

ORDINANCE NUMBER 2007-01

AN ORDINANCE OF THE TOWN OF GREENWOOD, FLORIDA AMENDING THE TOWN OF GREENWOOD LAND DEVELOPMENT CODE, ARTICLE I, SECTION 1-5 PERTAINING TO THE DEFINITION OF HEIGHT; ARTICLE IV, DEVELOPMENT STANDARDS, SECTION 4-1 PERTAINING TO LAND USE DISTRICTS AND SECTION 4-2 PERTAINING TO ACCESSORY LAND USES AND STRUCTURES AND SECTION 4-8 PERTAINING TO MOBILE HOMES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS; the Town of Greenwood has adopted its Comprehensive Plan and has adopted land development regulations intended to implement the adopted Comprehensive Plan.

WHEREAS; the Town Council of the Town of Greenwood has noted the rapid development of land within and adjacent to the Town limits and has noted the *consequential growing demands on Town services*.

WHEREAS; although the Town Council has incorporated changes to the adopted Comprehensive Plan and development regulations in the past, a comprehensive review of the Land Development Code has never been undertaken.

WHEREAS; the Town has conducted a comprehensive review of its Land Development Code and determined that provisions regarding land use districts and accessory land uses and structures need to be revised to better enhance the public health, safety and welfare.

NOW THEREFORE, be it ordained and enacted:

**ARTICLE I**

**GENERAL PROVISIONS**

Sec. 1-5        Definitions

**HEIGHT.**     The vertical distance from the highest point on a structure, except for any chimney, antenna, steeple, or similar fixture on a building, to the average grade adjacent to the building. Provided however that the first finished floor shall not exceed ten feet above the average grade adjacent to the building.

## ARTICLE IV

### DEVELOPMENT STANDARDS

#### Sec. 4-1. LAND USE DISTRICTS

##### 4-1.1 Purpose

- A. In order to promote consistency with the goals, objectives, and policies of the Comprehensive Plan and this Code, it is necessary and proper to establish a series of land use districts to ensure that the Town can: preserve, promote, protect and improve the public health, safety, comfort, good order, appearance, and the general welfare; provide adequate and efficient public facilities and services; conserve and protect natural resources; and, ensure the compatibility of adjacent land uses.

##### 4-1.2 Applicability

- A. All development within each land use district as described in subsection 4-1.3 shall be consistent with the stated purposes, allowable uses and development standards as set forth in this Article.

#### Sec. 4-1.3 Land Use Districts

- A. The following land use districts or abbreviations shall be used for implementing this Section:
  - 1. R, Residential District;
  - 2. MU-Urban, Mixed Use-Urban District;
  - 3. Com, Commercial Districts;
  - 4. I, Industrial District;
  - 5. REC, Recreation District;
  - 6. P/I, Public/Institutional District;
  - 7. C, Conservation Special Treatment Area;
  - 8. H, Historic Special Treatment Area;
  - 9. AG, Agricultural District;

#### 4-1.4 Land Use District Map

- A. The boundaries and designations of land use districts specified in subsection 4-1.3 shall be as shown on the map entitled "Land Use District Map of the Town of Greenwood, Florida." Such map shall be on file in the office of the Town Clerk and shall be available for inspection by all interested parties during normal working hours.

#### 4-1.5 Interpretation of Districts or Boundaries

- A. Where, due to the scale, lack of detail or legibility of the Land Use District Map, the boundary line of any district is uncertain, the Town Clerk shall determine its location. Any person aggrieved by the location of a boundary line as determined by the Town Clerk may appeal the determination to the Appeals Board. The Town Clerk and the Appeals Board shall apply the following standards in determining the location of a district boundary line.
  - 1. Land use district boundary lines are intended to follow lot lines, or be parallel or perpendicular thereto, or along the right-way lines of alleys, streets, easements, rail lines, or watercourses unless such boundary lines are fixed by dimensions on the Land Use District Map.
  - 2. Where the Land Use District Map indicates a district boundary line along or following a lot line, the lot line shall be the boundary line.
  - 3. Where a land use district boundary line divides a tract or plot of land, the location of the boundary line, unless indicated by dimensions on the land use map, shall be determined by the use of the map scale shown thereon.
- B. If, after the application for the foregoing rules, uncertainty still exists as to the exact location of a land use district boundary line, any determination of the boundary line shall give due consideration to the history of the uses of the property and adjacent properties, the history of building permits, and all other relevant facts.

#### 4-1.6 Scrivener's Error

- A. In the event that an error occurs through drafting, reproduction or other means in the location of a land use district boundary line as shown on the Land Use District Map, the Town Clerk will fully document the error and report the results to the Planning Board. The Planning Board shall hold a Public hearing concerning the correction of such error and, after conduct of the public hearing, shall have the authority to direct the correction of such error to show accurate land use district boundary lines.

#### 4-1.7 Allowable Uses and Development Standards

##### A. R, Residential District

###### 1. Purpose

- a. The purpose of this district is to provide areas for the development of single family and multi-family residential developments.
- b. Development in this classification would allow a maximum detached single family residential density of two (2) dwellings units per acre.
- c. Multifamily residential developments and Mobile Home parks will be allowed as conditional uses in this category.
- d. Maximum density will be determined by water/sewer availability pursuant to Rules 64E-6 and 40A-3, F.A.C. and other applicable sections of this Code

###### 2. Allowable Uses

- a. The following uses are allowed as of right in Residential districts, all other uses are conditional uses as specified in paragraph C or prohibited:
  - i. Single family detached dwelling on single family lots. (Including manufactured housing, provided only one unit is located on one lot or parcel with: a permanent foundation; wheels, axles, and tongue removed; the bottom enclosed with a customary skirt; and a front entrance porch and driveway provided.)
  - ii. Gardens customary to residential occupancy and accessory structures incidental thereto.
  - iii. Neighborhood Parks.
  - iv. Accessory uses or structures as set forth in section 4-2 of this Article.
  - v. Residential subdivisions as specified in Section 4-7 of this Code;

vi. Signs as specified in Article V of this Code.

viii. Schools.

3. Conditional Uses

a. The following uses may be allowed in the Residential district upon approval by the Planning Board subject to the following conditions, or any other conditions that might be considered necessary to maintain the integrity of the Residential district.

i. Public/Institutional uses, except for those including maintenance yards, repair yards, vehicle parking lots, equipment storage, or other similar facilities, provided all landscaping and buffer requirements as specified in Section 4-3 are met.

ii. Community residential homes shall be allowed when 6 or fewer residents are located in a single-family, noncommercial, residential dwelling provided that such homes are not located within 1,000 feet of one another and when the location of such homes does not substantially alter the nature and character of the area.

iii. Home office of convenience as specified in Section 4-2.

iv. Home occupations as specified in Section 4-2.

v. Boarding house, rooming house, or guest house. (Including bed and breakfast establishments)

vi. Mobile home parks or subdivisions subject to the requirements of Section 4-8.

viii Child care facilities or family day care home provided that fencing and buffers are provided as specified in Section 4-3 and adequate parking is provided

ix. Public utilities customarily found in residential areas.

4. Development Standards

i. Minimum lot area shall be ½ acre.

- b. Minimum lot width (s):
  - i. Square or rectangular: 75 feet
  - ii. Corner: 90 feet
  - iii. Cul-de-sac or curve: 20 feet
- c. Maximum building height: Forty-five (45) feet
- d. Density: No more than two (2) detached single family dwelling units per acre.
- e. Intensity: No more than 50% lot coverage, 50% required open space.
- f. Minimum building setbacks for principal structures:
  - i. Front: 20 feet from lot line
  - ii. -Side (s): 10 feet from lot line.
  - iii. -Street Side: 20 feet from lot line.
  - iv. -Rear: 20 feet from lot line.
  - v. -Setbacks on odd-shaped lots will be determined by averaging the setback measures at right angles from the lot line to the building corners.
  - vi. -Front setbacks on curves or cul-de-sacs will be determined by measuring at right angles from a line drawn through the front lot line corners to the front of the building.
  - vii. -Setbacks for corner lots will be determined by measuring the front setback as the distance from the lot line to the side of the building with the main entrance. Side setbacks will be measured from the lot line to the side of the building without a main entrance.
  - viii. Minimum setbacks for accessory structures shall be 3 feet from any abutting property line.
- g. Parking: 2 spaces per dwelling unit
- h. Landscaping: All yards must be grassed or vegetated, or otherwise covered with pervious material so as to prevent storm water runoff and soil erosion.
- i. Buffers shall not be required between individual residential lots, but shall otherwise conform with Section 4.3 of this Code.

5. Development Standards for Multi-family Developments.
  - a. All Multi-family Developments are conditional uses subject to approval of the Town Council.
  - b. Maximum building height shall be Forty -five (45) feet.
  - c. Parking: Two (2) spaces per dwelling unit.
  - d. Setbacks:
    - i. Front: 20 feet
    - ii. Side: 25 feet
    - iii. Rear: 30 feet
  - e. Prior to site plan approval, the developer shall demonstrate that there is sufficient area to accommodate on-site sewage treatment systems.
  - f. Open Space: Multi-family Developments shall include sufficient open space such that net density, exclusive of rights-of-way and buffer areas, does not exceed two (2) dwelling units per acre.
  - g. There shall be a maximum of four dwelling units per building.
  - h. The Town Council has the discretion to increase the allowable density and number of units per building to promote workforce housing. Workforce housing is intended to be owned in fee-simple by the end user with incentives or requirements to insure continued affordability.

B. Mixed Use-Urban District (MU-Urban)

1. Purpose
  - a. The purpose of the mixed use-urban category is to provide areas for an attractive and functional mix of residential, professional office, neighborhood commercial, and other similar medium intensity land uses. Development in this area has an approximately equal proportion of residential and commercial uses. Maximum detached residential density is four (4) units per

acre, with maximum impervious surface ratio for commercial use of 80%. Multifamily housing and mobile home parks will be allowed as conditional uses in accordance with HRS guidelines and other applicable provisions of this code. No less than 15% of the uses must be non-residential uses.

2. Allowable Uses

- a. The following uses are allowed as of right in the Mixed Use district, all other uses are conditional uses as specified in paragraph C., or prohibited.
- b. All Allowable Uses in residential districts.
- c. Neighborhood and community parks.
- d. Public/Institutional uses
- e. Public and private recreation uses
- f. Accessory uses and structures as specified in Section 4-2, including home occupations
- g. Signs as provided for in Article V
- h. Public utilities
- i. Schools.

3. The following uses may be allowed in the Mixed Use district subject to the conditions set forth herein provided that no more than 25% of the area may be used for retail commercial or 50% of the area may be used for office/service related land uses within any MU district.



Neighborhood Commercial Uses	
Athletic or health clubs	Health products
Antique dealers	Jewelers
Bakery	Laundromat, washateria
Bookstore or newsstand	Locksmith
Card or gift shop	Printing or copying shop
Convenience store	Repair shop, Electronics
Dance or music studio	Restaurant
Child care centers	Shoe repair
Delicatessen or carry-out	Food or supermarket
Drug store	Service or filling station
Dry cleaner	Fast-food restaurant
Florist shop	Garden supplies
Home Occupations and other similar low-intensity uses as determined by the Planning Board	

Office, Medical, and Related Uses	
Abstract or title companies	Law offices
Advertising agencies	Medical offices or clinics
Finance companies	Architects, engineers, surveyors
Real estate office	Auditors, accountants
Tailor or seamstress shop	Bonding companies
Travel agency	Business college
Employment agency	Film, photography, or art studio
Other related uses as determined by the Planning Board	

4. The following conditions shall apply to neighborhood commercial and office, medical and related uses in the Mixed Use District.
  - a. Gross floor area, either singularly or as a complex, shall not exceed 10,000 square feet with a maximum of 35 parking spaces.
  - b. Hours of operation or opening shall be no more than 7:00 A. M. to 11:00 P. m.
  - c. Landscaped buffers as specified in Section 4-3 shall be installed between any commercial and residential land use or land use district boundary.

- d. All performance standards as specified in subsection 4-8.1 must be adhered to.

5. Development Standards

- a. Minimum Lot Area: 6,500 square feet
- b. Minimum Lot Width:
  - i. Square or rectangular: 65 feet
  - ii. Corner: 75 feet
  - iii. Curve or cul-de-sac: 20 feet
- c. Maximum Building Height: Forty-five (45) feet
- d. Density: No more than 6 detached dwelling units per acre.
- e. Intensity: No more than 80% lot coverage, 20% required open space.
- f. Minimum Building Setbacks for Principal Structures:
  - i. Front- 40 feet from lot line for properties fronting upon Highway 71, Highway 69 or County Road 162- 20 feet from lot line in other areas.
  - ii. Minimum Setbacks for Accessory Structures: 3 feet from any abutting property line.
  - iii. Dwelling with zero lot lines and other complexes with courtyard or common parking areas shall be subject to approval by the Planning Board.
- g. Parking: As specified in Section 4-6.
- h. Landscaping: All yards must be grassed or vegetated, or otherwise covered with impervious material so as to prevent storm water runoff and soil erosion. For multi-family or non-residential development parking areas shall be landscaped as specified in Section 4-3.
- i. Buffers: Landscaped buffers as specified in Section 4-3 shall be required between the following land uses or land use districts:

- 1) S Any single-family dwelling and a multi-family residential structure or development;
- 2) S Any residential use or district and any non-residential use or district.

C. Commercial District

1. Purpose: The purpose of the Commercial District is to provide adequate areas for commercial development in the town to serve the needs of the population and the traveling public. Maximum impervious surface ratio will be 90%.
2. Allowable Uses: The following uses are allowed as of right in the Commercial District, all other uses are conditional uses as specified in paragraph D, or prohibited.
  - a. Any commercial, retail, wholesale, trade, service, profession, except for manufacturing, industrial, salvage yards, auto wrecking yards, fuel storage and similar uses.
  - b. Public/Institutional Uses
  - c. Public utilities
  - d. Public and private recreation sites and facilities
  - e. Signs as specified article V.
3. Conditional Uses: The following uses may be allowed in the Commercial District upon approval by the Planning Board, subject to the following conditions or any other conditions considered necessary to maintain the integrity of the Commercial District.
  - a. Any allowable or conditional use allowed in Residential or Mixed-Use districts provided that adjacent commercial or non-residential uses which abut the residential use shall be subject to the buffer requirements of Section 4-3. The owner or developer of any residential use within the Commercial District shall provide to the Town Clerk a written, notarized statement which indicated full knowledge of the Commercial District and that buffer requirements apply.
  - b. Uses which sell, serve or allow consumption of alcoholic beverages shall be subject to the provisions of Town Ordinance.

#### 4. Development Standards

##### a. Minimum Lot Requirements

- i. Area: 5,000 square feet
- ii. Width: Fifty (50) feet at the front lot line.
- iii. Depth: One-hundred (100) feet along the side lot line.

##### b. Maximum Building Height: Forty-five (45) feet.

##### c. Intensity: No more than 90% lot coverage, 10% required open space.

##### d. Minimum Building Setbacks:

- i. Front: Forty (40) feet from road right-of-way. Parking facilities may be located within front setbacks.
- ii. Side (s): (10) feet.
- iii. Rear: Each lot shall have a rear setback of not less than twenty (20) feet from the rear property line, except where the building is serviced from the rear or abuts a residential district in which case the setback shall be thirty (30) feet from the rear property line.

##### f. Parking: As specified in Section 4-6.

##### g. Landscaping: Parking areas shall be subject to the requirements of subsection 4-3.

##### h. Buffers: Buffers shall be required between any commercial use and any residential or mixed use land use district as specified in Section 4-3.

#### D. Industrial Districts

1. Purpose: The purpose of the Industrial District is to provide areas for distribution, warehousing, manufacturing, fuel storage, or limited sales activities which, by nature of their normal operations,

have the potential to create excessive noise, smoke, emissions, traffic or other characteristics which have the potential to cause nuisances or hazards. Ancillary commercial development shall be limited to no more than 50% of the lot or parcel area. Ancillary commercial development (use or building) shall be subordinate to, customarily incident to, and located to on the same lot or parcel as the principal use or building.

2. Limitations: Industrial land uses shall be strictly limited to those existing as shown on the Land Use District Map. Any additional industrial areas or expansion of existing industrial areas must be approved by the Town Council on a case-by case basis.
3. Development Standards
  - a. Minimum Lot Requirements
    - i. Area: 43,560 square feet (1 acre)
    - ii. Width: One hundred (100) feet at the front lot line.
    - iii. Depth: Two hundred (200) feet along the side lot line.
  - b. Intensity: No more than 50% lot coverage, 50% required open space
  - c. Minimum Building Setbacks:
    - i. Front: Fifty (50) feet from road right-of-way or front property line.
    - ii. Side (s): No less than fifty (50) feet from the property line when the side lot abuts a residential district or road right-of way, ten (10) feet when abutting another commercial use or district.
    - iii. Rear: Each lot shall have a rear setback of not less than ten (10) feet from the rear property line, except where the building is serviced from the rear or abuts a residential district or road right-of-way in which case the setback shall be fifty (50) feet from the rear property line.
  - d. Parking: as specified in section 4-6.
  - e. Landscaping: Parking and storage areas shall be subject to the requirements of section 4-3.

- f. **Buffers:** Buffers shall be required between any industrial and residential or mixed use land use or districts as specified in section 4-3.

**E. Recreation**

- 1. **Purpose:** The purpose of this district is to provide areas for public recreation, and private recreation open to the public.
- 2. **Allowable Uses**
  - i. Public parks, open space, refuges, ballfields, public ways, golf courses and other such activities intended for public recreation;
  - ii. Public building and grounds;
  - iii. Public services and utilities;
  - iv. Private outdoor recreation activities;
- 3. **Development Standards**
  - a. **Intensity:** No more than 90% lot coverage.
  - b. **Minimum building setbacks**
    - i. **Front:** 20 feet from property line.
    - ii. **Rear:** 10 feet from property line abutting any Commercial or
    - iii. **Public/Institutional land uses or land uses or land use districts,** 20 feet from property line abutting Residential or Mixed Use districts.
    - iv. **Side (s):** 10 feet from property line abutting Residential or Mixed Use districts.
  - c. **Minimum open space:** 10% of lot or parcel
  - d. **Parking:** As specified in Section 4-6.
  - e. **Landscaping:** 10% of the area to be used for off-street parking as specified in subsection 4-3.4.

- f. Buffers: Requirements for buffers shall be as specified in Section 4-3

F. Public/Institutional

- 1. Purpose: The purpose of this district is to provide areas for public facilities and services. Public facilities include churches, educational facilities, institutions government centers, and prisons. Maximum impervious service ratio will be 80%.
- 2. Allowable Uses
  - a. The following uses are allowed as of right in the public/institutional district, all other uses are prohibited.
    - i. Churches, tabernacles, synagogues, or other similar houses of worship.
    - ii. Public schools, private schools, colleges, universities
    - iii. Cemeteries
    - iv. Government buildings and grounds
    - v. Hospitals, institutions
    - vi. Public housing
    - vii. Non-profit clubs or organizations.
    - viii. Other similar land uses
- 3. Development Standards
  - a. Intensity: No more than 80% lot coverage.
  - b. Minimum building setbacks
    - i. Front: 20 feet from property line or consistent with existing setbacks.
    - ii. Rear: 10 feet from property line abutting any Commercial or Public/ Institutional land use districts, 20 feet from property line abutting Residential or Mixed Use districts.

- iii. Side (s): 10 feet from property line abutting Residential or Mixed Use districts.
- c. Minimum open space: 10% of lot or parcel
- d. Parking: As specified in Section 4-6.
- e. Landscaping: 10% of the area to be used for off-street parking as specified in subsection 4-3.4.
- f. Buffers: Requirements for buffers shall be as specified in Section 4-3.

G. Conservation Special Treatment Area

1. Purpose: The purpose of the Conservation Special Treatment Area is to provide reasonable levels of protection for locally designated environmentally sensitive resources. Designation of areas within this district is not intended to preclude or prohibit development but rather to provide an indicator that physical or environmental feature may exist which will require limitations on development, special permit requirements, or special construction methods.
2. Applicability: The Conservation Special Treatment Area shall be considered an overlay district on the designated land use district upon which it is superimposed. Unless otherwise specified. The underlying district requirements, including allowable used, densities, intensities, etc. shall also be applicable within the Conservation Special Treatment Area.
3. Conservation Special Treatment Areas as shown on the Land Use District Map include:
  - a. Water wells and cones of influence;
  - b. Wetlands;
  - c. Flood zone; and,
  - d. Soils with severe limitations to building development.
4. Development Standards: All development undertaken within Conservation Special Treatment Areas shall be in conformance with the environmental protection standards specified in Section 4-4 of this Code.



5. Lot Coverage: Unless otherwise specified, lot coverage in Conservation Special Treatment Areas shall be no greater than 50% of the lot or parcel to be developed; and, residential density shall be limited to two (2) dwelling unit per acre.

#### H. Historic Special Treatment Areas

1. Purpose: The purpose of the Historic Special Treatment Area is to provide for the protection, preservation, or reuse of identified historic sites.
2. Development Standards: Development and/or redevelopment in the Historic Special Treatment Area shall be evaluated as to potential impacts on historic resources. Structures identified as being of historic significance will be subject to review by the Planning Board and conditional development requirements prior to permits being issued for demolition or substantial alteration. The Jackson County Survey of Historically Significant Sites shall be used to identify properties to which historic preservation requirements of this subsection shall apply. The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, 1983 shall be used as a basis to determine the need for historic preservation and for providing guidelines for rehabilitation of historic structures. Incentives may be made available to developers for restoration or rehabilitation of historic properties subject to approval by the Planning Board and Town Council.

#### I. Agricultural

1. Purpose: The purpose of this land use district is to accommodate areas of the Town associated with agriculture or agriculture-related activities. Examples of appropriate uses are crop land, pasture land, orchards and groves, small-scale timber production (less than 1000 acres), and residential development.
2. Maximum residential density shall not exceed one (1) dwelling unit per acre.
3. Impervious service ration shall not exceed 50%.

#### 4-1.8 Supplemental Performance Standards

- A. Purpose: The performance standards set forth herein are intended to reduce the potential for nuisances between adjacent land uses and land use districts.

## Applicability

B. The following performance standards shall apply to all multi-family and non-residential land uses within the Town.

1. **Noise:** No non-residential development shall be allowed adjacent to residential properties which causes extended sound levels on such residential properties to exceed 60 dBA from 7:00 A.M. to 10:00 P.M., and 55 dBA from 10:00 P.M. to 7:00 A.M. Extended sound levels are those of a continuous or consistently repetitive nature.
2. **Lighting and Glare**
  - a. No multi-family residential or non-residential development shall be allowed adjacent to any low-density residential properties which causes excessive illumination or glare upon such residential properties.
  - b. All lightning or illumination proposed as part of any multi-family or non-residential development shall be located and installed so that no direct or indirect light falls upon adjacent residential properties.
  - c. All driveways, parking lots or other vehicular access associated with multi-family or non-residential development shall be designed and constructed so that no direct light from vehicle headlights is shown upon or into any adjacent residential dwelling.
3. **Electromagnetic Interference:** In all land use districts, no use, activity or process shall be conducted that produces electric and/or magnetic fields which adversely affect public health, safety or welfare including but not limited to interference with normal radio, telephone, or television reception from off of the premises where the activity is conducted.
4. **Toxic or Noxious Matter:** The emission of toxic or noxious matter beyond any property line is prohibited.
5. **Odor:** No offensive odors shall be emitted which are detectable with or without instruments beyond any property line.
6. **Smoke:** state air quality standards shall be maintained at all times.

7. Eyesores and Junk: No equipment, material, vehicle or product shall be stored or kept in such manner as to present an offensive or unsightly appearance when viewed from any adjacent property.

## Sec. 4-2. ACCESSORY LAND USES AND STRUCTURES

### 4-2.1 Accessory Land Uses

- A. Purpose: This subsection is intended to regulate the type, location, configuration and conduct of accessory land uses in order to ensure that such accessory uses are not harmful, either physically or aesthetically, to residents of surrounding areas.
- B. Accessory Apartments (Granny Flat or Domestic Quarters)
  1. Purpose: The purpose of this subsection is to provide for inexpensive housing units to meet the needs of older households, making housing available to elderly persons who might otherwise have difficulty finding homes and to provide living quarters for housekeeping or maintenance persons on premises. This section is also intended to protect the property values and residential character of neighborhoods where accessory apartments are located.
  2. Standards: Accessory apartments may be allowed in single-family homes provided that all of the following requirements shall be met.
    - a. No more than one (1) accessory apartment shall be permitted on any residential lot.
    - b. The accessory apartment shall be located and designed not to interfere with the appearance of the principal structure as a single-family dwelling unit.
- C. Home Occupations
  1. A home occupation shall be allowed in a bona fide dwelling unit within Residential and Mixed Use districts, subject to the following requirements:
    - a. No person other than members of the family residing on the premises shall be engage 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 of the structure.

- 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 four square feet in area, non-illuminated, mounted flat against the wall.
  - d. No home occupation shall occupy more than twenty-five (25) percent of the first floor area of the dwelling.
  - e. No traffic shall be generated by such 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 or right of way.
  - f. No equipment, tools, or process shall be used in a home occupation which creates interference to neighboring properties due to noise, vibration, glare, fumes, odors, or electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio, telephone, or television receivers off the premises or causes fluctuations in line voltage off the premises.
  - g. Fabrication of articles commonly classified under the terms Arts and handicrafts@ may be deemed a home occupation.
  - h. Outdoor storage of materials shall not be permitted.
2. The following shall not be considered home occupations: beauty shops and barbershops (more than one chair), band instrument or dance instructors, swimming instructors, studio for group instruction, public dining facility or tea room, antique or gift shops, photographic studio, fortune telling or similar activity, outdoor repair, food processing, retail sales, nursery school, kindergarten, or child day care center.
  3. The giving of individual instruction to one person at a time such as an art or piano teacher, shall be deemed a home occupation; individual instruction as a home occupation for those activities listed in paragraph 2, above shall be prohibited.
  4. A home occupation shall be subject to all applicable Town occupation licensing requirements, fees and other business taxes.

C. Home Office of Convenience

1. A home office of convenience shall be allowed in a dwelling unit within Residential and Mixed Use districts, subject to the following requirements.
  - a. No person other than members of the family residing on the premises shall be engaged in the business activity.
  - b. The use of the dwelling unit for the home office shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall under no circumstances change the residential character of the structure.
  - c. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of business activity.
  - d. No home office shall occupy more than twenty-five (25) percent of the first floor area of the dwelling.
  - e. No traffic shall be generated by such home office in greater volumes than would normally be expected in a residential neighborhood.
  - f. No equipment, tools, or process shall be used in a home office which creates interference to neighboring properties due to noise, vibration, glare, fumes, odors, or electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio, telephone, or television receivers off the premises or causes fluctuations in line voltage off the premises.
  - g. Any business activity undertaken in a home office shall be limited to that which is conducted by phone or mail only.
  - h. Outdoor storage of materials is prohibited.
  - i. A home office of convenience shall be subject to all applicable Town occupation licensing requirements, fees and other business taxes.

D. Dining Rooms, Recreation Centers, and other Amenities

1. Generally: Residential and non-residential development projects may provide amenities for the exclusive use of the employees and/or residents of the project. Such amenities shall be allowed only as provided below.
  - a. A development may provide a central dining facility to serve the employees and/or residents of the project subject to the following restrictions:
    - i. The facility shall not be open to the general public.
    - ii. There shall be no off-site signs advertising the presence of the facility.

E. Community Centers/Recreation Centers

1. Residential project may provide a central facility to provide a meeting place and indoor recreation opportunities for residents subject to the following restrictions.
  - a. Such facilities shall not include health clubs, gift shops, gyms, and the like
  - b. Offering services to the general public.
  - c. Parking to serve the building shall be provided as required by this Code.
  - d. There shall be no identification signs, other than directional signs.

F. Employee Fitness Centers

1. Non-residential development projects may provide a fitness or exercise center for the use of employees subject to the following restrictions:
  - i. Such facilities shall not be open to the general public.
  - ii. There shall be no signs other than directional or occupant signs, identifying the facility.

#### 4-2.2 Accessory Structures

A. Purpose: It is the purpose of this section to regulate the type, installation, configuration, and use of accessory structures in order to ensure that they are not harmful either aesthetically or physically to residents and surrounding areas,

B. General Standards and Requirements: Any number of different accessory structures may be located on a parcel. Provided that the following requirements are met:

1. There shall be a permitted principal use on the Parcel, located in full compliance with all standards and requirements of this Code.
2. All accessory structures shall comply with standards pertaining to the principal use, unless exempted or superseded elsewhere in this Code.
3. Accessory structures shall not be located in required buffer or landscape areas.
4. Accessory structures shall be included in all calculations of impervious surface and storm water runoff.
5. Accessory structures shall be subject to development review and shall require a site development plan with full supporting documentation as required in Article II of this Code.
6. Accessory structures shall be allowed only in side or rear yards, unless otherwise specified herein.

C. Storage Buildings, Shop, Utility Buildings, Greenhouses, Garages, Carports, and Similar Structures

1. No accessory building shall be used for industrial storage of hazardous, incendiary, noxious, or pernicious materials.
2. Storage buildings, greenhouses, and the like shall not be located closer than three (3) feet from any abutting interior property line or five (5) feet from any alley right-of-way.
3. Storage and other buildings regulated by this subsection shall be permitted only in side and rear yards.

4. Storage and other buildings regulated by this subsection shall be included in calculations for impervious surface, floor area ratio, or any other site design requirements applying to the principal use of the lot.
5. Motor vehicle, mobile homes, trailers or recreational vehicles shall not be used as storage buildings, utility buildings, or other such uses within any residential district.

**D. Private Swimming Pools**

1. Swimming pools shall be permitted only in side and rear yard, shall conform to accessory building setback requirements.
2. Enclosures for pools may be considered a part of the principal or accessory structure and shall comply with standards for minimum distance between buildings, yard requirements, and other building location requirements of this Code.
3. All pools shall be completely enclosed with an approved wall, fence or other substantial structure not less than six (6) feet in height. The enclosure shall completely surround the pool and shall be of sufficient density to prohibit unrestrained admittance to the enclosed area through the use of self-closing and self-latching doors or gates.
4. No overhead electric power lines shall pass over any pool unless enclosed in conduit and rigidly supported, nor shall any power line be nearer than ten (10) feet horizontally or vertically from the pool's water edge.

**4-8 MOBILE HOMES AND MOBILE HOME PARKS**

**4-8.3 Individual Mobile Home on Individual Lots (not part of a mobile home park of subdivision)**

- a. Land Use Districts: an individual mobile home or manufactured housing unit is an allowable use in the Residential and Mixed Use Districts.
- b. Development Standards: All individual mobile homes shall comply with all minimum standards for the land use district in which they are located and shall have the wheels and tongue removed, the bottom enclosed with a customary mobile home skirt and have an entrance porch and improved driveway provided. All mobile homes shall have a minimum of 1000 square feet of living area.



**Section 2:** Any provisions of the Land Development Code not expressly affected hereby shall remain in full force and effect, provided that any conflict between the contents of this Ordinance and any other provision of the Land Development Code shall be resolved in favor of the most restrictive provision.

**Section 3:** Any provision of this Ordinance found to be unenforceable by any court of competent jurisdiction shall be stricken from this Ordinance without affecting the enforceability or effect of any other provision not affected by the judicial ruling.

**Section 4:** This Ordinance shall be effective upon adoption.

Adopted at a duly advertised public hearing at which a quorum was present and a majority voted in favor, this <sup>5<sup>th</sup></sup> day of January, 2007.

ATTEST:

  
Suzanne M. NeSmith, Town Clerk

TOWN COUNCIL OF THE  
TOWN OF GREENWOOD,  
FLORIDA

  
Charles Sanders, Mayor

APPROVED AS TO FORM:

  
George Little, Esq., Town Attorney