section (G)

(C) SPECIAL EXCEPTIONS. The following uses may be permitted by the Board of County Commissioners after a site plan approval and recommendations have been received from the County Zoning Commission according to Section 23.

(1) Guest cottages, mobile homes and tenant dwellings as accessory uses

(2) Agricultural oriented businesses such as offices, buildings, assembly hall, fish hatchery and sales provided it does not adversely affect adjacent land, but not including wholesale or processing operations
(3) Airports and airstrips in accordance with the requirements in this Ordinance
(4) Industrial uses that are agricultural oriented, provided it does not adversely affect adjacent land
(5) Public and non-public sports and recreational areas and structures

(D) BUILDING HEIGHT LIMIT. No buildings or structures shall exceed thirty-five (35) feet, exclusive of elevator shafts and/or air conditioning condensing units and/or cooling towers and except as provided in Section 25, paragraphs (A) and (F) of this Ordinance.

(E) MINIMUM LOT SIZE AND FLOOR AREA REQUIRED. For the following specified uses every lot or parcel of land on which a living quarters is located shall provide a living quarters area and a land area of at least the amount indicated:

<table>
<thead>
<tr>
<th>Dwelling Type</th>
<th>Square feet area of living quarters per (family) unit</th>
<th>Land area required per (family) unit</th>
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</thead>
<tbody>
<tr>
<td>Single family</td>
<td>750</td>
<td>5 acres</td>
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<td>Tenant dwellings</td>
<td>400</td>
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<tr>
<td>Guest cottages</td>
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In computing the floor space as required above, the areas occupied by porches, patios, terraces, garages, carports, covered parking spaces or non-roofed areas shall be excluded.

The minimum width of any lot used for a single family dwelling shall be one-hundred and fifty (150') feet.

(F) LOT COVERAGE. Principal and accessory buildings shall occupy not more than thirty (30%) percent of the lot area, exclusive of swimming pools.

(G) FRONT YARD. Every lot shall have a front yard or street yard of not less than thirty (30') feet in depth.

(H) REAR YARD. Every lot shall have a rear yard of not less than thirty (30') feet in depth.

(I) SIDE YARDS. A side yard shall be provided on each side of every lot of not less than thirty (30') feet in width.

(J) PARKING REGULATIONS. Off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Section 24 of this Ordinance.

Section 5. R-1E COUNTRY ESTATE DISTRICT:

(A) USES PERMITTED. In this district a building or premises may be used only for the following purposes.

1. Single family dwellings
2. Non-commercial nurseries and greenhouses
3. Parks and playgrounds owned or operated by the County, State or Federal governments or by the property owners within a development or by civic organizations, or similar non-profit groups or agencies
4. Stables for non-commercial uses constructed not closer than two hundred (200') feet from any property line
5. Accessory uses and structures customarily associated with and subordinate to the above uses subject to the conditions expressed in Section 25, sub-section (G)

(B) SPECIAL EXCEPTIONS. The following uses may be permitted by the Board of County Commissioners after a site plan approval and recommendations have been received from the Zoning Commission according to Section 23.

1. Guest cottages as an accessory use, country clubs and golf courses, public buildings and churches
(C) **BUILDING HEIGHT LIMIT.** No building or structure shall exceed thirty-five (35) feet, exclusive of elevator shafts and/or air conditioning condensing units and/or cooling towers and except as provided in Section 25, paragraphs (A) and (P) of this Ordinance.

(D) **MINIMUM LOT SIZE AND FLOOR AREA REQUIRED.** For the following specific uses, every lot or parcel of land on which a living quarters is located shall provide a living quarters and a land area of at least the amount indicated:

<table>
<thead>
<tr>
<th>Dwelling Type</th>
<th>Square feet of living quarters per (family) unit</th>
<th>Square feet of land area required per (family) unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>one story:</td>
<td>1,600</td>
<td></td>
</tr>
<tr>
<td>two story: first floor</td>
<td>1,000</td>
<td>1 acre</td>
</tr>
<tr>
<td>Total</td>
<td>1,600</td>
<td></td>
</tr>
<tr>
<td>Guest cottages</td>
<td>400 each</td>
<td></td>
</tr>
</tbody>
</table>

In computing the floor space as required above, the areas occupied by porches, patios, terraces, attached garages, carports, covered parking spaces or non-roofed areas shall be excluded.

The minimum width of any lot used for a single family dwelling shall be one hundred and fifty (150) feet.

(E) **LOT COVERAGE.** Principal and accessory buildings shall occupy not more than twenty (20%) percent of the lot area, exclusive of swimming pools.

(F) **FRONT YARD.** Every lot shall have a front yard or street yard of not less than fifty (50') feet in depth.

(G) **REAR YARD.** Every lot shall have a rear yard of not less than thirty-(30') feet in depth.

(H) **SIDE YARDS.** There shall be provided a total side yard of eighty (80') feet but no one side yard shall be less than twenty (20') feet in width.

(I) **PARKING REGULATIONS.** Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in Section 24 of this Ordinance.

Section 6. **R-1AA SINGLE FAMILY DISTRICT:**

(A) **USES PERMITTED.** In this district a building or premises may be used only for the following purposes:

1. Single family dwellings
2. Non-commercial nurseries and greenhouses
3. Parks and playgrounds owned or operated by the County, State or Federal governments or by the property owners within a development or by civic organizations, or similar non-profit groups or agencies
4. Stables for non-commercial uses constructed not closer than one hundred (100) feet from any property line
5. Accessory uses and structures customarily associated with and subordinate to the above uses subject to the conditions expressed in Section 25, sub-paragraph (G)

(B) **SPECIAL EXCEPTIONS.** The following uses may be permitted by the Board of County Commissioners after a site plan approval and recommendations have been received from the Zoning Commission according to Section 23.

1. Guest cottages as an accessory use, country clubs and golf courses, public buildings and churches.

(C) **BUILDING HEIGHT LIMIT.** No building or structure shall exceed thirty-five (35) feet, exclusive of elevator shafts and/or air conditioning condensing units and/or cooling
towers and except as provided in Section 25, paragraphs (A) and (P) of this Ordinance.

(D) **MINIMUM LOT SIZE AND FLOOR AREA REQUIRED.** For the following specific uses, every lot or parcel of land on which a living quarters is located shall provide a living quarters and a land area of at least the amount indicated:

<table>
<thead>
<tr>
<th>Dwelling Type</th>
<th>Square feet area of living quarters per (family) unit</th>
<th>Square feet of land area required per (family) unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>one story:</td>
<td>1,600</td>
<td>16,500</td>
</tr>
<tr>
<td>two story: first floor</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>1,600</td>
<td></td>
</tr>
<tr>
<td>Guest cottage</td>
<td>400 each</td>
<td></td>
</tr>
</tbody>
</table>

In computing the floor space as required above, the areas occupied by porches, patios, terraces, attached garages, carports, covered parking spaces or non-roofed areas shall be excluded.

The minimum width of any lot used for a single family dwelling shall be one-hundred and ten (110') feet.

(E) **LOT COVERAGE.** Principal and accessory buildings shall occupy not more than thirty (30%) percent of the lot area, exclusive of swimming pools.

(F) **FRONT YARD.** Every lot shall have a front yard or street yard of not less than thirty (30') feet in depth.

(G) **REAR YARD.** Every lot shall have a rear yard of not less than twenty-five (25') feet in depth.

(H) **SIDE YARDS.** A side yard shall be provided on each side of every lot of not less than fifteen (15) feet in width.

(I) **PARKING REGULATIONS.** Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in Section 24 of this Ordinance.

Section 7. **R-1A SINGLE FAMILY DISTRICT:**

(A) **USES PERMITTED.** In this district a building or premises may be used only for the following purposes:

1. Single family dwellings
2. Non-commercial nurseries and greenhouses
3. Parks and playgrounds owned or operated by the County, State or Federal governments or by the property owners within a development or by civic organizations, or similar non-profit groups or agencies
4. Accessory uses and structures customarily associated with and subordinate to the above uses, subject to conditions expressed in Section 25, sub-paragraph (G).

(B) **SPECIAL EXCEPTIONS.** The following uses may be permitted by the Board of County Commissioners after site plan approval and recommendations have been received from the Zoning Commission, according to Section 23.

1. Guest cottages as an accessory use, public buildings, churches, country clubs and golf courses
2. Stables for non-commercial uses constructed not closer than one hundred (100) feet from any property line

(C) **BUILDING HEIGHT LIMIT.** No building or structure shall exceed thirty-five (35) feet, exclusive of elevator shafts and/or air conditioning condensing units and/or cooling towers and except as provided in Section 25, paragraphs (A) and (P) of this Ordinance.
MINIMUM LOT SIZE AND FLOOR AREA REQUIRED. For the following specific uses, every lot or parcel of land on which a living quarters is located, shall provide a living quarters area and a land area of at least the amount indicated:

<table>
<thead>
<tr>
<th>Dwelling Type</th>
<th>Square feet area of living quarters per (family) unit</th>
<th>Square feet of land area required per (family) unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>one story:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>two story: first floor</td>
<td>1,200</td>
<td>10,000</td>
</tr>
<tr>
<td>Total</td>
<td>1,200</td>
<td></td>
</tr>
<tr>
<td>Guest cottage</td>
<td>400 each</td>
<td></td>
</tr>
</tbody>
</table>

In computing the floor space as required above, the areas occupied by porches, patios, terraces, attached garages, carports, covered parking spaces or non-roofed areas shall be excluded.

The minimum width of any lot used for a single family dwelling shall be one hundred (100) feet.

LOT COVERAGE. No principal structure and its accessory structures shall occupy more than thirty (30%) percent of the lot, exclusive of swimming pools.

FRONT YARD. Every lot shall have a front yard of not less than twenty-five (25) feet in depth.

REAR YARD. Every lot shall have a rear yard of not less than twenty (20) feet in depth.

SIDE YARDS. A side yard shall be provided on each side of every lot of not less than fifteen (15) feet in width.

PARKING REGULATIONS. Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in Section 24 of this Ordinance.

Section 8. R-1 SINGLE FAMILY DISTRICT:

(A) USES PERMITTED. In this district a building or premises may be used only for the following purposes:

1. Single family dwellings
2. Non-commercial nurseries and greenhouses
3. Home occupations
4. Parks and playgrounds owned or operated by the County, State or Federal governments or by the property owners within a development or by civic organizations or similar non-profit groups or agencies
5. Accessory uses and structures customarily associated with and subordinate to the above uses, subject to conditions expressed in Section 25, sub-paragraph (G)

(B) SPECIAL EXCEPTIONS. The following uses may be permitted by the Board of County Commissioners after site plan approval and recommendations have been received from the Zoning Commission, according to Section 23.

1. Schools
2. Guest cottages as accessory uses, public buildings, churches, country clubs and golf courses
3. Stables for non-commercial uses constructed not closer than one hundred (100) feet from any property line

(C) BUILDING HEIGHT LIMITS. No building or structure shall exceed thirty-five (35) feet, exclusive of elevator shafts and/or air conditioning condensing units and/or cooling towers and except as provided in Section 25, paragraphs (A) and (P) of this Ordinance.

(D) MINIMUM LOT SIZE AND FLOOR AREA REQUIRED. For the following specific uses, every lot or parcel of land on which a living quarters is located, shall provide a living quarters area and a land area of at least the amount indicated:
<table>
<thead>
<tr>
<th>Dwelling Type</th>
<th>Square feet area of living quarters per (family) unit</th>
<th>Square feet of land area required per (family) unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>one story:</td>
<td>750</td>
<td>7,000</td>
</tr>
<tr>
<td>two story: first floor</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>Guest cottage</td>
<td>400 each</td>
<td></td>
</tr>
</tbody>
</table>

In computing the floor space as required above, the areas occupied by porches, patios, terraces, attached garages, carports, covered parking spaces or non-roofed area shall be excluded.

The minimum width of any lot used for a single family dwelling shall be seventy (70) feet.

(E) LOT COVERAGE. No principal structure and its accessory structures shall occupy more than thirty (30%) percent of the lot. Swimming pools are excluded.

(F) FRONT YARD. Every lot shall have a front yard of not less than thirty-five (35) feet in depth.

(G) REAR YARD. Every lot shall have a rear yard of not less than twenty (20) feet in depth.

(H) SIDE YARDS. A side yard shall be provided on each side of every lot of not less than ten (10) feet in width.

(I) PARKING REGULATIONS. Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in Section 24 of this Ordinance.

Section 9. R-2W MULTIPLE FAMILY WATERFRONT DISTRICT:

(A) USES PERMITTED. In this district a building or premises may be used only for the following purposes:

1. Single family dwellings
2. Multiple family dwellings
3. Parks and playgrounds owned or operated by the County, State or Federal governments or by the property owners within a development or by civic associations or similar non-profit groups or agencies
4. Public buildings
5. Accessory uses and structures customarily associated with and subordinate to the above uses, subject to conditions expressed in Section 25, sub-paragraph (G)

(B) BUILDING HEIGHT LIMIT. No building or structure shall exceed thirty-five (35) feet, exclusive of elevator shafts and/or air conditioning condensing units and/or cooling towers and except as provided in Section 25, paragraphs (A) and (B) of this Ordinance.

(C) MINIMUM LOT SIZE AND FLOOR AREA REQUIRED. For the following specific uses every lot or parcel of land on which living quarters are located shall provide a living quarters area and a land area of at least the amount indicated:

<table>
<thead>
<tr>
<th>No. of Dwellings</th>
<th>Square feet area of living quarters per (family) unit</th>
<th>Square feet of land water area required per (family) unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>one story:</td>
<td>750</td>
<td>7,000 3,000 10,000</td>
</tr>
<tr>
<td>two story: first floor</td>
<td>500</td>
<td>7,000 3,000 10,000</td>
</tr>
<tr>
<td>Total</td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>Two family or more</td>
<td>600</td>
<td>7,000 3,000 10,000</td>
</tr>
<tr>
<td>Three family or more</td>
<td>500</td>
<td>2,500</td>
</tr>
<tr>
<td>Units not including cooking facilities</td>
<td>300</td>
<td>2,500</td>
</tr>
</tbody>
</table>
In computing the floor space as required above, the areas occupied by porches, patios, terraces, attached garages, carports, covered parking spaces or non-roofed areas shall be excluded.

The minimum width of any lot used for a single family dwelling shall be seventy (70) feet, for a two or more family dwelling unit, one-hundred (100) feet.

(D) LOT COVERAGE. No principal structure and its accessory buildings shall occupy more than thirty (30%) percent of the lot areas, exclusive of swimming pools.

(E) SEPARATION BETWEEN PRINCIPAL BUILDINGS ON THE SAME LOT. Detached principal buildings on the same lot shall be located no closer together than twenty (20) feet plus one (1) foot additional for each additional two (2) feet in height over twenty-five (25) feet in height.

(F) FRONT YARD. Every lot shall have a front yard or street yard of not less than twenty-five (25) feet in depth for a building or structure up to and including twenty-five (25) feet in height, provided that when the structure exceeds twenty-five (25) feet in height, the front yard shall be increased by one (1) foot for each additional two (2) feet of height or portion thereof.

(G) REAR YARD. Every lot shall have a rear yard, or setback, or not less than fifteen (15) feet. If the rear lot line is located within an artificially created waterway, the rear of the main building may be constructed over such an artificial waterway, but may not project more than twenty (20) feet beyond the land line into the water area when the rear lot line is within such a waterway.

(H) SIDE YARDS. A side yard shall be provided on each side of every lot of not less than ten (10) feet for single family dwellings. Multiple family dwellings shall be required to provide a side yard on each side according to the following:

- Up to 25 feet in height - 15 feet
- 25 feet and over - 15 feet plus one (1) foot additional for each additional two (2) feet in height

(I) OPEN SPACE. Every lot in this district used for dwelling purposes shall have a minimum of thirty (30%) percent of the total lot area set aside for open recreational or landscaped area. No part of any open area shall be used for driveways or parking areas. All landscaped areas shall be planted and appropriately maintained in lawn, sod, natural foliage, gardens or ponds. Waterway area shall not be included in calculating the open space area.

(J) PARKING REGULATIONS. Off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Section 24 of this Ordinance.

Section 10. R-2 MULTIPLE FAMILY DISTRICT:

(A) USES PERMITTED. In this district a building or premises may be used only for the following purposes:

1. Single family dwellings
2. Non-commercial nurseries and greenhouses
3. Retail occupations
4. Parks and playgrounds owned or operated by the County, State or Federal governments or by the property owners within a development or by civic associations or similar non-profit groups or agencies
5. Public buildings
6. Child care nurseries
7. Accessory uses and structures customarily associated with and subordinate to the above uses, subject to conditions expressed in Section 25, sub-paragraph (C)
(B) SPECIAL EXCEPTIONS. The following uses may be permitted by the Board of County Commissioners after site plan approval and recommendations have been received from the Zoning Commission according to Section 23.

(1) Multiple family dwellings  
(2) Cultural and civic facilities  
(3) Churches  
(4) Schools and colleges  
(5) Country clubs and golf courses which are not lighted for night play except for putting courses and driving tees  
(6) Stables for non-commercial uses constructed not closer than one-hundred (100) feet from any property line

(C) BUILDING HEIGHT LIMIT. No building or structure shall exceed thirty-five (35) feet in height, exclusive of elevator shafts and/or air conditioning condensing units and/or cooling towers and except as provided in Section 25, paragraphs (A) and (P) of this Ordinance.

(D) MINIMUM LOT SIZE AND FLOOR AREA REQUIRED. For the following specific uses every lot or parcel of land on which living quarters are located shall provide a living quarters area and a land area of at least the amount indicated:

<table>
<thead>
<tr>
<th>No. of Dwellings</th>
<th>Square feet area of living quarters per (family) unit</th>
<th>Square feet of land area required per (family) unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>one story</td>
<td>750</td>
<td>7,000</td>
</tr>
<tr>
<td>two story: first floor</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>750</td>
<td></td>
</tr>
<tr>
<td>Two family</td>
<td>600</td>
<td>5,000 each</td>
</tr>
<tr>
<td>Three or more family</td>
<td>500</td>
<td>5,000 each + 2,580 each additional unit beginning with third unit</td>
</tr>
</tbody>
</table>

Units not including cooking facilities 300 Same as above

In computing the floor space as required above, the areas occupied by porches, patios, terraces, attached garages, carports, covered parking spaces or non-roofed areas shall be excluded.

The minimum width of any lot used for a single family dwelling shall be seventy (70) feet; for a two or more family dwelling one-hundred (100) feet.

(E) LOT COVERAGE. No principal structure and its accessory buildings shall occupy more than thirty (30%) percent of the lot area exclusive of swimming pools.

(F) SEPARATION BETWEEN PRINCIPAL BUILDINGS ON THE SAME LOT. Detached principal buildings on the same lot shall be located no closer together than twenty (20) feet plus one (1) foot additional for each additional two (2) feet in height over twenty-five (25) feet in height.

(G) FRONT YARD. Every lot shall have a front yard or street yard of not less than twenty-five (25) feet in depth for a building or structure up to and including twenty-five (25) feet in height, provided that when the structure exceeds twenty-five (25) feet in height, the front yard shall be increased by one (1) foot for each additional two (2) feet of height or portion thereof.

(H) REAR YARD. Same as front yard above.

(I) SIDE YARDS. A side yard shall be provided on each side of every lot of not less than ten (10) feet for single family dwellings. Multiple family dwellings shall be required to provide a side yard on each side according to the following:
Up to 25 feet in height - 15 feet
25 feet and over - 15 feet plus one (1') foot additional
for each additional two (2') feet in height

(J) OPEN SPACE. Every lot in this district used for dwelling
purposes shall have a minimum of thirty (30%) percent of
the total area set aside for open recreational or landscaped
area. No part of any open area shall be used for drive-
ways or parking area. All landscaped areas shall be planted
and appropriately maintained in lawn, sod, natural foliage,
gardens or ponds.

(K) PARKING REGULATIONS. Off-street parking spaces shall be pro-
vided in accordance with the requirements for specific uses
set forth in Section 24 of this Ordinance.

Section 11. R-3A RETIREMENT DISTRICT:

(A) PURPOSE AND INTENT. The purpose and intent of this district
is to provide housing facilities and services especially de-
signed to meet the spiritual, physical and social needs of
the retired, elderly, disabled or dependent persons, or for
religious, charitable or non-profit uses.

A Retirement District shall contain not less than ten (10)
acres. No land shall hereinafter be zoned R-3A Retirement
District by the Board of County Commissioners until a re-
commendation and site plan approval have been received
from the Zoning Commission according to Section 23.

(B) USES PERMITTED. In this district a building or premises
may be used only for the following purposes:

(1) Single family dwellings and duplexes
(2) Multiple family dwellings
(3) Non-commercial nurseries and greenhouses
(4) Home occupations
(5) Parks owned or operated by the property owners within
  a development or a non-profit group or agencies
(6) Guest cottages
(7) Convalescent homes, nursing homes, homes for aged,
  clinics, and hospitals and similar type facilities
(8) Educational and religious institutions
(9) Accessory uses and structures customarily associated
  with and subordinate to the above uses, subject to
  conditions expressed in Section 25, sub-paragraph (G)

(C) BUILDING HEIGHT LIMIT. No building or structure shall exceed
thirty-five (35) feet in height, exclusive of elevator shafts
and/or air conditioning condensing units and/or cooling towers
and except as provided in Section 25, paragraphs (A) and (P)
of this Ordinance.

(D) MINIMUM LOT SIZE AND FLOOR AREA REQUIRED. For the following
specific uses every lot or parcel of land on which living
quarters are located shall provide a living quarters area
and a land area of at least the amount indicated:

<table>
<thead>
<tr>
<th>No. of Dwellings</th>
<th>Square feet area of living quarters per (family) unit</th>
<th>Square feet of land area required per (family) unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family</td>
<td>800</td>
<td>7,000</td>
</tr>
<tr>
<td>Two family</td>
<td>500</td>
<td>5,000 each</td>
</tr>
<tr>
<td>Three or more family</td>
<td>400</td>
<td>5,000 each + 2,000 each additional unit beginning with third unit</td>
</tr>
<tr>
<td>Guest cottages</td>
<td>400</td>
<td>2,000</td>
</tr>
<tr>
<td>Units not including cooking facilities</td>
<td>300</td>
<td>1,000</td>
</tr>
</tbody>
</table>

In computing the floor space as required above, the areas
occupied by porches, patios, terraces, attached garages, carports, covered parking spaces or non-roofed areas shall be excluded.

The minimum width of any lot used for a single family dwelling shall be seventy (70) feet; for a two or more family dwelling unit, one-hundred (100) feet.

(E) SITE COVERAGE. The total site shall not be covered by buildings and structures to an extent of more than thirty (30%) percent. No principal structure and its accessory buildings shall occupy more than thirty (30%) percent of the lot area, exclusive of swimming pools.

(F) SEPARATION BETWEEN PRINCIPAL BUILDINGS ON THE SITE. Detached principal buildings on the same lot, tract, parcel or site shall be located not closer together than fifteen (15) feet, plus one (1) foot additional for each additional two (2) feet in height over twenty-five (25) feet in height.

(G) FRONT YARD. Every lot shall have a front yard or street yard of not less than twenty-five (25) feet in depth for a building or structure up to and including twenty-five (25) feet in height, provided that when the structure exceeds twenty-five (25) feet in height, the front yard shall be increased by one (1) foot for each additional two (2) feet of height or portion thereof.

(H) REAR YARD. Every lot shall have a rear yard of not less than twenty (20) feet in depth for a building or structure up to and including twenty-five (25) feet in height, provided that when the structure exceeds twenty-five (25) feet in height, the rear yard shall be increased by one (1) foot for each additional two (2) feet of height or portion thereof.

(I) SIDE YARDS. A side yard shall be provided on each side of every lot not less than fifteen (15) feet for single family dwellings. Multiple family dwellings shall be required to provide a side yard on each side according to the following:

Up to 25 feet in height - 15 feet,
25 feet and over - 15 feet plus one (1) foot additional for each additional two (2) feet in height.

(J) OPEN SPACE. Every site or lot used for residential purposes shall have a minimum of thirty (30%) percent of the total site or lot area set aside for open recreational or landscaped area.

No part of any open space shall be used for driveways or parking areas. All landscaped areas shall be planted and appropriately maintained in lawn, sod, natural foliage, gardens or ponds.

(K) PARKING REGULATIONS. One (1) space per five (5) dwelling units and all other off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Section 24 of this Ordinance.

Section 12. R-3 MULTIPLE DWELLING DISTRICT:

(A) USES PERMITTED. In this district a building or premises may be used only for the following purposes:

(1) Single family dwellings
(2) Home occupations
(3) Parks and playgrounds owned and operated by the County, State or Federal governments or by the property owners within a development or by civic associations or similar non-profit groups or agencies
(4) Public buildings
(5) Accessory uses and structures customarily associated with and subordinate to the above uses, subject to conditions expressed in Section 25, sub-paragraph (G)
SPECIAL EXCEPTIONS. The following uses may be permitted by the Board of County Commissioners, after site plan approval and recommendations have been received from the Zoning Commission according to Section 23.

(1) Multiple family dwellings
(2) Country clubs and golf courses which are not lighted for night play except for putting courses and driving tees
(3) Churches, schools and colleges
(4) Hotels, motels
(5) Restaurants and bars
(6) Marinas

BUILDING HEIGHT LIMIT. No building or structure shall exceed thirty-five (35) feet in height, exclusive of elevator shafts and/or air conditioning condensing units and/or cooling towers and except as provided in Section 25, paragraphs (A) and (F) of this ordinance.

MINIMUM LOT SIZE AND FLOOR AREA REQUIRED. For the following specific uses every lot or parcel of land on which living quarters are located shall provide a living quarters area and a land area of at least the amount indicated:

<table>
<thead>
<tr>
<th>No. of Dwellings</th>
<th>Square feet area of living quarters per (family) unit</th>
<th>Square feet of land area required per (family) unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>one story:</td>
<td>900</td>
<td>7,000</td>
</tr>
<tr>
<td>two story: first floor</td>
<td>600</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>900</td>
<td></td>
</tr>
<tr>
<td>Two family</td>
<td>700</td>
<td>5,000 each</td>
</tr>
<tr>
<td>Three or more family</td>
<td>600</td>
<td>5,000 each + 2,580 each additional unit</td>
</tr>
<tr>
<td>Motel-Hotel</td>
<td>300</td>
<td>1,000</td>
</tr>
<tr>
<td>Units not including cooking facilities</td>
<td>350</td>
<td>2,000</td>
</tr>
</tbody>
</table>

In computing the floor space as required above, the areas occupied by porches, patios, terraces, attached garages, carpports, covered parking spaces or non-roofed areas shall be excluded.

The minimum width of any lot used for a single family dwelling shall be seventy (70) feet; for a two or more family dwelling unit one-hundred (100) feet.

LOT COVERAGE. No principal structure and its accessory buildings shall occupy more than thirty (30%) percent of the lot area, exclusive of swimming pools.

SEPARATION BETWEEN PRINCIPAL BUILDINGS ON THE SAME LOT. Detached principal buildings on the same lot shall be located no closer together than twenty (20) feet plus one (1) foot additional for each two (2) feet in height over twenty-five (25) feet in height.

FRONT YARD.

(1) Residential. Every lot shall have a front yard or street yard of not less than fifteen (15) feet in depth for a building or structure up to and including twenty-five (25) feet in height, provided that when the structure exceeds twenty-five (25) feet in height, the front yard shall be increased by one (1) foot for each additional two (2) feet of height or portion thereof.

(2) Non-residential Uses. Every lot shall have a front yard or street yard of not less than ten (10) feet in depth.
(H) REAR YARD.

(1) Residential. Every lot shall have a rear yard of not less than twenty (20) feet in depth except lots located on a canal, waterway, or river shall have a rear yard of not less than thirty (30) feet in depth for a building or structure up to and including twenty-five (25) feet in height, provided that when the structure exceeds twenty-five (25) feet in height, the rear yard shall be increased by one (1) foot for each additional two (2) feet of height or portion thereof.

(2) Non-residential Uses. Every lot shall have a rear yard of not less than fifteen (15) feet in depth.

(I) SIDE YARDS.

(1) Residential. A side yard shall be provided on each side of every lot of not less than ten (10) feet for single family dwellings. Multiple family dwellings shall be required to provide a side yard on each side according to the following:

Up to 25 feet in height - 15 feet
25 feet and over - 15 feet plus one (1) foot additional for each additional two (2) feet in height

(2) Non-residential Uses. No side yard required.

(J) OPEN SPACE.

(1) Residential. Every lot in this district used for dwelling purposes shall have a minimum of thirty (30%) percent of the total area set aside for open recreational or landscaped area. No part of any open area shall be used for driveways or parking area. All landscaped areas shall be planted and appropriately maintained in lawn, sod, natural foliage, gardens or ponds.

(2) Non-residential Uses. Every lot in this district used for non-residential purposes shall have a minimum of ten (10) percent of the total area set aside for landscape area.

(K) PARKING REGULATIONS. Off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Section 24 of this Ordinance.

Section 13. R-1PM PERMANENT MOBILE HOME SUBDIVISION DISTRICT:

(A) PURPOSE. The purpose of this district is to provide an area wherein mobile homes can be located on a permanent basis in a subdivision provided for that use. A permanent mobile home subdivision shall contain not less than thirty-five (35) contiguous acres.

The Zoning Commission may recommend approval of a Mobile Home Subdivision on the basis of a preliminary plat, in accordance with the requirements of "The Subdivision Regulations of Indian River County, Florida". No lot or parcel shall be zoned R-1PM Permanent Mobile Home Subdivision District until such land has been subdivided and platted in accordance with "The Subdivision Regulations of Indian River County, Florida", and recorded by the owner in the official records of Indian River County.

(B) USES PERMITTED. In this district a building or premises may be used for only the following purposes:

(1) Mobile home subdivisions designed for single family dwellings - one family unit per lot
(2) Utility plants, maintenance areas and structures, recreation areas and structures, administration office and laundry facilities necessary to the successful development and management of a mobile home subdivision
which uses are shown on the approved preliminary plat plan

(3) Accessory structure and uses such as patio awnings, cabana, storage cabinet

(C) BUILDING HEIGHT LIMIT. No building or structure shall exceed twenty (20) feet in height except recreational, assembly, or clubhouse - 35 feet.

(D) MINIMUM LOT SIZE AND FLOOR AREA REQUIRED.

(1) Mobile Home Subdivisions. No lot shall contain less than five thousand (5,000) square feet. No mobile home unit shall contain less than five hundred and fifty (550) square feet, measured at the outside perimeter of the unit at the floor line.

(E) LOT COVERAGE.

(1) Principal buildings and accessory structures shall not cover more than forty (40%) percent of any individual lot.

(2) Other permitted buildings and structures shall not cover more than thirty (30%) percent of any lot or parcel.

(F) FRONT YARD. Every lot shall have a front yard of not less than twenty (20) feet in depth.

(G) REAR YARD. Every lot shall have a rear yard of not less than twenty (20) feet in depth.

(H) SIDE YARDS. A side yard from any principal or accessory structure shall be provided on each side of every lot of not less than ten (10) feet in width.

(I) DEVELOPMENT STANDARDS AND REQUIREMENTS.

(1) LOCATION. No mobile home or other structure shall be located closer to any other district boundary than twenty-five (25) feet.

(2) DENSITY shall be figured on the basis of the gross land acreage of the subdivision, exclusive of one-half (1/2) of all area in water and in regulation golf course and shall be limited to eight and seven-tenths (8.7) mobile home units per gross acre.

(3) STREETS. All streets shall comply with the County street construction and drainage requirements as set forth in "The Subdivision Regulations of Indian River County, Florida", as amended, in all respects.

(4) STREET LIGHTS. Street lighting may be either overhead or low level, but must be reflected onto the street.

(5) INTER-COMMUNICATION SYSTEMS must not be audible beyond the district boundaries. Public address systems are prohibited.

(6) UTILITIES. Each mobile home subdivision shall be subject to the State Health Department requirements. Each subdivision shall be required to connect to public water and sewer utility lines except as permitted by the Health Department.

(7) ACCESSIBILITY. There must be direct access to the Mobile Home Subdivision from a public street.

(8) OCCUPANCY. After all required improvements have been completed for all or part of the Mobile Home Subdivision to be occupied, the Building Inspector shall certify the completed sites as being approved for occupancy and may issue occupancy permit after the mobile home is in place.
Section 14, R-1MP MOBILE HOME PARK DISTRICT:

(A) PURPOSE. The purpose of this district is to provide an area containing not less than twenty (20) contiguous acres, in which mobile homes can be located primarily on land on which mobile home spaces are leased over a long period of time.

The location of any Mobile Home Park District by the Board of County Commissioners shall become effective after a site plan approval and recommendations shall have been received from the County Zoning Commission according to Section 23 of this Ordinance.

All land improvements shall be made in connection with "The Subdivision Regulations of Indian River County, Florida", the same as if it were a subdivision, except that it shall not be required that the plot be recorded and except as provided in this section.

(B) USES PERMITTED. In this district a building or premises may be used for only the following purposes:

(1) Mobile home parks designed for single family dwellings - one family mobile home per designated mobile home space

(2) Utility plants, maintenance areas and structures, laundry, storage and stock rooms, aluminum workshop, administration office, mobile home sales on mobile home spaces, recreation areas and structures and other similar facilities and activities necessary to the development, operation and management of a mobile home park, which uses shall be shown on the preliminary plan.

(3) Accessory structures and uses such as patio, awnings, cabana, storage cabinets and other structures customarily associated with the above uses.

(C) BUILDING HEIGHT LIMIT. No building or structure shall exceed twenty (20) feet in height except recreational, assembly or clubhouse - 35 feet.

(D) MINIMUM FLOOR AREA REQUIRED.

(1) There shall be no minimum floor area required.

(E) LOT COVERAGE.

(1) Principal buildings and accessory structures shall not cover more than forty-five (45%) percent of any individual space.

(2) Other permitted buildings and structures shall not cover more than thirty (30%) percent of any identified area.

(F) FRONT YARD. Every mobile home residence shall be located on space so as to have a front yard of ten (10) feet.

(G) REAR YARD. Every mobile home residence shall be located on a space so as to have a rear yard of ten (10) feet.

(H) SIDE YARDS. Every mobile home residence shall be located on a space so that no living space is closer to any adjacent living space than twenty (20) feet. No structure shall be located closer than ten (10) feet to any other structure on an adjoining space.

(I) DEVELOPMENT STANDARDS AND REQUIREMENTS.

(1) LOCATION. No mobile home or other structure shall be located closer to any other district boundary than twenty-five (25) feet.

(2) DENSITY shall be figured on the gross land acreage of the total park site, exclusive of one half of all area in water and shall be limited to eight and seven tenths (8.7) mobile home spaces per acre.
(3) STREETS and roads may be private. Streets shall be not less than twenty (20) feet in width and contain a pavement of not less than eighteen (18) feet in width. The type of pavement shall be the same as that required in "The Subdivision Regulations of Indian River County, Florida", except that the base may be four (4) inches.

(4) UTILITIES. Each mobile home park shall be subject to the State Health Department requirements. Each subdivision shall be required to connect to public water and sewer utility lines except as permitted by the Health Department.

(5) PARK & RECREATION AREAS. There shall be provided a minimum of one (1) acre for the first twenty (20) acres and four hundredths (.04) for each additional acre over 20 acres for park and recreation purposes.

(6) ACCESSIBILITY. There must be direct access to the mobile home park from a public street.

(7) OCCUPANCY. After all required improvements have been completed for all or part of the Mobile Home Park to be occupied, the Building Inspector shall certify the completed sites as being approved for occupancy.

Section 15. R-1TM TRANSIENT MOBILE HOME DISTRICT:

(A) PURPOSE. The purpose of this District is to provide areas where transient mobile homes, travel trailers, truck campers, pick-up coaches, motor homes and similar vehicles suitable for temporary habitations, used for travel, vacation and recreation purposes can be accommodated for short periods of time.

A transient mobile home district shall contain not less than eight (8) contiguous acres.

The location of any Transient Mobile Home District by the Board of County Commissioners shall become effective after a site plan approval and recommendations shall have been received from the County Zoning Commission according to Section 23 of this Ordinance.

(B) USES PERMITTED. In this district a building or premises may be used for only the following purposes:

(1) Mobile homes, travel trailers, and the like, one family unit per lot or space
(2) Retail stores, laundry, dry cleaning, and similar service facilities for the sole convenience of the tenants
(3) Utility and sanitary facilities, maintenance areas and structures, recreational areas and structures and administration office
(4) Accessory structures and uses to the above, but not including external appurtenances such as carports, cabanas, or patios attached to a travel trailer. The removal of wheels and the placement of the mobile home unit on a permanent foundation is prohibited except that the residence of the owner or manager may be allowed to be placed as a permanent unit.

(C) BUILDING HEIGHT LIMIT. No building or structure shall exceed twenty (20) feet in height.

(D) MINIMUM FLOOR AREA REQUIRED.

(1) There shall be no minimum floor area required.

(E) LOT COVERAGE. No individual lot or space shall be covered by building or structure by more than forty (40%) percent.
(F) FRONT YARD. Every individual lot or space shall have a front yard of not less than twenty (20) feet in depth.

(G) REAR YARD. Every individual lot or space shall have a rear yard of not less than ten (10) feet in depth.

(H) SIDE YARDS. A side yard shall be provided on each side of every lot of not less than twenty (20) feet in width. One side yard can have all twenty (20) feet with no space on the other side.

(I) DEVELOPMENT STANDARDS AND REQUIREMENTS.

(1) LOCATION. No mobile home or other structure shall be located closer to any other district boundary than twenty-five (25) feet.

(2) DENSITY shall be figured on the gross land acreage of the total site, exclusive of one-half of all area in water and shall be limited to fourteen (14) lots or spaces per gross acre.

(3) STREETS and roads may be private. Streets shall be not less than twenty (20) feet in width and contain a pavement of not less than eighteen (18) feet in width. The type of pavement shall be the same as that required in "The Subdivision Regulations of Indian River County, Florida", except that the base may be four (4) inches.

(4) Each space shall contain a stabilized vehicular parking pad composed of mari, shell, paving or other suitable material.

(5) A minimum of ten (10%) percent of the gross site area of the Transient Mobile Home District shall be set aside as common use area for open or enclosed recreational facilities.

(6) Sanitary facilities and water facilities for Transient Mobile Home Districts, shall be in accordance with requirements of the Division of Health of the State of Florida.

(7) After all required improvements have been completed for a Transient Mobile Home District, or an approved construction portion of the district, the Building Inspector shall certify the completed sites as being approved for occupancy.

Section 16. R-IME MOBILE HOME ESTATE DISTRICT:

(A) USES PERMITTED. In this district a building or premises may be used for the following purposes:

(1) Mobile homes designed for single family dwelling, one family unit per lot.

(2) Stables for non-commercial uses constructed not closer than one hundred (100) feet from any property line.

(3) Accessory structures or uses such as patio awnings, cabana and storage cabinet. All mobile homes shall be placed on permanent foundations.

(B) BUILDING HEIGHT LIMIT. No building or structure shall exceed twenty (20) feet in height.

(C) MINIMUM LOT SIZE AND FLOOR AREA REQUIRED. No lot within an approved district shall contain less than five (5) acres. No mobile home unit shall contain less than five hundred and fifty (550) square feet measured at the outside perimeter of the unit at the floor line.
(D) **LOT COVERAGE.** Principal buildings and accessory structures shall not cover more than twenty (20%) percent of any individual lot, exclusive of swimming pools.

(E) **FRONT YARD.** Every lot shall have a front yard of not less than thirty (30) feet in depth.

(F) **REAR YARD.** Every lot shall have a rear yard of not less than thirty (30) feet in depth.

(G) **SIDE YARDS.** A side yard shall be provided on each side of every lot of not less than thirty (30) feet in width.

(H) **ACCESSIBILITY.** There shall be direct access to the Mobile Home Estate District from a public street.

(I) **PARKING.** There shall be provided two parking spaces for each mobile home unit.

Section 17. **R-1RM RESIDENCE-MOBILE HOME DISTRICT:**

(A) **USES PERMITTED.** In this district a building or premises may be used only for the following purposes.

(1) Mobile homes designed for single family dwelling, one family unit per lot
(2) Single family dwellings including conventional construction and factory built dwellings
(3) Accessory structures or uses such as awnings, cabana, and storage cabinet. All dwellings shall be placed on permanent foundations

(B) **BUILDING HEIGHT LIMIT.** No building or structure shall exceed twenty (20) feet in height.

(C) **MINIMUM LOT SIZE AND FLOOR AREA REQUIRED.** No lot shall contain less than 10,000 square feet. No mobile home unit shall contain less than five hundred and fifty (550) square feet measured at the outside perimeter of the unit at the floor line.

(D) **LOT COVERAGE.** Principal buildings and accessory structures shall not cover more than thirty (30%) percent of the lot, exclusive of swimming pools.

(E) **FRONT YARD.** Every lot shall have a front yard of not less than twenty-five (25) feet in depth.

(F) **REAR YARD.** Every lot shall have a rear yard of not less than twenty (20) feet in depth.

(G) **SIDE YARD.** A side yard shall be provided on each side of every lot of not less than fifteen (15) feet in width.

(H) **PARKING.** There shall be provided two parking spaces for each one family dwelling or unit.

Section 18. **R-1 PLANNED BUSINESS DISTRICT:**

(A) The "R-1 Planned Business District" is intended for zoning of areas for business purposes, which areas are along highways and/or located in such relationship to residentially zoned property that special provisions are necessary for the adequate protection of the residential property while at the same time permitting a reasonable utilization of the business property and the efficient functioning of the permissible business activities thereon. The requirements of this district are designed to minimize conflict between local and through vehicular traffic and pedestrian and vehicular traffic.
These objectives can only be defined in general terms, and their realization will depend on the details of design of the buildings, structures, appurtenances, and facilities for traffic, parking and service in connection with the use, development, and maintenance of such business zoned areas. Therefore, review and approval of the site and development plans, in accordance with Section 23 of this Ordinance, are required for each plot in a B-1 District.

(B) USES PERMITTED. In this district a building or premises may be used for only the following purposes:

(1) Professional offices, financial institutions, barber shops, beauty salons, florist shops, photographic studios, real estate offices, retail stores and shops, department stores, supermarkets and similar uses but expressly excluding gasoline service stations
(2) Restaurants and bars including "sidewalk cafes" and "take-out" establishments, but expressly excluding any "curb-service", "drive-in stands" and similar "drive-in" type establishments
(3) Residential dwelling(s) provided that they are not the primary use of the lot and provided they are not located on the main street frontage at the ground level
(4) Motels and hotels
(5) Self service laundromats and similar type establishments
(6) Bakery, but only when the products are sold on the premises
(7) New automobile sales and service within enclosed buildings. Used car display and sales as an accessory use to new automobile sales and service located on the same lot, provided open sales lots are screened from highway view by decorative block walls, planting or some other similar method
(8) Parking garage or parking lot as part of a permitted use on the same site or located within 300 feet of the principal use it is to serve
(9) Commercial amusement including theaters, commercial games and sports including miniature golf courses, driving range, archery, bowling alleys, and the like, provided the sport activity is located at least fifty (50') feet from any R-District
(10) Vocational School, including trade, secretarial, art, professional, music, dancing and dramatic schools
(11) Public buildings
(12) Accessory uses or structures customarily incidental to the above permitted uses

(C) BUILDING HEIGHT LIMIT. No building or structure shall exceed SIXTY-five (35') feet in height, exclusive of elevator shafts and/or air conditioning condensing units and/or cooling towers, except as provided in Section 25, paragraphs (A) and (F) of this Ordinance.

(D) MINIMUM LOT SIZE AND FLOOR AREA REQUIRED.

(1) For the following specified uses every lot or parcel of land shall provide a living quarters area and a land area for each family unit of at least the amount indicated.

<table>
<thead>
<tr>
<th>Use</th>
<th>Square feet area of living quarters per (family) unit</th>
<th>Square feet of land area required per (family) unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple dwellings</td>
<td>600</td>
<td>2,100</td>
</tr>
<tr>
<td>Hotel or motel unit (including closets &amp; bath)</td>
<td>300</td>
<td>1,200</td>
</tr>
</tbody>
</table>

(2) Non-residential Uses. Every lot shall have not less than one-hundred (100') feet in width and ten thousand (10,000) square feet in area.

(E) LOT COVERAGE. No principal building or structure shall occupy more than forty (40%) percent of the lot.
FRONT YARD. No building or structure except signs shall be located closer than seventy-five (75) feet to any established or proposed highway right-of-way line.

REAR YARD. No building or structure shall be located closer than fifteen (15) feet in depth to the rear lot line.

SIDE YARDS.

1. Multiple dwelling, Hotel-Motel Uses shall be required to provide a side yard on each side according to the following:
   - Up to 25 feet in height - 15 feet
   - 25 feet and over - 15 feet plus one (1) additional foot for each additional two (2) feet in height

2. Non-residential Uses. No side yards shall be required.

USES OF SETBACK AREA OF ANY YARDS ABUTTING A STREET RIGHT-OF-WAY.

The purposes of requiring yards is to provide parking and open space and to minimize conflict with vehicles moving on the highway.

1. The first five (5) feet of any yard abutting a highway right-of-way shall be used as a landscaped area for safety purposes.
2. Within said landscaped area, no parking shall be permitted except for ingress and egress driveways and sidewalks and such driveways and sidewalks shall be located generally perpendicular to the street lot line. Driveways shall be kept to a minimum in number and width.
3. The required landscaped area where not used for driveways and sidewalks shall be planted and maintained in lawn, sod and/or landscaped, including flower beds, shrubs, hedges, statuary or ornamental objects not over three (3) feet in height and trees may be planted so as not to obscure the vision of the driver of a vehicle.

OPEN AREA. Every lot used for multiple dwelling, hotel-motel purposes shall have a minimum of twenty-five (25%) percent of the total area set aside for open recreational or landscaped area. No part of any open area shall be used for driveways or parking area. All landscaped areas shall be planted or maintained in lawn, sod or natural foliage.

OFF-STREET PARKING REQUIREMENTS as set forth in Section 24.

SPECIAL REQUIREMENTS.

1. Garbage containers shall be placed below ground or in containers sized for the needs of the multiple dwelling, motel, or business individually or on a joint basis or in an enclosed area which would be so located as not to be visible from a street or residential district.

Section 19. C-1A RESTRICTED COMMERCIAL DISTRICT:

USES PERMITTED. In this district a building or premises may be used only for the following purposes:

1. Publicly owned or operated parks and playgrounds
2. Public buildings
3. Commercial nurseries or greenhouses
4. Country clubs and golf courses which are not lighted for night play except for putting courses and driving tees
5. Residential dwelling(s) provided that they are not the primary use of the lot and provided they are not located on the main street frontage at the ground level
6. Hotels, motels, bars, night clubs and restaurants, but not including drive-in restaurants or eating places
7. Offices, banks and financial institutions, theaters, personal services establishments, fruit and vegetable stands,
commercial and private parking lot and storage garages, grocery stores, drug stores, and any other retail business or commercial enterprise similar thereto.

(8) Medical clinic, but not animal hospital
(9) Art and photograph studios and galleries
(10) Barber and beauty shops
(11) Shoe repair shops
(12) Laundry and dry cleaning pick-up establishments; no laundering or dry cleaning on the premises
(13) Motion picture and live theaters but not including drive-in theaters
(14) Tailoring, millinery, garment alteration and repair
(15) Churches
(16) Libraries and museums
(17) Accessory uses and structures customarily associated with and subordinate to the above uses, subject to conditions expressed in Section 25, sub-paragraph (G)

(B) SPECIAL EXCEPTIONS. The following uses may be permitted by the Board of County Commissioners, after site plan approval and recommendations have been received from the Zoning Commission according to Section 23.

(1) Marinas with a height limitation of 35 feet
(2) Drive-in businesses
(3) Gasoline service stations
(4) Child nurseries
(5) Veterinary hospitals, boarding kennels, provided activities are carried on within soundproof, air conditioned buildings and no outside animal runs are permitted
(6) Lumber yards

(C) BUILDING HEIGHT LIMIT. No building or structure shall exceed thirty-five (35) feet in height, exclusive of elevator shafts and/or air conditioning condensing units, and/or cooling towers and except as provided in Section 25, paragraphs (A) and (F) of this Ordinance.

(D) FRONT YARD. Every lot shall have a front yard or street yard of not less than ten (10) feet in depth.

(E) REAR YARD. Same as front yard above.

(F) SIDE YARDS.

Commercial Uses - No side yard is required except when the lot is adjacent to a residential district, and in that event a 10-foot side yard is required.

Residential Uses - Side Yard - 10 feet

(G) EXPLOSIVE MATERIAL. Where an above ground storage of gasoline, petroleum oils or other inflammable fluids are permitted, then as to any such facility for storage having a capacity in excess of 500 gallons shall be in compliance with the National Fire Protection Association requirements.

(H) PARKING REGULATIONS. Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in Section 24 of this Ordinance.

Section 20. C-1 COMMERCIAL DISTRICT:

(A) USES PERMITTED. In this district a building or premises may be used only for the following purposes:

(1) Public buildings and recreational facilities
(2) Retail sales establishments, provided all merchandise shall be stored and displayed in an enclosed building. Retail sales establishments may include incidental processing, repair and rental activities, provided they are accessory and subordinate to the retail sale use, and provided all storage, processing and repair of merchandise occurs within the principal building
(3) Residential dwelling(s) provided that they are not the primary use of the lot and provided they are not located on the main street frontage at the ground level.

(4) Hotels, motels, bars, night clubs and restaurants but not including drive-in restaurants or eating places.

(5) Banks and financial institutions.

(6) Professional, business and utilities offices and services.

(7) Medical clinics, but not animal hospitals.

(8) Art and photograph studios and galleries.

(9) Private clubs.

(10) Barber and beauty shops.

(11) Shoe repair shops.

(12) Laundry and dry cleaning pick-up establishments; no laundering or dry cleaning on the premises.

(13) Motion picture and live theaters, but not including drive-in theaters.

(14) Tailoring, millinery, garment alteration and repair.

(15) Church.

(16) Commercial and private parking lots and parking garages.

(17) Small appliance repair business.

(18) Printing reproduction and publishing.

(19) Marinas.

(20) Bowling alleys, pool and billiard parlors.

(21) Veterinary hospitals and boarding kennels provided activities are carried on within soundproof, air conditioned buildings and no outside animal runs are permitted.

(22) Business schools.

(23) Funeral homes, undertaking establishments.

(24) Automobile rental business, including truck or trailer rentals.

(25) New and used automobile sales, mobile home and trailer sales.

(26) Libraries and museums.

(27) Accessory uses and structures customarily associated with and subordinate to the above uses, subject to conditions expressed in Section 23, sub-paragraph (C).

(B) SPECIAL EXCEPTIONS. The following uses may be permitted by the Board of County Commissioners, after site plan approval and recommendations have been received from the Zoning Commission, according to Section 23.

(1) Amusement or recreational uses, not listed as permitted uses.

(2) Gasoline service stations.

(3) Drive-in businesses.

(4) Automobile cleaning business.

(5) Fruit and vegetable packing houses, but not including processing plants.

(6) Commercial fisheries.

(C) BUILDING HEIGHT LIMITS. No building or structure shall exceed thirty-five (35) feet in height, exclusive of elevator shafts and/or air conditioning condensing units and/or cooling towers and except as provided in Section 25, paragraphs (A) and (P) of this Ordinance.

(D) FRONT YARD. Every lot shall have a front yard or street yard of not less than ten (10) feet.

(E) REAR YARD. Same as front yard above.

(F) SIDE YARDS.

Commercial Uses - No side yard is required except when the lot is adjacent to a residential district, and in that event a 10-foot side yard is required.

Residential Uses - Side Yard - 10 feet.
SEC. 20 completed SEC. 21

(G) EXPLOSIVE MATERIALS. Where an above ground storage of gasoline, petroleum oils or other inflammable fluids are permitted, then as to any such facility for storage having a capacity in excess of 500 gallons shall be in compliance with the National Fire Protection Association requirements.

(H) PARKING REGULATIONS. Off-street parking and loading spaces shall be provided in accordance with the requirements of specific uses set forth in Section 24 of this Ordinance.

Section 21. LM-1 LIGHT MANUFACTURING DISTRICT:

(A) USES PERMITTED. In this district a building or premises may be used for only the following purposes:

(1) Light manufacturing or fabricating plants, enclosed storage structures, and incidental accessory structures which meet the following standards.
   a. All operations must be conducted, and all materials and products must be stored within the buildings of the plant. All waste materials must be stored while on the premises in a screened enclosure which is to be counted as part of the area allowed to be covered by buildings and structures.
   b. No processes resulting in creation of visible smoke from the burning of fuels are permitted.
   c. No process emitting an odor, nuisance or noise beyond the plant site is permitted. Where odors or noise are produced, and provisions for eradication within a building are provided, the burden of successful elimination of the odors or noise shall rest on the occupant of the premises.
   d. Dust and dirt must be confined within the buildings of the plant. Ventilating and air-filtering devices must be provided as required by applicable building and sanitary codes.
   e. All provisions of the State Air and Water Pollution Control Act shall apply and permits for construction and operation shall be required.
   f. Operations creating glare shall be so shielded that the glare cannot be seen from outside the plant site.
   g. Where processes involve the disposal of industrial wastes, approval of the proposed method of disposal by the County Health Officer, the Director of Mosquito Control and the Regional Engineer, Southeast Region Air and Water Pollution Control Department must be secured and presented to the County Building Department before a building permit will be issued.
   h. Off-street loading areas for handling all materials and products must be paved or treated to prevent dust and screened from view from outside the plant site. Screening shall be trees, shrubbery or fencing. Driveways and parking areas shall be paved or stabilized and dust free.
   i. Grounds shall be landscaped and neatly maintained.

(2) Commercial and retail uses designed to serve primarily the needs of the employees in the area.

(B) BUILDING HEIGHT LIMIT. No building or structure shall exceed forty (40) feet in height.

(C) STANDARDS. Since the size and nature of the uses permitted may vary widely, no minimum size lot or floor area shall be required. Instead, yard setback requirements shall be used to attain an industrial park-like atmosphere keeping in mind future expansion needs.

(D) LOT COVERAGE. No principal building or structure and its accessory structure shall occupy more than forty (40%) percent of the lot.
(E) FRONT YARD. Every lot shall have a front yard or street yard of not less than twenty-five (25) feet in depth.

(F) REAR YARD. Every lot shall have a rear yard of not less than twenty (20) feet in depth.

(G) SIDE YARDS. A side yard shall be provided on each side of every lot of not less than ten (10) feet in width.

(H) PARKING REGULATIONS. Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in Section 24 of this Ordinance.

Section 22. M-1 RESTRICTED INDUSTRIAL DISTRICT:

(A) USES PERMITTED. In this district a building or premises may be used only for the following purposes:

1. Retail, wholesale, rental, distribution, auction and/or storage of new or used goods
2. Maintenance, repair, reconditioning, cleaning, transportation, utilities, printing, cooking, fruit and vegetable packing and/or processing, packaging and processing, testing, light manufacturing and/or assembling operations
3. Veterinarian hospitals or clinics, boarding kennels
4. Research and development industries
5. Building storage yards, contractor's plants or storage yards
6. Coal and wood yards
7. Ice plants
8. Commercial laundries
9. Machine shops
10. Stone yards
11. Storage warehouses, or any business of general wholesale type
12. Light manufacturing or industrial plants except those emitting noise, light, smoke, dust, fumes or objectionable or harmful odors beyond the property limits, or causing air or water pollution in a measurable degree
13. Agricultural research laboratories
14. Accessory uses and structures customarily associated with and subordinate to the above uses, subject to conditions expressed in Section 25, sub-paragraph (C)

(B) SPECIAL EXCEPTIONS. The following uses may be permitted by the Board of County Commissioners, after site plan approval and recommendations have been received from the Zoning Commission according to Section 23.

1. Gasoline service stations
2. Auto race tracks
3. Junk and salvage yards

Storage or bailing of rags, iron, paper, wrecked or non-usable automobiles or junk, provided the operation is enclosed with a fence not less than six (6) feet high which will obscure the view of said operation and provided cars shall not be piled one on the other.

(C) BUILDING HEIGHT LIMIT. No building or structure shall exceed thirty-five (35) feet in height, exclusive of elevator shafts and/or air conditioning condensing units and/or cooling towers and except as provided in Section 25, paragraphs (A) and (F)

(D) MINIMUM SIZE LOT AND FLOOR AREA. None.

(E) LOT COVERAGE. No minimum.

(F) SEPARATION BETWEEN BUILDINGS ON THE SAME LOT. None required.
(G) **FRONT YARD.** Every lot shall have a front yard or street yard of not less than ten (10) feet in depth.

(H) **REAR YARD.** Same as front yard.

(I) **SIDE YARDS.** No side yards shall be required except for those buildings or structures holding or containing liquid or material having an explosive capability in which event there shall be a side yard on each side of not less than thirty (30) feet in width.

(J) **OFF-STREET PARKING REQUIREMENTS** as set forth in Section 24.

**Section 23. SITE PLAN APPROVAL**

Whenever site plan approval is required in this Ordinance, the following procedures and requirements shall be followed.

(A) **SITE PLAN REVIEW - PROCEDURE:**

No building or structure, or part thereof, shall be erected, or used, or land or water used, or any change of use consummated, nor shall any building permit be issued therefor, unless a site plan for such building, structure or use shall have been reviewed by the County Zoning Commission.

(1) Before such site plan shall be approved, an application for such approval shall be filed with the County Administrator.

(2) An application shall be in a form substantially in accordance with the form prescribed by the County Administrator's office, copies of which may be obtained from the Zoning Department of the County. The authority for a person other than the owner(s) to sign such application must be attached to and accompany said application.

(3) The application shall be forwarded to the County Zoning Commission which shall then proceed to make appropriate studies and/or reviews required to make an appropriate recommendation, and it may consult the views of the Planning Director. This shall be done with deliberate haste by all departments and commissions, so as to prevent inconvenience and delay to the project.

(B) Any such building, structure or use shall be erected, altered, installed and maintained in full conformity with the provisions of the zoning ordinance and with a site plan approval by the County Zoning Commission.

(C) In reviewing such site plan, the County Zoning Commission shall consider the location, size, height, spacing, appearance, character and utilization of any building, structure or use and their appurtenances, access and circulation of vehicles and pedestrians, streets, parking areas, yards and open spaces, landscaping and relationship to adjacent property.

(D) The County Zoning Commission shall not approve such plan unless it finds that such site plan conforms to all applicable provisions of the zoning ordinance, that the safety and convenience of the public are properly provided for, that adequate off-street parking and loading facilities are provided for owners, tenants, visitors and employees, and that adequate protection and separation are provided for contiguous and nearby residential property.

(E) The County Zoning Commission may attach to its approval of a site plan any reasonable conditions, limitations or require-
ments which are found necessary in its judgment to effectuate the purposes of this section and carry out the spirit and purpose of the zoning ordinance.

(F) A site plan, for the purposes of this section, shall include, but not necessarily be limited to, the following plans, designs, specifications and information:

(1) Site plan with grades or contours
(2) Elevations, floor plans and uses of all buildings and structures
(3) Location and character of all outside facilities for waste disposal
(4) All curb cuts, driveways, parking areas, loading areas, and surfacing materials of same
(5) All pedestrian walks, mail, yards and open spaces
(6) Location, size, character, height and orientation of all signs
(7) Location, height and general character of walls and fences
(8) Location and general character of landscaped areas

The applicant may, at his option, submit a preliminary site plan sketch indicating a general idea of how it is proposed to develop the parcel. Upon approval of the sketch, the application can then proceed to have a detail site plan prepared in accordance with the requirements in this Section.

(G) MODIFICATION OF SITE PLAN.

Any change in use of buildings, structures, land or water, or institution of new uses, or alteration of or additional buildings or structures or erection of new buildings or structures shall be in accordance with a new or modified site plan conforming and approved pursuant to this section.

(H) APPROVAL NOT TRANSFERABLE - TIME LIMIT.

Whenever site approval shall have been granted, it shall not be considered to run with the land. The site plan approval shall terminate twelve (12) months thereafter, if construction has not been started. Extensions may be made by the Board of County Commissioners at its discretion. In the event the property receiving site plan approval, shall be sold, transferred, leased, or the ownership thereof changed in any way whatsoever, the site approval shall become null and void.

(I) SITE PLAN APPROVAL - PROCEDURE.

Upon the approval of such site plan by the County Zoning Commission, a building permit may be issued by the Building Department of the County, provided, however, any applicant for site plan approval, or any other person having any legal interest therein may file an appeal to the Board of County Commissioners to review the action of the County Zoning Commission in allowing or disallowing such application for site plan approval, which appeal shall be in writing and filed with the Building Department within ten (10) days from the date of the final action of the County Zoning Commission, and shall be transmitted to the Board of County Commissioners by the Building Department. The Board of County Commissioners shall thereupon set a date for a public hearing with regard to such appeal, after giving public notice thereof in such manner as the Board of County Commissioners shall prescribe, at which time all interested parties shall have the right to appear before the Board of County Commissioners in regard thereto and the Board of County Commissioners shall thereupon render its decision therein. The decision of the Board of County Commissioners shall be final, unless otherwise appealed to the courts.
No permit shall be granted by the Building Department of the County until the time for appeal from the decision of the County Zoning Commission as herein provided shall have expired. When an appeal is so filed, no such permit shall be issued until after final determination of such appeal has been made.

Section 24. OFF-STREET PARKING AND LOADING REGULATIONS:

For the purpose of this Ordinance, such "Offstreet Parking Space" shall consist of a minimum net area of two hundred (200) square feet of appropriate dimension with driving surface for the parking of an automobile, exclusive of access drives or aisles thereto.

There shall be provided on the building site at the time of the erection of any building or structure, or at the time any building or structure is enlarged or increased in capacity by adding dwelling units, guest rooms, floor area or seats, minimum off-street parking space with adequate provisions for ingress and egress by an automobile of standard size, in accordance with the following requirements.

(A) PARKING.

(1) SINGLE FAMILY DWELLINGS. Two spaces for each single family dwelling

(2) MULTIPLE FAMILY DWELLINGS. Two spaces for each dwelling unit up to forty (40) units; two and one-half spaces for each dwelling unit over forty units

(3) CHURCHES, TEMPLES, PLACES OF WORSHIP, PUBLIC BUILDINGS, THEATERS, AUDITORIUMS, STADIUMS, AND OTHER PLACES OF PUBLIC ASSEMBLY. One space for each three seats

(4) GENERAL COMMERCIAL ESTABLISHMENTS. One space per two hundred (200) square feet of gross building area

(5) HOTELS-MOTELS. One and one-half spaces per unit

(6) HOSPITALS, SANITARIUMS. One and one-half spaces per bed

(7) CONVALESCENT HOMES, HOMES FOR THE AGED, RETIREMENT HOMES, NURSING HOMES. One space per two beds

(8) VETERINARY HOSPITALS, BOARDING KENNELS. One space per 300 square feet of gross building area

(9) LIBRARIES, MUSEUMS. One space per 300 square feet of gross building area

(10) PROFESSIONAL OFFICES OR CLINICS. One space per 300 square feet of gross building area

(11) RESTAURANTS OR BARS. One and one-half spaces per 100 square feet of gross floor area

(12) MANUFACTURING, WHOLESALE AND STORAGE BUSINESSES WHICH DO NOT SELL OVER THE COUNTER PRODUCTS TO THE GENERAL PUBLIC FROM THE PREMISES. One space per 500 square feet of gross floor area

(13) BOWLING ALLEYS. Ten spaces per bowling lane

(14) MARINAS. One space per 300 square feet of principal building plus one space per three boat storage spaces

(15) SCHOOLS.

Schools will be treated

a. High Schools - one space for each four students

b. Junior High & Elementary Schools - one space for each ten students

(16) BUSINESS AND VOCATIONAL SCHOOLS. One parking space for each three students

(17) OTHER USES. Off-street parking requirements for any use not specifically mentioned in this section shall be the same as for the most similar use listed.

-36-
LOCATION OF PARKING.

(1) Parking spaces for all dwellings shall be located on the same lot or on an adjoining lot to the main building being served.

(2) Parking spaces for other uses shall be provided on the same lot or not more than five hundred (500) feet distant as measured along the nearest pedestrian walkway.

(3) Parking requirements for two or more uses of the same or different types, may be satisfied by the allocation of the required number of spaces for each use in a common parking facility.

ENTRIES, EXITS, DRIVES AND VEHICLE MANEUVERING AREAS.

(1) All uses which are required to provide three or more off-street parking spaces shall have entry and exit ways and drives at least 18 feet in width to accommodate two-way traffic unless a one-way traffic system is utilized, in which case entry and exit ways and drives shall be at least 9 feet in width. In the event a one-way traffic system is utilized, appropriate traffic direction markers shall be installed. Drives and maneuvering areas shall be designed to permit convenient maneuvering of cars and service vehicles into and out of each parking and loading space, and shall be so arranged that no vehicle need back onto a public right-of-way. No occupied parking or loading space shall interfere with access to any other parking or loading space, or with any pedestrian walkway.

OFF-STREET LOADING REGULATIONS.

The following spaces shall be provided for the uses indicated.

(1) Every hospital, institution, hotel, commercial or industrial building or similar use having a floor area in excess of ten thousand (10,000) square feet requiring the receipt or distribution by vehicle of materials and merchandise, shall have at least one permanently maintained off-street loading space for each five thousand (5,000) square feet of gross floor area or fraction thereof.

(2) Retail operations, wholesale operations and industrial operations with a gross floor area of less than ten thousand (10,000) square feet, shall provide sufficient space so as not to hinder the free movements of vehicles and pedestrians over a sidewalk, street or alley.

(3) Each space shall have direct access to an alley or street and shall have the following minimum dimensions: Length, twenty-five (25) feet; width, twelve (12) feet; height, fourteen (14) feet.

PERMANENT RESERVATIONS.

Area reserved for off-street parking or loading in accordance with the requirements of this section shall not be reduced in area or changed to any other use unless the permitted use which it serves is discontinued or modified, except where equivalent parking or loading space is provided.

Section 25. GENERAL PROVISIONS:

(A) HEIGHT EXCEPTIONS.

The usual chimneys, towers, steeples, monument spires, silos, windmills, radio and television antennas, elevator towers, air conditioning and condensing units and similar structures may be erected above the height limits herein established. Private radio and television antennas and water tanks in residential districts may be permitted to exceed height limitations upon approval of the Zoning Commission. Radio and television antennas exceeding one hundred and forty (140) feet in any district, may be permitted upon approval of the Zoning Commission. In no case shall any permitted heights be in conflict with the height regulations established by flight angles of the State approved airports and airstrips in the County.
(E) ENCROACHMENTS INTO REQUIRED YARDS.

(1) Every part of a required yard or court shall be open from its lowest point to the sky unobstructed, except for the ordinary projection of sills, belt courses, cornices, buttresses, ornamental features and eaves; provided, however, that none of the above projections shall project into a minimum front yard more than six (6) inches nor into a minimum side yard more than twenty-four (24) inches. Residential roof overhangs may extend forty-eight (48) inches into required yard areas.

(2) Horticultural growth poles, play equipment, wires, lights, mailboxes, ornamental entry columns and gates, and outdoor furniture are not considered yard encroachments.

(3) Docks and other permitted water front accessory structures are not considered yard encroachments.

(4) Open or enclosed fire escapes, outside stairways and balconies projecting into a minimum yard or court not more than three and one-half (3 1/2) feet and the ordinary projections of chimneys and flues may be permitted by the building official where same are so placed and are not to obstruct light and ventilation.

(5) More than one multiple dwelling may be located upon a lot, provided that the horizontal open space between such buildings measured at the closest point shall be as specified for the district in which it is located and where it is not specified then it shall be not less than twice the side yard required in the district in which such uses are located.

(C) LOTS.

(1) Any lot of record at the time of the adoption of this ordinance which contains less lot area or width than required in the district in which it is located may be used for a use permitted in such district. This provision shall not be construed to permit more than one dwelling unit on a lot with less lot area per family than required for the district in which such lot is located.

(D) FRONT YARDS.

(1) The front yard regulations shall apply to both streets on through lots or double frontage lots.

(2) There shall be a front yard on each street side of a corner lot, provided, however, that the buildable width of such lot shall not be reduced to less than thirty (30) feet; provided further, that no accessory building on a corner lot shall project beyond the front yard line on either street.

(3) An open unenclosed and uncovered porch or paved terrace may project into the front yard for a distance of not more than ten (10) feet.

(4) Gasoline filling station pump and pump islands may be located within a front yard, provided they are not less than fifteen (15) feet from any street line.

(E) REAR YARD.

(1) When a lot abuts an alley, one-half (1/2) of the alley may be considered as part of the required yard.

(2) When a residential lot abuts a natural or man-made waterway, except as in a R-2W District, the setback from the water or bulkhead line shall be the same as required in a front yard.

(F) SANITARY FACILITIES.

Whenever a lot is not served by an approved sanitary sewer, there must be provided such open space as required by the County Board of Health for a septic tank and drainage field to serve the uses erected on such lot. Such sanitary in-
stallations may be located in a front, side or rear yard, but not closer than five (5) feet to any lot line.

(G) ACCESSORY BUILDINGS

(1) No accessory building shall be constructed upon a lot until the construction of a main building has been started and no accessory building shall be used unless the main building is in use

(2) No accessory building or structure shall be located in any required yard area

(H) ABOVE GROUND STORAGE OF GASOLINE AND OTHER COMBUSTIBLE FLUIDS.

Where an above ground storage of gasoline, petroleum oils or other inflammable fluids are permitted, then as to any such facility for storage having a capacity in excess of 500 gallons shall be in compliance with the National Fire Protection Association requirements.

(I) WALLS AND FENCES.

Structural walls and fences not exceeding five (5) feet in height, except barbed wire fences, are permitted in required side and rear yards of all districts except an agricultural district. Higher fences and walls in required side and rear yards, all barbed wire fences, and fences and walls in all required front yards may be authorized by the Zoning Commission, which shall first determine that they will be visually compatible in the area where they are to be located.

(J) NONCONFORMING LOTS, NONCONFORMING USES OF LAND OR STRUCTURES, NONCONFORMING STRUCTURES AND PREMISES.

(1) CONTINUATION OF NONCONFORMITIES: Nonconformities may be continued so long as they remain otherwise lawful, subject to the remaining provisions of this section.

(2) EXPANSION OR CHANGE OF NONCONFORMITIES: No nonconformity shall be enlarged or changed to a different nonconformity except upon a determination by the County Administrator that the change results in a lessening of the degree of nonconformity.

(3) REPAIR OR ALTERATION OF NONCONFORMITIES: Repairs, maintenance and improvements on nonconformities may be carried out, provided that such work does not increase the cubic content of the building or the floor or ground area devoted to the nonconforming use. The preceding requirement does not prevent compliance with applicable laws or requirements relative to the safety and sanitation of a building occupied by a nonconforming use.

(4) RECONSTRUCTION OF NONCONFORMITIES AFTER CATASTROPHE: If any nonconformity is damaged by fire, flood, explosion, collapse, wind or other catastrophe to such an extent that the cost of repair or reconstruction will exceed fifty (50%) percent of the building's value as shown on the tax assessment roll at the time of the damage, the nonconformity shall be deemed terminated and no repair or reconstruction may occur except when such repair or reconstruction results in the conversion of the previous nonconformity to a conforming structure and/or use. In the event that damage to a nonconformity may be repaired by an investment of less than fifty (50%) percent of the appraised value of the nonconformity as shown on the tax assessment roll at the time of the damage, such repair shall be permitted by the nonconformity may continue.

(5) TERMINATION OF NONCONFORMITIES: If, for any reason a nonconforming use of land or of a structure ceases for a continuous period of ninety (90) days or more, or a nonconforming structure is removed for a continuous period of ninety (90) days or more, the nonconformity shall be considered terminated and shall not thereafter be re-established.

-39-
(6) ADDITIONS TO NONCONFORMING STRUCTURES: Additions to nonconforming structures housing conforming uses, shall be permitted if the additional structures comply fully with setback and other applicable regulations.

(K) PIERs, WHARFS, DOCKS, WATERWAYS, BOAT SLIPS AND WATER CRAFT:

(1) REGULAR MOORING OF WATER CRAFT: "Regularly moored" shall mean moored in the same general area at least eight hours a day for ten days in any month. Water craft shall not be regularly moored along any shore without the consent of the riparian land owner. Regularly moored water craft shall not be used as dwellings, offices, or commercial enterprises except in marinas, unless a permit to so moor and use the water craft for that purpose has been granted by the Indian River County Zoning Commission. Regularly moored water craft shall be kept in seaworthy condition when not in a permitted repair area.

(2) BOATSLIPS. Boatslips may be constructed within the upland adjacent to any of the county's navigable shorelines. Boatslips shall be no nearer a side lot line than the minimum side yard setback permitted in the zoning district in which the boatslip is to be constructed.

(3) MAXIMUM PERMITTED PROJECTION OF WATERFRONT STRUCTURES. Except as permitted in the R-2N Multiple Family Waterfront District, wallless boat shelters may be erected over boatslips, but no part of such shelter may exceed past the shoreline or be higher than 15 feet. Docks shall not project outward from shore more than ten (10%) percent of the width of the waterway at a point where they are located, except that docks up to eight (8) feet in width may be installed regardless of waterway width. The outward projection of a dock shall be measured from the water's edge at mean low tide, except that boatslips constructed into upland shall be considered to run across the entrance of boatslins.

(4) SIDE LOT LINE ENCROACHMENT. No dock, boat shelter or other waterfront structure may encroach on a side lot line, extended.

(5) TIE OFF-PILES. Tie-off piles may be installed when they are located no closer than one-hundred (100) feet to the center of a canal or navigation channel.

(L) STREET AND ROAD SETBACKS:

(1) In the event of the recording of any proposed street or road in the office of the Clerk of the Circuit Court of Indian River County, Florida, or in the event of the designation or establishment by the Board of County Commissioners of any proposed public street or road, the same shall thereupon immediately become the same as if such public street or road existed for the purpose of determining setbacks under the terms of this Ordinance.

(M) CORNER VISIBILITY:

(1) On a corner lot, there shall be no structure or planting which materially obstructs traffic visibility within the triangular space bounded by the two intersection right-of-way lines and a straight line connecting two points on the street right-of-way lines 30 feet from the intersection.

(2) DIVISION OF LAND. No person shall divide any land in a manner that would result in any portion of said land failing to meet the minimum requirements herein established for the zone in which said land is located.

(N) MOVING OF STRUCTURES:

(1) No structure larger than 150 square feet or a building which is to be used as a family dwelling, shall be moved
into the County or from one place to another within the County unless such building or structure is made to conform to all of the requirements of the Southern Standard Building Code in effect in this County at the time of the moving and the requirements of the zoning in which the building or structure is to be placed. The County Administrator is authorized to require any person applying for a permit to move a building or structure, to post a bond or other security acceptable to the County Attorney in an amount up to but not exceeding $10,000, to be deposited with the Clerk of the Board of County Commissioners, payable to the order of the Board of County Commissioners of Indian River County, Florida.

The purpose of the bond or other security is to guarantee compliance in full within one year with the applicable requirements of the Southern Standard Building Code and of these Zoning Ordinances and to restore any public or private property damaged while the building or structure is being moved. Failure to fully comply within one year as above stated, will result in forfeiture of the bond to the Board of County Commissioners of Indian River County, Florida.

All applicants for a permit to move an existing structure, as above stated, are required to furnish the County Administrator three sets of drawings, said drawings to be prepared and sealed by an Architect or Engineer registered in the State of Florida certifying that the structure meets all requirements as above outlined, or three sets of drawings to be prepared and sealed by an Architect or Engineer registered in the State of Florida showing the proposed changes to the building or structure after it has been moved, that will bring it within all applicable requirements of the Southern Standard Building Code or their Zoning Ordinances. If drawings of the structure or building to be moved showing compliance as above stated are on record with the County already, the above requirement for drawings is waived.

(0) SIGNS:

(1) Definitions:

a. PROFESSIONAL. Professional identification sign.

b. SALE. A sign pertaining to only the rent, lease or sale of the premises upon which it is displayed.

c. BULLETIN. A sign or bulletin board located on the premises of a church, institution, club or fraternal organization for the purpose of displaying the name of the church, institution, club or organization and the activities or program of the same.

d. DIRECTIONAL. Directional or informational signs of a public nature which states the name or location of an incorporated or unincorporated community; name and place of meeting of a church or civic club such as Chamber of Commerce, Rotary, Civitan or Kiwanis Club.

e. BUSINESS. An attached, free standing or structural sign pertaining to the advertising, announcing or describing of the principal use or uses of the premises upon which it is displayed.

f. OUTDOOR. An unattached, free standing or structural poster panel or painted sign for the purpose of conveying some information, knowledge or idea to the public.
SEC. 25 con't

g. BILLBOARDS. An unattached, free standing sign for the purpose of conveying some information, knowledge or idea to the public.

(2) ON-SITE SIGNS:

(A) Each business use on the site shall be limited to one of each of the following signs not to exceed the size stated.

(B) Maximum Sizes:

a. Professional: 12 square feet
b. Sale: 12 square feet
c. Bulletin: 12 square feet
d. Directional: 8 square feet
e. Business: 150 square feet
f. Outdoor: 12 square feet
g. Billboards: 504 square feet, except on Interstate 95, where signs shall not exceed 672 square feet

(3) OFF-SITE & ON-SITE SIGNS:

(A) Maximum Heights: (measured from the crown of road to the top of the sign).

a. No sign shall exceed the height limitations stated in the ordinance for the district in which the sign is located, except that Off-Site Signs for motels, hotels, service stations and other businesses on Interstate 95 shall not exceed 50 feet in height. The advertising portion of any sign exceeding 35 feet in height shall be no larger than 200 square feet.

(4) OFF-SITE SIGNS:

(A) The maximum size of each off-site sign shall not exceed the sizes stated in Paragraph 2 B.

(B) No off-site sign shall be so located or placed so as to face a lot on the same street occupied by a church, public school, public park, public playground, public beach, civic or scenic area or a cemetery, nor nearer to such uses than 200 feet along a common right-of-way line.

(C) No off-site sign shall be so located as to encroach on any public way, sidewalk or street or be located in any required yard or setback area or be so located that any part of such sign extends nearer to a street line than any building on contiguous property where such building is located within 100 feet of such sign.

(D) No off-site sign shall be located closer than 30 feet to the intersection of any two street lines nor nearer than 50 feet to any residential zone measured along a common right-of-way.

(E) No off-site sign shall be nearer to another than 660 feet along the same side of a common right-of-way, except on Interstate 95, where signs shall be 1,000 feet apart. Two off-site signs may be grounded back to back or in a single V having an included angle not greater than 30 degrees.

(F) No billboard signs shall be located on any road, street or highway that has not been designated by the Florida Department of Transportation as Interstate, Primary or Secondary Road.
(S) DISTRICTS:

Signs are permitted uses in Zoning Districts in accordance with the following schedule:

(A) A-AGRICULTURAL
   a. Professional
   b. Sale
   c. Bulletin
   d. Directional
   e. Business
   f. Outdoor
   g. Billboards

(B) R-1E COUNTRY ESTATE DISTRICT
   a. Sale
   b. Bulletin
   c. Directional
   d. Business (on-site only)

(C) R-1AA SINGLE FAMILY DISTRICT
   a. Sale
   b. Bulletin
   c. Directional
   d. Business (on-site only)

(D) R-1A SINGLE FAMILY DISTRICT
   a. Sale
   b. Bulletin
   c. Directional
   d. Business (on-site only)

(E) R-1 SINGLE FAMILY DISTRICT
   a. Sale
   b. Bulletin
   c. Directional
   d. Business (on-site only)

(F) R-2W MULTIPLE FAMILY WATERFRONT DISTRICT
   a. Sale
   b. Bulletin
   c. Directional

(G) R-2 MULTIPLE FAMILY DISTRICT
   a. Professional
   b. Sale
   c. Bulletin
   d. Directional
   e. Business (on-site only)

(H) R-3A RETIREMENT DISTRICT
   a. Professional
   b. Sale
   c. Bulletin
   d. Directional
   e. Business (on-site only)

(I) R-3 MULTIPLE DWELLING DISTRICT
   a. Professional
   b. Sale
   c. Bulletin
   d. Directional
   e. Business (on-site only)
(J) R-1PM PERMANENT MOBILE HOME SUBDIVISION DISTRICT
   a. Sale
   b. Bulletin
   c. Directional
   d. Business (on-site only)

(K) R-1NP MOBILE HOME PARK DISTRICT
   a. Sale
   b. Bulletin
   c. Directional
   d. Business

(L) R-1TM TRANSIENT MOBILE HOME DISTRICT
   a. Sale
   b. Bulletin
   c. Directional
   d. Business

(M) R-1ME MOBILE HOME ESTATE DISTRICT
   a. Sale
   b. Bulletin
   c. Directional
   d. Business (on-site only)

(N) R-1RM RESIDENCE-MOBILE HOME DISTRICT
   a. Sale
   b. Bulletin
   c. Directional
   d. Business (on-site only)

(O) E-1 PLANNED BUSINESS DISTRICT
   a. Professional
   b. Sale
   c. Bulletin
   d. Directional
   e. Business

(P) C-1A RESTRICTED COMMERCIAL DISTRICT
   a. Professional
   b. Sale
   c. Bulletin
   d. Directional
   e. Business
   f. Outdoor

(Q) C-1 COMMERCIAL DISTRICT
   a. Professional
   b. Sale
   c. Bulletin
   d. Directional
   e. Business
   f. Outdoor

(R) LM-1 LIGHT MANUFACTURING DISTRICT
   a. Professional
   b. Sale
   c. Bulletin
   d. Directional
   e. Business
   f. Outdoor
   g. Billboards

(S) M-1 RESTRICTED INDUSTRIAL DISTRICT
   a. Professional
   b. Sale
   c. Bulletin
d. Directional
e. Business
f. Outdoor
g. Billboards

(6) **Political Signs, Political Advertising and Billboards:**

No political signs, political advertising and billboards shall be placed on property owned or used by Indian River County or by any other governmental agency in the unincorporated areas of Indian River County.

(7) **Obscene, Indecent, Lewd, or Immoral Signs Prohibited:**

No obscene, lewd, indecent, immoral, lascivious or libidinous signs shall be erected for any purpose within the unincorporated areas of Indian River County.

(8) **Strip Lighting:** Strip Lighting is prohibited in all zoning districts except "A", "C-1A", "C-1", "LM-1" and "M-1". When permitted strip lighting is limited to a tubing size equivalent to the length or width of the building along the street footage, the size of tubing may not exceed 15 millimeters and transformers may not exceed 30 milliamperes. Neon strip lighting and/or streamer lighting are prohibited above the roof level of any building.

(9) **Permits.** No sign shall be erected in Indian River County without first obtaining a zoning permit from the County Administrator's office.

(10) **AIRCRAFT HEIGHT LIMITATIONS:**

(1) **No structure shall be erected within the area shown on the Approach and Zoning Plan of the Vero Beach Municipal Airport at a height in excess of those delineated and approved by the City of Vero Beach, April 21, 1964.**

(2) **Every airport or airstrip existing or created in the future shall be required to file with the County Administrator a map prepared in accordance with criteria established in publication TSO-N 18 Federal Aviation Administration "Obstructions to Air Navigation" which shall become the basis for determining height limitations in the area of the airport or airstrip.**

(10) **MOBILE HOMES, TRAVEL TRAILERS, CAMPERS, BOAT TRAILERS AND BOATS:**

(1) **MOBILE HOMES:** No mobile home shall be located in any district except a Permanent Mobile Home Subdivision District, Mobile Home Park District, Transient Mobile Home District, Mobile Home Estate District or a Residence-Mobile Home District, or in districts where allowed as a special exception.

(2) **TRAVEL TRAILERS AND CAMPERS:** Recreational trailers such as travel trailers, camp trailers and boat trailers which do not exceed twenty-six (26) feet in length, and cargo trailers which do not exceed fourteen (14) feet overall in length, may be parked, stored or placed on any lot in any agricultural or residential district, provided that:

a. Such trailer is owned by the resident residing on the same lot on which it is located.

b. Such trailer is not used for residential, office or commercial purposes.

c. Such trailer (or boat mounted thereon) is not used for sleeping, housekeeping or living quarters while so parked.

d. Such trailer is located to the rear of the front building line, and in no event less than twenty-five (25) feet from the front lot line; or is located in a carport or garage.
e. Such trailer is not located within any road right-of-way.
f. If such trailer is a collapsible camping trailer, the trailer shall be stored in a collapsed state.
g. Such trailer shall be limited to one (1) trailer type per lot.

(3) TEMPORARY TRAILERS: Trailers used temporarily in connection with construction used as a dwelling, office or sales room may be located temporarily in all districts during the period of construction activity, under a temporary zoning permit.

(4) SELF-PROPELLED VAN CAMPERS shall be considered the same as a recreation trailer and the above restrictions shall apply.

Section 26. BOARD OF ADJUSTMENT:

(A) FUNCTIONS, POWERS AND DUTIES OF THE BOARD OF ZONING ADJUSTMENT:

(1) ADMINISTRATIVE REVIEW: To hear and decide appeals when it is alleged that there is error in any order, requirement, decision, or determination made by the zoning enforcement official in the administration of the zoning ordinance. To determine whether the administrative determination appealed from was correct or not, and if not, to make the proper determination.

(2) INTERPRETATION: To interpret these regulations at the request of the zoning enforcement official.

(3) GRANTING OF VARIANCES: To receive and consider appeals for the granting of variances from the terms of this ordinance. Before a variance may be granted, at least one of the following conditions indicated as a, b, and c, must be met, in addition the last two conditions indicated as d and e also must be met.

a. The plight of the applicant must be due to unique circumstances not created by him or his predecessor in title.

b. Special conditions and circumstances must exist which are peculiar to the land or structure involved, and which are not applicable to other lands or structures in the same district.

c. Literal interpretation of the provisions of these ordinances must not deprive the applicant of rights commonly enjoyed by the properties in the same district.

d. The variance shall not permit establishment or enlargement of any use or structure which is not permitted in the district in which the variance is requested.

e. The variance must observe the spirit and intent of this zoning ordinance, and shall not be contrary to private or public interest.

(4) CONDITIONAL VARIANCE: The Board of Adjustment may make the authorization of a variance conditional upon such alternate and additional restrictions, stipulations, and safeguards as it may deem necessary to ensure compliance with the intent and purpose of these regulations. Violation of such conditions when made a part of the terms under which a variance is granted shall be deemed a violation of this ordinance.

(5) PUBLIC HEARINGS: Due public notice shall be given that a public hearing will be held by the Board of Adjustment on the request for a variance, and no variance shall be authorized except after a public hearing.

Section 27. ZONING REGULATIONS AND ZONING DISTRICT BOUNDARY AMENDMENTS:

(A) CHANGES AND AMENDMENTS:

The Board of County Commissioners may from time to time on its own motion or on petition of any person or on motion of
the Indian River County Zoning Commission, amend, supplement, change, modify, or repeal by ordinance pursuant to the authority and in the manner provided by State Law this ordinance or the boundaries or districts or ordinance herein established.

(B) CHANGES OR AMENDMENT PROCEDURES:

Any person desiring a change or amendment to the Zoning Ordinance or Zoning Map shall submit the same, in writing, to the County Administrator describing by legal description and by street address, where possible, the property to be affected by the proposed change, setting forth the present zoning applicable thereto and specifying the district, zone and use requested. The applicant shall pay to the County the sum of $10.00 for each such requested change; provided, however, that as many lots or parcels of property as the applicant may desire may be included in any single petition if they constitute one contiguous area. The County Administrator shall then transmit the application to the Zoning Commission for tentative consideration at its next meeting. Should the Zoning Commission tentatively approve the petition, it shall report its tentative approval to the Board of County Commissioners, and should the Board of County Commissioners tentatively approve the same, public hearings shall be held. Should either the Zoning Commission or the Board of County Commissioners upon their tentative consideration, disapprove the application and the applicant elects to proceed no further, then the fee deposited with the County shall be returned to the applicant, otherwise, the fee shall remain the property of the County. Should public hearings be held, then in connection with the publication of the notice for the public hearing before the Zoning Commission, the County Administrator shall mail a written notice to all property owners of property within 300 feet of the outer limits of the area described in the petition requesting a change, advising all such owners as shown upon the last prepared and completed Tax Assessment Roll of the County, in simple terms, the proposed change and the time and place of the public hearing. In the event more than 500 lots or parcels are being rezoned, notification shall be by public notice only. The provisions hereof providing for mailing notice is directory only, and the failure to mail such notice shall not affect any change or amendment of said Zoning Ordinance.

(C) PERMIT:

When a person requests a change in zoning of any district, then the requested change, if granted, shall be contingent upon the applicant obtaining a permit for the proposed construction within six (6) months and completing the construction within one year from the date of such change, or the Board of County Commissioners may rezone the property to the original zoning.

(D) INTERIM ZONING:

The Board of County Commissioners may adopt stop-gap or interim zoning for periods of time not to exceed one year, designed to preserve the status quo in any area in the County, pending the completion of comprehensive zoning, water, sewer, urban renewal or other similar type plans.

Section 28. LEGAL PROVISIONS:

(A) REPEAL OF PREVIOUS ZONING ORDINANCE: Zoning Regulations and amendments thereto adopted heretofore are hereby repealed if in conflict with this ordinance or any amendment thereto.

(B) PENDING PROSECUTION: In the event that there are unremedied violations of any zoning regulation repealed by this ordinance, which unremedied violations are also a violation of this ordinance, the county shall have the same rights and remedies as if the repealed regulation was still in effect.
SEC. 28 completed SEC. 29

(C) **SAVING CLAUSE:** Should any section, clause, word or provision of this ordinance, or application of a provision contained within this ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the validity of the ordinance as a whole or any part thereof, other than the part or application declared to be unconstitutional or invalid.

(D) **VIOLATIONS AND PENALTIES:** Any person, firm or corporation, or anyone acting in behalf thereof, who shall violate or fail to comply with any of the provisions of this ordinance shall be guilty of a misdemeanor punishable as provided by law. Each day after the first seven days that a violation of this ordinance is continued or permitted to exist without correction shall constitute a separate offense. The Board of County Commissioners may enforce the provisions of this zoning ordinance by seeking injunctive relief or any other remedies provided by law.

(E) **EFFECTIVE DATE:** This ordinance shall take effect on September 8, 1971, when this became law.

Section 29. **ADMINISTRATIVE PROVISIONS:**

(A) **ENFORCING OFFICER.** The Board of County Commissioners does hereby designate the County Administrator as the employee to enforce the provisions of this zoning ordinance.

(B) **CERTIFICATE OF ZONING APPROVAL:**

1. When any owner, authorized agent or contractor desires to construct, enlarge, move, alter or change the use of a building, or structure which is regulated by the zoning ordinance, he shall first make an application to the County Administrator and obtain the required certificate of zoning approval thereof.

2. No building shall be erected, constructed, reconstructed or structurally altered unless and until a certificate of zoning approval has been issued under the authority of this ordinance, except as otherwise specifically provided by this ordinance. The fees to be paid to the County for such certificate or zoning approval shall be the fees now or hereafter established by Resolution of this Board and such fees as so established shall be paid prior to the issuance of any certificate.

3. Ordinary minor non-structural repairs not exceeding in cost of value of labor and materials the sum of $100.00 may be made without a certificate of zoning approval, provided that such repairs shall not violate any of the provisions of said zoning ordinance.

4. Every application shall contain a general description of the proposed work and its location. The application shall be signed by the owner or his authorized agent.

5. Each application shall indicate the proposed use and occupancy of all parts of the building and of that portion of the lot, if any, not covered by the building or structure and shall contain a statement of the square foot area of the building or structure and the square foot area of the lot and the estimated costs or value of the completed construction of said building or structure, and shall contain such other information as may be required by the County Administrator.

6. There shall be attached to the application and made a part thereof a plot diagram showing the location of the proposed building or structure and of every existing building or structure on the site. The plot plan shall also show the construction details of any driveways connecting the property to the public roadway. The plot plan shall be to scale and of such size as the County Administrator shall require and all adjoining streets,
allevys, easements of public ways and shall show the
distance from the outer limits of said building to
the outer limits of said lot.

(7) Each application and the plot plan and other items
attached thereto shall be submitted in duplicate.

(8) At the time of submitting said application, the appli-
cant shall pay to the County Administrator the applic-
able fees, set by Resolution, which are not refundable.

Such fees when received by the County Administrator
shall by him be paid over and delivered to the Clerk
of this Board, who shall deposit the same in the Gen-
eral Fund of this County.

(9) All costs and expenses of issuing said certificates of
zoning approval shall be charged to the General Fund
of this County.

(10) If the County Administrator is satisfied that the word
described in an application and the plot plan filed
therewith conform to the requirements of the zoning
ordinance, he shall certify that the same complies with
all applicable regulations established by the County
Zoning Ordinance for the district in which the land is
located.

(11) If the application and the plot plan filed therewith de-
scribe work which does not conform to the requirements of
the ordinance, the County Administrator shall return one
copy thereof, to the applicant, with his refusal to certi-
fy zoning approval. Such refusal shall, when requested,
be in writing and shall contain the reason therefor.

(12) The County Administrator shall act upon the application
without unreasonable delay. A certificate of zoning
approval shall not be construed as authority to violate,
cancel, alter or set aside any of the provisions of the
zoning ordinance, nor shall such certificate prevent the
County Administrator from thereafter requiring a correct-
ion of errors or a violation of the zoning ordinance.
Any certificate issued shall become invalid unless the
work authorized by it shall have been commenced within
six (6) months after its issuance or, if the work author-
ized is suspended or abandoned for a period of one year
after the time it is commenced; provided, that for cause
one or more extensions of time for periods not exceeding
ninety (90) days each may be allowed, in writing, by the
County Administrator.

(13) When a certificate of zoning approval is issued, the same
shall be signed by the County Administrator and shall be
kept at the site of work and shall be open to inspection
by the County Administrator or his authorized representa-
tive.

(14) If any person commences work on a building or structure
before obtaining the necessary certificate of zoning app-
roval, then the fees for such certificate shall be double
the schedule of fees set forth. Work which was started
without a permit that does not comply fully with all zon-
ning ordinance requirements, must be removed.

(15) The County Administrator shall keep a permanent and
accurate accounting of all certificates issued and of
all fees collected, including the date and the amount
thereof.

(16) Before issuing a certificate, the County Administrator
may examine or cause to be examined the site for which
an application has been received. He may inspect all
buildings and structures during and upon completion of
the work for which a certificate was issued and he shall
report to the Board any violations of the certificate or of the zoning ordinance.

(17) A reasonable time for appeal by any person aggrieved by any decision of the County Administrator is determined as ten (10) days from the time of the action taken. All appeals shall be made, in writing, and delivered to the office of the County Administrator who shall notify the Chairman, or in his absence, the Vice Chairman of the Indian River County Board of Adjustment, provided that where a certificate of zoning approval has been issued, the time for filing notice of appeal is further extended to the end of the third day for the visible commencement of construction on the ground. Visible commencement of construction means that first actual work or improvements upon the real property, or the first delivery, to the site of the improvement of the materials which remain thereon until incorporated in the improvements, or such manifest in substantial character as to notify interested persons, that the real property is about to be or is being improved; provided, that, if the last day fall on Sunday or other holidays when said office is closed, time for filing notice of appeal shall expire at the end of the day next following when said office is open for business.

Section 30. INDIAN RIVER COUNTY ZONING DISTRICTS:

The zoning districts, as established under the Indian River County Zoning Regulations which became effective February 1, 1957, and all amendments thereto are hereby assigned zoning designations under this ordinance, in accordance with the following, and will control zoning in this county until the Board of County Commissioners of Indian River County approves a Zoning Atlas referred to in Section 3 DISTRICTS AND BOUNDARIES THEREOF.
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STATE OF FLORIDA

I, Jeffrey S. Byrd, Clerk of the Circuit Court of the County of Indian River, State of Florida, hereby certify that the foregoing is a true and correct copy of the

County Records as filed in the public records of this Office.

Witness my hand and seal of office this 23rd day of October, 1977.

By: Jeffrey S. Byrd

Clerk