

MARINELAND UNIFIED LAND DEVELOPMENT CODE MASTER TABLE OF CONTENTS

CHAPTER 1. GENERAL PROVISIONS

	<u>Page</u>	
1.00.00	GENERALLY	1-2
1.00.01	Purpose and Intent	1-2
1.01.00	TITLE	1-2
1.02.00	AUTHORITY	1-2
1.03.00	APPLICABILITY	1-2
1.03.01	Generally	1-2
1.03.02	Exemptions and Exceptions	1-2
1.04.00	TOWN ADMINISTRATOR	1-3
1.05.00	DOCUMENTS ADOPTED BY REFERENCE	1-3
1.06.00	RULES OF INTERPRETATION	1-4
1.06.01	Generally	1-4
1.06.02	Responsibility for Interpretations	1-4
1.06.03	Rules for Boundary Interpretations	1-4
1.06.04	Rules of Construction	1-5
1.06.05	Computation of Time	1-5
1.07.00	ACRONYMS	1-5
1.08.00	DEFINITIONS	1-6
1.08.01	Land Use Districts and Site Design Standards	1-6
1.08.02	Protection of Natural Features and Resources	1-10
1.08.03	Flood Damage Prevention	1-10
1.08.04	Landscaping and Tree Protection	1-15
1.08.05	Lighting	1-15
1.08.06	Energy Efficiency and Building Performance Standards	1-16
1.08.07	Architectural and Design Guidelines	1-17
1.08.08	Telecommunication Towers	1-18
1.08.09	Signs	1-19
1.08.10	Deviations	1-24

CHAPTER 2. LAND USE DISTRICTS

2.00.00	GENERALLY	2-3
2.00.01	Purpose and Intent	2-3
2.00.02	Official Land Use Map	2-3

2.01.00	ESTABLISHMENT OF LAND USE DISTRICTS	2-3
2.01.01	Sustainable Mixed Use (SMU) Land Use Districts	2-3
2.01.02	Institutional Research (IR) Land Use Districts	2-3
2.01.03	General Commercial (GC) Land Use Districts	2-3
2.01.04	Tourist Commercial (TC) Land Use Districts	2-3
2.01.05	Conservation (CONS) Land Use Districts	2-4
2.01.06	Conservation Public Lands (CPL) Land Use Districts	2-4
2.01.07	Utilities (UTL) Land Use District	2-4
2.02.00	ESTABLISHMENT AND PURPOSE OF OVERLAY DISTRICTS	2-4
2.02.01	Generally	2-4
2.02.02	A1A Scenic Corridor Overlay District (A1A)	2-4
2.02.03	Community Redevelopment Area Overlay District (CRA)	2-7
2.02.04	Maritime Hammock Community Overlay District (MHC)	2-7
2.02.05	Research Incubator Projects Overlay District (RP)	2-7
2.02.06	Planned Unit Development Overlay District (PUD)	2-8
2.02.07	(Reserved)	2-8
2.03.00	LAND USES PERMITTED IN EACH DISTRICT	2-8
2.03.01	How to Read the Table of Permitted Uses	2-8
2.03.02	Accessory Uses in Each Land Use District	2-10
2.04.00	WATER DEPENDENT USE RESTRICTIONS	2-11
2.04.01	Purpose and Intent	2-11
2.04.02	Applicability	2-11
2.04.03	Permissible Uses	2-11
2.04.04	Prohibited Uses	2-12
2.04.05	Substantially Similar Uses	2-12
2.04.06	Public Access	2-12
List of Tables		
2.03.01	Table of Permitted Land Uses	2-9
2.03.02	Table of Accessory Structures and Uses	2-10

CHAPTER 3. SITE DESIGN STANDARDS

3.00.00	GENERALLY	3-3
3.00.01	Purpose and Intent	3-3
3.00.02	Design Principles	3-3
3.01.00	PROTECTION OF NATURAL FEATURES AND RESOURCES	3-3
3.01.01	Purpose and Intent	3-3
3.01.02	Applicability	3-3
3.01.03	Standards for the Protection of Wetlands	3-3
3.01.04	Riparian/Littoral Setbacks	3-4
3.01.05	Limitations on Armoring of Shorelines	3-4
3.02.00	FLOOD DAMAGE PREVENTION	3-4
3.02.01	Findings of Fact	3-4
3.02.02	Purpose and Intent	3-4
3.02.03	Objectives	3-5
3.02.04	Applicability	3-5
3.02.05	Basis for Establishing the Areas of Special Flood Hazard	3-5

3.02.06	Designation of Floodplain Administrator	3-5
3.02.07	General Standards	3-6
3.02.08	Specific Standards in A-Zones	3-7
3.02.09	Specific Standards in V-Zones	3-9
3.03.00	SITE DESIGN STANDARDS FOR LAND USE DISTRICTS	3-11
3.03.01	Design Standards for Subdivisions	3-11
3.03.02	Maximum Dwelling Units and Housing Types	3-11
3.03.03	Design Standards for Lots	3-11
3.04.00	SITE DESIGN STANDARDS FOR PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT	3-12
3.04.01	Purpose and Intent	3-12
3.04.02	Applicability	3-13
3.04.03	Standards and Criteria	3-13
3.05.00	LANDSCAPING AND TREE PROTECTION	3-13
3.05.01	Purpose and Intent	3-13
3.05.02	Scope and Applicability	3-13
3.05.03	Specifications for Landscaping and Buffers	3-14
3.05.04	Tree Protection	3-15
3.05.05	Florida Yards and Neighborhoods Requirements	3-17
3.06.00	STORMWATER MANAGEMENT REQUIREMENTS	3-17
3.07.00	SITE DESIGN STANDARDS FOR CLEAN MARINAS	3-18
3.07.01	Clean Marina Designation Requirement	3-18
3.07.02	Alternative Clean Marina Designation Option	3-18
3.07.03	Continuing Duty to Maintain Clean Marina Designation	3-18
3.07.04	Duty to Provide Public Access	3-18
3.08.00	DARK SKY REQUIREMENTS, LIGHTING, AND SEA TURTLE PROTECTION	3-18
3.08.01	Purpose and Intent	3-18
3.08.02	Scope and Applicability	3-18
3.08.03	Regulations	3-19
3.08.04	Appeals	3-21
3.09.00	GREEN BUILDING REQUIREMENTS	3-21
3.09.01	Purpose and Intent	3-21
3.09.02	Findings	3-21
3.09.03	LEED Requirements for New Construction	3-22
3.09.04	Infeasibility Exemption	3-23
3.09.05	Appeals	3-23
List of Tables		
3.03.02	Maximum Dwelling Units and Housing Types	3-11
3.03.03	Standards for Impervious Surfaces	3-12
3.09.03	Fee Schedule	3-23

CHAPTER 4. ARCHITECTURAL AND DESIGN GUIDELINES

4.00.00	GENERALLY	4-3
---------	-----------	-----

4.01.00	PALETTE OF STREET TYPES	4-3
4.01.01	Scenic Highway	4-3
4.01.02	Town Center Street	4-4
4.01.03	Neighborhood Street	4-4
4.01.04	Other Requirements	4-5
4.02.00	SPECIFIC OUTDOOR APPLIANCES AND ARCHITECTURAL ELEMENTS	4-6
4.02.01	Elements to be Located to the Side or Rear of Buildings	4-6
4.02.02	Prohibited Elements	4-6
4.03.00	BUILDING WALLS	4-7
4.03.01	Permitted Finish Materials	4-7
4.03.02	Exterior Coloring	4-7
4.04.00	FAÇADES AND OPACITY	4-7
4.05.00	PROJECTING FAÇADE ELEMENTS	4-7
4.05.01	Generally	4-7
4.05.02	Awnings and Marquees	4-8
4.05.03	Balconies	4-8
4.05.04	Front Porches	4-9
4.05.05	Colonnades/Arches	4-10
4.05.06	Stoops	4-11
4.06.00	ROOFS, WINDOWS AND SKYLIGHTS	4-12
4.06.01	Roofs	4-12
4.06.02	Windows	4-12
4.06.03	Skylights	4-12
4.07.00	GARDEN WALLS, FENCES AND HEDGES	4-12
4.07.01	CPTED Requirement	4-12
4.07.02	Maximum and Minimum Height	4-12
4.08.00	STREET FURNITURE	4-13
4.09.00	REQUIREMENTS FOR UTILITIES, POTABLE WATER, SANITARY SEWER, AND RECLAIMED WATER	4-13
4.09.01	Requirements for Potable Water	4-13
4.09.02	Requirements for Sanitary Sewer	4-13
4.09.03	Requirements for Reclaimed Water Systems	4-13
4.10.00	PARKING	4-13
4.10.01	Generally	4-13
4.10.02	Minimum Requirements	4-13
4.10.03	On-Street Parking	4-14
4.10.04	Off-Street Surface Parking Lot Placement	4-14
4.10.05	Structured Parking Lot Placement	4-14
4.10.06	Access to Off-Street Parking	4-15
4.10.07	Parking Lot Landscaping Requirements	4-15
4.10.08	Temporary/Special Event Parking Requirements	4-15
4.11.00	EXCEPTIONS FROM BUILD-TO LINES	4-15

4.11.01	Trees	4-15
4.11.02	Corner Sites	4-15
List of Tables		
4.01.01	Scenic Highway	4-3
4.01.02(a)	Town Center Street Option No. 1 with Parallel Parking	4-4
4.01.02(b)	Town Center Street Option No. 1 with Diagonal Parking	4-4
4.01.03	Neighborhood Street	4-5
4.07.02	Fences, Hedges, and Walls	4-12
List of Figures		
4.05.02	Awnings & Marquees	4-8
4.05.03	Balconies	4-9
4.05.04	Front Porches	4-10
4.05.05	Colonnades/Arcades	4-11
4.05.06	Stoops	4-11
4.11.05	Parking Structure with Liner Buildings	4-14
4.11.07	Parking Lot Landscaping Requirements – Landscape Islands	4-15

CHAPTER 5. STANDARDS FOR ACCESSORY AND TEMPORARY USES

5.00.00	GENERALLY	5-2
5.00.01	Purpose	5-2
5.01.01	ACCESSORY USES AND STRUCTURES	5-2
5.01.01	Home Occupations	5-2
5.01.02	Accessory Structures in All Land Use Districts	5-3
5.01.03	Accessory Dwellings in Residential Land Use Districts	5-3
5.01.04	Dumpsters	5-3
5.02.00	TEMPORARY USES AND STRUCTURES	5-5
5.02.01	Temporary Dwellings	5-5
5.02.02	(Reserved)	5-5
5.03.00	SUPPLEMENTAL STANDARDS FOR SPECIFIC USES	5-5
5.03.01	Generally	5-5
5.03.02	Manufactured Homes	5-5
5.03.03	Places of Assembly	5-5
5.03.04	Daycare, Preschool, and Nursery School	5-7
5.03.05	Compatibility Operational Criteria	5-7
5.04.00	TELECOMMUNICATION TOWERS	5-8
5.04.01	Generally	5-8
5.04.02	Applicability	5-8
5.04.03	Allowable Locations for Telecommunication Towers	5-8
5.04.04	Requirements for Telecommunication Towers and Antennas	5-8
5.04.05	Design Requirements for Telecommunication Towers	5-9
5.04.06	Design Requirements for Antennas Installed on Existing Above-Ground Structures	5-11
5.04.09	Abandonment	5-12
5.05.00	PUBLIC, SEMI-PUBLIC USES AND SPECIAL USES	5-12
5.05.01	Application	5-12

5.05.02	Public and Semi-Public Uses	5-12
5.05.03	Special Uses	5-13

CHAPTER 6. SIGNS

6.00.00	PURPOSE AND INTENT	6-3
6.01.00	SCOPE	6-3
6.01.01	Computation of Sign Size (Area) and Sign Height	6-4
6.01.02	Prohibited Signs	6-4
6.01.03	Exemptions	6-6
6.01.04	Building Permits	6-6
6.01.05	Substitution of Non-Commercial Speech for Commercial Speech	6-6
6.01.06	Content Neutrality as to Sign Message (viewpoint)	6-6
6.01.07	Illegal Signs on Public Property	6-6
6.02.00	ADMINISTRATION AND ENFORCEMENT	6-6
6.02.01	Sign permits	6-6
6.02.02	Exceptions from Permitting	6-7
6.02.03	Permits Not Required for Change of Sign Copy	6-7
6.02.04	Sign Permit Applications	6-7
6.02.05	Sign Permit Application Review	6-8
6.02.06	Sign Permit Fees	6-10
6.02.07	Inspection	6-10
6.02.08	Revocation of Sign Permit	6-10
6.02.09	Miscellaneous Safety Requirements	6-10
6.03.00	APPEALS	6-10
6.03.01	Appeals to Town Council	6-10
6.04.00	SIGN REGULATIONS	6-11
6.04.01	In General	6-11
6.04.02	Exceptions from Permitting	6-13
6.04.03	Multi-family Residential Developments	6-15
6.04.04	Single Family Subdivisions	6-16
6.04.05	Signs Where Primary Use is Nonresidential	6-16
6.05.00	SEVERABILITY	6-18
6.05.01	In General	6-18
6.05.02	Severability Where Less Speech Results	6-18
6.05.03	Severability of Provisions Pertaining to Prohibited Signs	6-18
6.05.03	Severability of Prohibition on Billboards	6-19
List of Tables		
6.04.01	Multiple Frontage Properties	6-12
6.04.05	Area, Height, Setbacks, and Sizes	6-16

CHAPTER 7. RESERVED

CHAPTER 8. BOARDS AND AGENCIES

8.00.00	GENERALLY	8-2
---------	-----------	-----

8.01.00	LOCAL PLANNING AGENCY	8-2
8.01.01	Creation and Duties	8-2
8.01.02	Membership	8-2
8.01.03	Rules of Procedure	8-2
8.02.00	TECHNICAL REVIEW COMMITTEE	8-2
8.02.01	Creation	8-2
8.02.02	Membership	8-2
8.02.03	Rules of Procedure	8-3
8.02.04	Roles and Responsibilities	8-3
8.03.00	COMMUNITY REDEVELOPMENT AGENCY	8-3
8.03.01	Creation	8-3
8.03.02	Membership, Terms of Office, and Vacancies	8-3
8.03.03	Organization	8-3
8.03.04	Roles and Responsibilities	8-3

CHAPTER 9. VARIATIONS FROM ULDC REQUIREMENTS

9.00.00	PURPOSE AND INTENT	9-3
9.01.00	NONCONFORMING SITUATIONS	9-3
9.01.01	Continuation of Nonconforming Uses and Structures	9-3
9.01.02	Expansion or Modification of Nonconforming Uses or Structures	9-3
9.01.02	Specific Provisions for Nonconforming Residential Lots of Record	9-3
9.02.00	VARIANCES	9-4
9.02.01	Generally	9-4
9.02.02	Required Findings for a Grant of Variance	9-4
9.02.03	Procedures for Variances	9-4
9.02.04	Specific Requirements for Variances in Areas of Flood Hazard	9-5
9.03.00	APPEALS OF ADMINISTRATIVE ACTIONS	9-6
9.03.01	Applicability	9-6
9.03.02	Time for Filing an Administrative Appeal	9-7
9.04.00	ADMINISTRATIVE WAIVERS	9-6
9.04.01	Reduction in Required Parking	9-6
9.04.02	Reserved	9-7
9.05.00	SUSTAINABILITY WARRANTS	9-7
9.05.01	Purpose and Intent	9-7
9.05.02	Pre-application Conference	9-7
9.05.03	Submittal of the Application	9-7
9.05.04	Review by Town Council	9-7
9.05.05	Effect of Sustainability Warrant Approval	9-8
9.05.06	Factors for Sustainability Warrant Approval	9-8
9.05.07	Prohibited Sustainability Warrants	9-8
9.06.00	RESERVED	9-8
9.07.00	VESTED RIGHTS	9-8

9.07.01	Purpose and Intent	9-8
9.07.02	Time Period and Applicability	9-8
9.07.03	Applications	9-10
9.07.04	Procedures	9-10
9.07.05	Expiration of Approval	9-10

List of Tables

9.02.04(B)	Findings Specific to Areas of Flood Hazard	9-5
9.04.01(C)	Reduction in Parking	9-7

CHAPTER 10. ADMINISTRATIVE PROCEDURES

10.00.00	GENERALLY	10-3
10.00.01	Purpose and Intent	10-3
10.00.02	Applicability	10-3
10.01.00	DEVELOPMENT PERMITS AND LOCAL DEVELOPMENT ORDERS	10-3
10.01.01	Development Permits and Local Development Orders Required	10-3
10.01.02	Exemptions	10-3
10.01.03	Commencement of Work and Expiration of Development Permits and Local Development Orders	10-3
10.01.04	Fees Required	10-4
10.01.05	Fees for Independent Review of Applications	10-4
10.01.06	Certificate of Occupancy	10-4
10.01.07	Application Requirements	10-4
10.01.08	Technical Review Committee Review Requirements	10-5
10.01.09	Pre-application Meeting and Conference	10-5
10.01.10	General Requirements for All Applications	10-5
10.01.11	Application for Local Development Orders	10-6
10.01.12	Application for Development Permits	10-7
10.01.13	Submittal Requirements for Site Plans, with or without Supplemental Regulations	10-8
10.01.14	Submittal Requirements for PUD Master Plans	10-8
10.01.15	Submittal Requirements for Comprehensive Plan Amendments and Amendments to the ULDC	10-10
10.02.00	TREE REMOVAL PERMITS	10-10
10.02.01	Tree Removal Permits as Part of Local Development Order Application	10-10
10.02.02	Tree Removal Permits Not Part of a Local Development Order	10-11
10.02.03	Heritage Tree Removal Permits	10-12
10.03.00	PUBLIC NOTICE REQUIREMENTS	10-13
10.03.01	Generally	10-13
10.03.02	Posted Notice Requirements	10-13
10.03.03	Mailed Notice Requirements	10-14
10.03.04	Published Notice Requirements	10-14
10.04.00	PROCEDURES FOR REVIEW AND DECISION-MAKING	10-14
10.04.01	Review and Compliance Report by Technical Review Committee	10-14
10.04.02	Procedures for Action by the Community Redevelopment Agency (CRA)	10-15
10.04.03	Procedures for Action by the Local Planning Agency	10-15
10.04.04	Procedures for Action by the Town Council	10-15
10.05.00	QUASI-JUDICIAL HEARINGS	10-16

DRAFT MARINELAND UNIFIED LAND DEVELOPMENT CODE

10.05.01	Generally	10-16
10.05.02	Conduct of Hearings	10-16
10.05.03	When Required	10-16
10.05.04	Procedures Regarding <i>Ex Parte</i> Communication	10-17
10.05.05	Order of Presentations	10-17
10.06.00	CONSTRUCTION AND IMPROVEMENTS	10-17
10.06.01	Compliance with Development Permits and Local Development Orders	10-17
10.06.02	Improvement Agreements, Guarantees, and Sureties	10-18
10.06.03	Conditions, Covenants, and Restrictions	10-18
10.06.04	Requirements for Major Developments	10-19
10.06.05	Maintenance of Common Areas and Facilities	10-19
10.07.00	AMENDMENTS TO LOCAL DEVELOPMENT ORDERS	10-20
10.07.01	Amendments Required	10-20
10.08.00	VIOLATIONS	10-20
10.08.01	Generally	10-20
10.08.02	Responsibility for Enforcement	10-21
10.08.02	Code Enforcement Procedures	10-21
10.09.00	CODE ENFORCEMENT PROCEDURES AND PENALTIES	10-22
10.09.01	Violations	10-21
10.09.02	Reasonable Time to Correct Violation, Exceptions for Repeat, Serious Public Health and Safety and Irreparable Harm	10-21
10.09.03	Citations	10-21
10.09.04	Supplemental Code Enforcement – Special Master	10-22
10.09.05	Code Enforcement – Appointment of Board	10-22
10.09.06	Penalties	10-22
10.09.07	Refusal to Sign, Penalties	10-22
10.09.08	Civil Actions	10-22
List of Tables		
10.01.07	Types of Applications and Responsible Parties for Final Review and Decision-Making	10-4
10.01.10	General Development Application Submittal Requirements	10-5
10.01.11	Submittal Requirements for Applications for Local Development Orders	10-6
10.01.12	Submittal Requirements for Local Development Permits	10-7
10.01.14	PUD Master Plan Submittal Requirements	10-8
10.06.01	Requirements for Improvement Plans	10-17