

## **ARTICLE V. SUPPLEMENTAL USE REGULATIONS.**

### **Section 5.0 General.**

In all districts there are permitted and conditional use. Some of those uses require certain design or performance standards in order to maintain compatibility with existing or proposed developments surrounding the site or to protect the safety, health and welfare of the users of the facility or general public.

#### **A. Adult Day Care Centers.**

Adult Day Care Centers, shall be subject to the minimum standards of this Code and the following specific standards:

1. The facility shall be open at least five (5) days a week for a minimum of five (5) hours each day but no more than twelve (12) hours each day.
2. There shall be a minimum of thirty (30) square feet of useable floor area per adult in care. Hallways, stairs, closets, bathrooms and kitchen shall not be calculated as part of the useable floor area.
3. The facility shall be located so that traffic generated will not negatively impact the surrounding road network or surrounding land uses.
4. The design, intensity and scale of the adult care center shall be compatible with the surrounding land uses and zoning.
5. All requirements of Florida Administrative Code (FAC) 10A-6 shall be met.

#### **B. Automobile Service Station or Automobile Repair Shop.**

Automobile Service Station or Automobile Repair Shop, a shall be subject to the minimum standards of this Code and the following specific standards:

1. No driveway of an automobile service station or automobile repair shop shall be located within two hundred (200) feet of the property line of a public or private school, public library, church, hospital, nursing home, public park or public playground fronting the same street.
2. No driveway of an automobile service station or automobile repair shop shall be located within thirty (30) feet of a street intersection.
3. No gasoline or other fuel pump shall be located within thirty (30) feet of a street line or of an adjoining property line.
4. All repairs shall take place within an enclosed building.
5. No motor vehicle shall be parked or stored out of doors on the premises for more than sixty (60) days. Vehicles parked or stored out of doors on the premises shall be located within an area screened by a minimum six-foot privacy fence located to the rear of the principle structure.

6. The entire premises on which there is an automobile service station or an automobile repair shop shall be kept clean and free of debris such as used auto parts, tires, oil cans or drums, rags, papers or any other used or discarded materials.
7. All hydraulic hoists, pits, lubrication, repair and service work shall be conducted entirely within a building.
8. All merchandise and material for sale shall be displayed within an enclosed building.
9. When a service station dispensing flammable materials becomes vacant for a period exceeding ninety (90) days, the property owner shall be required to remove or treat in a safe manner approved by the E.P.A. (Environmental Protection Agency) all flammable materials or storage tanks on the site.
10. All gasoline or other fuel pumps shall be supported by a dedicated standby generator to ensure continuity of service after severe weather events, or acts of God, subject to approval by the City.

C. Bed and Breakfast Establishment.

Bed and Breakfast Establishments, shall be subject to the minimum standards of this Code and the following specific standards:

1. The Bed and Breakfast Residence must be secondary to the use of the premises for dwelling. All operators of a Bed and Breakfast Residence must own and occupy the building where said use will occur as their principal residence. Separate structures, accessory building and garages are not permitted to be used as living units or sleeping rooms.
2. Bed and breakfasts shall contain no more than 5 guest rooms.
3. On-site parking shall be provided at a ratio of one (1) space per rental room plus two (2) per residential unit. Parking areas must be located to the side or rear of the inn and screened by opaque fence or plantings at a minimum height of five feet when parking is within 25 feet of residential property.
4. Only a singular sign, for the purposes of property identification, shall be permitted. Identification signage shall not exceed eight (8) square feet in area and shall not be illuminated.
5. Noise levels shall not exceed those associated with normal household uses.
6. The exterior appearance of the structure shall not be altered from its single-family character. Buffering and screening shall be provided as required by Code.
7. No food preparation or cooking shall be conducted within any bedroom nor other individual rented rooms. Meals shall only be provided to overnight guests, unless the conditional use approval specifies provisions for food service to the general public.
8. Guests are limited to a length of stay no longer than 30 consecutive days.

D. Building Material Sales and Lumberyards.

Building Material Sales and Lumberyards, shall be subject to the minimum standards of this Code and the following specific standards:

1. All materials to be sold on the premises must be completely screened from adjacent properties and roadways;
2. On-site vehicular storage shall be limited to those vehicles used in the operation of establishment;
3. Such establishments shall not include the manufacture of structural wood components, roof trusses, wall units and other activities requiring the assembly of wood products;
4. All wholesale activities shall be accessory to retail sales conducted on the site.

E. Carnivals and Festivals (Vendors).

Carnivals and Festivals (Vendors), as shall be subject to the minimum standards of this Code and the following specific standards:

1. The site shall be located, except for the OTD or activities in association with a church, school or nonprofit organization, on a main collector or arterial roadway as shown on the Official Functional Classifications of Roads Map of the City. Activities located on a local street may be approved by the city council if it is determined that such activity will not have an adverse effect on the surrounding residential areas.
2. Activities shall not be located in any public or private road or drainage right-of-way unless approved by the city council.
3. Parking shall be on-site if possible, or in close proximity to the proposed activity.
4. The location of activities on the property shall not block visibility for vehicles or pedestrians on or off the lot in a way that would create a safety hazard.
5. Hours of operation shall be designated by the city council.
6. All trash and debris shall be removed daily and appropriate trash receptacles shall be provided.
7. Written consent from the owner, tenant, or authorized agent, of the property shall be provided at time of application.
8. A recreational vehicle may be used for security or for temporary sales only, provided it has all applicable permits.
9. Signage shall be in accordance with the sign regulations set forth in Code excluding vendor signage attached to or within the vendor's approved area. In addition, temporary or portable sign(s) announcing or advertising the temporary

event or function may be erected, on the site, fifteen (15) days before the special event and such sign shall be removed within twenty-four (24) hours after completion of the special event.

10. Activities in association with a church, school or nonprofit organization, additionally, may be held in any residential district on property owned by them as long as the site of the booths, games, etc., are located as to not cause a disturbance to adjacent properties. Mechanical rides shall require a specific approval by the City Council.
11. Activities may be held by organizations such as community civic groups on public property when not otherwise prohibited by law and approved by the City Council.
12. Where a tent is used, a certification of approval by the Fire Marshal and Building Official shall be required.
13. Items remaining after the event shall be removed from the premises no later than forty-eight (48) hours after the event.
14. The sponsor(s) shall be responsible for ensuring that each vendor operates their activity in a manner that is in compliance with all local regulations and protects the safety of the general public with regard to such areas as fire protection, proper access, handicap requirements, electrical systems, etc.

F. Carwash.

Carwashes, shall be subject to the minimum standards of this Code and the following standards:

1. Automatic or Manned carwash operations:
  - a. The car wash operation shall be located on a parcel with a minimum lot area of one (1) acre.
  - b. All structures associated with the carwash operation shall be at least one hundred (100) feet from the boundary of any residentially committed area.
  - c. The use shall be buffered by a permanent opaque wall, eight (8) feet in height where abutting any residentially zoned area and said wall shall be maintained in good repair.
  - d. In addition to meeting the off-street parking requirements, there shall be provided at least ten (10) off-street automobile waiting spaces on the lot or in the moving lane to the automobile washing building entrance.
  - e. There shall be direct access to a major collector or arterial road.
  - f. The Best Management Practices for recycling and conservation of water shall be required, as well as evidence of compliance with DER requirements under Chapter 17.4-003, FAC.

2. Self-Service Car Washes:

- a. The car wash operation is considered to be a drive-through facility and is subject to the site plan submission requirements of Article XIV.
- b. The property on which the car wash is to be located shall be a minimum of 10,000 square feet in size.
- c. The car wash, and all related activity areas shall be screened from all adjoining side and rear properties with an eight (8) masonry wall, or a wall constructed of similar materials. The wall shall be located a minimum of five (5) feet inside the side and rear property line. The wall shall be of similar composition, construction, and color and shall not include chain link fence, with or without slates or wooden screening materials. If any side property line is adjacent to any street right-of-way line, no screening wall will be required along that property line.

The five (5) foot landscape buffer that is located on the outside of the masonry wall shall be landscaped with 1 tree for every 30 linear feet and with one 1 shrub or vine for every 5 linear feet of wall length. At least five (5) feet of the area inside of the required wall along the side and rear property lines shall be landscaped with 1 shrub or vine for every 5 linear feet of wall length. All landscaping shall be irrigated in accord with the provisions of section 11.8 of this Code.

A strip of land at least fifteen (15) feet in depth shall be located between any abutting street right-of-way and the car wash, and its related activity areas, shall be landscaped to include one (1) tree for each thirty (30) linear feet of abutting right-of-way or major fraction thereof. In addition, a hedge, wall or other durable landscaping barrier shall be placed along the interior perimeter of the landscaped strip. All landscaping shall be irrigated in accord with the provisions of section 11.8 of this Code.

- d. No more than 7 car wash bays and 7 vacuum stations shall be allowed in any one car wash facility.
- e. All car wash bays shall be enclosed on 2 sides and covered by a permanent roof.
- f. All on-site lighting fixtures shall be directed so that adjacent properties are not illuminated.

In addition to the above mandatory standards, in considering any application for approval of a self-service car washes the city council may also consider reasonable limitations on the cash wash operations, including but not limited, the hours of business operation and the necessity for manned attendance during those business operation hours. If limitations are imposed on the hours of operation, or if manned attendance is required or if any other special limitation is imposed, the council shall expressly include in any approval Resolution or other form of Final Development Order the specific reasons that such limitations have been determined to be necessary.

G. Child Care Facility.

Child Care Centers shall be subject to the minimum standards of this Code and the following standards:

1. Required patron parking shall be adjacent to the facility and clearly designated by raised directional signage and pavement of wheel stop markings. Each parking space shall be fronted with wheel stops set two (2) feet from a continuous five-foot wide sidewalk leading to the building entrance, or a raised curb and a continuous seven-foot wide sidewalk leading to the building entrance.
2. Circular driveway shall be provided for pick-up/drop-off of children. The following shall be required in addition to paragraph 1, above: a paved circular driveway, twelve (12) feet in width with a minimum inside turning radius of twenty (20) feet for one-way traffic, and an area a minimum of fifteen (15) feet from the designated discharge point where the children are picked up or dropped off, into which cars shall not park or back. If fire regulations require the designation of a fire lane or if two-way traffic is approved, then the width of the circular driveway shall be at least twenty (20) feet.
3. Employee and van parking shall be designated by raised directional signage and pavement or wheel stop markings.
4. A fenced outdoor play area for the children shall be provided. The use of the play yard shall be limited to between 8:00 a.m. and 6:00 p.m., if the fenced play area is within one hundred (100) feet of a residential zoning district.
5. Uses shall be located such that traffic generated by the child day care center will not negatively impact the affected transportation network or surrounding land uses.
6. For uses designed to accommodate more than thirty (30) children, all principle buildings shall be located no closer than thirty (30) feet from any zoning lot boundary or the yard requirements of the district, whichever is greater.
7. Child day care centers shall, as a usual practice, be located:
  - a. So that it forms part of a group of community service uses such as churches, school, parks, etc.; or
  - b. At the edges of commercial, industrial or office developments where they will form a transition between these uses and surrounding residential uses; or
  - c. Within a residential area and shall be of a design, intensity and scale to serve the surrounding neighborhood and to be compatible with the surrounding land uses and zoning.
8. The Technical Review Committee may approve alternative parking standards for centers with thirty (30) children or less where an applicant can sufficiently demonstrate that a particular situation is unusual, unique or poses practical difficulty, and upon submission of adequate justification. Alternatives may include use of mulch or other acceptable material for parking and drives and drop-off points at the street.

H. Community or Club Buildings, including Riding Clubs.

Community or Club Buildings, including Riding Clubs, shall be subject to the minimum standards of this Code and the following standards:

1. There shall be a minimum lot area of one (1) acre where all activities are conducted inside a building and a minimum lot area of two (2) acres where activities are conducted outside a building such as a riding, 4-H, or Boys and Girls Club.
2. A minimum building setback of thirty (30) feet shall be maintained from all property lines.
3. Type B buffer, must be provide along all property boundaries when the facility is located within or adjacent to a residential use or residentially zoned area.
  - a. The City Council may waive or reduce the buffer requirements where the community center is located next to an existing cemetery, place of worship, child care facility, adult care facility, community center, or school. Consideration shall be given to security, noise, and visual impacts. Where a waiver or buffer reduction is granted, normal perimeter landscaping requirements shall apply, and alternative requirements (such as fencing) may be required.
4. There shall be direct access to a collector road.
5. One (1) parking space shall be provided for each two hundred (200) square feet of gross floor area.
6. A fenced outdoor play area for the children when provided shall be limited to use between 8:00 a.m. and 6:00 p.m., if the fenced play area is within one hundred (100) feet of a residential zoning district.
7. Uses shall be located such that traffic generated by the community or club building will not negatively impact the affected transportation network or surrounding land uses.
8. Any night lighting shall be so directed or hooded to prevent any direct offsite glare.
9. Agricultural or riding clubs may be allowed to keep up to total of 10 farm animals or horses on site at any given time upon approval of the City Council.
10. A permanent or temporary residential unit may be allowed by the City Council for maintaining on-site security and safety.  $\frac{3}{4}$  acres site development for residential use, unit not to exceed 1,000 square feet.

I. Cultural or Civic Facility/ Building or Use

Cultural or Civic Facilities, shall be subject to the minimum standards of this Code and the following standards:

1. No building shall be located closer than fifty (50) feet to any lot line which abuts a residentially designated property;

2. No off-street parking or loading space shall be located closer than twenty-five (25) feet to any property line abutting a residentially designated property;
3. Any accessory restaurant or ticket sales activities to be included as part of the cultural or civic facility shall be conducted entirely within the building;
4. The facility must have thoroughfare road frontage;
5. A Type C buffer shall be provided between the facility and adjacent properties that are agriculturally or residentially designated.

J. Eating and Drinking Establishments.

Eating and Drinking Establishments shall be subject to the minimum standards of this Code and the following standards:

1. The facilities and off-street parking areas must have a minimum setback of thirty (30) feet from all adjacent residential properties;
2. As part of any required site plan review, the site plan shall show the location, use and zoning designation of all properties within one thousand (1,000) feet of the proposed use;
3. Proof of compliance with all state and local licensing procedures and applicable laws shall be submitted;
4. Outside serving areas shall be prohibited in areas adjacent to residential land use designation.

K. Educational Facilities – Private (K-12):

Educational Facilities – Private (K-12), shall be subject to the minimum standards of this Code and the following standards:

1. K-8 school sites shall be located so that the primary access points are located on in proximity to the arterial or collector road system. Primary driveway access points should not be located on streets that are considered to be “local” streets.  
  
High school sites shall be only be located along a collector or arterial roadway. No access driveway from a highs school site shall have access (except for emergency access) onto any streets that are considered to be “local Streets”.
2. Depending on the type facility proposed, the minimal spatial requirements for the site shall be similar to standards utilized by the Indian River County school board for a like facility.
3. No main or accessory building shall be located within twenty-five (25) feet of any side or rear lot line.
4. The applicant shall submit a description of anticipated service area and projected enrollment by grade level if appropriate and relate the same to a development plan explaining:
  - a. Area to be developed by construction phase;

- b. Adequacy of site to accommodate anticipated facilities, enrollment, recreation area, off-street parking and pedestrian and vehicular circulation;
  - c. Safety features of development plan; and
  - d. Landscaped areas especially treatment of property lines in close proximity to abutting residential properties.
6. The scale, intensity and operation of the use shall not generate unreasonable noise, traffic, congestion or other potential nuisances or hazards to adjacent residential properties.

L. Funeral Homes.

Funeral Homes, shall be subject to the minimum standards of this Code and the following standards:

- 1. No more than one (1) funeral home shall be permitted within a one thousand (1,000) foot radius of another.
- 2. A minimum building setback of fifty (50) feet shall be maintained from all property lines.
- 3. Where abutting residentially ~~committed~~ zoned areas, the property shall be buffered by 20% more landscaping than required by code.
- 4. All delivery areas shall be so located or screened to obscure it from view.
- 5. The site shall have direct access to a major collector or arterial road as shown on the Official Functional Classification of Roads Map.
- 6. Any night lighting shall be so directed or hooded so as to prevent any direct offsite glare.
- 7. No crematoria or other burial facilities shall be permitted within five hundred (500) feet of any residentially committed areas (except as authorized by Conditional Use only.)

M. Community Residential Homes

Community Residential Homes, shall be subject to the minimum standards of this Code and the following standards:

- 1. When a site for a community residential home has been selected by a sponsoring agency in a multiple-family zoning district, the agency shall notify the City Manager, or designee, in writing and include in the notice the specific address of the site, the residential licensing category, the number of residents, and the community support requirements of the program. Such notice shall also contain a statement from the district administrator of the Department of Health indicating the need for and the licensing status of the proposed community residential home and specifying how the home meets applicable licensing criteria for the safe care and supervision of clients in the home. The district administrator shall also provide to the City Manager, or designee, the most recently published data compiled that identifies all community residential homes in the district in which the proposed site is to be located. The City Manager, or

designee, shall review the notification of the sponsoring agency in accordance with applicable zoning requirements.

2. Pursuant to such review, the City Manager may:
  - a. Determine that the siting of the community residential home is in accordance with applicable zoning requirements and approve the siting. If the siting is approved, the sponsoring agency may establish the home at the site selected.
  - b. Fail to respond within sixty (60) days. If the City Manager or designee fails to respond within such time, the sponsoring agency may establish the home at the site selected.
  - c. Deny the siting of the home.
  
3. The City Manager or designee shall not deny the siting of a community residential home unless the City Manager or his designee establishes that the siting of the home at the site selected:
  - a. Does not otherwise conform to existing zoning regulations applicable to other multi-family uses in the area; or,
  - b. Does not meet applicable licensing criteria established by the Department of Health, including requirements that the home be located to assure the safe care and supervision of all clients in the home; or,
  - c. Would result in such a concentration of community residential homes in the area in proximity to the site selected, or would result in a combination of such homes with other residences in the community, such that the nature and character of the area would be substantially altered. A home that is located within a radius of one thousand two hundred (1,200) feet of another existing community residential home in a multiple-family zoning district shall be an overconcentration of such homes that substantially alters the nature and character of the area. A home that is located within a radius of five hundred (500) feet of an area of single-family zoning substantially alters the nature and character of the area.

All distance requirements shall be measured from the nearest point of the existing home or area of single-family zoning to the nearest point of the proposed home.
  
4. Upon receipt of the written notice from the sponsoring agency provided for in 1. above, the City Manager or designee shall notify the city council of the pending application. The City Manager or designee shall, within twenty (20) days of the receipt of the application, review the application and provide the city council and the applicant with a written decision outlining reasons for the decision. Either the city council or the applicant may appeal the decision of the City Manager or designee by notifying the City Manager or designee within ten (10) days from the date of the City Manager's or designee's decision. The City Manager or designee shall schedule the decision for review by the city council at the next available meeting.

- N. Golf Courses/Golf Driving Ranges/Miniature Golf Courses:
1. Golf Courses, shall be subject to the minimum standards of this Code and the following standards:
    - a. Sites shall be located within the more highly accessible portions of the property near major thoroughfares so as to discourage traffic along local residential streets in the impacted area, except in Planned Developments.
    - b. The proposed use shall not unreasonably increase traffic on local residential streets in the impacted area.
    - c. Golf courses shall, to the most reasonable extent, retain and preserve native vegetation over at least thirty (30) percent of the total upland area of the course due to their characteristically high water demand and heavy nutrient loads;
    - d. Development features, including the principal and accessory building and structures, shall be so located and related as to minimize the possibilities of any adverse effects upon adjacent properties. Similarly, residential properties shall be buffered by dense vegetation at points where such residential properties are exposed to tees, fairways or greens.
    - e. No cart barn, maintenance facility club house or clubhouse parking shall be located closer than 300 feet from any lot line where the adjoining lot is designated for residential use. Type B screening shall be provided between golf maintenance facilities and adjacent residentially designated property This provision shall not apply to any golf course which was lawfully established prior to the date of adoption of this Code, and shall not affect the expansion of any cart barn, maintenance facility, club house or clubhouse parking which may have been lawfully established prior to the date of adoption of this Code.
    - f. Accessory uses to the operation of a golf course, public or private, may include, but are not limited to, pro shops, administrative offices, food and beverage service, maintenance/utility facilities, storage areas restrooms, and unlighted golf driving ranges.
    - g. The golf courses shall be designed so that any lighting is shielded and directed away from residential areas.
    - f. The minimum lot area for all Public Golf Courses shall be one hundred (100) acres and there shall be no minimum lot width or depth requirements.
  2. Golf driving ranges, not associated with a golf course, shall be subject to the minimum standards of this Code and the following standards:
    - a. Sites shall be located along or near major thoroughfares so as to discourage traffic along local residential streets.
    - b. All areas except the range (ball landing) area, including but not limited to the parking, building, practice putting, and tee-off areas, shall be located

at least one hundred (100) feet from any property having a residential land use designation.

- c. No protected trees, as defined within this code shall be removed from the range (ball landing) area unless the applicant demonstrates that removal of the tree(s) is necessary for safety reasons in the functioning of the range (such as for ball retrieval)
  - d. Lighting plans shall be provided (and implemented) which demonstrate that no "spill over" from exterior light sources shall fall onto either roadways or residential zoning districts that are adjacent to the project site.
  - e. At a minimum, a Type C buffer shall be provided between any non-range area and adjacent property having a residential land use designation.
3. Miniature Golf Courses shall be subject to the minimum standards of this Code and the following standards:
- a. Sites shall be located in an area of commercial or industrial land use and shall be located along or near major thoroughfares so as to discourage traffic along local residential streets.
  - b. A site plan showing the location and orientation of all principal structures and facilities, the location, name and designation of all streets providing direct and indirect ingress and egress to the site and the location and specification of all landscape materials; other plans and documents as needed to demonstrate compliance with the following requirements.
  - c. A buffer yard having a minimum depth of seventy-five (75) feet when adjacent to a single-family zoning district, fifty (50) feet when adjacent to a multifamily district, shall be established and maintained as permanent open space where the project site parcel abuts a residential zoning district. Within the buffer yard, Type A screening shall be provided.
  - d. Lighting plans shall be provided (and implemented) which demonstrate that no "spill over" from exterior light sources shall fall onto either roadways or residential zoning districts that are adjacent to the project site.
  - e. Where a project site is within two hundred (200) feet of a residential zoning district, the establishment shall not be operated from 11:00 p.m. to 7:00 a.m.
  - f. Height limitations shall apply to all structures within the project site.
  - g. All formed and fashioned images located outdoors, such as representations of animals, windmills, recreated scenes, and others which are visible from an adjacent roadway or residential zoning district shall be treated as signs and shall be restricted by the zoning code sign regulations. Any formed or fashioned images used outdoors which the developer demonstrates are not visible from an adjacent roadway or residential zoning district shall be exempted from sign regulations.
  - h. Where a project site is within three hundred (300) feet of a residential zoning district, additional conditions may be added by the city council to

address special noise impacts. Such conditions may include, but are not limited to, setbacks, noise reducing buffers, restrictions on outdoor speakers and hours of operation.

O. Independent Living Facilities.

Independent Living Facilities are subject to the minimum standards of this Code and the following specific standards:

1. The minimum distance between individual Independent Living Facilities measured from the property line, to the property line of another like facility, shall be 1,000 feet.
2. Density shall be limited by the comprehensive plan future land use map, except that, for the purposes of this section, a residential unit in this facility shall be considered the equivalent of 0.5 residential units. This equivalent residential unit multiplier is provided in recognition of the likelihood of reduced impacts to public facilities inherent in this type of use.
3. In residential zoning classifications, the external appearance of the facility's structures and building sites shall maintain the general character of the area. Exterior building materials, bulk, height, landscaping, fences and walls and general site design, including, but not limited to, points of ingress/egress and parking layout, shall be compatible with those of surrounding dwellings.
4. These facilities are intended to be occupied by adults over 55 years of age, or married adults over 55 and their spouses. Each unit shall be occupied by no more than two persons. At least 80 percent of the occupied units shall be occupied by at least one person who is 55 years of age or older. The facility shall publish and adhere to policies and procedures in accordance with F.S. § 760.29(4) and 42 U.S.C. Section 3607(b) as amended. The facility shall also comply with the rules of the Secretary of the U.S. Department of Housing and Urban Development found in the Code of Federal Regulations and other applicable regulations.
5. It is the intent of this provision that service to the residents shall be a substantial portion of the total value of the lease or purchase agreement. The following services shall be provided by this facility, at a minimum.
  - a. Scheduled private transportation by bus or van to local shops and medical facilities shall be provided at least twice weekly to each resident.
  - b. Meal service consisting of at least two meals per day per resident, prepared at the direction of a licensed dietician, shall be provided. At least one [of] these meals shall be made available in a common dining area, at the option of the tenant.
  - c. On-site management personnel shall be provided by the facility. The facility shall be staffed 24 hours a day.
  - d. Housekeeping or linen service shall be provided at least once a week.

6. The facility shall comply with the following standards:
  - a. Each facility shall have one or more common dining areas adequate in size to seat the entire population of the facility, in one or more seating.
  - b. The facility may consist of efficiency, one or two bedroom units, but the number of two bedroom units shall not exceed 25 percent of the total number of units.
  - c. The minimum size of each unit shall be as follows:
    - Efficiency: 400 sq.ft.
    - One bedroom: 500 sq.ft.
    - Two bedroom: 750 sq.ft.
  - d. There shall be a common room or rooms with adequate capacity and construction to shelter the entire population of the facility during the event of a 140 m.p.h. hurricane. This shall be provided at a rate of 20 square feet per person at maximum capacity.
  - e. Each facility shall provide for its residents' on site common recreation needs, both outdoors and indoors. At least 25 percent of the site shall be reserved for usable common open space as defined in Article II. At least 10 square feet per unit of indoor recreation space shall be provided. Common dining areas which are made available for recreation during non-dining hours may constitute up to 50 percent of the indoor requirement, but the remainder shall be comprised of specific areas dedicated to indoor recreation, such as exercise rooms or activities rooms.
  - f. Elevators shall be provided in all structures exceeding one story in height.
  - g. Each unit shall be wheelchair accessible and have emergency call systems with 24-hour monitoring.
  - h. Individual kitchens in each unit are permitted but not required.
  - i. All structures shall contain fire alarms and fire protection systems satisfactory to the county.
  - j. There shall be installed a standby generator of sufficient capacity to service all essential services in the event of a prolonged power failure.
7. A conceptual site plan and floor plan of the structure shall be submitted and approved by the City Council prior to issuance of the conditional use permit.
8. There shall be 1.1 off-street parking spaces, per unit, for resident and visitor parking, plus one additional parking space for each employee at the maximum shift, rounded to the nearest whole space.
9. Conversion of an independent living facility to an adult congregate living facility may be considered at the same density of the independent living facility upon application for a conditional use permit and approval by the City Council.

Independent living facilities which are converted to other uses, including other residential uses, must comply with all development regulations applicable to the new use at the time of conversion.

P. Industrial Uses.

1. Demolition Debris Sites are prohibited in all zoning districts in the City of Fellsmere.
2. Junk and Salvage Yards or sites are prohibited in all zoning districts in the City of Fellsmere.

Q. Kennel/Animal Boarding.

Kennel/Animal Boarding Facilities, as defined in this Code, are subject to the minimum standards of this Code and the following specific standards:

1. There shall be a minimum lot area of one (1) acre.
2. Buildings housing animals shall be located no closer than two hundred fifty (250) feet from an adjacent residentially committed area.
3. All activities, with the exception of animal exercise yards, shall be conducted within an enclosed building.
4. Exercise and confinement yards shall be located no closer than two hundred (200) feet from any dwelling unit on adjacent property.
5. Disposal of dead animals shall be by means approved by the Department of Health and Rehabilitative Services. No facilities for cremation of animal remains shall be permitted on the site.

R. Outdoor Storage Areas:

Where allowed by the zoning district or approved as a conditional use, shall meet the following criteria:

1. Junkyards, concrete plants, automobile wrecking yards and gasoline or oil storage depots are not allowed in any zoning district.
2. Approved outdoor storage uses shall not be located within three hundred (300) feet of any residential zoning district.
3. No flammable or explosive liquids, solids or gases shall be stored in bulk above ground, except at duly licensed sales or service locations of such products. Tanks or drums of fuel directly connecting with a heating device or appliance located on the same lot as the tanks or drums of fuel are excluded from this provision.
4. All outdoor storage facilities shall be enclosed by a solid fence or wall eight (8) feet in height to conceal such facilities and the contents thereof from adjacent properties. Such fences or walls shall be setback ten (10) feet from a side or rear property line.
5. There shall be no storage in the required front or side yards.

6. No materials or wastes shall be placed or deposited on any premises in such form or manner that they may be transferred or carried off such premises by natural causes or forces.
  7. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible by or otherwise attractive to rodents or insects shall be stored outdoors only in closed containers.
- S. Open Storage of Inoperable, Unlicensed Vehicles.
1. No inoperable or unlicensed vehicle shall be openly stored in any residential zoning district. For purposes of this Code, an inoperable motor vehicle, excluding a lawfully secured and located "parked trailer," shall be defined as a motor vehicle that is unable to move under its own power, or does not have a current state license plate. These vehicles shall be deemed to be a public nuisance.
  2. Antique or classic vehicles may be exempt from these provisions provided they are considered under Section 320.086, Florida Statutes to be an Ancient or antique motor vehicles or otherwise eligible for, and in possession of, a horseless carriage, antique, or historical license plates. Appropriately registered vehicles may be openly stored for up to eighteen (18) months. Openly stored vehicles shall be covered for screening purposes with a minimum of a custom car cover which is recognized by a classic vehicle publication source.
- T. Religious Facility/Place of Worship.
- A Religious Facility/Place of Worship, subject to the minimum standards of this Code and the following specific standards:
1. There shall be a minimum lot area of three (3) acres in any residential district. A minimum setback of fifty (50) feet shall be maintained for new construction from all property lines. A columbarium or other memorial area associated with a house of worship shall be no closer than one hundred (100) feet to a property line. Any night lighting shall be so directed or hooded as to prevent any direct offsite glare.
- U. Sales; general merchandise.
1. Department store, furniture and appliance sales, showroom or catalog stores and variety store
    - a. Provide a site plan which meets the requirements specified in ArticleXIV;
    - b. A Type C buffer with a six-foot opaque feature shall be provided between the showroom site and abutting residential uses, including residential uses separated from the showroom site by a local road.
  2. Drug Stores.
    - a. A Type C buffer with a six-foot opaque feature shall be provided between the showroom site and abutting residential uses, including residential uses separated from the showroom site by a local road.

3. Flea Market.
  - a. Provide a site plan which meets the requirements specified in Article XIV;
  - b. No site shall be located within one hundred (100) feet of a residential use or residentially zoned area;
  - c. Adequate separation of vehicular and pedestrian circulation systems shall be provided;
  - d. All off-street parking and loading areas shall have paved surfaces;
  - e. Where within five hundred (500) feet of a residential use or residentially zoned area, hours of operation shall be limited to the hours of 8:00 a.m. to 9:00 p.m.;
  - f. A Type C buffer with a six-foot opaque feature shall be provided between the showroom site and abutting residential uses, including residential uses separated from the showroom site by a local road.

V. Self-Service Storage Facilities.

A Self-Service Storage Facility, subject to the minimum standards of this Code and the following specific standards:

1. No commercial activity, vehicular service or repair, or storage of hazardous materials shall be allowed in any Self-service storage facility and that this requirement is to be included in every tenant's lease agreement;
2. Only domestic and household goods or personal and noncommercial goods are to be kept or stored on the premises;
3. Storage unit areas shall not exceed fifteen (15) feet in height from storage buildings;
4. Storage units shall not exceed three hundred (300) square feet in size;
5. Outdoor storage, other than for vehicles and boats, is prohibited. Where outdoor storage of vehicles is to occur, a Type C bufferyard shall be provided between the outside storage area and adjacent right-of-way and adjacent properties;
6. All outdoor lights shall be shielded to direct light and glare only onto the self-service storage facility premises. Light and glare shall be deflected, shaded and focused away from all adjoining property;
7. Self-service storage facility sites shall not exceed three (3) acres gross area;
8. Quarters for resident managers may be included within the facility as an accessory use;
9. A Type B landscape buffer shall be required between all structures and adjacent rights-of-way;

10. A Type B landscape buffer with six-inch opaque feature shall be provided between all structures and adjacent properties zoned for single-family residential use;
11. Building(s) containing storage units shall not exceed ten thousand (10,000) square feet in floor area each and shall not exceed one hundred thousand (100,000) square feet of floor area for all buildings;
12. Access shall only be to arterial or collector roadways and in no case through areas zoned for residential use;
13. No utilities (other than air conditioning) may be supplied to storage units;
14. Hours of operation shall be limited to between 6:00 a.m. and 8:00 p.m. Prior to the issuance of a certificate of occupancy, the applicant shall provide appropriate signage on the site stating the hours of operation of the facility.

W. Street Addresses.

1. Generally.

- a. It is the duty of the owner of any house or building to cause the house or building number to be placed conspicuously on the front of the house or building so that the number can be seen plainly from the street line. The numbers used to display the street identification number for nonresidential buildings shall be at least six (6) inches in height and for residential buildings shall be at least four (4) inches in height. The numbers shall be made of a durable, clearly visible material.
- b. If a house or building is situated more than fifty (50) feet from the street line, then the numbers shall be placed near the walk, driveway or common entrance and upon a post, mailbox or other appropriate place so as to be easily discernable from the street. The numbers used for nonresidential buildings shall not be less than six (6) inches in height and for residential buildings shall be at least four (4) inches in height. The numbers shall be made of a durable and clearly visible material.

2. Noncompliance; Violation.

Failure to comply with this Section shall constitute a violation of this Code and shall be enforced through code enforcement action.

3. Placement Required Prior to Issuance of Certificate Of Occupancy.

No certificate of occupancy shall be issued for new construction until the house or building number is posted in accordance with this Section.

X. Stripping of Top Soil.

No person, firm or corporation shall strip, excavate or otherwise remove top soil, dirt or gravel for sale, or for use other than on the premises from which the same shall be taken except in connection with the construction or alteration of a building on such premises and excavation or grading incidental thereto. Mining and excavation activities are regulated by Section 7.1 of this Code.

Y. Veterinary Clinics and Animal Hospital.

A Veterinary Clinic and Animal hospital as defined in this Code are, subject to the minimum standards of this Code and the following specific standards:

1. No animal shall be kept on the premises overnight except in case of continuing treatment or an emergency. The primary purpose of a veterinary clinic is for the care and treatment of domestic animals and not for keeping or boarding animals (may include dog grooming).
2. All animals shall be kept in an enclosed building at all times. There shall be no outdoor runs or pens.

Z. Common Green Space.

All residential development including but not limited to apartments, condominiums, zero lot line homes, townhomes, villas and single-family dwellings, with a density of more than 1.5 units per acre shall provide, in separate tracts, a minimum of ten (10%) percent of the total project site area as common green space for parks and recreation space. Conservation areas and wetlands may be credited toward this requirement. In lieu of providing the land to meet the ten (10%) percent common green space requirement, the developer may request the City Council to accept a payment into the City's Recreation Trust Fund in an amount equivalent to the value of the land necessary to comply with this requirement. If the City Council, in its sole discretion, accepts the cash payment in lieu of land, the amount of the payment shall be the value of the land as determined by an MAI appraisal based on the proposed use/density of the final end product. The City shall hire the appraiser and be reimbursed for this cost by the developer.