



# Agenda Item 1

**To:** Wauchula City Commission

**From:** Central Florida Regional Planning Council

**Subject:** LDC Update – Article 2 and 9 (related to Article 2)

**Meeting Date:** February 4, 2013

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## **INTRODUCTION:**

The City of Wauchula is undertaking an update to the City’s Land Development Regulations (LDRs). This update will incorporate required changes as a result of the recent 2030 Comprehensive Plan adoption as well as changes to language that is either out of date or should be adjusted based on the current vision of the City.

To accomplish this update, the Articles of the LDRs will be presented to the Planning & Zoning Board, followed by the Commission, to obtain consensus. After consensus is achieved on all the Articles, the entire package, with consensus history, will be brought forward for public hearings before both the Planning and Zoning Board and the City Commission. Changes to the Table of Uses in Article 2 will require two public hearings before the City Commission.

## **PREVIOUS MEETING HISTORY:**

The following meetings have occurred:

- |                    |  |
|--------------------|--|
| June 18, 2012      | Planning & Zoning Board discussion of Articles 1, 8, and 9 (related to Articles 1 and 8)                     |
| July 2, 2012       | City Commission discussion of Articles 1, 8, and 9 (related to Articles 1 and 8)                             |
| July 16, 2012      | Planning & Zoning Board discussion of Articles 4, 5, and 9 (related to Articles 4 and 5)                     |
| August 20, 2012    | Planning & Zoning Board discussion of Articles 4, 5, and 9 (related to Articles 4 and 5)                     |
| September 17, 2012 | Planning & Zoning Board public hearing on Article 4 and 9 (related to Article 4) and Discussion on Article 2 |



- October 15, 2012 Planning & Zoning Board discussion of Article 2 and 9 (related to Article 2)
- November 19, 2012 Planning & Zoning Board discussion of Article 2 and 9 (related to Article 2)
- December 17, 2012: Planning & Zoning Board discussion of Article 2 and 9 (related to Article 2)
- January 21, 2013 Planning & Zoning Board discussion of Article 2 and 9 (related to Article 2)

**ITEM 2: ARTICLE 2 AND 9 (RELATING TO ARTICLE 2):**

There are sections of Article 2 that require specific input from the City Commission. Immediately following this memo, please find a listing of the language and question items followed by an outline of amendment changes that summarizes the major and minor amendments proposed for the articles. The end of the package includes the proposed amendments to the City of Wauchula LDR covering the following articles:

- Article 2 – Regulations for Specific Districts\*
- Article 9 – Definitions (related to Article 2)

*\* Table 2.052.01(B) Table of Development Standards and Table 2.052.01(C) Zoning Consistency Matrix are not included. They will be reviewed by the Planning & Zoning Board.*

**Language**

Text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed.

**Comments**

Comments listed under each proposed change indicate why the language is being amended.

Please note that proposed non-substantive changes such as organization name changes and grammatical revisions are shown without comments. In addition, sections of Code that have only proposed non-substantive changes are not shown unless they are in a section with a substantive change.

Attachments:

- Discussion Topics for Article 2
- Overview of amendment changes including Table of Land Uses
- Article 2 proposed amendments
- Article 9 proposed amendments relating to Article 2

**City of Wauchula 2012 Land Development Code Amendments  
Article 2 and 9 (related to article 2)  
Items Needing Discussion**

**ITEM 1: ISSUES NEEDING DIRECTION:**

There are three specific items that will be discussed at the meeting where staff is looking for direction from the City Commission for clarification of issues. The first is a discussion of Agricultural Uses Related to Animals, the second is a discussion of Junk Cars and Inoperable Vehicles, and the third is the Table of Land Uses.

***Part 1 – Discussion of Agricultural Uses Related to Animals***

The current Table of Land Uses includes the following items related to the keeping of farm animals.

Category / Use	AG	FR
<b>Agriculture Uses</b>		
Keeping of cattle, horses, excluding feed lots or dairies, and other farm animals	P	P
Forest land & pasture for grazing cattle & horses	P	P
Keeping of poultry, rabbits and other animals for private use	P	P
Private stables	P	P
<b>Retail Commercial, outdoor storage</b>		
Agricultural activities + farm animals	P	
Agriculture, Limited + farm animals	P	P

Chapter 4 (Animal Control) of the Code of Ordinances states that it is unlawful to keep livestock within the City, except for fowl kept as household pets. It provides for a means of dealing with stray and feral chickens.

**Sec. 4-9. - Keeping livestock or fowl.**

It shall be unlawful to keep any cow, bull, steer, calf, horse, colt, pony, mule, jackass, jenny, goat, sheep, hog, pig, other livestock, or fowl (not including household pets) within the City.

(Ord. No. 851, § 2, 8-9-99)

**Sec. 4-10. - Stray and feral chickens.**

- (a) It shall be unlawful for any owner or custodian of a chicken to allow a chicken to become a stray or feral chicken. For the purposes of this section, a "stray or feral chicken" shall mean a domesticated chicken which has strayed, been released, or has roamed from the property of its owner, and shall include the offspring of a domesticated chicken which has strayed, been released, or has roamed from the property of its owner.

- (b) Any chicken which is suspected of being a stray or feral chicken may be picked up, trapped, and captured, by the City, and/or any designee, agent or contractor of the City authorized to perform stray and feral chicken removal services. Stray and feral chickens which are picked up, trapped, or captured by the City, its designees, agents, or contractors, shall be impounded for a period of not less than ten calendar days. Impounded chickens shall be released to their owners upon payment of an impoundment fee. The amount of the impoundment fee shall be set by resolution of the City Council of the City. Failure to claim a chicken and pay the impoundment fee within the impoundment period shall be deemed a waiver of any right, title, claim or interest in the chicken. Chickens which are not redeemed by their owners may be disposed of in any manner deemed appropriate by the City Council of the City. The impoundment of the stray or feral chickens, and subsequent disposition thereof, shall not relieve the chicken's owner liability for civil penalties imposed violations of subsection (a).
- (c) Before conducting stray and feral chicken removal activities, the City shall provide notice that stray or feral chicken will be picked up, trapped, and captured by the City, and/or any designee, agent or contractor of the City, in such areas of the City which the City Council may determine from time to time be suffering from an infestation of stray or feral chickens. Such notice shall consist of at least one advertisement published in a newspaper of general circulation in Hardee County. Said notice shall be published not less than ten calendar days prior to the commencement of stray and feral chicken removal services. In addition to publication, a copy of the above notice shall also be posted at the Wauchula City Hall and City of Wauchula Animal Control Shelter not less than ten calendar days prior to the commencement of stray and feral chicken removal services.  
(Ord. No. 851, § 2, 8-9-99)

There appears to be a conflict between the Table of Land Uses and the Code of Ordinances since the Table of Land Uses permits the keeping of animals in the AG and FR districts while the Code of Ordinances prohibits the keeping of animals. Direction needs to be provided so that the Table of Land Uses and the Code of Ordinances do not conflict.

### ***Part 2 – Discussion of Junk and Inoperable Property***

The current language relating to the storage of junked and inoperable property has some potentially conflicting language.

- Section 2.023.02(A) says that a motor vehicle that is inoperable and/or is unlicensed may not be stored on any zoning lot unless it is in an enclosed building or part of a licensed junkyard/recycling business.
- Section 2.023.02(C) says that classic or antique vehicles that are being restored not for profit can be stored as long as they are obscured from public view.

- The language under accessory uses for zoning districts FR, R-1A, R-1, R-2, R-3, and R-4 says that the repairing or refinishing of vehicles and the storage of wrecked or inoperable vehicles shall not be permitted on lots and yards in residential districts. Wrecked or inoperable vehicles may only be stored in an enclosed building.

### ***2.023.02 Storage of Junked and Inoperable Property***

- (A) No motor vehicle, part thereof, or trailer that is inoperable for 30 days or more and/or is unlicensed, may be stored on any zoning lot unless either completely inside an enclosed structure or pursuant to a licensed junkyard and/or recycling business on the zoning lot.
- (B) No discarded objects, including but not limited to appliances, building parts, vehicle parts, or equipment parts, may be stored on any zoning lot unless either completely inside an enclosed structure or pursuant to a licensed junkyard and/or recycling business on the zoning lot.
- (C) Storage of more than two inoperable vehicles constitutes a junkyard. However, an individual who is restoring, not for profit, a classic or antique vehicle, may have a maximum of two inoperable vehicles on a zoning lot as long as they are obscured from public view and of the same make and model of the vehicle he is restoring.

The FR, R-1A, R-1, R-2, R-3, and R-4 districts include the following language regarding the repairing, refinishing, and restoring of wrecked or inoperable vehicles as an accessory use:

- (1) Repairing or refinishing of vehicles and the storage of wrecked or inoperable vehicles shall not be permitted on lots and yards in residential districts. Wrecked or inoperable vehicles may only be stored in an enclosed building.

The following changes (highlighted) were presented to the Planning and Zoning Board at their meeting:

- 2.023.02(A): No motor vehicle, part thereof, or trailer that is inoperable for **30 10** days or more and/or is unlicensed, may be stored on any zoning lot unless either completely inside an enclosed structure or pursuant to a licensed junkyard and/or recycling business on the zoning lot.
- (B) No discarded objects, including but not limited to appliances, building parts, vehicle parts, or equipment parts, may be stored on any zoning lot unless either completely inside an enclosed structure or pursuant to a licensed junkyard and/or recycling business on the zoning lot.
- (C) Storage of more than two inoperable vehicles constitutes a junkyard. However, an individual who is restoring, not for profit, a classic or

antique vehicle, may have a maximum of two inoperable vehicles on a zoning lot as long as they are obscured from public view and of the same make and model of the vehicle he is restoring. Restoring of vehicles only may be permitted only within an enclosed building in a residential zoning district. Wrecked or inoperable vehicles may only be stored in an enclosed building. Such storage of these vehicles shall not exceed three vehicles on a residential lot within an enclosed building.

*Accessory Uses Language for the FR, R-1A, R-1, R-2, R-3, and R-4 districts:*

- (1) Repairing ~~or refinishing~~ of vehicles and the storage of wrecked or inoperable vehicles shall not be permitted on lots and yards in residential districts. Restoring of vehicles may be permitted only within an enclosed building in a residential zoning district. Wrecked or inoperable vehicles may only be stored in an enclosed building. Such storage of these vehicles shall not exceed three vehicles on a residential lot within an enclosed building.

The presented language changes generated a discussion at the Planning and Zoning Board meeting. As agreed upon with the Planning and Zoning Board, staff is requesting input from the City Commission to determine the direction of the proposed language. The following questions are generated by staff and are also a result of questions that were asked by the Planning and Zoning Board.

**Question 1:** *Letter A says an inoperable or unlicensed vehicle must be stored in an enclosed structure. Letter C says classic or antique vehicles that are inoperable or unlicensed but being restored may be stored in a way that they are obscured from public view. The residential zoning districts say the vehicles must be stored in an enclosed building, without the provision for classic or antique cars. P&Z was concerned that most residential lots would not have a large enough enclosed area for this activity. What approach would the Commission recommend?*

**Question 2:** *Letter C requires that the two inoperable vehicles on a zoning lot are of the same make and model of the vehicle being restored. Can this language be expanded to include makes and models with interchangeable parts as the vehicles being restored?*

**Question 3:** *What about instances of hardship such as a car that is operable but unlicensed because the car's owner is away on military duty?*

### ***Part 3 – Table of Land Uses Including the Types of Approval – Section 2.02.01***

The current Code includes for levels of development approval on the Table of Uses: Permitted (P), Site Development Plan (D), Special Exception (S), and Conditional Use (C). The uses differ in the level of approval they grant. Permitted uses and Site Development Plan uses are uses that are allowed in perpetuity once granted. Special exception uses are granted for the person who applied for them and will expire if the use is vacated or the person sells their business without the new owner obtaining special exception approval. Conditional uses are considered rezonings that run with the land in perpetuity once granted. They do not expire and the ownership does not play a role, which means if a use was permitted, vacated for 10 years, and sold to someone else, that person would have the right to start that business again.

Under the Current Code these four use types are approved in the following manner:

- Permitted – approved by staff upon confirmation that Code requirements are met
- Site Development Plan – Developments under 5 acres are approved by staff upon confirmation that the site plan meets Code requirements; Developments over 5 acres are approved by the Planning and Zoning Board
- Special Exceptions – approved by Planning and Zoning Board
- Conditional Uses – reviewed by the Planning & Zoning Board and approved by the City Commission

Based on a review of the levels of approval and their utilization, staff is proposing to adjust the levels of development approval to: Permitted (P), Permitted with Conditions (PC), Special Exception (S), and Required Planned Unit Development (\*).

- **Permitted (P)** uses will remain uses that are permitted once it is determined they are in compliance with the other requirements of the code.
- **Permitted with Conditions (PC)** uses are a new category of uses that provide a list of conditions that must be met for the use to occur. The uses that are currently under Site Development approval will be included in this section. In addition, uses that are currently permitted may be changed to this category if there are conditions that need to be met. At the Development Director's discretion, developments larger than 5 acres may be forwarded to the Planning and Zoning Board for their approval.
- **Special Exception (S)** uses are an amended category that will include both current special exception and some conditional use items with their appropriate conditions. The regulations for this updated category are a combination of the existing special exception and conditional use categories. These uses will go before the Planning & Zoning Board for review and the City Commission for approval. Upon approval, these uses will be able to exist as long as they are not vacated. However, the right to continue these uses will run with the land, which means that the owner that was granted the use can sell the business as long as the business conforms to the site plan and conditions that were approved as part of the special exception approval.

- Requires Approval of a Planned Unit Development (\*)** uses are a new category that will some conditional use items with their appropriate conditions. The regulations for this new category are mainly the requirements from the conditional use category as well as the requirements for Planned Unit Development. These uses will go before the Planning & Zoning Board for review and the City Commission for approval. Upon approval, the property is rezoned as a PUD and the use will be able to exist in perpetuity as long as the use meets the requirements set out in the approved Master Development Plan.

The Table of Uses below includes all the proposed changes to date. Staff would like to receive input from the City Commission on the proposed changes.

**Table 2.052.01(A) Table of Land Uses**

Category / Use	AG	FR	R-1A	R-1	R-2	R-3	R-4 MH	P-1 Profes sional & Neigh. Com m.	HC-1 Histor ie Down town Com merci al	C-1 Com merci al	C-2 High way Com m. & Light Manu factur e	I Indus trial	P/SP Public / Semi Public	CON
<b>Agriculture Uses</b>														
<u>Agricultural activities Uses and farm animals</u>	P													
<u>Agriculture, Limited Uses and farm animals</u>	P	P												
Field, row & tree crops	P	P												
<u>Nurseries and Greenhouses, commercial -wholesale &amp; noncommercial as accessory uses only</u>	P	P												
Roadside stands for sale of ag products	P	P												
<u>Keeping of cattle, horses, excluding feed lots or dairies, and other farm animals</u>	P	P												
Sale & storage of hay & straw	P	P												
<u>Drying of crops</u>	P	P												
Farm Labor Camp	E*	E*												
Forest land & pasture for grazing cattle & horses	P	P												
<u>Keeping of poultry, rabbits, and other animals for private use</u>	P	P												



Category / Use	AG	FR	R-1A	R-1	R-2	R-3	R-4 MH	P-1 Profes sional & Neigh. Comm.	HC-1 Histor ie Down town Comm merci al	C-1 Comm merci al	C-2 High way Comm. & Light Manu factur e	I Indus trial	P/SP Public / Semi Public	CON
<u>Equestrian Facility, Private stables</u>	P	P												
<b>Single Family Detached</b>														
Single family, std. construction <u>and modular</u>	P	P	P	P	P	P	P	P	S	S	S			S
<del>Single family, modular</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>S</del>	<del>P</del>	<del>S</del>	<del>S</del>	<del>S</del>			<del>S</del>
Single family, manufactured home (mobile home)	<u>DP</u>	<u>DP</u>					<u>DPC</u>							S
Manufactured Home Subdivision (a.k.a. <u>Mobile Home Park</u> )							<u>EPC</u>							
<u>Mobile Home Park</u>							<u>S</u>							
Single family, Cluster subdivision (see Section 7.07.01)	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>							
<del>Single family, Dwelling, Zero Lot Line homes (see Section 7.07.02)</del>	<del><u>SPC</u></del>	<del><u>SPC</u></del>	<del><u>SPC</u></del>	<del><u>SPC</u></del>	<del><u>SPC</u></del>	<del><u>SPC</u></del>	<del><u>SPC</u></del>							
Single family subdivision with more than 225 units			<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>E*</u>							
<u>Duplex, two family</u>					<u>DP</u>	<u>DP</u>			<u>SP</u>	<u>SP</u>	<u>SP</u>			
<b>Two Family Residential Accessory Residential</b>														
<del>Duplex</del>					<u>D</u>	<u>D</u>			<u>S</u>	<u>S</u>	<u>S</u>			
Garage apartment, detached	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>		<u>PC</u>	<u>S</u>	<u>S</u>	<u>S</u>			
In-law units, attached	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>		<u>PC</u>	<u>S</u>	<u>S</u>	<u>S</u>			
<u>2nd or 3rd floor living units above retail</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			
<b>Multi-Family Residential</b>														
<u>Triplex, three family</u>					<u>PC</u>	<u>PC</u>				<u>PC</u>	<u>PC</u>			
<u>Apartment Building</u>					<u>PC</u>	<u>PC</u>			<u>PC</u>	<u>PC</u>	<u>PC</u>			
<u>Patio Homes</u>					<u>PC</u>	<u>PC</u>			<u>PC</u>	<u>PC</u>	<u>PC</u>			
<u>Townhouse</u>					<u>PC</u>	<u>PC</u>			<u>PC</u>	<u>PC</u>	<u>PC</u>			
<u>Cluster development of 5 acres or less</u>							P		P	P	P			

Category / Use	AG	FR	R-1A	R-1	R-2	R-3	R-4 MH	P-1 Profes sional & Neigh. Com m.	HC-1 Histor ie Down town Com merci al	C-1 Com merci al	C-2 High way Com m.-& Light Manu factur e	I Indus trial	P/SP Public / Semi Public	CON
Cluster Development: Apartment, Townhouse, Condo, Patio Home, Zero Lot Line Home or Z-lot Development: 5 acres or more						ⓓ		ⓓ	ⓓ	ⓓ	ⓓ			
2nd or 3rd floor living units above retail								P	P	P	P			
Multi-family development with more than 125 units						Ⓢ*								
<b>Group Care Facilities</b>														
Adult Family Care Home, Family Day Care Home, Family Foster Home	P	P	P	P	P	P	P							
<b>Family Care:</b> <u>Adult Family Care Home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>							
<u>Community Residential Home (up to 6 residents) – May not be located within 1,000 foot radius of same use</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>							
<u>Community Residential Home (7 to 14 residents)</u>					<u>Ⓢ</u>	<u>Ⓢ</u>	<u>Ⓢ</u>							
<u>Family Day Care Home/Family Child Care Home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Ⓢ</u>	<u>Ⓢ</u>	<u>Ⓢ</u>			
<u>Family Foster Home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Ⓢ</u>	<u>Ⓢ</u>	<u>Ⓢ</u>			
Child Care Facility, Adult Day Care Center, Assisted Living Facility, Foster Care Facility, Group Home Facility, Hospice Residential Unit						ⓓ		ⓓ		ⓓ	ⓓ		ⓓ	
<b>Special Needs Care Facilities:</b> <u>Adult Day Care Center</u>						<u>ⓓPC</u>		<u>ⓓPC</u>		<u>ⓓPC</u>	<u>ⓓPC</u>		<u>ⓓPC</u>	
<u>Child Care Facility</u>						<u>ⓓPC</u>		<u>ⓓPC</u>		<u>ⓓPC</u>	<u>ⓓPC</u>		<u>ⓓPC</u>	
<u>Foster Care Facility</u>						<u>ⓓPC</u>		<u>ⓓPC</u>		<u>ⓓPC</u>	<u>ⓓPC</u>		<u>ⓓPC</u>	

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<u>Group Home (4 - 6 residents)</u>					<u>DPC</u>	<u>DPC</u>		<u>DPC</u>		<u>DPC</u>	<u>DPC</u>		<u>DPC</u>	
<u>Group Home (7 - 15 residents)</u>						<u>DPC</u>		<u>DPC</u>		<u>DPC</u>	<u>DPC</u>		<u>DPC</u>	
<u>Assisted Living Facility</u>						<u>DPC</u>		<u>DPC</u>		<u>DPC</u>	<u>DPC</u>		<u>DPC</u>	
<u>Nursing Home</u>						<u>PC</u>		<u>PC</u>		<u>PC</u>	<u>PC</u>		<u>PC</u>	
<u>Hospice</u>			<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>DPC</u>		<u>DPC</u>		<u>DPC</u>	<u>DPC</u>		<u>DPC</u>	
<b>Lodging</b>														
Bed and Breakfast Inn	P	P	P	P	P	P		P	P	P	P	P		
Hotel/Motel									<u>PC</u>	<u>PC</u>	P	P		
RV Park/Campground							<u>CS</u>				<u>S</u>		<u>S</u>	
<b>Office/Financial/Medical Facilities/Clubs</b>														
Bank/Financial Institution								P	P	P	P	P		
<u>Clinic, Medical</u>								P	<u>S</u>	P	P	P		
<u>Club Fraternal, Civic</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	P	P	P	P	P		
<u>Funeral Home/Mortuary</u>								<u>DPC</u>	<u>DPC</u>	<u>DPC</u>	<u>DPC</u>	P		
Hospital										<u>*</u>	<u>C*</u>	<u>C*</u>		
<u>Medical/Dental/Health Care Office/Laboratory</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>PC</u>		
<u>Medical Laboratory</u>											<u>S</u>	<u>P</u>		
<u>Professional Office/Business Office</u>								P	P	P	P	P		
<u>Real Estate/Business Office</u>								P	P	P	P	P		
<b>Personal Services</b>														
<u>Barber and Beauty Shops</u>								P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Fitness Center/Health Club</u>								<u>P</u>	<u>PC</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>PC</u>	
<u>Laundromat</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Laundry/Dry Cleaning Drop-Off and Pick-Up</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Nail Salons</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Pet Groomer, No Boarding</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Seamstress/Tailor</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Shoe Repair</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		

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<u>Spa, daytime</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Body Art Shop (Tattoos)</u>										<u>PC</u>	<u>PC</u>	<u>PC</u>		
<b>Retail Commercial, nNo oOutdoor sStorage or aActivities</b>														
<u>Adult Entertainment Establishment</u>												<u>DS</u>		
<u>Antique store</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Appliance Maintenance and rRepair, Small Equipment</u>									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Bakery, Retail (Bakeshop)</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Convenience Store (no gas) without Gas</u>								<u>DP</u>			<u>DP</u>	<u>DP</u>		
<u>Drinking Establishment Bars, Lounges, and Taverns</u>								<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>		
<u>Funeral Home</u>								<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>P</u>		
<u>General Retail Retail Sales</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Hardware stores, small</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Home based occupation</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Laundromats, Dry cleaning drop-off</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Kennels, Commercial (indoor)</u>										<u>P</u>	<u>P</u>	<u>P</u>		
<u>Mini Warehouse, Mini/Self Storage</u>											<u>DP</u>	<u>DP</u>		
<u>Nursing home (for profit)</u>						<u>S</u>					<u>D</u>			
<u>Night Clubs and Dance Halls</u>									<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>		
<u>Office Supply Stores &amp; Mailing/Shipping Stores</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Pharmacy/Drugstore</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			
<u>Plant nursery, flower shop, Nursery and Garden Center (indoor)</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Recreation, indoor, commercial</u>								<u>D</u>			<u>D</u>	<u>D</u>	<u>D</u>	
<u>Recycling center (indoor)</u>												<u>P</u>		
<u>Restaurant/Bakery (sit down/table service)</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		

Category / Use	AG	FR	R-1A	R-1	R-2	R-3	R-4 MH	P-1 Profes sional & Neigh. Com m.	HC-1 Histor ie Down town Com merci al	C-1 Com merci al	C-2 High way Com m.-& Light Manu factur e	I Indus trial	P/SP Public / Semi Public	CON
<u>Restaurant (take out/short order)</u>									<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
Restaurant with lounge								S	S	<del>DS</del>	<u>SPC</u>	S		
Restaurant with on-site consumption of beer or wine								<u>P</u>	P	P	P	P		
<u>Restaurant, Drive-in or Drive-thru</u>											<del>DPC</del>	<del>DPC</del>		
Shopping Center (less than 150,000 GLA)										<u>PC</u>	<del>DPC</del>			
Shopping Center/ <del>Superstore</del> <u>Big Box Retail</u> (more than 150,000 GLA)											<u>CS</u>			
Veterinary Clinic, Animal Hospital, <del>General and Small</del> <u>No Outdoor Kennels</u>										<u>P</u>	<del>DP</del>	<del>DP</del>		
<b>Retail Commercial, <del>o</del>Outdoor <del>s</del>Storage</b>														
Agricultural activities + farm animals	<u>P</u>													
Agriculture, Limited + farm animals	<u>P</u>	<u>P</u>												
Building Supply Sales											P	P		
Commercial Parking Lot											<del>DPC</del>	P		
<u>Farmer's Market</u>	<u>PC</u>							<u>PC</u>	<u>PC</u>	<u>PC</u>	<u>PC</u>			
Flea Market											S	S		
Kennel ( <u>Outdoor</u> )	<del>DPC</del>	<del>DPC</del>										P		
<del>Mobile Home/RV Sales</del>											<del>D</del>	<del>P</del>		
<u>Plant Nursery Nurseries and Garden Centers</u>	<u>P</u>	<u>P</u>						S		<u>PC</u>	<del>DPC</del>	P		
<u>Commercial Retail</u>														
<del>Recreation, outdoor, commercial</del>											P	P		
Recycling Center (outdoor)	S											<u>PS</u>		
Temporary Uses: Tent, Circus, Carnival	<del>D</del>	<del>D</del>	<del>D</del>	<del>D</del>	<del>D</del>	<del>D</del>	<del>D</del>	<del>D</del>			<del>D</del>	<del>D</del>	<del>D</del>	
Truck Stop												P		
Veterinary Clinic or Hospital with outdoor kennels										<u>PC</u>	<u>PC</u>	<u>P</u>		
<b>Motor Vehicle Sales, Repairs, Rentals, Parts (from least intensive to most intensive)</b>														
<u>Auto Parts, <del>retail</del> Sales indoor</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		

Category / Use	AG	FR	R-1A	R-1	R-2	R-3	R-4 MH	P-1 Profes sional & Neigh. Com m.	HC-1 Histor ie Down town Com merci al	C-1 Com merci al	C-2 High way Com m.-& Light Manu factur e	I Indus trial	P/SP Public / Semi Public	CON
New or Used Sales-Automobile, Truck and Boat Sales and/or Rental/Leasing Establishment											DPC	DPC		
New Sales w/Repair											DPC	DPC		
Rental of vehicles											DPC	DPC		
Mobile Home/RV Sales											DPC	P		
Parts, retail indoor								P	P	P	P	P		
Filling Station (Convenience Store w/ Gas)											P	P		
Service Station (minor repair, no sales)											P	P		
Major Repair, No Sales											P	P		
Auto Salvage Yard/Wholesale parts												CS		
Junkyard												C*		
<b>Retail Commercial, Outdoor Storage</b>														
Agricultural activities + farm animals	P													
Agriculture, Limited + farm animals	P	P												
Building Supply Sales											P	P		
Commercial Parking Lot											D	P		
Flea Market											S	S		
Kennel	D	D										P		
Mobile Home/RV Sales											D	P		
Plant Nursery	P	P						S			D	P		
Recreation, outdoor, commercial											P	P		
Recycling Center (outdoor)	S											P		
Temporary Uses: Tent, Circus, Carnival	D	D	D	D	D	D	D	D			D	D	D	
Truck Stop												P		
<b>Office/Financial/Medical Facilities/Clubs</b>														
Bank/Financial Institution								P	P	P	P	P		

Category / Use	AG	FR	R-1A	R-1	R-2	R-3	R-4 MH	P-1 Profes sional & Neigh. Com m.	HC-1 Histor ie Down town Com merci al	C-1 Com merci al	C-2 High way Com m.-& Light Manu factur e	I Indus trial	P/SP Public / Semi Public	CON
Clinic								P	S	P	P	P		
Club Fraternal, Civic	D	D	D	D	D	D	D	P	P	P	P	P		
Hospital											C	C		
Medical Laboratory											S	P		
Professional Office								P	P	P	P	P		
Real Estate/Business Office								P	P	P	P	P		
<b>Nonretail/Service Commercial/Light Industrial</b>														
Cabinet Shop										PC	DPC	DP		
Contractor Storage Yard											DPC	DPC		
Sales/repair of Heavy Equipment												DPC		
Warehouse											DPC	DPC		
<b>Food and Beverage Manufacturing, Processing, and Packaging, Light Industrial:</b>														
Bottling Plant/Bakery	S												DPC	
Cannery	S												DPC	
Food Processing/Packaging	S												DPC	
Manufacture of finished products, Light Industrial										PC	PC	P		
<b>Heavy Industrial</b>														
Wholesale Distributor and Distribution												DPC	DPC	
Airports/aviation uses	CS												CS	
Bottling Plant/Bakery	S												DPC	
Bulk storage of explosive gases													DPC	
Cannery	S												D	
<b>Food and Beverage Manufacturing, Processing, and Packaging, Heavy Industrial:</b>														
Citrus Processing Plant	S												DPC	
Commercial Incinerator													DPC	
Food Processing/Packaging	S												D	

Category / Use	AG	FR	R-1A	R-1	R-2	R-3	R-4 MH	P-1 Profes sional & Neigh. Com m.	HC-1 Histor ie Down town Com merci al	C-1 Com merci al	C-2 High way Com m.-& Light Manu factur e	I Indus trial	P/SP Public / Semi Public	CON
Freight/Trucking Truck and Motor Freight Terminals												DPC		
Manufacture of building materials												D		
Manufacture of explosives												DPC		
Manufacture of finished products, heavy industrial												DPC		
Printing/ and Publishing											DPC	DPC		
Processing Manufacture of raw materials	CS											DPC		
Recycled Materials Processing Facility	S											DPC		
Sales/minor storage of propane gas	S						DPC				DPC	DPC		
Storage of sand/gravel/blocks	S										DPC	DPC		
<b>Public/Semi Public Service Facilities</b>														
Broadcast stations & transmission towers														P
Cemetery														P
Communications Towers & Telecommunications Tower	CS											CS		
Correctional Facility													CS	
Electrical Power Plant														P
Emergency services											DPC	P	P	
Government offices & governmental agency offices Facilities and Structures								DPC	DPC	DPC	DPC	P	P	
Maintenance facilities & storage yards for schools, government agencies, telephone and cable companies.	DPC										P	P	P	
Electrical Power Substation											P	P	P	
Sewer Wastewater Lift Station	P	P	P	P	P	P	P	P	P	P	P	P	P	
Sewer Wastewater Treatment/Water Treatment Plant (on-site)											P	P	P	
Sewer/Water Plant (off-site)												P	P	
Telephone Switching Station	P	S	S	S	S	S	S		S	DPC	P	P	P	



Category / Use	AG	FR	R-1A	R-1	R-2	R-3	R-4 MH	P-1 Profes sional & Neigh. Com m.	HC-1 Histor ie Down town Com merci al	C-1 Com merci al	C-2 High way Com m- & Light Manu factur e	I Indus trial	P/SP Public / Semi Public	CON
<b>Public/Semi Public Educational &amp; Cultural Facilities</b>														
Church	Ø	Ø	Ø	Ø	Ø	Ø	Ø	Ø			Ø		Ø	
Civic Center/Auditorium						Ø	Ø				P		P	
College/University						ØPC	ØPC				P		P	
Community Center						P	P	P			P		P	
Public Library	P	P				P	P	P	P		P		P	
Museum	P	P				Ø	Ø	P	P	P	P	Ø	P	
School, Private (grades K-12)	S	S			S	S	S	S	S	ØPC			S	
School, Public (grades K-12)	ØP	ØP	ØP	ØP	ØP	ØP	ØP	P			ØPC		P	
School, Vocational, Technical, School Trade						ØPC	ØPC				ØPC	ØPC	P	
<b>Public/Semi Public Recreation Uses</b>														
Golf Course-see district for more info	P	P	P	P	P	P	P				P	P	P	
Park, Passive	P	P	P	P	P	P	P	P	P	P	P	P	P	S
Recreation, indoor, public	P	P				P	P				P	P	P	S
Recreation, outdoor, public	P	P	P	P	P	P	P				P	P	P	S
<b>Places of Public Assembly</b>														
Church-Places of Worship	ØPC	ØPC	ØPC	ØPC	ØPC	ØPC	ØPC	ØPC	PC	PC	ØPC	PC	ØPC	S
Civic Center/Auditorium						ØPC	ØPC				PC		PC	
Community Center						PC	PC	PC			PC		PC	
Club Fraternal, Civic	ØPC	ØPC	ØPC	ØPC	ØPC	ØPC	ØPC	PC	PC	PC	PC	PC		
Public Library	PC	PC				PC	PC	PC	PC		PC		PC	
Museum	PC	PC				ØPC	ØPC	PC	PC	PC	PC	ØPC	PC	
Recreation, indoor, commercial								ØPC	PC		ØPC	ØPC	ØPC	
Recreation, outdoor, commercial	PC	PC									PC	PC		
Recreation, indoor, public	PC	PC				PC	PC				PC	PC	PC	S
Recreation, outdoor, public	PC	PC	PC	PC	PC	PC	PC				PC	PC	PC	S

**City of Wauchula 2012 Land Development Code Amendments**  
**Article 2 and 9 (related to article 2)**  
**Overview**

**ARTICLE 2 – REGULATIONS FOR SPECIFIC DISTRICTS****Major Amendments**

~~2.052.01:~~ The levels of allowed uses have changed to remove site development plan (D) and Conditional Use (C) and to add Permitted with Conditions (PC) and Require Planned Unit Development Approval (\*).

Table of Land Uses    See Table of Land Uses

~~2.023.04:~~ The affordable housing density bonus language has been deleted and replaced with language consistent with the requirements for affordable housing bonus programs in the Florida Statutes

~~2.03.008:~~ Alcoholic Beverages Section relocated under General Requirements for All Zoning Districts rather than being its own Section since it applies to all zoning districts. Language that does not specifically relate to zoning will be relocated to Article 3 of the Code of Ordinances.

~~2.064.012:~~ Garage Apartment language amended to remove requirement for being on a separate meter because that is not in keeping with the Codes. The square footage requirements are updated to match the definition.

~~2.064.034:~~ Swimming pool requirements separated into requirements for single family/duplexes or public pools. In addition, language regarding pool safety has been added.

**Minor Amendments**

Throughout:    1. Sections reorganized.

2.01.00:    Language added to provide clarity on development approval and on the interpretation of materially similar uses.

2.052.02:    The zoning category description language has been updated to

- Reflect the appropriate Future Land Use Categories
- Update the stated purpose.
- Incorporate the proposed changes to the language associated with the levels of allowed uses.

- Provide for HC-1 as a stand-alone zoning district in keeping with the Official Zoning Map.
- 2.023.02: Language changed regarding the storage of junked and inoperable property (see discussion page).
- 2.03.03: Modular home requirements relocated from accessory uses to uses required for all zoning districts since they are applicable to all zoning districts.
- 2.023.05: Language updated to avoid confusion with special needs terminology. Zoning district updated to reflect Table of Land Uses.
- 2.023.07: Language added to address the permitted use of tents, RVs, and campers in approved campgrounds.
- 2.03.008: Alcoholic Beverages Section relocated under General Requirements for All Zoning Districts rather than being its own Section since it applies to all zoning districts. Language that does not specifically relate to zoning will be relocated to Article 3 of the Code of Ordinances.
- 2.04.01: In-law units are expanded to permit occupation by care givers.
- ~~2.02-03~~ 2.05.00: The language relating to the authority and maintenance of the Historic Board has been relocated under Article 8.

## ARTICLE 9 – DEFINITIONS (RELATED TO ARTICLE 2)

### New Definitions:

Auto Parts Sales  
Automobile, Truck and Boat Sales and/or Rental/Leasing Establishments  
Automobile, Truck and Boat Repair  
Automotive Equipment Rental Establishments  
Automotive Repair and Maintenance  
Bakery, Retail  
Banks and Financial Institutions  
Big Box Retail  
Body Art Shop  
Building Supply Sales

Business Office  
Clubs, Community/Fraternal  
Cluster Home  
Cluster Subdivision, Single Family  
Community Centers  
Community Residential Home  
Contractor's Shops and Storage Yards  
Convenience Store With Gas  
Correctional Facilities  
Critical Facility  
Dwelling, Single Family Attached  
Dwelling, Triplex  
Dwelling, Zero Lot Line Home  
Equipment and Material Storage Yards  
Equipment, Light Duty  
Equipment, Heavy Duty  
Equipment Sales and Rental  
Equestrian Facility, Commercial  
Equestrian Facility, Private Stable  
Electrical Power Plant  
Electric Power Substation  
Family Child Care Home, Large  
Farmers Market  
Flea Market  
Food and Beverage Manufacturing, Processing and Packaging, Heavy Industrial  
Food and Beverage Manufacturing, Processing and Packaging, Light Industrial  
In-law Units  
Kennel, Commercial  
Maintenance and Repair, Small Equipment  
Manufactured Housing  
Manufacturing of Finished Products:  
Manufacturing of Raw Materials  
Medical/Dental/Health Care Office/Laboratory  
Night Clubs and Dance Halls  
Nurseries and Garden Centers, Commercial Retail  
Nurseries and Greenhouses, Non-Commercial  
Nurseries, Wholesale  
Office Supply Store  
Parking Lot  
Parking Lot, Commercial  
Parking Space, Off-street  
Personal Services

Places of Public Assembly  
Places of Worship  
Printing and Publishing  
Professional Office and Services  
Recycling Center, Indoor  
Recycling Center, Outdoor  
Recycling Collection Station  
Recycled Materials Processing Facility  
Restaurant, Drive-in/Drive thru/Walk-up  
Restaurant, Sit Down/Table-Service  
Restaurant, Take Out & Short Order  
Retail Sales  
School, Vocational, Technical, Trade  
Self Storage Facility  
Screen Cage  
Shopping Center  
Shopping Center, Mini  
Swimming Pool, Public  
Triplex  
Truck and Motor Freight Terminals  
Truck Stop  
Veterinary Animal Hospital  
Veterinary Clinic  
Warehouse  
Warehouse, Mini  
Wastewater Facilities (aka "Sanitary Sewer Facilities")  
Wastewater Lift Station (aka "Sewer Lift Stations" or "Pump Stations")  
Wholesaling and Distribution

**Amended Definitions:**

Adult Day Care Center  
Adult Family-Care Home  
Apartment Building  
Assisted Living Facility (aka Adult Congregate Living Facility)  
Bars, Lounges, and Taverns  
Bed and Breakfast  
Cemetery  
Child Care Facility  
Communications Tower  
Convenience Stores without Gas  
Cultural Facilities  
Duplex  
Dwelling, two-family

Family Day Care Home  
Family Foster Home:  
Funeral Homes, Mortuaries, and Crematories:  
Garage Apartment (Guest House, cottage, etc)  
Group Home Facility  
Hospice  
Hospice Residential Unit  
Hotels and Motels  
Major Vehicle Repair  
Manufactured Home or Mobile Home  
Minor Vehicle Repair (Service Station)  
Modular Home or Building  
Motel  
Park Model Recreational Vehicle (Park Trailer)  
Patio Home  
Recreation Vehicle (RV)  
Recreation Vehicle (RV) Parks  
Recreation Vehicle Unit  
Sanitary Sewer Facilities  
Service Station, Minor Automotive Repairs  
Single Family Attached Dwelling Unit  
Swimming Pool, Single-Family/Duplex  
Town House  
Vehicle Equipment Rental Establishments  
Vehicle Parking Establishments

**Deleted Definitions:**

Automotive Repair, Major  
Automotive Repair, Minor (Service Station)  
Boarding House  
Business, Professional and Nonprofit Organization Offices  
Church  
Clinic  
Club  
Clustering  
Conditional use  
Drive-in Restaurant  
Eating and Drinking Establishments  
Garage, mechanical  
Gasoline Service Stations  
Kennel  
Lodging House  
Mortuaries, Funeral Homes, and Crematories

Publishing and Printing Service Establishments  
Religious Establishments  
Sleeping Room  
Sleeping Unit  
Wholesale and Storage Establishments