

CITY OF BRISTOL, FLORIDA

LAND DEVELOPMENT CODE

prepared for the

CITY OF BRISTOL

prepared by:

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CITY OF BRISTOL
LAND DEVELOPMENT CODE

PART I

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LAND DEVELOPMENT CODE

CHAPTER 1

STATUS OF LAND DEVELOPMENT CODE

AND PROCEDURES FOR AMENDMENTS

Section 1.1 Title

This Code shall be known and may be cited as the "The City of Bristol Land Development Code." Except where otherwise indicated, references herein to "the Code" or "this Code" shall be taken as references to the entire Land Development Code or to the specific provision which applies to the situation in question.

Section 1.2 Authority

The adoption of this Code is granted by the Florida Constitution and Laws. The City of Bristol City Council hereby exercises the power to classify land within the jurisdiction of City of Bristol into Land Use Categories consistent with the City of Bristol Comprehensive Plan, and to review and approve or disapprove plats and plans for the subdivision and development of land.

Section 1.3 Purpose

The purpose of this Code is to provide for orderly growth; to encourage the most appropriate use of land; to discourage incompatible uses of adjacent properties; to preserve and protect the environment and natural resources and beauty of City of Bristol; to protect and conserve the value of property; to prevent the overcrowding of land; to promote, protect and improve the health, safety, comfort, good order, appearance, convenience, and general welfare of the public and to help accomplish the goals and objectives of the City of Bristol Comprehensive Plan. This Code is deemed by the City Council of the City of Bristol, Florida to bring the City of Bristol into compliance with Sec. 163.3202, Florida Statutes.

Section 1.4 Interpretation and intent

- (1) *Generally.* In the interpretation of these regulations, the following rules shall be observed unless such construction would be inconsistent with the Comprehensive Plan or with the manifest intent of the City Council, or where the language of such section contains any express provisions excluding such construction.
 - (a) All provisions, terms, phrases and expressions contained in these regulations shall be liberally construed to follow the goals, objectives, and policies of the Comprehensive Plan in order for the true intent and meaning of the City Council to

be fully carried out. No provision shall be interpreted so as to limit or repeal any other powers granted to the City under state statutes.

- (b) In the interpretation and application of these regulations, it shall be held to be the minimum requirement adopted for the promotion of the public health, safety, comfort, convenience, and general welfare. Where any provision of these regulations imposes a greater restriction upon the subject matter than a general provision imposed by another provision of these regulations, the most specific provision shall be deemed to be controlling.

(2) *Effect of private agreements and other regulations.* This Code shall not interfere with, annul or abrogate any easements, covenants or other agreements between parties which are not inconsistent with this Code.

(3) *Computation of time.* The time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is a Saturday, Sunday or legal holiday recognized officially by City of Bristol, that day shall be excluded.

(4) *Delegation of authority.* Whenever a provision requires the head of a department or some other City officer or employee to do some act or perform some duty, it is to be construed to authorize delegation to qualified subordinates to perform the required act or duty unless the terms of the provision or section specify otherwise.

(5) *Gender, number and tense.* Words importing the masculine gender shall be construed to include the feminine and neuter. A word importing the singular number may extend and be applied to several persons and things as well as to one person and thing. The use of the plural number shall be deemed to include any single person or thing. Words used in the past or present tense include the future as well as the past or present.

(6) *Non-technical and technical words.* Words or phrases shall be construed according to the common and approved usage of the language, except that technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning. Words and phrases which are defined in the Code shall be construed as so defined.

Section 1.5 Jurisdiction

The provisions of this Code shall apply to all land, buildings, structures and uses in the incorporated areas of the City of Bristol and to any other area authorized by law or interlocal agreement.

Except as specifically provided below, the provisions of this Code shall apply to all development in City of Bristol, and no development shall be undertaken without prior authorization pursuant to this Code.

Sec. 1.5-1 Exceptions

(1) *Previously Issued Development Permits.* The provisions of this Code and any amendments thereto shall not affect the validity of any lawfully issued and effective development permit lawfully issued prior to the effective date of this enactment or for which application has been made prior to such date and for which the permit is issued within 90 days.

(2) *Previously Approved Development Orders.* Projects with development orders that have not expired at the time this Code or an amendment thereto is adopted, and on which development activity has commenced or does commence and proceeds according to the time limits in the regulations under which the development was originally approved, must meet only the requirements of the regulations in effect when the development plan was approved. If the development plan expires or is otherwise invalidated, any further development on that site shall occur only in conformance with the requirements of this Code or amendment thereto.

Section 1.6 Compliance with provisions required

(1) *Development activity.* No land, building or structure shall be erected, moved, added to, enlarged, altered or maintained after the effective date of this Code except in conformity and compliance with the provisions of this Code.

(2) *Development and building permits.* No development order or building permit shall be issued, and no site plan or subdivision plan or preliminary or final plat shall be approved,

recorded or referenced to convey property after the effective date of this Code except in conformity and compliance with the procedural and substantive provisions of this Code.

Section 1.7 Maintenance of copies

The original of this Code shall be maintained in the office of the City Clerk. Copies of the Code, including all current amendments, shall be maintained at the City of Bristol Clerk's Office and shall be available for public inspection.

ARTICLE II

AMENDMENTS TO COMPREHENSIVE PLAN

Section 1.8 Amendments to Comprehensive Plan

A. The general requirements to initiate an amendment to the City of Bristol Comprehensive Plan, or one of its elements are as follow:

1. An amendment may be proposed by the City Council, or the Local Planning Agency pursuant to Section 163.3174, Florida Statutes, any department or agency of the City, or any person other than those listed above provided, however, that none other than the City Council or the LPA shall propose an amendment for a land use designation change for property which he or she does not own (except as an agent or attorney for the owner).

2. The procedures provided herein shall apply to all Comprehensive Plan amendments. Amendments proposed in conjunction with a Florida Quality Development, a Development of Regional Impact, or in cases of emergency, as defined in Section 163.3187 (1) (a-b), Florida Statutes, shall follow the same procedures except for the filing dates and public hearing dates for final adoption.
3. As provided in Section 163. 3187, Florida Statutes, amendments to the Comprehensive Plan shall be made no more than twice each year.
4. Procedures for Plan Amendments shall be consistent with Section 163.3187, F.S.
5. In accordance with the above procedures, each Plan Amendment will require the Local Planning Agency to hold at least one public hearing after public notice as defined in Section 163, Florida Statutes, during which staff will present their review and make a preliminary recommendation to the Local Planning Agency. Following the Local Planning Agency public hearing, the proposed amendment shall be forwarded to the City Council with the recommendation of the Local Planning Agency.
6. After the Local Planning Agency public hearing the City Council shall hold the public hearing on the proposed amendment or amendments as required by Section 163.3184,F.S. The Board may transmit the proposed amendments to the Department of Community Affairs as recommended by the Local Planning Agency or with changes.

7. Upon receipt of the review comments to the proposed amendments from the Department of Community Affairs, the City Council shall hold a second public hearing pursuant to the notice required by Section 163.3184, F.S, at which the Council may adopt the amendment(s), adopt the amendment(s) with changes, or determine that it will not adopt the amendment(s).
8. Adoption of an amendment to the Comprehensive Plan shall be by Ordinance.
9. The adopted amendments(s) to the Comprehensive Plan will be transmitted to the Department of Community Affairs within ten (10) working days after adoption.

Section 1.9: Procedure for Amendment of Code

Sec. 1.9-1 Initiation of Amendment

A. A request for an amendment to this Code may be initiated at any time by the City Council, by the Local Planning Agency, or by the land owner (including his duly authorized agent) of the land for which the change is requested. Where there are multiple property owners, owners of fifty one (51) percent of the parcels, or owners of fifty one (51) percent of the interest in the total parcel must be represented as formal applicants.

Sec. 1.9-2 Procedure for Amendment

Any proposed amendment to this Code, including a proposal to adopt an Official Zoning Map shall be processed as provided by applicable law.

Sec. 1.9-3 Effective Date of Amendment

An ordinance enacted by the City Council to amend this Code shall be filed with the Florida Secretary of State and the effective date shall be as provided by law.

Sec. 1.9-4 Update of the Code

Immediately following the enactment of an ordinance amending this Code a copy of said ordinance shall be filed in the office of the Building Department for use in the administration and enforcement of the Code. Within thirty (30) days following the date said ordinance becomes effective, appropriate changes shall be made to incorporate said ordinance into this Code and be maintained in the Office of the City Clerk.

Section 1.10: Notice

Sec. 1.10-1 Notice by Mail

In addition to other notice required by law, whenever any action to grant a variance or a special exception or an amendment to this Land Development Code affecting a specific parcel or parcels of land shall be considered by the LPA or the City Council, a notice shall be posted on the subject property in a conspicuous place or places and shall set forth the time, place and purpose of the hearing related to the property being posted. The designee of the City Council is hereby authorized to post any said notice upon property proposed for the amendment, and it shall be unlawful for any person to remove or tamper with said notice

during the time period as may be established for the maintenance of said notice. There shall be no posting requirement or the mailing of notices for an amendment to the zoning text only.

Sec. 1.10-2 Additional Methods of Notification

In addition to required notices of proposed actions as heretofore set forth, other methods of notification may be utilized by the City Council at its option. Said methods may include but not be limited to mail notification to owners of property adjacent to property which are the subject of any proposed action to grant a variance or a special exception or an amendment to this Land Development Code. The designee of the City Council is hereby authorized to post any said notice upon property proposed for change, and it shall be unlawful for any person to remove or tamper with said notice during the time period as may be established for the maintenance of said notice.

Section. 1.11 Conduct of hearings

Any interested persons shall have the right to submit oral or written testimony at hearings before the LPA and the City Council. All testimonies and exhibits submitted at the hearing, including the application, shall be incorporated into the application file and shall be considered a part of the record on the application. Evidence which is immaterial, irrelevant, or unduly repetitious may be excluded. The hearings may be adjourned from time to time to dates established by public announcement at said hearings and shall be the earliest practical date for resumption of the hearings.

LAND DEVELOPMENT CODE

CHAPTER 2

LANGUAGE AND DEFINITIONS

Sec. 2.1 Construction of Language.

The following rules of construction apply to the text of this Code:

- (1) The particular shall control the general.
- (2) In the case of any difference of meaning or implication between the text of this Code and any caption or illustrative table, the text shall control.
- (3) The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
- (4) Words used in the singular shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- (5) A "building" or "structure" includes any part thereof.
- (6) The phrase "used for" includes "arranged for," "designed for," "maintained for" or "occupied for."
- (7) The word "person" includes an individual, a corporation, a partnership, an incorporated association or any other similar entity.

- (8) Unless the context clearly indicates a contrary meaning, where a regulation involves two (2) or more items, conditions, provisions or events connected by the conjunction "and," "or" or "either . . . or," the conjunction shall be interpreted as follows:
- (a) "And" indicates that all the connected items, conditions, provisions or events shall apply.
 - (b) "Or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
 - (c) "Either . . . or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
- (9) The word "includes" shall not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.

Sec. 2.2 References to other legislation.

Any reference made in this Code to any other local, state or federal legislation, rule or regulation, including all state statues and local building and technical codes, shall be interpreted to mean the most recent version of said legislation, rule or regulation which is in effect at the time in question, including all amendments thereto.

Sec. 2.3 Variations in district symbols or names.

Minor variations in the symbols or names established in this Code may be corrected by resolution of the City Council and shall not be deemed to affect the validity of the regulations so long as the purpose and intent is clear.

Sec. 2.4 Definition of terms.

- (1) Words used in this Code shall have their ordinary dictionary meaning unless otherwise defined in the Code.
- (2) Certain words and terms are specifically defined within the various chapters of this Code. Such definitions shall supersede the general definition or use of the word or term in this section and any other section where the subject is clearly related. Otherwise, generally accepted definitions or definitions herein shall prevail.
- (3) For the purposes of this Code, the following terms shall have the meanings set forth in this section unless otherwise indicated by the context:

Abut: means to physically touch or border upon, or to share a common property line.

Abutting property: Any property that is immediately adjacent to or contiguous to another property.

Accessory uses: A use customarily incidental, appropriate and subordinate to the principal use of land or buildings and located upon the same lot therewith.

Addition (to an existing building): means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

Adult Congregate Living Facility (ACLF): means a type of residential care facility, defined in Chapter 400, Part 2, Florida Statutes. An ACLF shall not include a "Nursing Home". An ACLF housing fourteen or fewer residents shall be a "Community Residential Home".

Aggrieved or Adversely affected person: Any person or local government which will suffer an adverse effect to an interest protected or furthered by the Comprehensive Plan, including interests related to health and safety; police and fire protection service systems; densities or intensities of development; transportation facilities; health care facilities, equipment or services; or environmental or natural resources. The alleged adverse interest may be shared in common with other members of the community at large, but shall exceed in degree the general interest in community good shared by all persons.

Agriculture: The use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, silviculture, viticulture, animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce;

provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

Agricultural Processing: means a permanent industrial use specifically associated with producing, harvesting or processing of agricultural products, as opposed to the growing of such products or the incidental on-site processing of such products.

Airport or airstrip: Any runway, landing area or other facility designed and used, either publicly or privately, by any person, for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tiedown areas, hangars and other necessary buildings and open spaces.

Alcoholic beverage establishment: Any establishment devoted primarily to the retail sale of alcoholic beverages for consumption on and/or off the premises.

Alley: A minor right-of-way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.

Alteration: Any change in the arrangement of a building; any work affecting the structural parts of a building; or any change in the wiring, plumbing, or heating or air conditioning systems of a building.

Animal hospital: See: Veterinary clinic or hospital.

Apartment house: See: Dwelling, multifamily.

Appeal: means a request for a review of the Development Administrator's interpretation of any provision of this Land Development Code or a request for a variance.

Applicant: The record owner of land which is the subject of a request for a change in zoning, a conditional use, a variance a home occupation permit or an appeal, or for approval of a subdivision plat or other land development approval, or the authorized agent of such owner.

Area of Shallow Flooding: means a designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of Special Flood Hazard: is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

Automobile or automotive vehicle: A self-propelled mechanical vehicle designed for use on streets and highways for the conveyance of goods and people, including, but not limited to the following: Passenger cars, trucks, buses, motor scooters and motor cycles, but not including construction equipment or machinery.

Automobile Repair: means a use providing for major repairs such as (but not limited to) body work, frame straightening, major mechanical repairs, painting, welding, or tire recapping, and may include towing services, and long term storage of operable or

inoperable vehicles in an enclosed building. This category does not include junkyard. This category addresses servicing and repair of automobiles and light trucks, and does not include large trucks or other mechanical equipment.

Automobile service station: Any building, structure or land used for the dispensing, sale or offering for sale at retail of any automobile fuel, oils or accessories, and in connection with which is performed general automotive servicing, as distinguished from automotive repairs. Uses permissible at an automobile service station do not include body work, straightening of body parts, painting, welding, storage or automobiles not in operating condition, or other work involving undue noise, glare, fumes, or smoke.

Automotive repair: The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting and steam cleaning of vehicles, and wherein an automobile service station may also operate.

Automotive wrecking or salvage yards: The dismantling or wrecking of used motor vehicles, mobile homes or other vehicles, or the storage, sale or dumping of such wrecked or dismantled vehicles or parts.

Bar: means an establishment having a bar and tables set up at all times and used for serving alcoholic beverages with or without food, and includes uses described as "lounges" or "taverns".

Base Flood: means the flood having a one percent chance of being equalled or exceeded in any given year.

Basement: means that portion of a building having its floor subgrade (below ground level) on all sides.

Billboard: See: Signs

Block: includes "tier" or "group" and means a group of lots existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers and having an assigned number, letter, or other name through which it may be identified.

Board: The Liberty County Board of County Commissioners.

Board of Adjustment: The Liberty County Board of Adjustment (the County Commission serving in such capacity) hears administrative appeals and applications for variances and conditional uses under the provisions of this Code.

Boarding house, rooming house or lodging house: A building where lodging only is provided for compensation to three (3) or more persons, but not exceeding twenty (20) persons shall be defined as a hotel under the terms of this ordinance.

Boatyard: A commercial or nonprofit boat basin with facilities for the sale, construction, repair, launching, storing, berthing, securing, fueling or general servicing of marine craft of all types.

Bond: Any form of security, including cash deposit, instrument of credit, collateral bond, surety or property, in an amount and form satisfactory to and approved by the County Commission, used for the following:

- (a) **Maintenance bond:** Upon issuance of a certificate of completion or when required improvements are installed prior to recording a plat surety must be posted in the amount of twenty-five (25) percent of the professional engineer's estimate of the cost of improvements. The condition of this obligations is that the local government will be protected against any defect caused by faulty materials or workmanship in these improvements for a period of three (3) years.
- (b) **Performance bond:** When required improvements are installed after recording a plat, surety must be posted in the amount of one hundred ten (110) percent of the engineer's or building and zoning official's estimate of completion costs, including landfill, to ensure completion.

Borrow pit: An excavation from which natural materials are removed for commercial use elsewhere, leaving a hole (pit).

Boundaries: Where a map is incorporated into this Code and used in connection with its administration, boundaries on such map which are shown as following or approximately following a street, utility line, railroad, river or stream, or other similar linear feature shall

be construed as following the centerline of that feature. Boundaries which are shown as following or approximately following any platted lot line or other property line, or a section line, half-section line, or quarter-section line shall be construed as following such line.

Breakaway Wall: means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

Buffering: See: Screening.

Building: means any building built for support, shelter, or enclosure for any occupancy or storage.

Building, accessory: A subordinate building or a portion of the main building located on the same lot as the main building, the use of which is incidental to that of the dominant use of the building or premises.

Building official: The Liberty County Building Director.

Building coverage: See: Lot coverage.

Building height: The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof, or the decline of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

Building line: A line establishing the minimum allowable distance between the nearest portion of any building and the street right-of-way line or street widening setback line, where applicable, when measured perpendicularly thereto.

Building permit: A permit authorizing the actual erection of a building or structure or component thereof. A building permit is also a "development permit" as defined below.

Building, principal: A building in which is conducted the main or principal use of the lot or parcel on which said building is situated. In a residential district,, any dwelling shall be deemed the principal building on the lot on which the same is situated. An attached carport, shed or garage, or any other structure with one or more walls or a part of the principal building and structurally dependent, totally or in part, on the principal building, shall be deemed a part of the principal building, but a detached and structurally independent carport, garage or other structure shall be deemed an accessory building.

Building setback line: A line establishing the minimum allowable distances between the nearest portion of any building and the street right-of-way line or street widening setback line, where applicable, when measured perpendicularly thereto.

Carport: A private garage not completely enclosed by walls or doors.

Car wash: An area or land or a structure with machine- or hand-operated facilities, used principally for the cleaning, washing, polishing, or waxing of motor vehicles.

Cemetery: Land used or intended to be used for the burial of the animal dead or human dead and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries, if operated in connection with and within the boundaries of such cemetery.

Centerline, street: A line running parallel with the right-of-way of a highway, which is half the distance between the extreme edges of the official right-of-way width.

Certificate of Occupancy: The certificate issued by the Building Official subsequent to final inspection indicating that all improvements have been completed in conformity with the requirements of all building codes, the requirements of this Code or the subdivision regulations, if applicable, and the approved constructions plans and specifications.

Certified survey: A survey, sketch, plan, map or other exhibit containing a sworn, written statement regarding its accuracy or conformity to specified standards certified and signed by the registered surveyor under whose supervision said survey was prepared.

Change of occupancy: Discontinuance of an existing use and the substitution thereof of a use of a different land or class. This term does not include a change of tenants or proprietors unless accompanied by a change in type of use.

Child care center: Any place, home or institution which receives three (3) or more children under the age of sixteen (16) years, and not of common parentage, for care apart from their natural parents, legal guardians custodians, when received for regular periods of time for compensation; provided, however, this definition shall not include public

and private schools organized, operated or approved under the laws of this state, custody of children fixed by a court of competent jurisdiction, children related by blood or marriage within the third degree to the custodial person, or to churches or other religious or public institutions caring for children within the institutional building.

Church: A building used for nonprofit purposes by a recognized or established religion as its place of worship, including a residential area for the pastor or minister of a sect.

County Commission: County Commission of Liberty County.

Clerk: The City Clerk of the City of Bristol.

Clinic, Dental or Medical: means a facility for the examination and treatment of ill and afflicted human out-patients, provided that patients are not kept overnight except under emergency conditions. This category includes a doctor's office, or the office of a group practice, as well as an emergency care facility. This category shall not include a hospital.

Club or Community Use: means any lodge or club, facility for a fraternal or benevolent association, or community center or civic association facility.

Club, night: A restaurant, dining room, bar or other similar establishment providing food or refreshments wherein paid floor shows or other forms of paid entertainment are provided for customers as part of the commercial enterprise.

Club, private: Any lodge or club, as defined in Florida Statutes Section 561.20(7), which includes:

- a) Subordinate lodges or clubs of national, fraternal or benevolent associations.
- b) Golf Clubs and tennis clubs municipally owned or leased.
- c) Nonprofit corporations or clubs devoted to promoting community, municipal or county development or any phase of community.
- d) Clubs fostering and promoting the general welfare and prosperity of members of showmen and amusement enterprises.
- e) Clubs assisting, promoting and developing subordinate lodges or clubs of national fraternal or benevolent associations.
- f) Clubs promoting, developing and maintaining cultural relations of people of the same nationality.

Cocktail Lounge: A room having a bar and tables set up at all times and used for serving alcoholic beverages and/or food.

Commercial Use: means any use involving trade with the general public, as opposed to the manufacture or wholesale distribution of goods.

Commercial Use, neighborhood: Means commercial uses of a convenience commercial nature intended to serve the daily needs of the surrounding neighborhood, including retail commercial, professional, office, personal services, financial services, and the sale of automobile fuel.

Community Residential Home, Major: means a dwelling unit licensed by the State, which provides a living environment for seven (7) to fourteen (14) unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

Community Residential Home, Minor: means a community residential home designed to serve fewer than seven (7) residents.

Community-based residential facilities: The following uses:

- (a) *Emergency shelter:* Any residence, dwelling, building or other place providing room and board and protection, counseling or preplacement screening for three (3) or more abused adults, children or similar persons not related to the owner by law, blood, marriage or adoption, with the average stay per person less than thirty (30) days and provided that such services shall not include intensive treatment or therapy.

For the purposes of this Code, the term "emergency shelter" shall not be deemed to include group care homes, family care homes, residential treatment facilities, or recovery homes.

- (b) *Emergency home shelter:* Any dwelling providing room and board and protection, preplacement screening or counseling for one (1) or two (2) abused

children, abused adults or similar persons not related to the owner of the premises by law, blood, marriage or adoption, for a period not to exceed an average stay of thirty (30) days per person, but such services shall not include either intensive treatment or therapy.

For the purposes of this Code, the term "emergency shelter home" shall not be deemed to include group care homes, family care homes, residential treatment facilities, or recovery homes.

- (c) *Family care home:* Any dwelling occupied by six (6) or fewer persons, including staff, whether operated for profit or not, which provides for a period exceeding twenty-four (24) hours, one (1) or more personal services for persons who require such services not related to the owner or administrator by law, blood, marriage or adoption, and not in foster care. The personal services, in addition to housing and food services, may include but not be limited to personal assistance with bathing, dressing, housekeeping, adult supervision, emotional security and other related services, but not including medical services.

For the purposes of this Code, the term "family care homes" shall not be deemed to include rooming or boarding homes, fraternities, sororities, clubs, monasteries or convents, hotels, emergency shelters, residential treatment facilities, recovery homes or nursing homes.

- (d) *Group care home:* Any dwelling, building or other place occupied by seven (7) or more persons, including staff, whether operated for profit or not, which provides for a period exceeding twenty-four (24) hours one (1) or more personal services for persons unrelated to the owner or administrator by law, blood, marriage or adoption, and not in foster care, who require such services. The personal services, in addition to food and housing services may include personal assistance with bathing, dressing, housekeeping, adult supervision, emotional security and other related services, but not including medical services. For the purposes of this Code, group care homes shall not be deemed to include rooming or boarding homes, fraternities, sororities, clubs, monasteries or convents, hotels, emergency shelters, residential treatment facilities, recovery homes or nursing homes.
- (e) *Recovery home:* A group residential facility with one (1) or more supervisors living on-premises conducted as a family home with professional staff services as needed providing board, lodging, supervision, medication and other treatment and counseling for persons progressing from relatively intensive treatment for crime, mental or emotional illness, delinquency, alcoholism, drug addiction or similar conditions in need of a structured environment to deal with such conditions.

For the purposes of this Code, a recovery home shall not be deemed to include a residential treatment facility, group care home, family care home, nursing home, hospital, emergency shelter or emergency shelter home.

- (f) *Residential treatment facility:* Any residential establishment, other than a hospital or nursing home, providing relatively intensive diagnostic or therapeutic services for its residents for alcoholism, drug abuse, mental illness, emotional problems, developmental disabilities or similar conditions.

For the purposes of this Code, a residential treatment facility shall not be deemed to include a nursing home, hospital, group care home, family care home or emergency shelter but it may have a recovery home component or outpatients.

Comprehensive Plan or plan: The City of Bristol Comprehensive Plan, which was adopted by ordinance pursuant to Chapter 163, Florida Statutes and, as amended, serves as the legal guideline for the future development of property in the City of Bristol.

Conditional use: See Special Exception.

Congregate living facility (adult): Any institution, building or buildings, residence, private home, boarding home, home for the aged or other place, whether operated for profit or not, which undertakes through its ownership or management to provide for a period exceeding twenty-four (24) hours one (1) or more personal services for four (4) or more

adults who require such services not related to the owner or administrator by blood or marriage. The term "personal services" means service in addition to housing and food service, and includes but is not limited to personal assistance with bathing, eating, dressing, housekeeping, supervision of self-administered medicines and assistance with securing health care from appropriate sources.

Conservation Use: means a use intended to preserve the natural condition of land or water, including buffering of natural areas from other uses. Conservation uses include, but are not limited to, preserves for vegetation and wildlife habitat, habitats for threatened and endangered species or species of special concern, wetlands, sensitive shorelines, and archaeological and historical sites. The definition includes certain activities and improvements which are consistent with the use and protection of conservation areas.

Construction permit: The permit to begin construction of improvements according to the construction plans and specifications approved by the local government.

Construction plans: the drawings and specifications accompanying a subdivision plat and showing the specific location and design of subdivision improvements to be installed in the subdivision. Construction plans shall be certified as being in compliance with the provisions of this ordinance by a licensed, professional engineer registered to practice in the State of Florida. The engineer shall sign and place his seal on the construction plans.

Convalescent home: See: Congregate living facility, adult.

Convenience store: A building or portion of a building occupied by an establishment primarily engaged in retail sales of new merchandise and goods in less than bulk quantities directly to ultimate consumers on the premises and not for resale, and further characterized by the stocking and retail sale of merchandise, goods and items which are fairly inexpensive and which are purchased by the consumer on a frequent and often a daily basis.

City Engineer: A person or firm currently licensed and registered to practice engineering in the State of Florida and retained by Liberty County to oversee the appropriate provisions of this ordinance.

Coverage, Lot: Lot coverage shall be expressed as the percentage of the lot covered by all buildings located thereon, including the area covered by all overhanging roofs, divided by the gross lot area.

Dedication: The deliberate transfer of land by its owner for any general or public use, usually with an eventual view toward transfer of ownership and management to the County.

Density: The number of residential dwelling units permitted per acre of land including preserved wetlands and exclusive of dedicated public rights-of-way, canals, drainage ditches, lakes and rivers.

Density, Gross: The total number of dwelling units on a lot divided by the gross site area less all permanent water bodies.

Density, Net: The total number of dwelling units within the residential phase(s) of the Planned Unit Development project site divided by the Net Land Area of the phase(s).

Development: 1) means the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure of land, or the dividing of land into three or more parcels.

2) The following activities or uses shall be taken for the purposes of this Code to involve development as defined in this Section:

a) A reconstruction, alteration of the size, or material change in the external appearance of a structure on land.

b) A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land.

- c) Alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any "coastal construction" as defined in Section 161.021, F.S.
 - d). Commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land.
 - e) Demolition of a structure.
 - f) Clearing of land as an adjunct of construction.
 - g) Deposit of refuse, solid or liquid waste, or fill on a parcel of land.
- 3) The following operations or uses shall not be taken for the purpose of this Chapter to involve "development" as defined in this section.
- a) Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of-way.
 - b) Work by any utility and other persons engaged in the distribution or transmission of gas or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, powerlines, towers, poles, tracks, or the like.
 - c) Work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure.

- d) The use of any structure or land devoted to dwelling uses for any purpose customarily incidental to enjoyment of the dwelling.
- e) The use of any land for the purpose of growing plants, crops, trees, and other agricultural or forestry products; raising livestock; or for other agricultural purposes.
- f) A change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class.
- g) A change in the ownership or form of ownership of any parcel or structure.
- h) The creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land.

(Chapter 380.04, Florida Statutes)

Development Administrator: Person or persons designated by the City to enforce all or specific chapters of this Land Development Code.

Developer: Any person, including a governmental agency, undertaking any development as defined in Chapter 380, Florida Statutes.

Development agreement: An agreement entered into between the City and a developer specifying certain of the terms and conditions under which the development will proceed and executed pursuant to the provisions within such agreement.

Development approval: See: Preliminary Development Approval.

Development order: See: Final Development Order.

Development rights: The number of residential dwelling units or the amount of commercial or industrial square footage which may be constructed on a particular parcel or lot as specified in the zoning district regulations.

Development stage: A specified portion of a development that may be developed as an independent, freestanding entity with road access, drainage and utilities and other improvements required for a preliminary plat or site plan, whichever is applicable.

District: Any section or sections of the City for which the regulations governing the use of land and the use, density, bulk, height and coverage of buildings and other structures are uniform for each class or kind of building therein.

Domestic Wastewater Facility: A wastewater collection, treatment, and disposal system approved by the Department of Environmental Regulation in accordance with Rule 17-6, F.A.C.

Dormitory: A building containing sleeping accommodations for the use of students or instructors enrolled in or employed by a sponsoring education institution.

Dwelling: Any building or portion thereof, including modular factory-built homes, which is designated for or used for residential purposes but not including a trailer coach or converted trailer, hotel, motel, lodging house or boarding house. Mobile homes are regulated separately from other single-family dwellings concerning the provisions this Code.

Dwelling, attached: A dwelling which is joined to another dwelling at one or more sides by a party wall or walls.

Dwelling, detached: A dwelling which is entirely surrounded by open space on the same lot.

Dwelling, Mobile Home: A dwelling unit constructed off-site and transported to the site and meeting one of the following standards: (1) if the unit was constructed before January 11, 1968, it shall meet the American National Standards Institute (ANSI) standard as referenced by Section 320.823, Florida Statutes (1968), which became effective on January 11, 1968; (2) if the unit was constructed between January 11, 1968, and June 15, 1976, it shall meet the American National Standards Institute (ANSI) standard as referenced by Section 320.823, Florida Statutes (1968), in effect on the date of construction; or (3) if the unit was constructed on or after June 16, 1976, it shall meet the U.S. Department of Housing and Urban Development (HUD) standard pursuant to 42 U.S.C. 5401, et. seq., effective on the date of manufacture.

Dwelling, multifamily: A residential building designed for or occupied exclusively by three (3) or more families, with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling, single-family: A private residential building used or intended to be used as a home or residence in which the use and management of all sleeping quarters and

appliances for sanitation, cooking, heating, ventilation, and lighting are designed primarily for the use of one (1) family unit, and with partitioning so that any substantial interior portion of the dwelling may be reached without resort to exterior access, and so that the building has one (1) kitchen and one (1) electrical meter.

Dwelling, two-family (duplex): A residential building designed for or occupied by two (2) families, with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling unit: A dwelling unit consists of one or more rooms which are arranged, designed or used as living quarters for one family only. Individual bathrooms and complete kitchen facilities, permanently installed, shall always be included for each dwelling unit.

Easement: Any strip of land created by a subdivider for public or private utilities, stormwater management, sanitation, or other specified uses having limitations, the titles to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of the servitude.

Eating and drinking establishments: A building, or portion of a building, occupied by an establishment in which a person or persons practice a vocation that performs a type of labor, act or work that primarily results in the preparation and retail sale of food or beverages directly to the ultimate consumer on the premises and not for resale.

(a) *Restaurant:* An eating and drinking establishment designed to serve primarily walk-in or pedestrian-oriented customers. Such establishments normally contain a considerable amount of indoor eating space and tables and specialize in foods and/or beverages that are consumed on the premises within the principal building itself. While automobile off-street parking space is normally included on the premises, it does not constitute a major service factor in the function of the establishment.

(b) *Drive-thru restaurant:* An eating and drinking establishment designed primarily to provide for the quick, efficient and convenient ordering and dispensing of food and beverages to automobile-oriented customers. Such establishments normally contain little indoor eating space and few tables and normally specialize in carry-out purchases often consumed outdoors on the premises, within automobiles or off the premises entirely. Off-street parking and automobile access to the premises normally constitute a major service factor in the function of the establishment.

Educational Facility: A structure erected for the purpose of providing training and/or schooling.

Elevated building: means a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls or breakaway walls.

Emergency shelter: See: Community-based residential facilities.

Emergency shelter homes: See: Community-based residential facilities.

Emission: The act of passing into the atmosphere an air contaminant or gas stream which contains or may contain a contaminant or the material so passed into the atmosphere.

Engineer: A civil engineer, registered and currently licensed to practice in the State of Florida, retained by the developer to prepare, supervise and certify the engineering work required by this Chapter.

Environmentally Sensitive Lands: Lands located within the unincorporated boundaries of Liberty County and/or in the City of Bristol, which are characterized by one or more of the following:

- a) Specific designated areas located within the one-hundred year flood plain of a stream, river, lake or depression, and possibly including the boundary or shoreline area associated with such floodplain. For the purposes of this Code, the one-hundred year flood plain area shall be as shown on the Flood Insurance Rate Map issued under the National Flood Insurance Program administered by the Federal

Emergency Management Agency, and boundary or shoreline areas shall be those areas located within fifty (50) feet of the one-hundred year flood plain.

b) Located within a wetland (connected) and including wetland fringe areas which are essential for maintaining the hydro-period of the wetland.

c) Located within a known or suspected archaeological site which is eligible for listing on the National register of Historic Places. For the purposes of this Code, a site will be considered eligible if it is listed on the National Register of Historic Places or if it is included on the Master Site File maintained by the Bureau of Historic Preservation, Florida Secretary of State.

Essential Services: The erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

Existing Construction: means any building for which the "start of construction" commenced before (the effective date of the first floodplain management code, ordinance,

or standard based upon specific technical base flood elevation data which establishes the area of special flood hazard) or (specific date).

Existing manufactured home park or subdivision: means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community (before the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which established the area of special flood hazard) or (specific date).

Expansion to an existing manufactured home park or subdivision: means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Family: One or more persons occupying a single dwelling unit provided that unless all members are related by law, blood or marriage, no such family shall contain over five (5) persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a separate or additional family or families.

Family care home: See Community-based residential facilities.

Filling station: See: Automobile service station.

Final development order: (Same as Final Development Permit) An order issued by the Development Administrator following preliminary development approval as set forth in this Code and which authorizes a specific land use or land development activity, and further authorizes the issuance of the necessary development permits.

Flood or flooding: means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters;
- (2) The unusual and rapid accumulation of runoff of surface waters from any source.

Flood frequency: The statistically determined average for how often a specific flood level or discharge may be equaled or exceeded.

Flood Hazard Boundary Map (FHBM): means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

Flood Insurance Rate Map (FIRM): means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study: is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

Floodway: means the channel of a river or other watercourse and the adjacent land areas needed to discharge flood waters. Adjacent areas are areas that are not normally covered with flowing water but have a discernible depression allowing excess water from the main watercourse to flow in the direction of the watercourse in times of above normal rainfall in the watershed.

Floor: means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Floor area: The sum of the gross horizontal areas of one (1) or more floors of a building measured from the exterior faces of exterior walls or from the center line of the wall separating two (2) attached buildings.

Foster home: Any establishment that provides care for fewer than five (5) children unrelated to the operator for a payment, fee or grant for any of the children receiving care, whether operated for profit or not.

Frontage: See: lot frontage.

Functionally dependent facility: means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities.

Garage apartment: A dwelling unit for one family erected above a private garage.

Garage, private: An accessory building or a portion of the principal building, used for storage of automobiles of the occupants of the principal building. A carport is a private garage.

Garage, public or mechanical: A building or portion thereof, other than a private or storage garage, designed or used for the sale, storage, servicing, repairing, equipping and hiring of motor-driven vehicles. Body work and painting shall be conducted within fully enclosed buildings. Self-propelled vehicles not in safe operating condition shall be stored in fully enclosed buildings.

Garage, repair: See: Automotive repair.

Garage storage: A building or portion thereof designed or used exclusively for the storage or parking of automobiles; services other than storage at such storage garage shall be limited to refueling, lubrication, washing, waxing and polishing.

Garden apartment: See: Dwelling, multifamily.

Gas Station: See Automobile Service Station.

Grade: The finished elevation of a site after all fill, land balancing or site preparation has been completed.

Group care home: See: Community-based residential facilities.

Guest cottage: Living quarters within a detached accessory building located on the same lot or parcel as the main building, used exclusively for housing members of the family occupying the main building and their nonpaying guests. Such quarters shall not be rented or otherwise used as a separate dwelling.

Handicap requirements: Design criteria that respond to the special needs of the handicapped, as specified in the most recently published federal and state guidelines.

Hazardous Substance: means any hazardous or toxic substance (including degradation and interaction products) which, because of quality, concentration, or physical, chemical (including ignitability, corrosivity, reactivity, and toxicity), and/or infectious characteristics, radioactivity, mutagenicity, carcinogenicity, teratogenicity, bioaccumulative effect, persistence (non-degradability) in nature, or any other characteristic relevant to a particular material that may cause significant harm to human health or the environment (including surface and ground water, plants, or animals).

Hazardous Waste: means solid waste, or a combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious

irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated, or otherwise managed. (Section 403.703, F.S.)

Hazardous Waste Facility: means any building, site, structure, or equipment at or by which hazardous waste is disposed of, stored, or treated. (Section 403.703, F.S.)

Hazardous Waste Management: means the systematic control of the collection, source separation, storage, transportation, processing, treatment, recovery, and disposal of hazardous wastes. (Section 403.703, F.S.)

Height of buildings: See: Building height.

Highest adjacent grade: means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a building.

Historic Building: means any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminary determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register:
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a

district preliminarily determined by the Secretary to qualify as a registered historic district:

- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior: or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - 1. By an approved state program as determined by the Secretary of the Interior, or
 - 2. Directly by the Secretary of the Interior in states without approved programs.

Historic Structure: A structure, portion of a structure, site, or archaeological location which is identified on the National Register of Historic Places maintained by the United States Department of the Interior, which is identified on the Florida Master Site File maintained by the Florida Department of State, or which would qualify for inclusion on either list.

Home occupation: An occupation conducted entirely in a dwelling unit, provided that:

- a) No person other than members of the family residing on the premises shall be engaged in such occupation;

- b) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall under no circumstances change the residential character thereof;
- c) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding one square foot in area;
- d) No home occupation shall be conducted in any accessory building;
- e) No home occupation shall occupy more than twenty five (25) percent of the floor area of the residence, exclusive of the area of any open porch or attached garage or similar space not suited or intended for occupancy as living quarters;
- f) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in required front yard;
- g) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates

visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises;

h) The giving of individual instruction to one person, such as an art or piano teacher, shall be deemed a home occupation;

i) Fabrication of articles such as are commonly classified under the terms "arts and handicrafts" may be deemed a home occupation, subject to the other terms and conditions of this definition;

j) A home occupation shall be subject to all applicable County occupational license and other business taxes.

Hotel, motel, motor lodge or tourist court: A building licensed by the Florida Department of Business Regulation containing individual guest rooms for which daily or weekly lodging is provided as the temporary residence (even for extended periods) of individuals.

House trailer: See: Mobile home.

Impervious Lot or Site Coverage: Limitations on allowable impervious lot or site coverage are established for the following purposes:

- a) to provide sufficient area on each building site for landscaping and open space.
- b) To protect existing vegetation including trees.
- c) Sufficient recharging of aquifer.

Impervious surface coverage: shall be defined as the percentage of the lot land area that is covered with impervious materials such as buildings, swimming pool decks, decks, patios, driveways, etc. Standard engineering coefficients of permeability may be utilized for mixed surfaces. (Also See Lot Coverage)

Industrial Park: A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries, providing them with all necessary facilities and services in attractive surroundings among compatible neighbors. Industrial parks may be promoted or sponsored by private developers, community organizations or government organizations.

Industry, Light: means an industrial activity which does not include outdoor storage or any industrial activity which is conducted outdoors.

Industry, Heavy: means an industrial activity which includes outdoor storage and/or any industrial activity which is conducted outdoors.

Infrastructure: means roads, potable water facilities; sanitary sewer facilities; drainage facilities; solid waste facilities; and park facilities.

Junk: Inoperative, dilapidated, and/or abandoned or wrecked materials including but not limited to automobiles, trucks, tractors, wagons, boats and other kinds of vehicles and parts thereof, scrap builders' materials, scrap contractors' equipment, tanks, casks, cans, barrels, boxes, drums, piping, bottles, glass, old iron, machinery and the like.

Junkyard: A place where junk, waste or discarded or salvaged materials are brought, sold exchanged, stored, baled, packed, disassembled or handled. Junkyards shall include automobile wrecking, house wrecking, and structural steel material and equipment yards, but shall not include places for the purchase or storage of used furniture and household equipment, used cars in operating condition or used or salvaged materials for manufacturing. (See also: Automotive wrecking and salvage yards.)

Kenel, pet: Any lot or premises on which are kept four (4) or more dogs, more than six (6) months of age, for sale or for breeding, boarding or treatment purposes, including a veterinary clinic, animal grooming or pet shop. (Includes Racing Dog Kennels)

Land Area, Gross: The total acreage under private ownership within the perimeter boundaries of a Planned Unit Development site or general development site, excluding all conservation areas, jurisdictional wetland areas, natural water bodies below the mean high water elevation, and flood prone areas below a defined elevation of periodic inundation.

Land Area, Net: The Gross Land Area within each phase of the Planned Unit Development excluding all lands between the 100-year flood elevation and the mean high water elevation of all natural water bodies and also excluding all fenced stormwater retention tracts.

Land Development Code: For purposes of this Code, "land development regulations: or "regulations for the development of land" include any local government regulation

concerning zoning, building and construction, subdivision of land or other regulations controlling the development of land. Some of these types of local government regulations controlling the development of land within a jurisdiction may be and have been combined into a single document known as the "Land Development Code." The term refers to individual provisions herein as well as the document as a whole.

Landscaping: Any living plant materials such as trees, shrubs, vines, hedges, ground covers of palms, and nonliving durable materials commonly used in landscaping such as rocks, pebbles, sand, walls, fences, berms, sculptures and fountains, or any combination of the above, but excluding paving. Grass is not considered landscaping.

Land Surveyor: A land surveyor registered in compliance with Chapter 472.007 F.S. who is in good standing with the Board of Land Surveyors.

Laundry or dry cleaning, self-service: Any attended or unattended place, building or portion thereof, available to the general public for the purpose of washing, drying, extracting moisture from or dry cleaning wearing apparel, cloths, fabrics and textiles of any kind by means of a mechanical appliance which is operated primarily by the customer.

Level of Service: An indicator of the degree of demand for a public facility compared to the amount of capacity provided by that public facility. For roadways, level of service is

an indication of the operational characteristics of a facility such as vehicle density, operating speed, freedom to maneuver, and delay.

Liquor store: An alcoholic beverage establishment that does not sell beverages for on-premises consumption.

Live entertainment establishment: This includes establishments that have singers, pianists, musicians, musical groups, bands, vocal or instrumental performers, dancers, theatrical shows, magicians, comedians and all fashion, form and media of live entertainment carried on and conducted in the presence of and for the entertainment of others, to be distinguished from records, tapes, pictures and other forms of reproduced or transmitted entertainment.

Living area: The minimum floor area of a residential dwelling unit (as measured by its exterior dimensions) having access from within the main living area, exclusive of carports, porches, sheds, garages and utility rooms which are not within the walls of a dwelling.

Loading space: An off-street space or berth on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access.

Local government: The City Council of Bristol and its officers, agents, boards and commissions.

Local planning agency (LPA): The City Council of the City of Bristol, which has been designated by ordinance to prepare, monitor and update the Comprehensive Plan, as the Local Planning Agency.

Lot: A parcel of land of a recorded subdivision intended as a unit for the purpose of transfer or ownership or development.

Lot Coverage: See: Coverage, Lot.

Lot or site area: The horizontal plane area within the lot lines expressed in these regulations in square feet or acres.

Lot, corner: A lot abutting upon two (2) or more streets at their intersection or at a street corner having an interior angle not greater than one hundred thirty-five (135) degrees.

Lot depth: The distance measured from the middle point of the front line to the middle point of the opposite rear line of the lot.

Lot, double frontage: A lot that has frontage the foundation wall line, between the two (2) nonintersecting streets, also called a through lot.

Lot, flag-type: A lot with a lot width which is extremely narrow and extended.

Lot lines:

(a) Front: That property line which abuts or faces upon one or more streets, whether by single frontage or double frontage on a corner lot or a through lot.

(b) Side: Any property line not a front lot line or a rear lot line. A side lot line separating a lot from a street is an exterior side lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

(c) Rear: That boundary of a lot which is most distant from and is, or is most nearly, parallel to the front lot line.

Lot frontage: The length of all the property fronting on one side of a street between the two (2) nearest intersecting streets, measured along the line of the street, or if dead ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.

Lot of record: A lot which is part of a subdivision, the map or plat of which has been recorded in the office of the Clerk of Court of Liberty County, or a parcel of land, the deed of which has been recorded in that office.

Lot, through: Any lot having frontage on two parallel or approximately parallel streets on highways.

Lot width: The horizontal distance between the side lot lines, measured at the front setback line.

Lot, zero: Any residential development in which the required side or rear yards, or both, are reduced below the applicable minimum yard requirements for conventional

development in the applicable zoning district, to permit more efficient and effective citing and orientation of homes and private open spaces on the lot.

Manufactured home: means a building, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Marina: See Boat yard.

Mean Sea Level: means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD).

Medical facilities:

- (a) Convalescent, rest or nursing home: A health facility where persons are housed and furnished with meals and continuing nursing care for compensation.
- (b) Dental clinic or medical clinic: A facility for the examination and treatment of ill and afflicted human out-patients, provided that patients are not kept overnight except under emergency conditions.
- (c) Dental office or doctor's office: Same as dental or medical clinic, including osteopath, oculist, optometrist or chiropractor.

(d) Hospital: An institution providing health services primarily for human in-patient medical or surgical care for the sick or injured, and including related facilities such as laboratories, out-patient departments, training facilities, central services facilities and staff offices which are an integral part of the facilities.

(e) Public health center: A facility primarily utilized by a health unit for providing public health services including related facilities such as laboratories, clinics and administrative offices operated in connection therewith.

(f) Sanatorium: An institution providing health facilities for in-patient medical treatment or treatment and recuperation making use of natural therapeutic agents.

Mini-warehouse: A building or group of buildings in a controlled-access compound that contains individual, compartmentalized access stalls or lockers of equal or varying sizes for the dead storage of a customer's goods or wares.

Mining: means surface mining, rock quarries, strip mining, commercial borrow pits, and any other natural resource extraction activities. Buildings and businesses for the refinement, processing, packaging, and transportation of extracted materials are included in this group of uses. Pre-production and exploratory drilling activities are not included.

Mobile Home Development: means a residential development designed for mobile home residential use, and arranged either as a mobile home park where mobile home units or

spaces are rented, or conventional subdivisions where lots are sold for mobile home occupancy. This definition does not include recreational vehicle parks.

Mobile home park: Mobile home park shall mean any site or tract of land, of contiguous ownership, upon which mobile home spaces are provided for mobile home occupancy according to the requirements set forth in this ordinance for a charge.

Mobile home space: Mobile home space shall mean a plot of land within a mobile home park designed for the accommodation of one mobile home park designed for the accommodation of one mobile home in accordance with the requirements set forth in this ordinance.

Mobile home subdivisions: A subdivision of land recorded in the office of the Clerk of Court of Liberty County, designed solely for the parking of mobile homes, the lots of which are sold for individual ownership, and which provides dedicated streets, sewers, drainage, parks and other public use area and facilities.

Modular factory-built home: A modular unit residential building composed of one (1) or more dwelling units, or habitable rooms or component parts thereof, which is either wholly manufactured or in substantial part constructed in a central manufacturing facility and bears the approval of the Department of Community Affairs under the provisions of the Florida Housing Act of 1971. However, this term does not apply to mobile homes, as

defined by Florida Statutes, Chapter 320. Modular homes are regulated by this Code as dwellings.

Motel: See: Hotel.

Motor Home: See Recreational Vehicle.

National Geodetic Vertical Datum (NGVD): as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

Natural Resource Management Area: means an area located within Liberty County which area is characterized by one or more of the following:

1. A wetland (connected) and including wetland fringe areas which are essential for maintaining the hydro-period of the wetland. For the purposes of this Chapter, wetlands shall be as established under the rules of the Florida Department of Environmental Protection
2. A wetland or upland habitat for a species listed as either "threatened" or "endangered" by the Florida Game and Freshwater Fish Commission. For the purposes of this Chapter, the location of habitat areas shall be as established by the Game and Freshwater Fish Commission based on area-wide studies or studies of individual sites; OR
3. An area within five hundred (500) feet of a potable water wellfield; OR

4. An area within two hundred (200) feet of a historic structure or site or a known or suspected archaeological site which is eligible for listing on the National Register of Historic Places. For the purposes of this Chapter, a site will be considered eligible if it is listed on the National Register or if it is included on the Master Archaeological Site File maintained by the Bureau of Historic Preservation, Florida Secretary of State.

New Construction: means structures for which the "start of construction" commenced after (the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which established the area of special flood hazard) or (specific date). The term also includes any subsequent improvements to such structure.

New manufactured home or subdivision: means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Nonconforming building or structure: A nonconforming building or structure is any building or structure which:

- (a) Does not comply with all of the regulations of this ordinance or of any amendment hereto governing bulk or yards for the zoning district in which such building or structure is located; or
- (b) Is designed or intended for a nonconforming use.

Nonconforming use: A nonconforming use is any use of land, buildings or structures, lawful at the time of the enactment of this ordinance which does not comply with all of the regulations of this ordinance or of any amendment hereto governing use for the zoning district in which such use is located.

Noxious matter: Material which is capable of causing injury to living organisms by chemical reaction.

Nursing Home: means a facility licensed and regulated by the State of Florida and designed for lodging and provision of extended medical care at a level of care less than that delivered in a hospital, but greater than is available in an adult congregate living facility (ACLF).

Occupied: The term "occupied" includes "used," "designed," "built," "altered," "converted to" or "intended to be used or occupied."

Office building, business or professional: A building providing office space for professional services in law, architecture, engineering, medicine, dentistry, osteopathy, chiropractic or optometry, or any related areas, or consultants in these professions.

Onsite Sewage Disposal System: Any domestic sewage treatment and disposal facility, including standard subsurface systems, graywater systems, laundry wastewater systems, alternative systems or experimental systems, installed or proposed to be installed on land of the owner or on other land to which the owner or owners have the legal right to install a system, and which has been approved and permitted by the Department of Health pursuant to Rule 10D-6, F.A.C.

Open Space: A portion of the gross land area unencumbered with any structure, roadway, driveway, off-street parking, or other impervious surface, to include unfenced stormwater retention pond areas designed as site amenities, greenbelt/buffer areas, sodded or landscaped yards, and recreation areas.

Outpatient care facilities: An establishment where patients who are not lodged overnight are admitted for examination and treatment by one (1) person or a group of persons practicing any form of healing or health-building services to individuals, whether such persons be medical doctors, optometrists, dentists or any such profession, the practice of which is lawful in the State of Florida.

Owner: Any individual, firm, association, syndicate, co-partnership, corporation, trust, or any other entity having any ownership interest in land.

Parcel: See: Lot.

Parking, handicap: Parking spaces designed and provided in quantities consistent with handicap requirements.

Parking lot, off-street: 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.

Parking space: The storage space for one automobile of not less than nine (9) feet by nineteen (19) feet; plus the necessary access space not located in a dedicated right-of-way.

Particulate matter: Material which is suspended in or discharged into the atmosphere in a finely divided form either as a liquid or a solid.

Perceived noise level: A method of measuring complex sounds designated in the Journal of the Acoustical Society of America, No. 31, pages 1415-1429, 1959.

Performance Guarantee/Improvement Security: Any security accepted in lieu of the requirement that certain subdivision improvements be made before the City Council authorizes the recording of a plat; including performance bonds, escrow agreements, and other similar collateral or surety agreements.

Performance standard: A criteria established to control such matters as, but not limited to, noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, and glare and heat generated by or inherent in uses of land or buildings.

Person: Any individual, group of individuals, corporation, partnership, association, or any other entity, including state and local government agencies.

Plat: A map or delineated representation of the subdivision of lands; being a complete exact representation of the subdivision and other information in compliance with Chapter 177, F.S. and this Chapter, and may include the terms "replat", "amended plat", or "revised plat."

(a) Preliminary Plat: A preliminary map and accompanying material indicating the proposed layout of the subdivision in accordance with the requirements of Section 5.4 of this Chapter. The preliminary plat may encompass two or more phases of the project, each of which may be submitted for final plat approval separately and at different times.

(b) Final Plat: A map or plan of a subdivision any accompanying material, prepared in accordance with this Chapter, indicating the subdivision of land and improvements thereto.

Plat of consolidation: A subdivision action for the purpose of consolidating several parcels into a single parcel of land.

Plot: See: Lot.

Porch: A roofed-over space, with the roof impervious to weather, attached to the outside of an exterior wall of a building, which has no enclosure other than the exterior walls of such building. Open mesh screening shall not be considered an enclosure.

Preliminary Development Approval: (Same as Preliminary Development Permit) An action by an agency or agent of the City authorizing an applicant for a land development or land use activity to proceed with further submittals and reviews for the purpose of obtaining a final development approval. Preliminary development approval does not confer approval or authorization sufficient to vest any particular land use or development activity.

Principal building or use: A main use of land, as distinguished from an accessory use; the building housing the main or principal use.

Professional Service And Office: means business and professional offices, medical clinics, government offices, and financial institutions without drive-through facilities.

Property line: See: Lot line.

Protective covenants: A private agreement that may be recorded in the public records that restricts the use of private property.

Public improvements: Those improvements required to be dedicated to the local government, including street pavements, curbs and gutters, sidewalks, alley and walkway pavements, water mains, sanitary sewers, storm sewers or drains, street names, signs, landscaping, parks, permanent reference monuments, permanent control points or any other improvement required by the City relating to the development of land.

Public Service/Utility Facility: means those facilities from which essential or important public services are provided and include the following uses and uses similar thereto:

1. Emergency service activities such as buildings, garages, parking, and/or dispatch centers for ambulances, fire, police and rescue.
2. Transmission and receiving towers and facilities.
3. Utility facilities, such as water plants, wastewater treatment plants, electricity substations serving 230 KV or greater.
4. Maintenance facilities and storage yards for schools, government agencies, and telephone, electric, and cable companies.
5. LP gas storage and/or distribution facility for over one thousand (1000) gallons.
6. Airports, airfields, and passenger rail or bus terminals.
7. Solid waste transfer and recycling collection facilities.

Public Service/Utility Facility, Essential: means a component of the distribution or collection system for a utility or communication system, such as water and sewer lines, electric lines, telephone or cable television lines, but not including substations, switching stations, or treatment facilities which are defined as "public service/public utility facilities".

Recovery home: See: Community-based residential facilities.

Recreation facility: Public or private areas and facilities designed for passive or active recreational activities, including open spaces, community centers, environmental trails or

centers, swimming pools, tennis courts, football/soccer/baseball fields, golf courses, boat ramps or docks without boat yard characteristics and other areas and facilities of a recreational nature.

Recreational vehicle: means a vehicle which is:

- a. built on a single chassis;
- b. 400 square feet or less when measured at the largest horizontal projection;
- c. designed to be self-propelled or permanently towable by a light duty truck; and
- d. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Recreational Vehicle Park: A development designed specifically to allow temporary living accommodations for recreation, camping, or travel use. The definition does not include a mobile home development.

Residential treatment facility: See: Community-based residential facilities.

Restaurant: means an establishment where meals or prepared food, including beverages and confections, are served to customers, and including establishments with and without drive-through facilities.

Resubdivision: A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map, any area reserved thereon for public use,

any lot line, or any map or plan legally recorded prior to the adoption of any regulations controlling the subdivision.

Right-of-Way: Land dedicated, deeded, used, or to be used for a street, alley, or other transportation purposes. Right-of-Way includes the paved street and any unpaved cleared strips on either side.

Ringelmann Chart: A method of designating smoke density or opacity as designed in the U.S. Bureau of Mines Information Circular No 7718 and subsequent amendments thereto.

Road Department: The City Road and Bridge Department.

Rowhouse: See: Townhouse.

Sanitary landfill, garbage: Addition or deposit of any garbage or organic matter upon or within any lot or parcel as regulated by the Florida Department of Environmental Protection.

Sanitary landfill, nongarbage: Addition or deposit of any dry trash, refuse or solid waste material, upon or within any lot or parcel. Allowed materials shall include tree, shrub and grass cuttings, metal items, construction materials, natural vegetation materials from land clearing and other similar items as regulated by the Florida Department of Environmental Protection.

School: means a public or private preschool, elementary, middle, or secondary school, or community college or university, and other similar uses, but not commercial or trade schools.

Screening: Shall mean either of the following:

- a) A strip of land at least ten (10) feet wide, densely planted (or having equivalent natural growth) with shrubs or trees at least four (4) feet high at the time of planting of a type that will form a year-round dense screen at least six (6) feet high.
- b) A combination of an opaque wall or barrier or uniformly painted fence no more than three (3) feet high and the materials listed in subsection (a) which, together form a year round dense screen at least six (6) feet high.

Seat: For purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, or each twenty-four (24) lineal inches of benches, pews or space for loose chairs.

Service station, automotive: See: Automobile service station.

Setback: The minimum horizontal distance between the street setback line or street right-of-way line and the building line.

Sewage system: All of the equipment and property involved in the operation of a central sanitary sewer utility, including waste water lines and appurtenances, pumping stations, treatment works, disposal facilities and general property necessary for the operation of

such a utility, which shall be fully installed, operable and providing service in compliance with applicable Florida laws and regulations.

Shopping center: A group of retail stores or service establishments, planned, developed, owned or managed as an integral unit, with off-street parking provided on the property, and related in location, size and type of shops to the trade area which the unit serves.

Sight distance triangle: An area kept clear for the purpose of enabling vehicles and pedestrians at an intersection of roads to see vehicles or pedestrians approaching the intersection on other roads. The area within the limits described by the two (2) intersecting right-of-way lines of a street or road and a line drawn between them from points on each right-of-way line that are a prescribed number of feet from the intersection of the center lines.

Sign: shall mean any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided however, that the following shall not be included in the application of the regulations herein:

1. Signs not exceeding two (2) square feet in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations;
2. Flags and insignia of any government except when displayed in connection with commercial promotion;

3. Legal notices; identification, informational, or directional signs erected or required by governmental bodies;
4. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights;
5. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter;
6. Signs advertising the sale, lease or rental of the premises on which the sign is located. Each sign shall not exceed six (6) square feet in surface area for residential districts or twelve (12) square feet in surface area for other districts.

(See Chapter 4, Section 4.7 for additional information with regard to Signs.)

Special Exception: A special exception is a use that would not be appropriate without restrictions throughout the zoning division or district. However, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare, such uses would be appropriate.

Stable, private: A stable with a capacity for not more than two (2) horses or mules.

Stable, public: A stable, other than a private stable, with a capacity for more than two (2) horses or mules.

Standard industrial classification (SIC): A system for classifying business establishments by the type of activity they are engaged in. The classification system is reported in the Standard Industrial Classification Manual (1972) by the Executive Office of the President, U.S. Office of Management and Budget.

Start of construction: (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual state of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other

structural part of a building, whether or not that alteration affects the external dimensions of the building.

Storm water management system: The designed features of an improvements to property which collect, channel, hold, store, inhibit or divert the movement of storm water to meet the requirements of Chapter 17-25 of the Florida Administrative Code and this Code.

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 is no floor above it, then the space between the floor and the ceiling above it.

Story, half: A space under a sloping roof which as the line of intersection of roof decking and wall face not more than three (3) feet above the tope floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use. A half story containing independent apartment or living quarters shall be counted as a full story.

Street: Any access way such as a road, lane, highway, avenue, boulevard, alley, parkway, circle, court, terrace, place, or cul-de-sac and includes all of the land laying between the right-of-way lines as delineated on a plat showing such streets, whether improved or unimproved. This definition shall not include those access ways, such as easements, intended solely for limited utility purposes, such as for electric power lines,

gas lines, telephone lines, water lines, drainage and sanitary sewers, and easements of ingress and egress.

Street center line: The center line of the street which is located midway between the street right-of-way boundary lines, which may or may not represent the center point of a paved roadway surface.

Street, Major: A street or road which is designed to carry large traffic volumes.

Street, Minor: A street designed to serve only as access to the properties which front on it.

Street, Private: A recorded street owned by the abutting property owners, over which there is no public right of access.

Street right-of-way: The dividing line between a lot, tract or parcel of land and the abutting street right-of-way. The right-of-way line shall be considered a property line, and all front setback lines and requirements provided in these regulations shall be measured from the street right-of-way line.

Structural addition: An addition to an existing building which requires additional structural or supporting members.

Structural alteration: Any change, except for repair or replacement, in the supporting members of a structure, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls of a structure.

Structure: means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

Subdivision: The division of a parcel of land, whether improved or unimproved, into three (3) or more lots or other division of land for the purpose, whether immediate or future, of transfer of ownership or, if the establishment of a new street is involved, any division of such parcel. The term includes a resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

Subdivision Improvements: Any roadway, stormwater management facility, water or wastewater facility, sidewalk, off-street parking area, flood damage prevention or erosion control facility, easement, right-of-way, or other development for the creation of a subdivision.

Subdivision, Minor: Any subdivision of land into less than twenty (20) lots within a period of twelve (12) months.

Subdivision, Major: Any subdivision of land into twenty (20) lots or more within a twelve (12) month period.

Substantial damage: means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement: means any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during the life of a building (eighty (80) year period), in which the cumulative cost equals or exceeds fifty percent of the market value of the building. The market value of the building should be (1) the appraised value of the building prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the building prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

Substantially improved existing manufactured home parks or subdivisions: is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

Survey, certified: See: Certified survey.

Survey data: Information shown on the face of a plat that delineates the physical boundaries of the subdivision and any parts thereof.

Swimming pool: Any constructed pool used for swimming or bathing having a depth exceeding twenty-four (24) inches or a surface area exceeding two hundred fifty (250) square feet.

Theater: An establishment offering dramatic presentations or showing motion pictures to the general public.

Tourist home: A dwelling in which sleeping accommodations in not more than four (4) rooms are provided or offered for transient guests for compensation.

Townhouse: A group of two (2) or more single-family dwellings separated by a space of not more than one (1) inch. The walls or party wall separating the dwelling units of the townhouse shall extend to the roof line of the dwelling and shall have no openings therein. Each townhouse unit shall be constructed upon a separate lot and serviced with separate utilities and other facilities and shall otherwise be independent of one another. Townhouses are single-family dwelling units.

Toxic materials: Materials which are capable of causing injury to living organisms by chemical means when present in relatively small amounts.

Tract: See: Lot.

Trailer (boat, horse, utility): A conveyance drawn by other motive power and used for transporting a boat, animal or general goods.

Trailer coach: See: Recreation vehicle.

Trailer, house: See: Mobile home.

Travel trailer: See: Recreation vehicle.

Travel trailer park or court: A park or court licensed and approved by the applicable state agency and established to carry on the business of parking travel trailers and other recreational vehicles.

Tree: A self-supporting wood plant having one (1) or more well-defined trunk(s) capable of being maintained with a clear trunk and normally growing to an overall height at maturity of a minimum of fifteen (15) feet, including palms.

Truck stop: An establishment principally used for refueling and servicing trucks and tractor-trailer rigs, but which may include restaurants and snack bars and facilities for repair and maintenance of trucks and tractor-trailers, but not to include the storage of vehicles for the purpose of using parts of said vehicles for sale or repair.

Use: The purpose for which land or a structure thereon is designed, arranged, or intended to be occupied or utilized, or for which it is occupied or maintained.

(a) Accessory use: (See accessory use or accessory building use).

(b) Incompatible use: A use of service which is unsuitable for direct association with certain other uses because it is contradictory, incongruous or discordant.

- (c) Permitted use: A use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations and standards of such district.
- (d) Principal use: The main or primary purpose for which a building, other structure and/or lot is designed, arranged or intended or for which they may be used, occupied or maintained under this ordinance. The use of any other building, other structure and/or land on the same lot and incidental or supplementary thereto and permitted under this ordinance shall be considered an accessory use.
- (e) Transitional use: The use of a building or lot for permitted purposes in an area adjoining, adjacent or opposite from, but separated by a street or alley, from an area of a lower classification.

Used car lot: A lot or group of contiguous lots, used for the display and sale of used automobiles, and where no repair work is done except the necessary washing and polishing of the cars to be displayed and sold on the premises.

Used or occupied: As applied to any land or building, these terms shall also mean "intended," "arranged" or "designated to be used or occupied."

Utility: Includes publicly or privately-owned or operated water, sewer, stormwater management, gas, electric or telephone facilities, or cable television lines and facilities.

Variance: is a grant of relief from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

Vehicle and Equipment Sales: means an establishment providing for the sale, rental, repair and servicing of boats, buses, farm and construction equipment, motorcycles, trucks, recreational vehicles, mobile homes, and similar equipment.

Vested Project: A project for which the three following conditions have been met:

- a) A development permit has been issued on or prior to adoption of this Code;
- b) Development has commenced; and
- c) Development is continuing in good faith.

Veterinary clinic or hospital: Any building or portion thereof designed or used for the veterinary care, surgical procedures or treatment of animals, but not for the sale, breeding, grooming or boarding of well animals or for pet shops.

Warehousing/Distribution: means an activity involving the storage of goods or materials before or after manufacture and before final sale or use, and includes trans-shipment of such goods or materials (loading and unloading) but excludes manufacture and processing.

Water system: All or part of the equipment and property involved in the operation of a community water utility including, where applicable, water lines and appurtenances,

pumping stations and treatment plants relating to such utility, which shall be fully installed, operable and providing service in compliance with applicable Florida laws and regulations.

Wellfield: means an area containing one or more wells used, whether on a continuous, intermittent, or occasional basis, for public water supply, and including any area designated for future development of such wells by the City of Bristol or the Liberty County Commission.

Wetlands: Land subject to regular inundation by water over a majority of time measured over a period of years or any land meeting the definition of wetlands found in Florida Statutes, Section 403.817 as any land bearing those dominant wetland plant indicator species included in Florida Administrative Code, Chapter 17-4.

Written or in writing: The terms "written" or "in writing" shall be construed to include any representation of words, letters, or diagrams or figures, whether by printing or otherwise.

Yard: An open space at grade between main building and the adjoining lot lines. The front and rear setbacks shall be measure from where the minimum lot width or depth is attained.

Yard, front: A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street line and the principal building

or any projections thereof, other than the projections of uncovered steps, uncovered balconies or uncovered porches. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension. For any lot adjacent to a body of water the "front yard" shall be considered as the yard extending across that part of the lot between the side lot lines which is adjacent to the body of water and is the minimum horizontal distance between the body of water and the principal building or any projection thereof.

Yard, rear: A yard extending across the rear of a lot between the rear of the principal building or any projections thereof, other than the projections of uncovered steps, balconies or porches. On all corner lots, the rear yard shall be at the opposite end of the lot from the front yard.

Yard, side: A yard between the main building and the side line of the lot, extending from the front yard to the rear yard and being the minimum horizontal distance between a side lot line and the side of the main building or any projection thereof.

Zero lot line: See lot, zero.

LAND DEVELOPMENT CODE

CHAPTER 3

ADMINISTRATION OF CODE

Art. I. General Provisions, Subsec. 3.1 -- 3.3

Art. II. Administrative Powers and Duties, Subsec. 3.4 -- 3.6

Art. III. Administrative Procedures, Subsec. 3.7 -- 3.10

ARTICLE I. GENERAL PROVISIONS

Section 3.1 Scope of Chapter

(1) The provisions of this Code shall be administered in accordance with the rules set forth in this chapter and the detailed regulations within other applicable chapters.

(2) Administrative procedures and standards unique to the subdivision approval process are found in Chapter 5.

(3) This chapter sets out the administrative provisions applicable to the general enforcement of this Code. The powers and duties of the officials and agencies charged with enforcing the Code are explained; however, nothing contained in this chapter shall be deemed

to restrict the powers of said agencies and officials otherwise available under other local legislation and applicable state and federal law.

(4) All necessary administrative procedures for the matters governed by this chapter are set forth herein, including those regarding the general relationship of various departments, administrative agencies and governmental bodies; the method for public participation in the decision-making process; remedies for applicants; fees; and the filing or recording of documents and similar matters. The procedures to appeal to the courts any ruling or decision under this Code have also been provided.

Section 3.2 Standards for Due Public Notice and Hearings

(1) *In general.* There are a number of provisions in this Code and in state land development legislation requiring that due public notice be given of the time, date, place, purpose and outcome of the hearing being held before a governmental commission or board to review and take action on a particular matter concerning land development. It is the purpose of this section to collect in one (1) place for easy reference a number of the provisions for such notice applicable to various land development issues governed by this Code.

Accordingly, when the phrase "due public notice" is used in this Code in connection with the requirement for a public hearing on the matters listed below, it shall have the meaning set forth in the following subsections.

(2) *Notice of site plan application.* After the City Clerk has received for review and recommendation, by the Development Administrator, in accordance with this Code, an application for site plan approval encompassing more than single family or duplex developments the City Council shall hold at least one (1) advertised public hearing on the proposal. Due public notice of hearings shall be consistent with Chapter 166, F.S., and shall be published as follows:

- (a) The Clerk shall advertise the time, date, place and purpose of such hearing at least once in a newspaper of general circulation in Liberty County, Florida, with the first publication to be at least ten (10) days prior to the public hearing by the City Council. The advertisement shall describe the property by reference to major streets or roads or other significant landmarks and by township, range and section numbers, and shall state the current and proposed use of the property.

(b) In addition, at least fifteen (15) days prior to the date set for the public hearings, the Clerk shall mail a notice setting forth the time, date, place and purpose of such hearings to the applicant and to all property owners within 500 feet of the proposed development.

(c) Notices containing the information published in the newspaper advertisement shall also be maintained at the Office of the Clerk, and posted in a conspicuous place or places in City Hall.

Notice of subdivision plan and preliminary plat application. After the LPA has received for its review an application for approval of a preliminary plat and subdivision plan, the LPA and the City Council shall each hold at least one (1) advertised public hearing on the proposal. Due public notice of the hearings shall be consistent with Chapter 166, F.S., and shall be published as follows:

(a) The Clerk shall advertise the time, date, place and purpose of such hearings at least once in a newspaper of general circulation in Liberty County, Florida, at least ten (10) days prior to the public hearing by the City Council, and at least ten (10) days

prior to the public hearing by the LPA. The advertisement shall describe the property by reference to major streets or roads or other significant landmarks and by township, range and section numbers, and shall state the current and proposed use of the property.

(b) In addition, at least fifteen (15) days prior to the date set for the public hearings, the Clerk shall mail a notice setting forth the time, date, place and purposed of such hearings to the applicant and to all property owners within 500 feet of the proposed development.

(c) Notices containing the information published in the newspaper advertisement shall also be maintained at the Office of the Clerk, and posted in a conspicuous place or places in City Hall.

(4) *Notice of application for approval of final plat.* After the Clerk has received for its review an application for approval of a final subdivision plat, the City Council shall hold at least one (1) advertised public hearing on the proposal. Due public notice of the hearings shall be published as follows:

(a) *City Council.* Notice of the City Council's consideration of the final plat shall be consistent with Chapter 166, F.S., and shall advertise the time, date, place and purpose of such hearing at least once in a newspaper of general circulation in Liberty County, Florida, at least ten (10) days prior to the public hearing by the City Council. The Council's final action on same shall be mailed to the applicant by the Clerk.

Notice of application for administrative appeal. After any application for an administrative appeal has been received by the City, the Council shall hold at least one (1) public hearing with notice thereof published as follows:

(a) The Clerk shall advertise the time, date, place and purpose of such hearing at least once in a newspaper of general circulation in Liberty County, Florida, at least ten (10) days prior to the date of the hearing. The notice shall describe the property which is the subject of the application by reference to major streets or other landmarks and by township, range and section number and describing the Zoning

classification of the property and the nature of the application to be considered by the Board, including the specific relief requested.

(b) In addition, at least fifteen (15) days prior to the public hearing, the Clerk shall mail a notice of the time, date, place and purpose of such hearing to the applicant.

(c) Notices containing the published information shall also be maintained at the Office of the Clerk, and posted in a conspicuous place or places in City Hall

(6) *Proof of notice.* Proof by affidavit of the required publication, mailing and posting of the notices required in this section shall be presented at the public hearing prior to the taking of any action on the application in question.

(7) *Effect of failure to receive notice.* Where notice of a hearing or matter is sent to a person by mail, that person's failure to receive the notice shall not affect the validity of any action taken at a public hearing, so long as the procedures for mailing the notice were followed.

(8) *Notice and hearings on other matters.* The notice standards for public hearings on issues not mentioned in this section may be found in the particular provisions of this Code governing such issues.

(9) *General standard for due public notice.* Unless otherwise provided in this Code, due public notice of a public hearing concerning any matter addressed in this Code shall be consistent with Chapter 166, F.S., and shall mean advertising the time, date, place and purpose of such hearing in a newspaper of general circulation in Liberty County at least once, at least ten (10) days prior to the date of the hearing, describing the subject matter of the hearing and inviting any interested persons to appear or submit comments in writing prior to the hearing. Notice of the hearing shall also be kept in the Office of the Clerk, as well as posted in a conspicuous place in City Hall.

Section 3.3 Time Limits; Scheduling and Continuation of Hearings.

(1) *Time limits in general.* Except in extraordinary circumstances, the Clerk shall forward all matters to be reviewed by the Council/LPA to that body within ten (10) business days

after receipt of a completed application, and written notice of any action or recommendation by a board or commission hereunder shall be signed by the chairperson thereof and issued within five (5) business days of such action.

(2) *Scheduling of hearings.* The Clerk shall promptly schedule before the appropriate board or the Council all matters requiring a public hearing and promptly publish due public notice thereof. Wherever possible, the matter shall be scheduled for consideration at the next regular meeting of the board or the Council, if sufficient time exists prior to the meeting to allow for study of the proposal and publication of due public notice. Otherwise, the matter shall be scheduled for the following regular meeting of the board or the Council. Notwithstanding any other provision in this Code, no public hearing on any matter before any board or commission shall be held until proper due public notice of such matter has been published.

(3) *Continuation of hearings.* A board or commission or Council hearing a matter pursuant to this Code may continue the public hearing held on the matter until the next regular meeting of the body if needed to allow for submission or consideration of additional

information. Unless the continued hearing is advertised at the same time as the first hearing, due public notice of same shall be published. Except in extraordinary circumstances, the LPA or City Council shall not continue more than one (1) time the public hearing on any matter brought before it.

ARTICLE II. ADMINISTRATIVE POWERS AND DUTIES

Section 3.4 City Council

(1) *In general.* The City Council shall exercise the following general powers and responsibilities, in addition to all others provided for in this Code, in accordance with this Code and other applicable laws and regulations.

(2) *Legislation.* Adopt this Code and other land development regulations consistent with, and based upon the adopted Comprehensive Plan.

(3) *Amendments.* Adopt appropriate amendments to this Code, as prescribed in this Code.

(4) *Final review.* Consider the recommendations from or hear appeals from the LPA, if applicable, on matters regulated by this Code in the manner provided by this Code, and render decisions on those matters in compliance with the provisions of this Code.

(5) *Hearings.* Hold public hearings as required in this Code.

Section 3.5 City Clerk

(1) *Receive applications.* Act as the initial recipient on behalf of the City Council, Planning Commission/LPA of all land development requests and applications for relief under this Code, including all applications for subdivision or sit plan approval, conditional use permits, variances, home occupation permits and planned unit developments.

(2) *Contents of applications.* Upon receipt of every said application, ensure that the application contains all information, materials, diagrams and fees required under this Code.

(3) *Creation of files.* Prepare a separate file for each said application labeled with the name of the applicant, the file number, the nature of the application and the date the file was opened, and secure in said file the papers received by his office in connection with said initial application and all further papers or documents related to such matter.

(4) *File index.* Maintain in his office an updated index of said files.

(5) *Agenda and notice.* Ensure that all applications or matters to be considered by the City Council are promptly placed on the City Council agenda and that due public notice of same is published, if required in the Code.

(6) *Referrals to LPA.* Forward promptly to the Clerk for Planning Commission/LPA consideration all applications for site plan and subdivision approval, and all applications for home occupation permits. Unless extraordinary circumstances exist, all such referrals shall be made within five (5) business days of the receipt of all materials required to be included in said applications under this Code.

(7) *Referrals from LPA.* Receive on behalf of the City Council all recommendations from the LPA and present same, with his comments, to the City Council for final action.

(8) *Maintenance of files.* Maintain all files regarding pending and finalized land development matters in his office for safekeeping.

(9) *Administrative actions.* Accomplish all administrative actions required by these regulations, including giving notices, receiving and processing of appeals and the acceptance of and accounting for fees.

(10) *Maintenance of code and files.* Maintain and keep current these regulations, and all records relating to the administration of these regulations.

(11) *Referrals to and liaison with other agencies.* Refer to the LPA, City Council, Florida Department of Community Affairs, Florida Department of Environmental Protection, local municipalities and other departments or agencies for review all applications for which such reviews are specified in this Code or other laws and regulations; provide liaison with other agencies as needed; and provide copies of reports, decisions or records to other agencies as requested or as directed in this Code or other applicable laws.

(12) *Compliance with Code.* Review all applications for any development activity regulated by this Code, including building permits, to ensure the conformity of the proposed activity with the provisions of this Code.

(13) *Advice to applicants.* Provide advice to all applicants of the content and requirements of applicable sections of the Code.

(14) *Fees.* Account for and turn over all fees received from whatever source in the manner provided by the City Council.

Section 3.6 Building Official

(1) *Permits.* Issue temporary use permits, sign permits and any other similar permits that may be required by these regulations.

(2) *Conditional use inspections.* Make determinations on fulfillment of requirements for conditional uses and issue approvals thereof as required by this Code.

(3) *Suggestions as to Code.* Suggest to the LPA and the City Council changes in these regulations and the Zoning atlas, with a written statement, if desired, as to the need for such change.

(4) *Inspections and technical advice.* Make all required inspections necessary to make decisions on matters within his power to decide and with approval of the City Council obtain expert opinions on such matters.

(5) *Recommendations as to applications.* Issue recommendations regarding applications for Code amendments, Zoning changes, permits or other relief under this Code to the Council, board or commission responsible for same.

Section. 3.7 Local Planning Agency

(1) *In general.* The LPA shall act in an advisory capacity to the City Council. (The City Council currently serves the Local Planning Agency.)

(2) *Powers and duties.* It shall be the responsibility of the LPA to exercise the following powers and duties in addition to those specifically provided for in this Code and other legislation:

(a) *Review of matters and hearings.* Review those matters referred to the LPA and hold meetings and public hearings for purposes of reviewing said matters and making recommendations thereon to the City Council.

(b) *Issuance of written recommendations.* Transmit to the proper governmental bodies or agencies its written recommendations, where said recommendations are provided for in this Code.

- (c) *Changes in code, and internal procedures.* Recommend to the City Council for approval, internal procedures and changes in this Code.

- (d) *Ensure compliance with Code.* Ensure that the applications that come before it shall not be approved until all requirements of this Code have been met.

- (e) *Books and records.* Keep a properly bound and indexed public record of its resolutions, transactions, findings and determinations.

- (f) *Other duties.* Perform any other duties lawfully assigned to it.

ARTICLE III. ADMINISTRATIVE PROCEDURES

Section 3.8 Application for Conditional Use

(1) *In general.* The following steps are to be followed to request a conditional use permit for property under the provisions of this Code.

(2) *Application.* An application for such conditional use shall be submitted to the Clerk on a form provided by him and shall contain the following information (no application shall be considered unless each of these items is included):

- (a) *Description.* The legal description and acreage of the premises for which the conditional use is requested.

- (b) *Owner.* The names and addresses of the owners, occupants and tenants of such property, and adjacent owners of property within five hundred (500) feet of the subject property if it is a residential use or within one thousand (1,000) feet if a commercial use.

- (c) *Description of use.* A description of the conditional use desired, specifically and particularly describing the type, character and extent of the proposed conditional use.

- (d) *Authorization.* A citation to the provision in this Code which allows such conditional use.

- (e) *Conditions.* A detailed statement of the proposed conditions on such use, and as to how those conditions are to be fulfilled.

- (f) *Reason and existing use.* A statement as to the existing use of the property and the reason for requesting the conditional use.

(g) *Site plan.* A proposed site plan for said parcel prepared in compliance with the development review requirements within this Code.

(h) *Fee.* A filing fee for advertising and other administrative costs, in an amount set by resolution of the City Council.

(i) *Signature.* The applicant's signature under penalty of perjury that the materials submitted are true and correct.

(3) *LPA notice and agenda.* The Clerk shall set the matter on the agenda for the LPA.

(4) *Site plan.* Any review of any application for a conditional use shall include a site plan prepared by the applicant in accordance with the development review requirements within this Code. The site plan, as submitted or revised, shall be approved as a part of any approved conditional use.

(5) *Finding.* The LPA shall grant no conditional use hereunder unless it finds that such use will not adversely affect the public interest.

(6) *Conditions.* The LPA may as a condition to granting of any application for a conditional use permit, impose such conditions restrictions or limitations in the use of such

premises, or upon the conditional use thereof as requested in the application, as the Commission may deem appropriate and in the best interests of the public, taking into account matters of health, safety and welfare of the citizens, the protection of property values and other considerations material to good planning concepts, with the exercise of said discretion to be in accordance with the terms of this Code.

(7) *Time limits for use.* The LPA may prescribe a reasonable time limit within which the action for which the conditional use is required shall be commenced or completed or both.

(8) *Permitted use.* Any conditional use permit granted by the LPA shall permit no use other than the specific use or uses described in the application and site plan, as the same may be limited or restricted by the terms and provisions in the permit. Any expansion or extension of the use of such premises beyond the terms of the conditional use permit shall be unlawful and in violation of this Code, and shall render the conditional use permit subject to suspension or revocation by the City Council.

(9) *Revocation.* The City Council may suspend or revoke any permit allowing a conditional use at any time it determines that such conditional use has become a public or

private nuisance because of an unauthorized, improper or other unlawful use of such premises.

The original applicant for the permit shall be notified by mail of the hearing at which said action will be considered and of the outcome of said hearing.

(10) *Denial.* If an application for a conditional use permit is denied by the LPA, the Council shall take no further action on another application for substantially the same conditional use on the same premises until after twelve (12) months from the date of the prior denial.

Section 3.9 Application for Variance

(1) *In general.* The following steps are to be followed to request a variance for property from the particular regulations of this Code.

(2) *Application.* An application shall be filed with the Clerk on a form provided by him with the following items or information (no application shall be accepted which does not contain each item):

(a) *Owner.* If the applicant is other than the owner of the entire parcel in question, written consent for such application signed by all the owners of the property.

- (b) *Description.* A complete legal description of the premises for which a variance is requested.
- (c) *Survey.* A survey or plot diagram indicating applicable setback lines and the location of the proposed construction.
- (d) *Nature of variance.* A statement as to the exact nature of the proposed variance and the physical nature of the premises which makes the variance necessary.
- (e) *Hardship.* A statement as to the hardship imposed by these regulations in the event no variance is granted.
- (f) *Land Use.* The Land Use classification of the premises.
- (g) *Impact.* A statement as the impact of granting the variance on contiguous property owners.
- (h) *Fee.* A filing fee set by the City Council to cover advertising and other administrative costs.

- (i) *Adjacent owners.* The names and addresses of all contiguous property owners within five hundred 500 feet of the boundary of the property if its use is residential or one thousand (1,000) feet if its use is commercial.

- (j) *Signature.* A statement signed by the applicant under penalty of perjury that the materials submitted are true and correct to the best of the applicant's knowledge and belief.

- (3) *Specific findings.* The City Council shall not grant a variance unless it finds that:
 - (a) Special conditions and circumstances exist relating to the physical aspects of the property in question which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
 - (b) The special conditions and circumstances do not result from the actions of the applicant.
 - (c) Granting the variance will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings or structures in the same Land Use Category.

- (d) Literal interpretation of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same Land Use Category under the terms of this Code and would work unnecessary hardship on the applicant.
- (e) The variance granted is the minimum variance that will make the reasonable use of the land, building or structure possible.
- (f) Granting the variance will be in harmony with the general purpose and intent of this Code and will not be injurious to the area involved or otherwise detrimental to the public welfare.

(4) *Conditions.* In granting any variance, the City Council may prescribe appropriate conditions and safeguards in conformity with this Code and any ordinance enacted under its authority. Violation of such conditions and safeguards, which shall be made a part of the terms under which the variance is granted, shall be a violation of this Code.

(5) *Limits on variances.* Under no circumstances shall the City Council grant a variance allowing a deviation of more than thirty-five (35) percent from the applicable district regulations in question, nor shall a variance be granted as to density or to permit a use not

generally or conditionally permitted in the Land Use Category. No nonconforming use of neighboring lands, structures or buildings, and no permitted use of lands, structures or buildings in other Land Use Category. shall be considered grounds for the authorization of a variance.

(6) *Denial.* If an application for variance is disapproved, the City Council shall take no further action on another application for substantially the same proposal on the same premises for twelve (12) months after such denial.

Section 3.10 Administrative Appeals to the City Council

(1) *In general.* When the review of an administrative matter is not otherwise provided in this Code, a person aggrieved by any decision of an administrative official under this Code may appeal such decision to the City Council. Also, an officer, board or department of the City that is affected by such decision may appeal the decision to the City Council.

(2) *Filing within thirty (30) days.* Such appeal shall be taken within thirty (30) days after the order, requirement or decision is rendered, by filing with the officer who rendered the

decision and with the City Council a notice of appeal on a form provided by the City. All documents regarding the appeal shall be forwarded to the Council.

(3) *Effect of appeal.* An appeal to the City Council stays all work on the premises and all proceedings in furtherance of the action appealed from, unless the official from whom the appeal is taken certifies that by reason of facts cited in the certificate a stay would cause imminent peril to life or property. In such case, proceedings or work shall not be stayed unless the Council or a court of competent jurisdiction issues a restraining order for good cause shown after notice to the party and officer affected.

(4) *Hearing.* The City Council shall fix a reasonable time for the hearing of the appeal and give due public notice thereof in accordance with section 3-2(7), and decide the matter appealed within sixty (60) days of the filing of the notice. At the hearing, any party may appear in person, by agent or attorney.

(5) *Decision by the City Council.* In exercising the powers granted by these regulations, the City Council, by the concurring vote of a majority of the membership of the Council, may reverse or affirm, whole or in part, or may modify the order, requirement, decision or

determination appealed from, and may make such order, requirement, decision or determination as should be made; and to that end shall have all the power of the official from whom the appeal is taken. However, the Council may not issue any order that contravenes the provisions of this Code.

(6) *Appeal to courts.* Any person aggrieved by any decision of the City Council or any City officer, department or agency affected thereby, may apply to a court of competent jurisdiction within thirty (30) days after the effective date of the decision for review of same in accordance with Florida Statutes, Section 163.3215, F.S. and applicable court rules.

LAND DEVELOPMENT CODE

CHAPTER 4

(LAND USE DISTRICTS AND DEVELOPMENT STANDARDS)

Section 4.1 Purpose and Intent

This Article sets forth a complete description of each land use category (district) as shown on the adopted Future Land Use map consistent with the policy provisions of the adopted Comprehensive Plan classifications.

Section 4.2 Land Use Districts

Section 4.2-1 Generally

Land use districts of the City of Bristol are established in the Comprehensive Plan, Future Land Use Element. The land use districts and classifications defined in the Future Land Use Element of the City of Bristol Comprehensive Plan and delineated on the Future Land Use Map shall be the determinants of permissible activities on any parcel in the jurisdiction.

Section 4.2-2 List of Land Use Categories or Districts

For purposes of this development code, City of Bristol is hereby divided into land use categories or districts as follows:

Map Categories:

The categories on the Future Land Use Map are defined as follows:

Four types of mixed use areas are shown on the Future Land Use Map, and are defined below. For all mixed use areas, Land Development Regulations will ensure the following: protection of environmental resources consistent with the Conservation Element; adherence to the concurrency requirement; harmonious and functional site design with minimum standards established for access, circulation, parking, landscaping, drainage, tree protection, land coverage, and building placement. Where residential development can be provided with central water and sewer, densities may not exceed 8 dwelling units/acre; where only central water is provided, densities shall not exceed four dwelling units/acre; where no central water or sewer is provided, densities shall not exceed two dwelling units/acre, consistent with Florida Dept. of Health requirements. Development standards will also provide for buffering, building orientation, or other measures to ensure compatibility and proper function of the entire area as well as individual sites.

Town Center: A mixed use category which recognizes historical town centers and provides for a variety of business types, including offices, retail, lodging, restaurants, services, commerce parks, shopping centers, or other similar business activities. Other uses may be allowed, consistent with the more intense development characteristics of this mixed use category, such as: multi-family or single family residential, medical facilities such as clinics, hospital, nursing homes, public or private schools, churches or other similar uses; parks, and recreation. The mix would allow for approximately a 50-50 split between business and residential use for the entire area. Intensity of business use, as measured by land coverage, should not exceed 65%. Density of development shall be limited to 8 dwelling units per acre if central water and sewer are available; 4 dwelling units per acre if central water is available; and 2 dwelling units if no central sewer or water is available.

Rural Village: A mixed use category where suburban or exurban residential is the predominant type of use. All housing types will be allowed at a variety of densities, from as low as one unit per five acres. Density of development shall be limited to 4 dwelling units/acre if central water is available; and 2 dwelling units if no central sewer or water is available. However, density shall not exceed four dwelling units per acre even if central water and sewer are available. While single-family will be the predominant residential use, attached

or multi-family is allowed, along with community or neighborhood scale businesses, public uses such as churches or schools, so long as the non-residential uses are at a scale both in harmony with and compatible with the suburban residential scale and character of the area. Parks and recreation uses are also appropriate. Non-residential use should not exceed 30 percent of the total area; intensity of such development, as measured by land coverage, should not exceed 65 percent.

Mixed Use; Rural Residential: A mixed use category where rural residential is the predominant type of use. All housing types will be allowed at a gross density not to exceed one (1) unit one (1) per 1 acre. While single family will be the predominant use, community or neighborhood scale business, public uses such as schools or churches are allowed, so long as the non-residential uses are at a scale both in harmony with and compatible with the rural residential scale and character of the area. Parks and recreational uses including fish ponds are also appropriate. Non-residential use should not exceed 20 percent of the total area; intensity of such development, as measured by land coverage, should not exceed 65 percent.

Mixed Use; Suburban Residential: Areas characterized by existing development, and areas so located as to insure compact growth in close proximity to Rural Villages. Residential densities of up to two dwelling units per acre shall be allowed, consistent with Florida DHRS rules for densities of development using private wells and septic tanks. Commercial uses, such as neighborhood convenience and public uses shall be allowed, subject to an intensity of use limited by a maximum lot coverage (including parking) of 50%.

The maximum percentage of land that can be developed for commercial and public uses in the mixed-use-suburban residential category shall be five (5) percent.

Commercial Use : Areas characterized by primarily small and medium sized retail commercial development, providing for new commercial enterprises within the City. These commercial uses could consist of activities such as: small retail shops and offices, medium sized buildings for restaurants and stores such as gas stations and mini-markets or professional office buildings, and larger buildings for hardware or furniture stores, feed stores, and/or community grocery stores. The maximum intensity of development as measured by land coverage, shall not exceed 80 percent. If the commercial use is immediately adjacent to

residential uses, the maximum intensity of development as measured by land coverage shall not exceed 65 percent. Public infrastructure and Institutional facilities are also allowed within this land use category, at the same maximum intensity of development. Limited Residential development is allowed at a variety of densities, from as low as one unit per five acres, up to one unit per acre. Residential development should not exceed more than 30 percent of the total area.

Commercial: Areas of low, medium, or high density commercial development, providing for new commercial enterprises outside the boundaries of the mixed use categories. Siting Criteria in the City of Bristol Land Development Code shall ensure that these commercial land use activities are located adjacent to existing development and have direct access to existing transportation facilities, that these commercial land uses must provide for all needed water, waste water, and drainage facilities and are limited to commercial uses which are compatible with adjacent land uses

Commercial land uses shall be located within the following areas:

1) Commercial land uses may be located on land shown within the boundaries of the mixed-use categories on the Future Land Use Map consistent with the policy provisions for Town Center, Rural Village, Mixed Use Rural residential and Mixed Use Suburban Residential Land Use Categories. The uses permitted by this policy shall be consistent with all other policies of this Plan ensuring that the sites are exclusive of wetland areas and/or other environmental incompatibilities, such that sufficient developable area is available for the proposed use.

Industrial: Areas devoted exclusively to industrial development, allowing a mix of light and/or heavy manufacturing, storage, distribution, or other typical industrial uses. Hazardous waste disposal facilities are prohibited. Intensity of development, as measured by land coverage, should not exceed 90%

Agriculture: Activities within land areas which are predominantly used for the cultivation of crops and livestock including; cropland; pasture land; orchards; vineyards; nurseries; ornamental horticulture areas;

groves; confined feeding operations; specialty farms; and silviculture areas.

Conservation: Area with extremely limited development potential due to environmental sensitivity, wetlands, or other lands identified on the Future Land Use Map and in Policy 1-4 for such protective treatment. Limited use for recreation is appropriate, only as may be consistent with protection of the area. Silviculture practices conducted in conservation areas shall be limited, as appropriate, to those practices which adhere to the best management practices outlined in the publications titled Silviculture Best Management Practices Manual (Revised May, 1990, Florida Department of Agriculture and Consumer Services, Division of Forestry) and/or Management Guidelines for Forested Wetlands in Florida (December 1988, Florida Department of Agriculture and Consumer Services, Division of Forestry and Florida Forestry Association), subject to Policies 7-1, 7-2, and 7-3 included in this document.

Public Institutional: Land devoted to the Liberty Correctional Institution and other public infrastructure facilities serving areas outside of the mixed use land use categories.

Public Resource Management: Lands in public ownership designated for resource management including timber harvesting and hunting activities.

Public Preservation: Lands in public ownership limited to passive recreation.

Section 4.3 Development Uses Allowed in Land Use Category Districts

Section 4.3-1 Generally

This section defines and prescribes the specific development uses allowed within each land

use category district described in the City of Bristol Comprehensive Plan and this Code.

Section 4.3-2 Types of Uses

A. Residential

1. The category of residential uses includes single-family dwellings, accessory apartments, multi-family dwellings in a variety of housing types, modular and manufactured housing, but specifically excludes recreational vehicles.
2. While a district may be designated for residential use, not every housing type (i.e. single-family, apartment, townhouses) is necessarily allowed. Certain areas are limited to one or more housing types in order to preserve the established character of the area.

B. Institutional

1. This type of use includes educational facilities (public or private), pre-school and day care facilities (public or private), houses of worship, cemeteries without funeral homes, residential care facilities, halfway housing, nursing home facilities, eleemosynary uses and all other similar institutional uses.

C. Outdoor Recreational

1. These uses include areas for outdoor recreational activities such as picnicking, jogging, cycling, arboretums, licensed airstrips, hiking, golf courses, playgrounds, ballfields, outdoor ball courts, stables, rodeo arenas, outdoor swimming pools,

and water-related or water-dependent uses such as boat ramps, fishing docks and piers, and all similar outdoor recreational uses, whether public or private. Specifically excluded from this group of uses are firing ranges, marinas, miniature golf courses, race tracks, and similar recreational or quasi-recreational activities inconsistent with the allowable outdoor recreational uses described.

D. Professional Service and Office

1. This group of uses includes business and professional offices, medical offices or clinics, government offices, financial institutions without drive-up facilities, and personal service businesses where the service is performed on an individual-to-individual basis as opposed to services which are performed on objects or personal property. Examples of personal services are barber shops, beauty shops, or photography studios. This group of uses may include a dispatching/communications/office center for the distribution of goods, but specifically excludes the warehousing or actual distribution of goods.

E. General Commercial

A wide variety of general commercial, commercial recreational, entertainment, and related activities is included in this group of uses. Examples include professional and office uses as well as the following specific uses, and all substantially similar types of

uses:

1. Arcades, billiards/pool parlors, bowling alleys, indoor recreation centers and gymnasiums/spas/health clubs.
2. Community centers and fraternal lodges.
3. Commercial or trade schools such as dance and martial arts studios, adult education centers, but not vocational-technical schools.
4. Department stores and other retail sales stores, such as shoe stores, clothing stores, pharmacies, florists, and book stores.
5. Funeral homes, cemeteries, and mortuaries.
6. Farm and garden supply, building supply, and vehicle parts and accessories (but specifically excluding vehicle sales/service/repair).
7. Grocery stores, supermarkets convenience stores, and specialty food stores (such as meat markets, and bakeries).
8. Hospitals.
9. Hotels or motels.
10. Service businesses such as blueprint, printing, catering, tailoring, travel agencies, upholstery shops, laundries/dry cleaners, and light mechanical repair stores (such as camera, TV, or bicycle repair shops).
11. Restaurants (standard sit-down, and high-turnover sit-down, but excluding all

restaurants with drive-up facilities) including open air cafes.

12. Shopping centers, excluding regional malls or centers, not to exceed one-hundred thousand (100,000) square feet of gross leasable area (GLA).
13. Theaters and auditoriums.
14. Marinas.
15. Miniature golf, golf driving ranges.
16. Point-of-Sale retail plant nurseries.
17. Veterinary offices and animal hospital, provided the facility has no outside kennels.

18. Gasoline sales and service, combination gasoline sale and food marts.*

Neighborhood scale general commercial uses

F. High Intensity Commercial

The uses in this group include those activities which require outdoor storage, have higher trip generations than general commercial listed above, or have the potential for greater nuisance to adjacent properties due to noise, light and glare, or typical hours of operation. This group of uses includes the following list of specific uses and all substantially similar activities based upon similarity of characteristics.

1. Vehicle sales, rental, service, and repair, including truck stops, body shops, road services, car wash facilities, and the sales, rental, repair and service of new or used automobiles, boats, buses, farm equipment, motorcycles, trucks, recreational vehicles, and mobile homes.
2. Gasoline sales and service, combination gasoline sale and food marts, and similar facilities.
3. Recreational vehicle and travel trailer parks.
4. Taverns, bars, lounges, night clubs, and dance halls.
5. Financial institutions with drive-up facilities.
6. Restaurants with drive-up facilities.
7. Roadside produce stands, temporary or permanent.
8. Outdoor arenas, livestock auction facilities, race tracks (auto, dog, go-kart, horse, motorcycle), shooting and firing ranges, and similar activities.
9. Veterinary offices and animal hospital with outside kennels.
10. Storage yards for equipment, machinery, and supplies for building and trades contractors, garbage haulers.
11. Flea markets or similar outdoor or indoor/outdoor sales complexes.
12. Shopping Centers, including regional malls or centers, exceeding one-hundred thousand (100,000) square feet of gross leasable area (GLA).

G. Public Service/Utility

This group of activities includes those uses which provide essential or important public services, and which may have characteristics of outdoor storage, or potential nuisance to adjacent properties due to noise, light and glare, or appearance. Government offices or government agency offices specifically are not included in this group of uses.

Uses include the following, and substantially similar activities, based upon similarity of characteristics:

1. Emergency service activities such as buildings, garages, parking, and/or dispatch centers for ambulances, fire, police and rescue.
2. Broadcasting stations, transmission towers.
3. Utility facilities, such as water plants, wastewater treatment plants, electricity substations serving 230 KV or greater.
4. Maintenance facilities and storage yards for schools, government agencies, and telephone and cable companies.
5. LP gas storage and/or distribution facility for up to one thousand (1000) gallons. This shall not be construed to prevent retail sales of LP gas in canisters or similar pre-filled containers.
6. Airports, airfields, and truck or bus terminals.
7. Publicly operated hazardous waste collection and handling centers and publicly

operated recycling centers.

H. Agricultural.

Agricultural uses include activities within land areas which are predominantly used for the cultivation of crops and livestock including: cropland; pastureland; orchards; vineyards; nurseries; ornamental horticulture areas; groves; confined feeding operations; specialty farms; aquaculture areas; and silviculture areas. Residential use may be allowed.

I. Industrial

This type of use includes those wholesale and retail businesses for manufacturing, processing, storing, or distributing goods. Included in this category are uses which require primarily outdoor storage or the industrial activity itself is conducted outdoors. Such uses include, for example., LP gas storage and/or distribution exceeding one thousand (1000) gallons, junkyards, or salvage yards, recycling collection centers, and borrow pits (but not excavation which requires blasting).

J. Mining

The types of uses in this group include surface mining, rock quarries, strip mining, and any extraction activities. Buildings and businesses for the refinement, processing, packaging, and transportation of extracted materials are included in this group of uses.

Section 4.4 Land Use District Requirements

(A) Agriculture

1. Purpose and Intent

These areas are predominantly in agricultural or silvicultural use.

2. Allowable uses

- (a) Agricultural.
- (b) Residential, subject to the density standards in the code.
- (c) Institutional, excluding residential care facilities and nursing homes.
- (d) Outdoor Recreational.
- (e) Public Service/Utility
- (f) Special Exception Uses: Borrow Pits intended for use exceeding 60 days.

3. Density

In order to protect agricultural lands and to contribute to efficient land use patterns, residential densities within the "Agriculture" land use category shall be one

For institutional and public service uses, intensity of development by impervious surface coverage should not exceed thirty five (35%) percent.

(B) Town Center

1. Purpose and Intent

This is a mixed use category which recognize historical town centers and provides for a variety of business types as well as public and residential uses.

2. Allowable Uses

- (a) Residential.
- (b) Institutional.
- (c) Outdoor Recreational.
- (d) Professional Service and Office.
- (e) General Commercial.
- (f) High Intensity Commercial.
- (g) Public Service/Utility.
- (h) Agricultural.

3. Density

Multi-family residential, where allowed, is not to exceed 10 units per acre. However, this density is to be granted according to the following guidelines:

Development without central water and sewer	2 units/acre
Development without central sewer	3 units/acre
"Standard" subdivision	4 units/acre

Mobile Home Development and Multi-Family

8 units/acre

4. Intensity

Intensity of business (non-residential) use, as measured by land coverage, should not exceed sixty five (65%) percent.

(C) Rural Village

1. Purpose and Intent

These are mixed-use areas where higher density and intensity of land use have historically been located. Suburban-type residential is the predominant land use category.

2. Allowable Uses

- (a) Residential.
- (b) Institutional.
- (c) Outdoor Recreational.
- (d) Professional Service and Office.
- (e) General Commercial.
- (f) High Intensity Commercial.
- (g) Public Service/Utility.
- (h) Agricultural.

3. Density

Multi-family residential, where allowed is not to exceed 4 units per acre. However, this density

is to be granted according to the following guidelines:

Development without central water or sewer	2 units/acre
Development without central sewer	3 units/acre
"Standard" subdivision	4 units/acre
Mobile Home Development and Multi-Family	4 units/acre

4. Intensity

Intensity of business (non-residential) use, as measured by land coverage, should not exceed sixty five (65%) percent.

(D) Mixed Use - Suburban/Residential

1. Purpose and Intent

This is a mixed use category where Suburban/Residential is the predominant type of use.

2. Allowable Uses

- (a) Residential.
- (b) Institutional.
- (c) Outdoor Recreational.
- (d) Professional Service and Office.
- (e) General Commercial (neighborhood commercial only).
- (f) Public Service/Utility.
- (g) Agricultural.

3. Density

A variety of densities not exceeding two (2) units per acre.

4. Intensity

Intensity of non-residential uses, as measured by land coverage, should not exceed fifty (50%) percent.

(E) Mixed Use - Rural Residential

1. Purpose and Intent

This is a mixed use category where rural residential is the predominant type of use.

2. Allowable Uses

- (a) Residential.
- (b) Institutional.
- (c) Outdoor Recreational.
- (d) Professional Service and Office.
- (e) General Commercial (neighborhood commercial only).
- (f) Public Service/Utility.
- (g) Agricultural.

3. Density

All housing types are allowed at a gross density not to exceed one (1) unit per acre.

4. Intensity

Intensity of non-residential uses, as measured by land coverage, should not exceed sixty five (65%) percent.

(F) Public Institutional

1. Purpose and Intent

This is a land area devoted to Liberty Correctional Institution and other public facilities.

2. Allowable uses

- (a) Land devoted to the Liberty Correctional Institution.
- (b) Governmental buildings, and other approved public facilities.
- (c) Public landfills and similar facilities.

3. Density

This development standard is not applicable to the Public Institutional Use District.

4. Intensity

Intensity of use, as measured by land coverage, should not exceed sixty five (65%) percent.

(G) Industrial

1. Purpose and Intent

There are areas devoted exclusively to Industrial Development, allowing a mix of light or heavy manufacturing, storage, and distribution activities.

2. Allowable Uses

- (a) Industrial (hazardous waste disposal facilities are prohibited. (Unless approved

by special exception.)

(b) Mining.

3. Density

This development standard is not applicable to the Industrial Use District.

4. Intensity

Intensity of development, as measured by impervious surface coverage, should not exceed ninety (90%) percent.

(H) Public Resource Management

1. Purpose and Intent

These are public lands where silvicultural activities and hunting are the predominant uses.

2. Allowable Uses

(a) Agricultural (silviculture only, subject to Best Management Practices).

(b) Outdoor Recreational (hunting, passive recreational only, consistent with area protection).

3. Density

This development standard is not applicable to the Public Resource Management Use District.

4. Intensity

This development standard is not applicable to the Public Resource Management Use District.

(I) Public Preservation

1. Purpose and Intent.

These are publicly owned areas where passive recreational and preservation activities are the predominant uses.

2. Allowable Uses

(a) Outdoor recreational (passive recreational only).

(b) Public facilities consistent with resource preservation.

3. Density

This development standard is not applicable to the Public Preservation Use District.

4. Intensity

This development standard is not applicable to the Public Preservation Use District.

(J) Conservation

1. Purpose and Intent

These are areas with limited development potential due to environmental sensitivity, alluvial soils, or other lands identified for protective treatment.

2. Allowable Uses

(a) Agricultural (silviculture only, subject to Best Management Practices).

(b) Outdoor Recreational (Consistent with protection of the area).

3. Density

This development standard is not applicable to the Conservation Use District.

4. Intensity

This development standard is not applicable to the Conservation Use District.

Section 4.5 Development Standards

(A) Table of Development Standards

Required development standards for building setback and height are included in Schedule 1.0, below:

SCHEDULE 1.0

MINIMUM DEVELOPMENT STANDARDS

	Type of Use		
	Low Density Residential (0-6 units per acre (gross))	Medium-High Density Residential (Over 6 units per acre) Commercial, Office	Industrial
Minimum Requirements (Feet)			
Setbacks			
Front Yard			
Building	20	20	20
Parking	--	20	20
Corner Yard			
Building	20	20	20
Parking	--	20	20
Side Yard			
Building	5	5	10
Parking	--	5	10
Rear Yard			
Building	20	20	20
Parking	--	10	10
Maximum Requirements (Feet)			
Height	35	45	45

(B) Locational Requirements

Locational requirements are applicable only for the following land use districts:

1. Conservation. All development shall maintain a minimum twenty-five (25) foot buffer from known archaeological and historical sites.
2. Industrial. All industrial land use shall be directed away from residential areas.
3. Town Center, Rural Village, Mixed Use-Suburban/Residential, Mixed Use-Rural Residential.

In order to ensure protection of residential development, only residential uses shall be allowed on interior subdivision and local streets;

(C) Access Management

All proposed development shall meet the following standards for vehicular access and circulation:

1. Number of Access Points
 - a. The number of access points shall be as follows:

ACCESS POINTS

Type of Development	Number of Access Points	Preferred Type of Access
Residential, <75 units	1	Residential or Minor Collector
Residential, 75+ units	2	Minor Collector
Non-residential, <300 required parking spaces	1	Collector
Non-residential, 300-999 required parking spaces	2	Major Collector or Arterial

Type of Development	Number of Access Points	Preferred Type of Access
Non-residential, 1,000+ required parking spaces	2 or more	Major Collector or Arterial

- b. Notwithstanding the provisions in paragraph one above:
 - 1) A non residential development, or a multi-family residential development,

on a corner lot may be allowed two points of access. However, no more than one (1) access shall be onto an arterial.

2) Schools may have one additional access, provided that the additional access drive is limited to school bus use only.

2. Separation of Access Points

a. The separation between access points onto arterial and collector roadways, or between an access point and an intersection of an arterial or collector with another road, shall be as shown in the following table:

Functional Class of Roadway

Distance Between Access Points	45 mph	< 45 mph
Major Arterial	660 feet	400 feet
Minor Arterial	660 feet	440 feet
Major Collector	440 feet	245 feet
Minor Collector	440 feet	245 feet

b. The distance between access points shall be measured from the centerline of the proposed driveway or roadway to the centerline of the nearest adjacent roadway or driveway.

3. Alternative Designs

Where natural features or spacing of existing driveways and roadways cause the

foregoing access requirements to be physically infeasible, alternate designs may be approved.

4. Access to Residential Lots

- a. Access to non-residential uses shall not be through an area designed, approved, or developed solely for residential use.
- b. All lots in a proposed residential subdivision shall have frontage on and access from an existing street meeting the requirements of this Code except that rural residential subdivisions of one (1) unit per ten (10) acres or lower density may take access from a private or public graded road.
- c. Access to all lots in a proposed residential subdivision shall be by way of a residential local street.

Section 4.6 Special Land Development Requirements

Section 4.6-1 Mobile Home Park Requirements

A) Lot Size

1. Each lot in a mobile home park served by central water and sewage systems shall be a minimum of .20 (1/5) acre, and shall contain only one mobile home.
2. Each lot in a mobile home park not served by central water and sewage systems shall be a minimum of .5 (1/2) acre, and shall contain only one mobile home.
3. Each lot in a mobile home park served by a central water system but not a central sewage system shall be a minimum of .25 (1/4) acre, and shall contain only one mobile home.

B) Location

No mobile home park shall be located within .5 (1/2) mile of any platted subdivision.

C) Buffer Zones/Setbacks

Each mobile home park shall have a setback/buffer zone of a minimum of 35 feet between any mobile home lot and any road right-of-way or property line, which buffer zone shall be attractively maintained at all time. There shall be a minimum 40 foot setback from the center line of any street within a mobile home park to the structure located on each lot.

D) Roads

~~Every road within a mobile home park shall be paved a width of at least 20 feet and shall be a minimum of 50 feet in total width, including rights-of-way and ditches. Each road shall have direct access to a public road, or to a service road which has direct access to a public road.~~

~~Each road within a mobile home park shall be named consistent with the official map of Liberty County.~~

~~Any dead-end street in a mobile home park shall be no more than 500 feet in length, and shall provide a terminal with a right-of-way diameter of not less than 70 feet for turn-around purposes.~~

1. The proposed street shall recognize and extend suitable existing streets, and shall make possible the future extension of streets into adjacent undeveloped land where feasible.

2. Intersections shall be as nearly at right angles as possible.

3. In residential areas T@ intersections are preferable to four-way intersections.

4. The minimum width of right-of-way shall be sixty (60) feet except private streets which shall have a minimum right-of-way of thirty (30) feet.

5. Dead end streets shall be no longer than 500 feet in length and shall be provided with a paved turn around diameter of 80 feet minimum and a right-or-way diameter of at least 100 feet. A landscaped cut-out in the center of the turn-around is permitted. Pavement widths around the turn-

around shall be consistent with the pavement width leading up to the turn-around.

6. Each road shall have direct access to a public road, or to a service road which has direct access to a public road.

7. Each road within a mobile home park shall be named consistent with the official map of Liberty County.

8. All streets shall be paved.

9. All streets shall be cleared, grubbed, and graded to the full width of the right-of-way and provided with a property prepared subgrade, base and pavement in compliance with the following minimum specifications.

10. All material used in the construction and paving of the streets are t be as specified in the most recent edition of the Florida Department of Transportation Standard Specifications for road and Bridge Construction.

11. The subgrade will be compacted until it is firm and unyielding and shall have a Limerock Bearing Ration (LBR) value of at least 30.

12. The base material shall be one of the following: Sand clay, limerock, shell or soil-cement. The base must be one foot wider (six inches each side) than the pavement surface and have a compacted thickness of six inches (6").

13. The pavement shall be Florida Department of Transportation type S-1 Asphaltic Concrete with aminimum compacted thickness of one and one fourth inches (1-1/4"@) and a minimum width of

twenty feet (20').

14. The owner, in preparing the streets within the mobile home park, shall also acquire the necessary right-of-way and improve said right-of-way in accordance with these regulations for sufficient access roads for adequate ingress and egress to and from the mobile home park.

R) Fees

A fee of \$1,000.00 or \$25.00 per mobile home space, whichever is greater, is required to be paid at the time plans for a mobile home park are submitted to the County.

E) Signs

Each mobile home park shall have entrance and exit signs located adjacent to the public road right-of-way.

F) Street Lights

Each mobile home park shall have one street light for each two mobile home lots equidistance apart.

G) Safety Devices

The owner of each mobile home park shall insure that each mobile home within this park is equipped with a fire extinguisher and a smoke alarm; and if the park owner requires the mobile home resident to furnish said safety devices, then the owner shall comply with the provisions of Chapter 723, Florida Statutes, requiring notice to such resident prior to allowing said resident to locate in the

park.

H) Pads, Patios or Porches

Each lot within a mobile home park shall have a concrete pad, patio or porch at the front entrance of the mobile home, of a minimum size of ten feet by ten feet.

I) Skirting

Each mobile home within a mobile home park must be skirted on all sides with decorative concrete blocks, or treated wood lattice, or manufactured mobile home skirting.

J) Landscaping

Each lot within a mobile home park must be landscaped so that each lot is grassed and attractively maintained.

K) Water Supply

An accessible, adequate, potable supply of water shall be provided to all lots in each mobile home park. The system shall be designed for the maximum water demand and be in compliance with Chapter 10D-4 or Chapter 17-22, Florida Administrative Code, as determined by the Health Department.

At least one water supply service connection shall be provided to each mobile home space and shall be designed and constructed as to prevent the connection from being damaged by the parking of mobile homes.

L) Sewage Disposal

An adequate and safe method of sewage collection treatment and disposal shall be provided in each mobile home park and shall be in compliance with either Chapter 10D-6 or Chapter 17-6, Florida Administrative Code, as determined by the Health Department.

Each mobile home site shall be provided with a sanitary sewer connection point. The waste line connector between the mobile home unit and the park's sewer system shall be self-draining and leakproof for liquids and gases and be connected by means of readily removable acid-resistant semi-rigid connector. The connection point for the sewer outlets shall be tightly capped when not in use.

M) Garbage and Refuse Disposal

Collection, storage, and disposal of garbage and refuse shall be so managed as to not create nuisance, odors, rodent harborage, insect breeding, accident hazards or air pollution.

N) Parking

Automotive parking within a mobile home park shall all be off-street and shall consist of a minimum of two off-street parking spaces for each mobile home lot. Each parking space shall be directly accessible to a road within the mobile home park, and no such parking space or home driveway shall be situated so as to require vehicles to back into any public roadway except the roads within the mobile home park.

O) Lawn Maintenance

The owner of the mobile home park shall be responsible for insuring that all lawns and common areas are properly maintained, including regular and frequent grass cutting and pruning as needed.

P) Animals

The owner of a mobile park shall insure that the residents of his park keeping animals within the park do not allow the animal to create or become a public nuisance.

Q) Other Regulations

The owner of a mobile home park shall comply with all other applicable City and state laws, ordinances, rules and regulations, including Chapter 320, Florida Statutes, relating to "tie-downs" among other things.

Section 4.6-1A Non-Conforming Uses and Structures

(1) Intent.

It is the intent of these land development regulations to permit existing uses and structures which would be prohibited under the terms of this Chapter to continue until they are voluntarily removed. It is further the intent of these zoning regulations that non-conformities may be enlarged upon, expanded, intensified, or extended, so long as the type of use is not changed. To avoid undue

hardship, nothing in these land development regulations shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction has been carried on diligently. Where excavation or demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation, or demolition, or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

(2) Discontinuance of Non-Conforming Use.

If any non-conforming use of a structure, or structure and premises in combination, ceases for any reason (except where governmental action prevents use of the premises) for a period of more than six (6) consecutive months, any subsequent use shall conform to the regulations for the district in which the use is located.

(3) Uses Under Special Exception Provisions Not Non-Conforming Uses.

Any use which is permitted as a special exception under the terms of these land development regulations shall not be deemed a non-conforming use.

Section 4.6-2 PUD District Requirements

1) Purpose

The Planned Unit Development (PUD) District is established to provide a process for unified planning and coordination of large scale development and for the creation of new neighborhood or community areas which, by virtue of their specialized nature and unique design, are not adaptable to regulation by the other zoning district classifications set forth in this Article. It is intended that the regulations and requirements applying to a PUD zoning district shall be sufficiently flexible so as to encourage creative and imaginative design in planning and development. Where there are conflicts between the requirements set forth herein for a PUD zoning district and the general provisions of this Article or other applicable codes of City of Bristol, the requirements herein shall govern; provided, however, that development within a PUD district shall be in accordance with standards which equal or exceed those embodied within said other applicable codes.

2) PUD Development Approval Procedures.

A. *Preapplication conference.* Prior to filing an application for PUD development, the applicant or his authorized representative shall confer with the Development Administrator, as well as such other City officials and representatives of other agencies as may be requested by them to participate. The purpose of this conference shall be to permit the applicant to present his initial concept of the proposed PUD development, to permit City officials to make preliminary comments on the proposal, and to provide a detailed explanation of application requirements and review procedures.

B. A PUD petition shall be submitted in accordance with the general requirements for amendments as set forth in this Code. In addition to the required application materials, the application shall include the following:

- 1.) A statement identifying the owners of all property within the area of the proposed development, together with evidence of the unified control of said area. If submitted by other than the current owner(s) of the property, the statement shall be accompanied by satisfactory evidence of the existence of purchase or lease agreement(s) or other appropriate instrument(s) to indicate current or future unified control of the property.

The statement shall include agreement:

- (a) That the proposed development shall be in accordance with the provisions of the application and all materials submitted therewith and supplied upon request, and in accordance with such specified modifications thereof as may be required by the City Council and agreed to by the applicant;
- (b) To provide acceptable surety bond, or letter of credit, or similar security to the City for each phase of the proposed development prior to the commencement of construction of such phase as to assure completion of such publicly owned and operated water lines, sewer lines, streets, or similar publicly owned and operated facilities required by the approval of the PUD development'
- (c) To file with the City copies of any condominium prospectus and the

corresponding letter of approval from the Florida Department of Business Regulation in order to ensure that provision will be made for the continuing operation and maintenance of all common facilities and open areas; and

- (d) To bind all successors of the applicant to such agreement.
- 2.) A general concept plan at an appropriate scale showing the character, extent, and general location of buildings and outdoor uses, including open space and recreation areas, parking areas, public facilities, and buffers, and showing the uses of buildings.
- 3.) An itemization of the number of dwelling units of different types and of the quantity (floor area) of space devoted to nonresidential uses, and a schedule showing the expected phasing plan (including the starting and ending dates of each phase) and the number of units and/or quantity of space to be included within each phase.
- 4.) A schematic traffic flow plan showing estimated volumes (peak hour) of traffic on collector and arterial roads within the site and at all entrances to the site.
- 5.) A report indicating how the proposed project will conform to the adopted Comprehensive Plan.
- 6.) Such other materials as may be determined by the Development Administrator as being necessary for the review of the development based on its unique location, character or extent. Where appropriate, such materials shall include an identification of areas on the site characterized by floodplains, archaeological and historical sites, and/or habitats

for threatened or endangered species of special concern.

C. *Review by City staff.* The application and supporting materials shall be reviewed by the Development Administrator, as well as other officials from whom comments are requested. The staff report on the proposal shall include recommended findings as to compliance of the application with the adopted Comprehensive Plan and with the standards of this Code, and shall include recommended conditions of approval.

D. *Action by City Council.* In addition to other amendment requirements, review and action by the City Council shall include findings as to compliance of the application with the adopted Comprehensive Plan and with the standards of this Code, and shall include such conditions of approval as may be necessary to ensure full compliance with all requirements and to further ensure the compatibility of the proposed development with the surrounding area. No action approving the application with conditions shall be final until the applicant accepts, in writing, the conditions. If the applicant fails to accept the conditions within thirty (30) days, the proposal shall be deemed not to have been approved and no further approvals or permits may be given.

3. **Standards for PUD Developments.**

A. All PUD developments shall conform to the provisions of the adopted Comprehensive Plan. Where standards exist in the Plan and comparable standards do not exist in this Code, the standards and procedures set out in the Plan shall apply in addition to the standards herein.

B. *Permitted uses.*

1. No specific principal uses or structures are designated as permitted. Uses permitted within a particular PUD zoning district shall be those uses permitted under the Comprehensive Plan which are deemed by the City Council to be fully compatible with each other, with the context of the proposed development as a whole, and with the land use patterns of surrounding areas. The type, general location, and extent of proposed uses shall be clearly designated as part of a general concept plan, and approval of said uses or types of uses as part of a rezoning amendment shall constitute the permitted land use requirement of a particular PUD district to the same extent and degree as were said permitted uses specifically included in the context of this Article. Any proposed change of approved land usage, other than necessary refinements in size, configuration, or location as may be required in the preparation of detailed plans, shall require a rehearing and approval in accordance with the procedures for original approval.
 2. Accessory uses shall be permitted as set forth within the approved general concept plan or as found by the City Council to be compatible with an approved plan.
- C. Minimum dimensional and density requirements.
1. A PUD development shall include no less than 2 1/2 acres of contiguous land and shall be of such proportions as to properly accommodate all proposed uses in keeping with the general requirements of the City and the established objectives and policies

of the adopted Comprehensive Plan. There shall be no specific lot requirements for individual uses; provided, however, that the area designated for any particular use shall be of sufficient size and proportion so as to properly accommodate said use and to provide for adequate open space between it and an adjacent use. The maximum net residential density shall be ten (10) dwelling units per acre, and gross density shall be as established under the Future Land Use Element, but shall not be greater than the land use district in which the PUD is approved.

2. A minimum of twenty (20) percent of the total site area, less any area(s) devoted exclusively to nonresidential uses, shall be devoted to common open space and recreation areas. Said areas shall be exclusive of areas required for streets, off-street parking, setbacks at the periphery of the development, and necessary open space between buildings and/or uses.
3. The maximum combined area of building coverage by all structures shall not exceed thirty (30) percent of the gross site.
4. The maximum height of structures within a PUD development shall be as specifically established by the City Council in its approval action.
5. Set borders within a PUD development shall be established at the time of approval.
- D. Off-street parking and loading areas shall be as set forth in this Code.

4. **Effect of Approval**

Approval of the proposed PUD development shall be interpreted as including approval of all maps, diagrams, tables and reports submitted by the applicant.

Section 4.6-3 Site Plan Review

(A) Development and Uses Requiring Site Plan Review

The following uses of land and development shall require a site plan for review and approval:

1. **Permitted Uses.** All permitted uses within all districts, except single-family detached dwellings, two-family dwellings, and their accessory uses and structures.
2. **Special Exception Uses.** All special exception uses within all districts.
3. **Alterations or Remodeling.** All building or structural alterations or remodeling, except single-family detached dwellings and two family dwellings, where said alterations or remodeling affect fifty percent (50%) or more of the floor area of the principal building or use; or the cost of said alterations or remodeling exceeds fifty percent (50%) of the assessed value of the improvements on the site prior to the alterations or improvements.

(B) Preapplication Conference

In order to expedite the review of a Site Plan, coordinate its local review in respect to the provisions of all applicable City Ordinances, and to inform the City of a Site Plan in

preparation; one or more preapplication conferences between the applicant and representative of the City's Administrative Staff is encouraged.

The preapplication conference(s), while informal, will serve several purposes and focus on the following items:

1. To inform the City of any Site Plans in progress together with the scale and character of the plan so that the City may recognize the proposed development in any of its physical or facility planning for the entire City.
2. To inform the applicant of the City's informal response as to the scale and character of the proposed development and to alert the applicant to all applicable ordinances and regulations as well as any specific areas of concern that the City may have for that specific site or proposed plan.
3. To clarify and inform both the applicant and the City with respect to the Site Plan Review Procedure.

(C) Major Development Review

The City may, if in its opinion it is necessary, retain consultants to assist in the review of an application for site plan review which meets one or more of the following criteria:

1. Encompasses two (2) or more acres of land within the application.
2. Proposes twenty (20) or more dwelling or motel units or fifty thousand

(50,000) square feet of non-residential building area.

3. Requires, by the nature and content of the application, professional expertise in one or more professions not available on the administrative staff of the City.

(a) **Types of Review.** The types of review to be conducted under the major development review procedures may be classified in either of the following categories:

1) Consideration of development issues or impacts arising from the physical aspects of project development including environmental, traffic, land use, density and similar impacts.

2) Consideration of fiscal impacts identifying the cost of providing public services to the development and the tax revenues expected to be generated by the project.

(b) **Review Costs.** The cost of retaining said consultants shall be borne by the applicant in the manner set forth within a resolution of the City concerning application and permit fees.

(D) Submission Requirements

4. Any applications for site plan review shall be accompanied by the following information:

5. _____ site plan containing the title of the project, its date and scale, a north arrow

and illustrations of the locations of all proposed buildings and structures, access and traffic flow, off-street parking and off-street loading areas, recreational facilities, landscaped buffer areas, refuse collection areas, and proposed utilities.

5-6. The location, size, and character of any common open space, and the form of organization proposed to own and maintain any common open space.

6-7. Location, type, size, and height of fencing, retaining wall, and screen planting where required under the provisions of this ordinance.

7-8. All off-street parking, loading space, and walkways, indication type of surfacing, size, angle and width of stalls and aisles, together with schedule showing the number of parking spaces provided and the number required by the provisions of this ordinance.

8-9. Provisions for the adequate disposition of natural and stormwater in accordance with the adopted design criteria and standards of the City, indicating the location, size, type and grade of ditches, catch basins, and pipes and connections to the existing drainage system.

10. Provisions for the adequate control of erosion and sedimentation, indication the proposed temporary and permanent control practices and measures that will be implemented during all phases of clearing, grading, and construction.

9-11. A landscape plan indicating the location, type, size, and description of all proposed landscape materials, including the limits and/or extent of tree removal and/or tree protection.

10-12. Any additional data, plans, or specification which the applicant believes is pertinent and will assist in clarifying the application.

(E) Review Procedures

1. **Acceptance.** Upon receipt of a site plan application, the City shall have ten (10) working days to determine its appropriateness and completeness and accept or reject the application.
2. **Administrative Review.** Upon acceptance, the development administrator shall prepare a report for the City Council indicating the degree of conformance of the site plan with all applicable codes and ordinances. This report may include a major development review as authorized in (C).
3. **City Council Review.** An application for site plan approval shall be presented to the City Council at a regular meeting no later than forty-five (45) days after the acceptance of the site plan. The Council shall , within sixty (60) days, take action either approving, approving with modifications, or denying the plan.
4. **Modified Site Plan Approval.** A site plan approved with modifications shall be revised and resubmitted to the Development Administrator before any

development permit may be issued based on the plan.

(F) Modification of a Site Plan

Any changes or amendments to a site plan approved by the City Council shall require a resubmission in accordance with the provisions of this ordinance, except that minor alterations and/or adjustments may be permitted by the Development Administrator provided that such alterations and/or adjustments do not:

1. Affect more than fifty percent (50%) of the square footage of the approved site plan.
2. Alter the use or uses of the approved site plan.
3. Significantly change the concept intent or arrangement of the approved site plan.
4. Result from a proposal to change the approved site plan but rather are a result of refinement and detailing of the site plan as approved.

(a) Intent of Minor Alterations. In all cases where the Development Administrator acts in accordance with this section of the ordinance, he must and shall find before granting approval to the requested alterations that:

- 1) The granting of the alterations would be in the best interest of the City.
- 2) In the case of alterations to an approved site plan for a condominium, a majority of the owners in the affected condominium association have

consented to the alterations and any applicable rules of said association have been met.

- (b) **Appeal of Development Administrator's Action.** The applicant or any directly interested party shall have the right to appeal any decision of the Development Administrator with respect to permitting alterations and/or adjustments to an approved site plan. Any such appeal shall be made to the City Council within ten (10) days of the Development Administrator's action upon which said appeal is based.

(G) Time Limit

- 1. An approved site plan shall be effective for a period of twelve (12) months from the date of approval by the City Council. If a development order is not issued within such period, the approval for the site plan shall be null and void.
- 2. Failure to comply with this Section shall negate the approval of the subject site plan and modifications.

Section 4.6-4 Special Exception Uses.

Special exception uses shall be permitted only upon authorization by the City Council subsequent to a review and written advisory opinion by the Development Administrator, provided that such uses shall be found by the City Council to comply with the following

requirements and other applicable requirements as set forth in this Code:

- (A) That the use is a permitted special use ;
- (B) That the use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience will be protected;
- (C) That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located;
- (D) That the use will be compatible with adjoining development and the proposed character of the district where it is to be located;
- (E) That adequate landscaping and screening is provided as required herein, or otherwise required;
- (F) That adequate off-street parking and loading is provided, that ingress and egress are so designed as to cause minimum interference with traffic on abutting streets and that the use has adequate frontage on a public or approved private street;
- (G) That the use conforms with all applicable regulations governing the district where it is located.

Section 4.6-5 Landscaped Buffers

(A) Landscaped Buffers Required

Landscaped buffers shall be provided and maintained when certain land uses are adjacent to or directly across from each other in order to protect uses from the traffic,

noise, glare, trash, vibration and odor likely to be associated with a more intensive land use.

The installation and maintenance of landscaped buffers shall be the responsibility of the development being proposed, not the existing use.

(B) Determination of Landscaped Buffer Requirements

Landscaped buffers shall be located at the perimeter of the building site for any given use, and shall not be located in any portion of a public right-of-way. The following procedure shall be followed to determine the type of landscaped buffer required:

1. Identify the land use district of the proposed use.
 2. Identify whether the proposed and adjacent uses are high impact, medium impact, low impact, Residential Class I or Residential II uses. (Refer to Section E)
 3. Determine the landscaped buffer required on each building site boundary (or portion thereof). (Refer to Section F)
 4. Select the desired landscaped buffer option from those set forth in Section G.
- Any of the listed options shall satisfy the requirement of buffering between adjacent land uses.

(C) Landscaped Buffer Design and Materials

1. Existing Native Plant Material. The use of existing native species of plant material is strongly encouraged in landscaped buffers. Existing natural ground cover should be retained where possible by avoiding scraping, grading and sodding within the landscaped buffer. Where the planting requirements of Section G require additional trees or shrubs to be installed in an existing natural area, it should be done in a manner which minimizes disturbance to native species.
2. Where the planting requirements of Section G require additional trees to be installed in the landscaped buffer, required landscape materials shall be Florida Department of Agriculture Nursery Grade No.1 or better.
3. Mixed-Use Development. Where a building site is used for a single mixed use development, landscaped buffers shall not be required between the various constituent uses. Landscaped buffers required at the perimeter of the development shall be based upon the individual uses on each portion of the property.
4. Parking Lot Landscaping. Perimeter plantings required for parking lot landscaping may be counted toward satisfying buffer requirements.

(D) Use of Landscaped Buffers

1. Open Space. Landscaped buffers may be counted toward satisfying open space requirements, and may be used for passive recreation. They may contain pedestrian or bike trails, provided that the total width of the bufferyard is maintained. In no event, however, shall the following uses be permitted in landscaped buffers: playfields, stables, swimming pools, tennis courts, parking lots and vehicular use areas, dumpsters, equipment storage and other open storage, buildings or overhangs.
2. Stormwater Retention/Detention Facilities. The Development Administrator shall be authorized to allow stormwater retention/detention facilities to encroach into landscaped buffers a maximum of thirty (30%) percent of buffer width, where it is found that all planting requirements of this Section are met and the visual screen provided by the landscaped buffer will be fully achieved.

(E) Classification of Uses for Determining Buffer Requirements

1. Nonresidential Uses. For the purpose of determining landscaped buffer requirements, nonresidential land uses are classified as either high, medium, or low impact uses, as follows:
 - (a) High Impact Uses. High impact uses are uses of land that, because of their operational and physical characteristics are expected to have a strong effect on abutting or adjacent uses. High impact uses include:

- 1) Industrial Uses;
 - 2) Mining Uses;
 - 3) Water and Wastewater Treatment Plants;
 - 4) All accessory uses associated with the above uses.
- (b) Medium Impact Uses. Medium impact uses are uses of land that, because of their operational and physical characteristics are expected to have a moderate effect on adjacent uses. Medium impact uses include:
- 1) High Intensity Commercial Uses;
 - 2) General Commercial Uses;
 - 3) All accessory uses associated with the above uses.
- (c) Low Impact Uses. Low impact uses are uses of land that, because of their operational and physical characteristics are expected to have a limited effect on adjacent uses. Low impact uses include:
- 1) Institutional Uses;
 - 2) Outdoor Recreational Uses;
 - 3) Professional Service and Office Uses;
 - 4) Public Service/Utility Uses;
 - 5) All accessory uses associated with the above uses.
2. Residential Uses. For the purpose of determining landscaped buffer

requirements, residential uses are classified as follows:

(a) Residential Class I

- 1) Residential uses with a density of less than six (6) units per acre. However, single family homes that are not part of a larger development requiring site plan approval are exempt from all landscaped buffer requirements; and
- 2) All accessory uses associated with the above uses.

(b) Residential Class II

- 1) Residential uses with a density of six (6) units per acre or greater; and
- 2) All accessory uses associated with the above uses.

(F) Table of Landscaped Buffer Requirements

Proposed	High	Medium	Low	Res I	Res II
Use	Impact	Impact	Impact		

Adjacent Use

High Impact	A	B	C	D	D
Medium Impact	B	A	B	C	C
Low Impact	C	B	A	C	B
Res. I	D	C	C	None	B
Res. II	D	CB	B	A	

(G) Landscaped Buffer Options

1. Use landscape standards A through D (illustrated) to select the desired landscaped buffer option for the building site. To determine the total number

of plants required, the length of each side of the property requiring a buffer shall be divided by one hundred (100) and multiplied by the number of plants shown in the illustration.

2. The buffer is normally calculated as parallel to the property line. However, design variations, especially when used to incorporate native vegetation into the buffer area, are allowed. The edges of the landscaped buffer may meander provided that:
 - (a) the total area of the buffer is equal to or greater than the total area of the required landscaped buffer; and,
 - (b) the landscaped buffer measures at least five feet in width at all points along the perimeter of the property line of the site requiring a buffer.
 - (c) When the requirements of this Section result in a fractional number of plantings, the fraction shall be counted as one plant unit.

(H) Responsibility for Landscaped Buffers

The desired width of a landscaped buffer between two parcels is the sum of the required landscaped buffers of the parcels. Where a new use is proposed adjacent to an existing use that has less than the required buffer for that use, a lesser buffer will be allowed, except as provided below, until the nonconforming parcel is redeveloped and brought into conformity with the buffer requirements of this Code.

(I) Maintenance of Landscaped Buffers

The maintenance of landscaped buffers shall be the responsibility of the property owner. Failure to maintain such landscaped buffers in an attractive and healthy condition shall be considered a violation of this Article.

Section 4.7 Signs

A. Sign shall mean any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided however, that the following shall not be included in the application of the regulations herein:

1. Signs not exceeding two (2) square feet in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations;
2. Flags and insignia of any government except when displayed in connection with commercial promotion;
3. Legal notices; identification, informational, or directional signs erected or required by governmental bodies;
4. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights;
5. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter;

6. Signs advertising the sale, lease or rental of the premises on which the sign is located.

Each sign shall not exceed six (6) square feet in surface area for residential districts or twelve (12) square feet in surface area for other districts.

B. Signs, number and surface area. For the purpose of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign. The surface area of a sign shall be computed as including the entire area within a regular geometric form or combinations of regular geometric forms constituting all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.

C. Signs Prohibited.

1. Signs, on or overhanging public right of way or within one hundred (100) feet of traffic control lights, that contain red or green lights that might be confused with traffic control lights.
2. Signs that are in violation of the building or electrical code adopted by the City.
3. Signs or sign structures that interfere in any way with free use of any fire escape or emergency exit.

D. Existing Signs. All signs, advertising devices, structures or systems which exist at the date of adoption of this Section shall be permitted to continue until the use of such sign is discontinued for a period of six (6) months. Thereafter, such signs, if in conflict herewith, shall be removed at the owner's cost.

E. Applicable State and Federal Regulations. All signs located along State and Federal highways shall meet all applicable State and Federal Department of Transportation regulations pertaining to such signs.

Section 4.8 Off-Street Parking, Loading and Unloading Regulations

Section 4.8-1 Off-Street Parking

A. *Area and Dimensions.* For the purposes of this Regulation, an "off-street parking space" shall have dimensions of nine (9) feet in width and nineteen (19) feet in depth, exclusive of the area required for access drives or aisles. A "parallel parking space" shall have dimensions of seven (7) feet in width and nineteen (19) feet in depth. Each parking space shall have four (4) feet of additional depth for maneuvering purposes. These areas are exclusive of the area required for access drives or aisles.

B. *General Requirements and.*

1. *Entrance and exits:* Each parking space shall be directly accessible from a street, alley, or other public right-of-way. Except for one or two family dwellings, all off-street

parking facilities shall be so arranged that no automobile shall have to back into any street. No entrance and exit driveways shall be permitted closer than twenty-five (25) feet from a street intersection, and no parking area containing more than ten (10) spaces shall have more than one (1) access way to any adjacent street for every one hundred (100) total linear feet of the boundary line (adjacent to said street) with a maximum of two driveways per street frontage.

2. *Adequate Traffic Areas for Vehicles Entering From or Waiting to Exit to Adjacent*

Streets: Each off-street parking area shall provide adequate traffic areas for vehicles entering from or waiting to exit adjacent streets and adequate storage areas for any drive-in facilities located on the premises. The traffic and storage areas provided herein shall be so designed that vehicles waiting or maneuvering in these areas will not interfere with or hinder traffic into or out of the area or vehicles pulling into or out of spaces within the area.

3. *Aisle Widths:* All off-street parking areas providing four (4) or more parking spaces shall be constructed with aisle widths with the following minimum dimensions, based upon the angle of the parking stall to the access aisle.

Parking Stall Angle	Aisle Width
30 degree	11 feet
45 degree	13 feet

50 degree	14.5 feet
60 degree	16 feet
90 degree	22 feet

Aisles shall be twenty-two (22) feet in width when not designed to serve a particular parking configuration or when designed to serve parallel parking. The minimum width for a one-way driveway aisle within the parking area shall be eleven (11) feet, and twenty-two (22) feet for a two-way driveway aisle.

4. *Surface Material and Drainage:* Except for one and two family dwellings, all off-street parking facilities including access aisles, driveways, and maneuvering areas shall be either paved or surfaced with a hard, dustless material. Such surfacing shall be maintained in good condition at all times. All off-street parking facilities shall be suitable sloped and drained to eliminate surface water.

5. *Location:* The following locational standards shall be used in providing required off-street parking facilities:
 - a. Off-street parking for other than residential use shall be either on the same lot or within three hundred (300) feet of the building it is intended to serve measured from the nearest point of the off-street parking lot, without crossing any major thoroughfare; provided, however, churches may establish joint parking facilities not to exceed fifty (50) percent of the required spaces, with institutions and agencies that do not have a time conflict in parking demand. The joint

parking facilities shall be located not to exceed four hundred (400) feet from the church sanctuary.

- b. Residential off-street parking space shall consist of a parking lot, driveway, garage, or combination thereof and shall be located on the lot they are intended to serve.
- c. For uses not specifically mentioned herein, off-street parking requirements shall be interpreted by the City Council.
- d. Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.
- e. Off-street parking existing at the effective date of these regulations in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or use.
- f. Two or more buildings or uses may collectively provide the required off-street parking, in which case, the required number of parking spaces shall be not less than the sum of the requirements for the several individual uses computed separately.
- g. The required off-street parking shall be for occupants, employees, visitors, patrons and shall be limited in use to motor vehicles. The storage of merchandise, motor vehicles for sale, or the repair of vehicles is prohibited.

c. *More than fifty (50) required spaces:* Four (4) percent as handicap spaces.

Handicap parking spaces shall have a minimum width of twelve (12) feet, or as otherwise specified in this Code or Section 316.1955, F.S., or succeeding provisions, whichever is greater.

C. Exceptions or Modifications.

Mixed Uses: In case of mixed uses, the total requirements for off-street parking shall be the sum of the requirements of the various uses computed separately and off-street parking for use shall not be considered as providing the required off-street parking for any other use.

Where a greater number is not elsewhere required in this Regulation, each and every separate and individual store, office or other business shall be provided with at least one (1) off-street parking space.

D. Table of Parking Spaces Required

Type of Business	Parking Space Requirement
Automobile wrecking, junk, or salvage yard which offers for sale to the public any new or used merchandise	One (1) space for each two (2) employees, plus one (1) space for each ten thousand (10,000) square feet of lot area, or two (2) spaces for each one thousand (1,000) square feet of floor area, whichever is greater.

Automobile Service Stations	One (1) parking space for each employee, plus two (2) for each service bay.
Banks, business or professional offices	One (1) per three hundred (300) square feet of usable floor area, plus one (1) per each three (3) employees.
Barber shop or beauty parlor	Two (2) per barber or three (3) beauticians based on the design capacity of the structure.
Boarding or rooming house	One (1) space for each three boarders not rooming on the premises. One (1) for each two (2) guests provided overnight accommodations.
Bowling alleys	Five (5) per alley
Churches	One (1) per four (4) seats; or one (1) per thirty (30) square feet of usable floor area of auditorium, whichever is greater.
Commercial Recreation Uses	One (1) per three (3) patrons, based on the design capacity of the facility.
Country Club	One (1) per five (5) members.
Dwellings (single and two-family)	Two (2) per dwelling unit.
Dwellings (multiple-family)	One and one-half (1½) spaces per dwelling unit for the first twenty (20) units, plus one (1) space for each dwelling unit exceeding twenty (20) units.

Establishments for sale and consumption, on the premises, of beverages, food, or refreshment

One (1) per three (3) employees, plus one (1) per two hundred (200) square feet of usable floor space, or one (1) per three (3) fixed seats, whichever is the greater.

Governmental Office Building

One (1) per three hundred (300) square feet of usable floor area, plus one (1) per each three (3) employees. Every governmental vehicle shall be provided with a reserved off-street parking space.

Homes for the aged, sanitariums, convalescent or nursing homes

One (1) per three employees, plus one (1) per two hundred (200) square feet of usable floor space, or one (1) per three (3) fixed seats, whichever is the greater.

Hospitals

One (1) per three (3) patient beds, exclusive of bassinets, plus one (1) space for each staff doctor, plus one (1) space for each two (2) employees including nurses on the maximum working shift, plus adequate area for parking emergency vehicles.

Hotels

One (1) per two (2) rooms or suites, plus two (2) per three (3) employees.

Hotels (apartments)

One (1) parking space for each two (2) individual rooms or apartments is required.

Industrial establishments, mechanical garages	Two (2) per three (3) employees on the combined two largest successive shifts, plus adequate parking space for customer and visitor vehicles as determined by the City Council.
Library	One (1) for each four hundred (400) square feet of floor area.
Medical Clinics	Three (3) patient's parking spaces per staff doctor, plus two (2) per three (3) employees, plus one (1) per staff doctor.
Mortuaries or funeral parlors	Five (5) spaces per parlor or chapel unit, or one (1) per four (4) seats, whichever is greater.
Motels and tourist courts	One (1) per guest bedroom.
Private Clubs, lodge, or Union headquarters	One (1) per three (3) members based on the design capacity of the facility.
Retail stores and personal service establishments except as otherwise specified herein	One (1) per two hundred (200) square feet of retail floor space.
Schools shall be provided with parking spaces under the following schedule: elementary, junior high and the equivalent private or parochial schools	Two (2) spaces per three (3) teachers and employees normally engaged in or about the building or grounds, plus one (1) space for each one hundred fifty (150) square feet of seating area, including aisles in any auditorium.

Senior High schools and the equivalent private or parochial schools

Two (2) spaces per three (3) teachers and employees normally engaged in or about the building or grounds, plus one (1) space per five (5) students, or one (1) space for each one hundred fifty (150) feet of seating area, including aisles, in any auditorium, gymnasium or a cafeteria intended to be used as an auditorium, whichever is greater.

Kindergartens, day schools, and the equivalent private or parochial schools

Two (2) parking spaces per three (3) employees normally engaged in or about the building or grounds, plus one (1) off-street loading space per eight (8) pupils.

Stadiums and sports arenas

One (1) per thirty (30) seats or twelve (12) feet of benches.

Swimming pools

One (1) per thirty (30) square feet of water area.

Theaters, auditoriums, and places of assembly without fixed seats

One (1) per three (3) people based on the seating capacity of the structure.

Wholesale establishments and business services, cold storage and frozen food lockers, laundromat and other self service activities

One (1) for every fifty (50) square feet of customer service area, plus two (2) per three (3) employees based on the design capacity of the largest shift.

The inclusion of on-street parking spaces shall not be allowed in meeting parking space requirements for the uses listed in this Section.

Section 4.8-2 Off-Street Loading and Unloading Requirements

In all districts, and on the same premises, with every building, structure, or part thereof, erected and occupied for manufacturing, storage, warehouse goods, a wholesale store, a market, a hotel, a hospital, or other uses similarly involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading services adjacent to the opening used for loading and unloading in order to avoid undue interference with public use of the streets or alleys.

Off-street loading and unloading space shall be provided as follows:

1. One (1) off-street loading and unloading space shall be provided for buildings up to and including twenty thousand (20,000) square feet of floor area, plus one additional off-street loading and unloading space for each additional twenty thousand (20,000) square feet of floor area up to and including one hundred thousand (100,000) square feet.
2. Where trailer trucks are involved such loading and unloading space shall be an area twelve (12) feet by forty-five (45) feet with a fourteen (14) foot height clearance and shall be designed with appropriate means of truck access to a street or alley as well as adequate maneuvering area.
3. All areas devoted to permanent off-street loading and unloading as required under this Section shall be either paved or surfaced with a hard, dustless material and maintained in such a manner that no dust will result from continuous use.

LAND DEVELOPMENT REGULATIONS

CHAPTER 5

Section 5.1 Purpose; Jurisdiction; Comprehensive Plan and Violation

(A) Purpose

To provide such standards by regulation:

1. To insure the best physical use of available land;
2. To insure that improvements will be of such quality as to require minimum long term maintenance and will harmonize with the future expansion in the area;
3. To create, by design, planning and development, an area which is competitive and attractive to our existing population, and to those seeking a community in which to live or invest;
4. To set forth in clear, concise unambiguous and orderly manner, the chronological steps that a land developer must follow in order to subdivide land;
5. To facilitate the subdivision of land by coordinating the efforts of the land developer and the regulating agency.

The intent of these regulations is to provide for the harmonious development of the

County; to secure a coordinated layout and adequate provision for traffic and also to secure adequate provisions for light, air, recreation, transportation, potable water, flood prevention, drainage, sewers and other sanitary facilities.

The standards set forth in these regulations require good design, be practiced in subdivision planning, and conservation of valuable and scenic natural features. Subdivision developers should utilize the skills of experienced land planners as well as surveyors and engineers. Subdivision design should be adapted to the peculiarities and opportunities of the site, should utilize contemporary imaginative design, should avoid monotonous repetition of pattern, wasteful gridiron patterns, and long straight minor or collector streets. Size, shape and orientation of lots and blocks should be carefully considered with relation to future use of the various lots to be created.

(B) Jurisdiction. These regulations shall govern all subdivisions of land within all unincorporated areas of Liberty County as now or hereafter established.

The singular usage includes the plural and the plural the singular.

(C) Comprehensive Plan. The subdivision of land and the subsequent development of a subdivided plat shall be consistent with the Liberty County Comprehensive Plan.

(D) Violation. Where a violation of the Subdivision Regulations has been brought to the attention of the City, said Board, upon being made aware of said violation and verification of same, shall file in the office of the Clerk of Circuit Court, in the Official Record Books, an instrument in recordable form setting for the legal description of said property which was

divided or sold in violation of the Subdivision Regulations, and stating that no building permit shall be issued for construction upon said premises, said instrument to be executed in the name of the City of Liberty County, Florida, by the Chairman and attested by the Clerk.

NOTE: The laws of the State of Florida require the subdivider to utilize the services of registered professional engineers and land surveyors. It is suggested that the subdivider engage professional assistance as early as possible to obtain maximum value from these services.

Section 5.2 Definitions

A. General

Terms not defined below shall have the same meaning as given in the Definitions Chapter of this Code. The following terms or words, whenever used or referred to herein, shall have the following meaning:

Abutting Property: Any property that is immediately adjacent or contiguous to another property.

Block: Includes "tier" or "group" and means a group of lots existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers and having an assigned number, letter, or other name through which it may be identified.

Board: The City of Bristol City Council or designated representative Board.

City Engineer: A person or firm currently licensed and registered to practice

engineering in the State of Florida and retained by the City to oversee the appropriate provisions of this ordinance.

Clerk: The City of Bristol Clerk.

Construction Plans: The drawings and specifications accompanying a subdivision plat and showing the specific location and design of subdivision improvements to be installed in the subdivision. Construction plans shall be certified as being in compliance with the provisions of this ordinance by a licensed, professional engineer registered to practice in the State of Florida. The engineer shall sign and place his seal on the construction plans.

Council: The City of Bristol City Council

Developer: The person or legal entity that applies for approval of a plat of a subdivision pursuant to this ordinance.

Domestic Wastewater Facility: A wastewater collection, treatment, and disposal system approved by the Department of Environmental Regulation in accordance with Rule 17-6, F.A.C.

Engineer: A civil engineer, registered and currently licensed to practice in the State of Florida, retained by the developer to prepare, supervise and certify the engineering work required by this Chapter.

Easement: Any strip of land created by a subdivider for public or private utilities, stormwater management, sanitation, or other specified uses having limitations, the titles to which shall remain in the name of the property owner, subject to the right of use designated in

the reservation of the servitude.

Land Surveyor: A land surveyor registered in compliance with Chapter 472.007 F.S. who is in good standing with the Board of Land Surveyors.

Lot: A parcel of land of a recorded subdivision intended as a unit for the purpose of transfer or ownership or development.

Lot, Through: Any lot having frontage on two parallel or approximately parallel streets on highways.

Onsite Sewage Disposal System: Any domestic sewage treatment and disposal facility, including standard subsurface systems, graywater systems, laundry wastewater systems, alternative systems or experimental systems, installed or proposed to be installed on land of the owner or on other land to which the owner or owners have the legal right to install a system, and which has been approved and permitted by the Department of Health pursuant to Rule 10D-6, F.A.C.

Owner: Any individual, firm, association, syndicate, co-partnership, corporation, trust, or any other entity having any ownership interest in land.

Performance Guarantee/Improvement Security: Any security accepted in lieu of the requirement that certain subdivision improvements be made before the City authorizes the recording of a plat; including performance bonds, escrow agreements, and other similar collateral or surety agreements.

Plat: A map or delineated representation of the subdivision of lands; being a complete

exact representation of the subdivision and other information in compliance with Chapter 177, F.S. and this Chapter, and may include the terms "replat", "amended plat", or "revised plat."

- (a) Preliminary Plat: A preliminary map and accompanying material indicating the proposed layout of the subdivision in accordance with the requirements of Section 5.4 of this Chapter. The preliminary plat may encompass two or more phases of the project, each of which may be submitted for final plat approval separately and at different times.
- (b) Final Plat: A map or plan of a subdivision any accompanying material, prepared in accordance with this Chapter, indicating the subdivision of land and improvements thereto.

Right-of-Way: Land dedicated, deeded, used, or to be used for a street, alley, or other transportation purposes. Right-of-Way includes the paved street and any unpaved cleared strips on either side.

Road Department: The City Road and Bridge Department.

Street: Any access way such as a road, lane, highway, avenue, boulevard, alley, parkway, circle, court, terrace, place, or cul-de-sac and includes all of the land laying between the right-of-way lines as delineated on a plat showing such streets, whether improved or unimproved. This definition shall not include those access ways, such as easements, intended solely for limited utility purposes, such as for electric power lines, gas lines, telephone lines, water lines, drainage and sanitary sewers, and easements of ingress and egress.

Street, Major: A street or road which is designed to carry large traffic volumes.

Street, Minor: A street designed to serve only as access to the properties which front on it.

Street, Private: A recorded street owned by the abutting property owners, over which there is no public right of access.

Subdivision: The division of a parcel of land, whether improved or unimproved, into three (3) or more lots or other division of land for the purpose, whether immediate or future, of transfer of ownership or, if the establishment of a new street and/or road is involved, any division of such parcel. The division of land into parcels of ~~ten (10) acres~~ one hundred (100) acres or more, exclusive of street right-of-way, not involving the establishment or change in public or private street lines or public street easements and which meets the definition of a Minor Subdivision, shall not be ~~deemed to be a subdivision within the meaning~~ subject to the plat review, approval and recording requirements of this regulation. The term includes a resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided. Minor Subdivisions may be approved by the City, after review and recommendation by the Local Planning Agency.

- (a) Minor Subdivision: Any subdivision of land into less than ~~twenty (20)~~ five (5) lots ~~within a period of twelve (12) months, that does not~~ establish, create and/or change any public or private roads or streets, establish, create and/or change any public or private right-of-way

and/or utility easement. Minor Subdivisions are not subject to the plat review, approval and recording requirements of this regulation. Minor Subdivisions may be approved by the City Council, after review and recommendation by the Local Planning Agency

- (b) Major Subdivision: Any subdivision of land into ~~twenty (20)~~ five (5) lots or more ~~within a twelve (12) month period,~~ or any subdivision of land which establishes, creates and/or changes any public or private roads or streets, or which establishes, creates and/or changes any public or private right-of-way and/or utility easement. Major Subdivisions are subject to the plat review, approval and recording requirements of this regulation.

Subdivision Improvements: Any roadway, stormwater management facility, water or wastewater facility, sidewalk, off-street parking area, flood damage prevention or erosion control facility, easement, right-of-way, or other development for the creation of a subdivision.

Survey data: Information shown on the face of a plat that delineates the physical boundaries of the subdivision and any parts thereof.

Utility: Includes publicly or privately-owned or operated water, sewer, stormwater management, gas, electric or telephone facilities, or cable television lines and facilities.

Section 5.3 Subdivision Plat Approval Procedure

- (A) Pre-Plan Application

The developer is encouraged to consult with the Clerk to become familiarized with the County's subdivision requirements. The developer may purchase copies of the Land Development Code and any other applicable City regulations from the Clerk. The developer should also consult with any and all other applicable federal, state, county and/or municipal agencies having jurisdiction over land use, water use, sanitation facilities and other natural resources. This will, undoubtedly, save him time and money when the developer begins detailed workings with his engineers.

(B) Application for Preliminary Plat Approval

Step No. 1 Developer submits three (3) copies of preliminary or master plat; a fee established by the City to help offset administrative processing costs; and a statement describing the impact of the proposed development on the Level of service (LOS) standards contained in Ch. 7 of this Code.

Step No. 2 Clerk schedules the matter for the next available meeting of the City for a determination as to whether it they conforms with the subdivision standards.

Step No. 3 The City shall approve, disapprove or request modifications to the preliminary plat. The Board may wish to have recommendations from the County Engineer to assist in making a decision.

NOTE: Preliminary plat approval by the City in no way constitutes approval of construction plans of final plat.

If subdivision activity and development ceases for a period of two years, the plats shall require review and reapproval as a preliminary plat. Plats thus submitted for review and reapproval shall comply with all current regulations. Except when activity and development has ceased for two years, subdivision receiving preliminary plat approval may proceed with preparation of final plans in accordance with the standards which were in effect at the time of preliminary approval.

(C) Application for Final Plat Approval

Step No. 1 Developer submits a final record plat to the City for approval. When a final record plat is submitted a fee of \$1,000.00 or \$25.00 pr lot, whichever is greater, is required to be paid. (See Section 5.7 for required information to be submitted with the final record plat.)

Step No. 2 Developer proceeds with construction and makes improvements in accordance with the construction plat, or posts security acceptable to the City covering improvements, to insure completion of said improvements.

Step No. 3 When acceptable security is posted, the City grants final approval to the record plat.

Step No. 4 If the developer elects to construct improvements rather than post security, the procedure is as follows:

- (1.) No work shall proceed until the developer has notified the County Commissioners requesting permission to construct all

improvements in accordance with approved plans.

(2.) The contractor or developer shall request inspections on the following phases of construction:

(a) Sub-grade and curb

(b) Base Material

(1) All required tests shall be made by a reputable testing laboratory with a certified copy furnished to the City.

(c) Finished base before and after priming.

(d) Approval of related appurtenances, such as curbs, drainage pipe, underdrains, drainage structures and sidewalks.

(e) When construction is approved by the City, subdivider records his plat.

Section 5.4 General Requirements and Minimum Standards of Design

(A) Streets and/or Roads, Public or Private

1. The proposed street shall recognize and extend suitable existing streets, and shall make possible the future extension of streets into adjacent undeveloped land where feasible.
2. Intersections shall be as nearly at right angles as possible.

3. In residential areas "T" intersections are preferable to four-way intersections.
- ~~4. Private streets shall normally be prohibited, however, in certain instances, they may be approved when the following conditions exist:
 - ~~(a) Except in unusual cases, only minor streets serving ten or fewer lots may be private streets.~~
 - ~~(b) Subdivisions containing private streets shall not block logical access to adjoining lands.~~
 - ~~(c) Private streets shall have a stabilized travel width of a minimum of nine feet per travel land.~~~~
- 5 4. The minimum width of right-of-way shall be sixty feet except private streets which shall have a minimum right-of-way of thirty (30) feet.
- 6 5. Dead end streets shall be provided with a paved turn around diameter of 80' minimum and a right-of-way diameter of at least 100'. A landscaped cut-out in the center of the turn-around is permitted. Pavement widths around the turn-around shall be consistent with the pavement width leading up to the turn-around.
- 7 6. All public and/or private streets (or roads) shall be paved.
- 8 7. The developer or subdivider shall maintain the streets for
 - (a) a period 12 months from plat approval, or
 - (b) until 15% of the lots have been built on.

- ~~9-8.~~ Prior to final acceptance, the streets, ditches and drainage structures must be brought up to standards according to the subdivision regulations or these streets shall revert to the developer or subdivider.
- ~~10~~ 9. All streets shall be cleared, grubbed, and graded to the full width of the right-of-way and provided with a property prepared subgrade, base and pavement in compliance with the following minimum specifications.
- ~~11~~ 10. All material used in the construction and paving of the streets are to be as specified in the most recent edition of the Florida Department of Transportation Standard Specifications for road and Bridge Construction.
- ~~12~~ 11. Grading will be in accordance with the typical cross-section shown on the plat.
- ~~13-12.~~ The subgrade will be compacted until it is firm and unyielding and shall have a Limerock Bearing Ratio (LBR) value of at least 30.
- ~~14~~ 13. The base material shall be one of the following: Sand clay, limerock, shell or soil-cement. The base must be one foot wider (six inches each side) than the pavement surface and have a compacted thickness of six inches (6").
- ~~15~~ 14. The pavement shall be Florida Department of Transportation type S-1 Asphaltic Concrete with a minimum compacted thickness of one and one fourth inches (1-1/4") and a minimum width of twenty feet (20').
- ~~16~~ 15. The subdivider, in preparing the streets within the subdivision, shall also acquire the necessary right-of-way and improve said right-of-way in accordance

with these regulations for sufficient access roads for adequate ingress and egress to and from the mobile home park.

17 16. All alleys shall be cleared, grubbed and graded to the full width of the right-of-way and in accordance with the typical cross-section shown on the approved preliminary plat

(B) Blocks

1. Block length shall not exceed 1800 feet in any development other than estates or rural development, blocks bordering major streets or water front, or other design situations which warrant approval of longer blocks.
2. Pedestrian crosswalks, not less than ten (1) feet wide, shall be required where deemed essential to provide circulation, or access to schools, playgrounds, shopping centers, transportation, and other community facilities. Lots adjoining a pedestrian cross-walk shall not be considered corner lots.

(C) Lots

1. Lots shall front on a street for at least 20'.
2. Corner lots shall be 15% wider than the minimum width planned in the subdivision in which they are located.
3. Through lots shall be avoided except where essential to provide separation of residential development from major roads or to overcome specific disadvantages of topography and orientation.

4. Side lot lines shall be substantially at right angles or radial to the street where practicable.
5. Lots containing 15,000 square feet or more shall have a minimum average lot width of 100 feet. Lots containing less than 15,000 square feet but more than 10,000 square feet shall have a minimum average width of 80 feet. Minimum lot size for single family dwelling units shall be 10,000 square feet.

(D) Access

No subdivision will be approved unless its street system is connected to a City, county or state road which has been approved for maintenance.

(E) Improvement Security

Prior to action on a final plat, the City shall require that all improvements be satisfactorily completed by the developer, or in lieu thereof, a surety or performance bond be posted payable to the City of Bristol, Florida, to insure satisfactory completion of said improvements within two years, except that a period up to seven years shall be permitted for a subdivision or a portion thereof of lots being sold on installment sales contracts, provided that proof of installment contract is submitted. The City shall have no obligation to allow developers to post surety or performance bonds in lieu of actually completing physical improvements, but may permit such bonds if deemed desirable based on past performance of the developer. Where bonds are permitted, the developer shall submit his cost estimate to the

City, who shall review and adjust such cost estimate to the extent necessary to cover the full cost of said improvements, which bond shall be an amount of 110% of the total estimated cost of the improvements. The developer shall submit his bond in the form approved by the City Attorney. Any extension of the time limit for installation of improvements must be approved by the City. The City may release the subdivider of that portion of the surety or performance bond, or other security for required improvements when completed and improved by the City; however, such release shall not constitute acceptance of any improvements by the County. At the discretion of the City, the requirements of a surety bond as heretofore outlined may be waived and the City may require such other manner or form of security as to the City seems advisable, including, but not limited to assignments, mortgages, and pledges or other transfer or encumbrances of real and personal property, where provided by law.

(F) Maintenance Security:

Upon release of the improvement security, a maintenance security for public improvements shall take effect and shall continue for a period of three (3) years or until the City Engineer recommends release of the maintenance security. At that time the City shall release the security and assume maintenance of the public improvements. The amount of the security shall be twenty-five (25) percent of the Engineer's estimate of the cost of improvements.

(G) Easements Required.

Each plat shall have described thereon utility and drainage easements in substantially

the following terms:

- (a) Lot Line Easements: Easements of 8 feet in width along each rear lot line and 5 feet in width along each side lot line are hereby created and provided for the purpose of accommodating overhead, surface and underground utilities and drainage. Where an area is greater than one lot is used as a building site, the outside boundary of said site shall be subject to the lot line easements.

Section 5.5 Required Improvements

(A) Monuments

Permanent reference monuments, at least four in number and not more than 1,000 feet apart shall be placed within the trace and/or the exterior boundaries thereof so as to provide definite reference points from which may be located any points, lines or lots shown on the plat. The monuments shall be 4" x 4" concrete, at least 24" long, said monuments having a reference point marked thereon. They shall have their position in reference to each other indicated by distance and angles, and not less than one of said monuments shall have its location indicated on the plat in reference to the nearest government corner or any well established recorded corner. The position of said monument shall be indicated on the plat by a small circle and shall be marked "PERMANENT REFERENCE MONUMENT" or the initials "P.R.M." to designate the same.

After completion of construction and prior to final acceptance by the City, additional monuments shall be placed at all block corners, points of curvature, points of reverse

curvature, points of tangency.

Security, acceptable to the City shall be posted in the amount of 110% of the estimated cost of placing additional required monuments, which estimate shall be prepared by the Florida Registered Land Surveyor whose name appears on the record plat. Upon completion and acceptance by the City, the posted security will be released.

(B) Traffic Circulation

1. Streets and/or Roads (Section 5.4(A))

~~1. Streets~~

~~a. All streets shall be constructed to meet the minimum standards now existing or hereafter adopted by the State of Florida, Department of Transportation for stabilized secondary roads.~~

~~b. All paved streets shall be of a minimum width of 32', or if the necessity for on-street parking is completely eliminated by appropriate design, the paved street width may be reduced to 26'. Swale ditches are required with erosion protection and with subsurface drainage as required. All paved streets shall meet the minimum standards now existing or hereinafter adopted by the State of Florida, Department of Transportation for secondary road construction.~~

2. Parking, Loading and Unloading

All requirements in Chapter 4.8 of this Code shall be met.

3. Building Setbacks

- a. Future Four-Laning - 75' from the centerline of existing right-of-way, or 25' from the existing property line, whichever is greater.

(C) Stormwater Drainage Improvements

- A. All areas within the subdivision, including lots, streets, alleys and other areas, must be suitably drained. In addition, where drainage runoff from outside the subdivision on passes over or through areas of the subdivision, such runoff shall be included in the drainage system design. The system should be designed for long life and shall be suitable for low cost maintenance by normal methods. The drainage system shall meet the level of service (LOS) standards, established in the Comprehensive Plan and required in Chapter 8 of this Code for quantity and quality.
- B. Underground drainage: Underground drainage through storm sewers, where employed, shall conform to good accepted engineering practices.
- C. Drainage Pipe Specifications: Drainage pipes shall conform to the State Department of Transportation Specifications now existing or as hereinafter modified.
- D. Design of Drainage Structure: Drainage structure such as bridges, culverts, headwalls, dams, spillways, bulkheads or other structures shall be designed hydraulically and structurally in accordance with good and accepted engineering

practices. Foundations or other support or anchoring methods shall be adequate.

- E. Dedications: All necessary right-of-way, easement, and drainage structure shall be dedicated to the City of Bristol, at no expense to the City. Dedication of drainage ditches shall include a suitable shoulder width for maintenance operations which shall be cleared of trees, shrubs, and other obstructions. All drainage by open ditch shall be located in rights-of-ways.

(D) Potable Water and Sanitary Sewer Facility Improvements.

The City, the Florida Department of Health oppose the wide and indiscriminate use of individual wells and/or septic tanks in subdivisions and urbanized areas, and as septic tanks eventually endanger public health in almost every area where widely used, all proposed subdivisions shall comply with this Chapter, the LOS standards in Chapter 7, other applicable Chapters within the Code and any and all governmental regulatory agencies which have jurisdiction in the matter requirements for water supply and sewage treatment facilities. Written proof of compliance shall be furnished to the City prior to final approval of a plat.

(E) Recreation and Open Space

Residential and non-residential subdivisions shall meet the LOS standards contained in Chapter 7 for required recreation facilities and provision of open space areas.

(F) Street Names

Street names shall be approved by the City prior to final plat approval.

(G) Street Sign Names

Street Names shall be placed at each street intersection on metal posts. Top of sign shall be 7' above centerline grade of road. All signs shall be uniform and conform to the following specifications: Green reflected background, baked on 6" wide aluminum bands. Name letters shall be 4" silver reflectorized letters. Abbreviations are permissible as follows:

- | | | |
|----------------|--------------|-------------|
| RD for Road | PL for Place | S for South |
| ST for Street | CT for Court | E for East |
| AVE for Avenue | N for North | W for West |

All prefixes and suffixes shall be 2" silver reflectorized letters. Street name signs shall be installed prior to request for final inspection and release of 90% of surety. If no security is posted, street name signs shall be installed as a prerequisite for final plat approval.

(H) Sidewalks

Sidewalks are to be 4" reinforced concrete.

(I) Commercial Subdivisions, Industrial Subdivisions, Planned Unit Developments and Condominiums

The preceding design and improvement standards are primarily geared to typical residential subdivision needs. Commercial and industrial subdivisions normally require thicker and wider pavements, and have other peculiar design requirements. Planned Unit Developments and Condominiums may also be quite different from typical subdivisions, and as such their design and improvement needs may vary to some degree. In the case of

Commercial and Industrial Subdivisions, Planned Unit Developments and Condominiums and other non-typical subdivision developments, the City may approve modification of such portions of these regulations as they determine to be inapplicable. In granting such modifications, the City will require such conditions and safeguards as will secure substantially the objective of the standards of requirements so modified, and in no case, reduce the minimum requirements set forth in these regulations or be inconsistent with the Comprehensive Plan.

Section 5.6 Required Certificates on Final Plat

- (1) Certificates of Ownership and Dedication shall be properly executed and acknowledged in form and substance as approved by the City Attorney.
- (2) Certificate of Approval of City shall be in form and substance as approved by the Attorney.
- (3) Subdivider's Completion Bond shall be in form and substance as approved by the Attorney.

Section 5.7 Requirements for Final Record Plat

- (A) The following information shall appear on the record plat:
 1. The government corner, 40 acre corner, or other recorded permanent reference monument, or description and ties to such control point, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.

2. Tract boundary lines, right-of-way lines of streets, easements and other right-of-way and property lines or residential lots or other sites, with accurate dimensions, bearings or deflection angles, and radius, arcs and central angles of all curves.
3. Name and right-of-way width of each street or other right-of-way.
4. Location, dimensions and purposes of any easements.
5. Lots shall be numbered progressively, or if in blocks, progressively numbered in each block, and the blocks progressively lettered.
6. Location and description of permanent reference monuments.
7. Names of record owners of adjoining unplatted land.
8. Reference to recorded subdivision plats of adjoining platted land by record name, plat book and page number.
9. Title, scale (1" = 100') north arrow, and date.
10. Area of each non-rectangular lot. This may be on a tabulated sheet certified by the surveyor.
11. Name of subdivision.
12. All land within the boundaries of the plat must be accounted for either by blocks, lots, parks, streets, alleys or accepted parcels.
13. Required certificates.

(B) Title Opinion:

An opinion of title must be furnished showing ownership and encumbrances if any by:

1. Attorney at Law, or
2. Licensed Title Company.

All individuals and/or corporations having any interest in property within the area to be platted must sign appropriate certificate on plat.

LAND DEVELOPMENT CODE

CHAPTER 6

NATURAL RESOURCE MANAGEMENT

PART I

Section 6.1 General Provisions

Section 6.1-1 Authority, Purpose, and Intent

A. This Chapter is adopted pursuant to Chapter 163, Florida Statutes, and pursuant to the adopted Comprehensive Plan of the City of Bristol, with specific reference to the Conservation Element.

B. The purposes of this Chapter shall be:

1. to protect areas designated in the adopted Comprehensive Plan as being environmentally sensitive through the establishment of appropriate land use and development regulations;
2. to protect significant wildlife habitat and prevent the further net loss of areas essential for the well-being and survival of native and endangered wildlife species;

3. to protect wellfields through the establishment of appropriate land use and development regulations and standards; and
4. to protect historical and archeological resources through appropriate land use and development controls.

C. It is intended that this Chapter be considered to present minimum standards and be interpreted strictly to ensure protection of the public health, safety, and welfare of the inhabitants of the City of Bristol. It is further intended, however, that this Chapter shall not be applied so strictly as to deny the reasonable and beneficial use of land by property owners within the community.

Section 6.1-2 Administration

A. The principal authority for the administration of this Chapter shall be the Development Administrator as appointed by the City Council.

B. The Development Administrator shall have the following duties and responsibilities:

1. to review all permit applications for land development activity within City of Bristol and to determine whether such activity is located within a Natural Resource Management Area or will have an adverse impact on such an area;

2. to review applications for site plan review and/or subdivision plans and make recommendations to the City as to the consistency of such applications with the provisions of this Chapter and on any conditions or modifications which may be required to ensure compliance with this Chapter;
3. to review and inspect land development activities to ensure compliance with the conditions of approval and/or the provisions of this Chapter;
4. to review necessary data to identify the boundaries of Natural Resource Management Areas; and
5. to coordinate with appropriate agencies in meeting the requirements of this Chapter.

C. In performing any of his or her duties, the Development Administrator

D. Any decision of the Development Administrator may be appealed to the City Council as provided in Chapter 3 of this Code. Matters subject to appeal include, but are not necessarily limited to: interpretations of the meaning of provisions of this Chapter.

Section 6.1-3 Enforcement

This Chapter shall be enforced as is provided in Chapter 3 (Administration) of this Code.

Section 6-2 Definitions

Environmentally Sensitive Lands - Lands located within the corporate boundaries of City of Bristol which are characterized by one or more of the following:

1. Specific designated areas located within the one-hundred year flood plain of a stream, river, lake, or depression, and possibly including the boundary or shoreline area associated with such floodplain. For the purposes of this Ordinance, the one-hundred year flood plain area shall be as shown on the Flood Insurance Rate Map issued under the National Flood Insurance Program administered by the Federal Emergency Management Agency, and boundary or shoreline areas shall be those areas located within fifty (50) feet of the one-hundred year flood plain.
2. Located within a wetland (connected or isolated) and including wetland fringe areas which are essential for maintaining the hydro-period of the wetland. For the purposes of this Ordinance, wetlands shall be as established by the Florida Department of Environmental Regulation and/or City of Bristol
3. Located within a known or suspected archaeological site which is eligible for listing on the National Register of Historic Places. For the purposes of this Code, a site will be considered eligible if it is listed on the National Register of Historic Places or if it is included on the Master Site File maintained by the Bureau of Historic Preservation, Florida Secretary of State.

Section 6.2-1 Incorporation by Reference

A. Unless clearly indicated by the context or unless specifically defined below, all words and terms used in this Chapter shall have the meaning given in Chapter 2 (Definitions).

B. Where appropriate to the context, words and terms defined in the Comprehensive Plan shall have the same definitions herein.

Section 6.2-2 Specific Definitions

Adverse Impact means any impact which would be counter to the purpose and intent or to the specific provisions of this Chapter. For the purposes of this Chapter, the following are examples of adverse impacts:

1. any significant reduction in the quality of surface water reaching a wetland, a body of water (other than a body of water specifically created to treat runoff), including increases in suspended sediments, pesticide residues, or other pollutants which would affect the ability of the wetland or other water body to continue to function in its natural state; OR
2. any significant increase or reduction in the quantity of surface water reaching a wetland or other body of water, such that the increase or reduction would affect the ability of native plant and/or animal species to continue to thrive; OR

3. introduction of incompatible land uses in close proximity to a Natural Resource Management Area, such that the activities associated with the adjoining land uses would threaten the natural operation of the Natural Resource Management Area.
4. operation of activities and/or handling of hazardous materials in such a way as to increase the potential for pollution of aquifers supplying potable water; OR
5. introduction of incompatible land uses and/or structures or disturbance of historically significant structures in such a way as to reduce the cultural, historical, aesthetic, and/or educational value of such structures or of archeological sites.

The nature and extent of what constitutes an "adverse impact" is a function of the nature and extent of the Natural Resource Management Area in question. Generally, all development activities located within five hundred (500) feet of a Natural Resource Management Area shall be reviewed to determine if they create an adverse impact.

Development Administrator means the official designated by the City Council as the official responsible for the administration of the Land Development Code.

Hazardous Substance means any hazardous or toxic substance (including degradation and interaction products) which, because of quality, concentration, or physical, chemical (including ignitability, corrosivity, reactivity, and toxicity), and/or infectious characteristics, radioactivity, mutagenicity, carcinogenicity, teratogenicity, bioaccumulative effect, persistence

(non-degradability) in nature, or any other characteristic relevant to a particular material that may cause significant harm to human health or the environment (including surface and ground water, plants, or animals).

Natural Resource Management Area means an area located within City of Bristol which area is characterized by one or more of the following:

1. A wetland (connected) and including wetland fringe areas which are essential for maintaining the hydro-period of the wetland. For the purposes of this Chapter, wetlands shall be as established under the rules of the Florida Department of Environmental Protection.
2. A wetland or upland habitat for a species listed as either "threatened" or "endangered" by the Florida Fish and Wildlife Commission. For the purposes of this Chapter, the location of habitat areas shall be as established by the Commission based on area-wide studies or studies of individual sites; OR
3. An area within five hundred (500) feet of a potable water wellfield; OR
4. An area within two hundred (200) feet of a historic structure or site or a known or suspected archaeological site which is eligible for listing on the National Register of Historic Places. For the purposes of this Chapter, a site will be considered eligible if it is listed on the National Register or if it is included on the Master Archaeological

Site File maintained by the Bureau of Historic Preservation, Florida Secretary of State.

Wellfield means an area containing one or more wells used, whether on a continuous, intermittent, or occasional basis, for public water supply, and including any area designated for future development of such wells by the City Council.

Section 6.3 Development Review in Resource Management Areas

Section 6.3-1 Applicability to Development; Exceptions

A. This Chapter shall apply to any approval of any subdivision plan, any site plan, and/or any final development order for a development of regional impact (DRI - under Chapter 380, FS). In addition, where an activity or development is not normally required to be reviewed under the site plan approval procedures, that activity or development shall be reviewed under this Chapter if it is located within a Resource Management Area.

B. Unless excepted below, the provisions of this Chapter shall also apply to the initiation of construction on any public construction or maintenance after the effective date.

C. This Chapter shall not be construed to prohibit any activity by City of Bristol or other unit of government, undertaken by that unit or on its behalf and under its direction, which activity is undertaken to address an immediate threat to the public health and safety or to protect and maintain operation of public facilities and services in the face of an immediate

threat to the continued proper operation of such facilities. Where the responsible administrative official of the relevant unit of government determines that emergency action is necessary and such emergency action is taken, the Development Administrator shall subsequently review the effects of such action on areas and features protected by this ordinance and shall recommend to the City Council any further corrective action or mitigation appropriate to meet the purpose and intent of the ordinance. The responsible governmental agency shall then undertake such further corrective action or mitigation as may be directed by the City Council.

D. Where non-conforming development activity is proceeding under authority of a permit issued prior to the effective date of this ordinance, such activity may be continued subject to the terms of all applicable regulations. No such non-conforming development activity shall continue more than one (1) year beyond the date of the permit unless it is made to conform to the requirements of this Chapter. Where individual phases of a multi-phased project are covered by a single final site plan issued prior to the effective date, the individual phases may be continued for not more than two (2) years beyond the date of final site plan approval. Where a development project is not completed in the one or two-year completion period set forth above, the plan shall be reviewed by the City Council and changes shall be required

where necessary and practicable to make the approved plan conform to the standards in this Chapter.

Section 6.3-2 Procedure for Review

A. Where the Development Administrator determines that this Chapter applies to land under consideration for site plan, subdivision plan, or other development approval, the following procedure shall be used:

1. An application, together with plans, maps, and other documents necessary to describe the scope and extent of the land development activity within the Natural Resource Management Area or where the land development activity will create an adverse impact on a Natural Resource Management Area shall be made to the Development Administrator . The number of copies of plans and other documents and the required content of submitted materials shall be as prescribed by the Development Administrator. For convenience of the City, the application may be incorporated in and be coincident with an application for site plan, subdivision plan, or other permit approval.
2. The Development Administrator shall review the application for completeness and shall advise the applicant in writing within ten working days as to whether or not the

application is complete and ready for processing. Determination that the application is complete shall not prevent the Development Administrator from requesting additional information, nor shall it prevent the applicant from voluntarily submitting additional information at a later stage.

3. The Development Administrator shall refer copies of the application and supporting documentation to such other agencies as may from time-to-time request to be provided with copies of applications. The Development Administrator shall request comments and recommendations, or an indication that there will be no comments, within twenty working days. Failure to respond within the twenty-day period shall be construed as being an indication of no comment.
4. The Development Administrator shall make a site inspection, or require one to be made, to determine the actual boundaries of any Natural Resource Management Area affected, and to determine the effects of the proposed activity on such Area. The Development Administrator may request the assistance of appropriate agencies in making this inspection, and may request that all or part of the inspection be made by appropriate officials on his or her behalf. The applicant shall be notified at least five working days prior to the inspection of the time and meeting place. If extra costs are incurred for such inspection, they will be the responsibility of the developer.

5. The City Council shall review the application and supporting materials along with the results of field investigations and reports and recommendations submitted by other agencies and shall make its findings regarding approval of the development application.
6. The Development Administrator shall prepare a report to the City Council containing the reports and recommendations of the various agencies including the LPA. The report shall be made available to the applicant, interested agencies (including, at a minimum, all agencies who participated in the review of the application), and the general public prior to the City Council consideration of the application at an advertised public hearing.
 - B. Prior to taking action on an application for site plan or subdivision approval, the City Council shall consider the report and recommendation of the LPA and all other relevant materials received.
 - C. In taking action on an application for site plan or subdivision approval, the City Council may approve, approve with conditions, or deny the application. The City Council shall consider the standards set forth in the Comprehensive Plan and in this Chapter, as well as the necessity for establishing appropriate conditions to ensure the standards are met.

D. Where the City Council determines that one or more restrictions would have the effect of depriving the property owner of the reasonable, beneficial use of his land, the Commission may consider alternative restrictions, provided that any variation from the standards herein constitute the minimum variation necessary to prevent confiscation of the property.

E. The City Council shall set, and shall periodically review, fees necessary to cover the cost of the administration of the permit issuance procedures under this Chapter. Section 6.4

Standards for Management of Natural Resources

Section 6.4-1 Generally

A. The purpose of these standards is to protect and properly manage the use of certain important natural resources for the overall benefit of the public. Toward that end, these standards shall be considered the minimum standards necessary to provide for adequate protection and management of natural resources. Where the specific facts indicate the need for greater protection, and the type of action being considered is legislative, the City Council shall consider the need for additional conditions and/or may require a higher standard.

B. Development proposed on or near resource management areas shall be designed so as to maximize the ability of the resource management area to function in an undisturbed

natural condition. The following general standards shall be applied to all resource management areas:

1) Uses and activities within resource management areas shall be limited to those uses and activities which by their nature must be located within these areas, or which are compatible with the need for resource management and protection. Uses and activities on other lands which might create an adverse impact on resource management areas shall be designed so as to reduce or eliminate such impacts. The City Council may require the rearrangement of uses or activities, including density, on a site plan or the rearrangement of lots within a subdivision in order to minimize the impact of such uses on resource management areas.

2) Use of planned unit development design is encouraged for development located within or near resource management areas. The City Council may require use of this technique if it finds such use necessary to ensure adequate protection of these areas.

C. Where a site is affected by more than one resource (such as a wellfield located in a wetland), the appropriate standards shall apply collectively, with the more restrictive standard applying in the case of a conflict. Where meeting one standard would have the effect of violating another, the City Council shall determine how the standards shall apply.

Section 6.4-2 Wetlands

A. No excavation or filling shall be undertaken within a wetland unless the City Council finds, on the basis of reasonable evidence, that there are no practical alternatives to the filling.

Examples of situations where such activities may be permitted include the need to provide access to property, to provide utilities, and to create a building site on an approved lot. Where any such disturbance of a wetland is permitted, it shall be the minimum disturbance necessary to meet the needs of the use. No excavation or similar disturbance shall be permitted in a floodway.

B. Where disturbance is permitted, new wetland areas shall be created at a minimum rate of two (2) times the area of wetlands destroyed. New wetland areas shall be in the vicinity of the areas destroyed and, at maturity, shall be functionally related (in terms of elevation, hydrology, and vegetation) to the remaining wetlands in the area. Where the City Council finds that it is impractical to create such replacement wetlands, it may make alternative mitigation requirements.

C. Modifications to wetlands shall ensure that predevelopment water flow (rate and quantity) is maintained to preserve wetland viability.

D. Wetlands management shall conform to standards included in the Comprehensive Plan.

Section 6.4-3 Critical Habitats

A. Habitats for threatened or endangered species shall be protected to ensure the viability of the habitat to support the continued functioning of the species. This shall be done by preserving the habitat itself from change, including reduction in size, destruction of major features or vegetation within the habitat, changes in surface water flow patterns, and/or introduction of pollutants. In addition, land development and land uses in areas near the habitat shall be restricted as needed to prevent adverse impacts. Where development in or near a critical habitat will substantially reduce its viability, the City Council may require mitigation. Mitigation may include such actions as restoration of contiguous or disturbed areas (either on-site or off-site) to a condition which provides satisfactory habitat, or relocation of the species to appropriate non-contiguous areas dedicated for permanent use as habitat areas.

B. Management of habitat areas shall conform to the standards included in the Comprehensive Plan.

Section 6.4-4 Wellfield Protection

A. Areas within two hundred (200) feet of a potable water supply well (but not individual private wells) shall be designated as the zone of exclusion. Within such areas, no land development activity shall be permitted.

B. Areas within five hundred (500) feet of a well shall be subject to land use restrictions. Uses which are characterized by hazardous or toxic materials handling or storage (including, but not limited to: landfills, gasoline stations, petroleum storage, and pesticide storage and handling) shall not be permitted.

C. When locations for new wells are established, the City Council shall impose these standards prior to the actual construction of the wells.

Section 6.4-5 Historic and/or Archaeological Sites.

A. Where a historic structure or area has been identified on the Natural Resource Management Areas Map, no structure shall be constructed or remodeled and no natural vegetation shall be disturbed within two hundred fifty (250) feet of the structure without approval by the City Council. The Commission's review shall consider the scale, architectural style, colors, and other physical characteristics of the proposed development in consideration of the characteristics of the site being protected. The Commission's findings shall be conveyed to the person proposing the development. No final approval shall be given until the plan has been revised to reflect the Commission's recommendations.

B. Archaeological sites which are known or suspected shall be protected. This shall be done by avoiding excavation and disturbance activities in areas known to have sites, and by evaluating suspected areas before disturbance. Where disturbance is proposed for known or

suspected archaeological sites, such sites shall be evaluated in terms of state or federal criteria to determine eligibility for listing on the National Register of Historic Places. Such evaluation shall be completed before any development or disturbance activity commences. Eligible sites shall be either preserved or excavated and documented prior to destruction.

Section 6.5 Regulations Governing Single Family Structures

A. This Section applies to the review by the Development Administrator of any application for a building permit for the construction of or any change to a single family residence or a structure accessory thereto which involves land within an area designated as a resource management area. This Section shall not apply to any change which is wholly within a structure or only affects the facade of the structure, or where the Development Administrator finds that the change does not create additional impacts on environmentally sensitive areas.

B. Prior to issuance of any permit, the applicant shall obtain a statement from the Florida Department of Environmental Protection identifying any wetlands boundary line affecting the property in question. Such designation shall be considered valid for a period of not more than two years from the date issued.

C. No adverse impact of land within any wetland area shall be permitted in connection with any activity under a building permit issued under this Section. Where this restriction results in a practical hardship depriving the property owner of the reasonable use of his land,

a variance may be obtained pursuant to the provisions of Chapter 3 provided that any variation from the standards herein constitute the minimum variation necessary to prevent confiscation of the property.

LAND DEVELOPMENT CODE

CHAPTER 6

PART IA

FLOOD PROTECTION

Section 6.IA-1 Statutory Authorization, Findings of Fact, Purpose and Objectives

Section 6.IA-1-1 Statutory Authorization

The legislature of the State of Florida has in Florida Statutes delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of Bristol in Liberty City, Florida, does ordain as follows:

Section 6.1A-1-2 Findings of Fact

(1) The flood hazard areas of the City are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

(2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately

elevated, flood-proofed, or otherwise unprotected from flood damages.

Section 6.1A-1-3 Statement of Purpose

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

(1) Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

(2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;

(4) Control filling, grading, dredging and other development which may increase erosion or flood damage, and;

(5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

Section 6.1A-1-4 Objectives

The objectives of this ordinance are:

(1) To protect human life and health;

(2) To minimize expenditure of public money for costly flood control projects;

(3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(4) To minimize prolonged business interruptions;

(5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;

(6) To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas, and;

(7) To insure that potential home buyers are notified that property is in a flood area.

Section 6.IA-2 Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

Addition (to an existing building) means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls in new construction.

Appeal means a request for a review of the Building Inspector's interpretation of any provision of this ordinance or a request for a variance.

Area of shallow flooding means a designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly

defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of special flood hazard is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

Base flood means the flood having a one percent chance of being equalled or exceeded in any given year.

Basement means that portion of a building having its floor subgrade (below ground level) on all sides.

Breakaway wall means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

Building means any building built for support, shelter, or enclosure for any occupancy or storage.

Development means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other buildings, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials.

Elevated building means a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls or breakaway walls.

Existing Construction means any building for which the "start of construction" commenced before (the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which establishes the area of special flood hazard) or (specific date).

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community (before the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which established the area of special flood hazard) or (specific date).

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters;
- (2) The unusual and rapid accumulation of runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM) means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

Flood Insurance Rate Map (FIRM) means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Functionally dependent facility means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

Highest adjacent grade means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a building.

Historic Building means any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the

National Register:

- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district:
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - 1. By an approved state program as determined by the Secretary of the Interior, or
 - 2. Directly by the Secretary of the Interior in states without approved programs.

Manufactured home means a building, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Mean Sea Level means the average height of the sea for all stages of the tide. It is

used as a reference for establishing various elevations within the flood plain. For purposes of this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD).

National Geodetic Vertical Datum (NGVD) as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the flood plain.

New construction means structures for which the "start of construction" commenced after (the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which established the area of special flood hazard) or (specific date). The term also includes any subsequent improvements to such structure.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Recreational vehicle means a vehicle which is:

- a. built on a single chassis;
- b. 400 square feet or less when measured at the largest horizontal projection;
- c. designed to be self-propelled or permanently towable by a light duty truck; and
- d. designed primarily not for use as a permanent dwelling but as temporary living

quarters for recreational, camping, travel, or seasonal use.

Sand dunes means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Start of construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P. L. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building. For a Substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or

infrastructures.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement means any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during the life of a building (eighty (80) year period), in which the cumulative cost equals or exceeds fifty percent of the market value of the building. The market value of the building should be (1) the appraised value of the building prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the building prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

Substantially improved existing manufactured home parks or subdivision is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

Variance is a grant of relief from the requirements of this ordinance which permits

construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

Section 6.IA-3 General Provisions

Section 6.IA-3-1 Lands To Which This Ordinance Applies

This ordinance shall apply to all areas of special flood hazard within the jurisdiction of the City of Bristol, Florida.

Section 6.IA-3-2 Basis For Establishing The Areas of Special Hazard

The areas of special flood hazard identified by the Federal Emergency Management Agency in its Flood Insurance Rate Map, dated July 16, 1991, as amended, with accompanying maps and other supporting data, and any revision thereto, are adopted by reference and declared to be a part of this code.

Section 6.IA-3-3 Establishment of Development Permit

A Development Permit shall be required in conformance with the provisions of this code prior to the commencement of any development activities.

Section 6.IA-3-4 Compliance

No structure or land shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this code and other applicable regulations.

Section 6.IA-3-5 Abrogation and Greater Restrictions

This code is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this code and another conflict or overlap,

whichever imposes the more stringent restrictions shall prevail.

Section 6.IA-3-6 Interpretation

In the interpretation and application of this code all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and; (3) deemed neither to limit nor repeal any other powers granted under state statutes.

Section 6.IA-3-7 Warning and Disclaimer of Liability

The degree of flood protection required by this code is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This code does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This code shall not create liability on the part of the City or by any officer or employee thereof for any flood damages that result from reliance on this code or any administrative decision lawfully made thereunder.

Section 6.IA-3-8 Penalties for Violation

Violation of the provisions of this code or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this code or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500.00 or imprisoned for not more than 60 days, or both, and in addition, shall

pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 6.IA-4 Administration

Section 6.IA-4-1 Designation of Building Inspector

The Building Official is hereby appointed to administer and implement the provisions of this code.

Section 6.IA-4-2 Permit Procedures

Application for a Development Permit shall be made to the Building Inspector on forms furnished by him or her prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

(1) Application Stage.

- (a) Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all buildings;
- (b) Elevation in relation to mean sea level to which any non-residential building will be flood-proofed;
- (c) Certificate from a registered professional engineer or architect that the non-

residential flood-proofed building will meet the flood-proofing criteria in Article 5, Section B (2);

(d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development, and;

(2) Construction Stage.

Provide a floor elevation or flood-proofing certification after the lowest floor is completed, or in instances where the building is subject to the regulations applicable to Coastal High Hazard Areas, after placement of the horizontal structural members of the lowest floor. Upon placement of the lowest floor, or flood-proofing by whatever construction means, or upon placement of the horizontal structural members of the lowest floor, whichever is applicable, it shall be the duty of the permit holder to submit to the Building Inspector a certification of the elevation of the lowest floor, flood-proofed elevation, or the elevation of the lowest portion of the horizontal structural members of the lowest floor, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same.

When flood-proofing is utilized for a particular building, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure

to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

Section 6.IA-4-3 Duties and Responsibilities of the Development Administrator

Duties of the Development Administrator shall include, but not be limited to:

(1) Review of all development permits to assure that the permit requirements of this code have been satisfied;

(2) Advise permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit.

(3) Notify adjacent communities, the Department of Environmental Protection and the North Florida Water Management District prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

(4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.

(5) Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved buildings, in accordance with Article 4, Section B (2).

(6) Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved buildings have been flood-proofed, in accordance with Article 4,

Section B (2).

(7) When flood-proofing is utilized for a particular building, the Development Administrator shall obtain certification from a registered professional engineer or architect, in accordance with Article 5, Section B (2).

(8) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Development Administrator shall make the necessary interpretation. The person contesting the location of the boundary shall be given reasonable opportunity to appeal the interpretation as provided in this article.

(9) When base flood elevation data or floodway data have not been provided in accordance with Article 3, Section B, then the Development Administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer the provision of Article 5.

(10) All records pertaining to the provisions of this code shall be maintained in the office of the Development Administrator and shall be open for public inspection.

Section 6.IA-4-4 Variance Procedures

(1) The City Council shall hear and decide appeals and requests for variances from the requirements of this code.

(2) The City shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Development Administrator in the

enforcement or administration of this code.

(3) Any person aggrieved by the decision of the City Council or any taxpayer may appeal such decision to the Circuit Courts as provided in Florida Statutes 26.012.

(4) Variances may be issued for the repair or rehabilitation of historic structures (see definition) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure.

(5) In passing upon such applications, the City shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this code, and:

- (a) The danger that materials may be swept onto other lands to the injury of others;
- (b) The danger of life and property due to flooding or erosion damage;
- (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- (d) The importance of the services provided by the proposed facility to the community;
- (e) The necessity of the facility to a waterfront location, in the case of a functionally dependent facility;
- (f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

(g) The compatibility of the proposed use with existing and anticipated development;

(h) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

(i) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(j) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site, and;

(k) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical.

(6) Upon consideration of the factors listed above, and the purposes of this code, the City may attach such conditions to the granting of variances as it deems necessary to further the purposes of this code.

(7) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(8) Conditions for Variances:

(a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the

minimum necessary so as not to destroy the historic character and design of the building;

(b) Variances shall only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship, and; (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or codes.

(c) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(d) The Development Administrator and Clerk shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

Section 6.IA-5 Provisions For Flood Hazard Reduction

Section 6.IA-5-1 General Standards

In all areas of special flood hazard the following provisions are required;

(1) New construction and substantial improvements shall be anchored to prevent

floatation, collapse or lateral movement of the structure;

(2) Manufactured homes shall be anchored to prevent floatation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.

(3) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;

(4) New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.

(5) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(7) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;

(8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding, and;

(9) Any alteration, repair, reconstruction or improvements to a structure which is in

compliance with the provisions of this code, shall meet the requirements of "new construction" as contained in this code.

(10) Any alteration, repair, construction or improvements to a building which is not in compliance with the provisions of this ordinance, shall be undertaken only if said non-conformity is not furthered, extended, or replaced.

Section 6.IA-5-2 Specific Standards

In all areas of special flood hazard where base flood elevation data have been provided, as set forth in Article 3, Section B, or Article 4, Section C (11), the following provisions are required:

(1) Residential Construction. New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated no lower than two (2) feet above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Article 5, Section B (3).

(2) Non-Residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential building shall have the lowest floor, including basement, elevated no lower than two (2) feet above the level of the base flood elevation. Buildings located in all A-zones may be flood-proofed in lieu of being elevated provided that all areas of the building below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of

resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Article 4, Section C (9).

(3) Elevated Buildings. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

(a) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

(i) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

(ii) The bottom of all openings shall be no higher than one foot above grade; and,

(iii) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.

(b) Electrical, plumbing, and other utility connections are prohibited below the

flood elevation;

(c) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and

(d) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

(4) Standards for Manufactured Homes and Recreational Vehicles

(a) All manufactured homes placed, or substantially improved, on individual lots or parcels, in expansions to existing manufactured home parks or subdivisions, or in substantially improved manufactured home parks or subdivisions, or in substantially improved manufactured home parks or subdivisions, must meet all the requirements for new construction, including elevation and anchoring.

(b) All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that:

(i) The lowest floor of the manufactured home is elevated no lower than two (2) feet above the level of the base flood elevation, or

(ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength, of no less than 36 inches in height above grade.

- (iii) The manufactured home must be securely anchored to the adequately anchored foundation system to resist flotation, collapse and lateral movement.
 - (iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, any manufactured home placed or substantially improved must meet the standards of Article 5, Section B(4)(b)(i) and (iii) above.
- (c) All recreational vehicles placed on sites must either:
- (i) Be fully licensed and ready for highway use, or
 - (ii) The recreational vehicle must meet all the requirements for new construction, including anchoring and elevation requirements of Article 5, Section B(4)(a) of (b)(i) and (iii), above.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached structures.

(5) Floodways. Located within areas of special flood hazard established in Article 3, Section B, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and has erosion potential, the following provisions shall apply:

(a) Prohibit encroachments, including fill, new construction, substantial improvements and other developments unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge (This Section is not applicable to Agricultural land users adhering to State Best Management Practices) (Authority Florida Statutes 403.927, Section 4.A.);

(b) If Article 5, Section B (4) (a) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article 5.

(c) Prohibit the placement of manufactured homes (mobile homes), except in an existing manufactured homes (mobile homes) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring standards of Article 5, Section A (2), and the elevation standards of Article 5, Section B (1) are met.

Section 6.IA-5-3 Standards for Streams Without Establishment of Base Flood

Elevations And/Or Floodways

Located within the areas of special flood hazard established in Article 3, Section B, where small streams exist but where no base flood data have been provided or where no

floodways have been provided, the following provisions apply:

(1) No encroachments, including fill material or structures shall be located within areas of special flood hazard, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles. (This Section is not applicable to Agricultural land users adhering to State Best Management Practices) (Authority Florida Statutes 403.927, Section 4.A.);

(2) New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with Article 4, Section C (11).

Section 6.IA-5-4 Standards for Subdivision Proposals

(1) All subdivision proposals shall be consistent with the need to minimize flood damage;

(2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;

(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;

(4) Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions) which is greater

than the lesser of fifty lots or five acres.

Section 6.IA-5-5 Standards for Areas of Shallow Flooding (AO) Zones

Located within the areas of special flood hazard established in Article 3, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet (1'-3') where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

(1) All new construction and substantial improvements of residential buildings shall have the lowest floor, including basement, elevated to the depth number specified on the Flood Insurance Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor, including basement, shall be elevated, at least two (2) feet above the highest adjacent grade.

(2) All new construction and substantial improvements of non-residential structures shall;

(a) Have the lowest floor, including basement, elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor, including basement shall be elevated at least two (2) feet above the highest adjacent grade, or;

(b) Together with attendant utility and sanitary facilities be completely flood-proofed to or above that level so that any space below that level is watertight

with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

LAND DEVELOPMENT CODE

CHAPTER 6

PART IB

STORMWATER MANAGEMENT REGULATIONS Generally:

Applicability

All Developments in the City of Bristol for which a City permit or authorization is required are subject to the provisions of this Part, except that single family or two family residential structures and mobile homes shall be subject only to Section 6.IB-2.

Section 6.IB-2 Submission and Review of Plan

An applicant for any development for which a City permit or authorization is required shall submit with his application, or at such other time designated by the Development Administrator, a stormwater management plan for the site, subdivision, or other area for which the application is sought. The stormwater management plan shall clearly show the elevations, facilities, detention areas, and other data and features that will allow an analysis of the plan to ascertain its compliance with the following section. The stormwater management plan shall bear the certificate of a registered professional engineer that states that the plan meets all the requirements of this Code.

Section 6.IB-3 Stormwater Management Plans and Facilities

Stormwater management facilities shall be designed and constructed for each development that is subject to this Part to accommodate the run-off from a 25 year design storm of 24

hour duration. The detention and retention facilities shall be designed and constructed so that in such a storm the post-development run-off rates are essentially the same as the pre-development run-off would have been from the site. In addition the facilities must be designed and constructed in a manner that insures compliance with applicable federal, state and regional regulations for drainage and water quality.

Section 6.IB-4 Protection of Natural Features

No land use activity within the City of Bristol shall be permitted which disrupts, significantly alters, or destroys the functioning of a major natural or preexisting man-made drainage feature or facility. To the extent that such will not impair the overall drainage capability of a site and is otherwise feasible, natural drainage features should be maintained during the development process.

Section 6.IB-5 Financial Guarantee

The City Council is responsible for final approval of any development plan or permit issued under this Code may require that the applicant submit a bond or other financial guarantee to insure that the development will comply with the provisions of this Part.

LAND DEVELOPMENT REGULATIONS

City of Bristol, Florida

CHAPTER 7

CONCURRENCY

Section 7.1: Purpose

The purpose of the Concurrency Management System is to establish the procedures and/or process that City of Bristol will utilize to assure that development orders and permits, when issued, will not result in a reduction of the adopted level of service standards at the time that the impact of development occurs. Public facilities and services which must be available concurrent with the impacts of development are roads, sanitary sewer, solid waste, drainage, potable water and recreation.

The system will consist of four primary components: an inventory of existing public facilities for which concurrency is to be determined; an inventory of the applicable LOS standards for each public facility; a concurrency assessment of each application for a final development order or permit; and a schedule of deficiencies. Under this system, no development orders or permits may be issued which will cause a public facility to operate below its adopted level of service standard. However, development orders may be conditioned such that needed public facility improvements will be in place concurrent with the impacts of the proposed development.

In order to ensure that all public facilities included within this system are available concurrent with the impacts of development, concurrency will be determined during the final site plan or final subdivision plan approval process. All development orders and permits will specify any needed improvements and a schedule for their implementation. Thus, while some required improvements may not have to be completed until a certificate of occupancy is applied for, the requirements for the certificate of occupancy will have already been specified as a condition of approval of the original development order. If a development proposal cannot meet the test for concurrency, then it may not proceed under any circumstances and no development orders or permits may be issued. If a development fails to meet a condition of approval once it has commenced, no additional development orders, permits, or certificates of occupancy may be issued.

Section 7.2: Vested Projects

Nothing in this Chapter shall be construed or applied to constitute a temporary or permanent taking of private property without the just compensation or abrogation of vested rights.

Any applicant for a development permit who alleges that this Chapter, as applied, constitutes or would constitute a temporary or permanent taking of private property or an abrogation of vested rights must affirmatively

demonstrate the legal requisites of the claim by meeting all three of the followings:

1. A development permit has been issued on or prior to January 16, 1992;
2. Development has commenced; and
3. Development is continuing in good faith.

Section 7.3: Applicability

Applicability:

Prior to the approval of a preliminary site plan which sets specific densities and intensities of development, all applications shall be reviewed for concurrency consistent with the provisions and requirements of this system. Development orders or permits may be issued only upon finding by the City that the public facilities addressed under the Concurrency Management System shall be available concurrent with the impacts of the development.

All applicants for development orders or permits shall be required to provide all information deemed necessary by the City so that the impacts of the proposed development may be accurately assessed. Application forms shall be developed which state the requirements for development orders or permits that reflect the informational needs for the determination of concurrency.

The Development Administrator shall be responsible for maintaining an inventory of existing public facilities and capacities or deficiencies; determining concurrency of

proposed development which does not require approval by the City Council; providing advisory concurrency assessments and recommending conditions of approval to the City Council for those applications for development orders or permits which require City Council approval; and reporting the status of all public facilities covered under this system to the City Council and recommending a schedule of improvements for those public facilities found to have existing deficiencies.

The Development Administrator shall collect and make available to the public information on certain facilities as described in Attachment 1. The information shall be available beginning June 1, 1992, and updated by each June 1 thereafter. The provisions and requirements of the Concurrency Management System shall apply only to those facilities listed in Attachment 1.

A designated time limit of one year from the date of issuance shall be set and approved by the City Council regarding the issuance of development orders and/or permits in relation to meeting the concurrency requirements. If construction has not begun within the one year time limit, the developer/applicant shall be required to re-submit development plans for meeting the concurrency requirements.

Any elimination, deferment or delay in the construction of a public facility or service by the City which is required to maintain the adopted level of service standard and contained in the Five Year Schedule of Capital Improvements, shall require a Plan amendment.

Concurrency Assessment

The Development Administrator shall be responsible for determining concurrency for all applications of development orders or permits for final site plans and/or final subdivision plans. When reviewing applications for such development orders or permits, the Development Administrator shall perform a Concurrency Assessment to ensure that public facilities are available concurrent with the impacts of the proposed development. To conduct the assessment, the inventory presented in Attachment 1 in conjunction with the Infrastructure Deficiencies map shall be used as the basis for the establishment of existing conditions. The capability of existing public facilities to service new development shall then be determined by using the general rules presented in Attachment 2 and the facility specific rules presented in Attachment 3. Finally, a determination of concurrency shall be made. Such determination may include conditions of approval which are deemed necessary for concurrency to be ensured.

The Development Administrator shall provide recommendations to the City Council concerning those development order applications/permits which require City Council approval. The comments and recommendations provided by the Development Administrator shall include, but are not limited to:

1. the ability of existing facilities to accommodate the proposed development at the adopted level of service standards;

2. any existing facility deficiencies that will need to be corrected prior to the completion of the proposed development;
3. the facility improvements or additions that will be needed to accommodate the impacts of the proposed development at the adopted level of service standard;
4. the date such facility improvements or additions will need to be completed to be concurrent with the impacts on such facility created by the proposed development; and
5. a recommendation of approval or denial with any applicable conditions for the timing and location of needed improvements.

Prior to the issuance of a development order/permit for a proposed new development, the City Council and/or the Development Administrator shall:

1. make a finding on the impacts created by the proposed development; the developer must submit an impact statement on the required LOS standards as they are affected by the proposed development.
2. make a finding as to whether the public facilities covered under the Concurrency Management System will be available concurrent with the impacts of new development at the adopted level;
3. make a finding of those facility improvements or additions that are required to ensure the finding of concurrency; and

4. make a finding of the entity responsible for the design and installation of all required facility improvements or additions.

The adopted level of service standards shall be the minimum acceptable standards with which all proposed new development shall comply. The Concurrency Management System shall not preclude the City Council from imposing other conditions of approval, including improvements and additions to the facilities covered under this system beyond the minimums necessary to achieve concurrency.

Exceptions

This Chapter shall apply to any final development order issued by City of Bristol, with the following exceptions:

- A. any addition to a single family dwelling;
- B. any addition, expansion, or improvement to any other structure or use where such addition, expansion, or improvement can be shown to have no net increase in the demand for infrastructure;
- C. any replacement of a structure or use by a similar structure or use where such replacement can be shown to have no net increase in the demand for infrastructure;
- D. any change of use which reduces demand for all infrastructure facilities, even if the infrastructure serving the former use or activity was over capacity;

E. any vested project.

Facilities Reporting

On June 1 of each year the Development Administrator shall report to the City Council the information required in Attachment 1. The report shall also include the degree of any deficiencies and a summary of the impacts that the deficiency will have on the approval of development orders/permits. The Development Administrator shall then recommend a schedule of improvements necessary to prevent a reduction in the approval of development orders/permits.

Section 7.4: Procedures

Section 7.4-1

A map entitled "Infrastructure Deficiency Map for inventory" is hereby adopted and incorporated in this Chapter by reference. This map shows all areas of the City served by infrastructure which does not meet the level of service standards established by the City of Bristol adopted Comprehensive Plan. The two zones shown on the map describe areas where (1) all development subject to review under this Chapter shall be prohibited and (2) residential development subject to review under this Chapter shall be prohibited. This map shall be effective until October 1, 1992.

Section 7.4-2

The Development Administrator or City Council or designee shall in June of each year evaluate the latest available information on the capacity of all infrastructure serving the City and shall identify those areas served by infrastructure which does not meet the level of service standards established by the adopted comprehensive plan. The Development Administrator shall transmit a preliminary map or inventory to the City Council showing the areas so identified. The preliminary map shall be based on an evaluation of the total capacity of each relevant facility component and the total actual demand placed on that facility. Total capacity of the facility shall include existing capacity as well as additional capacity from planned infrastructure improvement projects, subject to the limitations of Rule 9J-5.0055 (2) (a) through (c), Florida Administrative Code. Total demand shall include actual current use as well as the potential use of projects which have not been developed but which are considered as vested projects.

Section 7.4-3

In identifying these areas on the map or inventory , areas with deficiencies only in park facilities shall be designated for prohibition of residential development and areas with deficiencies in any other infrastructure facilities shall be designated for prohibition of all development.

Section 7.4-4

In reviewing the proposed operating and capital budget for the City, the Council shall consider what improvements may be necessary to minimize or eliminate from the map areas which are served by substandard facilities. At the time of adoption of the annual operating budget and capital budget but not later than September 30 of each year, the City Council shall adopt a revised Infrastructure Deficiency Map or inventory which will be effective from October 1 of that year until September 30 of the following year. The map may be reviewed more frequently upon a finding by the City Council that there is reason to suspect that areas shown as having adequate levels of service do not and/or that areas shown as having inadequate levels of service in fact are not deficient.

Section 7.5: Development Restrictions

Section 7.5-1

No final development order may be issued if the area within which the activity is proposed is shown as deficient on the Infrastructure Deficiency Map or inventory. Notwithstanding this restriction, a final development order may be issued subject to the condition that there will be no occupancy of any structure or area served by the deficient infrastructure until such time as the deficiency is removed. Any such condition shall be incorporated in a development agreement subject to the provisions of Chapter 4. The development agreement

shall identify the specific facilities which are deficient and the specific actions which must be taken before the development may be occupied.

Section 7.5-2

If the project is vested, a final development order may be issued only for the uses and intensities established under the provisions of the previously issued permits and then only while the project retains its status as a vested project.

Attachment I

PUBLIC FACILITIES CAPACITIES AND LEVEL OF SERVICE

INVENTORY FOR CONCURRENCY MANAGEMENT

City of Bristol, Florida

The following inventories in conjunction with the Infrastructure Deficiencies Map shall be maintained by the Development Administrator to be used for the concurrency assessment of new development.

TRAFFIC CIRCULATION

1. Design capacity of different roadway types.
2. The existing level of service measured by the average annual number of trips per day on a roadway as provided by the Florida Department of Transportation.
3. The adopted level of service standards for all roadways classified under the Florida Department of Transportation's roadway functional classification system.
4. The existing capacities or deficiencies of the roadway network.
5. The capacities reserved for approved but unbuilt development.
6. The projected capacities or deficiencies due to approved but unbuilt development.
7. The improvements to be made to the roadway network in the current fiscal year by any approved developments pursuant to previous development orders or permits and the impact of such improvements on the existing capacities or deficiencies.

8. The improvements to be made to the roadway network in the current fiscal year by City of Bristol, the Florida Department of Transportation, or other public agency and the impact of such improvements on the existing capacities or deficiencies.

SANITARY SEWER

1. The design capacity of the wastewater treatment facilities.
2. The existing level of service standard for average daily flows per equivalent residential unit.
3. The adopted level of service standard for average daily flows per equivalent residential unit.
4. The existing deficiencies of the system.
5. The capacities reserved for approved but unbuilt development.
6. The improvements to be made to the facility in the current fiscal year by any approved developments pursuant to previous development orders and the impact of such improvements to the existing capacities or deficiencies.
7. The improvements to be made to the facility in the current fiscal year by City of Bristol and the impacts of such improvements on the existing capacities or deficiencies.

POTABLE WATER

1. The design capacity of potable water treatment facilities.

2. The existing level of service measured by the average number of gallons per day per unit based on the average flows experienced and the total number of equivalent residential units within the service area.
3. The existing potable water storage capabilities of the water system.
4. The existing minimum water pressure.
5. The adopted level of service standards for the potable water facility components.
6. The existing capacities or deficiencies of the system.
7. The capacities reserved for approved but unbuilt development.
8. The improvements to be made to the facility in the current fiscal year by any approved developments pursuant to previous development orders or permits and the impact of such improvements on the existing capacities or deficiencies.
9. The improvements to be made to the facility in the current fiscal year by the City of Bristol and the impact of such improvements on the existing capacities or deficiencies.

SOLID WASTE

1. The percentage of the total amount of solid waste disposal capacity allocated to the City of Bristol, and/or the private firm contracted by the City for solid waste collection and disposal.
2. The existing level of service measured by the solid waste per pound per capita per weekly collection.
3. The capacities reserved for approved but unbuilt development.

4. The projected capacities or deficiencies due to approved but unbuilt development.

STORMWATER DRAINAGE

1. The existing level of service measured by storm event as determined by City of Bristol and its consulting engineers.
2. The adopted level of service standard for storm drainage.

RECREATION AND OPEN SPACE

1. The existing acreage of parkland.
2. The existing level of service measured by the number of acres of parkland available per 1,000 residents of City of Bristol based on an inventory of parklands in the City and the population of the City.
3. The existing capacities or deficiencies of the recreation facility system.
4. The capacities reserved for approved but unbuilt development.
5. The projected capacities or deficiencies due to approved but unbuilt development.
6. The improvements to be made to the recreation facilities in the current fiscal year by any approved developments pursuant to previous development orders and the impact of such improvements on the existing capacities or deficiencies.
7. The improvements to be made to the recreation facilities in the current fiscal year by City of Bristol and the impact of such improvements on the existing capacities or deficiencies.

Attachment 2

GENERAL RULES FOR CONCURRENCY ASSESSMENT

City of Bristol, Florida

EXISTING DEFICIENCIES

No development shall be approved which will impact a facility which is currently deficient unless the facility is required to be improved in the current fiscal year pursuant to a previous development order or permit. Any needed improvements shall be completed prior to the projected impacts of the proposed development as required by Attachment 3.

APPROVED IMPACTS

The impacts of new development shall be assessed against the existing conditions as described in Attachment 1, the Infrastructure Deficiencies Map or inventory and the projected impacts from approved but unbuilt development. These three items together shall be considered the existing conditions for all public facilities for the impact assessment of all proposed development.

PHASING

Development that is proposed to be phased may also phase the improvement of facilities provided in the concurrency requirements for each facility as described in Attachment 3 are met.

TIME SPECIFIC APPROVAL

All development approvals shall have a one year time period to commence and be completed development unless otherwise provided for within this Code. If construction does not commence within the one year time period, the development approval shall expire and the applicant must repeat the development review process. if the development is to be phased, the timing of each phase shall be specified in the development order or permit. If necessary, the development order or permit may prescribe a time schedule for the initiation of the various components of the development process such as land clearing, filling, foundation pouring, etc.

Any required improvements shall also require a time period for construction and completion. Should development or facilities improvements fail to begin or be completed in accordance with the development order or permit, all outstanding approvals of the development shall expire. Amendments to time schedules shall be permitted but must be approved by the body granting the original approval.

ADDITIONAL INFORMATION

The Development Administrator may require additional information from applicants in order for an accurate assessment to be conducted. Such additional informational requests shall be reasonable and be provided in writing to the applicant.

It should be noted that City of Bristol cannot conduct special studies such as traffic counts on roads not regularly monitored. Review and approval of proposed development may be postponed for a reasonable time period in order for the applicant to gather additional information. Proposed development may be denied approval for failure of the applicant to provide adequate information on the projected impacts created by the development.

Attachment 3

FACILITY SPECIFIC RULES FOR CONCURRENCY ASSESSMENT

City of Bristol, Florida

SOLID WASTE

City of Bristol shall include solid waste generation standards based on land use types in the Land Development Regulations. Commercial and industrial developments which are potential hazardous waste generators shall provide a description and estimate of tonnage of solid waste to be generated for which the development will be responsible for coordinating with City of Bristol, or, if appropriate, other hazardous waste disposal facility(s) for disposal of such waste. Written approval from the appropriate hazardous waste disposal facility that the proposed development's hazardous waste generation can be accommodated at the appropriate hazardous waste disposal site must be obtained by the developer and provided to City of Bristol.

Prior to the issuance of a Certificate of Occupancy, all facility improvements necessary to accommodate the impacts of that portion of the development receiving a Certificate of Occupancy shall be in place.

STORMWATER DRAINAGE

All commercial developments shall prepare a drainage plan based on the stormwater management regulations which shall incorporate the level of service design storm.

RECREATION

City of Bristol shall not assess commercial and industrial developments as having an impact on recreational facilities. However, the City reserves the right to require the provision of recreational facilities as a part of cluster developments, or high density residential subdivisions.

Attachment 4

PUBLIC FACILITIES LEVEL OF SERVICE INVENTORY

City of Bristol, Florida

TRAFFIC CIRCULATION

1. Roadways - Level of Service (LOS) "C" for all principal arterial roadways and LOS "D" on all other roadways for peak hour conditions within the City.

SANITARY SEWER

1. Central Facilities - 100 gallons per capita per day (GPCD).
2. Private on-site disposal systems (septic tanks) - Meet or exceed all requirements set by the Florida Department of Health and Rehabilitative Services, Chapter 10D-6, F.A.C.

POTABLE WATER

1. Existing Water Facilities
 - a. City of Bristol - 111 gallons per capita per day (gpcd);
 - b. Hosford-Telogia Community - 85 gallons per capita per day (gpcd);
 - c. Sumatra Community - 100 gallons per capita per day (gpcd);
 - d. Estiffanulga Community - 100 gallons per capita per day (gpcd);
 - e. Sweetwater Community - 100 gallons per capita per day (gpcd).
2. Future Water Facilities

- a. Non-Residential Uses - Minimum service consistent with Ch. 10D-6, F.A.C., as of Plan adoption date. A plan amendment shall be initiated for the purpose of considering LOS revision of Ch. 10D-6, F.A.C., is repealed as amended.
- b. Residential Uses - 100 gallons per capita per day (gpcd).

SOLID WASTE

2.25 pounds per capita per day (ppcd).

STORMWATER DRAINAGE

1. Water Quantity

- a. All drainage swales and ditches shall be designed, at a minimum, to convey the runoff generated from a 10 year, 24-hour storm event.
- b. City roadways - Culverts and cross drains shall convey the runoff from a 25-year, 24-hour storm event.
- c. Local roadways - Culverts and cross drains shall convey the runoff from a 10-year, 24-hour storm event.

. Water Quality

- a. All development in the Residential and Mixed Use categories of the Future Land Use Map shall meet the following standards:

1. All new residential subdivisions shall provide stormwater management facilities which ensure that the peak rate of runoff will not exceed the peak rate of predevelopment runoff;
2. All new residential development not part of a new subdivision which proposes greater than 20,000 square feet or impervious surface shall provide stormwater management facilities which ensure that the peak rate of runoff will not exceed the peak rate of predevelopment runoff;
3. All new non-residential development shall provide stormwater management facilities which ensure that the peak rate of runoff will not exceed the peak rate of predevelopment runoff.

For the purpose of this LOS requirement, redevelopment shall be considered as new development.

- b. All other land use categories of the Future Land Use Map shall be required to meet the following standards:
 1. Erosion and sediment controls, such as stacked hay bales and erosion fences shall be used during construction.
 2. All development meeting the minimum threshold for DEP review under CH. 17-25, F.A.C., shall provide stormwater management consistent with those DEP rules. Proof of meeting the standard shall be a permit from DEP.

- c. Any development exempt from DEP review under Ch. 17-25, F.A.C., and which is adjacent to, or drains into a surface water, canal or stream, or which enters a ditch which empties into a sinkhole, shall first allow the runoff to enter a grassed swale designed to percolate 80 percent of the runoff from a 3-year, 24-hour design storm within 72 hours after a storm event.

RECREATION AND OPEN SPACE

1. Recreation Facilities

- a. Community Park - 5 acres per 1,000 population. (NOTE: for the purpose of LOS standards, a community park shall serve up to 5,000 people. This standard shall apply for the City of Bristol

. Open Space

For purpose of this LOS regulation, open space shall be defined as areas of the development site not covered with buildings and including at least intermittent landscaping.

- a. Residential - Each new residential Planned Unit Development and subdivision of fifty (50) acres or more shall provide open space equivalent to five percent (5%) of the gross area of the development.

- b. Commercial or Public Use - Each new commercial or public use development of more than ten (10) acres shall provide open space equivalent to five percent (5%) of the gross area of the development.