

ORDINANCE NO. 31-09

AN ORDINANCE OF THE CITY OF AVON PARK, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE OF THE CITY OF AVON PARK, FLORIDA; SPECIFICALLY, TO CHANGE THE TEXT OF ARTICLE 2, SECTIONS 2.03.01, 2.03.02, 2.04.01 – TABLE 2.04.01(A); ARTICLE 3, SECTIONS 3.03.02, 3.07.01, 3.07.04, 3.08.01, 3.08.06, 3.08.16; ARTICLE 4, SECTION 4.02.00; ARTICLE 6, SECTION 6.03.02; AND ARTICLE 9, TO ESTABLISH A CONSISTENT TREATMENT FOR PLACES OF PUBLIC ASSEMBLY AND PLACES OF WORSHIP AND TO AMEND THE DISTANCES FROM ALCOHOL REQUIREMENTS TO BE CONSISTENT WITH FLORIDA STATE STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**AMENDMENT TO
OF THE
UNIFIED LAND DEVELOPMENT CODE**

WHEREAS, Section 163.3167(c), Florida Statutes, empowers the City to adopt land development regulations to guide the growth and development of the City; and

WHEREAS, the City Council of the City of Avon Park has determined it necessary and desirable to amend the regulations to provide for consistent treatment of places of public assembly and places of worship; and

WHEREAS, pursuant to Section 166.041(c)2, Florida Statutes, the Planning and Zoning Board and the City Council have held meetings and hearings to amend the **Unified Land Development Code as presented in the attached exhibit**, such exhibit attached as Exhibit "A" and made a part hereof; and, the meetings were advertised and held with due public notice, to obtain public comment; and having considered written and oral comments received during public hearings, find the changes necessary and appropriate to the needs of the City.

NOW, THEREFORE BE IT ENACTED BY THE PEOPLE OF THE CITY OF AVON PARK, FLORIDA that the **Unified Land Development Code of the City of Avon Park** is amended as set forth in Exhibit "A".

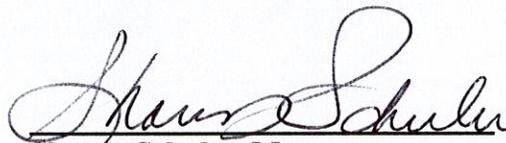
- (a) **Severability:** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.
- (b) **Codification:** This Ordinance shall be codified in the Code of Ordinances of the City of Avon Park, Florida.

(c) **Effective Date:** This Ordinance shall be effective 10 days after passage upon Second Reading.

INTRODUCED AND PASSED on First Reading this 28 day of DEC, 2009

PASSED AND DULY ADOPTED, on Second Reading with a quorum present and voting, by the City Council of Avon Park, Florida, this 25th day of January, 2010.

CITY OF AVON PARK, FLORIDA


Sharon Schuler, Mayor

ATTEST:


Cheryl Tietjen, City Clerk

Approved as to form:


Gerald T. Buhr, City Attorney

Motion made by Deputy Mayor Gray seconded by Councilman Hinson

The vote was 5 for 0 against with 0 abstentions and 0 absent

EXHIBIT "A"

AMENDMENT TO

**ARTICLE 2, SECTIONS 2.03.01, 2.03.02, 2.04.01 – TABLE 2.04.01(A);
ARTICLE 3, SECTIONS 3.03.02, 3.07.01, 3.07.04, 3.08.01, 3.08.06, 3.08.16;**

ARTICLE 4, SECTION 4.02.00;

ARTICLE 6, SECTION 6.03.02;

ARTICLE 9

OF THE

UNIFIED LAND DEVELOPMENT CODE

RELATING TO PLACES OF PUBLIC ASSEMBLY AND PLACES OF WORSHIP

ARTICLE 2, SECTION 2.03.01 – SALE OF ALCOHOLIC BEVERAGES

The sale of alcoholic beverages for consumption on the premises where such beverages are sold is prohibited, except as provided in this subsection. "Bottle clubs" or other establishments where alcoholic beverages are consumed, but not sold, on the premises, shall be prohibited, except as provided below.

- (A) *Private Clubs.* Private clubs, including country clubs and civic or fraternal organizations, may serve alcoholic beverages upon obtaining the necessary licenses and permits from the State of Florida, when such service is incidental to the main use of the property and is limited to the exclusive use of members and guests of the club.

- (B) *Restaurants.* The sale of alcoholic beverages in restaurants shall be permitted in C-1, C-2, C-3, C-4, I-1, and I-2, and PUD districts. ~~In these districts the sale of alcoholic beverages is subject to the following standards:~~
 - ~~(1) More than 50 percent of the establishment's revenues are derived from the sale of food.~~

 - ~~(2) All public entrances of the establishment are located at least 150 feet from a church place of worship, day care center, or public school, except in the C-4 district.~~

 - ~~(3) All public entrances of the establishment are located at least 150 feet from any residentially zoned property.~~

 - ~~(4) Points of ingress/egress to the property connect to a road having a functional classification of "Collector" or higher.~~

- (C) *Drinking Establishments.* The on premises consumption of alcoholic beverages in drinking establishments shall be permitted in C-1, C-2, C-3, C-4, I-1, and I-2, and PUD Districts. In these districts the sale of alcoholic beverages is subject to the following standards:
 - (1) All public entrances of the establishment are located at least 500 feet from a public or private school.

 - ~~(2) All public entrances of the establishment are located at least 150 feet from a church, day care center, or residentially zoned property.~~

 - ~~(3) Points of ingress/egress to the property connect to a road having a functional classification of "Collector" or higher.~~

ARTICLE 2, SECTION 2.03.02 – TEMPORARY TENTS

Tents may be erected temporarily on a lot in a commercial district, on property occupied by a ~~church~~ place of worship regardless of the zoning district, and on a lot owned by the City or the County, subject to the following requirements:

- (A) Tents may not be erected more than two (2) times per year, for periods not exceeding two (2) weeks.
- (B) No more than 10 percent of any existing parking area is used, and the tent does not block any point of ingress or egress to the development site.
- (C) All electrical connections must be inspected and approved by the Building Department.
- (D) The tent must be inspected and approved by the Fire Department as being in compliance with all relevant Fire Code regulations.

ARTICLE 2, SECTION 2.04.01 – DISTRICT SUMMARY TABLES

The tables on the following pages present, in a quick-reference form, information regarding permitted and special exception land uses, and development standards for all zoning districts. These tables must be read in conjunction with the regulations for specific zoning districts in Section 2.04.02. The key to the table is as follows:

- P = Permitted Use
- D = Site Development Plan required, use is permitted upon approval of a site development plan
- S = Special Exception Use, Board action required
- C = Conditional Use, Board action required, City Council action required

Table 2.04.01(A), Table of Land Uses

Category/Use	R-1AA	R-1A	R-1	R-2	R-3	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	PC	PUD
Single Family Dwelling Units															
Single family detached, std. construction and Modular construction (Factory Built Building Meeting DCA, Not Mobile Home)	P	P	P	P											P
Single family detached, in a minimum 5-acre subdivision							P								
Single family, attached, each w/ a ground floor entry, such as Patio home, Townhouse, Condominium				P	P	P		P	P						P
Single family detached manufactured home (aka mobile home), allowed in parks only					D		D								P
Manufactured (Mobile) Home Park					D		D								P
RV park							D						D		
Residential units above businesses						P	P	P	P			D			P
Agricultural uses w/ or without home	C	C	C	C	C	C	C		C	C	C	C	C	C	C
Duplex, each with a ground floor entry				P	P	P									P
Guesthouse/ Garage Apartment	P	P	P	P	P				D						P
Multi Family Dwelling Units															
Apartment building 1-4 units				P	P	P	P	P	P						P
Apartment building 5 or more units					P		P	P							P
Boarding house				P	P	P		P	P						
Condominiums					P	P	P	P							P
Cottages, tourist use					P	P	P								
Group Care Facilities															
Adult Family Care Home, Family Day Care Home, Family Foster Care	P	P	P	P	P										P
Special Needs Facilities: Child Care Facility, Adult Day Care Center, Assisted Living Facility, Foster Care Facility, Group Home Facility, Hospice Residential Unit	S	S	S	S	S	P	P	P	P						P
Nursing home					D	D	P	D	D			P			P
Retail Commercial, NO outdoor storage or activities															
Adult Entertainment Establishment										D					
Antique shop						P	P		P						P
Appliance repair							P		P	P	P				P
Bed & Breakfast Inns			D	D	D	P	P	P	P						P

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Category/Use	R-1AA	R-1A	R-1	R-2	R-3	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	PC	PUD
Convenience Store, no gas						P	P	P	P	P	P				P
Drinking establishment						P	P	P	P	P	P				P
Funeral home						P	P		P						P
General retail, indoor & less than 5,000 s.f.						P	P		P						P
General retail, indoor and including used machinery and equipment							P								P
Hardware Store, small scale						P	P		P						P
Hotel/motel						D	D	D	D						P
Laundromat						P	P		P						P
Mini warehouse							D			P	P	P			
Recreation, indoor, commercial						D	D		D	D	D				P
Restaurant, non drive thru						P	P	P	P	P	P				P
Restaurant, with drive thru or drive thru only							P	P		P	P				P
Restaurant w/ outdoor setting permitted						P	P	P	P						
Shopping center or stand-alone store of less than 150,000 s.f.						D	D		D						P
Shopping center or BIG BOX of more than 150,000 s.f.							C								P
Veterinary clinic, indoor kennel only						P	P		P	P	P				P
Automotive/Vehicle Sales, Parts, Repairs															
Auto parts, retail sales							P		P	P					P
Auto/Vehicle sales, new or used (auto, truck, boat, RVs); dealerships w/ sales & service							P								P
Filling station (convenience store w/gas)						P	P	P	D	P	P				P
Service station (minor repairs indoors)							P	P	P	P	P				P
Automotive repair							P			P	P				P
Auto/Vehicle salvage yard											D				
Vehicle Repair (other than automotive, such as boat, RVs & manufactured homes)											P				
Junkyard											C				
Retail Commercial, Outdoor Storage and Display Permitted															
Antique shop							P		P						P
Appliance repair							P			P	P				P
BIG BOX retailer w/ outdoor storage							C								P
Boat ramps, docks & marinas, commercial						D	D		D	P	P		P	P	P

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Category/Use	R-1AA	R-1A	R-1	R-2	R-3	C-1	C-2	C-3	C-4	I-1	I-2	PI	PR	PC	PUD
Commercial parking lot							D								P
Day Care Center, commercial							D	D	D						
Flea market											D				
General retail							P								P
Home Improvement Center; Building supply, with outdoor storage and displays							P			P	P				P
Manufactured (mobile) home sales										P	P				
Plant nursery							P			P	P	P			P
Recreation, outdoor, commercial							D						D		P
Recycling center (outdoor)											P	P			
Repair shops, no vehicles										P	P				
RV campground							D						D		P
Shopping center or stand-alone store of less than 150,000 s.f.						D	D		D						P
Shopping center or BIG BOX of more than 150,000 s.f.							C								P
Truck stop							D			D	D				P
Used Equipment sales							P		P	P					
Veterinary clinic w/kennel; or kennel							P			P	P				P
Office/Financial/Medical Facilities/Clubs															
ATM Walk up or Drive up Unit						P	P	P	P						P
Bank/financial institution, no drive thru						D	P	P	D						P
Bank/financial institution, with drive thru							P	P							P
Business & Office Park								P		P					
Clinic, medical or dental							P	P	P						P
Hospital						D	P	D	D						P
Medical laboratory						D	P	P	D	P	P				P
Private club						P	P	P	D			P	P		P
Professional office						P	P	P	P						P
Real estate/business office						P	P	P	P						P
Light Industrial															
Equipment, Sales/repair of										P	P				
General non-retail and service commercial										P	P				
Manufacture of finished products										P	P				
Mini-warehouse										D	D				

ARTICLE 3, SECTION 3.03.02 – TABLE OF NUMBER OF REQUIRED PARKING SPACES

- (A) Number of Required Spaces. In all districts, off-street parking shall be provided as set forth in the following table and as may be modified by the provisions following the table. Uses are to be matched with the general categories in the Table.

**Table 3.5
Number of Required Parking Spaces**

Land Use and/or Building Type	Per Unit	Per 1,000 SFGFA* or SFGLA**	Per Student/Member Seat/Employee/Etc.
Single family dwelling unit	2.0		
Multi-family	1.7		
Senior citizen multi-family	1.1		
Adult congregate living facility	0.7		
Hotel and motel	1.0		
Office and banks without drive-through		2.5	
Small office (less than 3,000 SFGFA)		3.0	
Bank with drive-through		3.0	
Medical, dental, optical, chiropractor office		3.0	
Medical clinic and professional buildings		4.5	
Neighborhood shopping center (less than 150,000 SFGFA)		4.0	
Community shopping center (150,000 - 500,000 SFGFA)		4.5	
Regional shopping center (more than 500,000 SFGFA)		5.5	
General retail sales		4.0	
Supermarket and discount store		3.5	

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Land Use and/or Building Type	Per Unit	Per 1,000 SFGFA* or SFGLA**	Per Student/Member Seat/Employee/Etc.
Furniture store		1.5	
Bowling alley, per lane			4.5
Day care center/school, per employee			1.3
Putt-putt golf, per hole			1.0
Theaters, freestanding, per seat			0.3
Restaurant, per seat			0.4
Restaurant with lounge, per seat			0.5
Fast food restaurant with drive-in, per seat			0.5
Senior high school, per student			0.4
Elementary and junior high school, per teacher			1.2
University and technical college, per daytime student			1.0
Church <u>Place of worship</u> , per seat in sanctuary			0.3
Hospital, per bed			2.0
Nursing home, per room			0.5
Industrial park with offices		1.8	
Light industry		1.8	
Manufacturing		1.0	
Warehousing and distribution centers		0.4	
Recreation clubs (golf, yacht, etc.), per member			0.2

Land Use and/or Building Type	Per Unit	Per 1,000 SFGFA* or SFGLA**	Per Student/Member Seat/Employee/Etc.
Lodges and assembly, per seat			0.2
Stadiums, football and baseball, per seat			0.4

*Square Feet, Gross Floor Area (SFGFA) is defined as the total floor area of a building from its outside dimensions.

**Square Feet, Gross Leasable Area (SFGLA) is defined as the floor area of a building, less administrative, public and similar areas.

ARTICLE 3, SECTION 3.07.01 – CLASSIFICATION OF LAND USES

For the purposes of this Section, all land uses are classified in accordance with the following list. Classifications are based upon the incompatibilities present between various types of land uses. Uses with similar density, intensity, off-street parking, paved areas, and traffic generation make up Classifications I through IX.

**Table 3.10
Land Use Classifications for Buffers**

LAND USE CLASSIFICATIONS	
Class	Land Use
I	Single family detached dwellings, including manufactured (mobile) homes on platted lots.
II	Duplex, single family attached, manufactured (mobile) home parks and multi-family residential developments not exceeding 4 units per acre; outdoor recreation facilities; and cemeteries.
III	Professional offices with no more than 8 off-street parking spaces; and child care centers in converted residential structures.
IV	Duplex, single family attached, manufactured (mobile) home parks and multi-family residential developments at a density of 4-8 units per acre.
V	Manufactured (mobile) home parks, single family attached, and multi-family residential developments at a density of more than 8 units per acre; substations, switching stations, or transfer facilities for electric power, natural gas, telephone and cable television service.
VI	Professional offices with 9 or more off-street parking spaces; churches <u>places of worship</u> ; schools; government buildings and facilities (excluding water and sewer treatment and public works storage and equipment facilities); and commercial development sites with not more than 10 off-street parking spaces.
VII	All retail, wholesale, service, and supporting business uses not already classified; full-service automobile service stations; shopping centers; motels and hotels; and hospitals.
VIII	Light industrial uses; governmental public works storage and equipment facilities.
IX	Heavy industrial uses; water and sewer treatment facilities.

ARTICLE 3, SECTION 3.07.04.02 – BUFFER YARD WIDTH AND LANDSCAPING REQUIREMENTS

The number of trees and shrubs required in a buffer yard depends on the nature of the adjoining land uses. The standards for buffer yard width and the associated number of trees and shrubs are set forth in Figures A, B, C, and D at the end of this Section that specify the number of each type of plant required per 100 linear feet. For each buffer yard standard several options as to the width are offered and different numbers of each type of plant are specified, depending on the width. As buffer yard width increases, planting requirements are reduced. Trees and shrubs may be spaced evenly along the length of the buffer yard or grouped to best display the plant material. When natural plant material is present, it counts toward fulfilling the total requirement for trees and shrubs.

In all commercial zoning districts, whenever new development in any commercial district abuts property zoned for residential use, a 6-foot solid masonry wall shall be constructed along the property line, inside the buffer yard, and be in addition to the vegetation required in the buffer yard. Within required structural setback distances from public roads, the height of the wall shall be 4 feet.

**Table 3.15
Landscape Requirements Between Proposed Land Uses and Vacant Property**

Class		Principal Use Permitted by Zoning District on Vacant Adjoining Property								
		I	II	III	IV	V	VI	VII	VIII	IX
P r o p o s e d U s e	I. Single family detached dwellings.	N	N	N	N	A	A	A	B	B
	II. Duplex; s.f. attached; m.f. residential up to 4 units/acre; outdoor recreation facilities and cemeteries.	N	N	N	N	N	N	A	B	B
	III. Prof. offices with up to 8 parking spaces; and child care centers in converted residential structures.	N	N	N	N	N	N	N	A	B
	IV. Duplex, s.f. attached, manufactured (mobile) home parks and m.f. developments at 4-8 units/acre.	A	N	N	N	N	N	A	A	B
	V. Manufactured (mobile) home parks, s.f. attached, m.f. developments at 8+ units per acre; utility substations, switching stations, etc.	B	A	N	A	N	N	N	A	A
	VI. Prof. offices with 9+ off-street parking spaces; churches places of worship; schools; government facilities; and commercial development sites with up to 10 parking spaces.	B	A	N	A	N	N	N	A	A
	VII. Other retail, wholesale, service businesses; automobile service stations; shopping centers; hotels/motels; hospitals.	B	B	A	B	A	N	N	N	A
	VIII. Light industry; governmental public works storage/equipment facilities.	C	C	B	B	B	B	N	N	N
	IX. Heavy industry; water and sewer treatment facilities.	C	C	C	C	B	B	B	N	N

N = No landscaping required

ARTICLE 3, SECTION 3.08.01 – ADULT ENTERTAINMENT ESTABLISHMENTS

- (A) *New Establishments.* New adult entertainment establishments shall be permitted in districts subject to the following standards:
- (1) No adult entertainment establishment shall be located within 500 feet of any property zoned or agricultural or residential use.
 - (2) No adult entertainment establishment shall be located within 2,000 feet of any day care center or public recreation facility.
 - (3) No adult entertainment establishment shall be located within 2,500 feet of any ~~church~~ place of worship or school.
 - (4) No adult entertainment establishment shall be located within 1,000 feet of another adult entertainment establishment.
- (B) *Non-Conforming Establishments.* Adult entertainment establishments legally in operation prior to the effective date of this Code may continue to operate as a non-conforming use in accordance with Section 7.12.00.

Adult entertainment businesses established under paragraph (A) above shall not be rendered non-conforming by any of the following subsequent occurrences:

- (1) The rezoning of property within the City of Avon Park or unincorporated Highlands County for agricultural or residential use.
 - (2) The placement of a day care center or public recreation facility within 2,000 feet.
 - (3) The establishment of a ~~church~~ place of worship or school within 2,500 feet.
- (C) *Measurement of Distances.* Distances shall be measured from property line to property line, along the shortest distance between property lines, without regard to the route of normal travel.
- (D) *Applicability of Other Laws and Ordinances.* Nothing in this subsection shall be construed to permit the operation of any business or the performance of any activity prohibited under any other section of this Code or other applicable law or regulation. Additionally, nothing in this Code shall be construed to authorize, allow, or permit the establishment of any business, the performance of any activity, or the possession of any item, that is obscene under the judicially established definition of obscenity.

**ARTICLE 3, SECTION 3.08.06 – CHURCH PLACES OF PUBLIC ASSEMBLY
INCLUDING PLACES OF PUBLIC WORSHIP**

- (A) The Site Development Plan shall be approved by the Public Safety Officer for ingress/egress.
- (B) The Site Development Plan shall show the necessary amounts of parking spaces and their location. Some parking may be designated on-street in Residential Zoning Districts, provided the Public Safety Officer for fire and police deem the roadway wide enough for emergency vehicles to pass. All parking must be delineated on the Site Development Plan, whether off-street or on-street.
- (C) In order to counteract the heat generated by large expanses of asphalt, and in order to blend in with the residential character of a neighborhood more effectively, large expanses of parking may be sodded rather than paved, or perforated pavers may be used; or a combination of the two.
- (D) In a Residential Zoning District, ~~t~~The principal structure shall be set back no less than 50 feet from any adjoining property under different ownership.
- (E) In a Residential Zoning District, ~~t~~The site shall be landscaped and shall be landscaped compatible with the residential setting.
- ~~(F) When a church is seeking to locate in a Residential Zoning District, hours of operation must be in accordance with a residential use. In general, hours of operation shall not be later than 9:00 pm Sunday through Thursday, except for infrequent, special, advertised events.~~
- ~~(G)~~ (GF) In Residential Zoning Districts, each new church place of public assembly/place of worship may have one ground-mounted sign with reader board in the front yard, not to exceed the maximum for a commercial sign, which is 96 square feet. The sign must be set back a minimum of 10 feet from the front property line. In addition, each church place of public assembly/place of worship may have its name and established date painted on the building or delineated with letters attached to the surface of the building.

ARTICLE 3, SECTION 3.08.16 – RECREATION: INDOOR AND COMMERCIAL

Such facilities shall be subject to the following requirements:

- (A) All activities shall be conducted entirely within an enclosed structure.
- (B) No structure shall be located within 50 feet of any property line.
- (C) No bowling alley or skating rink serving alcoholic beverages shall be maintained or operated ~~within 150 feet of a library, church, hospital or child care center or~~ within 500 feet of a school in accordance with State statute.
- (D) Lighting to illuminate buildings, open areas or advertising shall be designed so as to shine only on the subject property, and shall be directed away from any public street or residential area.

ARTICLE 4, SECTION 4.02.00 – EXEMPTED SIGNS

The following signs are exempt from the operation of these sign regulations, and from the requirement that a permit be obtained for the erection of permanent signs, provided they are not placed or constructed so as to create a hazard of any kind:

- (A) Signs that are not designed or located so as to be visible from any street or adjoining property.
- (B) Signs of two (2) square feet or less and signs that include no letters, symbols, logos or designs in excess of two (2) inches in vertical or horizontal dimension, provided that such sign, or combination of such signs, does not constitute a sign prohibited by Section 4.03.00 of this Code.
- (C) Signs necessary to promote health, safety and welfare, and other regulatory, statutory, traffic control or directional signs erected on public property.
- (D) Legal notices and official instruments.
- (E) Holiday lights and decorations provided such items are removed no later than 30 days after the holiday being celebrated.
- (F) Memorial signs or tablets containing names of buildings, dates of erection and other information when inscribed in a masonry surface or metal plaque and permanently affixed to the side of a building.
- (G) Public warning signs to indicate the dangers of trespassing, swimming, animals or similar hazards.

- (H) Signs carried by a person.
- (I) Religious displays erected on ~~church~~ places of worship grounds.
- (J) Construction signs not exceeding 16 square feet in size.
- (K) Real estate yard signs not exceeding six (6) square feet in size.
- (L) Signs indicating yard sales or garage sales, provided that such signs are removed within 48 hours.

ARTICLE 6, SECTION 6.03.02 – DEDICATION OF UTILITY EASEMENTS

**APPLICATION FOR CONCURRENCY EVALUATION
City of Avon Park**

This application, together with all required attachments, shall be completed and filed with the Development Director prior to making application for site development plan, subdivision, or building permit approval. A finding of non-deficiency only entitles the owner to apply for development permits pursuant to the time parameters established in Article 6 of the City of Avon Park Land Development Code.

Type or Print the following information.

Owner	Applicant		
Address	Address		
Zip	Zip		
Phone #	Phone #		
PROPERTY DESCRIPTION			
Adjacent Road(s)			
Township	Range	Section	
Subdivision Name	Block	Lot/Parcel	
Plat Book / Page Number (if applicable)			
PROPOSAL			
<input type="checkbox"/> Site Development Plan <input type="checkbox"/> Subdivision <input type="checkbox"/> Building Permit			
DEVELOPMENT INFORMATION			
Acreage / Lot Dimensions		Zoning District	
<input type="checkbox"/> Residential Development			
Type(s) of Units		Maximum Number of Units	
<input type="checkbox"/> Non-Residential Development			
Specific Use(s)		Floor Area or Acreage*	
* Other measures of intensity may be substituted as appropriate for the proposed use, such as number of students (schools), seating capacity (churches places of worship and theaters), etc.			

ARTICLE 9 – DEFINITIONS

~~Church: Any building or structure used or intended for use by a nonprofit religious organization or group primarily for worship purposes, and any use customarily accessory thereto.~~

Places of Public Assembly: Any area, building, or structure where people assemble for a common purpose, such as social, cultural, recreational, and/or religious purposes, whether owned and/or maintained by a for-profit or not-for-profit entity, and includes, but is not limited to, public assembly buildings such as auditoriums, theaters, halls, private clubs and fraternal lodges, assembly halls, exhibition halls, convention centers, and places of worship, or other areas, buildings, or structures that are used for religious purposes or assembly by persons.

Places of Worship: Any area, building, or structure where people assemble for religious purposes.

Recreation Uses, indoor: Indoor recreation uses include areas for recreation activities including, but not limited to, aquariums, day or youth camps, community or recreation centers, gymnasiums, libraries or museums, indoor skating rinks, indoor swimming pools, indoor tennis, racquetball, handball courts, and all other institutional, indoor recreation. Indoor recreation uses include both passive and activity oriented uses.

Recreation Uses, indoor commercial: This category consists of uses that share land use characteristics such as traffic-generation rates and bulk (buildings) requirements. These uses include but are not limited to, bowling alleys, dance studios, schools for martial arts, physical fitness centers, private clubs or lodges, movie theater, theaters and auditoriums, and indoor skating rinks. Indoor commercial uses include both passive and activity oriented uses.

Recreation Uses, outdoor: Outdoor recreation uses include areas for recreation activities including, but not limited to, arboretums, basketball courts, boat launching ramps, areas for cycling, hiking, and jogging, golf courses (regulation or par 3), outdoor nature areas, parks (public or private), picnic areas, playfields, playgrounds, commercial stables, outdoor swimming pools and springs, tennis courts, totlots, wildlife sanctuaries, and all other outdoor recreation uses. Specifically excluded are outdoor movie theaters, firing ranges, miniature golf courses, golf driving ranges, and marinas. Outdoor recreation uses include both passive and activity oriented uses.

Recreation Uses, outdoor commercial: This group includes recreation uses that are greater nuisances than conventional outdoor recreation activities because of their size and scale, traffic volumes, noise, lights, or physical hazards such as flying objects or use of weapons. These uses include, but are not limited to, amusement parks, drive-in theaters, fairgrounds, golf driving ranges (including miniature golf), marinas, outdoor theaters (or amphitheatres), race tracks (e.g., auto, dog, go-kart, harness, horse, motorcycle), ranges (skeet, rifle, or

archery), sport arenas, and all other outdoor commercial recreation uses. Outdoor commercial recreation uses include both passive and activity oriented uses.