



CHAPTER 5

STANDARDS FOR ACCESSORY AND TEMPORARY USES

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5.00.00 GENERALLY

5.00.01 Purpose

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

5.01.00 ACCESSORY USES AND STRUCTURES

5.01.01 Home Occupations

It shall be unlawful to operate, conduct, or maintain any business or trade in any area whatsoever within the corporate limits of the City which has been or may hereafter be used for residential purposes except home occupations as provided in this section. A home occupation is a business occupation conducted entirely in a dwelling unit. All home occupations shall comply with the following standards:

- A. Employees of the home occupation shall be limited to the residents of the dwelling in which the occupation is located.
- B. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes, and shall not change the residential character of the structure.
- C. Not more than twenty-five (25) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
- D. 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.
- E. No home occupation shall be conducted in any accessory building.
- F. No internal or external alterations which are inconsistent with the residential use or character of the dwelling shall be permitted.
- G. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood. The basis for evaluating traffic generated shall be the Institute of Transportation Engineers *Trip Generation Handbook*.
- H. Any need for parking generated by the conduct of such home occupation shall be met off the street and other than in the required front yard, except for the driveway.
- I. Parking of commercial vehicles used in the conduct of the home occupation shall be limited to one (1) such vehicle. This limitation shall include any vehicle necessary to the business conducted as a home occupation. Notwithstanding this provision, the following vehicles are prohibited from parking: a vehicle with a motorized cooling unit; and vehicles with a gross vehicle weight exceeding 10,000 pounds.
- J. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference

detectable to the normal senses at the property line. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in a line voltage off the premises.

- K. A home occupation shall be subject to all applicable city occupational licenses and other business taxes.

5.01.02 Accessory Structures in All Land Use Districts

Accessory structures may be located on a parcel, provided that the following requirements are met:

- A. There shall be a permitted principal structure or use on the parcel, located in full compliance with all standards and requirements of this ULDC.
- B. Accessory structures shall be included in all calculations of impervious surface and stormwater runoff.
- C. Accessory buildings shall be permitted only in side and rear yards.

5.01.03 Accessory Dwellings in Residential Land Use Districts

Accessory apartments, including guesthouses and helper quarters, shall be permissible in compliance with the following standards:

- A. An accessory dwelling inside the principal residential building shall comply with the following standards:
1. An accessory dwelling shall not be construed to be located within a principal building when it is connected to the principal residential building only by a breezeway or roofed passageway;
 2. No more than one (1) accessory dwelling shall be permitted;
 3. An accessory dwelling shall not be permissible within a nonconforming principal residential building;
 4. An accessory dwelling shall not be permissible where a variance or waiver is necessary in order to allow the accessory dwelling;
 5. An accessory dwelling inside a principal residential building shall not have a separate exterior entrance; and
 6. An accessory dwelling shall not occupy more than twenty-five (25) percent of the total livable floor area of the principal residential building.
- B. One (1) free-standing accessory dwelling unit may be built in the rear of the principal building or combined with a garage.
- C. A free-standing accessory structure shall not exceed one-half ($\frac{1}{2}$) the total square footage of the primary structure.

5.01.04 Dumpsters

- A. All placement and use of dumpsters and garbage containers shall fully comply with the requirements of this section.
- B. A dumpster shall be required for all multi-family development of eight (8) or more units.
- C. A dumpster shall be required for the following specific uses regardless of gross floor area: restaurants, grocery stores, and convenience stores.

- D. A dumpster shall be required for all development within SMU, IR, TC, or GC where the total gross floor area of all buildings on the site is 2,000 or more square feet.
- E. Multi-family development of less than eight (8) units or development in SMU, IR, TC, or GC that is less than 2,000 square feet of gross floor area may provide either a dumpster or individual garbage containers.
- F. Dumpsters shall meet the following standards:
1. Dumpsters shall be located on a paved surface of sufficient size to accommodate the dumpster.
 2. The dumpster location shall be easily accessible for pick-up.
 3. Dumpsters shall be located to the rear or side of the principal building.
 4. Dumpsters shall not be located within any required buffer area; landscaped area, including parking lot landscaping; or stormwater management area.
 5. Dumpsters shall be screened as follows:
 - a. All four (4) sides shall be screened.
 - b. Screening shall be in the form of evergreen trees and shrubs, or a solid wooden or masonry fence. Plants shall be planted in a double-staggered row to form a continuous hedge, and shall be planted to allow the installation of a gate for access.
 - c. Trees and shrubs shall comply with the specifications for landscaping materials set forth in Section 3.05, except that shrubs shall be a minimum of four (4) feet in height at the time of planting. Trees shall be selected from the list of understory trees and shall be planted a maximum of eight (8) feet apart, on center, in a double-staggered row. Trees and shrubs shall be maintained as required in Section 3.05.
 - d. A gate shall be provided for access.
 - e. Dumpsters shall be set back from any adjacent property designated or used for residential purposes a minimum of thirty (30) feet.
 - f. Dumpsters shall be located a minimum of twenty (20) feet from the exterior wall of a building, unless a closer distance is acceptable based on the fire rating of the wall and approved by the Town.
- G. Garbage containers shall meet the following standards:
1. Containers shall be of a size and type approved by the Town.
 2. A stable, firm, and level surface shall be provided, both in the permanent location and the pick-up location.
 3. Containers shall be located to the rear or side of the principal building, except when moved to the front for pick-up.
 4. Containers shall be screened from view from adjacent properties and the public right-of-way. Screening may be provided by shrubs planted in a double-staggered row on three (3) sides or by a wooden or masonry enclosure on three (3) sides.

5. Containers shall not be located in any required buffer area; landscaped area, including landscaping parking lots; or stormwater management area.
- H. The design of dumpster sites, screening around dumpster, and screening around garbage containers shall be compliant with the principles of Crime Prevention Through Environmental Design (CPTED), set forth below.
1. *Provision of natural surveillance.*
 - a. The placement and design of physical features to maximize visibility. This will include building orientation, windows, entrances and exits, parking lots, walkways, guard gates, landscape trees and shrubs, fences or walls signage and other physical obstructions.
 - b. The placement of persons and/or activities to maximize surveillance possibilities.
 - c. Lighting that provides for nighttime illumination of parking lots, walkways, entrances and exits.
 2. *Provision for natural access control.*
 - a. The use of sidewalks, pavement, lighting and landscaping to clearly guide the public to and from entrances and exits.
 - b. The use of fences, walls or landscaping to prevent and or discourage public access to or from dark and/or unmonitored areas.
 3. *Provision of territorial reinforcement.* The use of pavement treatments, landscaping, art, signage, screening and fences to define and outline ownership of property.
 4. *Maintenance.* The use of low maintenance landscaping and lighting treatment to facilitate the CPTED principles of natural surveillance, natural access control and territorial reinforcement.

5.02.00 TEMPORARY USES AND STRUCTURES

This section establishes the regulations regarding temporary uses and structures.

5.02.01 Temporary Dwellings

No garage or outbuilding shall be erected for residence purposes in any residential district, except during the course of construction on the same site, a tent, temporary building, recreational vehicle, or mobile home may be allowed.

A temporary dwelling shall comply with the following standards:

- A. A temporary use permit shall be obtained for a temporary dwelling.
 1. Such permit shall be valid for ninety (90) days;
 2. The ninety (90) day permit may be renewed every ninety (90) days up to a total of one (1) year, provided that the permittee is actively constructing a residential dwelling unit on the same lot for which the permit is acquired.
- B. The temporary dwelling shall include separate sanitary facilities and separate electric service from the principal structure that is under construction.

- C. The temporary dwelling shall be placed to comply with required setbacks applicable to the district in which the permit is granted.

5.02.02 (Reserved)

5.03.00 SUPPLEMENTAL STANDARDS FOR SPECIFIC USES

5.03.01 Generally

- A. This section sets forth standards for specific uses that are permissible subject to supplemental standards. Uses permissible subject to these supplemental standards are identified by the letter “S” in Table 2.03.01.
- B. Where there is a conflict between a standard applicable to the land use district in which the use is located or an applicable overlay district and the supplemental standards set forth below, the more restrictive standard shall apply.

5.03.02 Manufactured Homes

Manufactured homes shall meet all federal and state requirements and shall comply with the land development code.

5.03.03 Places of Assembly

- A. Places of Assembly are permissible in the SMU land use district, subject to the standards of that district.
- B. The primary use of such a site shall be as a place of assembly.
- C. Uses and activities other than assembly shall be considered accessory uses and shall be clearly ancillary to the primary use. Uses and activities other than assembly shall be limited to instruction or study typically associated with the assembly; offices to support the establishment; child or adult day care; playgrounds; recreational facility; a kitchen; and individual or break out halls or meeting spaces.
- D. All accessory uses for places of assembly are subject to the following requirements:
 - 1. The accessory use shall be owned and operated only by the owner of the place of assembly.
 - 2. The facility housing the accessory use shall meet all local, State, or federal standards.
 - 3. The owner of the place of assembly shall obtain any licenses required to conduct the accessory use. Any approval of the accessory use shall be contingent upon receipt of all licenses.
 - 4. Audio amplification systems, including, but not limited to, telephone loudspeakers or paging systems, shall be located to ensure that they cannot be heard on adjacent properties.
 - 5. All outdoor activities shall occur no earlier than 8:00 a.m. and no later than 10:00 p.m.
 - 6. Outdoor play or activity areas shall be no closer than fifty (50) feet from property designated for residential use, as measured to the nearest residential property line.

- E. The following activities shall be prohibited in association with places of assembly: overnight lodging facilities or other temporary sleeping quarters; and any use not specifically identified as an allowable accessory use. Notwithstanding the prohibition of overnight lodging, one (1) residential dwelling unit may be provided, subject to the standards of Section 5.03.03(J).
- F. Child day care, adult day care, preschool, or child nursery uses are allowable accessory uses subject to the following standards:
1. The total floor area allocated to the child day care, adult day care, preschool, or nursery uses shall not exceed ten (10) percent of the total gross floor area on the site. The calculation of total floor area allocated to the uses shall be cumulative and shall include all child day care, adult day care, preschool, nursery facilities, and related mechanical and support facilities.
 2. An off-street drop-off area for persons served by the facility shall be provided.
- G. A kitchen and dining hall is an allowable accessory use subject to the following standards:
1. Dining, including dining open to the public as a charitable “soup kitchen,” is permitted between the hours of 8:00 a.m. and 10:00 p.m., provided:
 - a. The owner of the use ensures that meal recipients remain on the site except during travel to and from the place of assembly or kitchen and dining hall; and
 - b. No consideration or value of any kind is given, directly or indirectly, in exchange for the meal.
 2. The total floor area allocated to the kitchen and dining hall, including related mechanical and support facilities, shall not exceed twenty (20) percent of the total floor area on the site.
- H. One (1) residential dwelling unit is allowable, subject to the following standards:
1. The minimum lot area for the dwelling unit (“parsonage lot”) shall be 7,500 square feet. The residential lot shall be used exclusively for the dwelling unit, and shall not include any primary or other accessory use allowable on the site. The residential lot shall not be used for any support activity to the primary or accessory uses, such as outdoor play areas, storage, or parking, other than as specifically provided in Section 5.03.03(H)(5) and (6) below.
 2. The maximum lot coverage for the residential lot shall be thirty-five (35) percent.
 3. Two (2) parking spaces shall be provided within the residential lot.
 4. The maximum building height on the residential lot shall be thirty-five (35) feet.

5. The residential lot may contain children's outdoor play equipment, in a size and quantity typical of a single-family residential use.
6. The residential lot may contain a residential swimming pool, fully enclosed, and attached to the dwelling.
- I. A specific parking plan shall be provided. This plan shall identify the primary use and each accessory use proposed on the site. The parking plan shall indicate the hours of operation and peak times of use (parking demand) for the primary use and each accessory use on the site. The parking standards for the primary use and each accessory use shall be identified, based upon Section 4.10. The parking plan may include reduced or shared parking. If reduced or shared parking is proposed, the parking plan and supporting data shall clearly indicate that differing peak use and associated parking requirements shall not result in a parking deficiency on the site. The parking plan shall indicate areas designated for overflow parking during times of extraordinary use (such as festival or holiday periods).
- J. For places of assembly structures or uses that exceed 10,000 square feet in total floor area, excluding the residential structure, if any, the minimum setback from any residential property line that is otherwise required shall increase five (5) feet for each 2,000 square feet, or portion thereof, over 10,000 square feet.

5.03.04 Daycare, Preschool, and Nursery School

- A. Day care centers shall provide proof of compliance with State standards.
- B. Playgrounds shall be provided in a size and type required by State standards. The following additional standards shall apply:
 1. The playground shall be located in the rear yard. Where site characteristics prevent location of a playground in the rear yard, and adequate space is available in the side yard, a playground may be located in the side yard. Location of a playground in the front yard is prohibited.
 2. The playground shall be fully fenced. The fence shall meet the standards set forth in Section 4.07.
 3. The playground shall be located no closer than fifty (50) feet to any adjacent property designated as a residential land use district.

5.03.05 Compatibility Operational Criteria

All primary and accessory uses in all districts shall comply with the following operational criteria:

- A. Audio amplification systems, including, but not limited to, amplified music, telephones, loudspeakers or paging systems, shall be located to ensure that they cannot be heard on adjacent properties.
- B. All outdoor activities that generate noise or other adverse impacts to adjacent or nearby residential uses shall occur no earlier than 8:00 a.m. and no later than 10:00 p.m.

- C. Outdoor playground equipment, ball fields, or recreational activity areas shall be no closer than fifty (50) feet from property designated for residential use, as measured to the nearest residential property line.
- D. No primary or accessory use shall operate in any district in such a manner as to have a detrimental effect on the Whitney Lab or any research being conducted or contemplated at the Whitney Lab.

5.04.00 TELECOMMUNICATION TOWERS

5.04.01 Generally

A. Purpose and Intent

It is the intent of the Town to allow telecommunications towers and/or antennas in compliance with state and federal regulations. It is further the intent of the Town to protect the public health, safety, and welfare through regulating the placement and design of allowable telecommunications towers. The regulations in this section are designed to meet the following purposes:

1. To protect residentially zoned areas and residential development from potential adverse impacts of telecommunications towers that are placed in inappropriate locations;
2. To minimize visual impacts of telecommunications towers through site design requirements, location requirements, and innovative camouflage techniques, in accordance with acceptable engineering and planning principles; and
3. To allow telecommunications towers that meet state, federal, and local requirements for location, site design, and appearance.

B. Collocation

Telecommunications towers proposed within the Town shall provide for collocation consistent with state and federal regulations.

C. Consistency with Comprehensive Plan

Applications for telecommunications towers and antennas shall be consistent with all provisions of the Town of Marineland Comprehensive Plan.

5.04.02 Applicability

The following shall be subject to the regulations presented in this section:

1. All new telecommunications towers or antennas in the Town
2. Modifications to existing telecommunication towers/antennas that result in change to, addition of, or removal of more than 25% of the structure.

5.04.03 Allowable Locations for Telecommunication Towers

Telecommunications towers and/or antennas are permissible in the following land use district: Public Facilities (UTL).

5.04.04 Requirements for Telecommunication Towers and Antennas

- A. All telecommunication towers and antennas shall be maintained in good condition and in accordance with all standards in this section. No

additions, changes, or modifications shall be made except in conformity with the standards and procedures of this section.

- B. At all times each telecommunications tower shall be insured for liability in an amount of not less than \$5,000,000.00.
- C. In the event that a telecommunications tower or antenna is abandoned, the owner of the telecommunications tower or antenna shall restore the property to its condition prior to the installation of the tower or antenna. For each telecommunications tower or antenna, the owner shall provide to the Town a bond or other security in an amount sufficient to ensure that the telecommunications tower lot and parent parcel, or the structure on which an antenna is mounted, are restored to the condition existing prior to installation. Restoration shall be complete not later than six months after abandonment.

5.04.05 Design Requirements for Telecommunication Towers

The following site design and appearance regulations apply to telecommunications towers that are installed on the ground. Where the provisions of the underlying zoning district differ from the following provisions, the following provisions apply.

- A. Location.
All telecommunications towers shall be located in a manner that minimizes the effect on environmental resources.
- B. Collocation.
A new telecommunications tower shall be permissible only if the applicant demonstrates that collocation is not available.
- C. Lot size.
The minimum area devoted to the telecommunications tower lot and the equipment essential to the operation of one telecommunications tower shall be 50 feet by fifty 50 feet. The maximum area shall be 100 feet by 100 feet.
- D. Measurement of required setbacks.
Setbacks required by this section shall be measured from the base of the tower to the property line of the parent parcel on which it is located.
- E. Setbacks from property lines.
Telecommunications towers shall be setback a minimum of 50 feet from front, side, and rear property lines of the parent parcel.
- F. Separation.
A new telecommunications tower shall be located a minimum of 1,500 feet from any existing telecommunications tower.
- G. Height limitations.
The maximum height of telecommunications towers shall not exceed 150 feet. The measurement of telecommunications tower height shall include the tower, antennas, and base pad, and shall be measured from the finished grade at the tower pad location.
- H. Illumination.

Telecommunications towers shall not be artificially lighted except to assure human safety as required by the Federal Aviation Administration.

I. Structural design.

1. Telecommunications towers shall be monopole structures.
2. Telecommunications towers shall be designed to accommodate collocators. The number of collocators shall be included in the design specifications.
3. Telecommunications towers shall include one emergency generator of sufficient size to accommodate the needs of all collocated antennas. The application for the tower shall include documentation to ensure that future collocators shall be required to use the existing generator.
4. Telecommunications towers shall be constructed in accordance with the standards in the latest edition of the following publications:
 - a. Construction standards for telecommunications towers, published by the Electronic Industries Association.
 - b. "Minimum Design Load for Buildings and Structures," published by the American Society of Civil Engineers.
 - c. "Guide to the Use of Wind Load Provisions," published by the American Society of Civil Engineers.
 - d. Florida Building Code.

J. Fences.

A fence, not to exceed eight feet in height, shall be installed on the perimeter of the telecommunications tower lot. The fence may be installed inside the perimeter of the telecommunications tower lot in order to accommodate landscaping located at the perimeter of the telecommunications tower lot. The fence may be wood, masonry, or vinyl. Wood or masonry fences shall be painted to blend with the surrounding environment. Vinyl fences shall be of a color to blend with the surrounding environment. Barbed wire or other materials shall be installed at the top of the fence to prevent unauthorized access to the tower. Such materials shall not exceed two feet in height above the fence.

K. Vegetation protection.

Existing vegetation shall be retained to the maximum extent possible, except for exotic invasive vegetation. Exotic invasive vegetation shall be removed and replaced with landscape materials that comply with Section 3.05.

L. Landscaping required.

1. All landscaping shall comply with the standards set forth in Section 3.05.
2. Telecommunications towers shall be required to provide landscaping outside the fence enclosing the tower and at the property line of the parent parcel. Perimeter landscaping shall be required only on property lines that are within 150 feet of the telecommunications tower lot line. Where landscaping is provided at the property line of the

parent parcel, a recorded easement shall be provided to ensure the continued provision and maintenance of the landscaping so long as the telecommunications tower is in operation.

3. Perimeter landscaping is intended to provide an opaque screen between adjacent properties and the telecommunications tower. Trees shall be planted in a double staggered row and placed in an irregular pattern so as to appear more natural. Tree spacing may vary, but shall not exceed an average of 15 feet, center to center.
4. The minimum tree size shall be 12 feet high at the time of installation. Tree trunk caliper shall be appropriate to the selected species natural growth habits.
5. There shall be no irrigation system installed. However, a watering plan shall be provided to ensure that all installed vegetation will thrive and will be well established one year after installation. Any materials that die shall be replaced within six months.

M. Access.

An access driveway shall meet the following standards:

1. A recorded easement shall be provided to ensure continuing availability of access.
2. The access driveway may be either paved or unpaved. The driveway shall be stabilized and have a structural value of two or greater.
3. The access drive shall be a maximum of 12 feet in width.
4. The access drive shall be designed to provide adequate turn-around space, and may be designed as a hammerhead or T-type turn-around.

N. Parking.

One parking space shall be provided.

1. The space may be paved or unpaved, shall be stabilized, and shall have a structural value of two or greater.
2. The space shall be a minimum of ten feet wide and eighteen (18) feet long.
3. The space may be located on the parent parcel. An easement or recorded agreement shall be required to ensure that the parking space is provided and maintained as long as the telecommunications tower is in operation.
4. Where parking for other purposes exists on the parent parcel, one space may be dedicated to use by the telecommunications tower. The availability of this parking space shall be ensured through a recorded agreement.

O. Stealth techniques required.

The telecommunications tower shall be designed and painted to resemble natural objects, such as trees that are typical of the surrounding area.

5.04.06 Design Requirements for Antennas Installed on Existing Above-Ground Structures

The following site design and appearance regulations apply to one or more antennas that are installed on existing buildings or structures. Where the provisions of the underlying zoning district differ from the following provisions, the following provisions apply.

A. Height limitations.

The measurement of height shall include the existing building or structure, any structure to support the antennas, and the antennas. Height shall be measured from the finished grade of the building or structure on which the antennas are located to the uppermost point of the building or structures, support structure, or antenna. The maximum height shall not exceed 150 feet.

B. Structural design.

Antennas attached to, or supported by, an existing building or structure shall not impose any undue stress on the building or structure. Structures to support antennas on existing buildings shall be constructed in accordance with the standards in the latest edition of the following publications:

1. Construction standards for telecommunications towers, published by the Electronic Industries Association.
2. "Minimum Design Load for Buildings and Structures," published by the American Society of Civil Engineers.
3. "Guide to the Use of Wind Load Provisions," published by the American Society of Civil Engineers.
4. Florida Building Code.

C. Stealth techniques required.

The structure and antennas shall be screened with architectural elements or integrated into architectural elements. Examples of appropriate stealth techniques include elements such as chimneys, spires, steeples, or cupolas. Screening or other elements may be proposed, so long as the result is an integration of the antenna and any supporting structure into the existing building design features.

5.04.07 Abandonment

- A. In the event all legally approved use of a telecommunications tower and/or antenna has been discontinued for a period of 180 consecutive days, the telecommunications tower and/or antenna shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the Town administrator, who shall have the right to request documentation and/or affidavits from the owner of the telecommunications tower and/or antenna regarding the issue of usage.
- B. At such time as the Town administrator reasonably determines that a telecommunications tower and/or antenna is abandoned, the Town administrator shall provide the owner of the telecommunications tower and/or antenna with written notice of an abandonment determination by certified mail. Failure or refusal by the owner to respond, within 60 days

- of receipt of such notice, shall constitute prima facie evidence that the telecommunications tower and/or antenna has been abandoned.
- C. If the owner of the telecommunications tower and/or antenna fails to respond or fails to demonstrate that the telecommunications tower and/or antenna is not abandoned, the telecommunications tower and/or antenna shall be considered abandoned and the owner of the telecommunications tower and/or antenna shall have an additional 120 days within which to:
1. Reactivate the use of the telecommunications tower and/or antenna;
 2. Transfer the telecommunications tower and/or antenna to another owner who makes actual use of the telecommunications tower and/or antenna within the 120-day period; or
 3. Dismantle and remove the telecommunications tower and/or antenna.

5.05.00 PUBLIC, SEMI-PUBLIC USES AND SPECIAL USES

5.05.01 Application

All uses of land and buildings not specifically provided for in any land use district or in other provisions of this ULDC shall be subject to the regulations of this ULDC.

5.05.02 Public and Semi-Public Uses

Public and semi-public uses excluding utilities as defined by this ULDC, and not listed in Table 2.03.01 shall be permitted as follows:

- A. Any public or semi-public uses may be permitted in any district providing that the request for such use is officially made to the Town Council in public hearing by the public body, or semi-public body desiring such use. The Town Council shall determine whether or not such requested use is necessary and if the necessity is established, there shall be further established conditional requirements to be met concerning such use.
- B. Public and semi-public uses existing at the time of the effective date of this ULDC and as indicated on the Future Land Use Map or Text are hereby legally established as conforming public and semi-public uses.
- C. Civic buildings. Civic buildings are of special public importance. Civic buildings include, but are not limited to, municipal buildings, churches, libraries, schools, recreation facilities, and places of assembly. Civic buildings do not include retail buildings, residential buildings, or privately owned office buildings. In order to provide greater flexibility to create a special architectural statement, civic buildings may not be subject to Build-to Line requirements or Building Orientation requirements set forth in Chapter 4. The design of civic buildings shall be subject to review and approval by the Local Planning Agency.

5.05.03 Special Uses

- A. Essential public and private utility services shall be permitted in any zoning district. Essential utility services are hereby defined as installations for water, sewer, gas, telephone, electrical line, drainage systems, and other similar installations, but excluding major installations such as electrical or

gas generating plants, water and sewage treatment plans, and other similar major installations.

- B. Major utility installations including telephone and telegraph, electricity, natural and artificial gas, radio and television stations, water and sewer treatment plans, electronic transmission towers, may be permitted in any district, provided that such application is made to the Town Council for its review and recommendations. The Town Council shall hold a public hearing prior to approval.
- C. Transportation terminals may be permitted in any non-residential district, provided that such application is made to the Town Council for its review and recommendations. The Town Council shall hold a public hearing prior to approval.