# PART III
# CITY OF BUSHNELL CODE OF ORDINANCES
# LAND DEVELOPMENT REGULATIONS
# CHAPTER 51
# AUTHORITY AND ADMINISTRATION

## ARTICLE 1. FLORIDA STATUES

Chapter 163, Florida Statutes (F.S.) mandates in Section 163.3303 that each municipality shall adopt and enforce land development regulations that are consistent with and implement their adopted comprehensive plan.

## ARTICLE 2. FLORIDA ADMINISTRATIVE CODE

Rule Chapter 9J-5, Florida Administrative Code (F.A.C.) mandates in 9J-5.005 that local government comprehensive plans are to be implemented, inclusive of land development regulations. The Bushnell Comprehensive Plan contains policies that require implementation via adopted land development regulations.

Rule Chapter 9J-24, F.A.C. establishes procedures and criteria for the review of local government land development regulations.

## ARTICLE 3. CHARTER PROVISIONS

Part I of the Code of Ordinances, City of Bushnell, Florida consists of the municipal charter. Sec. 1.03, General Powers of the City, provides that: "The City shall have all governmental, corporate and proprietary powers to enable it to conduct municipal government, perform municipal functions and render municipal services, and shall exercise any power for municipal purposes except as expressly prohibited by law or this charter." The Charter became effective on January 1, 1990.

# PART III
# CITY OF BUSHNELL CODE OF ORDINANCES
# LAND DEVELOPMENT REGULATIONS
# CHAPTER 52
# BOARD OF ADJUSTMENT AND CODE ENFORCEMENT: ESTABLISHMENT AND PROCEDURE

## ARTICLE 1. ORGANIZATION

**Section 52-1. Establishment**.

Pursuant to the provisions of Chapters 162 and 163, Florida Statutes and other applicable laws, as amended, a Board of Adjustment and Code Enforcement, hereinafter referred to as "B.A.C.E." or as "Board of Adjustment", is hereby established in Bushnell.

It is the intent of this Article to promote, protect and improve the health, safety and welfare of the citizens of Bushnell by authorizing the fines and other non-criminal penalties to provide an equitable, expeditious, effective and inexpensive method of enforcing this ordinance, where a pending or repeating violation exists, pursuant to the authority of Chapter 162, Florida Statutes.

It is further the intent of this Article to create an administrative board that has the authority to hear and make recommendations to City Council for special uses, requests for variances and appeals to decisions of city staff in enforcing this or any ordinance, pursuant to the authority of Chapter 163, Florida Statutes and to delegate to it the statutory responsibilities of the local planning agency as enumerated in F.S. 163-3174 as well as granting it the advisory capacity to recommend changes to this or any other ordinance of the City of Bushnell.

**Section 52-2. Appointment**.

The Board of Adjustment shall consist of five (5) seats that shall be filled by residents or business property owners of the City and appointed by the City Council.

Each Council Member shall nominate one candidate for appointment to the Board of Adjustment and Code Enforcement. The candidate for seat number one (1) shall be nominated by the Mayor, seat numbers two (2), three (3), four (4) and five (5) shall be nominated by the Council Member holding the corresponding numbered Council seat.

No member of the Board of Adjustment and Code Enforcement shall be a paid or elected official or employee of the city; however this provision shall not exclude membership of persons providing contract services to Bushnell, including but not limited to, attorneys, engineers, architects, accountants and planners.

The membership of the B.A.C.E. shall, if possible, include an architect, a businessperson, an engineer, a general contractor, a subcontractor, and a realtor.

**Section 52-3. Terms of Office**.

Initially Board of Adjustment appointees to seat numbers one (1), three (3) and five (5) shall hold office until April 30, 2005. Board of Adjustment appointees to seat numbers two (2) and four (4) shall hold office until April 30, 2006.

Thereafter, any appointment shall be made for a term of four (4) years. Such term of office for Board of Adjustment seat numbers one (1), three (3) and five (5) shall be appointed in an odd numbered year and commence on May 1 and end on April 30. The term of office for Board of Adjustment seat numbers two (2) and four (4) shall be appointed in an even numbered year and commence on May 1 and end on April 30. A member may be reappointed

for successive terms upon approval of the City Council.

**Section 52-4. Removal for Cause**.

Members of the B.A.C.E. shall be removable for cause by a majority vote of the City Council.

If any member fails to attend two (2) of three (3) consecutive meetings without cause and without prior notice to City Hall the B.A.C.E. shall declare the member's office vacant, and the City Council shall promptly fill such vacancy.

If any member of the B.A.C.E. has an active code enforcement case that comes before the B.A.C.E. board, the B.A.C.E. this will be considered as cause for immediate removal, and the B.A.C.E. shall declare the member's office vacant, and the City Council shall promptly fill such vacancy.

**Section 52-5. Appointments to Fill Vacancies**.

Appointments to fill vacancies shall be for the unexpired term of the member or members whose term or terms become vacant. Such appointments to fill vacancies shall be made in the same manner as the original appointment and shall be made within thirty (30) days after the vacancy occurs.

## ARTICLE 2. PROCEDURES

**Section 52-6. Rules and Regulations**.

The B.A.C.E. shall establish rules and regulations for its own operation not inconsistent with the laws, rules and regulations of the State of Florida or of this Ordinance.

**Section 52-7. Officers**.

The B.A.C.E. shall elect from within its membership a chairman, who shall be the presiding member; a vice chairman, who shall preside in the chairman's absence or disqualification; and, shall appoint a secretary who may be an officer or employee of the city. Other officers, as the B.A.C.E. deems necessary, may be appointed. Terms of all officers shall be for one (1) year, with eligibility for re-election.

**Section 52-8. Meeting and Quorum**.

The B.A.C.E. shall meet at regular intervals at the call of the chairman, at the written request of three (3) or more regular members, or within thirty (30) days after receipt of a matter to be acted upon. The chairman, or in his absence the acting chairman, may administer oaths and subpoena witnesses. All meetings shall be open to the public. Three (3) members of the B.A.C.E. shall constitute a quorum.

The B.A.C.E. shall keep minutes of its proceedings, showing the vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the Board.

**Section 52-9. Decisions**.

The concurring vote of three (3) (F.S. 162.07(4)) of the members of the B.A.C.E. shall be necessary in respect to any matter upon which it is required to pass under the terms of this Ordinance or to affect any variations of this Ordinance.

**Section 52-10. Legal Counsel**.

The city legal counselor shall either be counsel to the B.A.C.E., or shall represent the city by presenting cases before the B.A.C.E., but in no case shall the city legal counselor serve in both capacities.

## ARTICLE 3. DUTIES

The B.A.C.E. shall have the following duties and responsibilities:

A. To hear and make recommendations to City Council for requests for special use permits.

B. To hear and decide for appeals from administrative decisions regarding the enforcement or interpretation of this or any other land development ordinance.

C. To hear and make recommendations to City Council for requests for variances.

D. To set, call and conduct hearings regarding violations of this ordinance.

E. To use those powers assigned to it pursuant to Article 6 of this ordinance, and to levy administrative fines and liens pursuant to Article VII of this ordinance.

F. To act as the city's Land Planning Agency (LPA).

G. To be the Zoning Board.

H. To recommend changes to the Council to any or all city ordinances.

## ARTICLE 4. CODE COMPLIANCE OFFICER

A. "Code compliance officer" means any authorized agent or employee of the City of Bushnell whose duty it is to assure code compliance. "Code" includes zoning ordinances, subdivision regulations, any standard or local ordinance, construction or maintenance code adopted by city ordinance, and any adopted land development regulation.

B. Each code compliance officer shall be appointed by the City Manager.

C. The code compliance officer position is hereby established pursuant to the authority established in Chapter 162, Part II, Florida Statutes and Chapter 163.3202 (1) Florida Statutes.

## ARTICLE 5. ENFORCEMENT PROCEDURES

A. It shall be the duty of the code compliance officer to initiate enforcement proceedings of the various codes; and no member of the B.A.C.E. shall have the power to initiate such enforcement proceedings.

B. If a violation of the codes is found, the code compliance officer shall notify the violator and give him a reasonable time to correct the violation. Should the violation continue beyond the time specified for correction, the code compliance officer shall notify the B.A.C.E. and request a hearing. The B.A.C.E, through its clerical staff, shall schedule a hearing, and written notice of such hearing shall be hand delivered or mailed as provided by this chapter to said violator.

C. Each case before the B.A.C.E. shall be presented by the code compliance officer.

D. All testimony before the B.A.C.E. shall be under oath and shall be recorded. The B.A.C.E. shall take testimony from the code compliance officer and the alleged violator. Fundamental due process shall be observed during said proceedings or hearings.

E. At the conclusion of the hearing the B.A.C.E. shall issue findings of facts based on evidence of record and conclusion of law, and shall issue an order affording proper relief. Said order shall be by motion approved by at least three (3) members of the Board.

F. Orders issued by the B.A.C.E. may include a specific date by which said order must be complied with and that a fine may be imposed if said order is not complied with by said date.

G. The B.A.C.E. upon notification by the code compliance officer that an order of the B.A.C.E. has not been complied with or that a repeated violation of a previous order has re-occurred, may order the violator to pay a fine as provided for in this Chapter.

**ARTICLE 6. POWERS OF THE B.A.C.E** (amended by Ord. 99-15)

The B.A.C.E. shall have the power to:

A. Adopt rules for the conduct of hearings.

B. Subpoena alleged violators and witnesses to its hearings.

C. Subpoena evidence.

D. Take testimony under oath.

E. Issue orders having the force of law to command whatever steps are necessary to bring a violation into compliance.

F. Decide such questions that are involved in the determination of when a special exception should be granted by City Council; and to make recommendations to City Council to grant special uses with appropriate conditions and safeguards or to deny special uses when not in harmony with the purpose and intent of the land development regulations (LDRs).

(1) In recommending the approval of any special exception the B.A.C.E. shall find that such approval will not adversely affect the public interest.

(2) In recommending the approval of any special exception the B.A.C.E. may prescribe appropriate conditions and safeguards, made a part of the terms under which the special exception shall be granted, which if not complied with shall be deemed a violation of the LDRs.

(3) The B.A.C.E. may recommend a reasonable time limit in which the action for which the special exception is required to be begun or completed, or both.

G. Recommend to City Council such variance from the terms of the zoning code and other land development regulations, when a literal enforcement of the provisions of the regulation would result in unnecessary or undue hardship. In order to recommend any variance from the terms of the Land Development Regulations the B.A.C.E. must find:

(1) That special conditions and circumstances exist which are peculiar to the land, structure or district;

(2) That the special conditions and circumstances do not result from the actions of the applicant;

(3) That recommending the approval of the variance requested will not confer on the applicant any special privilege that is denied by other properties in the same zoning district under the terms of the code;

(4) That a literal interpretation of the provisions of this code would deprive the applicant of rights commonly

enjoyed by other properties in the same zoning district under the terms of the code;

(5) That the variance is the minimum variance that will make possible the reasonable use of the land, building or structure; and,

(6) That the variance will be in harmony with the general intent and purpose of the LDRs and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

In recommending the approval of any variance, the B.A.C.E may recommend appropriate conditions and safeguards in conformity with the LDRs. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of the LDR's.

The B.A.C.E. may recommend a reasonable time limit within which the action for which the variance is required shall be begun or completed or both.

H. As the LPA of the City recommend changes to the Comprehensive Plan and Land Development Regulations to the Council.

I. As the Zoning Board recommend changes to the zoning map.

## ARTICLE 7. ADMINISTRATIVE FINES AND LIENS

The B.A.C.E., upon notification by the code compliance officer that an order of the B.A.C.E. has not been complied with by the set time, or upon finding that the same violation has been repeated by the same violator, may order the violator to pay a fine not to exceed $250.00 per day for the first violation or $500.00 for each day violation continues past the date set for compliance. A hearing shall not be necessary for issuance of this order. A certified copy of an order imposing a fine shall be recorded in the public records and thereafter shall constitute a lien against land on which the violation exists and upon any other real or personal property owned by the violator; and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against personal property, but shall not be deemed to be a court judgment except for enforcing purposes. After three (3) months of the filing of any such lien which remains unpaid, the Enforcement Board may authorize the City Attorney to foreclose on the lien. No lien created pursuant to the provisions of this chapter may be foreclosed on real property that is a homestead under Section 4, Article X of the State Constitution.

The B.A.C.E. shall impose an administrative fine on all code compliance cases brought before the board of $250.00. Even if the case is dismissed or other fines imposed under this section have been reduced or waived, the administrative fine of $250.00 will remain in order to reimburse the City for its time and expenses incurred in bringing the action.

The B.A.C.E. may reduce a fine imposed under this section if it determines that the violator has reasonably tried to comply with the order.

## ARTICLE 8. DURATION OF LIEN

No lien shall continue for a period longer than twenty (20) years after the certified copy of order imposing a fine has been recorded, unless within that time an action to foreclose on the lien is commenced in a court of competent jurisdiction. The continuation of the lien affected by the commencement of the action shall not be good against creditors or subsequent purchasers for valuable consideration without notice unless a notice of lis pendens is recorded.

## ARTICLE 9. PROCEEDINGS OF THE BOARD OF ADJUSTMENT AND CODE ENFORCEMENT

The Board of Adjustment and Code Enforcement shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this ordinance. Meetings shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence the acting chairman, may administer oaths and subpoena witnesses. All meetings shall be open to the public.

The B.A.C.E. shall keep minutes of its proceedings and shall keep records of its examinations and other official actions, all of which shall be a public record filed in the office of the Board.

The applicant or an authorized representative must be present for all requests for special uses, variances, zoning changes, land use changes and code enforcement cases.

## ARTICLE 10. HEARING

Appeals to the B.A.C.E. concerning interpretation or administration of this ordinance may be taken by any person aggrieved or by any officer or bureau of the governing body of the city affected by any decision of the code compliance officer. Such appeals shall be taken within a reasonable time, not to exceed sixty (60) days, by filing with the code compliance officer and with the B.A.C.E. a notice of appeal specifying the grounds thereof. The code compliance officer shall transmit within 5 days to the Board all papers constituting the record of the action that is being appealed.

The B.A.C.E. shall fix a reasonable time for the hearing of appeal, give public notice thereof as well as due notice the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

## ARTICLE 11. APPEALS

An aggrieved party, including the local governing body, may appeal a code enforcement order by the B.A.C.E. to the Circuit Court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the B.A.C.E. An appeal shall be filed within thirty (30) days of the execution of the order to be appealed. (F.S. 162.11)

## ARTICLE 12. NOTICES

Service of all notices shall be as follows:

(1) All notices required by this part shall be provided to the alleged violator by Certified Mail, Return Receipt Requested; by hand delivery by a law enforcement officer, code compliance officer, or other person designated by the local governing body; or by leaving the notice at the violator's usual place of residence with any person residing therein who is above fifteen (15) years of age and informing such person of the contents of the notice.

(2) At the option of the B.A.C.E., notice may also be served by publication or posting.

Such notice shall be published in a newspaper of general circulation in the county where the B.A.C.E. is located. The newspaper shall meet such requirements as are prescribed under Chapter 50.

(3) Proof of publication shall be made as provided in ss. 50.041 and 50.051.

If there is no newspaper of general circulation in the county where the B.A.C.E. is located, three (3) copies of such notice shall be posted for at least twenty-eight (28) days in three different and conspicuous places in such county one of which shall be at the front door of the courthouse in said county.

(4) Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.

Notice by publication or posting may run concurrently with, or may follow an attempt or attempts to provide notice by hand delivery or by mail as required under subsection (1).

Evidence that an attempt has been made to hand deliver or mail notice as provided in subsection (1), together with proof of publication or posting as provided in subsection (2) shall be sufficient to show that the notice requirements of this part have been met without regard to whether or not the alleged violator actually received such notice.

# PART III
# CITY OF BUSHNELL CODE OF ORDINANCES
# LAND DEVELOPMENT REGULATIONS
# CHAPTER 53
# BUILDING AND CONSTRUCTION CODES

## ARTICLE 1. IN GENERAL

**Section 53-1. Evidence of Contractor Competency**.

Prior to the issuance of any building permit, each person, firm or corporation engaged in the building business or trades must first produce proof, to the governing authority, of evidence of competency in the particular trade for which a permit is being sought and in the following manner:

A. Either by exhibition of evidence that such contractor or subcontractor is state-certified or state-registered, pursuant to Chapter 489, Florida Statutes, and that such certification is current and in effect; or

B. By exhibition of a competency card, issued by the governing authority and that certification or registration is current and in effect.

**Section 53- *2*. Revocation of Permit or Approval of Competency**.

The governing authority shall be empowered to revoke any permit issued and/or competency approval made upon a determination by the governing authority that such construction, erection, alteration or repair for which the permit was issued is not in conformity with the applicable code. [Ordinance No. 84-5, & 1, 8-8-84]

**Section 53-3. Unlawful Acts by Applicants or Approved Contractors**.

It shall be unlawful for any person, firm or corporation, who makes application to the governing authority for approval of-competency to commit the following acts:

A. To obtain approval by fraud or misrepresentation.

B. To suffer a conviction, or finding of guilt of a crime in any jurisdiction that directly relates to the practice of contracting.

C. To willfully or deliberately disregard and violate the applicable building codes adopted or enacted by the city.

D. To aid or abet an uncertified or unregistered person to evade any provisions of this chapter. (Ordinance No. 84-5, & 2, 8-8-84)

**Section 53-4. Failure to Obtain Permit**.

A. If any person fails to obtain any permit required by law, such person shall be assessed twice the permit fee.

B. Failure to comply within twenty-four (24) hours of receipt of oral or written notice of noncompliance, the code compliance officer may, stop all work until proper permits are obtained.

**Section 53- 5. Violations and Penalties**.

Any person, firm, corporation or agent who shall violate a provision of this code, or fails to comply with any of the requirements or who shall erect, construct, alter, demolish or move any structure in violation of a detailed statement or drawing submitted and approved shall be guilty of a misdemeanor of the second degree. Each such person shall

be deemed guilty of a separate offense for any violation of any of the provisions of this code, and upon conviction of any such violation such person shall be punished within the limits and as provided by state law. (Ordinance No. 84-5, & 2, 8-8-84; Ordinance No. 86-4, & 1, 3-4-86)

**Section 53- 6. Code Compliance Officer; Enforcement; Inspection**.

A. The provisions of this chapter shall be enforced by the code compliance officer unless otherwise provided herein.

B. The City Manager and code compliance officer shall keep, or cause to be kept, a record of the business of the department. The records of the department shall be open to public inspection.

C. Powers and duties of code compliance officer:

(1) The code compliance officer, fire official, city engineer, city manager, or any authorized representative, may enter any building, structure or premises at all reasonable times to make an inspection or enforce any of the provisions of this code.

When entering a building, structure or premises that is occupied, the code compliance officer shall first identify himself, present proper credentials and request entry. If the building, structure or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other person having charge of the building and request entry.

If entry is refused, the code compliance officer, or his authorized representative, shall have recourse to every remedy provided by law to secure entry.

No person, owner or occupant of any building or premises shall, after proper credentials are displayed, prevent entry into any building or onto any property by the authorized party–for the purpose of inspection pursuant to this section. Any person violating this section shall be prosecuted within the limits of the law as established by the proper governing authority.

(2) The code compliance officer is hereby authorized to make such inspection and to take such actions as may be required to enforce the provisions of this code.

D. Any municipal officer or employee, or member of the B.A.C.E., charged with the enforcement of this code, acting for the applicable governing body in the discharge of his duties, shall not be liable for any damage that accrues to persons or property as a result of any act required or permitted in the discharge of his duties.

## ARTICLE 2. BUILDING CONSTRUCTION STANDARDS

**Section 53- 7. Adoption of Standard Building Code**.

There is hereby adopted by reference the Building Construction Standards as per F.S. 553.

## ARTICLE 3. HOUSING CODE

**Section 53- 8. Adoption of Standard Housing Code**.

There is hereby adopted by reference the 1991 edition of the Standard Housing Code, as presently constituted or hereinafter amended. (Ordinance 94-03)

## ARTICLE 4. FIRE PROTECTION AND CONTROL

**Section 53- 9. Adoption of Standard Fire Prevention Code**.

There is hereby adopted by reference the Fire Prevention and Control standards as per F.S. 633.

**Section 53- 10. Permit Fee**.

All permit fees required under this code shall be as established in the schedule adopted and from time to time revised by ordinance of the city council, which is kept on file in the office of the city clerk. Such permit fees as may be established under this chapter shall be incorporated into the schedule of fees listed in Chapter 65, Article 15.

## ARTICLE 5. UNSAFE BUILDINGS

**Section 53- 11. Unsafe Building Code; Applicability**.

A. The provisions included within this article shall be known and may be cited as the "Unsafe Building Code."

B. The provisions of this code shall apply to all unsafe buildings or structures, as herein defined, and shall apply equally to new and existing conditions.

C. Alterations, repairs or rehabilitation work may be made to any existing building without requiring the building to comply with all the requirements of the Florida Building Code provided that the alteration, repair or rehabilitative work conforms to the requirements of the Florida Building Code for new construction. The code compliance officer shall determine, subject to appeal to the B.A.C.E., the extent, if any, to which the existing building shall be made to conform to the requirements of the Florida Building Code for new construction.

D. Alterations, repairs or rehabilitative work shall not cause an existing building to become unsafe as defined herein.

E. If the occupancy classification of a building is changed, the building shall be made to conform to the intent of the Florida Building Code for the new occupancy classification as established by the code compliance officer or the City Manager. Repairs and alterations not covered by the preceding paragraphs of this section, restoring a building to its condition previous to damage or deterioration, or altering it in conformity with the provisions of this code or in such manner as will not extend or increase an existing nonconformity or hazard, may be with the same kind of materials as those of which the building is constructed; but not more than twenty-five percent (25%) of the roof covering of a building shall be replaced in any period of twelve (12) months unless the entire roof covering is made to conform with the requirements of the Florida Building Code for new buildings.

F. The provisions of this code relating to the construction alteration, repair, enlargement, restoration, relocation or moving of a building or structure shall not be mandatory for existing buildings or structures identified or classified by the state or local jurisdiction as historic buildings when such buildings or structures are judged by the building inspector to be safe and in the public interest of health, safety and welfare regarding any proposed construction, alteration, repair, enlargement, restoration, relocation or moving of buildings within fire districts. The applicant must submit complete architectural or engineering plans and specifications bearing the seal of a Florida registered professional engineer or architect.

G. All buildings or structures, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by the Florida Building Code in a building when erected, altered or repaired shall be maintained in a good working order. The owner, or his designated agent, shall be responsible for the maintenance of the buildings and structures. (Ordinance No. 86-4, & 2, 3-4-86)

**Section 53-12. Definitions**.

**Governing Authority** shall mean a city, county, state, state agency or other political government, subdivision or entity authorized to administer and enforce the provisions of this code, as adopted or amended.

**Unsafe Building** shall mean any building or structure that has any of the following conditions, such that the life, health, property or safety of the general public or its occupants are endangered:

A. Whenever any means of egress or portion thereof is not of adequate size or is not arranged to provide a safe path of travel in case of emergency.

B. Whenever any means of egress or portion thereof, such as but not limited to fire doors, closing devices, fire-resistance ratings, in disrepair or in a dilapidated or non-working condition such that the means of egress could be rendered unsafe in case of emergency.

C. Whenever the stress in any material, member or portion thereof, due to all imposed loads including dead load exceeds the working stresses allowed in the Florida Building Code for new buildings.

D. Whenever a building, structure or portion thereof has been damaged by fire, flood, earthquake, wind or other cause to the extent that the structural integrity of the buildings or structures is less-than it was prior to the damage and is less than the minimum requirement established by the Florida Building Code.

E. Whenever any exterior appendage or portion of a building or structure is not securely fastened, attached or anchored such that it is capable of resisting wind, seismic or similar loads as required by the Florida Building Code for new buildings.

F. Whenever for any reason a building, structure or portion thereof is manifestly unsafe or unsanitary for the purpose for which it is being used.

G. Whenever any building, structure or portion thereof as a result of decay, deterioration or dilapidation is likely to fully or partially collapse.

H. Whenever any building, structure or portion thereof has been constructed or maintained in violation of a specific requirement of the Florida Building Code or a city, county or state law.

**Section 53-13. Inspection; Notice of Noncompliance**.

A. The code compliance officer or other designated official shall inspect or cause to be inspected any building, structure or portion thereof which is or may be unsafe, upon the official's own decision, or after complaint is formally made.

B. After the code compliance officer or other designated official has inspected or caused to be inspected a building, structure or portion thereof and has determined that such building, structure or portion thereof is unsafe, he shall initiate proceedings to cause the abatement of the unsafe condition by repair, vacation or demolition or combination thereof, and submit the same to the city manager for review.

C. The code compliance officer or other designated official shall prepare and issue a notice of unsafe building directed to the owner of record to the building or structure. The notice-shall contain, but not be limited to, the following information:

(1) The street address or the legal description of the building, structure or premise.

(2) A statement indicating the building or structure has been declared unsafe by the code compliance

officer or other designated official, and a detailed report documenting the conditions determined to have rendered the building or structure unsafe under the provisions of this code.

(3) The action required to be taken, as determined by the code compliance officer or designated official.

(a) If the building or structure is to be repaired, the notice shall require that all necessary permits be secured and the work commenced within sixty (60) days and continued to completion within such time as the code compliance officer determines. The notice shall also indicate the degree to which the repairs must comply with the provisions of the Florida Building Code or other code, in accordance with applicable sections of this code.

(b) If the building or structure is to be vacated, the notice shall indicate the time in which vacation is to be completed.

(c) If the building or structure is to be demolished, the notice shall require that the premises be vacated and demolition completed within a time specified by the code compliance officer or designated official.

(4) A statement advising that, if the required action is not commenced within or not completed by the time specified, the building will be ordered vacated and posted to prevent further occupancy until the work is completed and the code compliance officer or designated official may cause the work to be done and all costs incurred charged against the property or the owner of record.

(5) A statement advising that any person having any legal interest in the property may appeal the notice by the building inspector to the B.A.C.E.; and that appeal shall be in writing as specified in Chapter 52, Article 10 and shall be filed with the city manager within thirty (30) days from the date of the notice and that failure to appeal in the time specified will constitute a waiver of all rights to an administrative hearing.

(a) The notice and all attachments thereof shall be served upon the owner of record and posted on the property in a conspicuous location. A copy of the notice and all attachments thereto shall also be served on any person determined from official public records to have a legal interest in the property. Failure of the code compliance officer or designated official to serve any person herein required to be served other than the owner of record shall not invalidate any proceedings hereunder nor shall it relieve any other person served from any obligation imposed on him.

(b) The notice shall be served either personally or by certified mail, postage prepaid, return receipt requested, to each person to the address as it appears on the official public records. If addresses are not available for any person required to be served the notice, the notice addressed to such person shall be mailed to the address of the building or structure involved in the proceedings. The failure of any person other than the owner of record to receive notice shall not invalidate any proceedings under this section. Service by certified or registered mail as herein described shall be effective on the date the notice was received as indicated on the return receipt.

(c) Proof of personal service of the notice shall be by written declaration indicating the date, time and manner in which service was made and signed by the person making service by endorsement on the city copy of the notice.

(d) If the notice is not completed nor an appeal filed within the allotted time, the code compliance officer or designated official shall file, in the municipal office, a certificate describing the property and certifying that the building or structure is unsafe and the owner of record has been served. The certificate shall remain on file until such time as

the conditions rendering the building or structure unsafe have been abated. At such time, the designated official shall file a new certificate indicating that corrective action has been taken and the building or structure is not any longer unsafe from that condition.

(e) Every notice to vacate, in addition to complying with the appropriate section, shall be posted at each exit and entrance to the building or structure and shall state: **THIS BUILDING IS UNSAFE AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE CITY OF BUSHNELL**. Such notice shall remain posted until the required repairs are made or demolition is completed. It shall be unlawful for any person, firm or corporation or their agents to remove such notice without written permission of the City Manager, or for any person to enter the building except for the purpose of making the required repairs or of demolishing same. (Ordinance No. 86-4, & 2, 3-4-86)

**Section 53-14. Abatement Procedure**.

A. Any person who, after the order of the building inspector or the decision of the B.A.C.E. becomes final, fails or refuses to respond to the direction of such order shall be prosecuted to the extent provided by law.

(1) Whenever the required repair, vacation or demolition is not commenced within thirty (30) days after the effective date of any order, the building, structure or premises shall be posted as follows:

**UNSAFE BUILDING**
**DO NOT OCCUPY**

It shall be punishable by law to occupy this building or remove or deface this notice.

**City of Bushnell, Florida**

_____

By: Code Compliance Officer

(2) Prior to posting the building, the code compliance officer or designated official may require the building to be repaired or, if the notice required demolition, to require the building to be demolished and remove debris from the premises. The cost of repair or demolition shall constitute a lien on the property and shall be collected in a manner provided by law.

(3) All moneys received from the sale of a building or from the demolition over and above the cost incurred, shall be paid to the owner of record or other persons lawfully entitled thereto.

B. The City Manager or code compliance officer may approve one or more extensions of time as deemed to be reasonable to complete the required repair or demolition. Such requests for extensions shall be made in writing stating the reasons. If the extensions of time, in total, exceed one hundred twenty (120) days, they must also be approved by the City Council, which may act without further public hearing.

C. No person shall obstruct or interfere with the implementation of any action required by the final notice of the code compliance officer. Any person found interfering or obstructing such actions shall be prosecuted to the extent provided for by law.

D. The repair or demolition of an unsafe building as required in the notice by the code compliance officer or designated official shall be performed in an expeditious and workmanlike manner in accordance with the requirements of this code and all other applicable codes.

E. Whenever a building or structure is repaired or demolished in accordance with the provisions of this code and the cost of such repair or demolition is borne by the city, procedures for the budgeting, expenditure and recovery of such funds shall be established. (Ordinance No. 86-4, & 2, 3-4-86)

# PART III
# CITY OF BUSHNELL CODE OF ORDINANCES
# LAND DEVELOPMENT REGULATIONS
# CHAPTER 54
# CROSS-CONNECTION CONTROL, PURPOSE, RESPONSIBILITY, DEFINITIONS, REQUIREMENTS; AND, PROVIDING FOR BACKFLOW PREVENTERS

## ARTICLE 1. CROSS CONNECTION CONTROL

**Section 54-1. Purpose**.

The purpose of this Article is:

A. To protect the public water system against actual or potential cross-connections, backflow and back-siphonage by isolating within the premise or private property contamination or pollution that has occurred or may occur because of some unauthorized cross-connection.

B. To protect the water supply system within the premise or private property against actual or potential cross-connections, backflow and back-siphonage by requiring such air gaps, backflow preventers, or special devices as required by this Chapter, or other applicable regulations.

C. To eliminate cross-connections, backflow and back-siphonage on any other source which may jeopardize the safety of the water supply or which may endanger the health and welfare of the general public.

D. To establish a cross-connection, backflow and back-siphonage control program.

**Section 54-2. Authority**. (The authority for this ordinance stems from F.A.C. 17-555.360 DER, as presently enacted or hereby amended.)

The Director of Utilities or his designee shall protect the public potable water distribution system from contamination or pollution due to the backflow or back-siphonage of potential contaminants or pollutants through the water service connection. If, in the judgment of said Director of Utilities, or his designee, an approved backflow prevention device is required at the city's water service connection to any customer's premises for the safety of the water system, the Director of Utilities or his designee, shall give notice in writing to said customer to install an approved backflow prevention device at each service connection to the premises. The customer shall immediately install such approved device or devices at his own expense; and, failure, refusal or inability on the part of the customer to install said device or devices immediately shall constitute a ground for discontinuing water service to the premises until such device or devices, have been properly installed. The owner may request that the City install said device with the owner responsible for all cost of installation and maintenance.

**Section 54-3. Definitions.**

**Air-Gap**: The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture or other device and the flood level rim of said vessel. An approved air-gap shall be at least double the diameter of the supply pipe, measured vertically, above the top of the rim of the vessel; and, in no case less than one (1) inch.

**Approved**: Accepted by the Director of Utilities or his designee as meeting an applicable specification stated or cited in this Chapter, or as suitable for the proposed use.

**Auxiliary Water Supply**: Any water supply on or available to the premises other than the City of Bushnell's approved public potable water supply.

**Backflow**: The flow of water or other liquids, mixtures or substances under pressure into the distributing pipes of a potable water supply system from any source or sources other than its intended source.

**Backflow Preventer**: A device or means designed to prevent backflow or back-siphonage.

**Back-siphonage**: The flow of water or other liquids, mixtures or substances into the distributing pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of pressure in the potable water supply system.

**Contamination**: Means an impairment of the quality of the potable water by sewage, industrial fluids or waste liquids, compounds or other materials to a degree that creates an actual hazard to the public health through poisoning or through the spread of disease.

**Cross-Connection**: Any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems, one of which contains potable water and the other non-potable water or industrial fluids of questionable safety, through which or because of which, backflow or back-siphonage may occur into the potable water system.

**Cross-Connections - Controlled**: A connection between a potable water system and a non-potable water system with an approved backflow prevention device properly installed that will continuously afford protection commensurate with the degree of hazard.

**Director of Utilities**: The Director of Utilities or his designee in charge of the Water Department of the City of Bushnell is invested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this Chapter.

**Double Check Valve Assembly**: An assembly of two (2) independently operating approved check valves with tightly closing shut-off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve.

**Fluids System**: Any system containing a fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health hazard if introduced into an approved water supply. This may include, but not be limited to: polluted or contaminated waters; all types of process waters and "used waters" originating from the public potable water system which may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalis, circulated cooling waters connected to an open cooling tower and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, lake, quarry sinkhole, irrigation canals or systems, etc.; oils, gases, glycerin, acetone, paraffin, caustic and acid solutions and other liquids and gaseous fluids used in industrial or other purposes or for fire-fighting purposes.

**Hazard, Degree Of**: The term is derived from an evaluation of the potential risk to public health and the adverse affect of the hazard upon the potable water system, as determined by the Director of Utilities or his designee.

**Pollution**: Means the presence of any foreign substance (organic, inorganic or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.

**Reduced Pressure Principle Device**: An assembly of two (2) independently operating approved check valves with an automatically operating differential relief valve between the two (2) check valves, tightly closing shut-off valves on either side of the check valves, plus properly located test cocks for the testing of the check and relief valves. The device shall operate to maintain the pressure in the zone between the two check valves at a level less than the pressure on the public water supply side of the device.

**Water-Potable**: Any water that, according to recognized standards, is safe for human consumption.

**Water-Non Potable**: Water that is not safe for human consumption by recognized standards or which is of questionable quality.

**Water Purveyor**: The term water purveyor shall mean the owner or operator of the public potable water system supplying an approved water supply to the public. As used herein, the terms water purveyor and the City of Bushnell Water Department may be used synonymously.

**Water-Service Connections**: The terminal end of a service connection from the public potable water system; i.e. where the Water Purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the customer's water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter. Service connection shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

**Water-Used**: Any water supplied by a Water Purveyor from a public potable water system to a consumer's water system after it has passed through the point of delivery and is no longer under the sanitary control of the Water Purveyor.

**Section 54-4. System Components**.

**Customer's System**: Shall include those parts of the facilities beyond the termination of the utility distribution system that are utilized in conveying utility-delivered domestic water to points of use.

**Distribution System**: The distribution system shall include the network of conduits used for the delivery of water from the source to the customer's system.

**Source**: The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of the water to the distribution system.

**Utility System**: The Utility System shall consist of the source facilities and the distribution system; and, shall include all those facilities of the Water System under the complete control of the utility, up to the point where the Customer's System begins.

**Water System**: The water system shall be considered as made up of two parts: The Utility System and the Customer System.

**Section 54-5. Policy**.

A. No water service connection to any premises shall be installed or maintained by the Water Purveyor unless the water supply is protected as required by state regulations and this Chapter. Service of water to any premises shall be discontinued by the Water Purveyor if a backflow prevention device required by this Chapter is not installed, tested and maintained, or if it is found that a backflow prevention device has been removed, by-passed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

B. The customer's system shall be open for inspection at all reasonable times to authorized representatives of the City of Bushnell to determine whether cross-connections or other structural or sanitary hazards, including violations of these regulations, exist. Water service may be discontinued after reasonable notice to the consumer if a violation of this Chapter exists on the premises. Water service shall not be restored until the danger has been eliminated in compliance with the provisions of this Chapter.

C. In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not approved as an additional source as determined by the Director of

Utilities or his designee, the public water system shall be protected against backflow from the premises by a physical break.

D. An approved backflow prevention device shall also be installed on each service line to a customer's water system at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line wherever the following conditions exist:

(1) In the case of premises on which any industrial fluids or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installing a backflow prevention device in the service line appropriate to the degree of hazard. This shall include the handling of process waters and waters originating from the utility system which have been subject to deterioration in quality.

(2) In the case of premises having one (1) internal cross-connection that cannot be permanently corrected and controlled, or two (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line.

E. The type of protective device required under Section 54-5. D. (1) and (2) shall depend upon the degree of hazard which exists as follows:

(1) In the case of any premises where there are any fluid systems or materials dangerous to health which are handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure backflow prevention device. Examples of premises where these conditions will exist include, but shall not be limited to, sewage treatment plants, sewage pumping stations, chemical reprocessing or manufacturing plants, hospitals, mortuaries, and plating plants.

(2) In the case of any premises where there are "uncontrolled" cross-connections, either actual or potential, the public water system shall be protected by an approved air-gap separation or an approved backflow prevention device as determined by the Director of Utilities or his designee after a determination of a degree of hazard and shall be installed at the service connection.

(3) In the case of any premises where, because of security requirements or other prohibitions or restrictions it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected against backflow or back-siphonage from the premises by the installation of a backflow prevention device in the service line. In this case, maximum protection will be required; that is, an approved air-gap separation or an approved reduced pressure back-flow prevention device shall be installed in each service to the premises.

F. Any backflow prevention device required herein shall be of a model and size approved by the Director of Utilities or his designee. The term "Approved Backflow Prevention Device" shall mean a device that has been manufactured in full conformance with the standards established by the American Water Works Association entitled:

| | |
|---|---|
| AWWA C506-69 | Standards For Reduced Pressure Principle And Double Check Valve Backflow Prevention Devices |

as well as the standards set forth by the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California established by:

Specifications of Backflow Devices - #69-2 dated March 1969 or the most current issue.

G. It shall be the duty of the customer-user at any premise where backflow prevention devices are installed to have certified inspections and operational tests made at least once per year. These inspections and tests shall be at the expense of the water user, and shall be performed by tester certified by the State of Florida. It shall be the duty of the Director of Utilities or his designee, to require that these tests be made. These devices shall be repaired, over-hauled or replaced at the expense of the customer-user whenever said devices are found to be defective. Records of such tests, repairs and overhaul shall maintained by the City.

H. All presently installed backflow prevention devices which do not meet the requirements of this section but were approved devices for the purposes described herein at the time of installation and which have been properly maintained shall, except for the inspection and maintenance requirements under sub-section (F), be excluded from the requirements of these rules so long as the Director of Utilities is assured that they will satisfactorily protect the utility system. Whenever the existing device is moved from the present location or requires more than minimum maintenance or when the Director of Utilities or his designee finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a backflow prevention device meeting the requirements of this section.

I. Nothing herein shall relieve the consumer of the responsibility for conducting, or causing to be conducted, periodic surveys of water use practices on his premises to determine where there are actual or potential cross connections in the consumer's water system through which contaminants or pollutants could flow back into a public water system or potable consumer's water system and inform the Director of Utilities of the same.

J. Backflow preventers as specified by the city shall be required on the following types of facilities:

(1) New Construction: All containing or having on premise, fluid systems or having or storing gaseous liquid or solid materials which can be considered pollutants or contaminants which at the discretion and judgment of the Director of Utilities or his designee, have the capability or potential to find their way into the public water supply system due to back flow or back siphonage.

(2) Backflow preventers may be required by the Director of Utilities or his designee, for facilities if deemed necessary to protect the water system from possible contamination.

**Section 54-6. Appeals**.

An appeal of a decision by the Director of Utilities or any employee shall be heard by the Bushnell Board of Adjustment and Code Enforcement as established by Chapter 52, Article 10 of this code, if a notice of appeal is filed within ten (10) days of any written order issued by the Director of Utilities.

# PART III
# CITY OF BUSHNELL CODE OF ORDINANCES
# LAND DEVELOPMENT REGULATIONS
# CHAPTER 55
# ENVIRONMENTALLY SENSITIVE LANDS 1/ AND WELLFIELD PROTECTION

In Bushnell, no environmentally sensitive lands have yet been identified. Areas of current potential concern and areas of future potential concern that may come under the jurisdiction of the city due to annexation that may require current and future protection from development activities are as follows:

A. City well fields. (Current)

B. Wildlife habitat of threatened or endangered species. (Future)

C. Prime aquifer recharge areas. (Future)

The Land Development Regulations that follow are intended to implement the Bushnell Comprehensive Plan and protect the above list of current and future potentially environmentally sensitive lands.

## ARTICLE 1. SPECIFIC AND CUMULATIVE IMPACT PROTECTION

**Section 55-1. Development**.

Any development contiguous to a well field, a prime aquifer recharge area, the wildlife habitat of threatened or endangered species, shall provide an assessment of the potential environmental impacts of the development upon those ecosystems, except as provided in Section 55-2 which follows.

**Section 55-2. Exemption**.

Single-family development on tracts of record prior to February 1992 are exempt from this requirement.

**Section 55-3. Environmental Impact Assessment**.

An environmental impact assessment shall meet the following minimum standards.

A. It shall be prepared by an individual or a firm qualified in the environmental sciences and unrelated to the applicant.

B. It shall document pre-development conditions of the ecosystems described in Section 55.1. It shall describe the cumulative effects of the various development phases (including surrounding development) upon environmental quality. It shall describe those actions to be taken to protect or improve environmental quality.

1/ (Plan Basis: Chapter 4, Objectives 1.2, 2.1 and 3.4; Chapter 7, Objectives 1 and 7)

## ARTICLE 2. WELLFIELD PROTECTION 2/

**Section 55-4. The Northern Well field**.

Any and all development within 200 feet of the northern well field will be prohibited.

**Section 55-5. The Southern Well field**.

No land uses that involve hazardous, restricted or dangerous chemicals will be permitted within 580 feet of the south (Seminole and C.R. 559) well field.

2/ (Plan Basis Chapter 3, Objective 1.1, Policy 1.1a)

## ARTICLE 3. PRIME RECHARGE AREAS

A. All prime recharge areas identified by the Southwest Florida Water Management District will be limited to a maximum density of four septic tanks per acre or less.

B. For densities to be allowed in excess of four dwelling units per acre (or equivalent residential units) in prime recharge areas, private package treatment plants are required.

C. No land uses that have the potential for contaminating the aquifer will be permitted in prime recharge areas.

## ARTICLE 4. WILDLIFE ASSESSMENT 3/

**Section 55-6. Review Process**.

All new subdivisions in excess of five (5) acres in size, and master plan developments, shall comply with all Florida wildlife laws, rules and regulations.

3/ (Plan Basis Chapter 4, Conservation Element, Goal 6, Objective 6.1, Policy 6.1.a., Policy 6.1.b., Policy 6.1.c., Objective 6.2, and Policy 6.2.0

**PART III**
**CITY OF BUSHNELL CODE OF ORDINANCES**
**LAND DEVELOPMENT REGULATIONS**
**CHAPTER 56**
**FLOOD DAMAGE PREVENTION**

## CHAPTER 1 ADMINISTRATION

### SECTION 101 GENERAL

**101.1 Title**. These regulations shall be known as the Floodplain Management Ordinance of City of Bushnell's City Council, hereinafter referred to as "this ordinance."

**101.2 Scope**. The provisions of this ordinance shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the Florida Building Code; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

**101.3 Intent**. The purposes of this ordinance and the flood load and flood resistant construction requirements of the Florida Building Code are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

1. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
2. Require the use of appropriate construction practices in order to prevent or minimize future flood damage;
3. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
4. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
5. Minimize damage to public and private facilities and utilities;
6. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
7. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
8. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

**101.4 Coordination with the Florida Building Code**. This ordinance is intended to be administered and enforced in conjunction with the Florida Building Code. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the Florida Building Code.

**101.5 Warning**. The degree of flood protection required by this ordinance and the Florida Building Code, as amended by this community, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of

Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this ordinance.

**101.6 Disclaimer of Liability**. This ordinance shall not create liability on the part of the City Council of the City of Bushnell or by any officer or employee thereof for any flood damage that results from reliance on this ordinance or any administrative decision lawfully made thereunder.

## SECTION 102 APPLICABILITY

**102.1 General**. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**102.2 Areas to which this ordinance applies**. This ordinance shall apply to all flood hazard areas within the City of Bushnell, as established in Section 102.3 of this ordinance.

**102.3 Flood hazard areas**. The Flood Insurance Study for Sumter County, Florida and Incorporated Areas dated September 27, 2013 and all subsequent amendments and revisions to such maps are adopted by reference as a part of this ordinance and shall serve as the minimum basis

for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the City of Bushnell, City Hall, 117 Joe P. Strickland, Jr. Avenue, Bushnell, Florida 33513.

**102.3.1 Submission of additional data to establish flood hazard areas**. To establish flood hazard areas and base flood elevations, pursuant to Section 105 of this ordinance the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

1. Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this ordinance and, as applicable, the requirements of the Florida Building Code.

2. Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

**102.4 Other laws**. The provisions of this ordinance shall not be deemed to nullify any provisions of local, state or federal law.

**102.5 Abrogation and greater restrictions**. This ordinance supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including but not limited to land development regulations, zoning ordinances, ~~or~~ storm water management regulations, or the Florida Building Code. In the event of a conflict between this ordinance and any other ordinance, the more restrictive shall govern. This ordinance shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this ordinance.

**102.6 Interpretation.** In the interpretation and application of this ordinance, all provisions shall be:

1. Considered as minimum requirements;

2. Liberally construed in favor of the governing body; and

3. Deemed neither to limit nor repeal any other powers granted under state statutes.

## SECTION 103 DUTIES AND POWERS OF THE FLOODPLAIN ADMINSTRATOR

**103.1 Designation**. The Building and Zoning Department is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.

**103.2 General**. The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this ordinance. The Floodplain Administrator shall have the authority to render interpretations of this ordinance consistent with the intent and purpose of this ordinance and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this ordinance without the granting of a variance pursuant to Section 107 of this ordinance.

**103.3 Applications and permits**. The Floodplain Administrator, in coordination with other pertinent offices of the community, shall:

1. Review applications and plans to determine whether proposed new development will be located in flood hazard areas;

2. Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this ordinance;

3. Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;

4. Provide available flood elevation and flood hazard information;

5. Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;

6. Review applications to determine whether proposed development will be reasonably safe from flooding;

7. Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code, when compliance with this ordinance is demonstrated, or disapprove the same in the event of noncompliance; and

8. Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this ordinance.

**103.4 Substantial improvement and substantial determinations.** For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

1. Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;

2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;

3. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and

4. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the Florida Building Code and this ordinance is required.

**103.5 Modifications of the strict application of the requirements of the Florida Building Code**. The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Section 107 of this ordinance.

**103.6 Notices and orders**. The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this ordinance.

**103.7 Inspections**. The Floodplain Administrator shall make the required inspections as specified in Section 106 of this ordinance for development that is not subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

**103.8 Other duties of the Floodplain Administrator**. The Floodplain Administrator shall have other duties, including but not limited to:

1. Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 103.4 of this ordinance;

2. Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);

3. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available;

4. Review required design certifications and documentation of elevations specified by this ordinance and the Florida Building Code and this ordinance to determine that such certifications and documentations are complete;

5. Notify the Federal Emergency Management Agency when the corporate boundaries of City of Bushnell, are modified; and

**103.9 Floodplain management records**. Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this ordinance and the flood resistant construction requirements of the Florida Building Code, including Flood Insurance Rate Maps; Letters of Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the Florida Building Code and this ordinance; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this ordinance and the flood resistant construction requirements of the Florida Building Code. These records shall be available for public inspection at Bushnell City Hall, 117 Joe P. Strickland, Jr. Avenue, Bushnell, Fl 33513.

## SECTION 104 PERMITS

**104.1 Permits required**. Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this ordinance and all other applicable codes and regulations has been satisfied.

**104.2 Floodplain development permits or approvals**. Floodplain development permits or approvals shall be issued pursuant to this ordinance for any development activities not subject to the requirements of the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

**104.2.1 Buildings, structures and facilities exempt from the Florida Building Code**. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the Florida Building Code and any further exemptions provided by law, which are subject to the requirements of this ordinance:

1. Railroads and ancillary facilities associated with the railroad.

2. Nonresidential farm buildings on farms, as provided in section 604.50, F.S.

3. Temporary buildings or sheds used exclusively for construction purposes.

4. Mobile or modular structures used as temporary offices.

5. Those structures or facilities of electric utilities, as defined in section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.

6. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.

7. Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.

8. Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

9. Structures identified in section 553.73(10)(k), F.S., are not exempt from the Florida Building Code if such structures are located in flood hazard areas established on Flood Insurance Rate Maps

**104.3 Application for a permit or approval**. To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the community. The information provided shall:

1. Identify and describe the development to be covered by the permit or approval.

2. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.

3. Indicate the use and occupancy for which the proposed development is intended.

4. Be accompanied by a site plan or construction documents as specified in Section 105 of this ordinance.

5. State the valuation of the proposed work.

6. Be signed by the applicant or the applicant's authorized agent.

7. Give such other data and information as required by the Floodplain Administrator.

**104.4 Validity of permit or approval**. The issuance of a floodplain development permit or approval pursuant to this ordinance shall not be construed to be a permit for, or approval of, any violation of this ordinance, the Florida Building Codes, or any other ordinance of this community. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

**104.5 Expiration**. A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

**104.6 Suspension or revocation**. The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this ordinance or any other ordinance, regulation or requirement of this community.

**104.7 Other permits required**. Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

1. The Southwest Florida Water Management District; section 373.036, F.S.

2. Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, F.S. and Chapter 64E-6, F.A.C.

3. Florida Department of Environmental Protection for construction, reconstruction, changes, or physical activities for shore protection or other activities seaward of the coastal construction control line; section 161.141, F.S.

4. Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; section 161.055, F.S.

5. Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.

6. Federal permits and approvals.

## SECTION 105 SITE PLANS AND CONSTRUCTION DOCUMENTS

**105.1 Information for development in flood hazard areas**. The site plan or construction documents for any development subject to the requirements of this ordinance shall be drawn to scale and shall include, as applicable to the proposed development:

1. Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.

2. Where base flood elevations, or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 105.2(2) or (3) of this ordinance.

3. Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 105.2(1).

4. Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas, new buildings shall be located landward of the reach of mean high tide.

5. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.

6. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this ordinance but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this ordinance.

**105.2 Information in flood hazard areas without base flood elevations (approximate Zone A).** Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:

1. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.

2. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.

3. Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:

a. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or

b. Specify that the base flood elevation is three (3) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than three (3) feet.

4. Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analysis shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

**105.3 Additional analyses and certifications**. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analysis signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

1. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 105.4 of this ordinance and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.

2. For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, a hydrologic and hydraulic analysis that demonstrates that the cumulative effect of the proposed development,

when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.

3. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Section 105.4 of this ordinance.

4. For activities that propose to alter sand dunes or mangrove stands in coastal high hazard areas (Zone V), an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage.

**105.4 Submission of additional data**. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

## SECTION 106 INSPECTIONS

**106.1 General**. Development for which a floodplain development permit or approval is required shall be subject to inspection.

**106.1.1 Development other than buildings and structures**. The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

**106.1.2 Buildings, structures and facilities exempt from the Florida Building Code.** The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the Florida Building Code to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

**106.1.2.1 Buildings, structures and facilities exempt from the Florida Building Code, lowest floor inspection.** Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the Florida Building Code, or the owner's authorized agent, shall submit to the Floodplain Administrator:

1. If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or

2. If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Section 105.2(3)(b) of this ordinance, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.

**106.1.2.2 Buildings, structures and facilities exempt from the Florida Building Code, final inspection**. As part of the final inspection, the owner or owner's authorized agent shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 106.1.2.1 of this ordinance.

**106.1.3 Manufactured homes**. The Building Official shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this ordinance and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Building Official.

## SECTION 107 VARIANCES AND APPEALS

**107.1 General**. The City of Bushnell's City Council shall hear and decide on requests for appeals and requests for variances from the strict application of this ordinance. Pursuant to section 553.73(5), F.S., the City of Bushnell's City Council shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the Florida Building Code.

**107.2 Appeals**. The City of Bushnell's City Council shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this ordinance. Any person aggrieved by the decision of City of Bushnell's City Council may appeal such decision to the Circuit Court, as provided by Florida Statutes.

**107.3 Limitations on authority to grant variances**. The City of Bushnell's City Council shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Section 107.6 of this ordinance, the conditions of issuance set forth in Section 107.7 of this ordinance, and the comments and recommendations of the Floodplain Administrator and the Building Official. The City of Bushnell's City Council has the right to attach such conditions as it deems necessary to further the purposes and objectives of this ordinance.

**107.3.1 Restrictions in floodways**. A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in Section 105.3 of this ordinance.

**107.4 Historic buildings**. A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Building, Chapter 11 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code.

**107.5 Functionally dependent uses**. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this ordinance, provided the variance meets the requirements of Section 107.3.1, is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

**107.6 Considerations for issuance of variances**. In reviewing requests for variances, the City of Bushnell's City Council shall consider all technical evaluations, all relevant factors, and all other applicable provisions of the Florida Building Code, this ordinance, and the following:

1. The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
4. The importance of the services provided by the proposed development to the community;

5. The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;

6. The compatibility of the proposed development with existing and anticipated development;

7. The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;

8. The safety of access to the property in times of flooding for ordinary and emergency vehicles;

9. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and

10. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

**107.7 Conditions for issuance of variances.** Variances shall be issued only upon:

1. Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this ordinance or the required elevation standards;

2. Determination by the City of Bushnell's City Council that:

a. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;

b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and

c. The variance is the minimum necessary, considering the flood hazard, to afford relief;

3. Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and

4. If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as $25 for $100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

## SECTION 108 VIOLATIONS

**108.1 Violations**. Any development that is not within the scope of the Florida Building Code but that is regulated by this ordinance that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this ordinance, shall be deemed a violation of this ordinance. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this ordinance or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

**108.2 Authority**. For development that is not within the scope of the Florida Building Code but that is regulated by this ordinance and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of

violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

**108.3 Unlawful continuance**. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

## CHAPTER 2 DEFINITIONS

### SECTION 201 GENERAL

**201.1 Scope**. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this ordinance, have the meanings shown in this section.

**201.2 Terms defined in the Florida Building Code**. Where terms are not defined in this ordinance and are defined in the Florida Building Code, such terms shall have the meanings ascribed to them in that code.

**201.3 Terms not defined**. Where terms are not defined in this ordinance or the Florida Building Code, such terms shall have ordinarily accepted meanings such as the context implies.

### SECTION 202 DEFINITIONS

**Alteration of a watercourse**. A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

**Appeal.** A request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance or a request for a variance.

**ASCE 24.** A standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

**Base flood**. A flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 1612.2.] The base flood is commonly referred to as the "100 year flood" or the "1-percent-annual chance flood."

**Base flood elevation**. The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B, Section 1612.2.]

**Basement**. The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 1612.2.]

**Design flood.** The flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

1. Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
2. Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

**Design flood elevation**. The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to 2 feet. [Also defined in FBC, B, Section 1612.2.]

**Development.** Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

**Encroachment.** The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

**Existing building and existing structure**. Any buildings and structures for which the "start of construction" commenced before June 25, 1976. [Also defined in FBC, B, Section 1612.2.]

**Existing manufactured home park or subdivision.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before June 25, 1976.

**Expansion to an existing manufactured home park or subdivision.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**Federal Emergency Management Agency (FEMA).** The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

**Flood or flooding.** A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 1612.2.]

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.

**Flood damage-resistant materials.** Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 1612.2.]

**Flood hazard area.** The greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

1. The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
2. The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

**Flood Insurance Rate Map (FIRM).** The official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B, Section 1612.2.]

**Flood Insurance Study (FIS).** The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 1612.2.]

**Floodplain Administrator.** The office or position designated and charged with the administration and enforcement of this ordinance (may be referred to as the Floodplain Manager).

**Floodplain development permit or approval.** An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this ordinance.

**Floodway.** The channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. [Also defined in FBC, B, Section 1612.2.]

**Floodway encroachment analysis.** An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.

**Florida Building Code.** The family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

**Functionally dependent use**. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long term storage or related manufacturing facilities.

**Highest adjacent grade.** The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

**Historic structure.** Any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 11 Historic Buildings.

**Letter of Map Change (LOMC).** An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

**Letter of Map Amendment (LOMA):** An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

**Letter of Map Revision (LOMR):** A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

**Letter of Map Revision Based on Fill (LOMR-F):** A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

**Conditional Letter of Map Revision (CLOMR):** A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

**Light-duty truck.** As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

1. Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
2. Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
3. Available with special features enabling off-street or off-highway operation and use.

**Lowest floor.** The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation

of the non-elevation requirements of the Florida Building Code or ASCE 24. [Also defined in FBC, B, Section 1612.2.]

**Manufactured home.** A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

**Manufactured home park or subdivision.** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**Market value.** The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

**New construction.** For the purposes of administration of this ordinance and the flood resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after June 25, 1976 and includes any subsequent improvements to such structures.

**New manufactured home park or subdivision.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after June 25, 1976.

**Park trailer.** A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in 15C-1.0101, F.A.C.]

**Recreational vehicle.** A vehicle, including a park trailer, which is: [Defined in section 320.01(b), F.S.)

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Special flood hazard area.** An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1 A30, AE, A99, AH, V1 V30, VE or V. [Also defined in FBC, B Section 1612.2.]

**Start of construction.** The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.

Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall,

ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 1612.2.]

**Substantial damage.** Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. [Also defined in FBC, B Section 1612.2.]

**Substantial improvement.** Any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 1612.2.]

1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

2. Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure and the alteration is approved by variance issued pursuant to Section 107 of this ordinance.

**Variance.** A grant of relief from the requirements of this ordinance, or the flood resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this ordinance or the Florida Building Code.

**Watercourse.** A river, creek, stream, channel or other topographic feature in, on, though, or over which water flows at least periodically.

## CHAPTER 3 FLOOD RESISTANT DEVELOPMENT

### SECTION 301 BUILDINGS AND STRUCTURES

**301.1** Design and construction of buildings, structures and facilities exempt from the Florida Building Code. Pursuant to Section 104.2.1 of this ordinance, buildings, structures, and facilities that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of Section 307 of this ordinance.

### SECTION 302 SUBDIVISIONS

**302.1 Minimum requirements**. Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;

2. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and

3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

**302.2 Subdivision plats**. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

1. Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats and final plats;

2. Where the subdivision has more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 105.2(1) of this ordinance; and

3. Compliance with the site improvement and utilities requirements of Section 303 of this ordinance.

## SECTION 303 SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS

**303.1 Minimum requirements**. All proposed new development shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;

2. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and

3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

**303.2 Sanitary sewage facilities**. All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

**303.3 Water supply facilities**. All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

**303.4 Limitations on sites in regulatory floodways**. No development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in Section 105.3(1) of this ordinance demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

**303.5 Limitations on placement of fill**. Subject to the limitations of this ordinance, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the Florida Building Code.

## SECTION 304 MANUFACTURED HOMES

**304.1 General**. All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this ordinance.

**304.2 Foundations**. All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that are designed in accordance with the foundation requirements of the Florida Building Code, Residential Section R322.2 and this ordinance.

**304.3 Anchoring**. All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

**304.4 Elevation**. Manufactured homes that are placed, replaced, or substantially improved shall comply with Section 304.4.1 or 304.4.2 of this ordinance, as applicable.

**304.4.1 General elevation requirement**. Unless subject to the requirements of Section 304.4.2 of this ordinance, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V).

**304.4.2 Elevation requirement for certain existing manufactured home parks and subdivisions.** Manufactured homes that are not subject to Section 304.4.1 of this ordinance, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:

1. Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A); or

2. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.

**304.5 Enclosures.** Enclosed areas below elevated manufactured homes shall comply with the requirements of the Florida Building Code, Residential Section R322 for such enclosed areas.

**304.6 Utility equipment.** Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential Section R322.

## SECTION 305 RECREATIONAL VEHICLES AND PARK TRAILERS

**305.1 Temporary placement**. Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

1. Be on the site for fewer than 180 consecutive days; or

2. Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

**305.2 Permanent placement.** Recreational vehicles and park trailers that do not meet the limitations in Section 305.1 of this ordinance for temporary placement shall meet the requirements of Section 304 of this ordinance for manufactured homes.

## SECTION 306 TANKS

**306.1 Underground tanks**. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

**306.2 Above-ground tanks, not elevated**. Above-ground tanks that do not meet the elevation requirements of Section 306.3 of this ordinance shall be permitted in flood hazard areas provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

**306.3 Above-ground tanks, elevated**. Above-ground tanks in flood hazard areas shall be attached to an elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral

movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

**306.4 Tank inlets and vents**. Tank inlets, fill openings, outlets and vents shall be:

1. At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and

2. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

**SECTION 307 OTHER DEVELOPMENT**

**307.1 General requirements for other development.** All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance or the Florida Building Code, shall:

1. Be located and constructed to minimize flood damage;

2. Meet the limitations of Section 303.4 of this ordinance if located in a regulated floodway;

3. Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;

4. Be constructed of flood damage-resistant materials; and

5. Have mechanical, plumbing, and electrical systems above the design flood elevation, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

**307.2 Fences in regulated floodways**. Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 303.4 of this ordinance.

**307.3 Retaining walls, sidewalks and driveways in regulated floodways**. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 303.4 of this ordinance.

**307.4 Roads and watercourse crossings in regulated floodways.** Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Section 303.4 of this ordinance. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of Section 105.3~~.3~~(3) of this ordinance.

**SECTION 3. AMENDMENT TO FLORIDA BUILDING CODE.**

The City of Bushnell adopts the following administrative amendments to the Florida Building Code.

**Sec. 107.6.1, Florida Building Code, Building**

**107.6.1 Building permits issued on the basis of an affidavit.** Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), the authority granted to the Building Official to issue permits, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to Section 105.14 and Section 107.6, shall not extend to the flood load and flood resistance construction requirements of the Florida Building Code.

**Sec. 117, Florida Building Code, Building**

## 117 VARIANCES IN FLOOD HAZARD AREAS

**117.1 Flood hazard areas.** Pursuant to section 553.73(5), F.S., the variance procedures adopted in the local floodplain management ordinance shall apply to requests submitted to the Building Official for variances to the provisions of Section 1612.4 of the Florida Building Code, Building or, as applicable, the provisions of R322 of the Florida Building Code, Residential. This section shall not apply to Section 3109 of the Florida Building Code, Building.

**SECTION 4. AMENDMENTS TO THE FLORIDA BUILDING CODE, RESIDENTIAL.**

The City of Bushnell adopts the following technical amendments to the Florida Building Code, Residential.

Sec 322.2.1, Florida Building Code, Residential.

R322.2.1 Elevation requirements.

1. Buildings and structures in flood hazard areas not designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus 1 foot or the design flood elevation, whichever is higher.
2. Buildings and structures in flood hazard areas designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus 1 foot (305mm), or to the design flood elevation, whichever is higher.
3. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated at least as high above the highest adjacent grade as the depth number specified in feet on the FIRM plus 1 foot, or at least 3 feet if a depth number is not specified.
4. Basement floors that are below grade on all sides shall be elevated to or above the base flood elevation plus 1 foot or the design flood elevation, whichever is higher.

**Exception:** Enclosed areas below the design flood elevation, including basements whose floors are not below grade on all sides, shall meet the requirements of Section R322.2.2

**SECTION 5. FISCAL IMPACT STATEMENT.**

In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

**SECTION 6. APPLICABILITY.**

For the purposes of jurisdictional applicability, this ordinance shall apply in City of Bushnell. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after June 4, 2013.

**SECTION 7. REPEALER.**

Any and all ordinances and regulations in conflict herewith are hereby repealed to the extent of any conflict. This ordinance specifically repeals and replaces Ordinance 87-09 and Chapter 56 of the Land Development Regulations.

**SECTION 8. INCLUSION INTO THE CODE OF ORDINANCES.**

It is the intent of the Bushnell City Council that the provisions of this ordinance shall become and be made a part of the City of Bushnell Code of Ordinances and Land Development Regulations, and that the sections of this ordinance

may be renumbered or relettered and the word “ordinance” may be changed to “section,” “article,” “regulation,” or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 9. SEVERABILITY.**

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

**SECTION10. EFFECTIVE DATE.**

This ordinance shall take effect on June 4, 2013.

# PART III
# CITY OF BUSHNELL CODE OF ORDINANCES
# LAND DEVELOPMENT REGULATIONS
# CHAPTER 57
# LEVEL OF SERVICE AND CONCURRENCY

The basis for this chapter is the Bushnell Comprehensive Plan, Chapter 11, Concurrency Management System. That chapter was prepared and adopted by the city voluntarily, as an optional plan element, Chapter 7, Future Land Use, also requires levels of service to be provided concurrent with development. 1/

## ARTICLE 1. LEVELS OF SERVICE

**Section 57-1. Roads.**

The minimum level of service for all roads in Bushnell is "C". (Plan Basis Chapter 5, Traffic Circulation)

**Section 57-2. Sanitary Sewer.**

The level of service standard for package treatment plants are those meeting current Department of Environmental Regulation standards, Chapter 17-19 Florida Administrative Code (F.A.C.) For septic tanks, the levels of service are those standards found in F.A.C. 10-D6 of HRS. (Plan Basis Chapter 3, Utilities)

**Section 57-3. Solid Waste.**

The minimum level of service for solid waste is "6.05 pounds per capita per day". (Plan Basis Chapter 3, Utilities)

**Section 57-4. Drainage.**

The City of Bushnell stormwater investigation study (1994 PEER) modeled the effects of various storm events on surface water basins in and around the City. The study established the 100 year flood elevations currently used in the site plan approval process. The following standards are the minimum level of service standards for stormwater runoff.

A. Water Quantity. Peak post-development run-off shall not exceed peak pre-development run-off rates.

B. Water Quality. Treatment of stormwater run-off shall be required for all development, redevelopment, and when expansion occurs within existing developed areas. The stormwater treatment system or systems can be project specific, serve sub-areas with the city or be a system to serve the entire city. Regardless of the area served and in accordance with Chapter 17-25, F.A.C., the stormwater treatment systems must provide a level of treatment for the run-off from the first one (1) inch of rainfall for projects of one hundred (100) acres or more, or as an option for projects with drainage basins less than one hundred (100) acres, the first one-half (1/2) inch of run-off in order to meet the standards of Chapter 17-302, Section 17-302.500, F.A.C. Stormwater discharge facilities shall be designed so as to not lower receiving water quality or degrade the receiving water body below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 17-302, F.A.C. It is intended that all standards in these citations are to apply to all development and redevelopment and that any exemptions or exceptions in these citations, including project size thresholds, are not applicable.

**Section 57-5. Potable Water.**

The minimum level of service standards for the potable water system are: (Plan Basis Chapter 3, Utilities)

| | |
|---|---|
| Design flow: | 147 gpp/d |
| Storage capacity: | 73.5 gpp/d |
| Pressure: | 47 static |

1/ Plan Basis, Chapter 7, Future Land Use, Obj. 1, Policy 1. (a) and (b); and, Obj. 5.

**Section 57-6. Recreation.**

The minimum levels of service for recreation are: (Plan Basis Chapter 2, Recreation And Open Space)

A. Neighborhood Parks: 2 Acres of Public Park per 1,000 Persons.

B. Vest Pocket Park: 1/2 - 1 Acre per 1,000 Persons.

C. Open Space: 10 Acres Of Open Space per 1,000 Persons.

## ARTICLE 2. CONCURRENCY.

**Section 57-7. Construction or Binding Agreement.**

Facilities and services necessary to meet the level of service standards adopted by the City of Bushnell shall be in place at the time a building permit is issued; or,

A. The necessary facilities are under construction at the time a permit is issued or the services are already available; or,

B. For Parks, recreation or roadway facilities, the necessary facilities and services are the subject of a binding executed contract for the actual construction of the facilities or the provision of services within one year of the issuance of a development permit; or,

C. For potable water, sanitary sewer, solid waste and drainage facilities, the necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable agreement shall include a development agreement pursuant to Section 163.3220, Florida Statutes. It shall incorporate the provision of Rules 9J-5.0055 (2)(a) 1-3 F.A.C., or an agreement or development order issued pursuant to Chapter 380, Florida Statutes. Additionally, such an agreement must guarantee that the necessary facilities and services will be in place when the impacts of development occur.

**Section 57-8. Guidelines for Interpreting and Applying Level of Service Standards.**

A. For all development, including but not limited to, residential subdivisions, commercial development, industrial development, mobile home parks, multi-family developments, master planned developments and developments of regional impact (D.R.I.s), all level of service standards and the concurrency requirements shall apply. With each application for development approval, the applicant shall document how the level of service standards and concurrency requirements will be met.

B. Any proposed land use which would utilize more than five percent (5%) of the surplus capacity* of any road will be required to negotiate a development agreement pursuant to Section 57-7 at the discretion of City Council. (The five percent (5%) figure is the threshold amount which, when equaled or exceeded, is defined as having a "significant" impact.)

C. No development will be approved and no permits of any kind will be issued for any proposed development which reduces levels of service below accepted levels, or which fails to provide the requisite level of service. To implement this policy, the code compliance officer or designated official shall determine, at the initial stage of the application review process, whether or not any threshold level will be met or exceeded, and whether or not the concurrency requirements as set forth in this plan have been met.

D. All development orders and permits approved prior to the actual authorization for the commencement of construction or physical activity on the land will be conditioned to provide that issuance of building permits will be contingent upon the availability of public facilities and services necessary to serve the proposed development.

* As defined herein, "surplus capacity" means the difference between the capacity of the road at level-of-service “D" (the level at which service becomes unacceptable) and the existing adjusted average daily traffic volume (AADT).

## ARTICLE 3. MONITORING AND MANAGEMENT

**Section 57-9. Monitoring.**

A monitoring review system shall be adopted which enables city officials to determine if existing facilities and service capacity are available at the time a development order and development permit is approved.

The monitoring review system will be initiated by the large scale development site plan approval process. Each department head will determine if the level of service will be adversely impacted by the proposed development.

# PART III
# CITY OF BUSHNELL CODE OF ORDINANCES
# LAND DEVELOPMENT REGULATIONS
# CHAPTER 59
# SIGNS

## ARTICLE 1. PURPOSE

It is the purpose of this chapter to permit signs in districts in which they are appropriate uses and to regulate the size, density, and placement of signs intended to be seen from a public right-of-way in the interest of highway safety, the preservation of property values, the protection of the character of the community and the general welfare. (Ordinance No. 90-03.s, l (l), 5-7-90)

## ARTICLE 2. DEFINITIONS

The following words, terms and phrases when used in this chapter shall have the meanings ascribed to them in this section except where the content indicates a different meaning.

**ABANDONED SIGN:** Any sign face which advertises a bona fide business no longer conducted or product no longer sold; any previously permitted portable or temporary sign of which permitted time has expired; or any sign structure which has not been used for bona fide business purposes for over six (6) months.

**AREA OF SIGN:** The total surface of a sign including the background and frame but not structural supporting elements outside of its frame.

**BANNER:** Any sign on which characters, letters, illustrations or ornamentation are applied to cloth, paper or fabric of any kind that is not permanently attached to a solid backing of wood, metal or masonry.

**CONSTRUCTION SIGN:** A sign announcing and identifying the construction project scheduled or underway on the site where the sign is located.

**DIRECTIONAL SIGN:** Any sign on-site used to indicate the direction to entrances, exits, parking areas, restrooms or other non-business-related facilities.

**FREESTANDING SIGN:** Any sign having 8’ or greater clearance from ground to bottom of face of sign.

**GRAPHIC:** Any symbol, any syllable of a word, any illustration or picture.

**HEIGHT OF SIGN:** The distance between the top of the sign and the average ground elevation below it.

**ILLUMINATED SIGN:** A sign that uses artificial light whether internal or external to the sign faces.

**MEMBERSHIP SIGN:** A sign identifying affiliation with a club, business association, credit card company or professional association.

**MULTIPLE FRONTAGE PROPERTY:** A parcel that is contiguous to more than one public right-of-way.

**NON-CONFORMING SIGN:** A sign legally allowed in the city before the adoption of this chapter that does not conform to the requirements of this chapter as to height, size, use, spacing, setback or structural support. A sign not legally allowed prior to the adoption of this chapter shall not be considered a non-conforming sign.

**OFF-PREMISE SIGN:** Any sign not immediately located upon properties where goods, services or activities are offered.

**ON-SITE SIGN:** Any sign that identifies or advertises goods, services, facilities, events or attractions available on the premises where the sign is located.

**PERMITTED SIGN:** All signs requiring permits under this chapter.

**PORTABLE SIGN:** A sign that has no permanent attachment to a building or to the ground by means of footing, including but not limited to, an A-Frame sign, sign with wheels, pull attachments, searchlight stands or hot air or gas-filled balloons.

**PROJECTING SIGN:** A sign supported by a wall of a building projecting away from that wall twelve (12) inches or more, designed with a face or faces reading at an angle to that wall.

**PROPERTY FRONT FOOT:** Each foot measured along the public right-of-way where the subject property abuts the right-of-way.

**REAL ESTATE SIGN:** A sign erected by the owner or his agent advertising the real property where the sign is located for sale, lease or rent.

**SETBACK:** The setbacks for signs specified in this chapter shall be measured horizontally from the vertical plane of the property line to the closest point of the sign.

**SIGN: A**ny letters, numbers, symbols, graphics, pictures or figures, or combinations thereof, which are erected, constructed, placed, attached or painted on a structure or the ground which identifies, advertises or directs attention to product, business, institution, place, person or event which can be seen from the public right-of-way.

**SIGN FACE:** The place area which is defined as sign area, sign face shall not include trim, embellishments or owner's nameplate.

**SIGN STRUCTURE:** The uprights, supports, braces, and framework supporting a sign.

**SUPER ELEVATED SIGN:** Any sign over 24’ in height. See Art. 14.

**TEMPORARY SIGN:** A sign used to advertise or identify transitory events of thirty (30) days or less.

**WALL SIGN:** A sign painted on or affixed to a structural wall fascia, or roof of a building, with a sign face approximately parallel to the wall, perpendicular to the ground and projecting no more than twelve (12) inches from the wall.

**WINDOW SIGN:** A sign affixed to, suspended behind or painted on either face of a window or glass door that is visible from the exterior of the building. (Ordinance No. 90-03 s. 1(2), 5-7-90)

## ARTICLE 3. DENSITY AND SIZE

A. No two (2) on-site, freestanding, portable or temporary signs which require a permit shall be placed within fifty (50) feet of each other.

B. The freestanding standard sign densities permitted in each zoning district are described in Table 1.

C. Wall or roof sign size permitted in each zoning district is described in Table 2. (Ordinance No. 90-03, s. 1(3), 5-7-90)

D. Freestanding non-super elevated signs located adjacent to I-75 will be a permitted use on commercial or industrial zoned property. The applicant must receive Florida Department of Transportation permit approval for outdoor advertising prior to the City permit approval.

## ARTICLE 4. ENFORCEMENT

A. Permits. No sign except those listed as exempt may be erected, hung, placed, painted or structurally altered without a permit from the governing authority.

B. Filing Procedures. Each application must have plans showing the area of the sign, size, the method of illumination and the exact location of the sign. In the case of a projecting sign, the proposed method of fastening the sign to the building structure, the vertical distance between the sign and the finished grade, and the horizontal distance between the sign and the right-of-way line. The code compliance officer shall charge a fee for each permit as set by the City Council and as shown by Table 4.

C. Erection of Signs. The erection or painting of all signs requiring permits under this chapter shall be done by and permitted to a general contractor or sign contractor registered with the county building department, except that property owners or their lessees may erect or paint non-illuminated signs up to thirty-two (32) square feet.

D. Removal of Prohibited Signs.

(1) Prohibited signs on public property or right-of-way may be removed by the governing authority without notice.

(2) Temporary signs or abandoned signs remaining in excess of sixty (60) days shall be removed by the owner, agent or person in charge of the premises, within forty-eight (48) hours after receipt of written notification of the code compliance officer.

(3) Should any sign become in disrepair, deteriorated or otherwise unsafe as determined by the code compliance officer, the owner or person maintaining it, shall upon receipt of written notification, immediately in the case of imminent danger, or within ten (10) days in other instances, secure the sign or cause it to be placed in good repair. If such order is not complied with the city may remove the sign at the expense of its owner. If unpaid the costs shall become a lien after ninety (90) days after the costs of removal are incurred.

F. Illegally Erected Signs. Where a permit required by this chapter has not been obtained the owner or lessee of the property where such illegally erected sign is located shall either:

(1) Have the sign immediately removed; or,

(2) Obtain a permit from the governing authority.

If neither of the above actions are completed within ten (10) days after notification by the code compliance officer the violation shall immediately be referred to the B.A.C.E. Any sign installed prior to securing a sign permit shall pay double the permit fee.

## ARTICLE 5. EXEMPTIONS

The following signs are exempted from the provisions of this chapter provided signs meet setback regulations:

A. Signs to regulate traffic.

B. Signs required to be posted by law.

C. Warning signs and no trespassing signs.

D. Signs established by governmental agencies.

E. Signs indicating bus stops, taxi stands and similar transportation facilities.

F. (1) Temporary real estate sign no greater than four (4) square feet in area located on and advertising specific property for sale, lease, rent or development on private property.

(2) Temporary "lead-in" real estate sign, off-premises, no greater than four (4) square feet.

(3) Identification, directional or instructional signs of four (4) square feet or less.

G. Governmental or religious flags or insignia and holiday decorations customarily associated with any national, religious or local holiday.

H. Window signs or banners.

I. Credit card or membership signs of two (2) square feet or less.

J. A maximum of two (2) menu boards or price lists for drive-through facilities of no more than twenty-four (24) square feet each. Such signs shall be located adjacent to and oriented toward the drive-through area.

K. Graphics and trademarks on vending machines, gas pumps and other machinery customarily used for sales outside of buildings.

L. Standard size menus mounted at the entrance to restaurants.

M. Political election signs located between the opening of the election qualifying period and ten (10) days after election, five (5) square feet or less. One hundred dollars ($100.00) cash bond per candidate is required to insure sign removal.

N. Garage sale signs erected for no more than three (3) consecutive days.

O. Indoor signs.

P. Repainting of existing signs for maintenance purposes.

## ARTICLE 6. GENERAL CONSTRUCTION AND MAINTENANCE STANDARDS

All permitted signs shall be constructed and maintained in accordance with the following standards and no certificate of occupancy will be issued for a building unless signs have conformed to these standards:

A. All signs will be constructed and maintained in accordance with the current building code as adopted by the governing authority.

B. All signs shall be maintained as to legibility and completeness.

C. Signs shall be maintained in vertical position unless originally permitted otherwise.

D. Damaged faces or structural members shall be replaced in a timely manner.

E. Electrical systems, fasteners, and the sign structure as a whole shall be maintained at all times in a safe condition. (Ordinance No. 90-03, s. 1 (6), 5-7-90)

## ARTICLE 7. OFF-PREMISE SIGNS

Off-premise signs are regulated by Table 3, "Density and Size Standards for Off-premise Signs". All off-premise signs in addition to meeting the requirements of Table 3 must meet the following requirements:

A. No two (2) off-premise signs advertising the same product, service or establishment may be closer than one mile (5,280 feet) as measured along the most direct path between the signs following public road right-of-way.

B. No off-premise advertisements may be closer than one hundred fifty (150) feet from a residentially zoned area.

The city may mandate where more than one off-premise directional sign exists to combine the mounting of the signs onto one structure. (Ordinance No. 90-03, s. 1 (7), 5-7-90)

## ARTICLE 8. ILLUMINATION

Illumination devices or reflective devices, such as but not limited to, flood and spotlights shall be so placed and so shielded as to prevent rays and illumination from being cast into neighboring dwellings and approaching vehicles. (Ordinance No. 90-03, s. 1 (8), 5-7-90)

## ARTICLE 9. NONCONFORMING SIGNS

It is the intent of this chapter to allow non-conforming signs permitted before the date of adoption of the City of Bushnell Code of Ordinances to continue until they are no longer used but not to encourage their survival. Such signs are hereby declared to be incompatible with the overall intent of this chapter.

A. Nonconforming sign use may be continued subject to the following provisions:

(1) Non-conforming signs shall not be enlarged or increased in any way.

(2) Non-conforming signs or sign structures that are defined as abandoned under this chapter shall not be permitted for reuse.

(3) There may be a change of tenancy or ownership of a non-conforming sign status when such change is in compliance with the other provisions of this chapter.

B. Normal repairs and maintenance may be made.

C. The temporary or illegal use of any sign shall not be sufficient to establish the existence of a non-conforming use or to create any rights in the continuance of such use. (Ordinance No. 90-03, s. 1 (9), 5-7-90)

## ARTICLE 10. PORTABLE SIGNS

A portable sign may be either permanent or temporary. Temporary signs are regulated by Article 12 of this chapter. When used as a permanent sign, a portable sign may be used in conjunction with freestanding or wall signs. Portable signs are subject to the following conditions:

A. A permit is required.

B. Portable signs may be placed directly under elevated freestanding signs otherwise a fifty (50) foot spacing is required from all other freestanding, portable or temporary signs.

C. No more than one (1) sign per one hundred fifty (150) feet of frontage.

D. A maximum of two (2) signs per parcel.

E. A maximum surface area of thirty-two (32) square feet per sign.

F. A minimum setback of ten (10) feet from property line(s). (Ordinance No. 90-03, s. 1 (10), 5-7-90)

## ARTICLE 11. PROHIBITED SIGNS

The following signs are prohibited according to the provisions of this chapter.

A. Any sign which obstructs any window, door, fire escape, ladder or opening intended to provide light, air, ingress or egress for any building, as required by law.

B. Any part of any sign that projects more than twelve (12) inches from any wall and is less than eight (8) feet above the level of the ground at that point.

C. Any sign which violates the traffic safety portion of this chapter.

D. Any sign located within fifty (50) feet of any residentially-zoned property and that conforms to the provisions of that zoning in this chapter.

E. Any sign which obstructs the vision between pedestrians and vehicles using the public right-of-way. Specifically prohibited are the signs using:

(1) Revolving, flashing or stroboscopic lights; and,

(2) Bare bulbs in excess of eleven (11) watts.

F. Signs attached to trees or utility poles.

G. Signs attached to or painted on vehicles which are not regularly used by the advertised business and are obviously parked in such a way as to advertise to the passing motorist or pedestrian.

H. Privately constructed signs in public rights-of-way.

I. Signs made of combustible materials that are attached to fire escapes or fire-fighting equipment.

J. Any signs on-premise not specifically permitted or exempted by this chapter. (Ordinance No. 90-03, s. I (11), 5-7-901)

## ARTICLE 12. TEMPORARY SIGNS

A. Portable temporary signs and portable changeable copy signs shall be permitted temporarily for the following uses: Any business, religious, charitable, civic or fraternal activity or event.

B. All temporary signs are subject to the following conditions:

(1) No more than thirty (30) days for the same purpose and location.

(2) Subject to all provisions of the portable sign provisions of Article 10 of this chapter.

C. Temporary signs may be allowed off-premise with permission of the property owner.

D. Permit required.

## ARTICLE 13. TRAFFIC SAFETY

No sign shall be erected or continued that:

A. Obstructs the sight distance along a public road or private ingress or egress.

B. Would tend by its location, color or nature to be confused with or obstruct the view of traffic signs or signals.

C. Uses such admonitions as "Stop", "Go", "Slow", "Danger", etc., which might be confused with traffic directional signals.

D. Obstructs a sign erected by a public authority for the purpose of giving traffic directions or instructions or other public information. (Ordinance No. 90-03, s. 1 (13), 5-7-90)

## ARTICLE 14. SUPER ELEVATED-CORRIDOR SIGNS

In addition to other ground mounted or free standing signs allowed by this section an additional corridor sign will be allowed along the I-75 corridor described as, 2640’ east and west of the I-75 centerline and 2640’ north and south of the SR 48 centerline. Under no circumstances may a corridor sign exceed ninety (90) feet in height. It is encouraged the face of the corridor sign advertise various businesses within the immediate proximity of the corridor sign. A certification from a registered structural engineer as to the structural integrity and wind load resistance of the sign with complete detailed engineered drawings as to design and location will be required. A setback of twenty (20) feet must be provided from the property line and one-foot horizontal setback for each foot of vertical height must be provided from all electric transmission or distribution lines. Spacing between super elevated signs will be no closer than 400 feet. All corridor signs must be inspected and re-certified as to its structural integrity by a registered structural engineer every five (5) years with a report submitted to the city as a condition of continuance.

**CHAPTER 59**
**TABLE I**
**FREE-STANDING SIGNS REGULATION**
**ELEVATED SIGNS 1/**

| | Maximum Height | Minimum 3/ Setback | On Premise Maximum Surface Area |
|---|---|---|---|
| C-O | N/A | | N/A |
| C-1 | 24' | 10' | 32 s.f. or.50 s.f. FRT. Ft But > 96 s.f. |
| C-2 | 24' | 10' | 40 s.f. or.50 s.f. FRT. Ft But > 128 s.f. |
| C-3 | 24' | 10' | 160 s.f. or.50 s.q. FRT. Ft But > 280 s.f, |
| C-B-D | N/A | | N/A |
| C-M | 24' | 10' | 100 s.f. or 50 s.f. FRT. Ft But > 192 s.f |
| I-1 | N/A | | N/A |
| I-2 | N/A | | N/A |
| AG | N/A | | N/A |
| P | N/A | | N/A |

1/ Signs having 8' or greater clearance front ground to bottom of face of sign.
3/ On corner lot line setback applies to both right-of-way lines.

**CHAPTER 59**
**TABLE 1**
**FREE-STANDING SIGNS REGULATION [Continued]**
**GROUND SIGNS 2/***

| | Maximum Height | Minimum Setback | On Premise Maximum Surface Area | Minimum Frontage |
|---|---|---|---|---|
| R-2 | 4' | 10' | 16 s.f. (Identification Only) | 40' |
| R-3 | 6' | 10' | 48 s.f. (Identification Only) | 100' |
| R-M-H | 6' | 10' | 48 s.f. (Identification Only) | 50' |
| C-0 | 8' | 10' | 32 s.f. (Identification Only) | 50' |
| C-1 | 16' | 10' | 48 s.f. or 50 s.f. / FRT. Ft But > 128 s.f. | 50' |
| C-2 | 16' | 10' | 64 s.f. or 50 s.f. / FRT. Ft But > 160 s.f. | 75' |
| C-3 | 20' | 10' | 200 s.f. or 50 s.f. / FRT. Ft But > 320 s.f. | 320' |
| C-B-D | 8’ | 10' | 80 s.f. | -0- |
| C-M | 16' | 10' | 120 s.f. or 50 s.f. FRT. Ft But > 220 s.f. | 200' |
| I-1 | 12' | 10' | 120 s.f. or 50 s.f. / FRT. Ft But > 240 s.f. | 200' |
| I-2 | 12' | 10' | 200 s.f. or 50 s.f. / FRT. Ft But > 320 s.f. | 400' |
| AG | 10' | 10' | 48 s.f. or 50 s.f. / FRT, Ft But > 128 s,f. | 330' |
| P | 10' | 10' | 48 s.f. or.50 s.f. / FRT. Ft But > 128 s.f. | |

* Signs cannot create line of sight hazard.
2/ Signs having less than 8' clearance.

**CHAPTER 59**
**TABLE 2**
**WALL OR ROOF SIGN REGULATIONS**

| Zoning District | | Sign Area To Front Area Ratio 1/ |
|---|---|---|
| C-1 | C-2 | .20 |
| C-3 | | .25 |
| C-M | | .30 |
| CBD | | .35 |
| 1-1 | I-2 | .35 |
| P | | .10 |
| AG | | .10 |

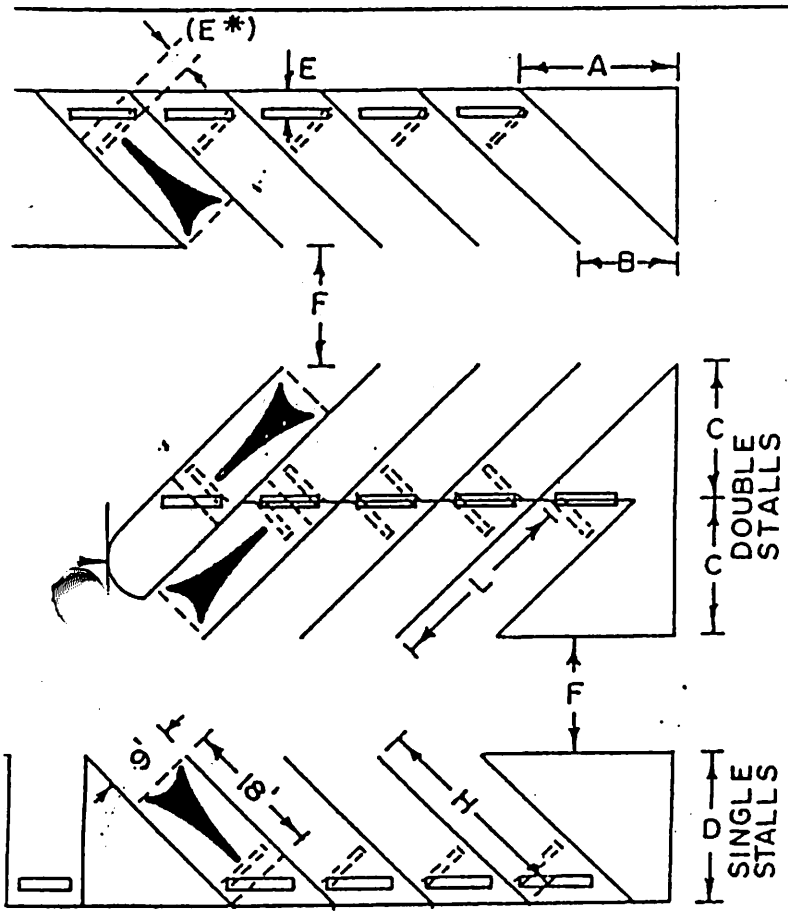
1/ Building front area in square feet including visible roof.

**TABLE 3**
**DENSITY AND SIZE STANDARDS FOR OFF-PREMISE SIGNS**

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| 50 | 100 | 150 | 200 | 250 | 300 | 350 | 400 | 450 | 500 | 550 |
| **LOT WIDTH FEET** | | | | | | | | | | |
| 16 | 48 | 80 | 112 | 144 | 176 | 208 | 240 | 272 | 304 | 336 |
| **SIGN SIZE SQUARE FEET** | | | | | | | | | | |
| 10 | 14 | 18 | 22 | 26 | 30 | 34 | 38 | 42 | 46 | 50 |
| **SET BACK FEET** | | | | | | | | | | |
| 5 | 6 | 18 | 24 | 24 | 24 | 24 | 24 | 24 | 24 | 24 |
| **HEIGHT - FEET** | | | | | | | | | | |
| 100 | 240 | 380 | 520 | 660 | 800 | 940 | 1080 | 1220 | 1360 | 1500 |
| **SPACING - FEET** | | | | | | | | | | |

# ILLUSTRATION 60-1

## LOCATIONS OF PARKING DIMENSION MEASUREMENTS

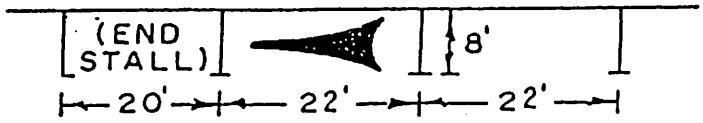



DIMENSIONS WHEN PARKED AT ANGLES:

| ANGLE | | 45° | 60° | 90° |
|---|---|---|---|---|
| OFFSET | A | 19'-10" | 12' | 1'-6" |
| CAR SPACE | B | 12'-9" | 10'-5" | 9' |
| STALL DEPTH | C | 15'10" | 18' | 18' |
| STALL DEPTH | D | 19'-1" | 20'-2" | 18' |
| OVERHANG | E | 2'-11" | 3'-1" | 2'-9" |
| DRIVEWAY | F | 13' | 18' | 24' |
| TURNAROUND | G | 15' | 15' | 15' |
| STRIPE | H | 27' | 23'-3" | 18' |
| STRIPE | L | 22'-6" | 20'-9" | 18' |

* NOTE: WHEN WHEELSTOP IS PERPENDICULAR TO STALL USE "E" FOR 90°

DIMENSIONS WHEN PARKED PARALLEL:



# PART III
# CITY OF BUSHNELL CODE OF ORDINANCES
# LAND DEVELOPMENT REGULATIONS
# CHAPTER 60
# STREETS, SIDEWALKS, VEHICULAR PARKING, PEDESTRIAN AND OFF-STREET TRAFFIC FLOW 1/

## ARTICLE 1. STREETS

### Section 60-1. Excavations In Streets - Permit Required.

A. Generally

(1) It shall be unlawful for any person to do any construction or repair work without first procuring from the city manager a written permit. The permit shall be issued under such conditions as may be prescribed by the City Manager or his designee and shall accurately delineate the portion of the street to be affected and shall make provision for the replacement of that part of the street.

(2) Any person doing any construction, excavation or repair work in any street in the city, pursuant to a permit from the City Manager or his designee as provided in the preceding section, shall erect and maintain proper, safe, sufficient barricades during all times while construction or repairs are being performed. (City of Bushnell Code of Ordinances 1958, s. 20-2)

(3) The permit holder shall replace that street or part of street upon which such construction, excavation or repair work has been performed in accordance to those standards set forth by the City of Bushnell. (City of Bushnell Code of Ordinances 1958, s. 20-3)

B. Driveway Permit.

A driveway permit shall be required of all parties seeking to improve real property where such property abuts or is contiguous to a paved public roadway, as follows:

(1) Where the property is unimproved and new construction is to commence the driveway permit shall be applied for and be issued at the time of the issuance of the basic building permit.

(2) Where additional improvements are to be constructed and the construction will be in the nature of a carport, garage or other similar use of motor vehicles, the driveway permit shall be applied for prior to any construction.

(3) The driveway permit shall specify the minimum standards for construction and shall be as specified by Public Works Director or his designee but in all cases be paved or concreted from the edge of pavement to the property line.

(4) No Certificate of Occupancy or other evidence of completion shall be issued until such time as the Public Works Director or his designee has verified compliance with the required regulations, relating to the installation of a culvert, replacement of damaged sidewalk or curbing, required paving, or other required action.

C. Minimum fee. The minimum fee to be charged for the permit required by this section shall be twenty dollars ($20.00). (Code 1958, S. 20-1; Ordinance No. 88-5, S. 1, 4-4-88,* Ordinance No. 88-10, s. 1, 6-6-88)

1/ Plan Basis; Chapter 5: objective 1.2 (all); Objective 2.2, Policy 2.2.c; objective 2.4, policy 2.4.b, c, d and e. Chapter 7: Objective 1, Policy 1.8.

**Section 60-2. (Reserved)**

## ARTICLE 2. SIDEWALKS (Amended by Ord. 99-15)

**Section 60-3. Construction, Maintenance and Repair of Sidewalks.**

A. A system of sidewalks shall be provided in developments to provide for safe movement of pedestrians separate from motor vehicle traffic. Sidewalks shall be provided along the entire length of all arterial and collector streets affected by a proposed development and along all streets where adjacent lands are zoned or otherwise designated to be used for commercial or multiple family dwelling purposes. Sidewalks and driveways shall be constructed prior to issuance of a certificate of occupancy on any structural improvements on the property contiguous to the sidewalk.

B. At such time as the city determines to exercise its option to construct, repair, maintain or otherwise perform work upon any of the sidewalks or portions of sidewalks within the city whether the work to be performed be on an isolated section of sidewalk or part of a citywide construction or repair program, the contractor selected to perform the work shall be of the city's choosing. Nothing herein shall be construed to prohibit a property owner or his or her authorized agent from obtaining a permit to repair or replace sidewalks adjacent to or upon his or her property at the owner's cost.

C. The standard to which the sidewalks shall be constructed or maintained will be as per Florida Department of Transportation, index 304.

**Section 60-4. Allocation of Costs.**

At such time as the city initiates the construction of new sidewalks and/or initiates the replacement or repair of existing sidewalks the cost of such initial construction, replacement, renovation and repair shall be divided equally between the city and those owners of property abutting the improvement.

**Section 60-5. City Council Discretion.**

The City Council may require additional sidewalks and wider sidewalks leading to and going through commercial areas, school sites, places of public assembly and other congested areas i.e. multi-family subdivisions, etc.

**Section 60-6. Construction Standards.**

A. Materials. All sidewalks shall be constructed of either poured concrete or asphalt.

B. Dimensions. The minimum pavement width of a sidewalk shall be sixty (60) inches.

C. Separation. Pedestrian and vehicular traffic shall be reasonably separated.

D. Driveway Aprons. Driveway aprons over sidewalk areas shall be constructed of concrete in accordance with the specifications set forth by the City of Bushnell.

## ARTICLE 3. OFF-STREET PARKING (Amended by Ord. 99-15)

**Section 60-7. Off-street Parking Required.**

A. Every building or structure instituted or erected after the effective date of the LDR's shall be provided with off-street parking facilities in accordance with the provisions of this Article for the use of occupants, employees, visitors or patrons.

B. Such off-street parking facilities shall be maintained and continued as an accessory use as long as the main use is continued.

C. It shall be unlawful for an owner or operator of any building or structure affected by this Article to increase the size of such structure without establishing alternative vehicle parking facilities which meet the requirements of this Article.

D. At the sole discretion of the City Council development proposed within the Central Business District may provide a payment of a fee in lieu of the provision of some or all of the required off-street parking spaces.

**Section 60-8. Location, Character and Size.**

A. The off-street parking facilities required by this Article shall be located on the same tract or parcel of land they are intended to serve.

(1) When practical difficulties are determined by the City Manager or his designee to prevent the establishment of such facilities on the same tract, the off-street parking facilities shall be provided on land within three hundred (300) feet of the tract.

(2) All off-site parking shall be approved by the City Manager or his designee prior to issuing a development permit. Approval will be based on location, convenience and safe ingress and egress to the principal structure. All off-site parking will provide a buffer and will be subject to a legal agreement providing for such use.

B. Each parking space shall be directly accessible from a street, alley, or from an adequate aisle or driveway leading from a street or alley. Access aisles and driveways shall be of sufficient size to permit convenient maneuvering of cars and each space shall be accessible without driving over or through any other parking space.

C. The required off-street parking facilities shall be identified when not clearly evident from a street or alley. Off-street parking facilities including access aisles and driveways shall be surfaces of asphalt, concrete, brick or paving blocks and maintained in good condition. Driveways, access aisles and parking spaces for public and private schools, churches, and single-family residences may be surfaced with grass or lawn.

D. All off-street parking facilities required by this Article shall be designed so as not to cause any runoff to adjacent or public property. Any lighting shall be arranged and designed as to prevent any glare or excessive light on adjacent property. Such facilities shall be designed for convenient access and safety of pedestrians and vehicles.

E. A plan shall be submitted with every application for a building permit for any use or structure required to provide off-street parking facilities under this Article, which plan shall clearly and accurately designate the required parking spaces, access aisles and driveways, and relation to the uses or structures these off-street parking facilities are intended to serve.

F. Parking space dimensions shall conform to those dimension standards shown in Illustration 60-1.

**Section 60-9. Amount of Off-street Parking.**

The off-street parking required by the Article shall be provided and maintained on the basis of the following minimum requirements:

A. **Dwellings, single-family and two-family:**
Two (2) parking spaces for each dwelling unit.

B. **Dwellings, multiple-family:**
Two (2) parking spaces for each dwelling unit.

C. **Hotels, including clubs, motels, villas, rooming, lodging or boarding house and tourist courts:**
One (1) parking space for each sleeping room. If there are other uses operated in conjunction with and/or part of the hotel, additional off-street parking spaces shall be provided for such other uses as would be required by this Section if such uses were separate from the hotel, to the extent of thirty-five percent (35%) of the off-street parking specified in this Article for retail stores, offices, bars, restaurants, dining rooms and auditoriums.

D. **Mobile home parks:**
One (1) parking space for each mobile home.

E. **Hospitals, sanitariums, convalescent homes and orphanages:**
One (1) parking space for each two (2) beds for patients; plus, one (1) parking space for each three (3) paid employees.

F. **Theaters, churches, stadiums, mortuaries and other places of assembly having fixed seats:**
One (1) parking space for each four (4) seats.

G. **Places of public assembly not having fixed seats, including assembly halls (except included in Paragraph G), exhibition halls, convention halls, dance halls, skating rinks, sport arenas, community centers, libraries and museums:**
One (1) parking space for each five (5) seats, or one (1) parking space for each one hundred (100) square feet of gross floor area occupied by guests, customers, patrons, members or other occupants, whichever may be greater.

H. **Bowling alleys:**
Two (2) parking spaces for each alley.

I. **Medical, dental, chiropractic, etc. clinics (separate buildings):**
Four (4) parking spaces for each doctor.

J. **Business, professional and governmental offices:**
One (1) parking space for each four hundred (400) square feet floor area.

K. **Restaurants, bars, bottle clubs, clubs, nightclubs:**
One (1) parking space for each four (4) seats in the room for customer service.

L. **Elementary and junior high schools, private or parochial:**
One (1) parking space for each classroom, plus one-half (1/2) of the additional parking spaces for the rooms used for public assembly as otherwise required by this Section.

M. **Senior high schools and colleges, private or parochial:**
One (1) parking space for each classroom plus one (1) parking space for each ten (10) students, plus one-half (1/2) the additional parking spaces for rooms used for public assembly.

N. **Retail stores, personal service shops, household repair or equipment shops, interior decorating shops:**
One (1) parking space for each three hundred (300) square feet of floor area.

O. **Manufacturing and industrial uses, research and testing laboratories, bottling establishments, printing and engraving shops, warehouse, motor vehicle salesrooms, wholesale stores, laundries and storage buildings:**
One (1) parking space for every six hundred (600) square feet of floor area in the buildings.

P. **Terminal facilities, including airports, railroad passenger and freight stations, bus depots, truck terminals, also commercial swimming pools and the like:**
One (1) parking space for each two (2) employees, plus off-street parking space in an amount determined by current engineering standards.

Q. **Uses not specifically mentioned:**
The requirements for off-street parking for any uses not specifically mentioned in this section shall be the same as provided in this Section for the use most similar to the one sought.

R. **Fractional measurements:**
When units or measurements determining number of required off-street parking spaces result in requirements of a fractional space, said parking requirement shall be rounded up to an additional full off-street parking space.

S. **Compound uses:**
In the case of compound uses the total requirements for off-street parking shall be the sum of the requirements of the various uses as computed separately and off-street parking space for one use shall not be considered as providing the off-street parking for any other use.

T. **Measurement:**
For the purposes of this Article, floor area shall mean the gross floor area inside of the exterior walls. In hospitals, bassinets shall not count as beds. In stadiums, sport arenas, churches and other places of assembly in which occupants utilize benches, pews or other similar seating facilities each twenty (20) lineal inches of such seating facilities shall be counted as one seat for the purpose of computing off-street parking requirements.

U. **Minimum requirement:**
Notwithstanding any other requirement of this Article each and every separate and individual store, office or other business shall be provided with at least one off-street parking space.

**Section 60-10. Combined Off-street Parking.**

Nothing in this Article shall be construed to prevent joint use of, off-street parking facilities for two or more buildings provided that the total of such parking spaces shall not be less than the sum of the requirements of the several individual uses computed separately in accordance with this Article. A copy of an agreement shall be filed with the application for a building permit.

**Section 60-11. Non-conforming Uses.**

In the case of a building occupied by a use which is not permitted as a new use in the district in which such building is located, where substantial alterations, or extensions of the use are to be made, no substantial alterations or extensions shall be permitted unless and until the off-street parking requirements of this Article for a new use of the type involved are applied to such existing use and are fully provided for.

**Section 60-12. Use of Required Off-street Parking by Another Building.**

No part of an off-street parking area required for any building or use by this Article shall be included as a part of an off-street parking area similarly required for another building or use unless the type of use indicates that the periods of usage will not overlap or become concurrent with each other, as determined by the City Manager or his designee.

**Section 60-13. Parking of Commercial Vehicles.**

A. In residential-zoned areas trucks or commercial vehicles shall not be parked on private property except a commercial vehicle not over one ton capacity may be parked on a parcel in any R district in a fully enclosed garage or carport or on an improved driveway if said vehicle is used by a resident of the premise.

B. Permitted non-residential uses may utilize and park on their premises such commercial or other vehicles as may be necessary and customary for such uses provided that a separate parking area for commercial vehicles shall be provided in the rear yard.

**Section 60-14. Safety Provisions.**

A. Commercial parking spaces as required by this Article shall contain some type of vehicle wheel stops to prevent any part of the vehicle from overhanging into the right-of-way of a public road, alley or walkway.

B. Maneuvering and access driveways as well as parking stalls shall be so located that no vehicle shall be required to back into or maneuver within the public street right-of-way.

C. Street access to nonresidential uses shall not be provided through property zoned for any residential district.

**Section 60-15. Tree Preservation.**

The amount of off-street parking required by this Article may be reduced at the option of the applicant in order to preserve trees located on the site which would otherwise be removed due to providing required off-street parking subject to the following conditions:

A. All trees to be preserved must be at least six (6) inches in diameter, four feet above ground level and shall be located within the area of the site in which the actual required off-street parking is to be provided; i.e. exclusive of any perimeter landscaping.

B. For each tree that is to be preserved the required off-street parking spaces may be reduced as follows:

| Tree Trunk Diameter 4 Feet Above Ground | Off-street Parking Space Reduction | Minimum Diameter of Open Space To Be Provided At Base of Tree Being Preserved |
|---|---|---|
| 6-12 inches | 1 | 18 feet |
| 13-20 inches | 3 | 22 feet |
| 21-30 inches | 7 | 34 feet |
| over 30 inches | 10 | 41 feet |

C. In no case shall the provisions of this section be utilized to reduce the total amount of off-street parking space required by more than twenty percent (20%).

**Section 60-16. Landscaping Required.**

All off-street parking areas shall be landscaped according to the following minimum standards.

A. Interior Landscaping.

(1) A minimum of ten percent (10%) of the off-street parking and loading area, in all lots with ten (10) spaces or more exclusive of perimeter landscaping, shall be improved as landscaped open space.

(2) Some landscaped areas may contain an irrigation system as described in Chapter 62.

(3) Landscaped row ends shall have a minimum area of one hundred (100) square feet. All other areas shall contain a minimum of seventy-five (75) square feet at intervals of no less than twenty (20) consecutive parking spaces.

(4) Each landscaped area shall include at least one (1) tree or shrub clear of branches for the first five (5) feet above ground. The remaining ground area shall contain shrubs or hedges spaced no more than three (3) feet apart with a ground cover of plants or live plant material that reach an average height of no more than twelve (12) inches.

(5) The total number of trees shall not be less than one (1) for each two hundred (200) square feet or fraction thereof of the required landscaping. Trees shall be a minimum of four (4) feet overall height immediately after planting. Trees shall not be planted closer than six (6) feet to public roadways or other public works unless the tree root system is completely contained within a barrier for which the minimum interior dimensions shall be five (5) feet square and five (5) deep and for which the construction requirements shall be four (4) inch thick concrete reinforced with #6 road mesh (6x6x6) or equivalent.

(6) Required landscaped areas shall be maintained and continued so long as the main use continues. Failure to maintain required landscaped areas shall be a violation of this Ordinance.

B. Perimeter Landscaping.

A landscaped buffer area shall be established along the entire length of and contiguous to any property line where a setback is required by this zoning code. It shall not be less than five (5) feet in width unless a buffer is either required or provided. Refer to Chapter 62.

C. Landscape Plan. A landscape plan shall be submitted with each site plan. The plan shall indicate the type, size and location of plant materials and shall include plans and specifications for an irrigation system, in accord with Chapter 62 of these regulations.

**Section 60-17. Marking and Signs.**

A. All off-street parking spaces shall be clearly marked with either white or yellow paint.

B. Entrance and exit driveways shall be clearly marked with signs and they shall be aligned at right angles to the street when one-way traffic is provided.

**Section 60-18. Lighting.**

All parking facilities shall be lighted after dark throughout the hours during which they are used by the public. Shielding shall be created so as to not cause a nuisance across lot lines.

**Section 60-19. Internal Wheel stops.**

Where a combination of wheel stops and an abutting landscaped area exists the required length of the required parking space may be reduced by two feet provided that the overhang area shall be free of any trees, shrubs or other obstructions.

**Section 60-20. Handicapped Parking.**

Except as otherwise specified herein, required off-street parking areas shall have a number of level parking spaces as set forth in the following table identified by above-grade signs as being reserved for physically handicapped persons. Each parking space so reserved shall be not less than twelve (12) feet in width and twenty (20) feet in length.

**Parking Spaces For Handicapped**

| Total Spaces In Lot | Number of Required-Spaces |
|---|---|
| up to 25 | 1 |
| 26 to 50 | 2 |
| 51 to 75 | 3 |
| 76 to 100 | 4 |
| 101 to 150 | 5 |
| 151 to 200 | 6 |
| 201 to 300 | 7 |
| 301 to 400 | 8 |
| 401 to 500 | 9 |
| 501 to 1,000 | 2% of total |
| over 1,000 | 20 plus 1 for each 100 over 1,000 |

Parking spaces for the physically handicapped shall be located as close as possible to elevators, ramps, walkways and entrances. These parking spaces shall be located so that physically handicapped persons are not compelled to wheel or walk behind parked cars to reach elevators, ramps, walkways and entrances.

## ARTICLE 4. OFF-STREET LOADING AND UNLOADING

### Section 60-21. Purpose and General Principles.

On the same tract with every structure or use erected or created there shall be provided and maintained adequate space for loading and unloading of materials, goods or things for delivery or shipping so that vehicles for these services may use this space without encroaching or interfering with the public use of streets and alleys by pedestrians.

A. Parking facilities required by this Article shall not be used to meet the off-street loading requirements of this section.

B. Nothing in this section shall prevent the collective or joint provision of off-street loading facilities for two or more uses or buildings provided the requirements of this section are fulfilled.

C. Loading spaces shall be plainly marked on applications for -permits and shall be maintained at all times as off-street loading spaces.

D. Where any structure is enlarged or any use is extended so the size of the resulting occupancy comes within the scope of this section the full amount of off-street loading space shall be supplied and maintained for the structure or use.

### Section 60-22. Spaces -- Size, Number and Location.

Number and Location. Off-street loading areas shall be provided. The number of spaces shall be determined by the applicant.

### Section 60-23. Connection to Street.

Each off-street loading space shall be directly accessible from a street or alley without crossing or entering any other required off-street loading or parking space. Such loading space shall be accessible from the interior of the building to be served and shall be arranged for convenient and safe ingress and egress.

## ARTICLE 5. CONTROL OF CURB CUTS, DRIVEWAYS AND VISION CLEARANCE 1/

### Section 60-24. Curb Cuts and Driveways.

A. Traffic Flow. The circulatory function of arterial streets, collector streets and frontage roads shall not be hampered by any excessive amount of ingress and egress of motorized vehicles. To this end, curb cut number and design on arterial and major collectors shall be limited as directed by the Florida State Department of Transportation, Sumter County, or the City of Bushnell, as appropriate.

B. Visibility At Curb Cuts or Driveways. In all zoning districts except the CBD district where a curb break intersects a public right-of-way, no fence wall, hedge, landscaping or other structure shall be erected, planted, placed or allowed to grow in such a manner as to obstruct cross-visibility between a height of two and one-half (2 ½) and six (6) feet within the areas of property on both sides of the curb break formed by the intersection of each side of the curb break with public right-of- way lines, with two (2) sides of each triangle being ten (10) feet in length from the point of intersection and the third being a line connecting the end of the two (2) other sides.

C. No commercial lot may have more than two (2) driveways providing access on any street frontage. For commercial lots with a width of two hundred (200) feet or less, no more than one (1) driveway with a maximum width of twenty-four (24) feet may be permitted.

Connections and access points of driveways and roads to the state, federal and local highway network shall be limited to a minimum spacing as follows: (9J-5.007 (3)(c.) 2)

| **Functional Class** | **Minimum Spacing** |
|---|---|
| Arterial | As Specified by Florida Department of Transportation and consistent with rule Chapters 14-96 and 14-97, Florida Administrative Code, which are adopted herein by reference thereto. |
| Collector | 100' |
| Local | 50' |

### Section 60-25. Visibility At Intersections.

At all road intersections each corner shall have at a minimum a triangular volume of clear space no higher than two and one-half (2 1/2) feet off the ground and ending no lower than eight (8) feet from the ground. Fitting the apex of the triangle into the corner the two bases of the triangle shall be as follows:

- 25 feet long for corner lots
- 12 1/2 feet long for lots at alley intersections (See Article 21, Exhibit 4.)

1/ See Section 60-l.B for driveway permits.
1/ Plan Basis: Chapter 5: City of Bushnell Comprehensive Plan, Goal 1, Objective 1.2, Policy 1.2.d., page 5-18.

# PART III
# CITY OF BUSHNELL CODE OF ORDINANCES
# LAND DEVELOPMENT REGULATIONS
# CHAPTER 61
# SUBDIVISION REGULATIONS

## ARTICLE 1. PREAMBLE AND ENACTMENT CLAUSE

In pursuance of the authority conferred in chapters 162 and 163, Florida Statutes, and for the purpose of helping to promote the health, safety, morals and general welfare of the municipality; prevent and reduce traffic congestion and traffic hazards which result from narrow or poorly aligned streets and from excessive entrance and exit points along major arterials; eliminate the costly maintenance problems which develop when streets and lots are laid out without proper consideration being given to the drainage characteristics of the tract of land at the time and the land is being subdivided into streets and lots; conserve and protect the natural, economic and scenic resources of the Municipality; prevent the spread of urban blight and slums; insure that residential lots will be of such design, area and width as will prevent health and sanitation problems from developing in those sections of the municipality which are not served by a public water supply and or sanitary sewer facilities; insure that all building lots will be accessible to fire fighting equipment and other emergency and service vehicles; insure the proper legal description and proper monumenting of subdivided land; assure equitable handling of all subdivision plans by providing uniform procedures and standards; and to help protect the investment of the individual lot buyer by helping to insure that his lot will drain properly, can be developed and can be served by a waste disposal system other than a sanitary sewer system, without creating health and sanitation problems for himself, for his neighbor or for the community.

THE CITY COUNCIL OF THE CITY OF BUSHNELL HEREBY ORDAINS AND ENACTS INTO LAW THE FOLLOWING ARTICLES AND SECTIONS.

1/ Plan Basis: Chapter 7, Objective 1, and Policies 1.7. 1.8, 1.9 and 1.11.

## ARTICLE 2. SHORT TITLE

This Ordinance shall be known and be may be cited as "The Subdivision Regulations of the City of Bushnell, Florida."

## ARTICLE 3. DEFINITIONS OF TERMS

For the purpose of interpreting this Ordinance certain words or terms used herein shall be defined as follows:

Words used in the present tense include the future tense. Words used in the singular number include the plural and words used in the plural include the singular. Except where specifically defined herein, all words used in this Ordinance shall carry their customary meanings.

**Building** includes the word structure.

**Lot** includes the word plot or parcel.

**Person** includes a firm, partnership, trust, company, association, organization, individual, co-partnership or corporation.

**Shall and will** are always mandatory and not merely directory.

**Used or occupied** as applied to any land or buildings shall be construed to include the words "intended, arranged, or designed to be used or occupied".

**Water course** includes channel, creek, ditch, drain, dry run, spring, stream and canal, but does not include a lake, pond or pool without outlet.

**BLOCK:** A parcel of land entirely surrounded by public streets other than alleys.

**BUILDING SETBACK LINE:** A line across a lot establishing the minimum open space to be provided between the buildings and the street property line.

**CODE COMPLIANCE OFFICER:** That person appointed by the City Manager to administer part or all of the Land Development Regulations.

**COUNTY:** Sumter County.

**CITY COUNCIL:** The City Council of the City of Bushnell.

**CROSSWALK:** A paved right-of-way within a block dedicated to public use six (6) feet or more in width intended primarily for pedestrians and from which motor-propelled vehicles are excluded and which is designed to improve access to adjacent roads or lots.

**CUL-DE-SAC:** A street having one (1) end open to traffic and being permanently terminated within the plat by a vehicular turn-around.

**DEVELOPER:** Any person, individual, firm, partnership, association, corporation, estate or trust, or any group or combination acting as a unit, dividing or proposing to divide land so as to constitute a subdivision as herein defined including any agent of a developer.

**EASEMENT:** A grant by the property owner for the use by the public, a corporation or persons of a strip of land for special purposes.

**FINAL PLAT:** A finished drawing of a subdivision showing completely and accurately all legal and engineering information and certification necessary for recording.

**HEALTH DEPARTMENT AND HEALTH OFFICER:** The Environmental Health Director.

**JOG:** A jog is the horizontal offset between the center lines of two (2) streets which intersect a third street or the horizontal offset of the centerline of a street at its intersection with any other street.

**LOT:** A portion of a subdivision or any other parcel of land intended as a unit for transfer of ownership or for development or both. In determining the area and dimensions of a lot no part of the right-of-way of a road or crosswalk may be included.

**LOT, CORNER:** A lot abutting upon two (2) or more streets at their intersection.

**LOT, DOUBLE FRONTAGE:** A lot other than a corner lot abutting upon two (2) or more streets.

**OFFICIAL MAP OR PLANS:** Any map or plans officially adopted by the City Council as a guide for the development of the City and territory surrounding the City consisting of maps, charts and/or texts.

**PLANNING BOARD:** The City of Bushnell Planning and Zoning Board. (Synonymous with Board of Adjustment and Code Enforcement, B.A.C.E.)

**PLAT:** A map indicating the Subdivision or re-subdivision of land intended to be filed in the public records.

**PRELIMINARY PLAT:** A drawing that shows the proposed layout of a subdivision in sufficient detail to indicate unquestionably its workability in all aspects but is not in final form for recording and the details of which are not completely computed.

**STREET:** A dedicated and accepted public right-of-way for vehicular traffic which affords the principal means of access to abutting property whether designated as highway, parkway, thoroughfare, lane, road, boulevard, avenue, place or otherwise.

**Arterial Streets and Highways.** Streets that are used primarily for fast or heavy traffic. The term shall include all street designations shown on the Future Traffic Circulation Map for the City of Bushnell as adopted within the Bushnell Comprehensive Plan.

**Collector Streets.** Streets that carry traffic from minor streets to the major system of arterial streets and highways including the principal entrance streets of a residential development and streets for circulation within such a development.

**Minor Streets.** Streets used primarily for access to the abutting properties.

**Marginal Access Streets.** Minor streets that are parallel to and adjacent to arterial streets and highways and which provide access to abutting properties and protection from through traffic (referred to as frontage road).

**Alleys or Service Drive.** A minor, permanent or public service-way that is used primarily for vehicular service access to the back or the side of properties otherwise abutting the street.

**SUBDIVISION:** The division of land into three or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land; and includes establishment of new streets and alleys, additions, and re-subdivisions; and when appropriate to the context relates to the process of subdividing or to the lands or area subdivided.

## ARTICLE 4. PROCEDURES

No plat of a subdivision within the jurisdiction of the City of Bushnell shall be submitted for recording until final approval has been given by the City Council of the City of Bushnell. The developer shall comply with the following procedures to obtain final plat approval.

### 61-1. Pre-Application.

Prior to filing an application for approval of the preliminary plat the developer shall submit to Bushnell City Hall conceptual drawings of the proposed subdivision that shows:

A. Proposed and existing streets, right-of-way and easements.

B. Proposed and existing land use.

C. Lot lines and parcel sizes.

D. Relationship of proposed subdivision to existing community facilities.

Included with the conceptual drawing shall be a vicinity map that shows the proposed subdivision in relation to the surrounding area. The pre-application does not require a formal application or fee.

The code compliance officer shall submit the copies of the conceptual drawing to all applicable departments within five (5) working days of receipt of the plan. All departments will have twenty (20) working days to submit comments to city hall.

### 61-2. Preliminary Plat and Engineering Review.

Approval of the preliminary plat shall be obtained before work shall begin to open or extend a subdivision. Unless preliminary approval has been obtained no site work may commence.

A. The Developer. After fulfilling the requirements of Section 61.01, the developer shall submit all necessary copies of the preliminary plat and supplementary materials with a letter requesting preliminary plat approval to the code compliance officer.

The scale of such plats shall not be more than two hundred (200) feet to one (1) inch. The preliminary plat and supplementary materials shall indicate:

(1) Boundaries of the tract to be subdivided with bearings and distances;

(2) Easements, location, width and purpose;

(3) Lot lines, lot line dimensions and lot numbers;

(4) Acreage in total tract;

(5) Acreage in parks or other land usage;

(6) Average lot size;

(7) Total number of lots;

(8) Lineal feet in streets;

(9) Streets on and adjacent to the tract: name, location and right-of-way width; type, width and elevation of surfacing and finished grades, walks, curbs, gutters, culverts and similar facilities;

(10) Utilities on and adjacent to the tract: location, size and invert elevation of sanitary, storm and combined sewers; location and size of water mains; location of gas lines, fire hydrants, electric and telephone poles and street lights. If water mains and sewers are not on or adjacent to the tract, the direction, distance to and size of nearest, including invert elevation of sewers;

(11) Ground elevation of parcel: show 1 foot contours or spot elevations throughout the property, along drainage swales, depression areas and randomly throughout the property sufficient for the purpose of preparing plans and construction drawings.

(12) Other conditions on the parcel: water courses, marshes, rock outcrop, wooded areas, isolated preservable trees one (1) foot or more in diameter, houses, barns, shacks and other significant features;

(13) Zoning on adjacent parcels;

(14) Proposed public improvements: highways, water, sewer, school sites or other major improvements planned by public authorities for future construction on or near tract;

(15) Proposed parks or public uses;

(16) A vicinity sketch map showing relationship between subdivision and surrounding area;

(17) A key map for plats if more than one (1) plat is submitted; and,

(18) Title and certificates: present parcel designation according to official records in the office of appropriate recorder; title under which proposed subdivision is to be recorded, with names and addresses of owners; notation stating acreage, scale, north arrow, landmarks, certification of registered engineer or surveyor, and date of survey.

B. Code Compliance Officer. Upon receipt of the preliminary plat, the code compliance officer shall submit a copy to

the city engineer. The city engineer shall examine and check the preliminary plat for general engineering and may require subsurface data of the parcel, such location and results of tests made to ascertain soil, rock, and ground water conditions. The engineer may require additional information as needed for approval.

C. Upon review of the preliminary plat and supplementary materials by city staff and city engineers, a written recommendation will be forwarded to the city clerk to be placed on the agenda of a regularly scheduled meeting of the City Council.

Variances

Where topography or other existing physical conditions are such that compliance with the requirements of this ordinance would cause an unusual and unnecessary hardship on the developer beyond what other developers would meet, the City Council may grant a variance from the minimum requirements set forth herein, providing that such variation shall not have the effect of nullifying the intent and purposes of these regulations. Where a variation is permitted, the reasons for such shall be noted in the minutes of the City Council.

D. The City Council. The City Council shall approve or disapprove the preliminary plat.

(1) If the City Council approves the preliminary plat, each copy shall be signed in spaces provided thereon by the Mayor (attested by the City Clerk), code compliance officer and the developer.

(2) Receipt by the developer of preliminary plat approval is authorization to proceed with the preparation of the final plat and construction of tangible improvements in accordance with the design and specifications approved. The following improvements are required before final plat approval.

(a) **Street Grading:** All street right-of-way shall be cleared and graded to standards of the City of Bushnell. These standards, and other standards referred to in this section, shall be found in the office of the code compliance officer. Finished grades shall be at levels approved by the Works Director.

(b) **Street Paving:** Street pavements shall be installed according to standards adopted by the City of Bushnell. The developer shall not be required to install pavement in excess of forty (40) feet in width, but in no instance shall any pavement width be less than twenty (20) feet.

(c) **Curbs and Gutters:** Curbs and gutters shall be installed on all streets where sidewalks are required or at the discretion of the City Council. Installation shall be in accordance with standards adopted by the city of Bushnell.

(d) **Sidewalks:** Sidewalks in subdivisions are subject to those standards adopted in Chapter 60, Article 2 of these land development regulations.

(e) **Water Supply:** Water mains properly connected with the city water supply system shall be provided as to adequately serve all lots shown on the subdivision plat for both domestic use and fire protection and in accordance with city specifications and adhering to standards of the Florida Department of Environmental Protection.

(f) **Sanitary Sewage Disposal:** When in the opinion of the Environmental Health Department, public sanitary sewers are necessary the developer shall provide sanitary sewer services to each lot, following the guidelines set forth by the Florida Department of Environmental Protection. Such sanitary sewerage system shall be installed prior to the installation of the street pavement.

(g) **Storm Drainage:** Every subdivision shall be served by adequate storm drainage facilities including drains, sewers, catch basins, culverts and other facilities in accordance with standards of the city of Bushnell and the Southwest Florida Water Management District. All surface water drainage shall be transported to existing storm sewers or to drainage facilities approved by the city engineers and the Southwest Florida Water Management District.

(h) **Monuments:** At intersection of center line of all streets, install a one (1) inch pipe, three (3) feet long, embedded in concrete with the top flush with the finished pavement. All other lot corners shall be marked with an iron pipe not less than one-half (1/2) inch in diameter and twenty-four (24) inches long, set so as to be flush with the finished grade. Permanent reference monuments shall be as required by the State Plat Law.

(i) **Street Number or Name Signs:** Street number or name signs shall be installed at the intersection of all streets carrying the street names approved on the subdivision plat. Location and design of street number or name signs shall be subject to the approval of the code compliance officer.

(j) If the City Council should disapprove the preliminary plat the reasons for such action shall be so stated.

**61-3. Final Plat.**

All improvements required of the developer shall be installed prior to approval of the final plat.

A. The developer shall submit five (5) copies of the final plat and a letter requesting final plat approval to the Code Compliance officer within twelve (12) months after approval of the preliminary plat; otherwise, approval of the preliminary plat shall become null and void unless an extension of time is applied for and granted by the City Council.

The final plat shall constitute only that portion of the approved preliminary plat which the developer proposes to record and develop at this time.

The original copy of the final plat shall be submitted to the City Manager and at a scale of not more than two hundred (200) feet to one (1) inch. The Final Plat may be on several sheets accompanied by an index sheet showing the entire subdivision. The final plat shall adhere to F.S. 177 and contain the following:

(1) Location sketch showing location of subdivision with respect to section or government lot lines.

(2) Primary control point to which all dimensions, angles, bearings and similar data on the plat shall be referred.

(3) Boundary lines of the tract with accurate distances measured to hundredths of a foot and angles to half minutes. The boundaries shall be determined by accurate survey in the field, which shall be balanced and closed with error closures not to exceed one (1) foot to five thousand (5,000) feet. Surveys shall be coordinated and tied into the nearest established section corner or quarter section corner by angle and distance.

(4) The exact names, locations and widths along the property lines of all existing or recorded streets intersecting or paralleling the boundaries of the tract.

(5) The exact layout including street lines, street names, bearings, angles of intersection and widths (including widths along the lines of any obliquely intersecting streets), lengths of arcs and radii, points of curvature and tangent bearings; all easements or rights-of-way where provided for or owned by public services; all lot lines with dimensions in feet and hundredths and with bearings or angles of other than right angles to the street lines.

(6) Lots numbered in numerical order beginning with number one (1) in each block and blocks numbered in numerical order or lettered in alphabetical order.

(7) The accurate outline of all property which is to be dedicated or reserved for public use including open drainage courses and suitable easements and all property that may be reserved by covenants in deeds for the common use of the property owners in the subdivision, with the purposes indicated thereon.

(8) Names of record owners of adjoining unplatted land.

(9) Reference to recorded subdivision plats of adjoining platted land by record name, date and number; and, any unplatted lands.

(10) Private restrictions and/or trusteeships and their period of existence. Should these restrictions be of such length as to make their lettering on the plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat.

(11) The accurate location and material of all permanent reference monuments.

(12) Purpose for which sites, other than residential lots, are dedicated or reserved.

(13) Minimum building setback line on all lots and other sites.

(14) Title, scale, north arrow and date.

(15) Space for the following certificates which shall be rubber stamped on the Final Plat:

(a) **Certificate of Ownership and Dedication**

I hereby certify that I the owner of the property shown and described hereon and that I hereby adopt this plan of subdivision with my free consent, establish the minimum building lines, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

_____20____ _____

Date Owner

(b) **Certificate of Accuracy**

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy and that the monuments and markers have been placed in accordance with the subdivision regulations of Bushnell.

_____20___ _____

Date Engineer or Surveyor

(c) **Certificate of Approval and Acceptance of Dedications**

I,_____, the City Clerk of the City of' Bushnell, do certify that the City Council approved this plat or map and accepted the dedication of the streets, easements, right-of-way and public parks shown thereon, but assume no responsibility to open or maintain by same until, in the opinion of the City council, it is in the public interest to do so.

_____20____ _____

Date City Clerk

(d) **Certification of the Approval of Streets and Utilities**

I hereby certify: (1) that all improvements and infrastructure required of the developer have been installed in an acceptable manner and in accordance with the preliminary plat in the subdivision entitled:_____ or (2) that a guarantee or when required by the City Council a security bond in the amount of $_____ cash and the amount of $_____ in bond has been posted with the City Council to assure completion of all required improvements and infrastructure in case of default.

_____20____ _____

Date City Clerk

(e) **Certification of City Attorney**

(f) **Certification of Clerk, Sumter County Circuit Court**

(g) **Certification of No Liens or Encumbrances;** or, if such exist, and acceptance of the new use.

In addition to the information required on the record plat, the following materials are required:

A. Where subdivision improvements are completed prior to platting, the following supporting information is required:

(1) Engineer certified record drawings and construction test results on the required improvements.

(2) Certification of completion by the developers' engineer.

(3) A two-year temporary maintenance agreement and performance guarantee for those developments where the streets and other improvements are to be dedicated to the public. The performance guarantee shall be for an amount equal to ten (10) percent of the cost of the required physical improvements and in a form acceptable to the city council. The two-year period shall commence whenever the record plat has been recorded in the public records and the performance guarantee has been deposited with the city council. The performance guarantee requirement is waived for government and quasi-government entities.

(4) An assurance of perpetual maintenance for those developments where the streets and other improvements are to remain privately owned and maintained.

(5) Copies of all required construction and operating permits from other agencies.

(6) Copies of all final covenants, grants, easements, or other restrictions to be imposed on the use of the land, buildings, and structures, including proposed easements for public and private use.

B. A performance guarantee for one hundred twenty-five (125) percent of the amount approved by the city engineer of the estimated cost of construction of the required uncompleted improvements. This guaranteed shall include both on site and off site required improvements. Said guarantee shall not expire earlier than ninety (90) days after the required completion date, however, it will be released upon final inspection.

### 61-4. Effect of Final Plat Approval

Immediately upon approval of the final plat by the City Council, the City Manager or his designee will submit the plat for recording on the next business day. When the plat has been recorded, three (3) copies thereof shall be filed with the city clerk who shall retain one (1) copy and distribute two (2) copies to the Code Compliance Officer who will furnish one (1) copy to the property appraiser and return one (1) copy to the developer. Lots shown on such plat may be made available for sale and the subdivision shall then be entitled to all privileges and services available to other subdivision within the City of Bushnell.

The applicant is responsible for paying all copying and recording costs.

## ARTICLE 5. DESIGN STANDARDS

The design standards set forth in this section shall be observed in all plats which are required to be approved by the City Council, except standards for improvements shall be applicable only to those plats for which improvements or improvement plans are required as a condition of plat approval.

Land subject to flooding, improper drainage and erosion and any land deemed by the city engineers and other public agencies to be topographically unsuitable for residential use shall not be platted for residential occupancy nor shall such land be platted for any other uses as may continue such conditions or increase danger to health, safety, life or property unless adequate methods of correction are formulated by the developer and approved by the code compliance officer.

**61-5. Streets**

The arrangement, character, extent, width, grade and location of all streets shall be considered in their relation to existing and planned streets, topographical conditions, public convenience, safety and to the proposed uses of the land to be served by such streets.

Where such is not shown in any street or highway plan, the arrangement of streets in a subdivision shall either provide for the continuation or appropriate projection of existing streets in surrounding areas or conform to a plan for a neighborhood approved or adopted by City Council.

Where a subdivision abuts or contains an existing or proposed major street, the City Council may require marginal access streets, double frontage lots with screen planting contained in a non-access reservation along the rear property lines, deep lots with rear service drives, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

Where a subdivision borders on or contains a railroad right-of-way, a limited access highway right-of-way, or an arterial road, the City Council may require a street approximately parallel to and on each side of the right-of-way. In residential and recreational areas, however, a buffer strip not less than twenty-five (25) feet which is reserved for the planting of trees, shrubs and grass and not the erection of buildings shall be required by the City Council to be located adjacent to all railroads and limited access highways. Such a buffer area is also encouraged for subdivision in other zoned districts.

A. Minor Streets. Minor streets shall be so laid out that their use by through traffic will be discouraged.

B. Half-Streets. Half-streets shall not be permitted except where:

(1) Such streets are essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations, and

(2) Required by the Bushnell comprehensive plan; i.e. along section lines 1/.

(3) The City Council finds it will be practicable to require the dedication of the other half of the street when the adjoining property is subdivided. Wherever an existing half-street is adjacent to a tract to be subdivided the other half of the street shall be platted within such tract. A temporary cul-de-sac will be provided for emergencies.

C. Alleys. Alleys or service drives may be required at the rear of all lots to be used for multi-family, commercial or industrial developments but shall not be provided in residential blocks where the developer produces evidence satisfactory to the City Council of the lack of need for alleys.

D. Dead-End Streets. Dead-end streets except those designed to be so permanently are prohibited. Permanent dead-end streets shall be no longer than five hundred (500) feet, under approval by the City Council, and shall be provided at the closed end (cul-de-sac) with a turn-around having an outside roadway diameter of at least eighty (80) feet and a street property line diameter of at least one hundred (100) feet.

E. Street Jogs. Street jogs with centerline offsets of less than one hundred and twenty-five (125) feet shall not be permitted.

F. Street Intersections. Streets shall be laid out so as to intersect as nearly as possible at right angles and no streets shall intersect any other tract at an angle of less than sixty (60) degrees. The angle of intersection shall

be measured at the intersection of street centerlines. Intersections with an arterial street less than eight hundred (800) feet apart shall be avoided except where necessary to conform to the present street system. Plan Basis Chapter 5, Objective 2.1, Policy 2.1

G. Right-Of-Way Width. Street right-of-way widths shall be as shown on the Major Street Plan for the City of Bushnell and shall conform to the following: 1/Plan Reference Chapter 3, Policy 2.1.c.

(1) Arterial Streets: As specified by the Florida Department of Transportation.

(2) Secondary (Minor) Arterial Streets: One hundred (100) feet.

(3) Collector Streets: Sixty (60) feet to one hundred (100) feet.

(4) Minor Streets: Fifty (50) feet to sixty six (66) feet.

(5) Marginal Access Streets: Forty (40) feet.

H. Grades. Grades, wherever feasible, shall not exceed the following percentages within a distance of less than two hundred (200) feet from the centerline of an intersection.

(1) Arterial Streets: As specified by the Florida Department of Transportation.

(2) Secondary (Minor) Arterial Streets: Seven percent (7%).

(3) Collector Streets: Eight percent (8%).

(4) Minor Streets: Ten percent (10%).

I. Radii of Center Line Curvature. When a street center line deflects at any point more than ten (10) degrees a circular curve shall be introduced having a radius of curvature on said center line of not less than the following:

(1) Arterial Streets: As specified by the Florida Department of Transportation.

(2) Secondary (Minor) Arterial Streets: Five hundred (500) feet.

(3) Collector Streets: Three hundred (300) feet.

(4) Minor Streets: One hundred and fifty (150) feet.

J. Tangents. A tangent shall be provided between reverse curves on all streets.

(1) Arterial Streets: As specified by the Florida Department of Transportation.

(2) Secondary Minor Arterial Streets: Two hundred and fifty (250) feet.

(3) Collector Streets: Two hundred (200) feet.

(4) Minor Streets: One hundred (100) feet.

K. Curb Line Radius. Curb lines at street intersections shall be rounded with a radius of not less than twenty-five (25) feet.

L. Street Mazes. Street names for all subdivision plats shall be subject to the approval of the City Council following a review and recommendation by the code compliance officer. Proposed streets that are obviously in alignment with others already existing and named shall bear the names of the existing streets. In no case

shall the name for proposed streets duplicate existing street names. Street number or name signs that meet standard city specifications shall be placed at all street intersections.

**61-6. Blocks**

The lengths, widths and shapes of blocks shall be determined with due regard to adequate building sites suitable to the special needs of the type of use contemplated, zoning requirements relating to lot sizes and dimensions, need for access, circulation control and safety of street traffic and the limitations and potentialities of topography.

Residential blocks shall not exceed eighteen hundred (1800) feet in length or be less than five hundred (500) feet in length. Pedestrian ways or crosswalks, not less than six (6) feet in width, may be provided across any block nine hundred (900) feet or more in length to provide adequate pedestrian circulation or access to schools, shopping centers, churches or transportation facilities.

Residential blocks shall be wide enough to provide two (2) tiers of lots of minimum depth. Where buffer strips are required to separate residential development from traffic, railroad lines or other types of development, the width of the buffer may not be included as a part of the lot depth.

**61-7. Lots**

Lot sizes, shapes and locations shall be made with regard to topographic conditions, contemplated use and the surrounding area.

A. Frontage. Every lot shall front or abut on a public street that has at least a fifty (50) foot right-of-way, except for marginal access streets of forty (40) feet.

B. Double Frontage. Double frontage and reverse frontage lots shall be prohibited except where essential to provide separation of residential development from traffic arterials or to overcome specific disadvantages of topography, location and property size. A planting screen reservation of at least ten (10) feet, and across which there shall be no right of access, shall be provided along the line of lots abutting such traffic artery or other disadvantageous use.

C. Minimum size. Every residential lot shall conform to the minimum dimension and area requirement of the zoning ordinance provided that every lot not served by a public sewer or community sanitary sewage system and/or water shall meet the dimension and area requirements of Environmental Health. (Where available, connection to city water and sewer is mandatory.)

Depth and width of properties reserved or laid out for commercial use and industrial purposes shall be adequate to provide for the off-street services and parking facilities required by the type of use and development contemplated. (Chapter 60, Article 3)

D. Corner Lots. Corner lots for residential use shall have an extra width of ten (10) feet to permit adequate building setback from side streets.

E. Conformity to City Ordinances. Whenever there is a discrepancy between the minimum standards or dimensions noted herein and those contained in the LDR's, building codes and other official regulations the most restrictive requirements shall apply.

**61-8. Easements**

Easements or alleys shall provide access lots for all utilities.

A. Utility Easements. Utility easements shall be discouraged but when it is determined necessary and desirable to locate public utility lines in other than street rights-of-way, then the developer shall establish and dedicate easements for such purposes to the public. Such easements shall not be less than twenty (20) feet in width and when possible shall be centered on rear or side lot lines.

B. Water Course and Drainage Easements. When a subdivision contains a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way which shall be centered substantially along the lines of such water course, drainage way, channel or stream. Easements or right-of-way shall be of such width and construction as the City Engineer shall require.

C. Alleys. If alleys are planned to provide utility access to lots they shall have a minimum right-of-way of twenty (20) feet.

## ARTICLE 6. LAND DEDICATION

### 61-9. Open space

In the event the subdivision is too small and/or does not include a park area, the developer may be required to pay to the city a sum of money equal in value to-five percent (5%) of the gross area of the subdivision which sum shall be held in escrow and used by the city for the purpose of acquiring parks and playgrounds and shall be used for this purpose and no other. The value shall be the value of the land without improvements and shall be determined jointly by the City Manager and the developer. If the City Manager and the developer cannot agree on a land value, the City Council shall appoint a professional land appraiser, the developer shall appoint a professional land appraiser, and these two shall appoint a third. All sites designated in subdivision plats for public recreation shall be dedicated in the plat and also deeded to the city for this purpose.

In no instance will the recreation and open space standards be less than as provided in Chapter 57, Section 57.06 of these Land Development Regulations.

All new subdivisions will provide ten (10) acres of dedicated usable public open space per one thousand (1,000) population.
(Plan Basis Chapter 2, objective 3, Policy 3-e and objective 4, Policy 4.)

## ARTICLE 7. PENALTIES

### 61-10. Violation A Civil Offense

Any person violating any provision of this ordinance shall upon conviction be deemed guilty of a civil violation and shall be subject to such penalties as provided by Chapter 52 of these Land Development Regulations.

## ARTICLE 8. AMENDMENTS

This ordinance may be amended from time to time. Before enacting an amendment to this ordinance, the city council shall hold a public hearing thereon, notice of which shall be published at least fifteen (15) days prior to such hearing in a newspaper of general circulation in the City of Bushnell, Florida.

## ARTICLE 9. EXEMPTIONS

The following methods of subdividing land are exempt from this regulation however no parcel created under any of the exemptions in this section shall be eligible for development permits unless and until the parcel is assigned the proper zoning classification and meets the minimum standards of that district. Subdivision of property by any means contrary to the intent and terms of these exemptions and this chapter are prohibited.

A. Creation of individual parcels of land by sale or gift out of a lawful parcel of record, between or among the owner and his/her spouse or lineal descendent(s) or ascendant(s) for residential purposes.

B. Transfer of property between tenants in common or joint tenants for the purpose of dissolving the tenancy in common or joint tenancy.

C. Subdivision of property for the purpose of transfer to a body having the power of eminent domain.

D. Subdivision of land into any number of parcels ten (10) acres or larger provided a division of a parcel into tracts of ten (10) acres or larger shall require a private easement of at least sixty (60) feet in width. The easement shall have a stabilized surface and will not be eligible for inclusion in the city road system.

**PART III**
**CITY OF BUSHNELL CODE OF ORDINANCE**
**LAND DEVELOPMENT REGULATIONS**
**CHAPTER 62**
**LANDSCAPING, BUFFERING AND TREE PRESERVATION**

## ARTICLE 1. PURPOSE (Amended by Ord. 2011-07)

The purpose of this section is to establish minimum standards for landscaping, buffering and tree protection within the City as stated in the Comprehensive Plan and establish minimum standards for the development, installation, and maintenance of Florida-Friendly Landscape areas without inhibiting creative landscape design, construction and management. Florida Statues 125.568(3), 166.048(3), and 373.185(3) provide that a deed restriction or covenant entered after October 1, 2001, or local government ordinance, may not prohibit any property owner from implementing Xeriscape or Florida-Friendly Landscape practices on his or her land. Any restrictions created after this date are void.

## ARTICLE 2. APPLICABILITY

The provisions of this ordinance shall apply to the development or redevelopment of all property within present or future incorporated areas of the City of Bushnell which are subject to the provisions of Chapter 65, Site Plan Review; Chapter 65, Planned Unit Developments; or Chapter 61, Subdivisions and Plats of the City of Bushnell Land Development Code..

No permit shall be issued for building, paving, or tree removal unless the landscape construction documents comply with the provisions hereof; and no Certificate of Occupancy shall be issued until the requirements herein are met.

All new and renovated City of Bushnell facility landscapes will be designed in accordance with these principles and be constructed and installed using Florida-Friendly Landscape materials.

If the provisions of this ordinance conflict with other ordinances or regulations, the more stringent limitation or requirement shall govern or prevail to the extent of the conflict.

Deed restrictions or covenants shall not require a certain percentage of residential lots to be turfgrass, require specific types of turfgrasses to be utilized, require lawns to be maintained at a specific color, or require replacing sod of lawns during drought periods.

Specific application of the provisions shall include, but not be limited to:

- All new, redeveloped, or rehabilitated landscapes for public agency projects and private development projects including but not limited to industrial, commercial, residential, and recreation projects; Florida Statues 125.568(3), 166.048(3), and 373.185(3) provided that a deed restriction or covenant entered after October 1, 2001, or local government ordinance, may not prohibit any property owner from implementing Xeriscape or Florida-Friendly Landscape practices on his or her land. Any restrictions created after this date, are void.
- Developer-installed landscapes at entrances into and common areas of single-family and multi-family projects;

Any development approved prior to the effective date of this ordinance if the governing site development plan is amended;

Exempted from the provisions of this ordinance are the following as applicable:

- Bona-fide agricultural activities as defined in the Florida Right to Farm Act, Section 823.14, Florida Statutes
- Other properties not subject to or covered under the Florida Right to Farm Act that have Pastures used for grazing livestock
- Any development that is governed by an approved, final site development plan or a valid building permit issued prior to the effective date of this ordinance is exempted from retrofitting
- Rights-of-way for public utilities, including electrical transmission and distribution lines, and natural gas pipelines.
- Conditional exemption may be granted by the City of Bushnell for individual projects if the applicant can demonstrate acceptable reasons for the requested exemption

## ARTICLE 3. ADMINISTRATIVE STANDARDS

Whenever, in the course of administration and enforcement of this chapter, it is necessary and desirable to make any administrative decision, then, unless other standards are in this chapter, the decision shall be made so that the result will not be contrary to the spirit and purpose of this chapter or injurious to the surrounding neighborhood or the community at large.

## ARTICLE 4. LANDSCAPING

**Definitions**

**"Administrator"** means the City Manager, or an administrative official of Bushnell government designated by the City Manager to administer and enforce the provisions of this Article.
**Aquascape.** The planting of aquatic and wetland plants in the enhancement, restoration, or creation of freshwater, estuarine, or marine systems.
**Automatic Controller.** A mechanical or electronic device, capable of automated operation of valve stations to set the time, duration and frequency of a water application.
**"Board or Governing Board"** means the City Council of Bushnell, Florida.
**"Best Management Practices"** means turf and landscape practices or combination of practices based on research, field-testing, and expert review, determined to be the most effective and practicable on-location means, including economic and technological considerations, for improving water quality, conserving water supplies and protecting natural resources.
**Canopy tree. A**ny tree indigenous to the state of Florida that grows to a minimum height of 40 feet and provides a thirty (30) foot radius of shade at full maturation.
**Clearing or removing a tree.** The removal of a tree by digging, pushing, cutting, or removal through damage.
**"Code Enforcement Officer, Official, or Inspector"** means any designated employee or agent of City of Bushnell, whose duty it is to enforce codes and ordinances enacted by City of Bushnell.
**Constant Pressure/Flow Control.** A device that maintains a constant flow, or pressure, or both.
**DBH.** The diameter of a tree at breast height.
**Developed landscape area.** That portion of the property where pre-development vegetation is to be removed.
**Drip line.** An imaginary line on the ground defined by vertical lines that extend from the outermost tips of the tree branches to the ground.
**Emitter.** This term primarily refers to devices used in microirrigation systems.
**Filter.** A device in irrigation distribution systems that separates sediment or other foreign matter.
**Florida-Friendly Landscape.** The principles of Florida-Friendly Landscaping include planting the right plant in the right place, efficient watering, appropriate fertilization, mulching, attraction of wildlife, responsible management of yard pests, recycling yard waste, reduction of stormwater runoff, and waterfront protection. Additional components of Florida-Friendly Landscape include planning and design, soil analysis, the use of solid waste compost, practical use of turf, and proper maintenance.
**Ground Cover.** Low growing plants, other than turfgrass, used to cover the soil and form a continuous, low mass of foliage.
**"Guaranteed Analysis"** means the percentage of plant nutrients or measures of neutralizing capability claimed to be present in a Fertilizer.
**Hardscape.** Areas such as patios, decks, driveways, paths and sidewalks that do not require irrigation.
**High Water Use Plants.** Plants that require irrigation to provide supplemental water on a regular basis throughout the year, or are so identified by a regulatory agency having jurisdiction. When placed in a naturally high water table area appropriate to the plant such that irrigation is not required, such plants shall not be considered high water use for the purposes of this ordinance.
**Hydrozone.** A distinct grouping of plants with similar water needs and climatic requirements.
**Indigenous tree.** A tree that is native to or grows and lives naturally in a particular area.
**Infiltration Rate.** The rate of water entry into the soil expressed as a depth of water per unit of time (inches per hour).
**Irrigated landscape area.** All outdoor areas that require a permanent irrigation system.
**Irrigation System.** A constructed watering system designed to transport and distribute water to plants.
**Irrigation Zone.** A grouping of sprinkler heads or microirrigation emitters operated simultaneously by the control of one valve.

**Landscape.** Any combination of living plants (such as grass, ground cover, shrubs, vines, hedges, or trees) and non-living landscape material (such as rocks, pebbles, sand, mulch, walls, fences, or decorative paving materials).
**Landscape Construction Documents.** Landscape construction documents may include a planting plan, a landscape layout plan, an irrigation plan, a grading and drainage plan, detail sheets and written specifications. Plans shall be numbered, dated, North arrow indicated, scaled, and sealed by an appropriately licensed professional where required by Florida Statutes Chapter 481, Part II.
**Landscape Design.** Means consultation for and preparation of planting plans drawn for compensation, including specifications and installation details for plant materials, soil amendments, mulches, edging, gravel, and other similar materials. Such plans may include only recommendations for the conceptual placement of tangible objects for landscape design projects. Construction documents, details, and specifications for placement of tangible objects and irrigation systems shall be designed or approved by licensed professionals as required by law.
**Landscape Layout Plan.** Plans and drawings showing the location of buildings, structures, pedestrian, transportation, or environmental systems, and the detail for placement of site amenities, accessibility components, plantings and other tangible objects. Plans shall be numbered, dated, North arrow indicated, scaled, and sealed by an appropriately licensed professional where required by Florida Statutes Chapter 481, Part II.
**"Landscape Plant"** means any native or exotic tree, shrub, or groundcover (excluding Turf).
**Landscaped Area.** The entire parcel; less the building footprint, driveways, hardscapes such as decks and patios, and non-porous areas. Water features are included in the calculation of the landscaped area. This landscaped area includes Xeriscape™ as defined in Chapter 373.185(l)(b), F.S.
**Low-flow Point Applicators.** Irrigation applicators with output less than 60 gallons per hour (gph).
**"Low Maintenance Zone"** means an area a minimum of six (6) feet wide adjacent to water courses which is planted and managed in order to minimize the need for fertilization, watering, mowing, etc.
**Low Water Use Plants.** Plants that do not need supplemental water beyond natural rainfall, or are so identified by a regulatory agency having jurisdiction.
**Microclimate.** The climate of a specific area in the landscape that has substantially differing sun exposure, temperature, or wind, than surrounding areas or the area as a whole.
**Microirrigation (low volume).** The application of small quantities of water directly on or below the soil surface, usually as discrete drops, tiny streams, or miniature sprays through emitters placed along the water delivery pipes (laterals). Microirrigation encompasses a number of methods or concepts including drip, subsurface, bubbler, and spray irrigation, previously referred to as trickle irrigation, low volume, or low flow irrigation.
**Moderate Water Use Plants.** Plants that need supplemental water during seasonal dry periods.
**Moisture Sensing Device or Soil Moisture Sensor.** A device to indicate soil moisture in the root zone for the purpose of controlling an irrigation system based on the actual needs of the plant.
**Mulch.** Non-living, organic or synthetic materials customarily used in landscape design to retard erosion and retain moisture.
**Native Vegetation.** Any plant species with a geographic distribution indigenous to all, or part, of the State of Florida as identified in: Wunderlin, R. P. 1998. Guide to the Vascular Plants of Florida. University Press of Florida, Gainesville.
**"Pasture"** means land used for livestock grazing that is managed to provide feed value.
**"Person"** means any natural Person, business, corporation, limited liability company, partnership, limited partnership, association, club, organization, and/or any group of people acting as an organized entity.
**Pervious Paving Materials.** A porous asphaltic, concrete or other surface and a high-void aggregate base which allows for rapid infiltration and temporary storage of rain on, or runoff delivered to, paved surfaces.
**Plant Bed.** A grouping of trees, shrubs, ground covers, perennials or annuals growing together in a defined area devoid of turfgrass, normally using mulch around the plants.
**Plant Communities.** An association of native plants that are dominated by one or more prominent species, or a characteristic physical attribute.
**Planting Plan.** Specifications and installation details for plant materials, soil amendments, mulches, edging, gravel, and other similar materials.
**Point of Connection (POC).** The location where an irrigation system is connected to a water supply.
**Pop-up Sprays.** Spray heads that pop up with water pressure and provide a continuous spray pattern throughout a given arc of operation.
**Pressure Tank.** A pressurized holding tank for irrigation water coming from wells to minimize cycling of the water pump.
**Pump Cycling.** Irrigation pump coming on and shutting off frequently during operation of irrigation systems.

**Rain Sensor Device.** A low voltage electrical or mechanical component placed in the circuitry of an automatic irrigation system that is designed to turn off a sprinkler controller when precipitation has reached a pre-set quantity. Required by law (373.62 ES.) on all automatic irrigation systems since 1991.
**Runoff.** The water that results from and occurs following a rain event, or following an irrigation event, because the water is not absorbed by the soil or landscape and flows from the area.
**Site Appropriate Plant.** A plant that after establishment, will thrive within the environmental conditions that are normal for a specific location without artificial supplements such as irrigation.
**"Sod," or "Lawn"** means a piece of turf-covered soil held together by the roots of the turf.
**Soil Moisture Sensor.** See Moisture Sensing Device.
**Soil Texture.** The classification of soil based on the percentage of sand, silt, and clay in the soil.
**Turf and/or Turfgrass.** A mat layer of mono-cotyledonous plants such as, but not limited to, Bahia, Bermuda, Centipede, Paspalum, St. Augustine, and Zoysia.
**Understory tree. A**ny indigenous tree that is not a canopy tree but grows to a minimum height of 15 feet.
**Valve.** A device used to control the flow of water in the irrigation system.
**Water Use Zone.** See "Hydrozone" for a specific location without artificial supplements such as irrigation.

In new subdivisions or when the development of commercial property occurs the city of Bushnell will review landscaping plans and may require street trees to be planted along any of the streets, parking lots parks and other public places.

**Landscaping Requirements**

Where it is not possible to retain existing natural ground cover, all disturbed areas shall be seeded and mulched. All landscaping materials shall be adequately maintained in a healthy condition.

**A. Parking Lots and Vehicle Use Areas**

Site landscaping shall be disbursed evenly on the site. Each exposure (north, south, east and west) shall have a proportion of the landscaping approximately equal to the amount of the open area available to plant vegetation. Landscaping is required to hide and/or enhance parking lots, blank walls, dumpster areas and stormwater areas.

1. All parking rows shall end with a landscaped area. The landscaped area will be a minimum of 100 square feet and shall contain a minimum of one (1) canopy tree, five (5) shrubs and ground cover or grass.
2. The maximum allowed number of uninterrupted parking spaces between landscaped areas is twenty (20). The landscaped areas will be a minimum of 75 square feet per row and shall contain a minimum of one (1) canopy tree or one (1) approved understory tree, three (3) shrubs and ground cover or grass.
3. No parking area or parking aisle may be within five (5) feet of the property line.

**B. Entrance Roads, Water Retention Areas and Other Vehicle Use Areas**

1. Canopy trees shall be planted a minimum of thirty (30) feet apart and shall not be planted within twenty (20) feet of overhead utility lines. Canopy trees required by these regulations may be planted in the city right-of-way provided they are a minimum of ten (10) feet from the roadway and sidewalks.
2. All water retention areas will be required to seed and mulch or sod the bottom. Repair any erosion with additional fill and/or sod as necessary as determined by the city engineer.
3. No landscaping shall be located in an area that may interfere with proper visibility of on-coming vehicles.

## ARTICLE 5. TREE PLANTING, MAINTENANCE AND REMOVAL

**A. Tree Species.** Table 62-1 herein is a list of desirable trees for planting along streets in three (3) size classes: small, medium and large. This list may be added to by simple motion of the City Council of the City of Bushnell. Tables 62-2 through 62-5 provide a listing of trees, palms, shrubs and vines according to their ability to survive without irrigation and according to their requirement for sunlight.

**B. Spacing.** The spacing of street trees will be in accordance with the three species size classes listed in this Ordinance, and no trees may be planted closer together than the following; small trees, thirty (30) feet; medium trees, forty (40) feet; and, large trees, fifty (50) feet; except in special plantings designed or approved by a landscape architect.

**C. Removal.** If a tree of sixteen (16) inches in diameter, or greater, as measured at a point of four and one-half

(4 ½) feet above ground level, must be removed for development purposes, two (2) replacement trees shall be planted by the developer for each tree removed. Any trees sixteen (16) inches in diameter or greater located in the setback area shall be left on site. No construction activity, including land clearing, may be started prior to site plan approval.

(1) Trees removed for right-of-way or off-street parking construction and meeting the size criteria above shall be replaced by the developer in an area dedicated to permanent open space.

(2) Trees removed for building construction and meeting the size criteria above shall, in the case of any structure other than a single-family dwelling, be replaced in an area dedicated to permanent open space.

(3) Exemption: Residential homes, agricultural and forestry land uses are exempt from this Article.

(4) Replacement: Any trees that are between 16" and 30" in diameter will be replaced with two (2) trees from the medium or large official tree list and be a minimum of 1 ½" caliper DBH and 10 feet in height installed. Any trees that are greater than 30" in diameter will be replaced with two (2) trees from the large official tree list and will be a minimum of 4" caliper DBH and 12 feet in height installed.

(5) Maintenance of a replacement tree shall be the responsibility of the property owner for a period of one (1) year. Any tree that dies within the one year period shall be replaced and maintained for one year to insure its longterm survival after replacement.

**D. Utilities.**

(1) No street trees, other than those species listed herein, may be planted under or within half of the distance stated in B, of any overhead utility wire, or over or within ten (10) lateral feet of any underground water line, sewer line, transmission line or other utility.

(2) Prior to any tree trimming or removal within a distance which might affect City electric utilities, the firm or individual will coordinate with the Director of Utilities.

**E. Distance from Curb and Sidewalk.** The distance trees may be planted from curbs or curb-lines and sidewalks will be in accordance with the tree species size classes listed in Table I of this Ordinance. No trees may be planted closer to any curb or sidewalk than the following: small trees, two (2) feet; medium trees, three (3) feet; and, large trees, four (4) feet.

**F. Topping.** It shall be unlawful for any person or firm to top any street tree, park tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical are exempted from this Ordinance at the determination of the City.

## ARTICLE 6. TREE PROTECTION

**A. Destructive or Communicable Disease.** Upon the discovery of any destructive or communicable disease or other pestilence that endangers the growth or health of trees, or threatens to spread disease or insect infestations, the City shall at once cause written notice sent by Certified Mail to the owner of the property upon which such diseased or infested tree is situated, and the notice shall require such property owner to eradicate, remove or otherwise control such condition within a reasonable time to be specified in such notice.

**B. Damage to Trees and Shrubs.** It shall be unlawful for any person to cut, destroy or injure any of the trees growing in or upon any of the public squares or streets of the City without prior approval. Nothing herein contained shall be so construed as to prevent the City from trimming or removing the same at its discretion. (City of Bushnell Code of Ordinances, 1958, s. 20-5.)

## ARTICLE 7. BUFFERS

All development with the exception of single family and duplex uses must provide a buffer between dissimilar zones that has a less intense use.

A. A buffer is required along all property boundaries except those adjacent to properties with an existing buffer conforming to the City of Bushnell's Land Development Regulations.

B. Fences used in buffer areas are required to be constructed of a durable opaque material. Chain link fences are not permitted to be utilized as part of the Buffer C requirements.

**Buffer Types**

A. Buffer A - a five (5) foot wide strip containing a continuous hedge (three (3) gallon shrubs, three (3) foot on center) and one (1) understory tree or canopy tree for each fifty (50) feet.

B. Buffer B - a ten (10) foot wide strip containing either a continuous six (6) foot fence and one (1) understory tree or canopy tree each fifty (50) feet, or a continuous hedge (three (3) gallon shrubs, three (3) foot on center), and one (1) understory tree or canopy tree each fifty (50) feet.

C. Buffer C - a fifteen (15) foot wide strip containing either a twelve (12) foot wide by three (3) foot tall berm with a continuous hedge (three (3) gallon shrub, three (3) foot on center) with one (1) understory tree or canopy tree each fifty (50) feet, or a three (3) foot tall block/brick wall combined with a three (3) foot tall berm (seven (7) foot wide for both wall and berm) with a continuous hedge (three (3) gallon shrub, three (3) foot on center) with one (1) understory tree or canopy tree each fifty (50) feet.

D. Buffers are required in the following sections: 65-32 service stations, 65-33 rental storage space, 65-35 recreational vehicle park, 65-38 manufacturing, 65-39 junk yards, 65-42 stonecutting, 65-43 rail car loading, spurs or material stockyards, 65-44 paper and pulp mill, 65-52 restaurants over 70 seats or fast food chains, 65-53 bottle clubs, bars, lounges or package stores, 65-57 car washes, and 65-64 outdoor storage except parts and junk.

Permitted Uses Within Buffer Areas

1. Passive recreation (pedestrian walkways, benches, open space, etc.)
2. Sidewalks
3. Utilities
4. Stormwater retention
5. Driveway cuts
6. Septic tank drainfields

## BUFFER REQUIREMENTS

| ZONING | BUFFER TYPE |
|---|---|
| R-1, R-1-A & R-2 | N/A |
| R-3 | A |
| RMH & AG | N/A |
| CO & CBD | A |
| C-1 & C-2 | B |
| C-3, CM, I-1 & I-2 | C |
| H, P & PUD | * |

* To be reviewed individually with each application. The buffer requirements will be based on the proposed uses within these districts.

### ARTICLE 8. GENERAL PROVISIONS AND DESIGN STANDARDS

Landscape and Xeriscape (Florida-Friendly) Design Standards:

1. Low impact site design practices, such as preserving existing native trees and vegetation, shall be used if feasible. Where established natural vegetation is incorporated into the landscape design, irrigation of those areas shall not be required.
2. The plant palette and irrigation system shall be appropriate for site conditions, taking into account that, in some cases, soil improvement can enhance water use efficiency.
3. Plants shall be grouped together by irrigation demand.

When the construction upon or the development of a new site or the redevelopment, reconstruction, upgrading, expansion or change in use of a previously developed site is such that site plan review by the City of Bushnell is required prior to the issuance of a building permit, the provisions of 9A-F of this ordinance shall be applied to newly

disturbed areas of such site. It is intended that for expansion or remodeling of existing sites, only new or modified areas would be subject to these provisions.

**A. Site Planning and Design**

1. Site designs and landscape construction documents shall be prepared in accordance with the requirements of all applicable Florida Statutes. All landscape and irrigation system designs shall be consistent with the standards required under 373.228 Florida Statutes.
2. The site plan shall consider natural drainage features to minimize runoff. The use of pervious surfaces and areas is preferred, therefore impervious surfaces and materials within the landscaped area shall be limited to borders, sidewalks, step stones, and other similar materials, and shall not exceed 25 % of the landscaped area. Use of pervious paving materials is strongly encouraged, and relative imperviousness will be considered.

- Site plans should identify all vegetated areas to be preserved.

a. If landscape construction documents are required, they should include, but not be limited to the following:

- Location of all underground and overhead utilities;
- Existing and proposed trees, shrubs, ground covers and turf areas within the developed landscape area;
- Plants by botanical and common name, and where applicable, cultivar name; spacing, and quantities of each type of plant by container size and by mature height and spread;
- Existing and proposed property lines, streets, street names and public utilities;
- Existing and proposed hardscape features such as driveway(s) and sidewalk(s) as necessary;
- Existing and proposed structures such as pool(s). fountain(s), fence(s) and retaining wall(s);
- Existing and proposed buildings;
- Indicate in a table the total square footage(s) of the various landscape hydrozones on the plan. If more than one water meter serves the site, the total hydrozone square footages of the various hydrozones must be identified with each Point of Connection (POC) and meter providing water service.

b. Irrigation plans must be designed to recognize differential irrigation requirements of the landscape as described in Section F It is suggested that "Record" or "As-Built" construction documents be submitted prior to issuance of the Certificate of Occupancy, with a copy delivered to the homeowner. This will help to prevent later damage from digging by utility workers or the homeowner and assist the owner with understanding the system design. The irrigation plan should show the following:

- Irrigation point(s) of connection and design capacity;
- Water service pressure at irrigation POCs;
- Water meter size;
- Reduced-pressure-principle backflow-prevent ion devices for each irrigation POC on potable water systems;
- Major components of the irrigation system, including all pumps, filters, valves, and pipe sizes and lengths;
- Precipitation rate expressed in inches per hour for each valve circuit. The preparer must attach to the Project Data Sheet the calculations for deriving precipitation rates for each irrigation valve circuit;
- Total flow rate {flow velocity not to exceed 5 feet per second) in gallons per minute (gpm) and operating pressure (psi) for each individual overhead and bubbler circuit, and gallons per hour (gph) and operating pressure for low-flow point irrigation circuit;

c. Irrigation legend will have the following elements: Separate symbols for all irrigation equipment with different spray patterns and precipitation rates and pressure compensating devices; general description of equipment; manufacturer's name and model number for all specified equipment; recommended operating pressure per nozzle and bubbler and low-flow emitter; manufacturer's recommended overhead and bubbler irrigation nozzle rating in gallons per minute (gpm) or gallons per hour (gph) for low flow point applicators; minimum (no less than 75% of maximum spray radius) and maximum spray radius per nozzle; and manufacturers rated precipitation rate, per nozzle at specified psi.

- Recycled-water piping and guidelines as required; reclaimed or non-potable water should be used for irrigation if an acceptable source is determined to be available by the City Engineer.
- Identify location of rain shut-off devices or soil moisture sensors.
- The irrigation system must take any existing slopes over 10% into account.

**B. Soils**

1. Soils vary from site to site and even within a given site. Soil analysis information is needed for proper selection of plants and, if needed, soil amendments. A soil analysis based on random sampling is required and shall be performed by a reputable soil testing lab or University of Florida/IFAS Cooperative Extension facility.
2. Existing horticulturally suitable topsoil shall be stockpiled and re-spread during final site grading.
3. Any new soil required shall be similar to the existing soil in pH, texture, permeability, and other characteristics, unless convincing evidence is provided that a different type of soil amendment approach is justified.
4. The use of solid waste compost as a soil amendment is encouraged where it is appropriate.

**C. Standards for land clearing and preservation of native vegetation**

1. This section shall apply to all development permitted upon approval of this regulation. Parcels or lots independent of larger developments that are less than 1acre in size shall not be subject to these set-aside requirements. Individual single-family lots are exempt from this requirement; however, single family and planned unit developments are not exempt. Tree preservation ordinances and all other landscape requirements shall remain applicable to all development as described in the tree preservation and landscape ordinances.
2. This ordinance mandates a total of 10% percent of a site planned for development be set aside for preservation. When clearing, 10% of the native vegetation on the site shall be preserved. If vegetation is not present on site, established open space zoning and landscape ordinance criteria shall be followed.
3. Vegetation that is set aside for preservation shall be protected from all on-site construction. Protective barriers shall be installed along the perimeter of all preserve areas. Any damaged vegetation within the set-aside areas shall be replaced with vegetation equivalent to the vegetation destroyed before any certificates of occupancy or other approvals may be issued
4. Areas that are considered to be of *high ecological importance* should be given highest priority for protection. These areas include, but are not limited to, areas that have occurrences of federal and state listed species of flora and fauna, areas of high biological diversity, and areas that are in aquifer recharge zones.
5. If more than one native terrestrial plant community is present on the site, areas representing all existing plant communities shall be preserved onsite unless preserving more of one particular community is more ecologically beneficial.
6. Utilities, stormwater easements and right-of-ways are exempt from provisions 1-5 above, but should avoid preserved areas.
7. High-quality areas placed in preservation shall be retained in entirety, in their current or improved natural state, and protected into perpetuity regardless of ownership. This requirement may be negotiated to create contiguous preservation among plant communities. The developer shall prove to the reviewer, through exhibits provided during the site approval process, that the highest ecologically valued land is being retained first in order to satisfy the set-aside requirement. If the preservation of the highest ecologically valued land produces undue burden on the development of the property, it is also the developers responsibility to prove such hardship and provide an acceptable alternative for approval.
8. Rights-of-way and areas determined to be future rights-of-way in the comprehensive plan, and utility or drainage easements shall not be allowed as designated set-aside areas.

**D. Appropriate Plant Selection, Location, and Arrangement**

1. Plant selection should be based on the plant's adaptability to the existing conditions present at the landscaped area and native plant communities, particularly considering appropriate hardiness zone, soil type and moisture conditions, light, mature plant size, desired effect, color and texture. For purposes of determining prohibited and controlled plant species refer to the Department of Agriculture and Consumer Services rule, Chapter 5B-57 Florida Administrative Code. Plants named in this rule may not be used except as allowed in Chapter 5B-57.
2. Plants shall be grouped in accordance with their respective water and maintenance needs. Plants with similar water and cultural (soil, climate, sun, and light) requirements shall be grouped together. The water use zones (hydrozones) shall be shown on the irrigation, layout, and planting plans (where required). Where natural conditions are such that irrigation is not required, the presence of site appropriate plants shall not be considered a high water use hydrozone.
3. The combined size of all high water use hydro-zones shall be limited to 20% of the total landscaped area. In landscapes irrigated with recycled water, the allowable size of all high water-use zones shall be increased to not more than 30% of the total landscaped area. These high water-use limits do not apply to landscaped areas requiring large amounts of turf for their primary functions, e.g., ballfields and playgrounds.

**E. Turf Areas**

1. The type and location of turf areas shall be selected in the same manner as with all the other plantings. Irrigated turf areas, as opposed to non-irrigated turf areas, are considered to be a high water use hydrozone. Irrigated turf shall not be treated as a fill-in material but rather as a planned element of the landscape. Turf shall be placed so that it can be irrigated using separate zones. While turf areas provide many practical benefits in a landscape, how and where it is used can result in a significant reduction in water use.
2. Irrigated turfgrass areas shall be consolidated and limited to those areas on the site that receive pedestrian traffic, provide for recreation use, provide cover for septic tank drainfields and required drainfield reserve areas, or provide soil erosion control such as on slopes or in swales; and where turfgrass is used as a design unifier, or other similar practical use. As a matter of public safety, no turfgrass that requires mowing shall be allowed on slopes greater than 4:1 or within 6 feet of the waters edge, except where adjacent to seawalls and bulkheads are needed to control erosion. Turf areas shall be identified on the landscape plan (where plan is required).

**F. Efficient Irrigation**

1. All irrigation installations after the effective date of this ordinance shall meet the irrigation standards identified per 373.228 ES. These include:

   a. Irrigation systems shall be designed to meet the needs of the plants in the landscape (not the other way around).
   b. When feasible, irrigation systems shall be designed to separately serve turf and non-turf areas.
   c. The irrigation system plans and specifications shall identify the materials to be used and the construction methods.
   d. The design shall consider soil, slope, and other site characteristics in order to minimize water waste, including overspray, the watering of impervious surfaces and other non-vegetated areas, and off-site runoff.
   e. The system shall be designed to minimize free flow conditions in case of damage or other mechanical failure.
   f. The system shall be designed to use the lowest quality water feasible.
   g. Rain switches or other approved devices, such as soil moisture sensors, to prevent unnecessary irrigation, shall be incorporated. (Section 373.62, ES.)
   h. A recommended seasonal operating schedule and average precipitation rates for each irrigation zone for both establishment and maintenance conditions shall be provided.
   i. Control systems shall provide the following minimum capabilities:
      i. Ability to be programmed in minutes, by day of week, season and time of day,
      ii. Ability to accommodate multiple start times and programs,
      iii. Automatic shut off after adequate rainfall
      iv. Ability to maintain time during power outages for a minimum of three days, and
      v. Operational flexibility to meet applicable year-round water conservation requirements and temporary water shortage restrictions.
   j. Recommended maintenance activities and schedules shall be included.
   k. Precipitation rates for sprinklers and all other emitters in the same zone shall be matched, except that microirrigation emitters may be specified to meet the requirements of individual plants.

   1. Irrigation systems shall be designed to maximize uniformity, considering factors such as:
      i. Emitter types.
      ii. Head spacing.
      iii. Sprinkler pattern.
      iv. Water pressure at the emitter.

   m. Irrigation systems with main lines larger than two inches or designed to supply more than seventy gallons per minute shall incorporate a means to measure irrigation water use, at a minimum of ninety-five percent accuracy across the flow range.
   n. Irrigation system plans and specifications shall require the system installer to conduct final testing and adjustments to achieve design specifications prior to completion of the system and acceptance by the owner or owner's representative.
   o. Irrigation system plans and specifications shall require that the installer provide property owners and users with the following post-construction documentation, including as-constructed drawings, recommended maintenance activities and schedules, operational schedule, design precipitation rates, instructions on adjusting the system to apply less water after the landscape is established, maintenance schedule, water

source, water shut-off method, and the manufacturer's operational guide for their irrigation controller. To the extent feasible, similar information should be made available for subsequent property transfers.

2. To assist the end user to operate the system properly, in addition to the minimum requirements of 373.228 ES. the following shall be provided to the owner at the time of installation. The map shall be attached inside each irrigation controller or be kept in another readily available location if it is not practical to insert it in a small controller.

   a. Irrigation scheduling information, with instructions for seasonal timer and sensor changes,

   b. An irrigation valve site map detailing valve locations, gallons per minute demands, precipitation rates, plant types within valve circuits, and operating pressure requirements for each valve

3. The irrigation system shall be designed to correlate to the organization of plants into zones. The water use zones shall be shown on the Irrigation Plan (where plan is required). All plants (including turf) require watering during establishment. Temporary facilities may be installed to facilitate establishment. Irrigation must be conducted in accordance with WMD restrictions.
4. Rain shut-off switch equipment shall be required on automatic irrigation systems to avoid irrigation during periods of sufficient soil moisture, in accordance with Florida Law (373.62 ES.). Said equipment shall consist of an automatic mechanical or electronic sensing device or switch that will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred.
5. The installation of tracer wire along main lines and laterals is strongly encouraged to permit easy location and prevent inadvertent cutting of pipes.
6. If the water supply for the irrigation system is from a well, a constant pressure flow control device or pressure tank with adequate capacity shall be required to minimize pump "cycling".
7. Check valves must be installed at irrigation heads as needed to prevent low head drainage and puddling.
8. Nozzle precipitation rates for all heads within each valve circuit must be matched to within 20% of one another.
9. No water spray from irrigation systems shall be applied under roof overhangs.
10. Irrigated areas shall not be less than 4 feet wide, except when next to contiguous property or using micro or drip irrigation.
11. A pressure-regulating valve shall be installed and maintained if static service pressure exceeds 80 pounds per square inch. The pressure-regulating valve shall be located between the meter and the first point of water use, or first point of division in the pipe, and set at not more than 50 pounds per square inch when measured at the most elevated fixture in the structure served. This requirement may be waived if satisfactory evidence is provided that high pressure is necessary in the design and that no water will be wasted as a result of high-pressure operation.

## ARTICLE 9. ENFORCEMENT AND MONITORING

Within 2 years of the effective date of this ordinance, all businesses performing design, installation, or maintenance services involving Turf and/or Landscape Plants (including but not limited to residential lawns, golf courses, commercial properties, and multi-family and condominium properties) must ensure that all supervisory employees have an appropriate certification. Inspections are preformed as per Land Development Regulations.

## ARTICLE 10. VARIANCES

As provided in Chapter 52 of these Land Development Regulations, the Board of Adjustment is hereby authorized to grant variances in accordance with stated provisions and can attach conditions to variances granted.

## ARTICLE 11. VIOLATIONS AND PENALTIES

A. For any violation which does not constitute a threat to life or property, the City of Bushnell shall have the authority to issue a citation and/or to withhold a certificate of occupancy.

The citation shall be in the form of a written official notice issued in person or by certified mail to the owner of the property, or to his agent, or to the person doing the work. The receipt of a citation shall require that corrective action be taken within thirty (30) calendar days, unless otherwise extended at the discretion of the City of Bushnell. If the

required corrective action is not taken within the time allowed, the City of Bushnell may use any available civil or criminal remedies to secure compliance, including revoking a permit.

B. The City of Bushnell shall have resource to such civil and criminal remedies in law and equity as may be necessary to ensure compliance with the provisions of this section of this ordinance, including injunctive relief to rejoin and restrain any person from violating the provisions of this section of this ordinance and to recover such damages as may be incurred by the implementation of specific corrective actions.

C. A conviction for violation of the provisions of this section shall be punishable by a fine or imprisonment, or both such fine and imprisonment as provided in Section 125.69, Florida Statues.

## ARTICLE 12. CONFLICTS AND RELATIONSHIP TO OTHER LAWS

Whenever regulations or restrictions imposed by this ordinance conflict with other ordinances or regulations, or are either more or less restrictive than regulations or restrictions imposed by any governmental authority through legislation, rule or regulation, the regulations, rules or restrictions which are more restrictive or which impose the highest standards or requirements shall govern. Regardless of any other provision of this ordinance, no land shall be used and no structure erected or maintained in violation of any state or federal pollution control or environmental protection law or regulation.

## CHAPTER 62
## TABLE 62-1
## OFFICIAL TREE SPECIES FOR THE CITY OF BUSHNELL

| Small Trees | Medium Trees | Large Trees |
|---|---|---|
| Dahoon Holly | Dogwood | Bald Cypress |
| Jerusalem Thorn | Cabbage Palm | Winged Elm |
| Chickasaw Plum | Redbud | Red Maple |
| Bottlebrush | Golden Rain Tree | Laurel Oak |
| Pindo Palm | American Holly | Live Oak |
| Cherry Laurel | Loblolly Bay | Sycamore |
| Ligustrum | Pumpkin Ash | Sweetgum |
| Photinia (Red Top) | Holly (sp) | Drake Elm |
| | Crape Myrtle | Magnolia |
| | Podocarpus | Camphor |
| | Chinese Tallow | |
| | Washington Palm | |
| | Date Palm | |

**TABLE 62-2**
**APPROVED LIST OF NATURAL CONDITION SPECIES**
**FOR PLANTING IN SUN OR PARTIAL SUN LOCATIONS**
**WITHOUT IRRIGATION**

A. TREES

(1) Pignut Hickory
(2) Pecan
(3) Camphor (p)
(4) Italian cypress
(5) Loquat
(6) Eucalyptus
(7) American Holly
(8) Yaupon Holly (p)
(9) Shumard Oak
(10) Live oak
(11) Water Oak
(12) Laural Oak
(13) Juniper
(14) Red Cedar (p)
(15) Goldenrain Tree
(16) Crepe Myrtle
(17) Sweet Gum
(18) Sweetbay (p)
(19) Way Myrtle (p)
(20) Jerusalem Thorn
(21) Winged Elm (p)
(22) Sand Pine
(23) Slash Pine
(24) Longleaf Pine
(25) Podacarpus (p)
(26) Chickasaw Plum (p)
(27) Pyracantha
(28) Florida Elm
(29) Weeping Elm

B. PALMS

(1) Butia Palm
(2) European Fan Palm (p)
(3) Chinese Fan Palm (p)
(4) Canary Island Date Palm
(5) Needle Palm (p)
(6) Cabbage Palm (p)
(7) Saw Palmetto (p)
(8) Windmill Palm (p)
(9) Washington Palm

C. SHRUBS

(1) Glossy Abelia
(2) Japanese Boxwood (p)
(3) Beauty Berry
(4) Pampas Grass
(5) King Sago (p)
(6) Silverthorn (p)
(7) Chinese Holly (p)
(8) Gallberry (p)
(9) Shillings Holly
(10) Primrose Jasmine
(11) Juniper
(12) Dwarf Crepe Myrtle
(13) Texas Sage
(14) Fetterbush
(15) Nandina (p)
(16) Oleander
(17) Arborvitae
(18) Indian Hawthorn
(19) Viburnum (p)
(20) Spanish Bayonet (p)

D. GROUND COVER

(1) Sprengeri (p)
(2) Sea Oxeye Daisy
(3) Periwinkle (p)
(4) African Iris (p)
(5) Beach Sunflower
(6) Amaryllis (p)
(7) Shore Juniper
(8) Creeping Juniper
(9) Japanese Juniper
(10) Geranium
(11) Ruellia (p)
(12) Society Garlic (p)
(13) Sea Oats
(14) Adam's Needle
(15) Coontie (p)

E. VINES

(1) Yellow Jessamine (p)
(2) Japanese Honeysuckle (p)
(3) Confederate Jasmine (p)

**TABLE 62-3**
**APPROVED LIST OF NATURAL CONDITION SPECIES**
**FOR PLANTING IN SHADE OR PARTIAL SHADE**
**LOCATIONS WITHOUT IRRIGATION**

A. TREES
(1) Yaupon Holly (s) (2) Myrtle (s) (3) Podocarpus

B. PALMS
(1) Needle Palm (s)

C. SHRUBS
(1) Silverthorn (s) (2) Fatsia (3) Cleyera (s)

D. GROUND COVER
(1) Cast Iron Plant (s) (2) Coontie (s)

E. VINES
(1) None

**TABLE 62-4**
**APPROVED LIST OF DROUGHT TOLERANT SPECIES**
**FOR PLANTING IN SHADE OR PARTIAL SHADE LOCATIONS**
**WITH A DRIP IRRIGATION SYSTEM REQUIRED**

A. TREES
(1) Redbud (2) Yaupon Holly (s) (3) Sparkleberry (s)

B. PALMS
(1) Rhapis/Lady Palm (s)

C. SHRUBS
(1) Coral Ardisia (s) (4) Florida Anise (s) (7) Chinese Holly - Grape
(2) Japanese Aucuba (s) (5) Dwarf Japanese Holly (8) Banana Shrub
(3) Fatsia (6) Leatherleaf Mahonia (s) (9) Sandankwa Viburnum (s)

D. GROUND COVER
(1) Begonia (4) Partridgeberry (s) (7) Leatherleaf Fern (s)
(2) Holly Fern (s) (5) Sword Fern (s) (8) Zamia (s)
(3) Border Grass (s) (6) Mondo Grass

E. VINES
(1) Algerian Ivy (s) (2) English Ivy (s) (3) Confederate Jasmine (s)

**TABLE 62-5**
**APPROVED LIST OF DROUGHT TOLERANT SPECIES**
**FOR PLANTING IN SUN OR PARTIAL SUN LOCATION**
**WITH A DRIP IRRIGATION SYSTEM REQUIRED**

A. TREES

(1) Red maple
(2) Bottlebrush
(3) Redbud (Pr)
(4) Fringe Tree
(5) Tulip Tree
(6) Southern Magnolia
(7) Persimmon
(8) Deciduous Holly (Pr)
(9) Ligustrum (p)
(10) Glossy Privet (p)
(11) Saucer Magnolia (p)
(12) Sycamore
(13) Chinese Tallow
(14) Bald Cypress (p)

B. PALMS

(1) None

C. SHRUBS

(1) Bamboo (p)
(2) Sweetshrub
(3) Camellia (Pr)
(4) Canna Lily (p)
(5) Fatsia
(6) Fig
(7) Thryallis
(8) Gardenia
(9) Silverbell (p)
(10)Rose-of-Sharon
(11) St. John's Wort (p)
(12) Anise (p)
(13) Ligustrum Sinense (p)
(14) Star Magnolia (p)
(15) Chinese Holly - Grape (p)
(16) Banana Shrub (pr)
(17) Photinia (p)
(18) Pittosporum (p)
(19) Azalea (p)
(20) Walter Viburnum (p)
(21) Sweet Viburnum

D. GROUND COVER

(1) Agapanthus (p)
(2) Begonia (p)
(3) Caladium (p)
(4) Blue Daze (p)
(5) Gerbera Daisy
(6) Day Lily
(7) Ruellia (p)
(8) Leatherleaf Fern (p)
(9) Blue-eyed Grass (p)
(10) Dwarf Confederate Jasmine (p)

E. VINES

(1) Trumpet Vine
(2) Creeping Fig (p)
(3) Yellow Jessamine (p)
(4) Coral Honeysuckle (p)
(5) Confederate Jasmine (p)

(Note: A (p) designates tolerance of partial shade, a (s) designates tolerance of complete shade, a (pr) designated partial shade required.)
Source: Forestry And Environmental Services, Inc., 4800 U.S. Highway 41, Dunnellon, Florida 32630, as taken from "Plant Guide", published by the Southwest Florida Water Management District.

**PART III**
**CITY OF BUSHNELL CODE OF ORDINANCES**
**LAND DEVELOPMENT REGULATIONS**
**ZONING**
**TABLE OF CONTENTS**


**ARTICLE 1** **SHORT TITLE**

**ARTICLE 2** **PURPOSE AND ENACTMENT**
Sect. 65-1 Authority
Sect. 65-2 Basic Goal (s)
Sect. 65-3 Relationship to Comprehensive Plan
Sect. 65-4 Objectives

**ARTICLE 3** **DEFINITIONS**
Sect. 65-5 General
Sect. 65-6 Terms Defined

**ARTICLE 4** **INTENT OF DISTRICTS**
Sect. 65-7 Residential
Sect. 65-8 Commercial
Sect. 65-9 Industrial (I-1 and I-2)
Sect. 65-10 Agriculture (AG)
Sect. 65-11 Historic District (H)
Sect. 65-12 Community Facilities District (CFD) & Public Facilities District (PFD)
Sect. 65-13 Planned Unit Development (PUD)
Sect. 65-14 RV Park (R-V-P)
Sect. 65-15 Overlay District

**ARTICLE 5** **APPLICATION OF REGULATIONS AND ADOPTION OF ZONING DISTRICTS**
Sect. 65-16 Division of the City into Districts
Sect. 65-17 Official Zoning Map
Sect. 65-18 Amendments to Zoning Map
Sect. 65-19 Rules For Interpreting and Determining District Boundaries
Sect. 65-20 Zoning of Annexed Territory
Sect. 65-21 Uses
Sect. 65-22 Reserved
Sect. 65-23 Building Heights, Lots, Yards

**ARTICLE 6** **SUPPLEMENTAL DISTRICT REGULATIONS**
Sect. 65-24 Multiple-family Residences
Sect. 65-25 Residential Uses in Non-residential Districts
Sect. 65-26 Mobile Home Parks
Sect. 65-27 Private Recreation Buildings, Playgrounds and Parks
Sect. 65-28 Home Occupations
Sect. 65-29 Group Homes, Foster Care Facilities, Adult Congregate Living Facilities
Sect. 65-30 Day Care Centers
Sect. 65-31 Church
Sect. 65-32 Fraternal Buildings and Service Buildings
Sect. 65-33 Compound Use
Sect. 65-34 Gas Stations
Sect. 65-35 Rental Storage Space
Sect. 65-36 Motels and Hotels
Sect. 65-37 Recreational Vehicle Park

**PART III**
**CITY OF BUSHNELL CODE OF ORDINANCES**
**LAND DEVELOPMENT REGULATIONS**
**ZONING**
**TABLE OF CONTENTS (CONTINUED)**


**ARTICLE 6 SUPPLEMENTAL DISTRICT REGULATIONS (Continued)**

Sect. 65-38 Produce Shipping, Packing and Selling
Sect. 65-39 Fuel Oil and Bulk Storage Other Than Gas Pumps
Sect. 65-40 Manufacturing
Sect. 65-41 Salvage/Recycling Yards
Sect. 65-42 Slaughtering or Rendering
Sect. 65-43 Sawmill
Sect. 65-44 Stone Cutting
Sect. 65-45 Rail Car Loading, Spurs or Material Stockyards
Sect. 65-46 Paper and Pulp Mill
Sect. 65-47 Professional or Community Service Offices
Sect. 65-48 Corporate Service Offices
Sect. 65-49 Light Manufacturing/Retail Sales
Sect. 65-50 Repair Shops, Excluding Paint and Body
Sect. 65-51 Paint/Body Shop
Sect. 65-52 Medical Clinic
Sect. 65-53 Ambulance Stations
Sect. 65-54 Restaurants Over 60 Seats or Fast Food Chains
Sect. 65-55 Bottle Clubs, Bars, Lounges or Package Stores
Sect. 65-56 Commercial Portable or Temporary Structures
Sect. 65-57 Commercial Pole Barns or Sheds
Sect. 65-58 Flea Markets
Sect. 65-59 Car Washes
Sect. 65-60 Strip Stores under 20,000 Square Feet
Sect. 65-61 Retail Stores over 20,000 Square Feet
Sect. 65-62 Outdoor Display Retail Sales
Sect. 65-63 Kennels
Sect. 65 64 Commercial Recreation, Entertainment or Fitness Facility
Sect. 65-65 Wholesale Commercial Warehousing
Sect. 65-66 Outdoor Storage except Parts and Salvage
Sect. 65-67 Bed And Breakfast and Lodging Houses
Sect. 65-68 Concrete Plant
Sect. 65-69 Towers
Sect. 65-70 Off-site Support Facilities
Sect. 65-71 Temporary Use of Tents
Sect. 65-72 Off Site Sales
Sect. 65-73 Carnivals/Circus
Sect. 65-74 Crematories
Sect. 65-75 Incinerators
Sect. 65-76 Solid Waste/Landfill
Sect. 65-77 Operating Permit
Sect. 65-78 Internet Cafe/Sweepstakes Cafe
Sect. 65-79 Mobile Food Unit

**ARTICLE 7 PLANNED UNIT DEVELOPMENTS**
Sect. 65-82 Prohibitions
Sect. 65-83 Approval Process
Sect. 65-84 Rezoning and Development Plan Application

**PART III**
**CITY OF BUSHNELL CODE OF ORDINANCES**
**LAND DEVELOPMENT REGULATIONS**
**ZONING**
**TABLE OF CONTENTS (Continued)**


| | |
|---|---|
| **ARTICLE 7** | **PLANNED UNIT DEVELOPMENTS (continued)** |
| Sect. 65-85 | Evaluation of Development Plans |
| Sect. 65-86 | Other Ordinances |
| Sect. 65-87 | Development Plan Amendments |
| Sect. 65-88 | Rezoning Time Limits |
| **ARTICLE 8** | **SITE PLAN APPROVAL** |
| Sect. 65-89 | Purpose |
| Sect. 65-90 | Requirements |
| Sect. 65-91 | Approval Process |
| Sect. 65-92 | Review Criteria |
| Sect. 65-93 | Rejection Notice |
| Sect. 65-94 | Amendments to an Approved Site Plan |
| Sect. 65-95 | Time Limitations and Extension |
| **ARTICLE 9** | **NON-CONFORMING USES AND STRUCTURES** |
| Sect. 65-96 | Intent |
| Sect. 65-97 | Non-conforming Building or Use-Repair, Alteration, Enlargement |
| Sect. 65-98 | Non-conforming Use-Extension |
| Sect. 65-99 | Restoration After Damage |
| Sect. 65-100 | Change of Non-Conforming Use |
| Sect. 65 101 | Unlawful Use Not Authorized |
| Sect. 65-102 | Discontinuance or Abandonment of a Nonconforming Use |
| Sect. 65-103 | Special Uses Non Conforming Uses |
| Sect. 65-104 | Non Conforming Tracts or Parcels |
| Sect. 65-105 | Non-Conformity Other Than Use |
| Sect. 65-106 | Casual or Temporary Use |
| Sect. 65-107 | Non-conforming Uses & Structures Existing In Proposed Rights-of-Way |
| Sect. 65-108 | Non-conforming Mobile Homes |
| **ARTICLE 10** | **GENERAL PROVISIONS** |
| Sect. 65-109 | Scope |
| Sect. 65-110 | Buildings and Mobile Homes Under Construction |
| Sect. 65-111 | Uncompleted Structures |
| Sect. 65-112 | Time Limit |
| Sect. 65-113 | Existing Tracts of Record |
| Sect. 65-114 | No Reduction of Required Area |
| Sect. 65-115 | Double Frontage |
| Sect. 65-116 | Use of Premises Without Buildings |
| Sect. 65-117 | Yard Encroachments |
| Sect. 65-118 | Accessory Uses and Structures |
| Sect. 65-119 | Exclusions from Height Limits |
| Sect. 65-120 | Use of Residentially Zoned Property for Access |
| Sect. 65-121 | Essential Services |
| Sect. 65-122 | Moving Of Buildings |
| Sect. 65-123 | Drainage |
| Sect. 65-124 | Eminent Domain |

**PART III**
**CITY OF BUSHNELL CODE OF ORDINANCES**
**LAND DEVELOPMENT REGULATIONS**
**ZONING**
**TABLE OF CONTENTS (Continued)**


| | |
|---|---|
| **ARTICLE 11** | **ADMINISTRATION** |
| Sect. 65-141 | Purpose |
| Sect. 65-142 | Personnel |
| Sect. 65-143 | Schedule of Fees |
| Sect. 65-144 | Zoning Changes |
| Sect. 65-145 | Provisions of Zoning Regulations to be Minimum Requirement |
| **ARTICLE 12** | **COMMERCIAL DEVELOPMENT GUIDELINES** |
| Sect.65-151 | Site Design Standards |
| Sect. 65-152 | Building Design Standards |
| **ARTICLE 13** | **AFFORDABLE HOUSING** |
| Sect. 65-153 | Definitions |
| Sect. 65-154 | Expedited Permitting |
| Sect. 65-155 | Fee Waivers |
| Sect. 65-156 | Ongoing Review Process |
| **ARTICLE 14** | **RESERVED** |
| **ARTICLE 15** | **SCHEDULE OF FEES** |

# PART III
# CITY OF BUSHNELL CODE OF ORDINANCES
# LAND DEVELOPMENT REGULATIONS
# ZONING
# CHAPTER 65

## ARTICLE 1. SHORT TITLE

These rules and regulations shall be known and cited as the City of Bushnell Land Development Regulations (LDR's).

## ARTICLE 2. PURPOSE AND ENACTMENT

### Section 65-1. Authority.

These land development regulations are adopted pursuant to that authority vested in the City of Bushnell via chapter 163, Florida Statutes.

### Section 65-2. Basic Goal(s).

It is the intent of this Ordinance to encourage and promote in accordance with present and future needs, the safety, health, and welfare of the citizens of the City of Bushnell, Florida.

### Section 65-3. Relationship to Comprehensive Plan.

To achieve this end these regulations are prepared in accordance with and for the promotion of the goals and objectives of the City of Bushnell Comprehensive Plan.

### Section 65-4. Objectives.

The objectives are designed to conserve the value of land, buildings and resources; protect the character and maintain the stability of residential, commercial and industrial areas; and provide for efficiency and economy in the process of development through:

A. Protection, development and conservation of the natural resources of land, water and air and of the natural and aesthetic environmental quality of the community.

B. Appropriate use of land;

C. Regulation of the use and occupancy of buildings, land and water;

D. Provision of convenient circulation of people and goods and the reduction of traffic congestion;

E. Provision of adequate public facilities and utilities;

F Enhancement and perpetuation of specific community areas with special character, interest, or value representing and reflecting elements of the City's cultural, social, economic, political, historical and architectural heritage;

G. Establishment of zoning districts regulating the location and use of buildings and other structures and the use of water and land for business, industry, residential and other purposes by regulating and limiting the height, bulk and the access to light and air of buildings and structures.

H. These regulations and districts and accompanying map have been designed with reasonable consideration of the character of the districts and their peculiar suitability for particular uses.

## ARTICLE 3. DEFINITIONS

### Section 65-5. General.

For purposes of the LDR's, certain terms are defined. Words used in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular number. "Shall" is always mandatory and not merely directory. "Building" shall include "structure" and "used" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used. "Land" shall include water surface and land under water. All uses are subject to zoning.

**Section 65-6. Terms Defined.**

**ACCESSORY BUILDING OR STRUCTURE:** A subordinate building or structure which is on the same tract with, or a part of, the main building and which is occupied by, or which is devoted to, an accessory use.

**ACCESSORY USE AND STRUCTURES:** A use incidental to the main use of the premises. By definition no accessory use may exist without a principal use preceding it.

**ACCESSWAY:** Means a private traffic carrying way set aside for vehicular traffic ordinarily serving only one premises or planned development project, including private driveways, entrance or exit ways and similar private vehicular access, located on the parcel served thereby.

**ADULT CONGREGATE LIVING FACILITIES (ACLF) - CONVALESCENT HOME:** A building or portion thereof, where for compensation living accommodations and care are provided.

**ADULT DAY CARE CENTE**R: Any building, buildings, or part of a building, whether operated for profit or not, in which is provided through its ownership or management, for a part of a day, basic services to three or more persons who are 18 years of age or older, who are not related to the owner or operator by blood or marriage, and who require such services, per F.S. 429.90.

**ALTERATION:** Any change in size, shape, character, occupancy, or use of a building or structure. (s. 65-21 & s. 65-23)

**ANIMAL CREMATORY:** Any combustion apparatus used solely for the cremation of dead animals with appropriate containers as described in Rule 62-296.401(6) F.A.C.

**APPLICABLE GOVERNING BODY:** A city, county, state, state agency or other political government, subdivision or entity authorized to administer and enforce the provisions of this code, as adopted or amended.

**APPLICANT:** A landowner, developer, builder, or other person who files a petition for a zoning change, or, an application for zoning approval, a special use or a variance. (s. 65-18)

**APPROVED:** Approved by the authority having jurisdiction.

**APPROVED DEVELOPMENT PLAN:** A development plan submitted for a proposed planned development that has been approved and adopted by ordinance by the City of Bushnell.

**BAR OR SALOON:** Any place devoted primarily to the retailing and drinking of malt, vinous or other alcoholic beverages, or any place where a sign is exhibited or displayed indicating that alcoholic beverages are obtainable for consumption on the premises.

**BASE BUILDING LINE:** The edge of right-of-way, or, the property line.

**BED AND BREAKFAST:** A building, or part thereof, other than a motel or hotel where sleeping accommodations are provided for compensation without provisions for cooking by guests but which may provide meals for guests, and which also may serve as the residence of the operator.

**BOARD OF ADJUSTMENT AND CODE ENFORCEMENT (B.A.C.E.):** Appointed residents or business property owners of the community who make recommendations to City Council on requests for variances and to hear and decide appeals to decisions of administrative officials, and such other duties as may be assigned by the City Council. (Chapter 52)

**BOTTLE CLUB:** Any premises in which any alcoholic beverage is received or kept or to which any such beverage is brought for consumption on such premises.

**BUFFERING:** The use of any man-made or natural materials or open space in a fashion designed to limit the effects of one land use upon adjoining land uses. (Chapter 62)

**BUILDING:** Any structure, either temporary or permanent, having a roof and used or built for the shelter or enclosure of persons, animals, or property of any kind. This definition shall include tents, awnings, or vehicles situated on private property and serving in any way the function of a building. See structure. (Article 5)

**BUILDING FRONT FOOT:** Each foot or major portion thereof measured along the main entry of a building. Where buildings form an "L" or "U" all main entry sides are measured. See setback definition.

**BUILDING PERMIT:** A valid permit issued by appropriate authority under the provisions of the current building code adopted by the State of Florida.

**CHANGE OF USE:** A discontinuance of an existing use and the substitution of a use of a different kind of class. Change of use is not intended to include a change of tenants or proprietors unless accompanied by a change in the type of use.

**CHURCH:** A permanent building used as a place of assembly for religious worship or services.

**CINERATOR:** A facility where dead human bodies are reduced to a residue, including bone fragments, by direct flame, also known as “cremation” or by intense heat, also known as “calcination.”

**CITY:** The City of Bushnell and/or the elected officials thereof.

**CITY CENTER:**

**CLUB, PRIVATE:** Those associations and organizations of a fraternal or social character not operated or maintained for profit. The term "private club" shall not include casinos, nightclubs, or other institutions operated as a business.

**CLUB, NIGHT:** A restaurant, dining room bar, or other similar establishment providing food or refreshments wherein paid floorshows or other forms of paid entertainment are provided.

**CODE COMPLIANCE OFFICER:** That person appointed by the City Manager to administer part or all of the Land Development Regulations.

**COMMON AREA:** Any part of a planned development designed and intended to be used in common by the owners, residents or tenants of the planned development.

**COMPOUND USE:** The use of any land or building in a particular zoning district for both a residential use and a non-residential use permitted in such a district, either of which may be the principal use.

**COMPREHENSIVE PLAN:** The City of Bushnell Comprehensive Plan, as amended and adopted pursuant to Chapter 163, Florida Statutes.

**COUNTY:** Sumter County.

**COUNCIL:** City Council of Bushnell, Florida.

**COVERAGE:** That percentage of the tract area covered or occupied by buildings, roofed portions of structure, or impervious paved surfaces.

**CROSSWALK:** Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

**CREMATION:** Any mechanical or thermal process whereby a dead human body is reduced to ashes and bone fragments. Cremation also includes any other mechanical or thermal process whereby human remains are pulverized, burned, re-cremated, or otherwise further reduced in size or quantity.

**CUL-DE-SAC:** A street having one (1) end open to traffic and being permanently terminated within the plat by a vehicular turn-around.

**DAY CARE CENTER:** Any child or adult care arrangement or operation which provides care for more than five (5) children and/or adults unrelated to the operator and property owner, and for which the owner or operator receives compensation, whether or not operated for profit. The following are not included:

(1) Public or private accredited schools.

(2) Summer day camps and bible schools normally conducted during vacation periods.

(3) Summer camps having children in full time residence.

**DESIGNATED OFFICIAL:** The code compliance officer, fire official, city engineer, city manager, or their agents.

**DEVELOPMENT:** The erection, construction or placement of any building on any land; the alteration, replacement or reconstruction of any structural member of any building on any land; the addition to any principal or accessory residential, office, business, industrial or public use; and, any change of use, including excavation, filling, tree removal and landscaping.

**DEVELOPMENT PLAN:** The plan submitted in accordance with the requirements of this Article as the basis for rezoning to a planned unit development, consisting of both a development plan map and a development plan report, both of which shall be adopted by reference in the prescribed manner by ordinance to amend the zoning map, noting rezoning to a planned unit development, and approving the plan.

**DISTRICT:** An area or areas of the city designated on the official Zoning Districts Map as being subject to the uniform regulations and requirements of a particular zoning category established in this Ordinance. (Article 4)

**DRIVEWAY:** A private road connecting a house, garage or other building with the street, including the designated access point at the intersection of the street pavement, or, if the street is not paved, with the edge of the right-of-way. (Chapter 60)

**DUE PUBLIC NOTICE:** Publication of notice of the time, place, and purpose of such hearing at least twice in the newspaper of general circulation in the area, with the first publication to be at least 15 days prior to the date of the hearing and the second such publication to be at least 5 days prior to the hearing. In addition, except where the hearing applies to all the lands within the area, similar notices setting forth the time, place, and purpose of such hearing, shall be mailed to all owners of property located within 200 feet of the perimeter of the property the subject of the notice, and such notices shall be also be posted in a conspicuous place or places on or around such lots, parcels or tracts of lands as may be involved in or directly affected by the hearing. Affidavit proof of the required publication, mailing and posting of the notice shall be sent to the Code Compliance Officer or City Manager designee via certified mail by the applicant.

**DWELLING:** Any building or part thereof, occupied in whole or in part, as the residence or living quarters for one or more persons, permanently or temporarily, continuously or transiently, with cooking facilities.

(1) **DWELLING, ONE-FAMILY:** A dwelling occupied not otherwise than by one family.

(2) **DWELLING, TWO-FAMILY:** A dwelling occupied not otherwise than by two families.

(3) **DWELLING, MULTIPLE:** A space, area or portion of a building designated for and occupied by more than two families as a dwelling, with cooking facilities for the exclusive use of each family.

(4) **DWELLING, GROUP:** A building or part thereof in which several unrelated persons or families permanently reside but in which personal cooking facilities are not provided for the persons or families. "Group dwelling" may include a rooming house, a fraternity house, sorority house, congregate living, convent, monastery or private club in which one or more members have a permanent residence. "Group dwelling" shall not be deemed to include a hotel, motel, tourist home, or trailer camp.

**DWELLING UNIT:** A room or rooms in a dwelling other than a rooming house or dormitory comprising the essential elements of a single housekeeping unit. Although a dwelling unit need not contain facilities for the storage, keeping and preparation of food for consumption within the premises, each area which has separate facilities for such use shall be considered as a separate dwelling unit.

**EASEMENT:** A grant by the property owner for the use by the public, a corporation or persons of a strip of land for special purposes.

**ERECTED:** Includes built, constructed, reconstructed, moved upon or any physical operation on the premises required for building.

**ESSENTIAL SERVICES:** Those services without which the health, safety and welfare of the public would suffer including, but not limited to, water delivery and disposal, sanitary disposal of wastes, fire and crime prevention, disaster supervision, and emergency services as examples.

**FAMILY:** One (1) or more persons living together as a single housekeeping unit.

**FAMILY DAY CARE HOME:** An occupied residence in which child care is regularly provided for children from at least two unrelated families and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. Household children under 13 years of age, when on the premises of the family day care home or on a field trip with children enrolled in child care, shall be included in the overall capacity of the licensed home. A family day care home shall be allowed to provide care for one of the following groups of children, which shall include household children under 13 years of age:

(a) A maximum of four children from birth to 12 months of age.

(b) A maximum of three children from birth to 12 months of age, and other children, for a maximum total of six children.

(c) A maximum of six preschool children if all are older than 12 months of age.

(d) A maximum of 10 children if no more than 5 are preschool age and, of those 5, no more than 2 are under 12 months of age.

**FAMILY FOSTER HOME:** A private residence in which children who are unattended by a parent or legal guardian are provided 24 hour care. Such homes include emergency shelter family homes, family foster group homes, and specialized foster homes for children with special needs. A person who cares for a child of a friend for a period not to exceed 90 days, a relative who cares for a child and does not receive reimbursement for such care from the state or federal government, or an adoptive home which has been approved by the department or by a licensed child-placing agency for children placed for adoption is not considered a family foster home.

**FEEDLOT:** Any area in which livestock are maintained within a structure, pen or corral in close quarters for the purpose of fattening such livestock for final shipment to market.

**FLOOR AREA RATIO:** The extent of development of any lot expressed as the ratio of the gross floor area of all the buildings on the lot to the total lot area.

**FOSTER CHILD:** Any dependent child placed in a home by a state agency or by the state licensed private child-placing agency. (s. 65-29)

**FRONTAGE OF A BUILDING:** The side or wall of a building approximately parallel and nearest to a street. When on a corner, frontage of a building shall be determined by the applicant.

**GARAGE, PRIVATE:** An accessory structure designed or used for inside parking of self-propelled private passenger vehicles by the occupants of the main building. A private garage attached to or part of the main structure is to be considered part of the main use. An unattached private garage is to be considered an accessory building.

**GROSS FLOOR AREA:** The sum of the horizontal areas of the floors of a building or buildings on a given area measured from the exterior faces of exterior walls. Included within such sum shall be the areas of floors of attic spaces providing a vertical structural clearance of at least seven (7) feet, floors of interior balconies or mezzanines, and floors of any other space reasonably usable for any purpose. Not included shall be the floor area of garages, carports, patios, and porches.

**GROUP HOUSING:** Two or more buildings for dwelling purposes erected or placed on the same tract. (s. 65-29)

**GUEST HOUSE:** A dwelling unit in a building separate from and accessory to and in addition to the main residential building on a parcel.

**HEIGHT OF BUILDING:** The vertical distance from the established grade at the center of the front of the building to the highest point of the roof surface for a flat roof, to the deck line for a mansard roof and the mean height level between eaves and ridge for gable, hip and gambrel roofs.

**HIGHEST ADJACENT GRADE:** The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

**HOME OCCUPATION:** An occupation or activity which may be conducted and maintained within a dwelling unit. Such activities shall be limited to and incidental to the principal residential use of the premises and shall not occupy more than 20% of gross floor area. Employment in a home occupation shall be limited to the residents of the dwelling. (s. 65-28)

**HOTEL:** A building or part thereof in which sleeping accommodations are offered to the public and in which there may be a public dining room for the convenience of the guests. Access to the sleeping rooms shall be through a lobby or office.

**IMPERVIOUS GROUND COVER:** An area of ground covered by any part of a building, street, parking lot, or any other structure, improvement, facility or material which is incapable of being penetrated by water.

**INCINERATOR:** Equipment predominately designed for burning solid waste.

**INTENSITY OF DEVELOPMENT:** The extent of development of any land expressed either as residential density or commercial or industrial floor area ratio.

**JOG:** A jog is the horizontal offset between the center lines of two (2) streets which intersect a third street or the horizontal offset of the centerline of a street at its intersection with any other street.

**KENNEL:** Any place or premises where four (4) or more dogs over four (4) months in age and/or other specialty animals are kept for pay. This definition expressly excludes veterinary clinics without fixed exterior pens or runs.

**LAND USE REGULATIONS:** Any ordinance or resolution controlling the use, development, maintenance or transfer of real property (LDR).

**LIVESTOCK:** Any domesticated quadrupeds held as property, raised for personal use or raised for the production of livestock products for sale.

**LIVING AREA:** That portion of the total area of a residence which is suitable for year-round use as living quarters including fully enclosed porches but excluding enclosed garages, screened porches (without any windows or siding) and carports.

**LOT:** See PARCEL.

**MANUFACTURED/MODULAR BUILDING** A closed structure, building assembly, or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured in manufacturing facilities for installation or erection as a finished building or as part of a finished building, which shall include, but not be limited to, residential, commercial, institutional, storage, and industrial structures. The term includes buildings not intended for human habitation such as lawn storage buildings and storage sheds manufactured and assembled offsite by a manufacturer certified in conformance with Chapter 553, F.S.

**MEAN SEA LEVEL:** The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this article the term is synonymous with national geodetic vertical datum (NGVD).

**MOBILE FOOD UNIT:** A vehicle mounted food service establishment, which is self-propelled, or otherwise designed to be movable from place to place, including but not limited to carts, mobile kitchens, hot dog carts, mobile trailers and lunch truck. Mobile food units must comply with the standards specified by FAC ch5K-4.002 and the US Food and Drug Administrative Food Code as may be amended.

**MOBILE FOOD VENDOR:** The owner or operator of a food service establishment from a mobile food unit. Persons selling fresh vegetables from trucks, trailers or similar conveyances shall not be considered mobile food vendors.

**MOBILE HOME:** A structure, transportable in one or more sections, which is over eight (8) feet in width and which is built on an integral chassis and is designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein, constructed to standards promulgated by the United States Department of Housing and Urban Development. (s. 65-26)

**MOTEL:** A building where sleeping accommodations are offered to the public with access to the individual units from the exterior of the building and parking facilities for use of guests near their quarters.

**MULTIPLE-FAMILY DWELLING:** A building containing three or more dwelling units.

**MULTIPLE FRONTAGE PROPERTY:** A parcel or tract that is contiguous to more than one public right-of-way.

**NON-CONFORMING LOT:** Any lot which does not meet the requirements for minimum lot area, lot depth, or lot width, for a given use, for the district in which such lot is located.

**NON-CONFORMING STRUCTURES:** A structure, or portion thereof, existing at the effective date of this ordinance or any amendment thereto, which was occupied, designed, erected, intended, or structurally altered for a use not permitted at its location by the provisions of this code for a new use and/or which does not conform to all of the regulations applicable to the district in which it is located. (Article 9)

**NON-CONFORMING USE:** The use of a structure or premises, existing at the effective date of this ordinance or any amendment thereto, for any purpose not permitted in the district in which it is located.

**OCCUPIED:** To reside in as an owner or a tenant.

**OFF SITE SALES:** Any individual, partnership, corporation, or other entity, who rents, exchanges or gives any compensation for the use of a parcel or portion of a parcel for the intent of conducting a sale of large ticket items, i.e. furniture, automobiles, boats, RV's, etc. whose vested ownership of the items are on that individual or corporation. (s. 65-72)

**OWN:** To hold legal or equitable title to a tract of real property evidenced by instrument of lawful conveyance.

**OWNER:** The person, firm, trust or corporation that holds legal or equitable title to a tract of real property as evidenced by an instrument of lawful conveyance.

**PACKAGE STORE:** A place where alcoholic beverages are sold for consumption off the premises.

**PARCEL:** Land occupied or to be occupied by a building or use and accessory buildings and accessory uses together with such yards and open spaces as are required by this Ordinance. A tract may consist of one or more portions of a platted tract and/or unplatted land. Also includes lot, tract and plot.

(1) **PARCEL, AREA:** The total area of land contained within the tract lines.

(2) **PARCEL, CORNER:** A corner tract is a tract of which at least two adjacent sides abut for their full length upon a street provided that two sides intersect at an interior angle of not more than 135 degrees.

(3) **PARCEL COVERAGE:** The ratio of all impervious surfaces to the total parcel area.

(4) **PARCEL, DOUBLE FRONTAGE:** A tract of which at least two opposite sides abut for their full length upon different streets.

(5) **PARCEL, DEPTH:** The mean horizontal distance between the front and rear tract lines.

(6) **PARCEL, INTERIOR:** A tract other than a corner tract with only one frontage on a street.

(7) **PARCEL LINE, FRONT:** The line dividing a tract from a street or base building line, whichever will result in a lesser depth of a tract. On a corner tract both street tract lines shall be considered to be front tract lines for the purpose of determining required front yard depth. On through tracts both front tract lines as defined above shall be considered to be front tract lines for the purpose of determining required yards.

(8) **PARCEL LINE, REAR:** The tract line opposite and most distant from the front tract line. In the case of a triangular or gourd shaped tract wherein the two side tract lines converge in the rear, the rear tract line, shall be a line considered to be 10 feet in length within the tract parallel to and at the maximum distance from the front tract line.

(9) **PARCEL LINE, SIDE:** Any tract line other than a front or rear tract line. A side tract line separating a tract line from a street is called a side street tract line. A side tract line separating a tract from another tract or tracts is called an interior or side tract line.

(10) **PARCEL LINE, STREET OR ALLEY:** A tract line separating the tract from a street or alley.

(11) **PARCEL OF RECORD:** A lot whose location and dimensions may be ascertained by reference to a plat duly recorded in the plat books in the office of the Clerk of the Court or duly registered at that office under the provisions of Chapter 70-803, Laws of Florida, 1970, on the effective date of this Ordinance or a tract the location and dimensions of which are specifically described as a parcel in a deed, contract for deed or other instrument of lawful conveyance.

(12) **PARCEL, REVERSED FRONTAGE:** A tract extending between and having frontage on a major street and a minor traffic street and with no vehicular access from the major traffic street.

(13) **PARCEL, THROUGH:** A tract abutting on two streets not at their intersection, if any, which may be either a corner or interior plot.

(14) **PARCEL WIDTH:** The horizontal distance between side lot lines measured along the front lot line.

**PARKING:** The temporary storage of private passenger motor vehicles used for personal transportation while their operators are engaged in other activities. It shall not include storage for new or used vehicles for sale, service, rental, or other purpose other than specified above.

**PARKING SPACE:** An area adjacent to a driveway or other vehicular access designed to be used for the parking of a motor vehicle.

**PET, HOUSEHOLD:** Household pets shall be considered as an accessory use and are permitted in all zones. Household pets shall not be considered to include poultry, cattle, horses, ponies, pigs, lambs, sheep, goats or other animals normally raised for food and all such animals are specifically prohibited in residential zones.

**PLANNING BOARD:** The City of Bushnell Planning and Zoning Board. (Synonymous with Board of Adjustment and Code Enforcement, B.A.C.E.)

**PLAZA:** Any open space that contains more than fifty percent (50%) impervious ground coverage.

**PORCH:** A roofed-over space attached to the outside of an exterior wall of a building which has no enclosure other than the exterior wall of such a building. Open mesh/screening shall not be considered an enclosure. (Also see the definition of LIVING AREA)

**POULTRY:** Any chickens, pigeons, turkeys, ducks, geese or guinea fowl.

**PRELIMINARY PLAT:** A drawing that shows the proposed layout of a subdivision in sufficient detail to indicate unquestionably its workability in all aspects, but is not in final form for recording, and the details of which are not completely computed.

**PRINCIPAL USE:** The use that constitutes the primary activity, function or purpose to which a parcel of land or building is put.

**PROPERTY FRONT FOOT:** Each foot or major portion thereof measured along the public right-of-way where the subject property abuts the right-of-way.

**PUBLIC AND SEMI-PUBLIC BUILDINGS OR USES:** Any buildings which intermittently or continuously serve the general public and fulfill functions either under private or governmental auspices.

**RECREATIONAL AREA:** Any common area or dedicated public area including open space or buildings, but not including streets or off-street parking or loading area, that is usable for either passive or active recreational activities.

**RECREATIONAL VEHICLE:** Unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. Recreational vehicle type unit, when traveling on the public roadways of this state, must comply with the length and width provisions of s. 316.515, as that section may hereafter be amended.

(1) **TRAVEL TRAILER:** A vehicular portable unit mounted on wheels of such a size or weight as not to require special highway movement permits when drawn by a motorized vehicle. It is primarily designed and constructed to provide temporary living quarters for recreational, camping, or travel use. It has a body width of no more that 8 ½ feet and an overall body length of no more than 40 feet when factory equipped for the road.

(2) **CAMPING TRAILER:** A vehicular portable unit mounted on wheels and constructed with collapsible partial sidewalls which fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use.

(3) **TRUCK CAMPER:** A truck equipped with a portable unit designed to be loaded onto, or affixed to, the bed or chassis of the truck and constructed to provide temporary living quarters for recreational, camping or travel use.

(4) **MOTOR HOME:** A vehicular unit which does not exceed the length, height, and width limitations provided in s. 316.515, is a self-propelled motor vehicle, and is primarily designed to provide temporary living quarters for recreational, camping or travel use.

(5) **PRIVATE MOTOR COACH:** A vehicular unit which does not exceed the length, width, and height limitations provided in s. 316.515(9), is built on a self-propelled bus type chassis having no fewer than three load-bearing axles, and is primarily designed to provide temporary living quarters for recreational, camping, or travel use.

(6) **VAN CONVERSION:** A vehicular unit which does not exceed the length and width limitations provided in s. 316.515, is built on a self-propelled motor vehicle chassis, and is designed for recreation, camping and travel use.

(7) **PARK TRAILER:** A transportable unit which has a body width not exceeding 14 feet and which is built on a single chassis and is designed to provide seasonal to temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. The total area of the unit in a setup mode, when measured from the exterior surface of the exterior stud walls at the level of maximum dimensions, not including any bay windows, does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to

United States Department of Housing and Urban Development Standards. The length of a park trailer means the distance from the exterior of the front of the body (nearest to the drawbar and coupling mechanism) to the exterior of the rear of the body (at the opposite end of the body), including any protrusions.

(8) **FIFTH WHEEL TRAILER:** A vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, of such size or weight as not to require a special highway movement permit, of gross trailer area not to exceed 400 square feet in the setup mode, and designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle rear axle.

**RECREATIONAL VEHICLE PARK:** An area set aside for travel trailers, tents, campers, and other recreational vehicles, which may provide temporary water, sewer, and electrical hookups for such vehicles. For the purpose of this definition, the terms campground, camping resort, R.V. resort, travel resort, travel park, or any variation thereof shall be considered synonymous with Recreational Vehicle Parks.

**REPAIR, REMODELING, REDECORATING, OR REFINISHING:** Any change, removal, replacement, or addition to walls, floors, ceilings, and roof surfaces or coverings which does not support any beam, ceiling, floor load, bearing partition, columns, exterior walls, stairways, roofs or other structural elements of a building or structure.

**RESIDENTIAL:** A use for living or sleeping of persons not institutional in character, such as a one-family, two-family, or multiple family dwelling, mobile home or rooming house.

**RESTAURANT:** A building or room not operated as a dining room in connection with a hotel or motel where food is prepared and served for pay for consumption on the premises.

**ROAD:** See STREET.

**SALVAGE YARD:** A premises or portions thereof used for the storage, sale, keeping or buying of used and discarded materials, including but not limited to: paper, rags, metal, building materials, appliances, household furnishings, machinery, vehicles, equipment, or parts thereof. The storage for a period of two (2) or more months of two (2) or more wrecked or partly dismantled motor vehicles, parts of dismantled motor vehicles, or the sale of parts thereof, not capable of or not intended to be restored to highway operating condition shall also constitute a salvage yard. For the purposes of this chapter, such uses as automobile reclaiming, wrecking, and salvage business, and recycling centers shall be considered salvage yards.

**SEDIMENT:** Solid material that is in suspension, is being transported, or has moved from its site of origin, by water.

**SEDIMENTATION:** The deposition of waterborne sediment into a body of running water, into a lake, on property other than the site of origin, or on public rights-of way.

**SETBACK:** The minimum distance between the lot line and the structure (from the edge of the roof) or any portion thereof, excluding projections specifically permitted.

**SINGLE-FAMILYATTACHED DWELLING:** Both zero lot line attached housing and condominium projects created pursuant to a declaration of condominium.

**SITE PLAN:** A plan indicating the permitted design and extent of development of a parcel of land. (Article 7 and Article 8)

**SPECIAL USE:** A use that would not be appropriate generally in the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would not adversely affect the public health, safety, and general welfare. Special uses will be conveyed with the land unless otherwise prohibited by the conditions granted by the special use.

**SPECIALIZED UTILITY BUILDING:** A location or installation of a utility company where employees are not stationed and traffic is not generated, such as a substation or lift station.

**STREET:** A public thoroughfare, or a dedicated right-of-way, providing vehicular access to one or more abutting properties. (s. 65-19)

**STRUCTURE:** Anything constructed or erected, which requires location on the ground or attached to something having a location on the ground.

**UNSAFE BUILDING:** Any building or structure that has any of the following conditions, such that the life, health, property or safety of the general public or its occupants are endangered:

(1) Whenever any means of egress or portion thereof is not of adequate size or is not arranged to provide a safe path of travel in case of fire or panic.

(2) Whenever any means of egress or portion thereof, such as but not limited to fire doors, closing devices, fire-resistance ratings is in disrepair or in a dilapidated or non-working condition such that the means of egress could be rendered unsafe in case of fire or panic.

(3) Whenever the stress in any material, member or portion thereof, due to all imposed loads including dead load exceeds the working stresses allowed in the Standard Building Code for new buildings.

(4) Whenever a building, structure or portion thereof has been damaged by fire, flood, earthquake, wind or other cause to the extent that the structural integrity of the buildings or structures is less than it was prior to the damage and is less than the minimum requirement established by the Standard Building Code.

(5) Whenever any exterior appendage or portion of a building or structure is not securely fastened, attached or anchored such that it is capable of resisting wind, seismic or similar loads as required by the Standard Building Code for new buildings.

(6) Whenever for any reason a building, structure or portion thereof is manifestly unsafe or unsanitary for the purpose for which it is being used.

(7) Whenever any building, structure or portion thereof as a result of decay, deterioration or dilapidation is likely to fully or partially collapse.

(8) Whenever any building, structure or portion thereof has been constructed or maintained in violation of a specific requirement of the Standard Building Code of a city, county or state law.

(9) Whenever any building, structure or portion thereof is in such condition as to constitute a public nuisance.

(10) Whenever any building, structure or portion thereof is unsafe, unsanitary or not provided with adequate egress, or which constitutes a fire hazard, or is otherwise dangerous to human life, or, which in relation to existing use, constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment. (Ordinance No. 86-4, & 2, 3-4-86)

**USE:** The purpose for which land or a structure is designated, arranged or intended to be occupied or utilized or for which it is occupied or maintained.

**UTILITIES, DIRECTOR OF:** The Director of Utilities or his designee in charge of the Water Department of the City of Bushnell is invested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of the LDR's relating to cross-connection.

**VARIANCE:** A modification of the LDR's when such variance will not be contrary to the public interest and when owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship.

**ZONING ADMINISTRATOR:** The officer of the City of Bushnell to whom is delegated the duty of enforcing the terms of the Zoning Code. (Article 11)

**ZONING DISTRICT:** A specified area within the City of Bushnell, as adopted by the City Council, to which uniform minimum standards apply as related to the locations, types and intensities of land use. (Article 2)

**ZONING MAP:** The official map adopted by this Ordinance showing the zoning districts applicable to all lands within the city and all amendments thereto. (s. 65-17)

## ARTICLE 4. INTENT OF DISTRICTS

Permitted uses are subject to supplemental regulations.

### Section 65-7. Residential.

**A. RSF-1 "Single-Family Low Density Residential"** This district is established to implement comprehensive plan policies for managing low-density, single-family residential development at a density not to exceed one (1) single-family dwelling unit per acre. The RSF-1 district is established to provide conventional single-family residential

home sites on larger parcels, preserve open space, and manage future densities in order to protect areas adjacent to rural land uses and environmentally sensitive areas.

1) Permitted uses.

A) Single-family conventional detached dwelling units.
B) Guest/servant quarters not to exceed thirty (30) percent of living area of the principal dwelling unit pursuant to Supplemental Regulations chapter of this Code.
C) Customary accessory structures and uses incidental to the principal structure. Accessory structures shall be limited in size to a maximum of thirty-five (35) percent of the square footage of the principal structure.
D) Licensed community residential homes with one to six (1—6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential home with 1-6 residents. F.S.419.001 (1)(a) F.S. 419.001(2)
E) Bed and breakfast inns.
F) Home occupations pursuant to Section 65.28 of this Code.
G) Neighborhood recreational facilities.
H) Agriculture. A minimum of five (5) acres is required for the keeping, harboring or maintaining of livestock or fowl. Accessory structures and uses incidental to agricultural activity shall maintain a setback of two-hundred (200) feet from any lot line.
I) Family child care homes subject F.S. requirements.
J) Boarding and rooming houses provided the total number of boarders and rooms does not exceed two (2) and that any state law governing such use is complied with.
K) Equestrian facilities.
L) Wholesale nursery utilizing field grown plants, shrubs, and/or trees.
M) Tents.

2) Uses expressly prohibited.

A) Single-family attached dwelling units.
B) Multi-family residential dwelling units.
C) Two-family (duplex) dwelling units.
D) Commercial land uses.
E) Industrial land uses.
F) Any use prohibited by city, state or federal law.
G) Manufactured homes.

3) Design standards.

A) Minimum lot area shall be one (1) acre (forty-three thousand five hundred sixty (43,560) square feet). Subdivisions may be designed to allow clustering of residential dwelling units; however, overall density may not exceed one (1) dwelling unit per acre.
B) Minimum lot width at the building setback line shall be one hundred (100) feet. Minimum lot widths may be reduced to sixty (60) feet if clustering of units is provided.
C) Maximum building height shall not exceed forty (40) feet.
D) Minimum setback requirements:
1. Front yard setback:
a. Local roadway: Twenty-five (25) feet.
b. Collector roadway: Thirty (30) feet.
c. Arterial roadway: Thirty five (35) feet.
2. Side yard setback when adjoining:
a. Another lot: Ten (10) feet.
b. Local roadway: Twenty-five (25) feet.
c. Collector roadway: Thirty (30) feet.
d. Arterial roadway: Thirty five (35) feet.
3. Rear yard setback: Twenty (20) feet
4. Where a front yard of lesser depth than required exists in front of dwellings on more than sixty (60) percent of lots of record on one (1) side of the street in any one (1) block in an RSF-1 district, the depth of the front yard for any building hereafter erected or replaced on any lot in such block need not be greater than the average depth of front yards of existing buildings.

E) Minimum accessory uses and structures setback requirements. All accessory use buildings and uses shall be located only in the rear yard except that parking may be located in a side and front yard.
   1. Rear yard setback: Twenty (20) feet
F) The maximum impervious surface ratio (which includes building coverage) shall not exceed thirty-five (35) percent.
G) Minimum floor area shall not be less than eight hundred (800) square feet which does not include porches, garages, utility rooms, etc.

**B. RSF-2 "Single-Family Moderate - Low Density Residential"** This district is established to implement comprehensive plan policies for managing low-moderate density, single-family residential development at a density not to exceed two (2) single-family dwelling units per acre. The RSF-2 district is established to preserve the stability of existing and future conventional single-family residential neighborhoods, preserve open space, and manage future densities in order to assure that future densities are compatible with existing developments and natural features of the land.

1) Permitted uses.

A) Single-family conventional detached dwelling units.
B) Guest/servant quarters not to exceed thirty (30) percent of living area of the principal dwelling unit pursuant to Miscellaneous Regulations chapter of this Code.
C) Customary accessory structures and uses incidental to the principal structure. Accessory structures shall be limited in size to a maximum of thirty-five (35) percent of the square footage of the principal structure.
D) Licensed community residential homes with one to six (1—6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential home. F.S.419.001 (1)(a) F.S. 419.001(2)
E) Bed and breakfast inns.
F) Home occupations pursuant to Section 65.28 of this Code.
G) Neighborhood recreational facilities.
H) Family child care homes subject F.S. requirements.
I) Small scale commercial uses may be permitted adjacent to major highways provided they are intended to provide for the daily needs of residents within the development and the adjoining rural area. Such commercial uses shall not exceed fifteen thousand (15,000) square feet in size and a maximum floor area ratio of 0.20 provided the site is developed as a Planned Unit Development.
J) Boarding and rooming houses provided the total number of boarders and rooms does not exceed two (2) and that any state law governing such use is complied with.
K) Licensed community residential homes with more than six (6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential homes.
L) Public use recreation facilities, including marinas.
M) Tents.

2) Uses expressly prohibited.

A) Single-family conventional attached dwelling units.
B) Multi-family residential dwelling units.
C) Two-family (duplex) conventional dwelling units.
D) Industrial land uses.
E) Any use prohibited by city, state or federal law.
F) Manufactured homes.

3) Design standards.

A) Minimum lot area shall be one-half (1/2) acre (twenty-one thousand seven hundred eighty (21,780) square feet). Subdivisions may be designed to allow clustering of residential dwelling units; however, overall density may not exceed two (2) dwelling units per acre.
B) Minimum lot width at the building setback line shall be one hundred (100) feet. Minimum lot widths may be waived if clustering of units is provided.
C) Maximum building height shall not exceed forty (40) feet.
D) Minimum setback requirements:
   1. Front yard setback:

a. Local roadway: Twenty-five (25) feet.
b. Collector roadway: Thirty (30) feet.
c. Arterial roadway: Thirty five (35) feet.

2. Side yard setback when adjoining:
a. Another lot: Ten (10) feet.
b. Local roadway: Twenty-five (25) feet.
c. Collector roadway: Thirty (30) feet.
d. Arterial roadway: Thirty five (35) feet.

3. Rear yard setback: Twenty (20) feet

4. Where a front yard of lesser depth than required exists in front of dwellings on more than sixty (60) percent of lots of record on one (1) side of the street in any one (1) block in an RSF-2 district, the depth of the front yard for any building hereafter erected or replaced on any lot in such block need not be greater than the average depth of front yards of existing buildings.

E) Minimum accessory uses and structures setback requirements. All accessory use buildings and uses shall be located only in the rear yard except that parking may be located in a side and front yard.
1. Rear yard setback: Twenty (20) feet

F) The maximum impervious surface ratio (which includes building coverage) shall not exceed thirty-five (35) percent.

G) Minimum floor area shall not be less than eight (800) square feet which does not include porches, garages, utility rooms, etc.

4) New development areas. New development areas shall be developed with neighborhoods that create a sense of place and incorporate the following features:

A) Supported by mixed use developments which incorporate schools, parks and open spaces and civic spaces.
B) Developed with an orderly transportation network that includes new collector roads and a recreational trail system.
C) Provision for facilities to support the development of a public transit system.
D) The enhanced conservation of lakes and wetlands through conservation designations, recreation areas and trails.
E) The identification and reservation of land, or provision of appropriate mitigation for the following public facilities and services, if it is determined that the proposed new development has an impact on the public facilities and services:
1. Right-of-way for limited access, collector and local roads, bikeways and recreational trails.
2. Water and wastewater treatment facility sites.
3. Community and neighborhood parks.
4. School sites.
5. Police, EMS and fire station sites.
6. Other facilities used to deliver public service.

**C. RSF-4 "Single-Family Medium Density Residential"** This district is established to implement comprehensive plan policies for managing medium density, single-family residential development at a density not to exceed four (4) single-family dwelling units per acre. The RSF-4 district is established to promote residential development in locations which have a functional and proximate relationship to existing or proposed development with a gross density of 2 units per acre or greater, or are located within 1 mile of a Community Mixed Use center.

1) Permitted uses.

A) Single-family conventional detached dwelling units.
B) Single-family attached conventional dwelling units.
C) Guest/servant quarters not to exceed thirty (30) percent of living area of the principal dwelling unit pursuant to Supplemental Regulations section of this Code.
D) Customary accessory structures and uses incidental to the principal structure. Accessory structures shall be limited in size to a maximum of thirty-five (35) percent of the square footage of the principal structure.
E) Licensed community residential homes with one to six (1—6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential home. F.S.419.001 (1)(a) F.S. 419.001(2)
F) Bed and breakfast inns.

G) Home occupations pursuant to Section 65.28 of this Code.
H) Neighborhood recreational facilities.
I) Small scale commercial uses may be permitted adjacent to major highways provided they are intended to provide for the daily needs of residents within the development and the adjoining rural area. Such commercial uses shall not exceed twenty thousand (20,000) square feet in size and a maximum floor area ratio of 0.20 provided the site is developed as a Planned Unit Development.
J) Licensed community residential homes with more than six (6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential home.
K) Public use recreation facilities, including marinas.
L) Family child care homes subject to F.S. requirements.
M) Day care center.
N) Churches –parsonage.
O) Clubs, lodges and fraternal organizations.
P) Tents.

2) Uses expressly prohibited.

A) Multi-family conventional residential dwelling units.
B) Two-family (duplex) conventional dwelling units.
C) Industrial land uses.
D) Any use prohibited by city, state or federal law.
E) Manufactured homes.

3) Design standards.

A) Minimum lot area shall be one-quarter (1/4) acre (ten thousand eight hundred ninety (10,890) square feet). Subdivisions may be designed to allow clustering of residential dwelling units; however, overall density may not exceed four (4) dwelling units per acre.
B) Minimum lot width at the building setback line shall be seventy-five (75) feet. Minimum lot widths may be waived if clustering of units is provided.
C) Maximum building height shall not exceed forty (40) feet.
D) Minimum setback requirements:
    1. Front yard setback:
        a. Local roadway: Twenty-five (25) feet.
        b. Collector roadway: Thirty (30) feet.
        c. Arterial roadway: Thirty five (35) feet.
    2. Side yard setback when adjoining:
        a. Another lot: Ten (10) feet.
        b. Local roadway: Twenty-five (25) feet.
        c. Collector roadway: Thirty (30) feet.
        d. Arterial roadway: Thirty five (35) feet.
    3. Rear yard setback: Twenty (20) feet
    4. Where a front yard of lesser depth than required exists in front of dwellings on more than sixty (60) percent of lots of record on one (1) side of the street in any one (1) block in an RSF-4 district, the depth of the front yard for any building hereafter erected or replaced on any lot in such block need not be greater than the average depth of front yards of existing buildings.
E) Minimum accessory uses and structures setback requirements. All accessory use buildings and uses shall be located only in the rear yard except that parking may be located in a side and front yard.
    1. Rear yard setback: Twenty (20) feet
F) The maximum impervious surface ratio (which includes building coverage) shall not exceed thirty-five (35) percent.
G) Minimum floor area shall not be less than eight hundred (800) square feet which does not include porches, garages, utility rooms, etc.

4) New development areas. New development areas shall be developed with neighborhoods that create a sense of place and incorporate the following features:

A) Supported by mixed use developments which incorporate schools, parks and open spaces and civic spaces.

B) Developed with an orderly transportation network that includes new collector roads and a recreational trail system.
C) Provision for facilities to support the development of a public transit system.
D) The enhanced conservation of lakes and wetlands through conservation designations, recreation areas and trails.
E) The identification and reservation of land, or provision of appropriate mitigation for the following public facilities and services, if it is determined that the proposed new development has an impact on the public facilities and services:
   1. Right-of-way for limited access, collector and local roads, bikeways and recreational trails.
   2. Water and wastewater treatment facility sites.
   3. Community and neighborhood parks.
   4. School sites.
   5. Police, EMS and fire station sites.
   6. Other facilities used to deliver public service.

**D. RSF-6 "Single-Family Medium – High Density Residential"** This district is established to implement comprehensive plan policies for managing medium density development at a density not to exceed six (6) single-family dwelling units per acre. The RSF-6 district is established for residential development in locations within one-half (1/2) mile of a Community Mixed Use center where services are or will be provided in association with the development.

1) Permitted uses.

A) Single-family conventional detached dwelling units.
B) Single-family attached conventional dwelling units.
C) Manufactured homes.
D) Guest/servant quarters not to exceed thirty (30) percent of living area of the principal dwelling unit pursuant to Miscellaneous Regulations chapter of this Code.
E) Customary accessory structures and uses incidental to the principal structure. Accessory structures shall be limited in size to a maximum of thirty-five (35) percent of the square footage of the principal structure.
F) Licensed community residential homes with one to six (1—6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential home. F.S.419.001 (1)(a) F.S. 419.001(2)
G) Bed and breakfast inns.
H) Home occupations pursuant to Section 65.28 of this Code.
I) Neighborhood recreational facilities.
J) Licensed community residential homes with more than six (6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential home.
K) Family child care homes subject to F.S. requirements.
L) Public use recreation facilities, including marinas.
M) Licensed day care center.
N) Churches-parsonage.
O) Clubs, lodges and fraternal organizations.
P) Tents.

2) Uses expressly prohibited.

A) Multi-family conventional residential dwelling units.
B) Two-family (duplex) conventional dwelling units.
C) Commercial land uses.
D) Industrial land uses.
E) Any use prohibited by city, state or federal law.

3) Design standards.

A) Minimum lot area shall be seven thousand two hundred sixty (7,260) square feet. Subdivisions may be designed to allow clustering of residential dwelling units; however, overall density may not exceed six (6) dwelling units per acre.

B) Minimum lot width at the building setback line shall be seventy-five (75) feet. Minimum lot widths may be waived if clustering of units is provided.
C) Maximum building height shall not exceed forty (40) feet.
D) Minimum setback requirements:
    1. Front yard setback:
        a. Local roadway: Twenty-five (25) feet.
        b. Collector roadway: Thirty (30) feet.
        c. Arterial roadway: Thirty five (35) feet.
    2. Side yard setback when adjoining:
        a. Another lot: Ten (10) feet.
        b. Local roadway: Twenty-five (25) feet.
        c. Collector roadway: Thirty (30) feet.
        d. Arterial roadway: Thirty five (35) feet.
    3. Rear yard setback: Ten (10) feet
    4. Where a front yard of lesser depth than required exists in front of dwellings on more than sixty (60) percent of lots of record on one (1) side of the street in any one (1) block in an RSF-6 district, the depth of the front yard for any building hereafter erected or replaced on any lot in such block need not be greater than the average depth of front yards of existing buildings.
E) Minimum accessory uses and structures setback requirements. All accessory use buildings and uses shall be located only in the rear yard except that parking may be located in a side and front yard.
    1. Rear yard setback: Ten (10) feet
F) The maximum impervious surface ratio (which includes building coverage) shall not exceed thirty-five (35) percent.
G) Minimum floor area shall not be less than six hundred (600) square feet which does not include porches, garages, utility rooms, etc.

4) New development areas. New development areas shall be developed with neighborhoods that create a sense of place and incorporate the following features:

A) Supported by mixed use developments which incorporate schools, parks and open spaces and civic spaces.
B) Developed with an orderly transportation network that includes new collector roads and a recreational trail system.
C) Provision for facilities to support the development of a public transit system.
D) The enhanced conservation of lakes and wetlands through conservation designations, recreation areas and trails.
E) The identification and reservation of land, or provision of appropriate mitigation for the following public facilities and services, if it is determined that the proposed new development has an impact on the public facilities and services:
    1. Right-of-way for limited access, collector and local roads, bikeways and recreational trails.
    2. Water and wastewater treatment facility sites.
    3. Community and neighborhood parks.
    4. School sites.
    5. Police, EMS and fire station sites.
    6. Other facilities used to deliver public service.

**E. RSF-10 "Single-Family High Density Residential" This district is established to implement** comprehensive plan policies for managing high density residential development at a density not to exceed ten (10) units per acre. The RSF-10 district is established for residential development in locations within one-half (1/2) mile of the city center or a commercial center adjacent to US 301 or CR 48, where services are or will be provided in association with the development.

1) Permitted uses.

A) Single-family conventional detached dwelling units.
B) Single-family attached conventional dwelling units.
C) Two-family (duplex) Dwellings.

D) Guest/servant quarters not to exceed thirty (30) percent of living area of the principal dwelling unit pursuant to Miscellaneous Regulations chapter of this Code.
E) Customary accessory structures and uses incidental to the principal structure. Accessory structures shall be limited in size to a maximum of thirty-five (35) percent of the square footage of the principal structure.
F) Licensed community residential homes with one to six (1—6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential home. F.S.419.001 (1)(a) F.S. 419.001(2)
G) Home occupations pursuant to Section 65.28 of this Code.
H) Neighborhood recreational facilities.
I) Licensed community residential homes with more than six (6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential home.
J) Family child care homes subject to F.S. requirements.
K) Public use recreation facilities, including marinas.
L) Bed and breakfast inns.
M) Licensed day care center.
N) Public and private schools.
O) Community centers.
P) Churches -parsonage.
Q) Clubs, lodges and fraternal organizations.
R) Tents.

2) Uses expressly prohibited.

A) Multi-family conventional residential dwelling units.
B) Mobile homes.
C) Commercial land uses.
D) Industrial land uses.
E) Any use prohibited by City, state or federal law.

3) Design standards.

A) Minimum lot area shall be four thousand three hundred fifty six (4,356) square feet. Subdivisions may be designed to allow clustering of residential dwelling units; however, overall density may not exceed ten (10) dwelling units per acre.
B) Minimum lot width at the building setback line shall be sixty (60) feet. Minimum lot widths may be waived if clustering of units is provided.
C) Maximum building height shall not exceed forty (40) feet.
D) Minimum setback requirements:
    1. Front yard setback:
        a. Local roadway: Twenty-five (25) feet.
        b. Collector roadway: Thirty (30) feet.
        c. Arterial roadway: Thirty five (35) feet.
    2. Side yard setback when adjoining:
        a. Another lot: Ten (10) feet.
        b. Local roadway: Twenty-five (25) feet.
        c. Collector roadway: Thirty (30) feet.
        d. Arterial roadway: Thirty five (35) feet.
    3. Rear yard setback: Ten (10) feet
    4. Where a front yard of lesser depth than required exists in front of dwellings on more than sixty (60) percent of lots of record on one (1) side of the street in any one (1) block in an RSF-10 district, the depth of the front yard for any building hereafter erected or replaced on any lot in such block need not be greater than the average depth of front yards of existing buildings.
E) Minimum accessory uses and structures setback requirements. All accessory use buildings and uses shall be located only in the rear yard except that parking may be located in a side and front yard.
    1. Rear yard setback: Ten (10) feet
F) The maximum impervious surface ratio (which includes building coverage) shall not exceed thirty-five (35) percent.

G) Minimum floor area shall not be less than six hundred (600) square feet which does not include porches, garages, utility rooms, etc.

4) New development areas. New development areas shall be developed with neighborhoods that create a sense of place and incorporate the following features:

A) Supported by mixed use developments which incorporate schools, parks and open spaces and civic spaces.
B) Developed with an orderly transportation network that includes new collector roads and a recreational trail system.
C) Provision for facilities to support the development of a public transit system.
D) The enhanced conservation of lakes and wetlands through conservation designations, recreation areas and trails.
E) The identification and reservation of land, or provision of appropriate mitigation for the following public facilities and services, if it is determined that the proposed new development has an impact on the public facilities and services:
1. Right-of-way for limited access, collector and local roads, bikeways and recreational trails.
2. Water and wastewater treatment facility sites.
3. Community and neighborhood parks.
4. School sites.
5. Police, EMS and fire station sites.
6. Other facilities used to deliver public service.

**F. RMF-15 "Multiple Family High Density Residential"** This district is established to implement comprehensive plan policies for managing high density residential development at a density not to exceed fifteen (15) units per acre. The RMF-15 district is established for residential high density development in the most urbanized areas that have adequate facilities in place to support the development, and where the majority of housing is within walking distance, defined as a ¼ mile radius of the City center.

1) Permitted uses.

A) Single-family conventional detached dwelling units.
B) Single-family attached conventional dwelling units.
C) Two-family (duplex) dwellings.
D) Multiple family dwellings.
E) Guest/servant quarters not to exceed thirty (30) percent of living area of the principal dwelling unit pursuant to Miscellaneous Regulations chapter of this Code.
F) Customary accessory structures and uses incidental to the principal structure. Accessory structures shall be limited in size to a maximum of thirty-five (35) percent of the square footage of the principal structure.
G) Licensed community residential homes with one to six (1—6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential home. F.S.419.001 (1)(a) F.S. 419.001(2)
H) Home occupations pursuant to Section 65.28 of this Code.
I) Neighborhood recreational facilities.
J) Adult congregate living facilities.
K) Licensed community residential homes with more than six (6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential home.
L) Public use recreation facilities, including marinas.
M) Bed and breakfast inns.
N) Day care center.
O) Public and private schools.
P) Community centers.
Q) Churches-parsonage.
R) Clubs, lodges and fraternal organizations.
S) Tents.

2) Uses expressly prohibited.

A) Manufactured homes.
B) Commercial land uses.

C) Industrial land uses.
D) Any use prohibited by city, state or federal law.

3) Design standards.

A) Minimum lot area shall be two thousand nine hundred four (2,904) square feet. Subdivisions may be designed to allow clustering of residential dwelling units; however, overall density may not exceed fifteen (15) dwelling units per acre.
B) Minimum lot width at the building setback line shall be sixty (60) feet. Minimum lot widths may be waived if clustering of units is provided.
C) Maximum building height shall not exceed forty (40) feet.
D) Minimum setback requirements:
1. Front yard setback:
a. Local roadway: Twenty-five (25) feet.
b. Collector roadway: Thirty (30) feet.
c. Arterial roadway: Thirty five (35) feet.
2. Side yard setback when adjoining:
a. Another lot: Ten (10) feet.
b. Local roadway: Twenty-five (25) feet.
c. Collector roadway: Thirty (30) feet.
d. Arterial roadway: Thirty five (35) feet.
3. Rear yard setback: Ten (10) feet
4. Where a front yard of lesser depth than required exists in front of dwellings on more than sixty (60) percent of lots of record on one (1) side of the street in any one (1) block in an RSF-15 district, the depth of the front yard for any building hereafter erected or replaced on any lot in such block need not be greater than the average depth of front yards of existing buildings.
E) Minimum accessory uses and structures setback requirements. All accessory use buildings and uses shall be located only in the rear yard except that parking may be located in a side and front yard.
1. Rear yard setback: Ten (10) feet
F) The maximum impervious surface ratio (which includes building coverage) shall not exceed thirty-five (35) percent.
G) Minimum floor area shall not be less than six hundred (600) square feet which does not include porches, garages, utility rooms, etc.

4) New development areas. New development areas shall be developed with neighborhoods that create a sense of place and incorporate the following features:

A) Supported by mixed use developments which incorporate schools, parks and open spaces and civic spaces.
B) Developed with an orderly transportation network that includes new collector roads and a recreational trail system.
C) Provision for facilities to support the development of a public transit system.
D) The enhanced conservation of lakes and wetlands through conservation designations, recreation areas and trails.
E) The identification and reservation of land, or provision of appropriate mitigation for the following public facilities and services, if it is determined that the proposed new development has an impact on the public facilities and services:
1. Right-of-way for limited access, collector and local roads, bikeways and recreational trails.
2. Water and wastewater treatment facility sites.
3. Community and neighborhood parks.
4. School sites.
5. Police, EMS and fire station sites.
6. Other facilities used to deliver public service.

**G. RMH-6 "Residential Manufactured Homes"** This district is established to implement comprehensive plan policies to provide for the establishment of manufactured home dwellings in urban environments at a density not to exceed six (6) dwelling units per acre.

1) Permitted uses.

   A) Manufactured home subdivisions and rental parks.
   B) Accessory uses such as laundries, community buildings, offices, swimming pools and recreational facilities shall be permitted subject to the following conditions:
      1) The establishments shall not be advertised for patronage by the general public.
      2) Recreational facilities shall in general be centrally located; in instances where recreational facilities are dedicated to the public, facilities may be located proximate to the exterior of the development such that traffic impacts are minimal to the residents of such development.
   C) Customary accessory structures and uses incidental to the principal structure. Accessory structures shall be limited in size to a maximum of thirty-five (35) percent of the square footage of the principal structure.
   D) Home occupations pursuant to Section 65.28 of this Code.
   E) Restaurants, if they are part of the permitted use development.
   F) Tents.

2) Uses expressly prohibited.

   A) Commercial land uses.
   B) Industrial land uses.
   C) Conventional single-family dwelling units.
   D) Two-family (duplex) dwelling units.
   E) Multi-family dwelling units.
   F) Any use prohibited by city, state or federal law.

3) Manufactured home rental park development standards.

   A) The developer shall submit a site plan at the time of application, prepared in accordance with the Design Standards subsection later in this section. Final Site Development Plans must be submitted in accordance with the improvement standards (i.e., water, sewer, drainage, etc.) in other chapters of this Code.
   B) A manufactured home rental park shall be entirely enclosed, exclusive of driveways, at its external boundaries in accordance with the buffer class requirements of Chapter 62.
   C) Manufactured homes shall meet the setback requirements in the Design Standards subsection later in this section.
   D) There shall be at least two (2) paved, off-street parking spaces for each home space, which shall be on the same site as the home served and may be located in the front or side yard of the home unit.
   E) Streets, areas at the entrances to buildings used by occupants at night, and walkways shall be lighted.
   F) All manufactured homes in all zoning districts that permit manufactured homes shall be skirted between the ground and floor of the manufactured home. The skirting material may be contiguous blocks, bricks, treated lumber, aluminum siding, or a suitable material as approved by the Building Official.
   G) All lots should be permanently pinned (corner markers) at the corner points prior to issuance of certificate of occupancy.

4) Manufactured home subdivision development requirements. The developer shall submit plans at the time of application, prepared in accordance with the Design Standards subsection later in this section. Final Development Plans and a plat must be submitted in accordance with the criteria as established by Chapter 61, Subdivision Regulations, and shall meet the development, design and improvement standards for subdivisions as stated in other chapters of this Code.

5) Design standards.

   A) The minimum lot area shall be five thousand (5,000) square feet if central water and sewer facilities are provided. Should septic tanks be utilized then the minimum lot area shall be twelve thousand five hundred (12,500) square feet. Projects may be designed to allow clustering of residential units; however, overall density may not exceed six (6) units per acre. The lot shall be clearly defined by permanent markers.
   B) The minimum lot width shall be fifty (50) feet measured along the building setback line. Minimum lot widths may be waived if clustering of units is provided.
   C) The minimum lot depth shall be seventy-two point five (72.5) feet.

D) The maximum building height shall be forty (40) feet.
E) Minimum setback requirements:
   1. Front yard setback:
      a. Local platted roadway: Twenty (20) feet.
      b. Collector roadway: Thirty (30) feet.
      c. Arterial roadway: Thirty five (35) feet.
      d. Local private paved streets: Twenty (20) feet off of edge of pavement.
   2. Side yard setback when adjoining;
      a. Another lot: Five (5) feet.
      b. Local roadway: Twenty (20) feet.
      c. Collector roadway: Thirty (30) feet.
      d. Arterial roadway: Thirty five (35) feet.
      e. Interior paved streets: Twenty (20) feet.
   3. Rear yard setback: Ten (10) feet.
F) The minimum living area shall be five hundred (500) square feet exclusive of garages, screen porches, utility rooms, etc.
G) No manufactured home shall be less than three (3) years old at the time of placement. If the mobile home is more than three (3) years old, it must be inspected to make sure it meets the current code requirements before permits are issued.
H) The maximum impervious surface ratio (which includes building coverage) shall not exceed sixty (60) percent.

The Florida Department of Environmental Health may require densities of less than these standards, and their ruling takes precedence over these densities.

**Section 65-8. Commercial.**

A. **CO "Commercial Office"** This district is established to implement comprehensive plan policies to provide for the transition of older residential areas to a combination of residences and restricted professional business services and low intensity commercial uses provided the change is compatible with the surrounding neighborhood and adjacent to a major roadway. Residential density shall not exceed four (4) dwelling units per acre.

1) Permitted uses.

A) Offices for professional services.
B) Financial services.
C) Personal services.
D) Medical Office/Clinic.
E) Bed and breakfast Inn.
F) Single-family conventional detached dwelling units.
G) Two-family (duplex) dwellings.
H) Multiple family dwellings.
I) Customary accessory structures and uses incidental to the principal structure. Accessory structures shall be limited in size to a maximum of thirty-five (35) percent of the square footage of the principal structure.
J) Licensed community residential homes with one to six (1-6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential home. F.S.419.001 (1)(a) F.S. 419.001(2)
K) Home occupations pursuant to Section 65.28 of this Code.
L) Compound use.
M) Licensed day care center.
N) Tents.

2) Uses expressly prohibited.

A) Manufactured homes.
B) Industrial land uses.
C) Any use prohibited by city, state or federal law.

3) General Requirements for Commercial uses.

A) Off-street parking requirements shall not exceed eight (8) spaces.
B) Signage shall not exceed what is customarily allowed in residential districts (see Chapter 59).

4) Design standards.

A) The minimum lot area shall be six thousand (6,000) square feet.
B) The minimum lot width shall be fifty (50) feet measured along the building setback line.
C) The maximum building height shall be forty (40) feet.
D) Minimum setback requirements:
1. Front yard setback:
a. Local roadway: Twenty-five (25) feet.
b. Collector roadway: Thirty (30) feet.
c. Arterial roadway: Thirty five (35) feet.
2. Side yard setback when adjoining;
a. Another lot: Ten (10) feet.
b. Local roadway: Twenty-five (25) feet.
c. Collector roadway: Thirty (30) feet.
d. Arterial roadway: Thirty five (35) feet.
3. Rear yard setback: Ten (10) feet.
E) The maximum impervious surface ratio (which includes building coverage) shall not exceed seventy (70) percent.
F) The maximum floor area ratio (FAR) shall not exceed twenty (20) percent.

5) Site Plan Approval

A site development plan shall be required per Article 8, Section 65-90 of this Code prior to final project approval.

B. **CBD "Central Business District"** This district is established to implement comprehensive plan policies to encourage economic activity, living quarters and local employment opportunities within the historic downtown.

1) Permitted uses.

A) Offices.
B) Personal services.
C) Laundromat and dry cleaning retail stores.
D) Licensed day care centers.
E) Adult congregate living facilities/skilled nursing.
F) Single-family conventional detached dwelling units.
G) Two-family (duplex) dwellings.
H) Licensed community residential homes with more than six (6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential home. F.S.419.001 (1)(a) F.S. 419.001(2)
I) Licensed day care center.
J) Financial services.
K) Compound use.
L) Office supplies.
M) Retail sales and services.
N) Business services.
O) Bed and breakfast inns.
P) Bars and lounges associated with restaurant use.
Q) Restaurants.
R) Medical offices/clinics.
S) Bakery/deli.
T) Banks.
U) Game/indoor recreation facilities.
V) Health/exercise clubs.
W) Hotels, motels.

X) Convenience stores without fuel service.
Y) Churches -parsonage.
Z) Theaters.
AA) Clubs, lodges and fraternal organizations.
BB) Parking garages.
CC) Repair shops except paint and body.
DD) Ambulance stations.
EE) Commercial portable or temporary structure.
FF) Commercial Pole barns or sheds.
GG) Strip stores under 20,000 square feet.
HH) Outdoor display.
II) Tents.

2) Uses expressly prohibited.

A) Wholesale commercial uses.
B) Industrial land uses.
C) Any use prohibited by city, state or federal law.

3) Site Plan Approval.

A) A site development plan shall be required per Article 8, Section 65-90 of this Code prior to final project approval.

4) Design standards.

A) There is no minimum lot area.
B) There is no minimum lot width.
C) The maximum building height shall be forty (40) feet.
D) Minimum setback requirements:
1. Front yard setback: None.
2. Side yard setback: None.
3. Rear yard setback: None; however, a use must have exits on two different sides. Otherwise, the setback is ten (10) feet.
E) The maximum impervious surface ratio (which includes building coverage) shall not exceed one hundred (100) percent.
F) The maximum floor area ratio (FAR) shall not exceed three hundred (300) percent.
G) Residential uses may be permitted as a secondary use at 2nd floor or above. Residential density shall not exceed 15 units/acre.
H) Loading areas as required per Chapter 60 will be provided except where such areas are determined by the Zoning Administrator to be infeasible for existing buildings.

C. **C-1 "Neighborhood Business and Professional Offices"** This district is established to implement comprehensive plan policies to provide for the day to day needs of the immediate neighborhood. Commercial development is intended to accommodate businesses up to 30,000 square feet in size.

1) Permitted uses.

A) Offices.
B) Personal services.
C) Laundromat and dry cleaning retail stores.
D) Convenience stores with or without fuel service.
E) Licensed day care centers.
F) Single-family conventional detached dwelling units.
G) Two-family (duplex) dwellings.
H) Multiple family dwellings.
I) Adult congregate living facilities/skilled nursing.
J) Licensed Community residential homes with more than six (6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential home. F.S.419.001 (1)(a) F.S. 419.001(2)

K) Financial services.
L) Office supplies.
M) Retail sales and services.
N) Business services.
O) Bed and breakfast inns.
P) Office complex.
Q) Restaurants.
R) Medical Office/Clinics.
S) Bakery/deli.
Q) Banks.
R) Game/ indoor recreation facilities.
S) Health/exercise clubs.
T) Hotels, motels.
U) Churches-parsonage.
V) Theaters.
W) Clubs, lodges and fraternal organizations.
X) Parking garages.
Y) Bars and lounges associated with restaurant use.
Z) Car wash.
AA) Repair shops except paint and body.
BB) Veterinary office.
CC) Auction houses.
DD) Drive-in facilities.
EE) Compound use.
FF) Ambulance stations.
GG) Crematories.
HH) Commercial portable or temporary structure.
II) Commercial Pole barns or sheds.
JJ) Strip stores under 20,000 square feet.
KK) Outdoor display.
LL) Game/indoor recreation facilities.
MM) Tents.

2) Uses expressly prohibited.

A) Manufactured homes.
B) Industrial land uses.
C) Any use prohibited by city, state or federal law.

3) Site Plan Approval.

A) A site development plan shall be required per Article 8, Section 65-90 of this Code prior to final project approval.

4) Design standards.

A) The minimum lot area shall be six thousand (6,000) square feet.
B) The minimum lot width shall be fifty (50) feet measured along the building setback line.
C) The maximum building height shall be forty (40) feet.
D) Minimum setback requirements:
1. Front yard setback:
a. Local roadway: Twenty-five (25) feet.
b. Collector roadway: Thirty (30) feet.
c. Arterial roadway: Thirty five (35) feet.
2. Side yard setback when adjoining;
a. Another lot: Ten (10) feet.
b. Local roadway: Twenty-five (25) feet.
c. Collector roadway: Thirty (30)feet.
d. Arterial roadway: Thirty five (35) feet.

3. Rear yard setback: Ten (10) feet.

E) The maximum impervious surface ratio (which includes building coverage) shall not exceed fifty (50) percent.

F) The maximum floor area ratio (FAR) shall not exceed twenty (20) percent.

G) A single commercial use cannot exceed 30,000 square feet in size.

H) Residential uses may be permitted as a secondary use at 2nd floor or above, subject to PUD zoning. Residential density shall not exceed 4 units/acre.

D. **C-2 "General Commercial"** This district is established to implement comprehensive plan policies to encourage economic activity and local employment opportunities. Sites will be primarily located on SR 48, CR 475, CR 48, and U.S. 301.

1) Permitted uses.

A) Offices.
B) Personal services.
C) Laundromat and dry cleaning retail stores.
D) Convenience stores with or without fuel service.
E) Licensed day care centers.
F) Single-family conventional detached dwelling units.
G) Two-family (duplex) dwellings.
H) Multiple family dwellings.
I) Adult congregate living facilities/skilled nursing.
J) Licensed Community residential homes with more than six (6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential home. F.S.419.001 (1)(a) F.S. 419.001(2)
K) Financial services.
L) Retail sales and services/outdoor display.
M) Business services.
N) Bed and breakfast inns.
O) Office complex.
P) Medical Office/Clinics.
Q) Bakery/deli.
R) Banks.
S) Health/exercise clubs.
T) Churches-parsonage.
U) Game/indoor recreation facilities.
V) Theaters.
W) Clubs, lodges and fraternal organizations.
X) Parking garages.
Y) Bars and lounges associated with restaurant use.
Z) Restaurants.
AA) Hotels/motels.
BB) Car wash.
CC) Repair shops except paint and body.
DD) Mobile food vendors.
EE) Rental storage facilities.
FF) Commercial portable or temporary structures.
GG) Commercial accessory structures.
HH) Compound use.
II) Corporate service office.
JJ) Commercial portable or temporary structure.
KK) Commercial Pole barns or sheds.
LL) Crematories.
MM) Kennels.
NN) Flea markets.
OO) Tents.

2) Uses expressly prohibited.

A) Manufactured homes.
B) Industrial land uses.
C) Any use prohibited by city, state or federal law.

3) Site Plan Approval.

A) A site development plan shall be required per Article 8, Section 65-90 of this Code prior to final project approval.

4) Design standards.

A) The minimum lot area shall be twelve thousand (12,000) square feet.
B) The minimum lot width shall be one hundred (100) feet measured along the building setback line.
C) The maximum building height shall be forty (40) feet.
D) Minimum setback requirements:
1. Front yard setback:
a. Local roadway: Twenty Five (25) feet.
b. Collector roadway: Thirty (30) feet.
c. Arterial roadway: Thirty five (35) feet.
2. Side yard setback when adjoining:
a. Another lot: Ten (10) feet.
b. Local roadway: Twenty Five (25) feet.
c. Collector roadway: Thirty (30) feet.
d. Arterial roadway: Thirty five (35) feet.
3. Rear yard setback: Ten (10) feet.
E) The maximum impervious surface ratio (which includes building coverage) shall not exceed seventy (70) percent.
F) The maximum floor area ratio (FAR) shall not exceed fifty (50) percent within 1 mile radius of city center, and twenty-five (25) percent at other locations.
G) Residential uses may be permitted as a secondary use at 2nd floor or above, subject to PUD zoning. Residential density shall not exceed 8 units/acre.

E. **C-3 "General Business Arterial"** This district is established to implement comprehensive plan policies to encourage economic activity and local employment opportunities. This district is intended for uses that generate large volumes of traffic. Sites will be primarily located on SR 48, CR 475, CR 48, and U.S. 301.

1) Permitted uses.

A) Offices.
B) Laundromat and dry cleaning retail stores.
C) Convenience stores with or without fuel service.
D) Licensed day care centers.
E) Adult congregate living facilities/skilled nursing.
F) Financial services.
G) Retail sales and services/outdoor display.
H) Business services.
I) Office complex.
J) Medical office/clinics.
K) Bakery/deli.
L) Banks.
M) Game/indoor recreation facilities.
N) Health/exercise clubs.
O) Theaters.
P) Clubs, lodges and fraternal organizations.
Q) Parking garages.
R) Bars and lounges associated with restaurant use.

S) Restaurants.
T) Hotels/motels.
U) Car wash.
V) Repair shops except paint and body.
W) Mobile food vendors.
X) Truck stops.
Y) Shopping center/malls.
Z) Commercial recreation/entertainment/fitness facility.
AA) Rental storage facilities.
BB) Flea market.
CC) Kennels.
DD) Commercial portable or temporary structures.
EE) Commercial accessory structures/pole barn.
FF) RV Parks.
GG) Carnival/circus.
HH) Outdoor storage except parts and salvage.
II) Churches-parsonage.
JJ) Compound use.
KK) Private schools.
LL) Produce shipping and packing.
MM) Wholesale commercial warehousing.
NN) Bulk storage of fuel or other chemicals.
OO) Towers.
PP) Crematories.
QQ) Incinerators.
RR) Tents.

2) Uses expressly prohibited.

A) Manufactured homes.
B) Industrial land uses.
C) Any use prohibited by city, state or federal law.

3) Site Plan Approval.

A) A site development plan shall be required per Article 8, Section 65-90 of this Code prior to final project approval.

4) Design standards.

A) The minimum lot area shall be one (1) acre.
B) The minimum lot width shall be two hundred (200) feet measured along the building setback line.
C) The maximum building height shall be forty (40) feet.
D) Minimum setback requirements:
1. Front yard setback:
a. Local roadway: Twenty Five (25) feet.
b. Collector roadway: Thirty (30) feet.
c. Arterial roadway: Thirty five (35) feet.
2. Side yard setback when adjoining:
a. Another lot: Twenty five (25) feet.
b. Local roadway: Twenty Five (25) feet.
c. Collector roadway: Thirty (30) feet.
d. Arterial roadway: Thirty five (35) feet.
3. Rear yard setback: Twenty-five (25) feet.
E) The maximum impervious surface ratio (which includes building coverage) shall not exceed seventy (70) percent.
F) The maximum floor area ratio (FAR) shall not exceed fifty (50) percent within 1 mile radius of city center, and twenty-five (25) percent at other locations.

**Section 65-9. Industrial (I-1 and I-2).**

A. **I-1 "Light Industrial"** This district is established to implement comprehensive plan policies to provide for lower intensity of industrial development.

1) Permitted uses.

A) Produce shipping, packing and selling facilities.
B) Wholesale commercial warehousing.
C) Light manufacturing.
D) Manufacturing and assembly.
E) Industrial bakeries and food processing.
F) Construction storage yards.
G) Paint/body shop.
H) Laboratory research and development.
I) Ancillary retail uses.
J) Bulk storage of fuel or other chemicals.
K) Carnival/circus.
L) Outdoor storage except parts and salvage.
M) Towers.
N) Crematories.
O) Flea markets.
P) Agriculturally related industry.
Q) Boat repair.
R) Commercial recreation/entertainment/fitness facility.
S) Animal rehabilitation.
T) Tents.
U) Crematories.
V) Incinerators.
W) Trucking terminal.
X) Distribution center.

2) Uses expressly prohibited.

A) Residential dwelling units.
B) Any use prohibited by city, state or federal law.

3) Site Plan Approval.

A) A site development plan shall be required per Article 8, Section 65-90 of this Code prior to final project approval.

4) Design standards.

A) The minimum lot area shall be one (1) acre.
B) The minimum lot width shall be two hundred (200) feet measured along the building setback line.
C) The maximum building height shall be forty (40) feet.
D) Minimum setback requirements:
    1. Front yard setback:
        a. Local roadway: Twenty Five 25) feet.
        b. Collector roadway: Thirty (30) feet.
        c. Arterial roadway: Thirty five (35) feet.
    2. Side yard setback when adjoining;
        a. Another lot: Thirty five (35) feet.
        b. Local roadway: Twenty five (25) feet.
        c. Collector roadway: Thirty (30) feet.
        d. Arterial roadway: Thirty five (35) feet.
    3. Rear yard setback: Thirty five (35) feet.
E) The maximum impervious surface ratio (which includes building coverage) shall not exceed forty (40) percent.

F) The maximum floor area ratio (FAR) shall not exceed twenty-five (25) percent.

B. **I-2 "General Industrial"** This district is established to implement comprehensive plan policies to provide for a range of industrial uses including manufacturing, processing and fabrication plants, distribution centers and recycling centers.

1) Permitted uses.

A) All permitted I-1 uses.
B) Distribution centers.
C) Laundry/dry cleaning plants.
D) Manufacturing: Fabrication.
E) Manufacturing: Processing.
F) Motor vehicle repair facility.
G) Motor vehicle towing and impoundment.
H) Trucking terminal.
I) Warehousing.
J) Concrete plants.
K) Breweries.
L) Feed grinding and processing.
M) Animal slaughtering or processing.
N) Sawmills.
O) Salvage /recycling yard.
P) Tents.
Q) Crematories.
R) Incinerators.
S) One single-family residential dwelling unit on the site to be utilized exclusively for the owner or caretaker.
T) Towers.

2) Uses expressly prohibited.

A) Residential dwelling units (exception noted above).
B) Any use prohibited by city, state or federal law.

3) Site Plan Approval.

A) A site development plan shall be required per Article 8, Section 65-90 of this Code prior to final project approval.

4) Design standards.

A) The minimum lot area shall be one (1) acre.
B) The minimum lot width shall be three hundred (300) feet measured along the building setback line.
C) The maximum building height shall be forty (40) feet.
D) Minimum setback requirements:
    1. Front yard setback:
        a. Local roadway: Twenty five (25) feet.
        b. Collector roadway: Thirty (30) feet.
        c. Arterial roadway: Thirty five (35) feet.
    2. Side yard setback when adjoining;
        a. Another lot: Thirty five (35) feet.
        b. Local roadway: Twenty five (25) feet.
        c. Collector roadway: Thirty (30) feet.
        d. Arterial roadway: Thirty five (35) feet.
    3. Rear yard setback: Thirty five (35) feet.

E) The maximum impervious surface ratio (which includes building coverage) shall not exceed sixty (60) percent.
F) The maximum floor area ratio (FAR) shall not exceed fifty (50) percent.

5) General Requirements for Development

A) Stock yards, feed lots, paper or pulp mills shall be located at least one (1) mile from any residential land use or residential zoning district.
B) Outdoor storage of products or equipment must be enclosed by an opaque fence of a minimum of six (6) feet in height from grade.

**Section 65-10. Agriculture (AG).**

**AG "Agriculture"** This district is established to implement comprehensive plan policies for allowing the continued use of the land for agricultural practices and very low residential density use not to exceed one (1) single-family dwelling unit per five (5) acres. The AG district is established to provide conventional single-family residential home sites on large tracts, preserve open space, and manage future densities in order to protect agricultural uses.

1) Permitted uses.

A) Single-family conventional detached dwelling units.
B) Manufactured homes.
C) Guest/servant quarters not to exceed thirty (30) percent of living area of the principal dwelling unit pursuant to Miscellaneous Regulations chapter of this Code.
D) Customary accessory structures and uses incidental to the principal structure. Accessory structures shall be limited in size to a maximum of thirty-five (35) percent of the square footage of the principal structure.
E) Home occupations pursuant to Section 65.28 of this Code.
F) Bed and breakfast inns.
G) Licensed community residential homes with one to six (1—6) residents provided that a minimum of one thousand feet (1,000') separation is maintained from any other community residential home with 1-6 residents. F.S.419.001 (1)(a) F.S. 419.001(2)
H) Family day care homes subject to F.S. requirements.
I) Boarding and rooming houses provided the total number of boarders and rooms does not exceed two (2) and that any state law governing such use is complied with.
J) Equestrian facilities.
K) Plant nurseries with retail sales of plants produced onsite.
L) Agriculture, aquaculture, horticulture and silviculture.
M) Large animal vet clinic.
N) Farm animals. Shall not exceed two (2) per acre.
O) Fowl. Shall not exceed ten (10) per acre.
P) Tents.

2) Uses expressly prohibited.

A) Single-family attached dwelling units.
B) Multi-family residential dwelling units.
C) Two-family (duplex) dwelling units.
D) Commercial land uses.
E) Industrial land uses.
F) Any use prohibited by city, state or federal law.

3) Design standards.

A) Minimum lot area shall be five (5) acres. Subdivisions may be designed to allow clustering of residential dwelling units; however, overall density may not exceed one (1) dwelling units per five acres.
B) Minimum lot width at the building setback line shall be two hundred fifty (250) feet. Minimum lot widths may be reduced to one hundred (100) feet if clustering of units is provided.
C) Maximum building height shall not exceed forty (40) feet.

D) Minimum setback requirements:
   1. Front yard setback:
      a. Local roadway: Twenty-five (25) feet.
      b. Collector roadway: Thirty (30) feet.
      c. Arterial roadway: Thirty five (35) feet.
   2. Side yard setback when adjoining:
      a. Another lot: Twenty-five (25) feet.
      b. Local roadway: Twenty-five (25) feet.
      c. Collector roadway: Thirty (30) feet.
      d. Arterial roadway: Thirty five (35) feet.
   3. Rear yard setback: Twenty five (25) feet

E) Minimum accessory uses and structures setback requirements. All accessory use buildings and uses shall be located only in the rear yard except that parking may be located in a side and front yard.
   1. Rear yard setback: Twenty five (25) feet.
   2. Farm accessory building containing livestock, hogs, or poultry. Rear and side yard setback: Two hundred (200) feet.

F) The maximum impervious surface ratio (which includes building coverage) shall not exceed thirty-five (35) percent.

G) Minimum floor area shall not be less than eight hundred (800) square feet which does not include porches, garages, utility rooms, etc.

4) Performance Standards for lands located within the Agriculture Preserve land use category.

   A) A maximum of four (4) residential units on the entire property is allowed due to existing conservation easement.

**Section 65-11. Historic District (H).**

The intent of the historic district is to preserve, reconstruct or augment areas within Bushnell which are identifiable either through age of structures, architectural style, or historic events as being of special value to the community. This district is intended to apply as an overlay district, within which various residential, commercial and public uses and zoning districts may co-exist, subject to standards intended to enhance the special, historic nature of the district. The (H) designation may apply to individual structures, or, it may apply on an area wide basis.

**Section 65-12. Community Facilities District (CFD) and Public Facilities District (PFD).**

**CFD "Community Facilities District"** This district is established to manage policies of the comprehensive plan for development of public facilities. This district is established to provide for the special or substantial public interest facilities that are so desired. A conceptual development plan is required to be submitted with rezoning application.

1) Permitted uses.

   A) Airports.
   B) Auditoriums, stadiums, arenas and expositions.
   C) Broadcasting facilities.
   D) Municipal/governmental buildings, structures and uses.
   E) Cemeteries.
   F) Houses of worship.
   G) Educational institutions.
   H) Day care centers.
   I) Hospitals, clinics and medical facilities.
   J) Public parks and recreational facilities.
   K) Post offices.
   L) Libraries.
   M) Police and fire facilities.
   N) Adult care facilities.
   O) Clubs, lodges and fraternal organizations.
   P) Funeral homes, with or without a crematorium.
   Q) Golf courses.

R) Towers.
s) Any other use of a similar nature when approved by the City Council.

2) Design standards.

A) The minimum lot area shall be 20,000 square feet.
B) The minimum lot width shall be one hundred fifty (150) feet measured along the building setback line.
C) Maximum building height is forty (40) feet.
D) Minimum setback requirements:
1. Front yard setback:
a. Local roadway: Twenty five (25) feet.
b. Collector roadway: Thirty (30) feet.
c. Arterial roadway: Thirty five (35) feet.
2. Side yard setback when adjoining:
a. Another lot: Twenty-five (25) feet.
b. Local roadway: Twenty five (25) feet.
c. Collector roadway: Thirty (30) feet.
d. Arterial roadway: Thirty five (35) feet.
3. Rear yard setback: Twenty-five (25) feet.
E) The maximum impervious surface ratio (which includes building coverage) shall be eighty (80) percent.
F) The maximum floor area ratio (FAR) shall be fifty (50) percent.

3) Conceptual Plan requirements.

A) In order to establish a "CFD" community facility district, the applicant must provide a conceptual plan as outlined in the PUD district section of this Code with a rezoning application.
B) The approval process shall be the same as that followed for rezoning.

4) Site Plan Approval.

A) A site development plan shall be required per Article 8, Section 65-90 of this Code prior to final project approval.

**PFD "Public Facilities District"** This district is established to manage policies of the comprehensive plan for development of public infrastructure that may be provided by the government, public, or private utility.

1) Permitted uses.

A) Electric power substations and operation centers.
B) Gas and water metering stations.
C) Sewage treatment facilities.
D) Water supply operations.
E) Solid waste transfer stations.
F) Landfills.
G) Communication towers.
H) Any other use of a similar nature when approved by the City Council.

2) Design standards.

A) The minimum lot area shall be 20,000 square feet.
B) The minimum lot width shall be one hundred fifty (150) feet measured along the building setback line.
C) Maximum building height is forty (40) feet.
D) Minimum setback requirements:
1. Front yard setback:
a. Local roadway: Twenty five (25) feet.
b. Collector roadway: Thirty (30) feet.
c. Arterial roadway: Thirty five (35) feet.
2. Side yard setback when adjoining;
a. Another lot: Twenty-five (25) feet.
b. Local roadway: Twenty five (25) feet.

c. Collector roadway: Thirty (30) feet.
d. Arterial roadway: Thirty five (35) feet.

3. Rear yard setback: Twenty-five (25) feet.

E) The maximum floor area ratio (FAR) shall be thirty (30) percent.

3) General Requirements for Development

A) A landfill facility may not abut a residential area or residential land use, and must be located as to provide access to arterial or major collector roads within one-half mile of the site.

4) Site Plan Approval.

A) A site development plan shall be required per Article 8, Section 65-90 of this Code prior to final project approval.

**Section 65-13. Planned Unit Development (PUD)**

**PUD "Planned Unit Development"** This district is established to implement comprehensive plan policies for promoting smart growth principles, negotiating innovative development concepts, design amenities, and measures intended to encourage unique planning concepts not attainable with certainty under conventional zoning or to protect environmentally, historically, or archaeologically significant sites.

**A. Residential PUD.** Single- and Multi-family residential dwelling units provided, however PUD's located within the single-family overlay district of the Future Land Use Map utilizing multi-family units within the PUD cannot exceed 49% of the housing stock, on-site recreational facilities and on-site day care facilities, convenience store and personal services intended to service the principal use.

**B. Community Mixed Use PUD.** Conventional single family attached, conventional single family detached, townhomes, multi-family units, residential units above commercial; commercial uses, such as local retail sales and service, offices, and service facilities; educational and civic uses. Other uses deemed appropriate and incidental to the primary use by the BACE.

1. Design Standards

A) A minimum land area of ten (10) acres.
B) The proposed uses within the Development must comply with the following table:

| Use | Minimum | Maximum |
|---|---|---|
| Residential | 25% | 65% |
| Commercial | 5% | 30% |
| Parks & Open Space | 25% | |

C) The location of the commercial center so that it is easily accessible by pedestrians from as many residential areas as possible.
D) A network of open space in the form of squares, plazas, parks, greens and similar open space design.
E) Individual buildings shall be related to each other in design, masses, materials, placement and connections to provide a visually and physically integrated development.
F) There shall be an adequate amount of pedestrian walks to prevent pedestrian use of vehicular ways and parking spaces and to separate pedestrian walks from general vehicular traffic.

2. Performance Standards

A) The proposed density and intensity standards must comply with the following table:

| **Use** | **Minimum** | **Maximum** |
|---|---|---|
| Residential Density within the Center of Development | 5 units/acre | 8 units/acre |
| Residential Density within the Edge of Development | 1 unit/acre | 4 units/acre |
| Parks & Open Space | 25% | N/A |

| | FAR | ISR |
|---|---|---|
| Commercial Uses within Commercial Center | .50 | .70 |
| Commercial Uses within the Edge of Development | .25 | .70 |

**C. Neighborhood Mixed Use PUD.** Conventional single family attached, conventional single family detached, townhomes, residential units above commercial; commercial uses, such as neighborhood retail sales and service, and offices; educational and civic uses. Other uses deemed appropriate and incidental to the primary use by the BACE.

1. Design Standards

   A) A minimum land area of ten (10) acres.
   B) The proposed uses within the Development must comply with the following table:

| Use | Minimum | Maximum |
|---|---|---|
| Residential | 40% | 65% |
| Commercial | 5% | 30% |
| Parks & Open Space | 20% | |

   C) The residential density shall not exceed 4 units per acre.
   D) The location of the commercial center so that it is easily accessible by pedestrians from as many residential areas as possible.
   E) A network of open space in the form of squares, plazas, parks, greens and similar open space design.
   F) Individual buildings shall be related to each other in design, masses, materials, placement and connections to provide a visually and physically integrated development.

2. Performance Standards

   A) Non-residential uses shall not exceed a Floor Area Ratio (FAR) of 0.20.
   B) Non-residential uses shall not exceed a Maximum Impervious Surface Ratio (ISR) of 0.50.
   C) A single commercial use cannot exceed 30,000 square feet in size.

**D. Commercial PUD.** Commercial uses as permitted under the C-1, C-2 and C-3 zoning districts and other uses deemed appropriate and incidental to the primary use by the BACE.

**E. Industrial PUD.** Industrial uses as permitted under the I-1 and I-2 zoning district, commercial uses intended to service the primary uses and other uses deemed appropriate and incidental to the primary use by the BACE.

1. Maximum density/intensity. The maximum density/intensity allowed within the PUD shall be as allowed within the overlay land use districts as delineated on the Future Land Use Map.

2. PUD land uses. Land uses proposed within a PUD must conform to uses allowed within the land use designations of the Future Land Use Map of the Comprehensive Plan.

3. Minimum parcel size. The minimum size of any parcel shall be five (5) acres for commercial or industrial PUDs. The minimum size for any residential PUD shall be ten (10) acres.

4. Unified ownership. All land within the PUD shall be under the ownership or control of the applicant at the time of execution of the development agreement whether the applicant be an individual, partnership or corporation, or groups of individuals, partnerships or corporations.

5. Setbacks and buffering. Setback requirements within the PUD shall be flexible; however, in no case shall the setback be less than ten (10) feet between structures or zero-lot-line if structures abut.

6. Open space requirements. A minimum of twenty (20) percent for mixed use, commercial or industrial shall be established and maintained as common open space (which includes common green space left in its natural condition) or common facilities. No area shall be accepted as common open space unless it satisfies the following standards:

A) Common open space shall be dedicated to and useable by all residents of the planned unit development or specific phase thereof.
B) Common open space set aside for recreational use shall be suitably improved for its intended use. Such improvements may include aesthetic, amenities, buffering or recreational facilities.
C) Common green space set aside for the preservation of natural features or listed species habitats, or for buffering purposes shall remain undisturbed and be protected by conservation easements.
D) Common open space shall not be used for the construction of any structures other than recreational facilities and incidental maintenance buildings.
E) Common open space shall be maintained by the Property Owners Association.

7. Pre-application conference. It is required that a pre-application conference be held with the Zoning Administrator by the developer or the developer's representatives in order to verify the steps necessary for application and review, and to discuss potential issues regarding the PUD proposal.

8. Application. Application shall be made to the City utilizing the rezoning application form provided by the City. The application shall be accompanied by the appropriate review fee, seven (7) copies of the Conceptual Development Plan and supporting documentation prepared in accordance with the requirements of this Code and one (1) electronic copy in a PDF format.

A) Conceptual development plan. In order to implement the goals and policies of the Comprehensive Plan and to streamline the development review process, the applicant shall prepare a Conceptual Development Plan to be submitted prior to the first rezoning hearing for review by the City staff. The Conceptual Plan shall be drawn to a scale acceptable to the Zoning Administrator but in no instance to a scale smaller than one inch equals one hundred feet (100) and shall include the following:

1. Boundary of subject property.
2. Major natural features such as lakes, streams, wetlands, and natural communities.
3. Existing or proposed streets abutting the project and within a three hundred foot (300') area surrounding it.
4. Generalized location map and legal descriptions, including acreage.
5. Proposed land use types and their location.
6. Gross densities.
7. Typical lot sizes showing setbacks and dimensions.
8. Number of units and type.
9. Square footage for commercial or industrial buildings.
10. Adjacent zoning.
11. Anticipated internal major road network.
12. Maximum building heights.
13. Anticipated phasing plan (If applicable).
14. A statement of the proposed method of providing water service, fire protection, sewage disposal and stormwater management. Indicate location of nearest potable water, sanitary sewer and reuse lines to the project.
15. Percentage and acreage of open space and location.
16. Percentage and acreage of parks/recreation and location.
17. Typical road section.
18. Soils and 100-year flood prone areas.
19. Project name.
20. Existing topography at one-foot contours
21. Net living area for each type of dwelling unit.
22. Parking and loading facilities.
23. Aerial indicating the approximate size and location of major tree groupings and those trees with a diameter of least sixteen inches (16").

Required Documentation. The application for a PUD shall require documentation and/or analyses in support of the application and shall include:

1. Traffic Impact Study (TIS). The applicant shall submit a TIS pursuant to Chapter 65 of this Code.
2. Preliminary Environmental Assessment prepared by an ecologist, biologist, or similar professional.

3. Preliminary Concurrency Analysis. The analysis shall include calculations of the projected demands generated by the proposed development on public facilities and the availability of such facilities to serve the proposed project.
4. Any other information deemed pertinent by the Zoning Administrator, Board of Adjustment and Code Enforcement, and the City Council.

9. Application review process.

A) The approval process shall be the same as that followed for rezoning.
B) City Staff Review. Once the application has been determined to be complete by the Zoning Administrator the application will be reviewed by City staff for compliance with all applicable City regulations.
C) Re-submittal. Re-submittal of the Conceptual Development Plan reflecting revisions required by Staff comments shall be made at least ten (10) working days prior to the scheduled Board of Adjustment and Code Enforcement hearing.
D) Board of Adjustment and Code Enforcement action. Staff shall prepare a report of finding for presentation at a public hearing by the Board of Adjustment and Code Enforcement. The Board of Adjustment and Code Enforcement shall consider the application, all supporting documentation, and the Staff report at a regularly scheduled meeting to determine if the submittal meets the requirements of this Code. Upon consideration of the staff and public comments, the Board shall take one of the following actions:

1. Postpone the consideration of the application until the next regularly scheduled meeting to allow for the resolution of outstanding issues.
2. Recommend that the application be approved.
3. Recommend that the application be approved with conditions.
4. Recommend that the application be denied.

E) City Council approval. The City Council shall consider the submitted plan and rezoning application at a regularly scheduled meeting to determine if the submittal meets the requirements of this Code. Upon consideration of the comments of the staff, the public, and the recommendation of the Board of Adjustment and Code Enforcement, the City Council shall take one of the following actions:

1. Postpone the consideration of the application until the next regularly scheduled meeting to allow for the resolution of outstanding issues.
2. Approve the application.
3. Approve the application with conditions.
4. Deny the application.

10. Alterations to conceptual development plan. All alterations to the approved Conceptual Development Plan shall be classified as either substantial or non-substantial alterations as determined by the Zoning Administrator. The following criteria shall be used to identify a substantial alteration.

A) A change which would include a land use not previously permitted under the approved PUD zoning.

B) A change that would increase the land use intensity by ten (10) percent within any development phase without a corresponding decrease in some other portion of the overall PUD.

C) A change that would require an amendment to the conditions approved by the City Council.

Alterations to the Conceptual Development Plan which are determined to be substantial must be submitted with plans, support data and fee for review by City staff, the Board of Adjustment and Code Enforcement, and the City Council.

11. Execution of master development agreement. The second reading of the ordinance for designating any land as a PUD shall not take place until the developer has provided an executed copy of the master development agreement to the Zoning Administrator or designee. The document shall be a fully corrected copy which addresses all issues discussed prior to the scheduled second reading. The document shall also include reduced copies of the revised Conceptual Development Plan exhibits. If there are no additional requirements, corrections or conditions attached by the City Council at the second reading, the executed document shall be signed by the City Manager and Mayor and forwarded to the County Clerk for recording. If there are additional requirements, corrections or conditions attached by the City Council at the second reading, the applicant shall revise the development agreement and Conceptual Development and return the documents to the Zoning Administrator

within thirty (30) days for execution and recording. The requirement to return the document within thirty (30) days shall be specified by the City Council as a condition for approval of the rezoning.

12. Timely resubmission.

    A) Failure to meet any of the resubmission deadlines cited above shall require the filing of a new application, including the appropriate review fees.

    B) Extension of re-submittal deadlines. The Zoning Administrator may extend the deadlines cited above when warranted by unforeseeable events. A request for extension shall be filed in writing with the City explaining the circumstances justifying the extension.

13. Expiration of master development agreement. Any master development agreement executed and recorded after the adoption of this development code shall be required to include an expiration date or series of expiration dates tied to specific improvements or phases. Such date(s) shall be determined based upon the size of the project, installation of physical improvements, and any other factors pertinent to the specific proposal. If the City should determine that the developer has failed to satisfy the requirements necessary to avert expiration, the development agreement shall become null and void, and approval of any additional final development plans for the PUD shall not be permitted without resubmission and approval of a new development agreement in accordance with the procedures established in the development code.

14. Final development plan approval. Unless otherwise noted within the development agreement, final development approval for subdivisions or site plans within the PUD shall be required in accordance with the general procedures established by this Code.

**Section 65-14. RV Park (RVP).**

This district is established to implement comprehensive plan policies to provide for the establishment of recreational vehicles, park models, travel trailers, camping trailers, motor homes, tents, and other recreational vehicles in urban environments at a density not to exceed twelve (12) dwelling units per acre. (Section 65.37)

1) Permitted uses.

    A) Recreational vehicles.
    B) Park models.
    C) Travel trailers.
    D) Motor homes.
    E) Campgrounds.
    F) Accessory uses such as convenience grocery stores, restaurants, laundries, community buildings, offices, swimming pools and recreational facilities shall be permitted subject to the following conditions: The main community building shall be designed and constructed with a seating capacity adequate to accommodate one seat per lot.

2) Other possible uses.

    A) Uses which, because of their uniqueness, are not specifically identified as permitted uses may be permitted as conditional uses pursuant to Chapter 65 of this Code.

3) Uses expressly prohibited.

    A) Commercial land uses (except convenience grocery stores and restaurants permitted as Accessory uses).
    B) Industrial land uses.
    C) Conventional single-family dwelling units.
    D) Two-family (duplex) dwelling units.
    E) Multi-family dwelling units.
    F) Any use prohibited by city, state or federal law.

4) General Requirements for RV Parks and Campgrounds.

    A) The minimum site shall be ten (10) acres.

B) The developer shall submit Master Park Plans at the time of application, prepared in accordance with the Design Standards subsection later in this section. Final Site Development Plans must be submitted in accordance with the improvement standards (i.e., water, sewer, drainage, etc.) in other chapters of this Code.
C) The park shall be entirely enclosed, exclusive of driveways, at its external boundaries in accordance with the buffer class requirements of Chapter 62.
D) No recreational vehicle shall be closer than twenty (20) feet from any non-residential property abutting said site.
E) Streets, areas at the entrances to buildings used by occupants at night, and walkways shall be lighted.
F) Restrooms and shower facilities shall be provided.
G) Sanitary stations for disposal of recreational vehicle and lodging wastes shall be provided at a ratio of one (1) for every one hundred (100) spaces, or fraction thereof.

5) Design standards.

A) The minimum lot area shall be one thousand five hundred (1,500) square feet; however, the density shall not exceed twelve (12) units per acre.
B) The minimum lot width shall be thirty (30) feet measured along the building setback line.
C) Interior streets shall be designed as follows:
   1. All one way streets shall have a minimum pavement width of twelve feet (12').
   2. All two way streets shall have a minimum pavement width of twenty feet (20').
D) The maximum building height shall be forty (40) feet.
E) Minimum setback requirements:
   1. Front yard setback:
      a. Local roadway: Twenty-five (25) feet.
      b. Collector roadway: Thirty (30) feet.
      c. Arterial roadway: Thirty five (35) feet.
      d. Interior paved streets: Five (5) feet from lot line.
   2. Side yard setback when adjoining;
      a. Another lot: Five (5) feet.
      b. Local roadway: Twenty-five (25) feet.
      c. Collector roadway: Thirty (30) feet.
      d. Arterial roadway: Thirty five (35) feet.
      e. Interior paved streets: Five (5) feet.
   3. Rear yard setback: Five (5) feet.
F) The maximum impervious surface ratio (which includes building coverage) shall not exceed seventy-five (75) percent.
G) Minimum open space shall be ten percent (10%) of the gross land area.

**Section 65-15. Overlay District.**

The City shall use overlay districts on the Future Land Use Map to indicate land use areas where, through memorandums of agreement, development is approved only at density or intensity levels less than the maximum allowable generally for the underlying land use category. The legend shall indicate that further information relating to the property is available in the Future Land Use Element. (See Chapter 7, Future Land Use, Appendix A.)

## ARTICLE 5. APPLICATION OF REGULATIONS ADOPTION OF ZONING DISTRICTS

**Section 65-16. Division of the City into Districts. ***

In order to classify and regulate the use of land, water, buildings, structures and intensity of land use and to implement the Comprehensive Plan the following zoning district categories are established:

| | | | |
|---|---|---|---|
| A. **Residential Districts** | 1) | Single-Family Low Density Residential | RSF -1 |
| | 2) | Single-Family Moderate - Low Density Residential | RSF-2 |
| | 3) | Single-Family Medium Density Residential | RSF-4 |
| | 4) | Single-Family Medium – High Density Residential | RSF-6 |
| | 5) | Single-Family High Density Residential | RSF-10 |
| | 6) | Multiple Family High Density Residential | RMF-15 |
| | 7) | Residential Manufactured Homes | RMH-6 |

| | | | |
|---|---|---|---|
| B. **Business Districts** | 1) | Commercial Office | C-O |
| | 2) | Neighborhood Business & Professional Offices | C-1 |
| | 3) | General Commercial | C-2 |
| | 4) | General Business Arterial | C-3 |
| | 5) | Central Business District | C-B-D |
| C. **Industrial Districts** | 1) | Light Industrial | I-1 |
| | 2) | General Industrial | I-2 |
| D. **Public District** | 1) | Community Facilities District | CFD |
| | 2) | Public Facilities District | PFD |
| E. **Historic District** | | | H |
| F. **Planned Unit Development** | 1) | Residential PUD | RPUD |
| | 2) | Community Mixed Use PUD | CMUPUD |
| | 3) | Neighborhood Mixed Use PUD | NMUPUD |
| | 4) | Commercial PUD | CPUD |
| | 5) | Industrial PUD | IPUD |
| G. **Agriculture District** | | | AG |
| H. **RV Park** | | | RVP |

* The entire city has been designated as a bird sanctuary by Resolution #84-03. This zoning ordinance and the various district regulations are in addition to, and do not supplant, the terms of the Bird Sanctuary Resolution.

**Sec. 65-16.5. Obsolete zoning classifications.**

A. *General.* During the course of sequential comprehensive revisions of the City of Bushnell Land Development Code, a number of zoning classifications have been renamed or eliminated. However, a few of these obsolete designations still appear on city's official zoning map for properties throughout the city. In order to properly regulate the development of such property, it is necessary to establish equivalencies between existing zonings and zonings that have been renamed or eliminated. Application of development equivalencies shall be administered in accordance with the following:

(1) No application of development standards shall be made so as to deprive any property owner of a vested development right.

(2) Consistency with surrounding development shall be considered when possible.

(3) For properties which are undeveloped, only zonings that are consistent with the Comprehensive Plan Future Land Use designation and the acreage of the site will be determined to be equivalent.

(4) For developed properties, the determination of equivalent zoning shall consider the type and density of existing development.

b. *Process.* Upon request for a determination of development or use rights, the staff shall:

(1) Reference Table 1 for equivalent zoning. Where only one (1) zoning is provided for, the standards of that zoning shall apply.

**Table 1**

**Equivalent Zoning for Obsolete Districts**

| Obsolete Zoning Classification | Equivalent Zoning Classification |
|---|---|
| | |
| R-1 | RSF-4 |
| R-1-A | RSF-4 |
| R-2 | RSF-6, RSF-10 |
| R-3 | RSF-6, RSF-10,RMF-15 |
| RMH | RSF-6, RMH-6 |
| RVP | RVP-12 |
| P | CFD,PFD |
| MPD | PUD |
| CM | C-3 |

**Section 65-17. Official Zoning Map.**

An official Zoning Districts Map series is hereby adopted by reference as a part of the LDR's. The most current copy shall be posted in the office at City Hall and copies are available.

**Section 65-18. Amendments to Zoning Map.**

A. Timing. Amendments may be made at any time by the elected officials subsequent to public hearings and recommendation by the Board of Adjustment and Code Enforcement (B.A.C.E.).

B. Notice. Due public notice shall be given for any public hearing conducted for zoning map amendments as provided by the Statutes of the State of Florida.

C. Standing to Petition. A petition for zoning map amendment may be initiated by an owner of record of property in the city or by his/her authorized representatives or by the B.A.C.E. or by the elected officials of the city.

D. Frequency. All petitions for amendments to the zoning map shall be submitted at least one month in advance of a B.A.C.E. meeting date. If any such petition is denied, no rehearing of that petition may occur for at least one (1) year.

E. Costs. The costs of advertising and administration of an amendment to the zoning map shall be paid by the applicant pursuant to a fee schedule established by the City Council, and as contained in Article 15 herein.

F. Single petition. Only a single petition may be active at any time during the entire process. Subsequent petitions must meet all requirements of the LDR's

**Section 65-19. Rules for Interpreting and Determining District Boundaries.**

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map(s), the following rules shall apply:

A. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.

B. Boundaries indicated, as approximately following platted tract lines shall be construed as following such tract lines.

C. Boundaries indicated as approximately following city limits shall be construed as following city limits.

D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

E. Boundaries indicated as parallel to or extensions of features indicated in Paragraphs A. through D. above shall be so construed. Distances not specifically indicated on the Official Zoning Map(s) shall be determined by the scale of the map.

F. Where the street or property layout existing on the ground is at variance with that shown on the Official Zoning Map(s), or in other circumstances not covered by Paragraphs A. through E. above, the City Council shall interpret the district boundaries.

**Section 65-20. Zoning of Annexed Territory.**

In order to provide zoning protection to areas proposed for annexation a zoning classification shall be established simultaneously with annexation approval.

**Section 65-21. Uses.**

A. General Provisions. No building or land shall be used, occupied, erected, constructed, reconstructed, altered, or moved unless in conformity with the regulations for the district in which it is located.

B. Uses Permitted in the Various Districts. Article 4 identifies those uses that are permitted in the various districts. The interpretation of the schedule shall be the responsibility of the Zoning Administrator subject to the appeals procedures as provided herein. As an alternative to filing an appeal, an applicant may propose any use or uses as a planned unit development as provided herein.

C. Uses by Right and Uses by Special Use.

(1) Uses by right shall be the permitted uses of the zoning districts in which the property is situated.
(2) Uses permitted by special use shall be those allowed by special use in the zoning district in which the property is situated.
(3) All uses permitted by right shall conform to all requirements for that use as set forth in Article 6.
(4) All uses by special use may have additional restrictions or requirements, imposed by City Council as a condition for development or use approval.

**Section 65-22. Reserved.**

**Section 65-23. Building Heights, Lots, Yards.**

No building shall hereafter be erected or altered as designated by each district:

(1) To exceed height;
(2) To accommodate or house a greater number of families;
(3) To occupy a greater percentage of lot area;
(4) To have narrower or smaller rear yards, front yards, side yards, or other open spaces than required or in any other manner contrary to the provisions of this ordinance.

## ARTICLE 6. SUPPLEMENTAL DISTRICT REGULATIONS BY TYPE OF USE

The intent of this Article is to provide uniform standards and/or review criteria for land uses that are identified in Article 4 as being permitted by right.

For each use, in addition to the special conditions and criteria established in Article 6, all other regulations for the zoning district in which the proposed use is to be located shall apply. The standards and review criteria established in this Article are not intended to be exclusive of any other special conditions and/or standards considered necessary to protect the public's health, safety and welfare. Each use shall be reviewed in consideration of the special conditions that are particular to the parcel of land, intensity of use proposed, the character and intensity of proposed land uses, and the goals, objectives and policies of the Bushnell Comprehensive Plan.

In the sections which follow the elected officials have adopted minimum standards by which each request for a use shall be measured. In keeping with the statement of intent in the preceding paragraph, the Board of Adjustment and Code Enforcement (B.A.C.E.) is specifically instructed and authorized to consider each case on its own merit, and to apply more stringent criteria where essential to protect the public health, safety and welfare.

**Section 65-24. Multiple-Family Residences.**

The maximum multi-family dwelling units permitted within an RMF-15 shall not exceed fifteen (15) dwelling units per gross acre unless approved as a planned unit development in accordance with this ordinance.

**Section 65-25. Residential Uses in Non-residential Districts.**

The following regulations shall apply where a tract in a non-residential district is utilized for a permitted residential use.

A. Where the residential use is the only principal use on the tract, such tract shall be provided with front, side and rear yards as specified in the District Regulations for the type of use proposed; i.e., a single-family dwellings must meet the requirements for an RSF-4 district, and a multi-family dwelling must meet the requirements for an RMF-15 district.

B. Where the residential use is located in conjunction with a commercial use, such tract shall be provided with a front and rear yard and with side yards on each side. Residential structures will comply with commercial setbacks.

**Section 65-26. Mobile Home Parks.**

A. All proposed mobile home parks upon an un-subdivided parcel must, prior to development or permit approval, meet at a minimum the requirements and standards of Chapter 61, Subdivision Regulations, Article 4, Sections 61-01 and 61-02, together with Article 4, and construct or bond all infrastructure described therein.

B. Mobile home parks shall provide a minimum of twelve thousand (12,000) square feet per space, or five thousand (5,000) square feet with central sewage.

C. The minimum space width shall be fifty (50) feet.

D. The minimum space depth shall be seventy-two point five (72.5) feet.

E. No mobile home in an approved park shall be closer than ten (10) feet to any property abutting said park.

F. No mobile home may be placed upon any RMH-6 district which dimensions are less than fourteen (14) feet wide and containing less than five hundred (500) square feet of living area.

G. No mobile home may be placed upon any RMH-6 district that is more than three (3) years old at the time of placement. If the mobile home is more than three (3) years old, it must be inspected to make sure it meets the current code requirements before permits are issued.

H. All mobile homes prior, to issuance of a certificate of occupancy, shall be fully "skirted" on all sides with skirting compatible with the unit. Skirting material shall either be brick or cement substance, metal or plastic product manufactured for said purpose.

I. The City Council shall be vested with the sole authority by resolution duly adopted to grant an exemption from the regulations imposed by this section.

**Section 65-27. Private Recreation Buildings, Playgrounds & Parks.**

A. The use will be exclusively for the use of owners and their guests.

B. A site plan for the proposed facilities shall be provided.

C. All facilities shall be set back in accordance with Article 4.

**Section 65-28. Home Occupations.** (Amended by Ord. 99-15)

Intent. The purpose of this section is to accomplish the following:

A. Permit the residents of the City a broad choice in the use of their homes as a place of livelihood or supplementing of personal income.

B. Protect residential areas from adverse impacts of activities associated with home occupations.

C. Establish criteria and development standards for home occupations conducted in residential areas.

Home occupations may be allowed by special use in a residence subject to the following requirements:

A. The use of the residence for a home occupation shall be clearly incidental and subordinate to its use as a residential structure by the occupants and shall under no circumstances change the residential character of the structure except for a maximum two (2) square foot non-illuminated wall sign located adjacent to the main entrance of the structure.

B. No home occupation shall generate traffic on a regular basis greater than that approved on their application.

C. No equipment, tools or process shall be used in a home occupation that creates interference with neighboring properties due to noise, vibration, glare, fumes, odors or electrical interference.

D. Outdoor storage of goods or materials is prohibited.

E. There shall be no display of products visible in any manner from the outside of the dwelling.

F. No person other than the residents residing on the premises shall be engaged in the home occupation.

G. No home occupation shall be permitted without the appropriate occupational license.

H. Approval for the conduct of a home occupation applies only to the applicant (s). The approval specifically does not run with the property and is personal to the applicant only. Upon the sale of the property, death of the owner, other absence or cessation of the home occupation for a period of one (1) year the special use shall be null and void without further action by City Council. Any change from the type of use specifically approved will require a new application.

I. If the applicant refuses to implement any of the required conditions and restrictions, City Council may take action to suspend or revoke the special use home occupation.

**Exempt Uses**

Home occupations that meet the following criteria shall be exempt from the requirements of this section including special use approval:

A. The home occupation must be conducted entirely within the enclosed living area of a residence.

B. No sign advertising the home occupation may be placed on the property.

C. No advertising other than business cards may be done which contains the physical location of the home occupation.

D. No advertising including display ads shall be done.

**Prohibited Home Occupations**

The following shall not be considered home occupations:

a) Beauty and barber shops
b) Photography studio
c) Upholstery shop
d) Welding
e) Repair or painting of vehicles
f) Child care with more than five (5) children
g) Dance and non-amplified music instruction (except private tutoring of no more than two students at a time)
h) Amplified music instruction
I) Fortune telling or similar activity
j) Retail sales directly from any structures located on the property
k) Major appliance repair

**Section 65-29. Group Homes, Foster Care Facilities, Adult Congregate Living Facilities and Nursing Homes.**

Intent. It is the intent of this Section to provide community based residential facilities, and de-institutionalized homelike care, while simultaneously protecting the character and integrity of established neighborhoods.

Three classes of facility have been identified for the purpose of deciding what uses may be permitted in the various districts. These are:

(1) Class 1: Low potential for community impact.
(2) Class 2: Moderate potential for community impact.
(3) Class 3: High potential for community impact.

**Section 65-30. Day Care Centers**

Day care centers are permitted in some residential and all business zones after site plan approval and all licensing requirements are met.

**Section 65-31. Church.**

A. All applicants will be advised that no church owned property may be rezoned to a use that is non-residential, for so long as any contiguous property retains a residential zoning classification.

B. All churches must meet the setback and density requirements of the district that it is located in, Article 4.

C. Off-street parking areas shall be provided pursuant to Chapter 60.

**Section 65-32. Fraternal Buildings and Special Buildings.** Reserved.

**Section 65-33. Compound Use.**

A. No compound use(s) may contain a higher floor area ratio or a greater percentage of lot coverage than permitted for a single use within the district where such use is permitted.

B. Where a compound use is proposed adjacent to, or within, a residential district, the compound use shall have a side and/or rear setback equal to that required in the contiguous residential zone.

**Section 65-34. Gas Stations.**

The following regulations shall apply to the location, design, construction, operation and maintenance of gas stations:

A. A tract to be occupied by a gas station shall be not less than one hundred (100) feet in width and one hundred (100) feet in depth.

B. There shall be a minimum distance of two hundred fifty (250) feet between the nearest points on any tract to be occupied for gas station proposed and any tract occupied by a church, hospital, public library, school stadium or arena.

C. Fuel (including liquefied petroleum) pumps shall be located not less than twenty-five (25) feet from any street property line and not less than twenty (20) feet from any other property line.

D. Where tracts to be used for gas stations abut on any property that is residentially zoned or zoned C-1, there shall be a wall of good quality and design on all property lines other than street lines. The wall shall be five (5) feet in height except that where the wall extends to within fifteen (15) feet of and at an angle to a street line no wall or other obstruction shall be permitted. Such wall shall be continuous and unpierced except that a wall along an alley line may have a three (3) foot opening.

E. There shall be no more than two driveways for entrance and exit to a gas station. Driveways shall not be over sixty (60) feet in width and they shall be at least fifteen (15) feet from a private property line or alley line. On a corner tract all driveways shall be at least fifty (50) feet from intersection of the street lines.

F. All lights and lighting on a gas station shall be so designed and arranged as not to cause a direct glare into residentially zoned property.

G. Truck stops that cater to overnight parking of semi-trailer trucks and provide sleeping and other facilities for drivers shall be permissible only within a C-3 district.

**Section 65-35. Rental Storage Space.**

A. The proposed use may not directly abut any residential zone or residential land use, except when provided with an opaque fence a minimum of six (6) feet in height and the entire development shall be surrounded by a security fence.

B. The storage of hazardous materials shall be prohibited by the owner(s).

C. On premises retail sales or office use are prohibited.

**Section 65-36. Motels and Hotels.**

Motels and hotels must provide the following minimum standards:

A. The proposed use must provide a seventy-five (75) foot setback from any residential zoning district.

B. The main ingress and egress shall be directly onto an arterial or collector road as designated by the Comprehensive Plan, with no more than one (1) access via a local road, as described in the Design and Construction Standards of the City of Bushnell.

**Section 65-37. Recreational Vehicle Park.**

A. The proposed use may not abut any residential zone or residential land use, unless either buffered per Illustration 7A or, provided with a seventy-five (75) foot wide landscaped buffer. At least one (1) tree of a species as provided in Chapter 61 will be provided, at a maximum spacing of thirty (30) feet.

B. Densities may not exceed 12 dwelling units per acre.

C. A minimum of ten percent (10%) of the gross land area shall be designated for open space and recreational use.

D. A minimum park size of ten (10) acres is required.

E. All internal streets shall be paved.

F. All utilities shall be underground.

G. A community center shall be designed and constructed with a seating capacity adequate to accommodate one seat per dwelling unit lot. A bath house shall be provided in all RV Parks.

H. The applicant shall prepare a preliminary plan. That preliminary plan must document review and approval by the appropriate regulatory agencies before it may receive final approval.

I. Recreational vehicle parks shall provide a minimum of 1,500 square feet per space. Exception: twenty-five percent (25%) of the spaces to be provided in a park may provide a minimum area of 1,200 square feet provided that, for each such space, one (1) space shall be provided with a minimum area of 1,800 square feet.

J. The minimum space width shall be thirty (30) feet.

K. The following minimum setbacks from all lot lines shall be observed:
   (a) Front - 5 feet
   (b) Side - 5 feet
   (c) Rear - 5 feet

L. No recreational vehicle in an approved park shall be closer than twenty (20) feet from any non-residential property abutting said park.

**Section 65-38. Produce Shipping, Packing And Selling.**

Orange juice stands, retail sales of farm goods, and the accessory packing and shipping of gift boxed fruit related to the main use of retail selling should be permitted as retail uses. Any processing, packing or shipping other than the retail selling of goods produced on the premises shall be located only in the I-1 or I-2 zone.

**Section 65-39. Bulk storage Other Than Gas Stations, Storing in Excess Of 40,000 Gallons of Fuels Or 2,000 Gallons of Dangerous or Hazardous Chemicals Regulated By Environmental Agencies.**

A. All storage must comply with all state and federal regulations.

B. A fire-fighting system shall be installed and approved by the State Fire Marshal.

C. Environmental safety devices shall be installed in accordance with rules promulgated by various agencies.

D. No structure or land shall be used for bulk storage, at a place closer than one hundred (100) feet from any property line, or one thousand two hundred (1,200) feet measured in a straight line, to any building or structure regularly used as a church, school, college, university, hospital, housing for elderly, nursing or personal care facility, child caring facility, auditorium, or theater.

**Section 65-40. Manufacturing.**

A. No detectable emissions of any sort are permitted.

B. A landscaped buffer shall be provided along each side of a parking area facing a City street.

**Section 65-41. Salvage/Recycling Yards.**

The following restrictions shall apply to all salvage yards:

A. The area of land to be so used shall not be less than five (5) acres.

B. No automobile or vehicle not in running condition, nor machinery or other junk or scrap shall be located for dismantling or crushing within one hundred (100) feet of any residential district or within one hundred (100) feet of the front street line or within fifty (50) feet of any other property line of the tract to be so used.

C. The entire area occupied by salvage yard shall be surrounded by an opaque continuous masonry, wooden or metal fence or wall six (6) feet in height without openings except for entrance and exits, which shall be equipped with opaque gates.

**Section 65-42. Slaughtering or Rendering.**

A. Connection to the municipal sewer system must be approved by the Director of Utilities. Pretreatment may be required.

B. The applicant shall document that either a state agency or an engineer has certified that no noxious emissions will occur.

C. All animal wastes (excrement) will be treated on-site in an approved system.

D. Hookup to municipal water is mandatory.

E. The proposed use shall be located a minimum of one (1) mile from the nearest residential zone or residential land use.

**Section 65-43. Sawmill.**

A. Access via any residential district is prohibited.

B. A site plan shall be submitted, indicating the methods to be used to:

(1) Control stormwater run-off.
(2) Prevent fire.
(3) Reduce dust and noise emissions.

C. The proposed location shall be at least one (1) mile from any residential land use or residential zoning district.

**Section 65-44. Stonecutting.**

A. All storage areas shall be screened from view from adjoining roadways and non-industrial districts by an opaque fence and/or a landscaped and irrigated berm.

B. All cutting activities shall occur within a roofed and walled structure to prevent noise and dust emissions.

C. Access shall be via an arterial or collector road as designated by the Bushnell Comprehensive Plan.

**Section 65-45. Rail Car Loading, Spurs or Material Stockyards.** (Reserved)

**Section 65-46. Paper and Pulp Mill.**

A. Effluent shall be pre-treated in a manner acceptable to the Director of Utilities prior to acceptance to the municipal system.

B. Detectable emissions of any kind are prohibited.

C. Access shall be via an arterial road.

D. All outdoor storage areas shall be entirely surrounded by an eight (8) foot high opaque fence and/or irrigated and landscaped berm.

**Section 65-47. Professional or Community Service Offices.** (Reserved.)

**Section 65-48. Corporate Service Offices.**

The minimum lot size to be considered in a C-2 district will be one (1) acre to assure that the proposed corporate office is at a scale and intensity compatible with the intent of the district.

**Section 65-49. Light Manufacturing and Retail Sales.**

A. The retail sales must be associated with and incidental to the products being manufactured on-site.

**Section 65-50. Repair Shops, Excluding Paint and Body.**

All parts and equipment including the objects being repaired will be completely enclosed within a structure having opaque walls and a solid roof.

**Section 65-51. Paint/Body Shop.**

All painting and repair will be conducted within a completely enclosed structure with opaque walls and a solid roof.

**Section 65-52. Medical Clinic.** (Reserved.)

**Section 65-53. Ambulance Stations.** (Reserved)

**Section 65-54. Restaurants Over 60 Seats or Fast Food Chains.**

A. The use may not directly adjoin any RSF-4 district.

B. The structures and off-street parking will be separated from all other residential zones by a landscaped earthen berm with a minimum width of twenty (20) feet and a minimum height (ground elevation) of three (3) feet above grade.

**Section 65-55. Bottle Clubs, Bars, Lounges or Package Stores.**

A. This use will be a special exception in CBD, C-2 and C-3 zoning classifications.

B. A masonry or wooden fence with a minimum height of five (5) feet shall surround all parking areas located within rear and side yards and up to within thirty-five (35) feet of the front lot line when it abuts a residential area.

C. Access will be via arterial or collector roads only, except within the C-B-D.

**Section 65-56. Commercial Portable or Temporary Structures.**

A. Any structure permitted will be for a maximum duration of one (1) year. Permit renewal or structure removal will follow this time period.

B. Construction sheds for storage or office purposes for a construction project may be placed by right after securing of permit for a period not to exceed one (1) year.

C. All temporary structures intended for public use must be properly hooked up to all utilities.

**Section 65-57. Commercial Pole Barns or Sheds.**

A. A principal use must already exist on the property.

B. Off-street parking will be based upon the area under roof as if the structure were enclosed.

**Section 65-58. Flea Markets.**

A. Access must be via an arterial or collector road.

B. No flea market is permitted within three hundred (300) feet of any residential district.

C. Four (4) parking spaces per vendor space are required.

D. All vendor spaces must set back sixty (60) feet from any property line.

E. The required parking may be grass if the market is open less than three (3) days per week.

**Section 65-59. Car Washes.**

A. Access must be from an arterial or a collector street.

B. If the use adjoins a residential district, an opaque buffer or barrier at least six (6) feet high will be provided.

**Section 65-60. Strip Stores Under 20,000 Square Feet.**

A. No variance to the off-street parking requirements is permitted.

B. No more than two (2) driveways per parcel.

**Section 65-61. Retail Stores Over 20,000 Square Feet.**

A. No variance to the off-street parking requirements is permitted.

B. Access will be via arterial or collector roads.

**Section 65-62. Outdoor Display Retail Sales.** (Amended by Ord. 99-15)

A. The area may not exceed eighty (80%) percent of the lot area.

B. The area may not encroach upon or reduce the area required for off-street parking, and landscaping.

C. The requirements of Section 60-25, Visibility at Intersections, must be complied with for the placement of all merchandise.

D. The property must have a principal structure.

**Section 65-63. Kennels.**

A. Disposal methods for animal wastes must receive Environmental Health approval.

B. All portions utilized by animals will be shaded and have a concrete floor.

C. Both the kennel design and its actual operations will provide and assure that all animals will be confined indoors between the hours of 8:00 p.m. and 8:00 a.m.

D. Kennels will leave a spatial separation of at least one hundred fifty (150) feet from any residential district.

**Section 65-64. Commercial Recreation, Entertainment or Fitness Facility.**

A. All off-street parking must be designed to accommodate peak demand flows.

B. All exterior lights, sport lights or private area lights must be designed and aimed as to eliminate all glare onto adjacent properties.

C. Outdoor facilities must have a seventy-five (75) foot setback from property lines.

**Section 65-65. Wholesale Commercial Warehousing.** (Reserved.)

**Section 65-66. Outdoor Storage except Parts and Salvage.**

A. All outdoor storage of products or equipment must be enclosed by an opaque fence, landscaped buffer a minimum of six (6) feet in height from grade.

B. On I-1 and I-2 zoning, semi trailers and/or intermodal containers (ISO metal overseas shipping containers*) used for storage must maintain a setback for the zoning classification it is located in.

C. On C-2 and C-3 zoning, ISO intermodal containers used for storage must maintain the minimum setback requirements for the zoning classification, provide a buffer, either opaque fencing or a landscape buffer and be located behind the structure and behind a line perpendicular with the side and rear lines of the building.

D. In and out semi traffic (delivery) is not considered storage.

* An intermodal container (ISO container) is a standardized reusable steel box used for storage and movement of materials within a global containerized intermodal transport system (from ship, to rail, to truck).

**Section 65-67. Bed and Breakfast and Lodging Houses.**

A. No off-street parking in a front yard is permitted.

B. A structural modification is permitted to increase only the service facilities associated with the dining and cooking areas.

C. There is a limit of ten (10) sleeping quarters permitted per facility.

**Section 65-68. Concrete Plant.**

A. Setback of six hundred sixty (660) feet from any residential district.

B. All material must be kept within a six (6) foot opaque fence and maintained in a fashion as to eliminate dust and/or settlement off-site.

C. Minimum site size of ten (10) acres.

**Section 65-69. Towers.**

Any tower must be contained within the property, in case of collapse. In order to insure the containment of the tower in the event of collapse, a setback equivalent to 100% of the height of the structure is required. A reduction of setback may be approved by City Council, but in no case less than 50% of the height of the structure provided that a signed and sealed statement from a structural engineer is provided as to the collapsibility of said structure.

**Section 65-70. Off-site Support Facilities.** (Added to Land Development Regulations by Ord. 99-15)

All off-site support facilities (water retention areas, water treatment facilities, etc.) shall be approved by the Zoning Administrator prior to issuing a development permit. All such facilities shall provide a buffer from surrounding properties and will be subject to a legal agreement guaranteeing the use of the property for such facilities.

**Section 65-71. Temporary Use of Tents.** (Added to Land Development Regulations by Ord. 99-15)

The maximum period for temporary use of tents is fourteen (14) consecutive days and must meet the following requirements:

A. Application must be filed with City Hall no less than 48 hours prior to the event and if applicable an occupational license will be required.

B. The applicant must furnish the City with a statement in writing from the owner of the site certifying that permission is granted for said events.

C. The site must have adequate parking area.

D. The use by the applicant must not create a nuisance for abutting property owners.

E. Adequate restrooms must be available.

F. The applicant shall demonstrate adequate litter control.

G. A minimum setback of 10 feet must be maintained from any property line by any associated structure, vehicle or sign.

H. Permitted zoning districts for this use shall consist of C-3, I-1 and CFD. A special use will be required in other districts.

**Section 65-72. Off-site Sales**.

Off-site sales will be allowed on property zoned C-3. A site plan must be submitted showing all setbacks and the location of all accessory structures, merchandise, customer parking, advertising, etc. No parking, merchandise or signage

may be placed on the right-of-way. A permit may be granted for no more than thirty days (30) per calendar year and no more than seven (7) consecutive days per parcel. The application for the permit shall contain the name and address of the applicant, location and description of the proposed sale and written permission from the property owner. All applicants will be required to purchase an occupational license and pay a permit fee. All signs will conform to Chapter 59. All lighting must be arranged so as to not cause a direct glare on adjacent properties.

**Section 65-73. Carnivals/Circus.**

Minimum of 3 acres is required. Must be located on property abutting collector or arterial road. All parking must be provided on site or on same side of the road on which it is located and of sufficient size to accommodate peak traffic demand. Provide adequate restroom facilities per environmental health office. All structures, vehicles and signs must be 35' from property line and be no closer than 150' to the nearest occupied dwelling. Provide adequate litter control. The hours of operation can be no later than 11:00 p.m. Limited to seven (7) days per event. The operator shall provide a certificate of public liability insurance for personal injury and property damage occurring on or about the premises in an amount not less than $1,000,000.00.

**Section 65-74. Crematories.**

All equipment will be in an enclosed building and will meet all federal and state regulations. Buildings will meet the requirements of Chapter 65, Article 12, Commercial Development Guidelines.

**Section 65-75. Incinerators.**

All equipment will be in an enclosed building and will meet all federal, state and NFPA guidelines.

**Section 65-76. Solid Waste Landfills.**

A. Definitions.

The definitions found in Florida Administrative Code at 62-701.200 concerning solid waste matters in general are incorporated herein by reference.

B. Class I solid waste landfill (Class I).

(1) Purpose and intent. Class I solid waste landfills are permissible as a special use in areas of agricultural, industrial land use or public facilities infrastructure, as shown on the city land use map, and as required herein. This use applies to public or privately owned or leased solid waste disposal facility for class I landfills as defined, established and operated in accordance with chapter 17-701, F.A.C. and other provisions of this chapter. In addition to the other provisions of this chapter, it is the intent of this subsection to provide for such use in a manner which will have the least possible adverse impact to the community. The standards set forth in this subsection are the minimum standards required. As a conditional use, it is the right of the Council to require additional or more stringent standards to mitigate impacts to the community from the proposed site.

(2) State standards. As a minimum, these landfills shall be established and operated in conformance with the requirements of this chapter, and requirements and definitions of chapter 17-701, F.A.C., unless more stringent standards are required by the Council to mitigate against negative impacts to the community.

(3) Parcel size and location standards. Class I landfills shall be on parcels of such size, shape and location as to permit development of well organized facilities and able to meet all requirements of this chapter, as follows:

a. Parcel size. Parcels with a minimum usable land area of not less than two hundred fifty (250) acres are required:

b. Location. Class I landfills shall be located as follows:

1. The aerial distance from any proposed cell shall not be less than as specified from the following existing facilities or features:

a. From any residential property, one-quarter (1/4) mile.

b. One-half ( 1/2) mile from any lake, river, stream, or a drainage canal that directly connects or is part of a system with direct connection to a lake, river, stream, sink or similar formation with a connection to the aquifer.

c. Three hundred (300) feet from any jurisdictional wetland, subject to the ability to mitigate for that wetland in a different location.

d. Not less than 500 feet from an existing or approved potable water well unless such cell was permitted before the potable water well was in existence. This requirement shall not apply to any renewal of an existing permit that does not involve lateral expansion nor to a vertical expansion at a permitted facility.

2. Class I landfills must be placed within the industrial or public facility infrastructure land use areas as designated on the future land use map.

3. Sites must abut only properties with agricultural or industrial land uses.

(4) Site standards*;*

Subsurface conditions: Class I landfills shall not be located in:

a. Areas subject to frequent flooding.

b. Areas where the seasonal average high water table is less than ten (10) feet below existing ground surface, unless the applicant can show, to the satisfaction of the Council, that site modifications can be accomplished to prevent a wash out of solid waste and degradation of the liner system.

c. A limestone pit or any other excavation which has penetrated the upper Floridan aquifer.

d. In an area where geologic formations or subterranean features would not support the facility.

(5) Access:

a. The facility shall be located so as to provide for direct access to arterial or major collector roads, as identified in the city comprehensive plan, with use of local roads or streets limited to no more than one (1) mile. Necessary improvements such as accel/decel lanes and turn lanes shall be made at the applicant's expense.

b. The access roadway into the facility shall be paved.

(6) Setbacks, buffering and screening:

a. Buildings used for administrative purposes only must meet current established setbacks for the district. Such structures shall be screened from adjoining property lines. A type B buffer shall be employed to minimize visual impacts.

b. Areas used for disposal within the facility must be at least four hundred (400) feet from any adjoining property line where the adjoining use is other than industrial and one hundred (100) feet from industrial, wastewater treatment plant or any use similar in intensity to a landfill.

c. Active disposal areas shall contain temporary fencing to assist in control of fugitive litter.

d. Disposal areas adjacent to roadways, non industrial districts and within four hundred (400) feet of property lines shall be screened by use of earthen berms no less than sixteen (16) feet in height, a 3/1 slope, with a minimum twelve (12) foot landscaped top as hereinafter provided in Figure 65-76-1. The visible berms and finished cell elevations must meet the following minimum requirements as set forth in Schedule 65-76-1.

| Visible Berm Size | Finished Cell Height* |
|---|---|
| 16’ berm w/ 30’ tree | 112.10’ elevation NGVD |
| 20’ berm w/ 30’ tree | 116.60’ elevation NGVD |
| 25’ berm w/ 30’ tree | 122.10’ elevation NGVD |
| 25’ berm w/ 30’ tree | 127.63’ elevation NGVD |
| 25’ berm w/ 30’ tree | 138.59’ elevation NGVD |
| 25’ berm w/ 30’ tree | 149.42’ elevation NGVD |

*Assumes a surrounding ground elevation of 60’ NGVD (National Geodetic Vertical Datum)

e. There shall be no setback required from interior access road that are not generally open to the public.

(7) Construction standards

a. The landfill shall use a double liner system, as defined and described in 62.-701.400(3)(c) FAC. The liners used shall be a minimum of sixty (60) mils.

b. The facility may use a leachate re-circulation system as defined and described in 62.-701.400(5) FAC.

c. Maximum cell height.

1. Maximum cell height shall not be higher than 250 feet above mean sea level. The active working face and uncovered or exposed solid waste shall not be visible at a ground elevation of 60 NGVD off site from lands not zoned industrial or public facility infrastructure nor visible on roads traveled by the general public.

2. The application shall contain the proposed height and slope of the finished landfill and a topographic rendering of the finished landfill and the surrounding area to a distance of one (1) mile, or greater as requested by the reviewing authorities or staff.

d. Construction plans. A duplicate copy of any landfill design, specifications and construction plans shall be filed with the city ninety (90) days prior to commencement of any construction.

e. As-built drawings. Within sixty (60) days of final completion of a liner system or any other landfill or cell construction, the developer shall file a duplicate copy of as-built drawings reflecting completion of construction. A professional engineer authorized to practice in the state shall certify such as-built drawings.

(8) Operational standards.

The active workface (for purposes of Section 65-76, Solid Waste Landfills, "active workface" shall mean the area where solid waste is deposited, spread, compacted and covered ) shall not be visible at a ground elevation of 60 NGVD off site from lands not zoned industrial or public facility infrastructure nor visible on roads traveled by the general public.

a. Access to the site shall be controlled by installation of a security chain link fence of at least six (6) feet in height, with a locking gate. Gates shall be locked when the site is not open for business. All disposal sites shall be fenced or otherwise secured and gated to prevent unauthorized or uncontrolled access. Only one (1) entrance to the site shall be allowed unless otherwise approved and attended.

b. Hours of operation shall be limited to 5 AM to dusk, unless otherwise approved. Tipping operations shall be limited to daylight hours only. Days of operation shall be Monday through Sunday for collection and disposal of waste, facilities maintenance, and office operations.

c. No trespassing signs shall be posted at each corner and every five hundred (500) feet apart along the fence line.

d. The applicant shall submit a litter control plan and an odor control plan for approval by the city.

e. The developer shall provide third party quality assurance to the city in the form of construction inspection, monitoring and observation for each liner system. Such liner system construction monitoring and observation shall be constant and at a minimum provide for photographs or videotape recordings of significant aspects of the liner system installation or cell construction procedures together with daily logs, weekly reports and immediate notification of the developer, the contractor installing the liner system and the city whenever construction plans or specifications are not followed.

f. Disposal of materials.

1. The trained operator and trained spotter shall be available onsite at the location of current operations delivery inspection area whenever debris is received at the facility.

2. There shall be an operator installed, maintained, and operated community disposal area required on site, unless one is supplied by the local county government or a municipality. This area shall be located so as to be convenient to customers bringing waste to the facility. It shall be open to the public at all times that the landfill disposal site is open.

3. Unauthorized solid waste, which is any solid waste that is delivered to the site but which is legally prohibited from being disposed of at the site, shall be stored in a watertight, nonabsorbent bulk container maintained on the disposal site and deposited at a permitted solid waste disposal site weekly unless approved otherwise by the city.

4. Burning shall be prohibited.

(9) Monitoring.

a. The developer shall construct and provide groundwater monitoring devices around the perimeter of the landfill. Access to monitoring devices shall be by and through the developer's agents. Split sampling shall be required when a regular sampling shows a problem. Such monitoring devices may be constructed within any buffer areas, provided the monitoring devices do not substantially impair the effectiveness or purpose of the buffer area. The location and frequency of monitoring devices shall, at a minimum, be that required by state and federal regulatory agencies. All drilling logs shall be retained by the developer and made available to the city at the city's request. Water samples shall be taken as required by state and federal regulatory agencies and analyzed for parameters required by those agencies. This information and the results of any water samples shall be provided to the city. In no event shall water samples be taken less often than quarterly.

b. Whenever it is determined that a water sample indicates a significant change in background data previously reported, the developer shall use its best efforts to perform additional analysis to reasonably identify why the parameters have changed and identify the source of any such pollutants.

c. The developer shall establish a methane gas monitoring system in the landfill. Methane gas measurements will be made no less often than monthly around the perimeter of the landfill. Indications of the presence of explosive gas equal to or greater than ninety (90) percent of that gas' lower explosive limit shall require the developer to initiate investigations to determine the source and timely develop corrective solutions.

d. The developer shall submit a plan for the capture and use of methane as an energy source.

e. The developer shall submit a plan for the elimination of the congregation of avian species.

f. Annual report. The owner/operator shall file an annual report for each year within thirty (30) days of the operating permit anniversary. This report shall contain an estimate of the total quantity of waste deposited for the past year, an estimate of existing unused capacity and an estimate of waste expected to be deposited during the next year. In addition, the owner/operator shall notify and furnish copies to the city of any permit, permit renewal or permit modification applications submitted to the state department of environmental protection (FDEP), as well as any notices of violation or other correspondence related to regulatory compliance issues by FDEP.

g. Inspection. Inspections shall be made at the City's discretion. Detection of unauthorized material may, upon determination by the City, constitute sufficient grounds for risk assessment action by the owner and/or operator. Such action will be based on acceptable risk assessment procedures, coordinated with the appropriate state agency and specified in writing.

(10) Performance guarantees.

a. Mitigation requirement. In addition to the mitigation, remediation or cleanup obligations imposed upon the developer by any state or federal law, statute, rule, regulation or requirement, the developer shall, at its expense, timely take the actions referred to in this subsection that are necessary to mitigate adverse environmental impacts resulting directly from the operation of a solid waste disposal facility.

b. Local mitigation fund. In addition to any governmentally required proof of financial responsibility for the closure, monitoring and maintenance of the landfill, including but not limited to the proof of financial responsibility addressed in Florida Administrative Code, the developer shall establish a local mitigation fund to mitigate any adverse environmental impacts which result directly from the operation of a the landfill facility. The local mitigation fund shall be established prior to operation of the landfill. The purpose of the local mitigation fund is to provide for mitigation of adverse environmental impacts resulting directly from the operation of the landfill facility, but not to address claims based upon diminishing property value by virtue of proximity to the landfill.

c. Claims.

1. In the event a landowner notifies the developer and the city with credible evidence that the operation of the landfill facility has damaged the landowner's groundwater or well, or otherwise polluted the land, the developer and the city will immediately investigate the allegation by referring the complaint to the state department of environmental protection, county department of health, the hydrogeological consultant to the city as well as other investigative agencies. Investigation may include requiring current data from the monitoring wells and other information considered relevant to those agencies.

2. If there is preliminary evidence that the claim is valid, the developer shall immediately assist the property owner in developing an alternative source of potable water which will ensure that the landowner will not be required to go without potable water for human consumption and acceptable water for livestock for more than forty-eight (48) hours.

3. It is not the intent of this subsection to allow the harassment of the owner/operator by a landowner. If the landowner has filed a previous claim which proved to be baseless, the costs of any further claims shall be borne by the landowner, subject to reimbursement by the owner/operator if the subsequent claims prove the claim to be valid.

d. Letter of credit.

1. The local mitigation fund shall be partially comprised of and backed by an insurance policy from an issuer acceptable to the City. The amount of the insurance policy shall be one million dollars ($1,000,000.00) and shall remain in effect for not less than twenty (20) years from the last closure of a landfill. The amount of the insurance policy shall be adjusted on each anniversary after establishment to reflect changes in the Consumer Price Index-Southeastern Region, as issued by the U.S. Department of Labor. However, once the adjustment of the amount of the insurance policy reaches three million dollars ($3,000,000.00), no further adjustments shall be required.

2. Upon any payment of claims made against this fund resulting in a partial or complete draw against the insurance policy, the developer shall amend or otherwise reinstate the original amount of the insurance

policy within forty-five (45) days of the city's written demand to do so. Failure to reinstate the original amount of the insurance policy, as required herein, shall, in addition to other remedies available to the city, authorize a complete draw against all available funds under the insurance policy. The city shall return these funds to the developer with interest earned and available to the city, less any proper claims, at such time as the developer provides another insurance policy meeting the requirements of this subsection.

3. In the event that any state or federal agency or authority shall require the developer to maintain a similar fund for the landfill facility after the effective date of this Code, the developer shall be permitted to reduce or terminate the insurance policy as may be necessary to establish the alternate fund. If such state or federal authority or agency ever removes such requirement, the developer shall within 30 days thereafter then again be required to provide an insurance policy pursuant to this subsection.

e. Community solid waste trust fund.

1. *Establishment and purpose.* The City shall establish a community solid waste trust fund to be administered and controlled by the City Council. The community solid waste trust fund shall be created to provide financial security to the citizens by setting aside funds to absorb or defray expenses or unforeseen cost necessitated by or reasonably related to the operation of the landfill facilities or any other facilities required to serve the solid waste disposal needs of the citizenry. Additionally, this fund may be used for the purposes of mitigation or remediation, in the sole discretion of the Council, if other financial guarantees, obligations or responsibilities are not met by the developer, or the state or federal government, and funding through the local mitigation fund is not available. The City shall, from time to time and in its sole discretion, be free to use these funds for any lawful expenditure whether that expenditure be related to solid waste disposal needs or not.

2. *Funding.*

a. The community solid waste trust fund shall be funded from the proceeds of a surcharge, the amount of which shall be subject to separate negotiation and established in a written agreement with the developer.

b. For the purpose of funding the community solid waste trust fund, yard trash and other materials approved by the Florida Department of Environmental Protection that are mulched, chipped or similarly processed and materials used for cover purposes shall not be subject to the surcharge described in this subsection.

c. The City reserves the right and authority to impose a host fee on all solid waste which is deposited in a landfill in the City of Bushnell. The host fee shall not apply to yard trash and other materials approved by the Florida Department of Environmental Protection that are mulched, chipped or similarly processed, and materials used for cover purposes.

(11) Severability. It is the declared intent of the City of Bushnell, that, if any section, subsection, sentence, clause, phrase or provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

(12) Inclusion in the Code Scrivener's Error. It is the intention of the Bushnell City Council, and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Bushnell, Florida; that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section", "article", or other appropriate designation. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Manager or designee without public hearing, by filing a corrected or recodified copy of the same with the City Clerk.

(13) Effective Date. A certified copy of this ordinance shall be filed with the Department of State by the City Clerk within ten days after enactment by the City Council and shall take effect upon filing with the Department.

**Section 65-77. Operating Permit**

The use requires an operating permit to be issued by the City of Bushnell.

**Section 65-78. Internet Café/Sweepstake Café.**

A. The proposed use may not directly abut any residential zoned property or be located within three hundred (300) feet (structure to structure) of a residential structure or fifteen hundred (1500) feet of a religious institution, educational institution, park, day care center, recreational complex, community center, governmental building, hospital, medical

clinic, dental clinic or cemetery. There must be five thousand feet (5000) separation between internet/sweepstake cafes.

B. Hours of operation. 7:00 am to 12:00 midnight.

C. No sales or consumption of alcoholic beverages.

D. Parking. Eight (8) parking spaces per one thousand (1000) square feet of floor area but in no event shall there be less than a minimum of four (4) spaces provided.

E. The minimum square footage shall be 100 square foot per device.

**Section 65-79. Mobile Food Unit.**

A. The property must have a principal use.

B. Must have a state license to operate as a mobile food vendor.

C. Must have a license from the city to operate as a mobile food vendor.

D. Must obtain written permission from the property owner.

E. Prior to the issuance of a mobile food vendor license. The applicant shall furnish a certificate of public liability insurance for personal injury and property damage occurring on or about the premises in an amount of not less than $1,000,000.00

F. The license may be revoked for any of the following reasons:
1. The licensee or any of the licensees agents or employees engages in any fraudulent, deceptive or unlawful business practice in connection with the licensees business.
2. Failure to comply with any state health or food vending regulations.
3. The licensee or any of the licensees agents or employees violates any provision of this article.
4. The licensee operates the mobile food unit in a manner that violates state and city traffic, parking, stopping and standing laws and ordinances or otherwise creates or contributes to a potential safety or hazardous condition on public or private property.

## ARTICLE 7. PLANNED UNIT DEVELOPMENT

Rezoning for planned unit development will be an entirely voluntary procedure, and the approval of planned unit development rezoning rests entirely with the City Council, which may include in the rezoning any conditions that the council deems necessary. Planned unit development may include any uses and any mixture of uses but they must conform to all aspects of the Comprehensive Plan. However, the Comprehensive Plan may also be amended so as to permit a particular planned unit development.

**Section 65-82. Prohibitions.**

These provisions are designed to allow a landowner or developer to submit any proposal for consideration, for any use or any mixture of uses, and to allow the City Council to approve any proposal which it determines to be in the best interest of the public health, welfare and safety, along with any conditions or requirements or limitations which the City Council deems advisable.

**Section 65-83. Approval Process.**

The approval process is designed to be flexible, so that depending on the size, complexity and novelty of a proposed development and the desires of the applicant, approval of the development may be sought through several procedures. The first possible step, concept review, is optional. The first required step is preliminary development plan approval, after which there may be one or more required steps for final site plan approval.

A. Conceptual Review. An applicant may submit to the Board of Adjustment and Code Enforcement (B.A.C.E.) the concept of a proposed planned unit development. The applicant shall be required to pay a filing fee. The conceptual review is intended to alert the applicants to problems or objections to a proposed development, so that a proposal may be abandoned without significant expenditure to the applicant if it is determined that approval will be unlikely. No comment concerning a proposed development concept by the B.A.C.E. or any officer of the City, shall be relied

upon by the applicant or any other person as implication that the concept will ever be approved in any form as a planned unit development.

B. Preliminary Development Plan Approval. The first required step in the approval process of a preliminary development plan accompanied by the filing fee, and a petition to rezone the land involved in the planned unit development is with the requirements specified herein. The rezoning petition will be reviewed by the Zoning Administrator to determine whether the application is complete.

If the application is complete, the Zoning Administrator shall review the application and forward the~~ir~~ comments and recommendations to the B.A.C.E. for a hearing on the rezoning petition, within forty-five (45) days of the receipt of a complete petition. The public hearing on the rezoning petition may be continued as necessary, to include in the development plan any changes, conditions or additions as may be agreed to by the B.A.C.E. and the applicant.

Following the B.A.C.E.'s public hearing on the proposed rezoning the City Council shall conduct a public hearing and may deny, approve, or place any amendments or additions to the development plan it deems necessary or appropriate. If the applicant is not agreeable to the approved development plan, the rezoning petition may be withdrawn prior to the second reading of an ordinance enacting the rezoning. The applicant must file any petition for an amendment to the Comprehensive Plan for approval by the City Council of the proposed rezoning. An applicant may file concurrently with the rezoning petition any applications for site plan approval.

C. Final Site Plan Approval. An applicant may not commence development except in accordance with an approved final site plan. Site plan approval shall be obtained in accordance with the requirements of Article 8. Final site plans may be submitted for approval at one time or at different times for any parts of a planned unit development. If a preliminary development plan includes provisions for phased development, no final site plan may be approved for any phase if the development of a prior phase is not sufficiently completed to insure that the phasing limitations of the approved development plan are met, that the public health, welfare and safety are not adversely affected, and that any phasing requirements are not subverted. Site plans must comply in all respects with the requirements of the approved development plan.

**Section 65-84. Rezoning and Development Plan Application.**

Along with a rezoning request an applicant for planned unit development rezoning shall submit three (3) copies of each of the following:

A. **Legal Description of Site and Owners.** A legal description of the proposed planned unit development shall be submitted, along with the names of every person owning an interest in the development.

B. **Existing Conditions Map.** This map or series of maps shall be drawn to a scale acceptable to the Zoning Administrator but in no instance to a scale smaller than one inch equals one hundred (100) feet and shall include:

1. Title of the proposed planned unit development and name(s) of the applicant(s);

2. Scale, date, north arrow, and general location map showing the boundaries of the planned unit development, section lines within the planned unit development, and the nearest ones outside, and the existing property lines for both public and private property within the planned unit development and for three hundred (300) feet surrounding it;

3. Within the site and the three hundred (300) foot area surrounding it, the location and names of all existing streets; the location and use of all existing principal buildings and recreation and open space areas; the location and size of all existing drainage, water, sewer, electrical and other utilities facilities, including fire hydrants; and, all existing easements, water-courses, bridges, lakes, marshes, wooded areas, sinkholes and other physical conditions affecting the area;

4. Existing topography at one inch equals one hundred (100) feet with one-foot contour lines;

5. Generalized soil types in the project area and surrounding areas;

6. Information about the type and location of existing vegetation, including the approximate size and location of major tree groupings and those trees with a diameter of at least sixteen (16) inches, measured four feet from the ground. Aerial and on-site photographs may be used to show vegetation; and,

7. The location and function of all other existing facilities that would serve the site such as schools, parks and fire stations. Notation of this information on a scaled map or by written description is acceptable.

C. **Development Plan Map.** Such map or maps shall be drawn and submitted at a scale acceptable to the Zoning Administrator but not smaller than one inch equals one hundred (100) feet and shall include:

1. The proposed land use relationships, including the boundaries of each use area, the uses to be permitted therein, and the form of ownership for each use;
2. The proposed vehicle, bicycle and pedestrian circulation system, including the general locations and widths of right-of-way;
3. The use, size, location, and distance from one another and height of all proposed buildings and other structures;
4. The location and size of usable open space areas, plazas and recreational areas, with an indication for each whether it will be a common area or dedicated to public use; and,
5. The location and size of all areas designated for public or semi-public institutional uses, such as schools, churches, libraries and public safety facilities.

D. **Development Plan Report.** This report shall be a part of the development plan and shall include:

1. A statement indicating the purpose and intent of the project and the applicant's opinion of how the proposed planned unit development complies with the goals and policies of the City's Comprehensive Plan.
2. A statement of the internal and external land use relationships and the applicant's opinion of their compatibility.
3. A plan for pedestrian, bikeway and vehicular circulation specifying the general design capacity of the system as well as access points to the major thoroughfare system. A trip generation report for each phase of development shall be included as a supplement to this plan.
4. Statistical information including;
    a. Total acreage of the site;
    b. Maximum building coverage expressed as a percentage of the total site area;
    c. Maximum impervious ground coverage expressed as a percentage of the total site area;
    d. The calculated residential density for the project;
    e. The exact number of dwelling units and residential density in each residential use area;
    f. The exact number of commercial land uses by type and size (gross floor area) to be allowed;
    g. The specific acreage of each use area; and,
    h. The areas of land devoted to publicly-owned or common-area usable open space, recreational areas, and plazas all expressed as percentage of the total site area.
5. Drainage concept plan indicating the manner of controlling water drainage from the property.
6. A generalized landscaping plan.
7. A statement indicating the design standards proposed to be utilized for all streets and off-street parking and loading facilities, public and private.
8. A development schedule for the planned unit development for each phase if phasing is proposed containing the following information, which schedule shall not be binding, except as may be specifically required in the rezoning ordinance:
    a. The order of construction of the proposed land uses by use area delineated in the development plan;
    b. The proposed date for the beginning of construction of said land uses by use area;
    c. The proposed date for the completion of construction on said land uses by use area;
    d. The proposed schedule for construction of required or permitted improvements to usable open spaces, plazas and recreational areas within each use area including any complementary building or other facilities; and,
    e. The proposed schedule for the installation of required public or utilities improvements and the dedication of public right-of-way, easements, and properties.

E. **Exceptions.** If any of the items required to be in the development plan map or report is not applicable to a proposed planned unit development, such item may be omitted provided the development plan report identifies the items

missing and includes a brief explanation of why they are not applicable. With the concurrence of the Zoning Administrator, some items to be included in the development plan report may be combined with others or shown on the development plan map.

F. **Additional Items.** Additional items may be required by the Zoning Administrator, the B.A.C.E. or the Council, either for informational purposes or to be included in the development plan map or report. Such items may include, but are not limited to:

1. An off-street parking and loading plan;
2. Any special engineering features and traffic regulation devices needed to facilitate or ensure the safety of the proposed circulation pattern;
3. Drawings indicating the general architectural theme or appearance and representative building types; and,
4. Environmental impact statements or environmental assessments.

**Section 65-85. Evaluation of Development Plans.**

In considering a proposed development plan for approval, the Zoning Administrator, the B.A.C.E. and the Council shall evaluate the proposal in consideration of the following criteria:

A. **Conformance with Comprehensive Plan.** No development plan may be approved unless it is in compliance with the City's Comprehensive Plan.

B. **Internal Compatibility.** All land uses proposed within a master development plan must be compatible with other proposed uses; that is, no use may have any undue adverse impact on any neighboring use. An evaluation of the internal compatibility of a planned unit development shall be based on the following factors:

1. The streetscape;
2. The existence or absence of, and the location of, open spaces, plazas, recreational areas and common areas;
3. The use of existing and proposed landscaping;
4. The treatment of pedestrian ways;
5. Focal points and vistas;
6. The use of the topography, physical environment and other natural features;
7. Traffic and pedestrian circulation pattern;
8. The use and variety of building setback lines, separations and buffering;
9. The use and variety of building grouping;
10. The use and variety of building sizes and architectural styles;
11. The use and variety of materials;
12. The separation and buffering of parking areas and sections of parking areas;
13. The variety and design of dwelling types;
14. The particular land uses proposed and the conditions and limitations thereon;
15. The form of ownership proposed for various uses; and,
16. Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of any proposed use within the planned development.

C. **External Compatibility.** All land uses proposed within a planned unit development must be compatible with existing and planned uses of properties surrounding the planned unit development. No internal use may have an adverse impact on any existing or planned surrounding uses. An evaluation of the external compatibility of a planned unit development shall be based on the following factors:

1. All of those factors listed in subsection B, with particular attention to those areas of the planned unit development located on or near its perimeter;
2. The particular uses proposed near the planned unit development perimeter and the conditions and limitations thereon;
3. The type, number and location of surrounding external uses;
4. The zoning on surrounding lands; and,
5. Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the planned unit development and any existing or planned use of such lands.

D. **Intensity of Development.** The residential density or use of a planned unit development shall create no undue adverse impact upon the physical and environmental characteristics of the site and surrounding lands, and shall comply with the policies and density limitations set forth in the Comprehensive Plan. Within the limitations of the Comprehensive Plan, the permitted residential density and intensity of use in a planned unit development may be adjusted upward or downward in consideration of the following factors:

1. The locations of various proposed uses within the planned unit development and the degree of compatibility of such uses with each other and with surrounding uses;
2. The amount and type of protection provided for the safety, habitability and privacy of land uses both internal and external to the planned unit development;
3. The existing residential density and intensity of use of surrounding lands;
4. The availability and location of utilities service and public facilities and services,
5. The amount and size of open spaces, plazas, common areas and recreational area;
6. The use of energy-saving techniques and devices;
7. The existence and treatment of any environmental hazards to the planned unit development property or surrounding lands;
8. The access to and suitability of transportation arteries proposed within the planned unit development and existing external transportation systems; and,
9. Any other factor deemed relevant to the limitation of the intensity of development for the benefit of the public health, welfare and safety.

E. **Usable Open Spaces, Plazas and Recreational Areas.** Usable open spaces, plazas and recreational areas provided within a planned development shall be evaluated based on conformance with the policies of the Comprehensive Plan and the sufficiency of such areas to provide appropriate recreational opportunities, protect sensitive environmental areas, conserve areas of unique beauty or historical significance, provide structure to neighborhood design, and encourage compatible and cooperative relationships between adjoining land uses.

F. **Environmental Constraints.** The site of the planned unit development shall be suitable for the proposed use, without creating flooding, erosion, drainage, ground water level or soil condition problems, either on or off site.

G. **External Transportation Access.** A planned unit development shall be located on, and provide access to a major street, unless due to the size of the planned unit development and the type of uses proposed, it will not adversely affect the type or amount of traffic on adjoining minor streets.

H. **Internal Transportation Access.** Every dwelling unit or permitted use in a planned unit development shall have direct access to a public street by way of private road, pedestrian way, or court that is dedicated to public or common use guaranteeing access. Permitted uses are not required to front on a dedicated public road. Private roads and other access-ways shall be required to be constructed to ensure that they are safe and maintainable and that they allow for sufficient privacy for permitted uses.

I. **Off-Street Parking.** Sufficient off-street parking shall be provided. Parking areas shall be constructed in accordance with Chapter 60.

J. **Sidewalks, Trails, and Bikeways.** The design of a planned unit development should, whenever feasible, incorporate appropriate pedestrian and bicycle access-ways to provide for a variety of movement opportunities.

K. **Public Facilities.** No development plan shall be approved unless adequate public facilities, including but not limited to, storm drainage, sanitary sewers, water distribution system and recreational facilities, are in place, or are proposed to be constructed. The facilities do not have to be located on site.

L. **Unified Control.** All land included in a planned unit development shall be under the complete, unified, legal control of the applicant, whether the applicant be an individual, partnership, corporation, other entity, group or agency. The applicant shall provide the city with sufficient evidence to the satisfaction of the City Attorney that the applicant is in complete, legal and unified control of the entire area of the proposed planned unit development.

The applicant shall provide the City, for approval by the City Attorney, all agreements, contracts, deed restrictions, guarantees and other necessary documents and information that may be required by the City Attorney to assure the City that the development project may be lawfully completed according to the plans sought to be approved. No application shall be considered by the B.A.C.E. and the Council unless the City Attorney has certified in writing that the legal requirements of this subsection have been complied with.

M. **Phasing.** The City Council may permit or require the phasing of a planned unit development. When provisions for phasing are included in the development plan, each phase of development must be planned and related to previous development, surrounding properties, and the available public facilities and services, in such a manner, that a failure to proceed with subsequent phases of development will have no adverse impact on the or surrounding properties.

N. **Development Time Limits.** The City Council may establish reasonable periods of time for the completion of any dedicated public facilities within a planned unit development, facilities planned for a common area, and the total planned unit development. If phasing is provided for, time limits for the completion of each phase of the development may also be established. Any such time limit may be extended by the City Council for reasonable periods upon the petition of an applicant for an amendment to the development plan and based upon good cause, as determined by the City Council, provided that any such extension of time shall not automatically extend the normal expiration date of the building permit, site plan approval, or other development order. If time limits contained within the approved development plan are not complied with and not extended for good cause, the City Council may rezone the property or any part of it or amend the approved development plan so as to best protect adjoining properties and the public health, safety and welfare.

O. **Bonds.** The City Council may include in the development plan requirements for bonds (or alternatives) conditioned upon the satisfactory and timely completion of public facilities or facilities planned for common areas, for the benefit of purchasers from the applicant, when the development time limits and phasing schedule do not preclude the sale of individual lots or units prior to the completion of such facilities.

**Section 65-86. Other Ordinances.**

All building codes and other land use regulations of the City are applicable to a planned unit development, except those permitting special use and zoning variances, and except to the extent that they conflict with a specific provision of the approved development plan. Unless otherwise provided in the approved development plan, all land use regulations, shall apply in the planned unit development as approved by the City Council.

**Section 65-87. Development Plan Amendments.**

A. Except as noted in Subsection B. below, an amendment to an approved development plan (except for an extension of time limit) must be accompanied by an application setting forth the amendments to the development plan.

B. Amendments to the development plan of an approved master development plan of the following types may be authorized by the City Council during any required site plan review, provided such amendments meet the criteria set forth by Section 65-85.

1. Minor adjustments or shifts in the location and siting of buildings, structures, parking bays and parking spaces;
2. Changes in the location of utility tie-ins and dumpsters;
3. Reductions in the overall density or intensity of structural ground coverage of the development;

4. Changes in the location and types of landscape materials, excluding changes in location of buffers;
5. Changes in the walkway and bikeway systems;
6. The addition of accessory structures or utility building of less than two-hundred eighty-eight (288) square feet;
7. The addition of up to five (5) new parking spaces; and,
8. Any expansion of gross floor area or enlargement of the building envelope which does not require the addition of required parking spaces.

**Section 65-88. Rezoning Time Limits.**

The rezoning of property to a planned unit development shall operate the same as any other new petition for rezoning for any part of such property, excluding an application to amend the approved development plan, for a period of twelve (12) months from rezoning. Neither the denial nor the withdrawal of a petition to rezone to planned unit development shall deny the applicant consideration of a new rezoning petition at any time, except that no new petition to rezone to planned unit development may be considered by the City Council within a period of twelve (12) months from the date of such denial or withdrawal. The denial of a petition to rezone to a category other than planned unit development shall not act to prohibit the filing of a petition for planned unit development zoning at any time.

## ARTICLE 8. SITE PLAN APPROVAL

**Section 65-89. Purpose.**

The purpose of this provision is to promote harmonious, functional relationships among the various elements within any development, such as the location of activities, vehicular and pedestrian circulation systems, and visual form to insure physical, social and economic compatibility with neighboring developments and conditions, as well as with the community at large, and to prevent detrimental impact to the natural environment on and off the site by providing for review and evaluation of site plans for all developments of the types listed herein and others as specified elsewhere in the LDR's. Although certain minimum standards are prescribed by specific provisions of this Ordinance, site plan review will permit maximum flexibility in evaluating each plan on its merits and encourage variety and innovation within the intent and purpose specified for each district while insuring privacy and safety on all levels.

**Section 65-90. Requirements.**

Before a building permit or certificate of zoning compliance may be obtained for any of the following types of development, site plan approval must be obtained in accordance with this Section. No construction activity, including land clearing, may be started prior to site plan approval. Tree removal may be allowed prior to site plan approval, provided that a certified tree survey and a replanting plan, if required, has been approved by the City. The property owner will be responsible for any associated fees.

A. **Basic Site Plan.** Two basic site plans will be required of all single family dwellings, two family dwellings and mobile homes.

1. Provide a scaled drawing acceptable to the City of the property boundaries.
2. Attach a legal description.
3. Locate all proposed structures on site plan, including principal dwelling, detached or attached accessory structures, improvements and driveways.
4. Identify all dimensions; lot lines, all yard setbacks, structural dimensions and square footage.
5. Attach proposed driveway construction drawings, if driveway is within a county or municipal right-of-way, or a Florida Department of Transportation driveway permit if within a state highway system, including drawings.

B. **Small Scale Development Site Plans.** Six sets of small scale development site plans will be required of all multi-family, commercial and industrial developments smaller than 3 gross acres in size and with floor areas under 20,000 square feet.

1. All the requirements of the basic site plan requirements.
2. Proposed location and dimensions of all off-street parking areas.

3. Approximate location and identification of all trees 16 inches or larger in diameter, as measured at a point 4 feet above existing grade, that will be removed by the development.
4. Location and identification of all proposed stormwater facilities and structures signed and sealed by a registered Florida Professional Engineer or a Southwest Florida Water Management District letter of exemption.
5. Location and identification of all free standing signs.
6. Location and identification of all on-site utilities including backflow prevention devices, grease trap detail and effluent sample T location.
7. Calculations indicating floor/area ratios and lot coverage.
8. Architect or engineer drawings depicting the floor plan and all 4 elevations of all structure(s) that identify all materials to be used on the exterior of the structure.
9. Location and identification of all parks and recreation facilities.

C. **Large Scale Development Site Plans.** All development of 3 gross acres or more, or with floor areas over 20,000 square feet, regardless of land use categories except those developments qualifying for basic site plan requirement and planned unit developments which are addressed under Article 7, will be required to submit site plans as follows:

1. All the requirements of the small scale development site plan requirements.
2. Six sets of site plans of professional quality signed and sealed by a Florida Registered P.E. or architect.
3. Topographical 1 foot contours of property.
4. Relationship of site to external facilities such as streets, utilities, stormwater systems, public lands, etc; and identification and description of same.
5. Proposed infrastructure expansion within and outside the immediate property including all facilities intended for public or private maintenance.
6. Projected average daily traffic count generated by development.
7. Projected average daily water consumption.
8. Expected population increases from development.
9. An architectural rendering of all proposed structures.

**Section 65-91. Approval Process.**

Except for developments within the Historic District, the Zoning Administrator shall either approve or reject the site plan within thirty (30) days after receiving a completed application. For any development within the Historic District, the Zoning Administrator shall, within thirty (30) days after receiving a completed application, forward one copy of the entire application to the City Council for consideration, along with the Zoning Administrator's comments and recommendations. The City Council shall consider such site plan at its next regular meeting. At such meeting, the City Council shall either approve or reject the site plan. One copy of every approved site plan shall be forwarded to the City Clerk.

**Section 65-92. Review Criteria.**

No site plan shall be approved unless and until the Zoning Administrator, or the City Council in the case of developments within the Historic District, finds that the site plan is in compliance with the limitations and restrictions of the zoning district in which the property is located and will meet the following criteria;

A. Enhance and protect the public health, welfare and safety;

B. Result in the least possible detrimental impact to the site and surrounding areas;

C. Assure safe and convenient ingress to and egress from the property and internal circulation, including access of service and emergency vehicles and design of off-street parking and loading areas;

D. Provide safe location and orderly arrangements and spacing of all buildings and structures;

E. Minimize environmental damages caused by needless destruction of natural vegetation and natural features on the site;

F. Provide for needed utilities, including fire hydrants, assure that the cost to the public in supplying connection points is reasonably minimized, and assure that safe and reasonable traffic circulation patterns are provided for garbage trucks and public safety vehicles of all types;

G. Provide means of minimizing unreasonable intrusions such as noise, light, odor, and dust.

H. Assure that external and internal street signs comply with the limitations of this zoning code and that measures are taken in their placement and size to eliminate traffic hazards caused by sight obstructions.

I. Assure external and internal outdoor lighting types and placement do not constitute a hazard to traffic and do not unreasonably intrude into the privacy and habitability of surrounding areas;

J. Make reasonable provision for recreation facilities and open space to meet the needs of the proposed development, taking advantage of the availability of community open space and recreation facilities; and,

K. For developments within the Historic District, complement the existing architectural and aesthetic qualities of the district and its existing structures.

**Section 65-93. Rejection Notice.**

When a site plan is rejected, the Zoning Administrator or the City Council, as the case may be, shall notify the applicant of the reasons for the rejection and of the changes to the site plan, if any, which will make it approvable. The applicant shall thereafter have thirty (30) days to amend and resubmit the site plan, without additional fee.

**Section 65-94. Amendments to an Approved Site Plan.**

Any remodeling, enlargement, rearrangement, reconstruction or redesign of any development of the types listed in Section 65-89 which does not conform to the approved site plan for such development will require an amendment to the approved site plan, including, but not limited to, any remodeling, enlargement, rearrangement, reconstruction or redesign which:

A. Expands the gross floor area;

B. Enlarges a building envelope; or,

C. Alters the site configuration through site redesign or other changes.

Such amendments shall be considered for approval or rejection by the Zoning Administrator, or the City Council in the case of development in the Historic District, through the same process and by the same criteria as for an original site plan.

**Section 65-95. Time Limitations and Extension.**

Site plan approval shall be effective for a period of one (1) year, during which time the applicant must apply for a building permit. If a building permit is not applied for within one year from the date of approval, said approval shall be null and void. At the request of the applicant made before said one year period expires, and for good cause shown, the City Council may extend the time for applying for a building permit for an additional year.

## ARTICLE 9. NON-CONFORMING USES AND STRUCTURES

**Section 65-96. Intent.**

Within the districts established by this code, or as it may be amended, there exist tracts, structures and uses of land which were lawful before this code was passed or amended, but which would be prohibited or regulated and restricted under terms of this Code or future amendments.

It is the intent of this Code to permit these non-conformities to continue until they are removed, but not to encourage their survival. Non-conforming uses are declared by this Code to be incompatible with permitted uses in the district involved. It is further intended of this Code that non-conformities shall not be enlarged upon, expanded, extended or reconstructed to continue their non-conformity after major damage, or used as grounds for adding other structures or uses prohibited elsewhere in the same district except in certain cases hereinafter provided.

**Section 65-97. Non-Conforming Building or Use-Repair, Alteration, Enlargement.**

No non-conforming structure or a structure utilized for a non-conforming use shall be enlarged, extended, reconstructed or structurally altered, unless the structure or use is changed to one which complies with the provisions of the LDR's. Repairs, maintenance and improvements may be carried out in any one year with the amount not to exceed twenty-five percent (25%) of the assessed value of the structure for that year, and provided that such work does not increase the floor area devoted to the non-conforming use, nor increase the number of dwelling units. Nothing in this Article shall prevent compliance with applicable laws or resolutions relative to the safety and sanitation of a building occupied by a non-conforming use.

**Section 65-98. Non-Conforming Use-Extension.**

A non-conforming use that occupies a portion of a building will be allowed to extend to other areas under roof of that building that were in existence as of November 1992. No non-conforming use shall be extended to occupy land outside the building nor any additional building on the same tract not used for such non-conforming use at the effective date of the LDR's.

**Section 65-99. Restoration After Damage.**

If any non-conforming structure is damaged by fire, flood, explosion, collapse, wind, war or other catastrophe to such extent that the cost of rebuilding, repair and reconstruction will exceed one hundred percent (100%) of its assessed valuation (either as established by the Property Appraiser, or at the option of the landowner, a private appraiser acceptable to the code enforcement board) at the time of the damage, it shall not be again used or reconstructed except in full conformity with the regulations of the district in which it is located.

**Section 65-100. Change of Non-Conforming Use.**

A. There may be a change of tenancy, ownership or management of a non-conforming use provided there is no change in the nature or character of such non-conforming use except as may be permitted by this Section.

B. A non-conforming use in a non-conforming structure may be replaced by a new or different use permissible in that zoning district, if the City Council after public hearings, finds a new or different use will be no more detrimental to the surrounding neighborhood than the old use and approves the new or different use as a special use in accordance with the provisions of this Zoning Code.

**Section 65-101. Unlawful Use Not Authorized.**

Nothing in the LDR's shall be interpreted as authorization for or approval of the continuation of the use of a structure or premises in violation of any law in effect at the effective date of the LDR's.

**Section 65-102. Discontinuance or Abandonment of a Non-Conforming Use.**

A. If for any reason the non-conforming use of land ceases or is discontinued for a period of more than six (6) months, the land shall not be used for a non-conforming use.

B. If for any reason the non-conforming use of a building ceases or is discontinued for a period of twelve (l2) months or more, the building shall not be used or occupied by a non-conforming use.

C. Any part of a building, structure or land occupied by a non-conforming use that is changed to or occupied by a conforming use, shall not be used or occupied by a non-conforming use.

**Section 65-103. Special Uses Non Conforming Uses.**

Any use which is permissible in a district as a special use under the terms of this Code shall not be deemed a non-conforming use in such district, but shall without further action be considered to be a conforming use.

**Section 65-104. Non-Conforming Tracts or Parcels.**

(See Article 10, Section 113.)

**Section 65-105. Non-Conformity Other Than Use.**

The foregoing provisions of this Article are intended to apply to non-conforming use and are not intended to apply to buildings and structures and their tracts existing at the effective date of the LDR's which do not meet the regulations of the LDR's for heights, yards, tract size, tract area, coverage, separation or other similar dimensional requirements or limitations. Any additions, extensions or alterations to such existing buildings or structures shall comply with all applicable provisions of the LDR's.

**Section 65-106. Casual or Temporary Use.**

The casual, temporary or illegal use of land or a structure shall not be sufficient to establish the existence of a non-conforming use.

**Section 65-107. Non-Conforming Uses and Structures Existing in Proposed Rights-Of-Way.**

Any non-conforming use and/or structure existing at the time of the adoption of this code, which exists on land which is acquired by any government agency or public utility or purpose, may be moved, reconstructed or extended into other adjacent lands under the same ownership without losing its right of non-conformity. Regardless of any other provisions in this Code, said structure or one similar in character and size shall be permitted to be constructed on land adjacent to its original site.

**Section 65-108. Non-Conforming Mobile Homes.**

A. Relocation and/or Replacement. No non-conforming mobile home shall be relocated and/or replaced except as follows:

1. Such relocation and/or replacement is in conformance with the zoning ordinance or,

2. The existing non-conforming mobile home is replaced within ninety (90) days with a mobile home meeting the requirements set forth below for a non-conforming replacement mobile home.

B. Non-conforming Replacement Mobile Home. A non-conforming replacement mobile home shall be one of the following:

1. A double-wide mobile home which has three (3) years or less in age and is underskirted. or

2. A single-wide mobile home which is three (3) years or less in age and is at least fourteen (14) feet wide, containing five hundred (500) square feet of living area that is underskirted and provided with at least the following:

   a. An attached patio awning, which is at least ten (10) feet by twenty (20) feet in size.

   b. An attached carport, which is at least ten (10) feet by twenty (20) feet in size.

   c. A utility room, which is at least eight (8) feet by eight (8) feet in size.

3. The underskirting, patio awning, carport and utility room referred to above shall be compatible with the design and type of mobile home to which they are attached and/or accessory to and shall comply with all appropriate state and local regulations pertaining to inspections, tie downs, blocking, electrical, plumbing and construction standards, and shall have no scaling paint or unpainted exterior surfaces. In addition, there shall be no damage, such as broken glass or other disrepair to the windows, doors, or screens of the mobile home, and the windows and doors shall be weather tight. The mobile home shall also comply with all building setback and front, side and rear yard requirements in which such mobile home is located.

4. If the mobile home is more than three (3) years old, it must be inspected to make sure it meets the current code requirements before permits are issued.

C. Previous Exemptions. Any existing mobile home park previously exempted by municipal resolution is not subject to Sections 65-108 A, B and C.

## ARTICLE 10. GENERAL PROVISIONS

### Section 65-109. Scope.

No building, structure or land within the corporate limits of the City of Bushnell shall be used, occupied, erected, constructed, reconstructed, moved or structurally altered unless in full conformity with the regulations specified in the LDR's.

### Section 65-110. Buildings and Mobile Homes under Construction.

Any building, structure or mobile home for which a building permit has been issued may be completed and used in accordance with the plans and specifications upon which said building permit was granted, provided such construction is completed within one year from the date of commencement of construction.

### Section 65-111. Uncompleted Structures.

Any building or structure not completed in substantial conformity with plans and specifications upon which the building permit for its construction was issued, shall be maintained or be permitted to remain unfinished for no more than twelve (12) months after the first inspection of such a building was begun, except under such conditions and for such a period as may be determined as reasonable by City Council based on conformity with, and promotion of, the spirit and purpose of the LDR's.

### Section 65-112. Time Limit.

Where the City Council has given or granted an approval, special permit or a variance pursuant to the provisions of the LDR's, such approval, grant or permit shall become null and void unless a building permit is obtained within twelve (12) months of the date of such action.

### Section 65-113. Existing Tracts of Record.

In any district where residential units are permitted, one single-family dwelling or one mobile home, as applicable subject to zoning, may be erected on any tract in existence at the effective date of the LDR's under the following conditions:

A. The owner of the tract did not own any adjacent properties as of October 1, 1990.
B. The tract shall abut for at least forty (40) feet on a street.
C. All required yards and lot coverage requirements shall be provided, except that City Council has the right to revise the standards to allow a reasonable use of the property.
D. The tract was a tract of record prior to October 1, 1990.
E. The provisions of Paragraphs A. and B. of this Section shall not apply to all undeveloped tracts of record provided that the tract has a minimum tract area of at least seven thousand five hundred (7,500) sq feet and a minimum tract width at the building line of at least seventy-five (75) feet. In addition, the provisions of Paragraphs A., B. and E. of this Section shall not apply to any tracts shown on a survey which has been filed with and accepted by the City of Bushnell prior to the effective date of the ordinance and provided that the survey has been prepared by a registered surveyor.

### Section 65-114. No Reduction of Required Area.

No tract, yard, setback, clearance, parking area or other space shall be reduced in area or dimension to less than the minimum required by the LDR's. No part of a required yard, setback, clearance, parking area or other space provided for any building, structure or use shall be included as a part of the yard, setback, clearance, parking area or other space required under the LDR's for another building, structure or use unless specifically authorized by the LDR's.

### Section 65-115. Double Frontage.

On corner tracts and through tracts, front yards shall be provided on both streets, and accessory buildings shall not be located in either front yard, except by a variance from the City Council.

**Section 65-116. Use of Premises Without Buildings.**

Where a tract is to be occupied for a permitted use without buildings, the side yard and front yard setbacks required for such tract shall be provided and maintained unless otherwise stipulated in the LDR's.

**Section 65-117. Yard Encroachments.**

Every part of every required yard shall be open and unobstructed from the ground to the sky except as provided or as otherwise permitted in the LDR's.

A. Movable awnings may project not over three (3) feet into a required yard, provided that where the yard is less than five (5) feet in width such projection shall not exceed one-half (1/2) the width of the yard.

B. Chimneys and fireplaces may project not over two (2) feet into a required yard.

C. Fire escapes, stairways and balconies which are unroofed and unenclosed may project not over five (5) feet into the required rear yard or not over three (3) feet eight (8) inches into a required side yard of a multiple dwelling, hotel or motel.

D. Hoods, canopies or marquees may project not over three (3) feet into a required yard, but shall not exceed any closer than one (1) foot to any tract line.

E. Fences, walls and hedges shall be permitted up to four (4) feet high in the front yard. Fences in the side and rear yard shall be permitted up to eight (8) feet in height unless otherwise permitted herein.

F. Nothing in this Zoning Code shall be construed so as to prevent any type of landscaping or private non-profit gardening on any tract.

G. Accessory parking may be located in the rear or side yard. (See Chapter 60 for parking regulations.)

H. Flag poles, birdhouses or other yard amenities are permitted in any yard if they do not constitute substantial impediments to vision or flow of light or air across the yard. Clotheslines are expressly prohibited in front yards.

**Section 65-118. Accessory Uses and Structures.**

A. In residential districts, all accessory buildings and uses shall be located only in the rear yard except that parking may be located in a side and front yard.

B. In residential districts all accessory buildings and uses in a rear yard shall be setback as per Schedule 65-1 and at least twenty-five (25) feet from any street. Accessory buildings and structures shall not exceed the height of the main building.

**Section 65-119. Exclusions from Height Limits.**

Penthouses, scenery lofts, towers, cupolas, steeples, domes, flag poles, airplane beacons, broadcasting towers, antennae, chimneys and roof structures used only for ornamental or mechanical purposes may exceed the permissible height in any districts where permitted as an accessory or principal use.

**Section 65-120. Use of Residentially Zoned Property for Access.**

No residentially zoned land shall be used for access purposes to any land that is not residentially zoned, or used for any purpose not permitted in a residential district except for egress and ingress to an existing use which does not abut on a street.

**Section 65-121. Essential Services.**

Essential services shall be permitted as authorized and regulated by law, it being the intention to exempt such essential services from application of the Zoning Code. This exemption shall apply to power lines, telephone lines, water lines, sewer lines, gas lines and cable t.v. lines only. The preceding exemption does not apply to structures, substations, telephone exchanges or cable t.v. tower centers.

**Section 65-122. Moving of Buildings.**

No building or structure shall be moved from one tract to another unless such building or structure shall conform with all the provisions of the LDR's. A Certificate of Zoning Compliance and Building Permit are required prior to moving any building or structure into or within the City of Bushnell.

**Section 65-123. Drainage. Also see Chapter 56, Flooding and Flood Damage Prevention and Chapter 61, Subdivision Regulations.**

Drainage plans are required for:

A. All developments requiring site plan approval as provided in Article 8, Sections 65-90 B and C.

B. All proposed commercial construction.

C. All industrial construction.

All such plans shall document review and approval by the Water Management district.

**Section 65-124. Eminent Domain.**

(a) Pursuant to F.S. chs. 73 and 74, the city and other governmental or public agencies have the authority to acquire property in order to provide public improvements necessary to adequately serve the general public and citizens of the city. In certain cases, acquisition causes the remaining parcel, structure or use on the property to become nonconforming under the city's land development regulations.
(b) It is the intent of this article to provide exemptions from regulations as to setback, lot size, signage, landscaping/buffering and other such regulations as to lots that have been reduced in size due to condemnation action.
(c) The recognition of such lots which have been subjected to the eminent domain process either through acquisition or negotiation a viable and fair alternative is intended to prevent any adverse impact to the lot owner's property as a result of the acquisition process and allow the continued use of the property in a manner similar to its pre-acquisition condition. By providing for such recognition, and for the acquiring authority and/or property owner to determine the remaining allowable uses of the property, the cost of acquisition of real property needed for public facility improvements could be reduced.

**Eminent Domain Lots**

Notwithstanding the limitations imposed by any other provisions of the city land development regulations, any lot or parcel which has been reduced in size due to an eminent domain acquisition shall continue to be recognized as a legal lot or parcel for all purposes of the city land development regulations except as otherwise provided herein. Such a lot may be designated as an eminent domain lot (EDL) and shall be considered a nonconforming use as defined in this Code with all rights and privileges as set forth in Chapter 65 of the city land development regulations. Building permits may be issued for such a parcel or lot to allow the erection, expansion, alteration, or replacement of any legal use together with accessory buildings as permitted within the applicable zoning classification as follows:

(1) Single-family dwellings and their accessory buildings constructed, or to be constructed, upon an EDL shall not be required to comply with the minimum setback requirements applicable in the zoning district in which the EDL is located. Every effort shall be made to comply with the following minimum setback requirements: a minimum setback of fifteen (15) feet from any right-of-way line and five (5) feet from any side and rear lot line. No accessory structure in any residential district shall be permitted less than five (5) feet from a side or rear lot line and fifteen (15) feet from any front lot line unless approved by the BACE. Existing single-family dwellings shall be allowed to expand, be altered or replaced, provided that such improvements do not further encroach into the established setbacks, if less than the minimum for the district in which they are located.
(2) Undeveloped commercial or industrial zoned EDL parcels or lots shall not be required to meet minimum lot area and/or width requirements but shall conform with all other district regulations for the district in which the EDL is located.
(3) Developed commercial or industrial zoned EDL parcels or lots shall not be required to meet minimum lot area and/or width requirements and shall be allowed to expand, alter, or replace existing structures provided that such

improvements do not further encroach into the established setbacks if less than the minimum for the district in which the EDL is located.

(4) Signage shall not be required to meet required setback provisions, provided, however, no sign shall be located so as to cause a safety hazard.

(5) Landscaping and/or buffering requirements shall not be required to meet Code requirements as to the property taken by eminent domain but any side and rear requirements shall remain in effect.

(6) If the size of any parking area is reduced by more than 10 %, or if the parking area must be relocated because the terms and conditions of the city land development regulations cannot be met, a variance may be granted by the BACE.

**Sections 65-125 thru 65-140 Reserved.**

## ARTICLE 11. ADMINISTRATION

### Section 65-141. Purpose.

This Article sets forth the basic procedures and provisions for the administration of the LDR's. Such administration shall be done by the City Manager and Zoning Administrator through the use of building permits and site plan approvals.

### Section 65-142. Personnel.

The Zoning Administrator shall be appointed by the City Manager. The City Manager may also designate persons to replace or assist such officers. Personnel designated to assist such officers shall have the same authority under this ordinance as such officer.

A. Duties of Zoning Administrator. The Zoning Administrator shall be responsible for issuing all certificates of zoning compliance required by this Ordinance; for approving all site plans except those required by properties in the Historic District; and for advising the City Council concerning site plans for properties in the Historic District and applications for rezoning to the Planned Unit Development District. Certificates of zoning compliance and site plan approvals given only in full compliance with the conditions, limitations and requirements of this Ordinance shall be valid.

The Zoning Administrator shall investigate all complaints or alleged violations of the LDR's, and:

(1) Shall inform complainant of all findings and actions.

(2) Shall act to prevent violations and to detect and secure the correction of violations.

(3) Shall notify violators, in writing, indicating the nature of the violation and ordering remedial action.

(4) Receive applications for special uses, curative amendments and zoning changes, forwarding requests to the City Council, B.A.C.E. and other appropriate agencies.

(5) Receive applications for zoning changes (rezoning petition) and for special uses and variances and to forward these applications to the B.A.C.E. and City Council for action thereon.

(6) Following refusal of a permit, to receive applications for interpretation and appeals. These applications will then be forwarded to the City Council for action thereon.

(7) Conduct inspections and surveys to determine compliance or non-compliance with the terms of this Ordinance.

(8) Shall order the discontinuance of illegal use of land, buildings or structures and the removal of illegal buildings, structures, additions, alterations or structural changes. Order the discontinuance of any illegal work being done to restrain, correct or alter such installation, so as to prevent the occupancy or use of any building, structure or land. Prevent any illegal act, conduct, business or use in or about such premises, or shall take any other lawful action authorized by this ordinance necessary to insure compliance with this ordinance.

(9) Revoke any order or zoning permit issued under a mistake of fact or contrary to the law, or the provisions of this ordinance.

(10) Record and file all applications for zoning permits with accompanying plans and documents. All applications, plans, documents and official actions shall be a public record.

(11) Maintain a map or maps showing the current zoning classification in the City.

(12) Register non-conforming structures, uses and lots.

(13) Shall develop such administrative procedures and forms as are necessary to uniformly enforce the LDR's.

(14) Shall interpret the various schedules as they apply to specific requests for zoning approval.

**Section 65-143. Schedule of Fees.**

The City Council shall adopt and update as necessary by formal action, a schedule of fees and charges. The current schedule shall be made available to the public by the Zoning Administrator.

**Section 65-144. Zoning Changes.**

The City Council shall amend this ordinance only after recommendation from the Board of Adjustment and Code Enforcement (B.A.C.E.) Changes may be proposed by the governing body, the B.A.C.E. or affected property owners. The B.A.C.E. shall conduct at least one (1) hearing on the proposed change and submit its recommendations to the City Council in writing. The City Council shall then conduct its own public hearing(s) and then act on the proposed change.

A. Less Than Five Percent of Land Area. In cases rezoning less than five percent (5%) of the total land area of the City, the Zoning Administrator shall notify by mail each real property owner whose land the City will rezone, using current tax records for addresses. The notice shall give the substance of the amended ordinance and the time and place of public hearings at least thirty days prior to the public hearings.

(1) The applicant is required to post a notice of zoning change on the affected property:

(a) Using a sign provided by the City;

(b) In a location where it is clearly visible from a street right-of-way and set back no more than three (3) feet from the property line.

(2) As provided by municipal resolution, adjoining property owners within two hundred (200) feet will be mailed a courtesy notice by the Zoning Administrator at the last address of record as provided by the Sumter County Property Appraiser.

B. More Than Five Percent of Land Area. In cases dealing with more than five percent (5%) of the total land area of the City, the City Council shall hold two (2) public hearings on the amendment. Those procedures established in Chapter 166, F.S. pertaining to time and timing of the hearings, and the size, location, format and timing of the publication notice shall be followed.

**Section 65-145. Provisions of Zoning Regulations to be Minimum Requirement.**

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements adopted for the promotion of the public health, safety or general welfare. Where ever the requirements of this Ordinance are in variance with any other regulations or Ordinance, the most restrictive or that imposing the higher standards shall govern unless otherwise specifically provided.

## ARTICLE 12. COMMERCIAL DEVELOPMENT GUIDELINES

The intent of these guidelines is to guide the design of new buildings and the renovation of existing buildings within the commercial areas of the City of Bushnell. Buildings in this area need to be visually interesting and not detract from the surrounding lands and structures. All plans and specifications for construction or renovation must be signed and sealed by a registered Florida architect or engineer. The following rules and regulations apply to all site built or modular buildings in any commercial district. The BACE may modify the following guidelines on a case by case basis.

**Section 65-151. Site Design Standards**

A. Buildings shall be situated on-site to minimize adverse visual, noise, light, odor and traffic impacts to surrounding properties.

B. Buildings shall be located to minimize the destruction of significant trees on-site and to provide adequate buffer areas.

C. Out parcels and individual project sites shall be designed to establish a coordinated pattern of uses and buildings that inter-relate and create a sense of a planned unit development.

D. All out parcels shall be connected to the main commercial tract and interconnected with each other and adjoining parcels for vehicular and pedestrian travel.

E. Traffic access and circulation patterns shall be coordinated between adjoining sites.

F. Location of parking areas and driveways shall be designed to establish a logical pattern of traffic flow.

G. Sidewalks shall be built along all public streets to facilitate pedestrian traffic from surrounding neighborhoods and adjacent development.

H. Service, delivery and dumpster areas shall be located at the rear or side of the building and substantially screened with same materials as the principal structure and opaque landscaping.

**Section 65-152. Building Design Standards**

The purpose of the Commercial Development Regulations is to encourage high quality development while allowing innovative design. Certain minimum architectural guidelines have been set to promote quality development that will enhance the community.

A. Buildings, principal structures, accessory structures, awnings, canopies and signs shall have a consistent and cohesive style.

B. The design of buildings shall include elements such as color, shape, materials, varying height and forms that break up large expanses or blank walls.

C. Building design shall create visually appealing entrances and provide decorative roof, mansards or roof structures that compliment the design of the building. Parallel straight line elevations resembling box style design will be prohibited.

D. Building exteriors shall primarily consist of masonry, stone, stucco, brick, split face decorative block, glass, vinyl siding with a minimum thickness of .060 inches, metal or wood construction materials.

E. All elevations facing a roadway cannot have a metal facade that exceeds 20% of the front face of the building.

F. Large expanses (over 50 feet) of blank walls visible to public areas are prohibited and shall be segmented with a variety of design elements.

G. All complexes of buildings designed as a linear group, shall provide covered pedestrian arcades utilizing awnings or canopies at least 8 feet in width extending for the length of the main entrance facade.

H. Exterior building design elements will include fenestration, bays, fascia, cornices, columns, cupolas, entry focal points, gables, belt courses, lintels, pilasters, porticos, or other decorative elements as appropriate to enhance overall design.

I. Sign form and color – each sign shall complement the building architecture to which it relates and shall be located in a manner which relates proportionately to the building and its surroundings. Sign construction material, color and lighting shall be consistent with the development.

## ARTICLE 13. AFFORDABLE HOUSING

It is the intent of this Article to help meet the housing needs of the very low, low, and moderate income families. To this end, this article will create incentives and promulgate policies that will facilitate and encourage the production of and preservation of affordable housing. These policies and incentives will assure consistency with the Comprehensive Plan, Chapter 6, Housing Element.

**Section 65-153. Definitions.**

**AFFORDABLE**: Monthly rents or monthly mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for very low, low and moderate income households.

**AFFORDABLE DETERMINATION:** It shall be the applicants' responsibility to prove to the satisfaction of the City that the permit being sought meets with the definition of affordable in this chapter.

**ANNUAL GROSS INCOME:** All amounts, monetary or not which, go to, or on behalf of, the family head or spouse, are anticipated to be received from a source outside the family; annual income as reported under the census long form for the recent available decennial census; or adjusted gross income as defined for purposes of reporting under Internal Revenue Service Form 1040 for individual federal annual income tax purposes. Counties and eligible municipalities shall calculate income by annualizing verified sources of income for the household as the amount of income to be received in a household during the 12 months following the effective date of the determination.

**LOW-INCOME PERSON or LOW-INCOME HOUSEHOLD:** One or more natural persons or a family that has a total annual gross household income that does not exceed 80 percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the non-metropolitan median for the state, whichever amount is greatest.

**MODERATE-INCOME PERSON or MODERATE-INCOME HOUSEHOLD:** One or more natural persons or a family that has a total annual gross household income that does not exceed 120 percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the non-metropolitan median for the state, whichever is greatest.

**VERY-LOW-INCOME PERSON or VERY-LOW-INCOME HOUSEHOLD:** One or more natural persons or a family that has a total annual gross household income that does not exceed 50 percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the non-metropolitan median for the state, whichever is greatest.

### 65-154. Expedited Permitting.

When requested by an applicant for an affordable housing permit, and the application is determined to be complete along with the required fee, the City shall grant first priority in plan review and processing to expedite the issuance of a preliminary and a final development order and all applicable development permits. The City shall continually monitor the progress of the application to complete the successful issuance of a development order and/or permit. The project, however, shall comply with all requirements of these regulations unless otherwise exempt.

### 65-155. Fee Waivers.

The City Council, in its sole discretion, may waive water CRC, wastewater CRC and other development related fees when evidence that the residential construction or renovation is affordable housing.

### 65-156. Ongoing Review Process.

The City will continually monitor and review its development approval process to identify and eliminate any unnecessary impediments to the provision of affordable housing within the community by ordinance, resolution or policies of the City.

**Section 65-157-169. (Reserved)**

## ARTICLE 14.
## (Reserved)

**ARTICLE 15. SCHEDULE OF FEES**

# Land Development Regulations Fee Schedule

| Application | Fee |
|---|---|
| **Comprehensive Plan Amendments** | |
| Large Scale | $5,075 |
| Small Scale | $2,575 |
| Text Amendment | $1,075 |
| **Rezoning** | |
| Rezoning with Concurrent Comp. Plan Amend. | $0 |
| Rezoning – Non PD | $575 |
| Planned Development | $2,675 |
| PD Amendments | $600 |
| PD Extension Request | $100 |
| **Site Plan – Non-Residential & Institutional** | |
| Site Plan & One Resubmittal | $2,000 |
| 3rd & Subsequent Site Plan Resubmittals* | $1,000 each |
| Minor Site Plan & One Resubmittal | $250 |
| 3rd & Subsequent Minor Site Plan Resubmittals* | $125 |
| **Site Plan – Residential** | |
| Site Plan | $35 |
| **Subdivisions** | |
| Preliminary Plan & One Resubmittal | $1,075 |
| 3rd & Subsequent Preliminary Plan Resubmittals* | $537.50 each |
| Improvement Plan & One Resubmittal | $1,075 |
| 3rd & Subsequent Improvement Plan Resubmittals* | $537.50 each |
| Final Plat & One Resubmittal | $700 |
| 3rd & Subsequent Final Plat Resubmittals* | $350 each |
| Re-Plat of Subdivision & One Resubmittal | $700 |
| 3rd & Subsequent Re-Plant of Subdivision Resubmittals* | $350 each |
| Minor Lot Split & One Resubmittal | $300 |
| 3rd & Subsequent Minor Lot Split Resubmittals* | $150 each |
| **Concurrency – Non-Residential** | |
| Concurrency Reservation | $200 |
| **Concurrency – Residential** | |
| Concurrency Reservation | $50 |
| **Vacate** | |
| Right-of-Way | $325 |
| Plat | $825 |
| **Accessory Structures** | |
| Residential Compliance Review | $35 |
| **Development of Regional Impact** | |
| Application for Development Approval | $10,075 |
| DRI Substantial Deviation | $8,075 |
| Community Development District Petitions | $15,000 |
| CDD Boundary Amendment | $1,500 |
| Notice of Proposed Change | $2,000 |
| **Appeals** | |
| Appeal | $375 |
| **Other** | |
| Final Clearance Package | $1,200 |

| | |
|---|---|
| Partial Clearance Package | $1,200 |
| Phased Clearance Package | $1,200 each phase |
| Annexation | $1,000 |
| Conditional Use Permit | $6,000 |
| Special Exception or Variance | $575 |
| Temporary Use | $100 |
| Internet Café Operating Permit | $6,000 |
| Sign Permit | $50 |
| Tree Removal Permit | $50 |
| Commercial Paint Application | $0 |
| Business Registration / Occupational License | $0 |
| **Printed Copies** | |
| Comprehensive Plan | $75 |
| Land Development Regulations | $75 |
| Design District Standards | $50 |
| **Miscellaneous Services** | |
| Alcohol & Tobacco Sign-Off | $35 |
| Zoning Compliance Letter | $35 |
| Additional research to support land use/rezoning compliance. | $60 per hour |
| **Additional Services** | |
| Copies (8.5” x 11”) | $0.15 per page |
| Research | $30 per hour – 1 hour minimum |
| **Utility Department Services** | |
| Inspection Fee for Electric/Water/Sewer, New Construction | $25 per hour not to exceed 1.5% of improvements |
| Maps (24” x 35”) | $10 |
| Maps (11” x 17”) | $5 |

# CITY OF BUSHNELL

# LAND DEVELOPMENT REGULATIONS

# DESIGN & CONSTRUCTION STANDARDS

**LAND DEVELOPMENT REGULATIONS**
**DESIGN AND CONTRUCTION STANDARDS**
**MANUAL INDEX**

# SECTION I - WATER AND WASTEWATER UTILITY STANDARDS

# SECTION II - TRANSPORTATION and STORMWATER STANDARDS

# SECTION III- SANITATION STANDARDS

**PREFACE**

CITY OF BUSHNELL

WATER AND WASTEWATER
UTILITIES
DESIGN & CONSTRUCTION
STANDARDS MANUAL

THE INFORMATION CONTAINED WITHIN THIS MANUAL SHALL BE REFERENCE FOR WATER AND/OR WASTEWATER FACILITIES DESIGN AND INCORPORATED INTO TUE PLANS AND/OR PROJECT SPECIFICATIONS FOR COMMERCIAL, INDUSTRIAL, AND RESIDENTIAL DEVELOPMENT CONNECTING TO, OR INTENDING TO CONNECT TO, A CITY OF BUSHNELL WATER AND/OR SEWAGE FACILITY. QUESTIONS REGARDING THIS MANUAL SHALL BE DIRECTED TO:

CITY OF BUSHNELL
219 NORTH MARKET STREET
P.O. BOX 115
BUSHNELL, FLORIDA 33513-0115
(352) 793-2591 ADMINISTRATION
(352) 793-8012 UTILITIES
(352) 793-3907 PUBLIC WORKS
FAX (352) 793-2711 ADMINISRATION
FAX (352) 793-8036 UTILITIES

# WATER AND
# WASTE WATER
# UTILITY

# CONSTRUCTION
# AND
# DESIGN
# STANDARDS

**WATER AND WASTEWATER UTILITY**
**DESIGN AND CONSTRUCTION STANDARDS**
**INDEX**

**ARTICLE CONTENTS**


1 PURPOSE AND INTENT - GENERAL INFORMATION

2 PLANS PREPARATION

3 SPECIFICATIONS FOR WATER DISTRIBUTION SYSTEMS

4 SPECIFICATIONS FOR SANITARY SEWAGE COLLECTION SYSTEMS

5 SPECIFICATIONS FOR SUBMERSIBLE PUMP STATIONS

6 EXHIBITS

# ARTICLE 1

# PURPOSE AND INTENT

# GENERAL INFORMATION

| ARTICLE 1- GENERAL INFORMATION | | PAGE NUMBER |
|---|---|---|
| 1. | PURPOSE AND INTENT | 8 |
| 1.0 | GENERAL INFORMATION | 8 |
| 1.1 | INTRODUCTION | 8 |
| 1.2 | TERMINOLOGY | 8 |
| 1.3 | WATER AND/OR WASTEWATER CONNECTION FEES | 9 |
| 1.4 | USE OF COUNTY RIGHT-OF-WAY | 9 |
| 1.5 | AUTHORITY OF UTILITIES INSPECTORS | 9 |
| 1.6 | CHEMICAL USAGE | 9 |
| 1.7 | PROTECTION AND RESTORATION OF PROPERTY | 9 |
| 1.8 | PUBLIC CONVENIENCE AND SAFETY | 9 |
| 1.9 | WORK IN STREETS | 10 |
| 1.10 | (WET-TAPS/CONNECTIONS) | 10 |
| 1.11 | SILTATION AND EROSION CONTROL | 10 |
| 1.12 | BENCHMARKS AND MONUMENTS | 10 |
| 1.13 | CONSTRUCTION AND SURVEY STAKES | 10 |
| 1.14 | SANITARY PROVISIONS (PORTABLE TOILETS) | 10 |
| 1.15 | PLANS AND ALLOWABLE DEVIATIONS | 10 |
| 1.16 | INSTALLATION OF “APPROVED EQUALS” | 10 |
| 1.17 | DEFECTIVE AND UNAUTHORIZED WORK | 10 |
| 1.18 | WARRANTIES | 11 |
| 1.19 | PRE-CONSTRUCTION CONFERENCE | 11 |
| 1.20 | COMMENCEMENT OF WORK (“NOTICE TO PROCEED”) | 11 |
| 1.21 | INSPECTION BY OTHER AGENCIES | 11 |
| 1.22 | INTERMEDIATE INSPECTIONS | 11 |
| 1.23 | PRE-FINAL INSPECTION | 12 |
| 1.24 | FINAL INSPECTION | 12 |

**ARTICLE 1**

**PURPOSE AND INTENT**

THE PURPOSE OF THESE STANDARDS IS TO PROVIDE DEVELOPMENT DESIGN STANDARDS THAT ARE APPLICABLE TO DEVELOPMENT ACTIVITY WITHIN THE CITY OF BUSHNELL SERVICE AREA.

THE INTENT OF THE DEVELOPMENT DESIGN STANDARDS, DESCRIBED HEREIN, IS TO ENSURE SAFE FUNCTIONAL AND ATTRACTIVE DEVELOPMENT. ALL DEVELOPMENT DESIGNS SHALL CONSIDER THE PROTECTION OF THE PUBLIC AND NATIJRAL RESOURCES, AS THE FIRST OBJECTIVE BEFORE COMPLYING WITH THE DESIGN STANDARDS DESCRIBED N THIS CHAPTER ALL DEVELOPMENTS SHALL BE DESIGNED TO AVOID UNNECESSARY IMPERVIOUS SURFACE COVER, TO PROVIDE ADEQUATE ACCESS TO LOTS AND SITES, AND TO AVOID ADVERSE EFFECTS OF SHADOW, GLARE, NOISE, ODOR, TRAFFIC, DRAINAGE, AND UTILITIES ON SURROUNDING PROPERTIES.

ALL IMPROVEMENTS REQUIRED BY THESE DESIGN STANDARDS ARE THE FINANCIAL RESPONSIBILITY OF THE PROPERTY OWNER/DEVELOPER, INCLUDING THE COSTS ASSOCIATED WITH DESIGN, APPLICATIONS, PERMITS, CONSTRUCTION, INSTALLATION, REPAIR AND/OR MAINTENANCE.

THE PURPOSE OF THIS SECTION IS TO DESCRIBE THE MINUMUM REQUIREMENTS THAT PROPERTY OWNERS/DEVELOPERS MUST COMPLY WITH WHEN REQUESTING PLAT APPROVAL OR SITE PLAN APPROVAL, OF BUSHNELL SERVICE AREA FOR PROPERTY LOCATED WITHIN THE CITY.

**GENERAL INFORMATION**

**1.1 INTRODUCTION:**

1.1.1 Potable water and wastewater facilities shall be designed in accordance with City of Bushnell Utilities Department (COBU) specifications. Submitted plans shall be signed and sealed by an Engineer registered in the State of Florida.

1.1.2 These requirements, specifications and details shall provide guidelines for uniformity and quality in design and the construction of water and sanitary sewer systems. City of Bushnell Utilities shall establish necessary additional criteria in the review of a given project.

1.1.3 The developer, Engineer of Record and/or contractor(s) shall observe and comply with federal, state and county laws, codes, ordinances, and regulations. The developer, Engineer of Record and/or contractor(s) shall be responsible for permits and licenses, charges and fees, and provide notices of the project prior to initiation of construction.

**1.2 TERMINOLOGY:**

1.2.1 Developer - Any person, company or corporation responsible for the completion of a potable water and/or wastewater facility, and shall be subject to these standards.

1.2.2 Contractor - Any person, company or corporation responsible for the construction of potable water and/or sanitary sewer facilities covered by these standards.

1.2.3 Director - The Director of the “COBU” or a designated representative.

1.2.4 Project Engineer - Engineer of Record, retained by the project owner, who shall ultimately guarantee to the city that the project complies with Sections 1.1.1, 1.1.2 and 1.1.3 above.

## 1.3 WATER AND/OR WASTEWATER CONNECTION FEES:

1.3.1 The connection fees and/or other charges for water and /or sewer services shall be paid to the city prior to the issuance of building construction permit if for a single building, or in accordance with the *Water and/or Sewer Service Agreement* established by the city for development.

## 1.4 USE OF COUNTY AND STATE RIGHT-OF WAY:

1.4.1 Permission for use of county and state rights-of-way shall be obtained from the proper authority through completion of a Right-of-Way Use Permit Application.

## 1.5 AUTHORITY OF UTILITIES INSPECTORS:

1.5.1 Inspectors of affected departments shall have site access for the inspection of construction materials and supplies intended for the project the city shall have the authority to reject materials or suspend the installation of said materials until any questions or issues shall be resolved through the Engineer of record. The city inspector shall not act as a supervisor or perform other duties for the contractor, nor interfere with the management of project work. Advice the inspector may give shall not be construed as binding or release the contractor from carrying out the intent of the approved plans and specifications.

## 1.6 CHEMICAL USE:

1.6.1 Chemicals used during project construction or furnished for project operations shall show approval of either the U.S. Environmental Protection Agency or the U.S. Department of Agriculture. Use of such chemicals and disposal of residues and containers shall be in conformance with applicable state and federal rules and regulations.

## 1.7 PROTECTION AND RESTORATION OF PROPERTY:

1.7.1 The contractor shall not enter private property without obtaining permission, and shall prevent damage to property, trees, fences, monuments, and underground structures, etc., on and adjacent to the project site.

1.7.2 if damage occurs to public or private property, the contractor shall restore such property, at contractor's own expense, to a condition equal to that existing before such damage occurred.

## 1.8 PUBLIC CONVENIENCE AND SAFETY:

1.8.1 Materials and equipment shall be stared on the project site allowing minimal disruption to vehicular or pedestrian traffic. No roadway shall be closed or opened without permission from the proper authority.

1.8.2 Precautions shall be exercised for the protection of person(s) and property. The safety provisions of applicable laws, including Occupational Safety Health Act (OSHA), and building and construction codes shall be observed.

1.8.3 The contractor shall provide, erect, and maintain effective safety barricades, danger signals, and signs on intercepted streets or highways and m other locations where required for the protection of the work and the safety of the public. Barricades or obstructions which shall encroach on, or are adjacent to public rights-of-way shall be provided with lights which shall be kept burning at times between sunset and sunrise and during periods of low visibility, a maintenance of traffic plan shall be filed with the Engineer of record. The M.O.T. plan shall be in accordance with F.D.O.T. manual on Uniform Traffic Control.

1.8.4 Access to public and private properties during stages of construction shall be provided. There shall be no construction work causing service interruption to "online" customers, unless approval is secured from the city or other affected authority in advance of construction.

**1.9 WORK IN STREETS:**

1.9.1 The contractor shall provide bypasses, crossings, and other means for the maintenance of traffic in streets where work shall be in progress. Construction operations shall be carried on between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, except for operations specified for alternate times or in case of emergencies.

1.9.2 The contractor shall plan and schedule operations to result in the least interference with normal traffic flow; and, any such interference shall be pre-approved by the city and other affected agencies.

**1.10 DISRUPTION TO DUSTING SYSTEM OPERATION:**

1.10.1 The contractor shall perform operations for connecting to the existing city water and/or sewerage systems at times of minimum flow rate. Connection operations shall be accomplished as to minimize service disruption, and scheduling shall be approved by the city.

**1.11 SILTATION AND EROSION CONTROL:**

1.11.1 During dewatering or other operations involving the use and disposal of water, suitable means shall be provided by the contractor to minimize soil erosion, siltation, and sedimentation of natural or artificial ditches, drainage channels, streams, lakes, or other waterways.

**1.12 BENCHMARKS AND MONUMENTS:**

1.12.1 The contractor shall maintain existing benchmarks, monuments and other reference points. Survey monuments or benchmarks which shall be disturbed by construction operations shall be witnessed before removal and accurately replaced by a Professional Land Surveyor, registered in and by the State of Florida.

**1.13 CONSTRUCTION AND SURYEY STAKES:**

1.13.1 The contractor shall provide, install and maintain construction stakes for grades and measurements necessary for execution and control of the work. The plans shall show or describe the reference points or monuments from which the contractor shall lay out the work.

**1.14 SANITARY PROVISIONS (PORTABLE TOILETS):**

1.14.1 The contractor shall provide and maintain sanitary accommodations for employees and site visitors as necessary to comply with the requirements and regulations of the state, and Sumter County Health Department.

**1.15 PLANS AND ALLOWABLE DEVIATIONS:**

1.15.1 The project shall be constructed in accordance with the approved plans and specifications. Any deviation from the approved plans and working drawings, shall have prior approval of the Engineer of Record and the city.

**1.16 INSTALLATION OF "APPROVED EQUALS":**

1.16.1 If a material or device shall be specified or appears on the approved plans, it shall be considered for the purpose of establishing a standard of quality. Material or devices shall be considered equal and/or satisfactory when approved by the city Utilities Director.

**1.17 DEFECTIVE AND UNAUTHORIZED WORK:**

1.17.1 Any work or material that has been rejected shall be repaired or removed from the project site and replaced

at the contractor's expense. Failure to reject any defective work or material during construction shall not prevent later rejection upon discovery prior to final city acceptance.

**1.18 WARRANTIES:**

1.18.1 One Year Warranty Period - If, within 1 year after the date of acceptance by the city or by the terms of any special guarantee or provision of the contract documents, any work shall have been found defective, the contractor shall correct such defective work. If the contractor does not promptly comply with these terms, the city shall have the defective work corrected and consequential costs shall be paid by the contractor. If a particular item of equipment is placed into service before project completion, the warranty period for that item shall start from the earlier date and shall be covered by special written amendments as submitted by Engineer of Record.

1.18.2 Emergency Repairs - During the time that a project shall be under construction or in a warranty period, emergencies which arise shall be handled as to the following guidelines:

(a) An emergency shall be defined as a situation that develops suddenly and demands immediate action to halt a worsening condition while under construction or under warranty.

(b) Upon notification of an emergency situation, the city shall respond to bring the situation under control. The city shall notify the Contractor who shall endeavor to make repairs within 12 hours. Repairs affected in the aftermath of an emergency shall be the responsibility of the Contractor including reimbursement to the city for expenses incurred for the repairs.

(c) Non-emergency repairs shall be completed or in progress within 7 calendar days of notification by the city.

**1.19 PRE-CONSTRUCTION CONFERENCE:**

1.19.1 A pre-construction conference shall be held prior to construction activities. The meeting shall include the developer, contractor or subcontractors, the Engineer of Record, and the city representatives. Plans and specifications shall be reviewed and a working relationship shall be established between the parties.

1.19.2 Two sets of approved, full sized (24" X 36"), signed and sealed plans and 2 specification books shall be provided to the city at least 7 days prior to the pre-construction conference.

**1.20 COMMENCEMENT OF WORK: ("NOTICE TO PROCEED")**

1.20.1 No water and/or sewerage construction work shall commence prior to the approval of plans and specifications by the city. A "Notice to Proceed" shall be issued by the Engineer of record to establish the official commencement date for construction activities.

**1.21 INSPECTIONS BY OTHER AGENCIES:**

1.2 1.1 The U.S. Environmental Protection Agency, the U.S. Department of Labor, the Florida Department of Environmental Protection and other governmental agencies shall have access to the site for inspecting materials and work, and the contractor shall afford them facilities and assistance for doing so. Any instructions to the contractor resulting from these inspections shall be given through the Engineer of Record.

**1.22 INTERMEDIATE INSPECTIONS:**

1.22.1 Intermediate inspections shall be conducted by the city to observe construction techniques and compliance with plans and specifications. The contractor shall keep Engineer informed of the progress and/or changes in the construction schedule, insuring the opportunity for inspection of underground work prior to covering. Uninspected work shall be subject to rejection.

**1.23 PRE-FINAL INSPECTION:**

1.23.1 Pre-final inspections shall be held to substantiate the completion of work and, if applicable, to prepare a "punchlist" report of deficiencies or corrections to be made. Pre-finals shall be made with a representative of the Contractor, Engineer of Record, and the City.

1.23.2 At the end of the pre-final inspection and when the "punchlist items" list shall be agreed upon the Engineer of Record Representative and the city will receive a copy. The intent of this report shall be to enable the Engineer of Record and the contractor to eliminate the deficiencies, expediting the process toward a scheduled "Final Inspection".

**1.24 FINAL INSPECTION:**

1.24.1 "Final Inspections" shall occur prior to the project acceptance by the city, in order to verify that deficiencies if any, shall have been corrected or resolved. A final inspection shall be mandatory and shall be made with a representative of the contractor, Engineer of Record and the City.

1.24.2 If deficiencies have been corrected, the Engineer of Record shall complete the final inspection form. Both the Engineer of Record Representative and City Representative shall sign and date the final inspection form, and each receive a copy.

# ARTICLE 2

# PLANS
# PREPARATION

**ARTICLE 2 – PLANS PREPARATION** **PAGE NUMBER**


2.0. PLANS PREPARATION INDEX 15

2.1. DESIGN CRITERIA 15

2.2. PLANS FORMAT 15
2.2.l. GENERAL CONSTRUCTION 15
2.2.2. SITE PLAN 15
2.2.3. DRAWINGS 15

2.3. STANDARD ITEMS CRECKLIST FOR PLANS APPROVAL 15
2.3.1. ALL PLANS 15
2.3.2. SPECIFIC ITEMS - WATER MAINS 16
2.3.3. SPECIFIC ITEMS - GRAVITY SEWER LINES 17
2.3.4. SPECIFIC ITEMS - FORCE MAINS 17
2.3.5. SPECIFIC ITEMS - “JACK AND BORE” CROSSINGS 18
2.3.6. SPECIFIC ITEMS - PRIVATE LIFT STATIONS 18
2.3.7. SPECIFIC ITEMS - CITY LIFT STATIONS 18

## ARTICLE 2- PLANS PREPARATION

### 2.1 DESIGN CRITERIA: [SEE EXHIBITS 6.A AND 6.A. 1)

2.1.1 Design criteria presented in technical "Specifications", Sections 3, 4, 5, and 6 of this document, shall be used in preparation of design plans and specifications.

### 2.2 PLANS FORMAT:

2.2.1 Computerized Drawings: Construction drawings shall be computer generated with a digital file format, of DWG (Auto CAD), DXF (Drawing interchange file) or AUTO CAD compatible file formats.

2.2.2 General Construction: Plans shall be prepared on 24 inch X 36 inch standard blueprint sheets. An index of drawings shall be included on the cover sheet or first sheet following the cover sheet. A title block shall be located in the lower right hand corner of each sheet including the cover sheet identifying the project and page content.

2.2.3 Site Plan: A general layout plan, at a scale not to exceed 1 inch = 100 feet, shall accompany the construction plans and depict existing improvements in sufficient detail as to intent of design. Schematic diagrams, designs or details shall be provided for equipment and structures not clearly indicated on the plans.

2.2.4 Drawings:

(a) Wastewater collection system plans shall show both plan and profile views, at a scale of 1 inch =50 feet horizontal and 1 inch 50 feet vertical.

(b) Underground utilities, storm drains or other structures which may cross or be located close to the proposed pipe lines and structures (subject to damage during construction) shall be shown on the drawings in both plan and profile views.

(c) Water distribution system plans shall provide a plan view, at a scale of 1 inch. 50 feet with details, cross-sections or profiles of conflicting crossings also shown.

### 2.3 STANDARD ITEMS CHECKLIST FOR PLANS APPROVAL:

2.3.1 All Plans:

(a) Shall be on 24 inch X 36 inch paper (original shall be 24 inch X 36 inch standard blueprint paper).

(b) Shall note and use required scale on each page.

(c) Shall reflect the committed point of connection (P.O.C.).

(d) Shall indicate miscellaneous information, such as: north arrow, spelling, notes, etc.

(e) Shall have specifications, addendum's, and submittals signed, sealed and dated by the Engineer of Record, registered in the State of Florida.

(f) Shall indicate width and center line of each right-of-way.

(g) Shall indicate street names and show corrected location.

(h) Shall indicate subdivision name, lot, and block numbers.

(i) Shall show location and size of utility easements and indicate purpose (i.e. water, sewer, gas, etc.).

(j) Shall show individual utilities in the correct location on plan views only. (See Exhibit 6.A)

(k) Shall show sewer lines crossing above or below water or storm drain lines and shall maintain a minimum 18 inch vertical clearance. (See 2.3.3 (b) for "exception.")

(l) Shall indicate color size and type of pipe for water and sewer lines for both "onsite" and "offsite" construction.

(m) Shall show where water and/or sewer lines cross existing pavement and indicate the method of crossing (i.e. "jack and bore" or "opencut")

(n) Shall show and label valves, fittings and bends on the plan and profile view.

(o) Shall show invert elevations on profile views.

(p) Shall specify minimum cover of 36 inches above water main and sewer force main to finish grade. (See Exhibit 6.A)

(q) Shall indicate type of backflow prevention assembly(s) sizing "same as" water service meter. (See Exhibit 6.C)

(r) Shall show thrust blockings incorporated where unbalanced forces warrant Place blocking so that the pipe and fitting joints shall be accessible for repairs. (See Exhibits 6.dDl. 6.D.2 and 6.D.3)

2.3.2 Specific Items - Water Mains: (See Section 3)

(a) Water main routing shall not conflict with other utilities: i.e. gas, sewer, telephone, storm sewer, and electric. (See Exhibit 6.A)

(b) Thrust blocks or joint restraint(s) shall be specified at water main bends, valves, fire hydrants, and capping sleeves. (See Exhibits 6.D.l, 6.D.2 and 6.D.3).

(c) Valves shall be provided for branch connections, loop ends, fire hydrant stubs, or other locations. Valves shall be placed so that the length of water main shall not exceed 1.000 feet between valves. valves shall be installed at the end of each line that is to be continued, valves shall meet the requirements of Sections 3.5.4 and 3.5.5 of this manual. Concrete protective valve pads shall be at least 6 inch thick by 24-inch square with a #4 rebar around the perimeter surrounding valve casing. (See Exhibit 6.E and 6.E. 1)

(d) "Under pavement" sleeve installation for 2-inch PVC or 3-inch PVC far side water services shall be included on the plan. State and county sleeve requirements shall be in affect when crossing their right-of-ways. (See Exhibit 6.1.4)

(e) Water distribution pipe shall be PVC blue in color, C-900, Class 150, DR 18 and if DIP, shall be Class 50. Specific system design or applications shall require city approval.

(f) Temporary or permanent "blow oft" valve assemblies shall be installed at the end of potable water line systems for line testing and periodic system flushing. (See Exhibit 6.D

(g) Water mains shall have suitable magnetic locator tape buried no less than 18 inches above main lines.

(h) No extensions of existing water mains shall be placed into service until acceptable line pressure testing and bacteriological clearance results are forwarded to and approved in writing by FDER.

(i) Where water, storm sewers and sewer mains shall cross with less than 18-inch vertical clearance, the sewer shall be one 20-foot length of ductile iron pipe centered on the point of crossing. When a potable water main parallels a sanitary sewer main, a minimum separation of 10 feet shall be maintained.

(j) A number 8 gauge standard copper insulated wire shall be attached to the top of all PVC or non-metallic mains and service laterals, including polyethylene tubing, using duct tape to secure the wire. The wire will be installed in all meter boxes, valve boxes and blow offs in a manner that will allow 12 inches of wire to extend above final grade.

2.3.3 Specific Items - Gravity Sewer Lines: (See Section 4)

(a) For gravity sewers, the size, type of pipe, slope, and distance between manholes shall be indicated on the profile view(s). During construction, the contractor shall note the final stationing, distances and direction from manhole of service laterals and provide same to the Engineer of Record for entering on record drawings.

(b) Where water, storm sewers and sewer mains shall cross with less than 18-inch vertical clearance, the sewer shall be one 20-foot length of ductile iron pipe centered on the point of crossing. When a potable water main parallels a sanitary sewer main, a minimum separation of 10 feet shall be maintained.

(c) Indicate rim and invert elevation of the pipe entering or exiting a manhole. (See Exhibits 6.H.l, 6.H.2 and 6.H.3)

(d) Manhole stubs and connections shall be indicated on both the plan and profile view.

(e) The Manhole, manhole connections and total number of manholes shall be shown on the print (See Exhibits 6.H. 1 and 6.H.2)

(f) “Inside drop” manhole design shall be required for drops greater than 2 feet. (See Exhibit 6.H.2)

(g) Gravity sewer pipe shall be PVC, green in color ASTM 2241 SDR 35. Minimum diameters shall be 8 inch for gravity sewer main lines, 6 inch for double service laterals and 4 inch for single service laterals. (See Exhibit 6.A.3)

(h) Sewer mains shall have suitable magnetic locator tape buried at least 18 inches above the main lines. A locator wire, number 8 gauge standard copper insulated, shall be attached to the top of all PVC or non-metallic mains and service laterals, including polyethylene tubing, using duct tape to secure the wire. The wire will be installed in all meter boxes, valve boxes and blow offs in a manner that will allow 12 inches of wire to extend above final grade.

(i) Sanitary sewer manhole distance shall not exceed 400 feet.

2.3.4 Specific Items Sewer Force Mains:

(a) Thrust blocking or joint restraint specified at force main bends and at the tapping sleeve shall conform to city standards. (See Exhibits 6.D. 1 and 6.D.2)

(b) Force mains shall have a suitable magnetic locator tape buried at least 18 inches above the force main and locator wire as described in Section 2.3.7 h.

(c) Force main pipe shall be PVC, brown in color, conforming to ASTM-D-2241, SDR 21, 200 PSI; or DIP (Class 50 minimum), cement lined interior, bituminous coated exterior unless otherwise approved.

(d) Where force mains shall enter manholes, a detail depicting the connection shall be included on the print.

(e) Mechanical joints (MJ) shall be required at bends and terminals. Glue joint type fittings shall not be allowed.

2.3.5 Specific Items - "Jack and Bore" Crossings: (See Exhibit 6.B)

(a) "Jack and bore" crossing shall show the casing pipe extending 10 feet beyond edge of pavement on both sides of roadway on the plan, profile and cross section views.

(b) Casing pipe diameter shall be specified as at twice the diameter of the carrier pipe or as noted on construction drawings.

(c) Casing pipe shall be ductile iron pipe, Class 51 minimum and the exterior to be bituminous protectively coated.

(d) Carrier pipe supports shall be pressure treated (2" X 4" minimum) lumber installed from bell to bell with 3SS straps to insure full length pipe support or polyethylene spacer supports with spacing as per manufacturers recommendations.

2.3.6 Specific Items - Private Lift Stations:

(a) Location of pump station and easements shall be noted on plan.

(b) Pump identification, including nameplate data shall be noted.

(c) Wet well operating elevations, inverts, and slab elevations shall be noted on the print.

(d) Indicate and identify fittings and valves on the print.

2.3.7 Specific Items - City Lift Stations: (See Sect. 5)

(a) Project site size shall be adequate for access and maintenance of facilities.

(b) Utilities required for maintenance and operation of the pump station shall be included on plan.

(c) Pump identification, including nameplate data and pump manuals shall be supplied to the city by Engineer of Record.

(d) Specify valve and piping identification and layout on plan.

(e) Specify electrical utility layout on plan.

# ARTICLE 3

# SPECIFICATIONS
# WATER DISTRIBUTION
# SYSTEMS

**ARTICLE 3 - SPECIFICATIONS FOR WATER DISTRIBUTION SYSTEMS** **PAGE NUMBER**


3.0. WATER SPECS. INDEX 20

3.1. GENERAL APPLICATIONS 20

3.2. PLANS PREPARATION 20

3.2.1. APPROVED DESIGN 20
3.2.2. OWNERSHIP 20
3.2.3. LOCATION 20
3.2.4. FIRE PROTECTION AND BACKFLOW PREVENTION 20
3.2.5. FIRE HYDRANTS 20
3.2.6. COMMERCIAL SERVICE 20

3.3. PLANS REVIEW 20

3.4. DESIGN AND CONSTRUCTION STANDARDS 20

3.4.1. POTABLE WATER PIPING 20
3.4.2. HYDROSTATIC AND LEAKAGE TEST 22
3.4.3. DISINFECTION 22
3.4.4. SEPARATION OF WATER AND SEWER LINES 22
3.4.5. WATER SERVICE IDENTIFICATION MARKINGS 23

3.5. MATERIALS FOR PIPES, FITTINGS AND VALVES 23

3.5.1. DUCTILE IRON PIPE (DIP) 23
3.5.2. POLVINYL CHLORIDE PIPE (PVC) 23
3.5.3. GATE VALVES (GV) 24
3.5.4. BUTTERFLY VALVES (BV) 24
3.5.5. BACKFLOW PREVENTION ASSEMBLIES (BPA) 24
3.5.6. FIRE HYDRANTS (FH) 25
3.5.7. WATER SERVICES 25
3.5.8. TAPPING PROCEDURE AND FITINGS (WET TAPS) 26

3.6. TRENCH EXCAVATION 26

3.6.1. EXCAVATIONS 26
3.6.2. DEWATERING 27

3.7. HANDLING AND CUTTING PIPE 27

3.8. PIPE LAYING PROCEDURE 27

3.9. BACKFILL 27

3.10. BACKFILLING PROCEDURE 27

3.11. COMPACTION REQUIREMENTS 27

3.12. FINAL ACCEPTANCE BY THE CITY 28

## ARTICLE 3 – SPECIFICATIONS FOR WATER DISTRIBUTION SYSTEMS

**3.1 GENERAL APPLICATIONS:** (See Sections 1 and 2)

3.1.1 These specifications shall pertain to project design and plan review, installation, inspection, testing, and acceptance of water facilities to be owned and/or maintained by the city.

3.1.2 Improvements and modifications made to the City of Bushnell Water System or Facilities shall be in accordance with city approved plans and specifications. Plans shall clearly indicate that materials and workmanship conform to the specifications in this Manual.

**3.2 PLANS PREPARATION:** (See Sections 1 and 2)

3.2.1 Water distribution systems, main extensions, facilities, and appurtenances shall be designed to comply with applicable regulations and specifications, of the Florida Department of Environmental Protection (FDEP) and the Southwest Florida Water Management District (SWFWMD).

3.2.2 The city shall own and maintain new and extensions of existing water systems up to and including the water meter within its service area.

3.2.3 Water distribution system or water main extension(s) shall be installed within public rights-of-way and/or dedicated easements. (See Exhibit.6.A)

3.2.4 For fire protection, the water distribution system and/or water main extensions shall be designed and constructed to comply with the requirements of the National Fire Protection Association and/or the National Fire Code. Fire protection systems shall be equipped with appropriate "backflow prevention assemblies". (See Exhibit 6.C)

3.2.5 Fire hydrants shall be required on water distribution systems and extensions at a minimum of 500 feet intervals unless otherwise approved by the city.

3.2.6 Commercial developments of more than one unit shall be serviced by a master meter with appropriate backflow prevention assembly(s) unless otherwise approved by the city. (See Exhibit 6.C)

**3.3 PLANS REVIEW:** (See Sections 1 and 2)

3.3.1 For residential development, the developer shall comply with the procedures and requirements set forth in the city's "Land Development Regulations".

3.3.2 For commercial and industrial developments, the developer shall comply with the procedures and requirements set forth in the city's "Land Development Regulations", available through the Building Department.

3.3.3 Plans and specifications shall be submitted to The City of Bushnell Utilities Department and the City of Bushnell Building Department.

**3.4 DESIGN AND CONSTRUCTION STANDARDS:**

3.4.1 Potable Water Piping:

(a) Pipe and Fittings: Pipe and fittings for potable water distribution shall be ductile iron (DI), or polyvinyl chloride pipe (PVC) and shall have a minimum of 36 inches of fill or cover from final grade. (See Exhibit 6.A and Section 3.5.2 (a))

(b) Valves: Valves shall have a minimum working pressure rating of 160 P.S.I. Valves 4 inches through 12 inches in size shall be resilient seated gate valves and meet or exceed the requirements

of AWWA Standard C509. Valves larger than 12 inches shall be rubber-seated butterfly valves, 90 degree, conforming to or exceeding AWWA Standard C504. (See Exhibit 6.E)

(c) PVC pipe joint lubricant shall be a non-petroleum based compound, non-toxic, shall not support bacterial growth and shall meet AWWA SPEC. C-651-86.

3.4.2. Hydrostatic and Leakage Test:

(a) Water mains shall be tested as a whole or in sections. The mains shall be tested under an average hydrostatic pressure of not less than 150 pounds per square inch for 2 hours. The pressure shall be applied to the pipeline through a tap in the pipe by means approved by the city and the Project Engineer. Air alone shall not be used for testing water mains.

(1) Leakage for water mains, as determined by the above test, shall not exceed the allowable leakage as given by the following formula in Section 4.1.6 of AWWA Specification C600-87

$$L = \frac{SDVP}{133{,}200 \times 2}$$

"L" is the allowable leakage (in gallons per hour);
"S" is the length of pipe tested (in feet);
"D" is the nominal diameter of the pipe (in inches);
"P" is the average test pressure, (psi gauge).

(2) Sections of the water main shall be completely backfllled before testing.

(b) If leakage occurs in excess of the specified amount, the defect shall be located and corrected at the expense of the contractor.

(c) Retesting shall be conducted following repairs, in an attempt to certify the system as acceptable to the city, and project engineer.

3.4.3 Disinfection:

(a) After pressure testing, the contractor shall disinfect the system. The disinfection shall be accomplished in accordance with the applicable provisions of AWWA Standard C601, "Disinfecting Water Mains". Care shall be taken to disinfect the entire system installed.

(b) After disinfection has been accomplished, water samples shall be collected in the presence of a representative of the city or the Engineer of Record and forwarded for bacteriological examination. The city requires satisfactory bacteriological testing collected from 2 consecutive days. Failure to obtain bacteriological clearance shall necessitate repeating disinfection procedures and testing until successful tests are obtained. The Contractor shall forward satisfactory reports to the Engineer of Record and to FDEP (copy to the city). The FDEP shall then remit written approval to the city, to allow the system to be placed into service.

3.4.4 Separation of Water and Sewer Lines: (See Exhibit 6.A)

(a) Sewer lines shall not be installed in the same trench with nor be horizontally located closer than 10 feet from a potable water line. Where sanitary sewer lines shall cross a water line closer than 18 inches, the sewer line, for a distance of 10 feet each side of the crossing, shall be DI pipe with no joint located within to feet.

3.4.5 Water Service Identification Markings:

(a) Water service whip(s) shall be installed in an approved meter box. Water service(s) shall also be identified by marking edge of pavement with a 3" X 6" blue paint patch adjacent to service site. (See Exhibits 6.A. 1, 6.1.1 and 6.1.2)

## 3.5 MATERIALS FOR PIPES, FITTINGS AND VALVES:

3.5.1 Ductile Iron Pipe (DIP):

(a) Ductile iron pipe shall conform to ANSI Standard A2 1.SO (AWWA C-ISO) Table 12, Thickness Class 50 minimum and ANSI Standard A2 1.51 (AWWA C-151) Laying Condition Type 2, and shall be furnished in laying lengths of 20 feet or as specified on the approved plans.

(1) Restrained Joints: Restrained pipe, fittings and joints, where specified, shall be ductile iron conforming to the types as noted herein.

(2) Retainer glands with mechanical joints ("megalugs") shall not be allowed for pipe 14 inches and larger. Ductile iron pipe (12 inches and smaller) restrained with retainer glands shall have a minimum thickness class of 53.

(3) Restrained "push-on" pipe shall be: American Cast Iron Pipe "Lok-Fast" or Glow Corp. "Super Lock", for pipe sized; U.S. Pipe TR Flex or American Cast Iron Pipe "Lok-Ring" for pipe sizes 14 inches and larger; or equal.

(b) DIP fittings shall meet or exceed the requirements of ANSI A 21.lO/AWWA C-110 Class 350.

3.5.2 Polyvinyl Chloride Pipe (PVC):

(a) PVC water pipe, 4 through 12 inches in diameter, shall conform to AWWA Standard C-900. The pipe shall be blue in color and have the following markings; manufacturer's name, C-900, DR 18, PVC 1120, Class 150, and nominal size. PVC pipe larger than 12 inches in diameter shall conform to AWWA standard C-905. PVC pipes less than 2" or 3" inches in diameter shall be ASTM D-22 41, Class 1120 (SDR 21) with a minimum rating of 200 P.S.I.

(b) Bell and Spigot PVC pipe shall have rubber ring gaskets which conform to the requirements of ASTM Specification 01869. The Gasket system shall be a 'non-glued' locked in gasket system.

(c) PVC pipe using solvent/cement joints shall not be permitted where pipe diameter is 2 inches or larger.

(d) Fittings for use with PVC 2 inches in diameter and larger shall be ductile iron with push-on or mechanical joints.

(e) PVC water mains shall have magnetic locator tape, blue in color, installed 18 inches above the pipe. The tape shall be continuous between valves and secured to each valve. Where other lines join the water main, the tape used for detection of these lines shall be secured to the main line tape. The tape shall be at least 5 1/2 mill thick, 2 inch material, sandwiched between 2 layers of polyethylene. It shall have "caution water line buried below" imprinted, using permanent black ink with 1inch letters, on blue background.

(f) Locator wire shall be installed as described in Section 2.3.2.

3.5.3 Gate Valves (GV):

(a) Gate valves shall be specified where "in ground" valves, 12 inches or less in size, are to be installed. When fully opened, each gate valve shall have a clear waterway equal to the nominal diameter of the supply pipe. The operating nut or wheel shall have an arrow cast in the metal indicating the direction of opening. Each valve shall have the manufacturer's distinctive marking, pressure rating and year of manufacture cast on the body of the valve.

(b) Valves shall open by turning counterclockwise, when viewed from above the stem.

(c) Buried gate valves 4 inches through l0 inches in size shall be resilient-seated, non-rising stem type, with 2 inch operating nuts and adjustable valve boxes and covers and shall conform to AWWA Standard C-SOS. (See Exhibit 6.E)

(d) Gate valves located above ground and inside structures shall be "Outside Stem and Yolk" (OSY) or non-rising, stem hand wheel operated types with flanged ends of the same general construction as buried valves.

(e) Each valve shall have end connections that conform to the piping material in which it is installed.

(f) "In ground" gate valves shall be protected by an adjustable cast iron water Valve case, similar or equal to Mueller Model No. H 10380. Covers shall be marked "water" and valve cases shall be secured by a concrete pad, 24" X 24" X 6" thick with a #4 rebar around the perimeter, conforming to final grade slope. (See Exhibit 6.E)

3.5.4 Butterfly Valves (BV): (See Exhibit 6.E. 1)

(a) Valves 14 inches in size and larger shall be butterfly valves meeting AWWA C504 standards and shall be of the eight closing, rubber seat type. The valves shall be air tight at rated pressures and shall be satisfactory for applications involving valve operation after long periods of inactivity, valve disks shall rotate 90 degrees from the full open position to the tight shut position.

(b) Butterfly valves shall open counterclockwise when viewed from above the stem. Manual valve operators shall be of the worm gear or traveling nut type and shall be fully enclosed. All operators shall have adjustable mechanical stop limiting devices to prevent over-travel of disks. Underground applications shall be fully gasketed, grease packed and shall be furnished with 2 inch operating nuts.

(c) Butterfly valves shall be protected by an adjustable cast iron water valve box, similar or equal to Mueller Model No. H 10380. Covers shall be marked "water" on top.

3.5.5 Backflow Prevention Assemblies; (See Exhibit 6.C)

(a) Backflow prevention shall be required in accordance with PL 93-623. The Federal Safe Drinking Water Act, the Florida Safe Water Drinking Act and Florida Administrative Code for the protection of public health.

(b) Reduced Pressure Backflow Assembly (RP) - The assembly shall be installed on the discharge side of the water meter service line to provide back-siphonage or back pressure protection from high hazard facilities. Examples are beauty parlors, funeral homes, hospitals, convalescent homes, irrigation systems, car washes and wastewater treatment plants.

(1) The reduced pressure backflow preventor shall be an assembly containing 2 independently acting check valves, together with an automatic pressure differential relief valve located between the 2 check valves.

(2) The assembly shall include shut-off valves located at each end of the device, and shall be fitted with the properly located test cocks. The assembly shall meet the requirements of ASSE Standard 1013 and AWWA Standard C-BOG for reduced pressure principal backflow preventers and shall be USC approved. The assembly shall be attached to the water line in a horizontal attitude, using "union" fittings for ease of removal, however the RP shall be installed to insure "in-line" repair or maintenance.

(c) Double Check Valve Assembly (DCVA) - The DCVA back-flow preventer shall be installed on the discharge side of the water meter service line to provide anti-siphonage protection from moderate hazard facilities. Examples are: apartments, high-rise buildings, office buildings, restaurants and service stations.

(1) The double check valve backflow preventer shall be an assembly containing 2 acting check valves, independently acting check valves mounted within a common body. The assembly shall include shut-off Valves located at each end of the device and shall be fitted with the properly located test cocks. The assembly shall be attached to the water line in a horizontal attitude using "union" fittings for ease of removal, however the PCVA shall be installed to insure "in line" maintenance or repair. The device shall meet the performance standards established by either AWWA or ASSE for double check valve assemblies and shall be USC approved.

(d) Both backflow prevention assemblies shall be installed a minimum of 12 inches above a rectangular concrete support pad, 4 inches thick and extending 12 inches in all directions of said unit.

3.5.6 Fire Hydrants (See Exhibits 6.G and 6.G. I)

(a) Fire hydrant supply lines, branches and valves shall be a minimum of 6 inches in diameter. Individual hydrants shall be controlled by a gate valve.

(b) Fire hydrants shall be traffic model, and shall conform to AWWA standard C-502 as manufactured by American Darling, Kennedy or an approved equal.

(c) Fire hydrants shall be equipped with two 2 1/2 inch hose nozzles and one 4 1/2 inch steamer nozzle. Nozzles shall have caps with retainer chains and the complete hydrant shall be painted in accordance with city specifications. Hydrants shall be located within 1 foot of the property lot lines, with the "steamer" or "pumper" discharge nozzle to face the roadway.

(d) Fire hydrants shall be equipped with a "break away" section or removable 5 1/4 inch barrel. For collision protection, hydrants in paved areas shall be protected by a "bollard" structure. (See Exhibit 6.G.I)

3.5.7 Water Service: (See Exhibits 6.1.1, 6.1.1 and 6.1.3)

(a) Connections to existing water systems shall be made after written approval from and under utility owner supervision. The connections to existing city water systems shall conform to approved plans and be witnessed by a city representative.

(b) Corporation stop valve bodies shall be bronze, with both inlet and outlet connections to be male pipe thread. Outlet P.E.T. service line to be secured by compression fitting.

(c) Curb stop bodies shall be bronze compression fittings shall be used. The curb stop outlet shall have a loose meter attachment nut. Example is: Ford Meter Co. Models B43-232W for 5/8 inch services and Model B43-342W for 1 inch service, with the letter "W" indicating lockable wing tabs, or approved equal.

(d) Service tapping saddle bodies shall be of malleable iron, ductile iron or stainless steel with corrosion resistant coated double straps and nuts. Outlet threading shall conform to AWWA Standard Corporation Stop (CS) or iron pipe (IF) threads and range in size from 3/4 up to 2 inch. The diameter of the saddle shall be sized to conform to the type of pipe being tapped.

(e) Polyethylene service lines (PE) and component parts shall be sized based on meter size as follows:

| SERVICE | METER SIZE | CORPORTATION STOP SIZE | SERVICE LINE SIZE(S) | CURB STOP SIZE |
|---|---|---|---|---|
| DOUBLE | 5/8" | 1" | 1" | 3/4" x 5/8" |
| SINGLE | 5/8" | 3/4" | 3/4" | 3/4" x 5/8" |
| SINGLE | 1" | 1" | 1" | l"x l" |
| SINGLE | 1 1/2" | 1 1/2" | 1 1/2" | 1 1/2" |
| SINGLE | 2" | 2" | 2" | 2" |

Services larger than 2 inches in diameter shall also meet the requirements of the pipe, pipefittings and valve sections of this specification.

(f) The installation of "far side services" shall require a SCH 40, two inch PVC or SCH 26, three-inch PVC solvent weld joint pipe as a sleeve. (See Exhibit 6.1.4). F.D.O.T. and Sumter County specifications shall be used when required.

(g) Where water service lines conflict with fire hydrants and or drainage easements, two single 1" service taps shall be installed five (5) feet on each side of the hydrant or easement limits.

3.5.8 Tapping Procedures and Fittings: (Wet Tap)

(a) The city shall require 24-hour notice prior to wet tap procedures. The tapping sleeve and valve shall require a pressure test of 150 PSI for 15 minutes with no pressure loss results. A city representative shall witness the line tap and the bore plug or "coupon" retrieval, and pressure test.

(b) Tapping sleeves (saddles) for wet taps shall be metal body, epoxy coated with stainless steel nuts and bolts. Tapping valves shall be iron body, epoxy coated, resilient seat, non-rising stem, open left, with 2-inch square operating nut. The valve ends shall be mechanical joint for use with cast iron pipe on one side and standard flanged (Class 125) on the other. The valve shall conform to AWWA Standard C-BOO and Federal Spec. WW-V-88 for Type II, Class A valves.

(c) The wet tap shall not be closer than 36 inches from a joint in the piping.

**3.6 TRENCH EXCAVATION:** (See Exhibit 6.K)

3.6.1 Excavations:

(a) Pipe trenching across roadways and driveways shall be backfilled as soon as pipe is installed. The backfilling operations shall closely follow pipe installation such that the amount of open trench at the close of each working day shall be kept to a minimum. Any open trench shall have proper barricades and signs.

(b) Excavations shall be in accordance with standard techniques to ensure safe working conditions within the trench. Trenches are to be wide enough to allow a minimum of 8 inches clearance on each side of the water main with the trench bottom uniform to provide accurate and uniform bearing for as nearly the full length of pipe section as practicable. Unsuitable or Unstable soil shall be removed and replaced with gravel or crushed stone. Work in trenches shall be accomplished in strict accordance with the Florida Trench Safety Act and OSHA Regulations.

3.6.2 Dewatering:

(a) The contractor shall be responsible for providing water removal equipment as necessary to initiate and maintain a dewatered site while construction is in progress.

**3.7 HANDLING AND CUTTING PIPE:**

3.7.1 Caution shall be taken in the handling and installation of pipe and fittings to avoid damage. Fractured or cracked pipe or fittings shall be rejected and removed from the project site, however the undamaged portion of cracked pipe shall be used with approval from the Engineer of Record. The cut shall be made at a point of at least 12 inches from the visible limits of the crack. End cuts shall be examined for cracks caused by cutting and edges shall be beveled.

**3.8 PIPE LAYING:** (See Exhibit 6.K)

3.8.1 Water mains shall be constructed of the materials specified and as shown on the approved plans. Pipe sections shall rest upon the pipe bed for the full length. Recesses shall be excavated to accommodate bells and joints. Any pipe, which has its grade or joint disturbed after installation, shall be taken up and properly reinstalled. No pipe shall be installed when the trench or weather conditions are unsuitable, except upon approval of the Project Engineer. Any section of pipe already installed which shall be found defective or damaged shall be replaced with no additional cost to the city.

3.8.2 The contractor shall use every precaution during construction to protect the pipe from the entry of vermin or foreign materials.

**3.9 BACKFILL:**

3.9.1 Excavated material as approved by the Engineer of Record, shall be used for backfill. If additional material is required, procurement shall be approved by the Engineer of Record and furnished by the contractor at no additional cost to city.

3.9.2 Backfill material shall be free of rubble, rocks greater than three (3) inches in diameter, roots, vegetation or other material deleterious to backfill compaction.

3.9.3 Backfill lifts shall be placed in layers compatible with compacting requirements, unless otherwise specified. (See Exhibit 6.K)

**3.10 BACKFILLING PROCEDURES:** (See Exhibit 6.K)

3.10.1 Following installed pipe inspection and approval, backfill the trench, carefully depositing fill on both sides of the main. Place enough fill to provide a cover of at least 18 inches above the pipe and compact trench. Place the remainder of the backfill in 1 foot layers and compact as specified. Should the trenches be improperly filled or if settlement occurs, the contractor shall refill and redress to original contour.

3.10.2 The areas around valve boxes and blow off boxes shall be backfilled and compacted at each layer in 1 foot increments. Final grade elevation shall be a minimum of 36 inches above the top of the water main.

**3.11 COMPACTION REQUIREMENTS:**

3.11.1 Backfill shall be placed in equal layers compatible with equipment used and compact each layer in accordance with the specifications below. Fill and backfill not included below shall be compacted to the same density as adjacent in-place material.

| **Location Of Backfill** | **Percent of Maximum Density At Optimum Moisture** |
|---|---|
| Under slab | 95 |
| Under structure | 95 |
| Under Paved area | 95 |

**3.12 FINAL ACCEPTANCE BY THE CITY OF BUSHNELL UTILITIES:**

3.12.1 Final acceptance of the water distribution system(s) and release of the performance bond shall occur when the following conditions shall be met:

(a) Inspections shall have been made and results are acceptable to the city.

(b) Bacterial clearances shall have been obtained and the Engineer of Record has certified the work to the FDEP.

(c) Documents to place water system(s) into service shall have been obtained from the appropriate Regulatory Agencies.

(d) The city shall have been furnished from the Engineer of Record, 2 sets of blue-line ("As Builts") and one complete set of computerized "As Builts", prepared in the appropriate format, shall also be provided to the city.

# ARTICLE 4

# SPECIFICATIONS FOR SANITARY SEWAGE COLLECTION/ TRANSMISSION SYSTEMS

| ARTICLE 4 - | SPECIFICATIONS FOR SANITARY SEWER COLLECTION/TRANSMISSION SYSTEMS | PAGE NUMBER |
|---|---|---|


| | | |
|---|---|---|
| 4.0 | SEWER SPECS. INDEX | 30 |
| 4.1 | GENERAL | 31 |
| 4.2 | PLANS PREPARATION | 31 |
| 4.3 | PLANS REVIEW | 31 |
| 4.4 | DESIGN AND CONSTRUCTION STANDARDS | 31 |
| 4.5 | MATERIALS FOR PIPE AND FITTINGS | 32 |
| 4.6 | TRENCH EXCAVATION | 33 |
| 4.7 | HANDLING AND CUTTING PIPE | 33 |
| 4.8 | PIPE LAYING PROCEDURE | 33 |
| 4.9 | BACKFILL | 33 |
| 4.10 | BACKFILLING PROCEDURE | 33 |
| 4.11 | COMPACTION REQUIREMENTS | 33 |
| 4.12 | GRAVITY SEWER MAINS (LAMP TEST) | 34 |
| 4.13 | MANHOLES | 34 |
| 4.14 | FORCE MAIN TESTING AND INSPECTION | 34 |
| 4.15 | INTERCEPTORS (“GREASE TRAPS”) | 35 |
| 4.16 | FINAL ACCEPTANCE BY CITY | 35 |

## ARTICLE 4 - SPECIFICATIONS FOR SANITARY SEWER COLLECTION/TRANSMISSIONSYSTEMS

### 4.1 GENERAL:

4.1.1 These specifications shall pertain to the project design and plan review, installation, inspection, testing, and acceptance of sanitary sewer collection systems, pumping stations, transmission force mains, line extensions and all appurtenant items which may be owned and/or maintained by The City of Bushnell.

4.1.2 Improvements and modifications made to the City of Bushnell Sewer System shall be in accordance with the city approved plans and specifications. Plans shall clearly indicate that materials and workmanship conform to the specifications in this Manual.

### 4.2 PLANS PREPARATION:

4.2.1 Sanitary sewer collection systems, pumping stations, transmission force mains, line extensions, and appurtenant items shall be designed in accordance with the applicable regulations of the city, county, the Florida Department of Environmental Protection and the standards established herein.

4.2.2 Sanitary sewer collection systems, transmission systems or any parts thereof, which shall become the property and/or responsibility of the city for operation and maintenance shall be designed for construction in public rights-of-way and/or dedicated easements only.

4.2.3 Design Considerations:

Gravity sewers 24 inches in diameter or less shall be installed with straight alignment and grade between manholes, with manhole spacing not to exceed 400 feet. Special provisions shall be considered by the city for sizes 16 inches and larger.

### 4.3 PLANS REVIEW:

4.3.1 For residential development, (subdivisions, townhouses, etc.), the developer shall comply with the procedures and requirements set forth in the city's "Land Development Regulations".

4.3.2 For other than residential developments, the developer shall also comply with the procedures and requirements set forth in the city's "Land Development Regulations", available through the Building Department.

4.3.3 The City of Bushnell Building Department shall accept or return the plans with notations for corrections.

### 4.4 DESIGN AND CONSTRUCTION STANDARDS:

4.4.1 Sanitary Sewer Piping:

(a) Pipe Fittings: Pipefittings for sanitary sewer collection systems shall be: ductile iron (DI), or polyvinyl chloride pipe (PVC). (See Exhibit 6.M.l)

(b) Manholes: Manholes shall be precast reinforced concrete manhole sections. (Refer to Exhibits 6.H. 1 and 6.H.2)

(c) Air and Vacuum Venting: Where air pockets or air entrapment could occur, resulting in flow blockage, provisions for air release shall be provided. Automatic air release assemblies shall be installed on all force mains at critical points as determined by the design engineer. At profile break points on force mains such as tops of hills, etc., where free flow will occur during operation or after pumping stops, combined air release and vacuum valve assemblies shall be provided. Air and

vacuum valves shall be suitably housed in a properly vented underground chamber (manhole), if in an open area.

4.4.2 Leakage Test: Low pressure air testing, based on ASTM C828, shall be performed by plugging each end of a sewer line segment and introducing air until a gauge pressure of 3.5 PSI or greater is achieved, and recording the lapsed time for a maximum pressure drop of 1.0 PSI. (See Exhibit 6.H.4)

4.4.3 Separation of Water and Sewer Lines: Sewer lines shall not be installed in the same trench with nor be horizontally located closer than 10 feet from a potable water line. Where sanitary sewer lines must cross a water line closer than 18 inches, the sewer line, for a distance of to feet each side of the crossing, will be DI pipe with no joint located within 10 feet, horizontally of the crossing.

**4.5 MATERIALS FOR PIPES AND FITTTNGS:**

4.5.1 Ductile Iron Pipe and Fittings (DIP):

(a) Ductile iron pipe shall conform to ANST Specification A2 l.5L and wall thickness design shall conform to ANSI Specification A2L. 50. The class thickness 50 shall comply with Tables 51.1 and 51.2 of ANSI Specification A2 1.51 and rated at a minimum of 250 PSI.

(b) Special exterior coatings or wraps may be required depending on specific site conditions.

4.5.2 Polyvinyl Chloride Pipe and Fitting (PVC);

(a) PVC pipe and fittings used in the gravity sewer system shall be green in color and meet requirements conforming to the latest ASTM Specification D 3034-74, SDR 35. Provisions shall be made for contraction and expansion at each joint with a rubber ring. The bell shall consist of an integral section with solid cross-section rubber ring factory assembled and securely locked in place to prevent displacement and meeting requirements of ASTM Specification D32 12. Standard laying lengths shall be 13.5 feet plus or minus 1 inch.

(b) Installation of PVC pipe and fittings shall be in accordance with the requirements established by the manufacturer, where PVC enters a manhole, a flexible “pipe to manhole’ connector shall be installed in the wall section of the manhole.

(c) Jointing of PVC pipe using solvent cementing shall not be permitted.

4.5.3 Sewer Laterals (See Exhibit 6.A.3):

(a) Installation of 6-inch sewer laterals shall be of the same material as that specified for the trunk sewer - i.e., ductile iron, or PVC. Each lateral shall be supplied with a wye fitting and 1/8 bend at the main and laid at a minimum slope of 1/8 inch per foot Installation depth at the property line shall be a minimum of 3 feet and a maximum of 4 feet. Open ends of lateral shall be securely sealed as recommended by the pipe manufacturer. Where sewer service lines conflict with fire hydrants and/or drainage easements, two single 6” service wye taps shall be installed five (5) feet on each side of the hydrant line or easement limits.

(b) Identification of Sewer Service(s): Sewer service(s) shall be identified by marking the edge of pavement with a 3 inch X 6 inch green paint patch adjacent to service site. Sewer lateral ends shall be located at property line with a 2 inch X 4 inch pressure treated stake, 48 inches long and installed 12 inches into the ground. The top 6 inches of the stake stall be painted green. (See Exhibits 6.A. 1 and 6.A.3)

**4.6 TRENCH EXCAVATION:** (See Exhibit 6.K)

4.6.1 Excavations shall be made in accordance with standard techniques to ensure safe trench working conditions. Trenches shall be wide enough to allow a minimum of 8 inches clearance on each side of the sewer main. The trench bottom shall be uniform to provide accurate and uniform bearing. Excavations shall be done to the depths indicated on the approved plans. Unsuitable soil shall be removed and replaced with gravel or crushed stone.

4.6.2 Dewatering: The contractor shall be responsible for providing water removal equipment as necessary to initiate and maintain a dewatered site while construction is in progress.

**4.7 HANDLING AND CUTTING PIPE:**

4.7.1 Caution shall be taken in the handling and installation of pipe and fittings to avoid damage. Fractured or cracked pipe or fittings shall be rejected and removed from the project site, however the undamaged portion of cracked pipe shall be used with approval from the engineer. The cut shall be made in the sound section at a point of at least 12 inches from the visible limits of the crack. All end cuts shall be examined for cracks caused by cutting and edges shall be beveled.

**4.8 PIPE LAYING:**

4.8.1 Gravity sewer and force mains shall be constructed of the materials specified and as shown on the approved p1ans. Each section of the pipe shall rest upon the pipe bed for the full length. Recesses shall be excavated to accommodate bells and joints. Any pipe which has its grade or joint disturbed after laying shall be taken up and reinstalled. No pipe shall be installed when the trench conditions or the weather is unsuitable except upon approval of the Project Engineer. Any section of pipe already installed which shall be found defective or damaged shall be replaced with new pipe without additional cost to the city.

**4.9 BACKFILL MATERIAL:**

4.9.1 Excavated material, as approved by the Engineer of Record, shall be used for backfill. Additional material procurement shall be approved by the Project Engineer and furnished at no additional cost to the city.

4.9.2 Backfill material shall be free of roots, rubble, and rocks, greater than 3 inches in diameter, vegetation or other material deleterious to backfill compaction.

4.9.3 Backfill shall be placed in layers compatible with compacting requirements, unless otherwise specified.

**4.10 BACKFILLING PROCEDURES:** (See Exhibit 6.K)

4.10.1 Following installed pipe inspection and approval, backfill the trench, carefully depositing the fill on both sides of the main. Place enough fill to provide a cover of at least 18 inches above the pipe. Install and lightly cover magnetic locator rape and compact trench. Place the remainder of the backfill in 1-foot layers and compact as specified. If trenches are improperly filled or if settlement occurs, the contractor shall be responsible for refilling and redressing to original contour. Locator tape shall also be installed on service laterals.

4.10.2 The areas around manholes and unction boxes shall be backfilled and compacted at each layer in 1 foot increments. Final grade elevation shall be a minimum of 36 inches above the top of the main.

**4.11 COMPACTION REQUIREMENTS:**

4.11.1 Backfill shall be placed in equal layers and each layer shall be compacted in accordance with the specifications below. Fill and backfill not included below shall be compacted to the same density as adjacent in-place material.

| Location Of Backfill | Percent of Maximum Density At Optimum Moisture |
|---|---|
| Under slab | 95 |
| Under structure | 95 |
| Under Paved area | 95 |

**4.12 GRAVITY SEWER MAIN:** (Lamp Test)

4.12.1 The installed sewer lines shall be "lamped" between manholes, to insure pipe is clean, round and in correct alignment. The concentricity of the lamp image received shall have no vertical reduction (inside diameter) and not more than 20 percent horizontal reduction.

**4.13 MANHOLES:**

4.13.1 Manholes (base, sections and cones) shall be "precast" reinforced concrete. The manhole shall have a minimum wall thickness of 5 inches, shall be no less than 48 inches in diameter and meet ASTM C-478 requirements.

4.13.2 Manholes constructed over an existing sewer:

(a) A new manhole installed over an existing sewer shall be an approved "precast" concrete structure.

(b) The manhole shall be constructed without opening or otherwise disrupting the existing sewer line until after the manhole and new line are approved.

(c) The crown of the existing sewer pipe shall be carefully opened so as not to further damage the pipe, and that the broken pieces are not carried down the existing sewer. The flow channel shall then be made smooth using mortar.

(d) The backfilling around the new base shall be compacted in such a manner that the existing sewer pipe is adequately supported and protected from settlement of adjacent or nearby backfill.

4.13.3 Drop Manholes: Inside drop manhole connections shall be used when the invert of the incoming sewer is 2 feet or more above the exiting sewer invert. (See Exhibit 6.H.2)

4.13.4 Protective Coatings: The interior and exterior surfaces of manholes shall be coated with a coal tar epoxy coating similar or equal to "Farbertite", bituminous waterproofing or a suitable substitute approved by the Engineer of Record.

4.13.5 Manhole Depth: Manholes shall not exceed 13 feet in depth unless approved by the city prior to construction.

4.13.6 Manholes in Flood Prone Areas: ("100 Year Flood Plan"), shall have "In Flow" protectors installed.

**4.14 FORCE MAIN TESTING AND INSPECTION:**

4.14.1 Wastewater force mains shall be tested as a whole or in sections. The mains shall be tested under an average hydrostatic pressure of not less than 125 psi unless otherwise indicated in the specific provisions. The pressure shall be applied to the pipeline through a tap in the pipe by means of a pump or other method and shall be maintained for a minimum of 2 hours. Air shall not be used for testing force mains. The leakage for force mains, as determined by the above test, shall not exceed the allowable leakage as given by the following formula in Section 13.7 of AWWA specification C 600:

$$L=\frac{SDVP}{133,200}-- X2$$

in which “L” is the allowable leakage (in gallons per hour); “5” is the length of force main tested (in feet); “D” is the nominal diameter of the pipe (in inches); and “P” is the average test pressure (in psi 125). Sections of the force main to be tested shall be completely backfilled before testing.

4.14.2 If excessive leakage occurs, defective pipe, pipe joints or other appurtenances shall be located and repaired at the expense of the contractor. If the defective portions cannot be located, the contractor, at his own expense, shall remove and reconstruct as much of the original work as necessary to obtain a force main that when retested, is within the allowable leakage limits upon retesting.

**4.15 INTERCEPTORS (“Grease Traps”):**

4.15.1 Grease, oil and sand interceptors (traps) shall be installed for the proper handling of liquid or flammable wastes, sand or other harmful ingredients. All interceptors shall be approved by the city and shall be readily accessible for cleaning and inspection. The developer (owner) shall incur all costs with regard to the interceptor, including purchase installation and regular maintenance procedures.

**4.16 FINAL ACCEPTANCE BY THE CITY:**

4.16.1 Final acceptance of the sewage collection system and release of the performance bond shall occur after:

(a) Inspections are made;

(b) The improvements shall be found in accordance with the applicable regulations of the city and the Florida Department of Environmental Protection, and the standards contained herein;

(c) Releases to place systems) in service have been obtained from the appropriate regulatory agencies;

(d) The city shall be furnished with 2 sets of blue-line “As Builts or record drawings” showing stations of laterals and manholes with rim and invert elevations. One complete set of computerized “As Builts”, prepared in the appropriate format, shall also be provided to the city.

# ARTICLE 5

# SPECIFICATIONS FOR SUBMERSIBLE PUMP STATION

**ARTICLE 5 - SPECIFICATIONS FOR SUBMERSIBLE PUMP STATIONS** **PAGE NUMBER**


| | | |
|---|---|---|
| 5.0 | LIFT STATION INDEX | 37 |
| 5.1 | GENERAL | 38 |
| 5.2 | WETWELL | 38 |
| 5.3 | VALVE VAULT | 38 |
| 5.4 | PUMPS | 39 |
| 5.5 | PUMP MOTORS | 39 |
| 5.6 | LIQUID LEVEL SENSORS | 40 |
| 5.7 | CONTROL SYSTEM | 40 |
| 5.8 | ELECTRICAL | 43 |
| 5.9 | PIPING | 43 |
| 5.10 | VALVES AND FITTINGS | 44 |
| 5.11 | ACCESS FRAME AND COVERS | 44 |
| 5.12 | ACCESSORIES | 44 |
| 5.13 | EXCAVATION AND BACKFILL | 44 |
| 5.14 | TESTING | 45 |
| 5.15 | WARRANTY | 45 |
| 5.16 | MISCELLANEOUS | 45 |
| 5.17 | PUMP DATA SHEET | 46 |
| 5.18 | PUMPS | 46 |

## ARTICLE 5 – SPECIFICATIONS FOR SUBMERSIBLE PUMP STATIONS

**5.1 GENERAL:** (See Exhibit 6.N)

5.1.1 Sewage pumping stations shall be complete with duplex submersible pumps, piping, valves, pre-cast manhole structure, companion valve Vault with access frame and locking covers, pump sail guides and supports, pump mounting plates or bases with hydraulic sealing flanges, heavy duty stainless steel lifting chains or cables, electric cable and conduit, sealed mercury switches for level and alarm control, pump controls and starters with enclosure, and all other accessories and appurtenances as shown on the drawings and specified herein.

5.1.2 Where materials and/or equipment are specified by brand name or manufacturer, the intent shall be to establish a minimum standard of quality.

5.1.3 The codes, specifications, standards, etc., referenced herein, shall be of the issue in effect on the date of the invitation to bid.

5.1.4 Pumping stations shall be installed as when conditions preclude the utilization of existing gravity sewer lines.

5.1.5 Pumping stations shall have a minimum of 2 pumps, each shall have a capable of pumping 250 percent of the average design flow.

5.1.6 Pumping stations wet well lid shall be installed above the “100 year flood” elevation.

**5.2 WETWELL:** (See Exhibit 6.N)

5.2.1 The manhole shall be cylindrical, pre-cast, reinforced concrete sections conforming to ASTM C478, minimum 4.000 PSI strength concrete, using Type U Portland Cement The bottom section shall be pre-cast monolithically with wall, leveled and stabilized. Subsequent sections shall be placed in accordance with manufacturer’s requirements for water tightness and vertical alignment. Pre-cast holes or blank outs shall be provided in each section to conform with entry pipe or conduit sizes, location, and elevations as shown on the drawings. Joints shall receive an application of asphalt mastic (Example: “Ram Neck”), soft plastic rope or “0” ring around the full circumference for water tightness. Lift holes shall be plugged with waterproof non-shrink grout. Wet well bases shall be installed upon a 2 inch minimum poured in place concrete leveling course or a 4 to 6 inch gravel layer as approved by engineer of record.

5.2.2 Class C concrete fillets shall be placed around the bottom as shown on the drawings.

5.2.3 The top slab shall be integrally cast with the lockable installed lift rings. Aluminum frame access cover (size shall be twice the distance between the center line of the pumps, or a minimum of 24 inches, by 36 inches) and a vent pipe. Installed lift rings shall be removed flush with the surface following installation. Top slab shall be minimum 8 inch thick precast with No. 4 bars at 6 inches on center each way.

5.2.4 A gasket for the influent pipe(s) shall be integrally pre-cast in the appropriate section at the specified invert elevation. The gasket shall be KOR-N-SEAL, PSX, or approved equal. Other pipe openings in manhole walls shall receive a flexible, adjustable seal by LINK-SEAL, or approved equal, following pipe installation and before final backfilling. Seals shall be installed on the interior side of manhole. Conduit pipe and drain pipe openings shall be sealed with waterproof non-shrink grout from both sides.

5.2.5 Following installation of the wetwell structure, the entire interior surface shall receive 2 coats of coal tar epoxy, or approved equal, to obtain a minimum total thickness of 15 mils.

**5.3 VALVE VAULT:** (See Paragraph 5.11)

5.3.1 The valve vault shall be rectangular, pre-cast, reinforced concrete with monolithic bottom and walls,

conforming with ASTM. C47B, minimum 4.000 PSI strength using Type II Portland Cement. The top slab shall be integrally pre-cast with specified access frame and lockable cover. Lifting handles shall be removed flush with surface following installation.

5.3.2 Pre-cast holes or blank outs shall be provided to conform with entry pipe sizes, location and elevation as shown on the drawings. The drainpipe opening shall be sealed with waterproof non-shrink grout on both sides. Other pipe openings shall receive a flexible, adjustable seal by LINK-SEAL, or approved equal, installed on the interior side.

**5.4 PUMPS:**

5.4.1 Each pump shall be of a heavy duty submersible type, capable of handling raw, unscreened sewage, and capable of passing 3-inch spherical solids. The pump shall be constructed with a minimum 4-inch discharge, cast iron pump case, stainless steel shaft, heavy duty upper and lower permanently lubricated ball bearings, and dual mechanical seals in an oil filled chamber with moisture sensors. Impellers shall be of a non-clog design and dynamically balanced.

5.4.2 Each pump shall be constructed with a discharge disconnect coupling and installed on heavy duty stainless steel (S/S) guide rails. This system shall include the necessary discharge base with S/S mounting hardware; heavy duty S/S guide rails with S/S mounting brackets and hardware; S/S connectors and S/S retrieval cables with lift rings at 10 foot intervals and other components for a complete pump retrieval and reinstallation system without entering the manhole. Pump discharge shall be provided with standard 125-pound ANSI flanges. Each pump shall have a minimum 5-year prorated warranty by the manufacturer.

5.4.3 Each pump shall be capable of pumping raw sewage at design flows and total dynamic head pressures as shown on drawings. Pumps with efficiencies less than 40 percent at design point shall be unacceptable.

5.4.4 The city shall be furnished with 3 copies of complete descriptive data of the motors and pumps proposed for installation with the completed data sheets and standard performance curves for each set of pumps marked with impeller size, horsepower, performance points, and efficiencies.

5.4.5 The city shall be furnished, 3 copies of detailed instructions for proper pump installation, wiring diagrams, schematic, operation and maintenance manuals, including parts list and availability.

5.4.6 (a) Pumps and accessories shall be carefully handled and protected during transferring, and installation. The contractor shall be responsible for reporting and resolving any damaged equipment and replacement.

(b) Pumps and accessories shall be installed in conformance with manufacturer’s drawings, diagrams, and instructions.

(c) Each pump model number shall be confirmed by Engineer of Record prior to installation and the serial number recorded. Each pump shall have a stainless steel name plate indicating capacity in gpm, impeller number, rpm, voltage, full load amperage, date of manufacture and model number. Similar information shall be mounted inside the control panel

**5.5 PUMP MOTORS:**

5.5.1 Pump motors shall be vertically mounted on the pump shaft, designed and manufactured for 60 cycle service with voltage and phase as shown on the drawings, and for continuous submersible service under either 30 feet of sewage or dry conditions. Pump motors shall be overload protected and manufactured in compliance with N.E.M.A. standards. Pump motors shall have Class F insulation and be capable of sustaining up to 10 starts per hour. Upper and lower ball bearings shall be permanently lubricated.

5.5.2 The cable entry seal design shall be such as to ensure a watertight and submersible installation.

5.5.3 The electric motor cable shall be sized in conformance with NEC specifications and suitable for submersible service and be continuous (unspliced) from pump to control panel.

5.5.4 Pump motors shall have seal probe in the housing to detect the presence of water, coupled to the warning light in the control panel.

5.5.5 Pump motors shall have a self-resetting temperature monitor in each phase coupled to the control circuit for pump shutdown at high temperature.

5.5.6 Pump motors shall not run above the full load amps. (F.L.A.) rating. The service factor amp rating shall not be an acceptable performance condition.

5.5.7 Pump motors 3 horsepower or larger shall be three phase. Phase converters or "add a phases" shall not be acceptable.

**5.6 LIQUID LEVEL SENSORS:**

5.6.1 Hermetically sealed SPDT mercury switches, externally weighted, shall be furnished and installed with appropriate length cable to reach the control panel SENSORS shall be N.E.M.A. 6 rated with #18-2 STD cable, normally open, polypropylene casing, for suspended operation. Sensors shall be installed at the elevations shown on the drawings, appropriately spaced to avoid interference, and firmly attached to maintain elevation.

5.6.2 A stainless steel hanger system with stainless steel attachment anchor bolts, washers and nuts shall be installed with individual hooks for each sensor cable and each pump cable.

5.6.3 Each float shall have extra cable (minimum 36 inches), coiled and taped for future adjustment of control elevations.

5.6.4 Pump "oil" elevation shall not be lower than top of pump elevation in the wet well. Pumps shall remain submerged at all times. (See Exhibit B.N)

**5.7 CONTROL SYSTEM:**

5.7.1 CONTROLS: The contractor shall install a complete control system as required for system operation. The control panel will operate two (2) submersible pumps at the power characteristics shown on the plans. A level control system shall be provided to start and stop pump motors in response to wet well liquid level. Pump on and off levels shall be sensed by float type liquid level sensors on a rising liquid level. The lowest float switch (FSl) shall close, locking the pumps into a common "PUMPS OFF" level. As the liquid level rises, the second float switch (F52) shall close at the "LEAD PUMP ON" level. The controller shall have automatically selected the pump causing it to run. Should the liquid level continue to rise, the third float switch (F53) shall close at the "LAG PUMP ON" level. The controller shall then start the lag pump. Should the level continue to rise, a fourth float switch (F54) shall close thus activating a high level alarm light and horn. The sensor switches shall open in reverse order. When the lowest operating float switch opens, the control circuits shall be broken causing all pump(s) to stop. At this point the alternator relay shall change state causing the pumps to operate in reverse sequence in the next pumping cycle. Circuit designs in which the application of power to the lag pump motor starter shall be contingent upon completion of the lead pump circuit shall not be acceptable.

(a) The enclosure shall be N.E.M.A 3R304 stainless steel, with padlock type locking hasp and removable back panel. The enclosure door shall have a full length hinge with stainless steel hinge pin. All exterior hardware shall be stainless steel and shall have provisions for padlocking. A rain drop shield shall be positioned on the top front of the panel A 3 point latch, operated from 1 exterior handle shall secure door for pad locking. The enclosure shall contain an interior aluminum "DEADFRONT" panel door with a full 3/4 inch break on all 4 sides for rigidity mounted on a full length aircraft type hinge and a hand operated latch assembly which latches to a full length door

stop. The dead front shall have cutouts for the operating handles of all circuit breakers. The outer door shall be equipped with a "hold-open" device.

(b) The control panel shall be mounted on two 6" x 6" x 10 feet pre-cast concrete posts. A 4-inch thick concrete slab on grade shall extend 18 inches beyond the concrete posts in each direction. Panel horizontal centerline shall be 5 feet above ground elevation, with the bottom of said panel to be at or above the "100 year flood elevation', where applicable. The panel shall be located 3 feet away from wetwell hatch cover to avoid interference when in open position.

(c) A "gag tight" PVC or fiberglass unction box, containing strips for a minimum of 18 terminals shall be installed under the control panel. A 3-inch clearance around the unction box shall be maintained. A wiring diagram shall be permanently affixed to the interior face of the cover with protective coating. High and low voltage lines shall require individual conduit and poured "gas tight" compound seals.

(d) Three 2-inch heavy-duty PVC conduits shall run from the junction box over and through the manhole wall, with a minimum of 12 inches cover. One conduit shall contain wiring for level sensors. The remaining conduits shall contain pump wiring and sized for the largest size future wires.

5.7.2 CIRCUIT BREAKERS: Thermal magnetic molded case circuit breakers shall he furnished for each pump motor and accessory load. Each motor breaker shall be adequately sized to meet the pump motor operating conditions and shall have a minimum symmetrical RMS interrupting rating of 18.000 amperes. All breakers shall be heavy duty Square D, Type FA, molded case breakers. "a" frame breakers shall not be acceptable. The controls and the 15 AMP ground fault receptacle shall be individually controlled by circuit breakers.

(a) Circuit breakers shall be quick-make and quick-break on manual, as well as, automatic operation and have inverse time characteristics, secured through the use of bimetallic tripping elements supplemented by a magnetic trip.

(b) All multi-pole breakers shall be so designed that an overload on 1 pole automatically causes all poles to open and it shall be common trip. Field installed handle ties shall not be accepted.

5.7.3 PUMP MOTOR STARTERS: An open frame, across the line, N.E.M.A. rated, magnetic motor starter Class 8536 Square "D" or equivalent shall be furnished for each pump motor. Pump motor starter contacts and overload relays shall be easily replaceable without removing the motor starter from its mounted position. Overload relays, with individual protection for each leg shall be block type, utilizing melting alloy spindles and shall have visual trip indication with trip-free construction. Adjustable type Overload relays, definite purpose contractors, horsepower rated conductors, relays, and fractional N.E.M.A. sizes shall not be acceptable. Starter coil voltage shall be 120/240 volts.

5.7.4 CONTROL POWER TRANSFORMERS: A properly sized power transformer to supply 120 VAC control power shall be provided when 120 VAC is unavailable from the electrical service. The transformer shall provide 120 VAC to power all control circuits, panel lights, meters, outlets, and all other 120 VAC devices within the panel. A minimum of 2,000 VA shall be required.

5.7.5 CONTROL PANEL: The control panel shall be fully shop tested by manufacturer prior to shipment and all components U.L. listed. The control panel shall contain the following components:

(a) Main and emergency circuit breakers with interlock, Square D, Type FA or equivalent.

(b) Automatic on and off at designated points through level sensors, 24 volt AC.

(c) Red globed alarm light, top mounted, activated by high water level sensor. Light shall be equipped with a flasher to pulse the light during high level condition.

(d) Audible horn, side mounted, activated by high water level sensor, and equipped with external weatherproof "push-to-silence" button.

(e) Liquid level indicator lights with "push-to-test" circuit and light.

(f) Pump run and seal fail lights with "push-to-test" circuit and light.

(g) Automatic thermal overload protection on each leg of starter with manual reset.

(h) Where 3 phase is used, phase monitor by diversified SLA series, or equal, reading phase and voltage with adjustable time delay (Dayton 5 x 830, 0-300 second, 8 pin, delay to prevent short cycle.

(i) Ammeter monitoring 1 leg of each pump motor complete with selector switch and momentary read button.

(j) Lightning arrestor externally mounted on disconnect box.

(k) Voltage surge protection mounted with inside panel indicator light for loss of protection.

(I) Pump elapsed time indicators, STA-CON D85 1 or equal, mounted on dead front for each pump.

(m) 120V duplex outlet with ground fault interrupter (GFI).

(n) Generator receptacle, Crouse Hines AR 104 l-M-72, side mounted and angled down.

(o) 600 volt terminal strips.

(p) Alternator - lead, lag, auto select as described in 5.7.6.

(q) Heavy duty motor starters, relays and other related control components and hardware, Square D, or equal.

(r) Wiring to be color coded, numbered and matched to wiring diagram.

(s) Control panel breakers, Square D, Type FA, or equal, shall be molded case, thermo-magnetic 600 volt 18,000 RMS minimum.

(t) Starters shall have heavy-duty HOA ("Hand-off -Automatic") selector switches, applicable when "Programmed Solid State Controller" shall not be used.

(u) For single phase pumps, separate "start" and "run" capacitors shall be furnished in the control panel. Capacitors in motors shall not be acceptable.

(v) Seal failure indicator lights shall be installed.

(w) Resetable Cycle counter for each pump shall be installed.

5.7.6 PROGRAMMABLE LEVEL CONTROL SYSTEM: The level control system shall consist of a programmed duplex controller. The controller shall include alternator, HOA switches, float indicating LED's; pump called LED's, high level alarm LED, lead/lag and alternate switch. The controller shall provide for operating the pumps "ON-OFF" cycle as described previously. Programmed solid state duplex controller shall be of the plug-in type. Wired controllers shall not be acceptable. Duplex Controller shall be M.P.E. Inc. No. 0 10-120-122 DCP "Plug in Type" or equal.

5.7.7 MISCELLANEOUS: A weatherproof schematic wiring diagram shall be permanently affixed to the

interior of the enclosure door. For each external connection required, a separate terminal shall he provided. No double wires shall be permitted on outgoing terminals. Terminal blocks shall be located far enough away from the enclosure side(s) to permit convenient and safe connection of incoming wires. Supplementary or miscellaneous items, equipment, appurtenances, or devices necessary for or incidental to complete and functional installation, whether or not shown on the plans or addressed in the specifications, shall be provided and installed in complete accordance with the contract documents.

**5.8 ELECTRICAL:**

5.8.1 If underground service is available, the "meter can" , and main disconnects shall be installed by a licensed electrical contractor on the outside face of the 6" x 6" x 10 feet pre-cast concrete post, with the control panel mounted on the inside face adjacent to the manhole.

5.8.2 Overhead service shall have a separate "saw pole" installation for the "meter can" and main disconnect, with PVC conduit connecting the control panel, mounted as described in Paragraph 5.7.1. Main disconnect shall be provided in a separate rain tight steel box with provision for locking in the "on" or "off" position.

5.8.3 Service shall be "sized" as required but a minimum of 100 amps capacity.

5.8.4 Main disconnects shall be circuit breaker type only. Fused and knifed disconnects shall not be allowed.

5.8.5 The conduit connection for incoming power to the control panel shall be at the bottom of the panel and away from any sensor or motor leads.

5.8.6 Conductors from the "meter can" throughout the installation shall be copper.

5.8.7 All conductors to manhole shall be installed in minimum 2 inch WC conduit with separate conduits for sensor leads and motor leads. All conduits shall be plugged at each end with duct putty.

5.8.8 Ground rods shall be copper. Grounding conductor shall be in PVC conduit The ground rods shall have a resistance to ground not to exceed 5 OHMS, where the resistance exceeds 5 OHMS, 2 or more ground rods connected shall be used.

5.8.9 Electrical installations shall conform with NEC and any local codes having jurisdiction.

5.8.10 Electrical Controls specifications are covered in Paragraph 5.7.1.

**5.9 PIPING:**

5.9.1 Piping shall be Class 51 Ductile Iron, minimum 4 inch, with Class 125 ANSI A21.6 flanges.

5.9.2 One flanged adapter to PVC force main shall be installed outside of valve vault.

5.9.3 A minimum of one length of Class 51 ductile iron pipe shall be laid into the wetwell on the gravity influent line, projecting 4 inches into wetwell.

5.9.4 Vent shall be a minimum of 4 inch PVC pipe, installed in the wetwell concrete top. Placement shall allow the aluminum hatch to be folded back for pump removal. Vent pipe shall extend straight up then turned down with 2 DWV 90s and fitted with a screen to prevent Vermin entry, vents shall not be higher than 24 inches above concrete top.

5.9.5 Potable water service pipe shall be 3/4 inch WC solvent weld joints where installed under ground. The continuing above ground installation shall be 3/4 inch galvanize pipe flow controlled by a female X female ball valve with lockable padwings. Backflow prevention shall be accomplished by installing a R.P.Z.

(reduced pressure zone) backflow prevention assembly and a 3/4 inch standard brass hose bib. The hose bib shall be affixed to control panel support post with a galvanized pipe strap installed a minimum of 18 inches above the 4 inch thick concrete slab.

**5.10 VALVE AND FITTINGS:**

5.10.1 Valves and fittings shall be installed as shown on the drawings.

5.10.2 Swing-Check valves shall be iron body, bronze mounted, outside lever and weight type, equal to Glow F-5382, with ANSI B 16, Class 125 flanges.

5.10.3 Plug valves shall be flanged and constructed of ASTM, A126-61 Class B, close-grained nickel chromium alloy iron.

5.10.4 Couplings shall be Style 38 steel coupling for cast iron pipe by Dresser, or approved equal. Flanged by plain end pipe pieces shall be required and installed with 1 to 2 inch gap inside of coupling.

5.10.5 Concrete, or concrete block with mortar piers shall be installed for support as shown in Exhibit 6.N. Valves shall not be cast in concrete or mortar.

5.10.6 Emergency pump connection shall be installed as per Exhibit 6.N.

5.10.7 A pressure gage with isolation valve shall be installed in force main piping near wye.

**5.11 ACCESS FRAME AND COVERS:**

5.11.1 Aluminum access frames shall be pre-cast into the manhole and valve vault top slabs. Covers shall be aluminum non-skid checkered plate, fabricated to withstand a load of 300 Lbs. per square inch and full open to 90 degrees with self locking mechanism to hold door(s) in open position. Cover shall include hasp for padlocking in closed position. Minimum access frame for 4-inch pipe shall be double hatch 48” X 48” and 60” X 60” double hatch for 6-inch pipe.

**5.12 ACCESSORIES:**

5.12.1 Pump guide rails shall be 304 stainless steel, schedule 40, with a minimum diameter of 1 1/2 inches, supported at the top by stainless steel holders and anchors and a rubber bushings. Intermediate guide rail brackets shall be installed as per manufacturers recommendations.

5.12.2 Lifting cables shall be 316 stainless steel capable of lifting 2,500 Lbs. stainless steel lifting rings shall be installed at the top end of the cable and at 10 feet intervals down the length of the cable.5.12.3 Screws, fasteners, and hardware inside the manhole shall be stainless steel.

**5.13 EXCAVATION AND BACKFILL:**

5.13.1 Site shall be cleaned of trees, brush, and similar material, and said material properly disposed of in accordance with applicable regulations and laws.

5.13.2 Any topsoil shall be salvaged and stored temporarily for replacement around structures after completion of construction.

5.13.3 Excavation shall be in compliance with safety rules, regulations, and laws and generally accepted practices.

5.13.4 Excavations shall be kept dry at all times.

5.13.5 Lift station shall be accessible by a minimum of stabilized limerock road for maintenance purposes by the city personnel

5.13.6 A leveling course shall be provided for the wetwell hole base as directed by the Engineer of Record.

5.13.7 Ballast concrete to prevent flotation shall be installed when indicated by Engineer of Record.

5.13.8 Backfllling shall be accomplished in 18-inch lifts with soil, free of rocks, roots, limbs, or similar extraneous material, and mechanically compacted. Backfllling shall proceed to pipe or conduit elevations where additional compaction shall precede pipe or conduit installation.

5.13.9 Subsequent compacted backfill lifts and spreading of any stored topsoil shall bring the surrounding soils to grade. The finished grade shall provide for surface water drainage away from the structures.

5.13.10 Sodding shall be installed, to a minimum of 20 feet in all directions of lift station.

5.13. 11 Settlement to the area surrounding the pump station which occurs during the warranty period shall be corrected by the Contractor at the Contractor' s expense.

5.13.12 The finish slab elevation of the manhole top and the valve vault, shall be at or above the 100-year flood elevation wherever that 100 year flood elevation zone is encountered.

**5.14 TESTING: "LIFT STATION START UP"**

5.14.1 Upon pump station completion, the Engineer of Record shall arrange with the city at least 24 hours in advance for final inspection of the facility and testing of the pumps. A trained representative of the pump manufacturer shall supervise start-up and observe tests.

5.14.2 The Contractor shall provide ladders, measuring rules, water, and such equipment as required to conduct the tests.

5.14.3 Pump drawdown shall be measured against time and pumping rate calculated for each pump.

5.14.4 Pump motor amperage and voltage shall be measured and recorded for each pump during drawdown test.

5.14.5 Controls shall be tested for satisfactory performance. At least 1 pump shall be tested to and through complete drawdown to check for vortexing and dry operation.

5.14.6 Pumps shall be raised from the base to top of manhole and re-seated to check rail system and general alignment and operation.

5.14.7 The Contractor shall repair and/or correct any deficiencies or make adjustments or replacements as directed by the Engineer of Record to bring the station into contract compliance and proper operation.

5.14.8 Copies of the final inspection and testing shall he given to the city and the contractor, with a list of deficiencies noted.

**5.15 WARRANTY:**

5.15.1 Workmanship, materials, and equipment shall be guaranteed against defects for a period of 1 year from the date of issuance of certificate of substantial completion and defects shall be promptly repaired by the contractor at the contractor's expense, exclusive of the pumps which shall be warranted for 5 years by manufacturer.

**5.16 MISCELLANEOUS:**

5.16.1 In addition to submittals previously described for the pumps, the Contractor shall further furnish:

(a) Four sets of shop drawings on all other equipment

(b) Four sets of "Record Drawings" wiring diagrams of the control panel

(c) Four sets of manufacturer's warranty.

(d) Four sets of operation, maintenance, and repair manuals, to include complete parts listing and reference drawings, and lubrication identification for the ma or equipment.

(e) Four sets of "Record Drawings", prepared by the Engineer of Record, showing influent and level sensor elevations, and associated "as built" dimensions as required by the city. (See "Lift Station detail" 6.N.)

(f) Spare parts or lubricants recommended by the manufacturer for routine maintenance during the warranty period shall be furnished with the lift station.

**5.17 PUMP DATA SHEET:**

Data sheets shall be prepared for each set of pumps and submitted to the city, and the Engineer of Record in 3 copies. Attach catalog illustrations, cuts, pump curves, etc. and specify the following information:

5.17.2 Project.

5.17.3 Project Number.

**5.18 PUMPS:**

Data sheets shall be prepared for each set of pumps and submitted to the city, and the Engineer of Record in 3 copies and shall include the following information:

5.18.1 Manufacturer (Submersible Pump)

Model
Speed, RPM
Max. Solid Size Passage (Minimum 3 inches diameter)
Pump Casing Material
Impeller Material, Type and size
Shaft Material
Type Seal
Type Lubrication
Suction Size
Mm. Spacing between pumps

5.18.2. Manufacturer (Pump Motor)

Speed, RPM
Efficiency at Design Feint
Guaranteed Field Efficiency at Design Point
Type
Brake Horsepower
Full Load Eff.
Service Factor
Full Load Amps
Voltage/Cycle/Phase
Insulation Rating
Enclosure
Capacitor Sizes and Type if Applicable

# SECTION II

# TRANSPORTATION

# STORMWATER

# CONSTRUCTION AND DESIGN STANDARDS

**SECTION II**
**TRANSPORTATION AND STORMWATER**
**CONSTRUCTION AND DESIGN STANDARDS**
**MANUAL INDEX**


| ARTICLE | CONTENTS | PAGE |
|---|---|---|
| | **TRANSPORTATION** | 49 |
| 1 | PURPOSE AND INTENT | 49 |
| 2 | GENERAL PROVISIONS | 49 |
| 3 | STREETS | 49 |
| 4 | STREET FUNCTIONAL CLASSIFICATION | 50 |
| 5 | COLLECTOR STREETS | 50 |
| 6 | ARTERIAL ROADS | 50 |
| 7 | SPECIAL PURPOSE STREETS | 50 |
| 8 | OFFICIAL STREET MAP | 51 |
| 9 | GENERAL STREET DESIGN STANDARDS | 51 |

| ARTICLE | CONTENTS | |
|---|---|---|
| | **STORMWATER MANAGEMENT** | 56 |
| 1 | PURPOSE AND INTENT | 56 |
| 2 | PERFORMANCE CRITERIA AND STANDARDS | 56 |

# TRANSPORTATION

## ARTICLE 1. PURPOSE AND INTENT

THE PURPOSE OF THESE STANDARDS ARE TO PROVIDE DEVELOPMENT DESIGN STANDARDS THAT ARE APPLICABLE TO DEVELOPMENT ACTIVITY WITHIN THE CITY OF BUSHNELL CORPORATE BOUNDARIES.

THE INTENT OF THE DEVELOPMENT DESIGN STANDARDS, DESCRIBED HEREIN, IS TO ENSURE SAFE FUNCTIONAL AND ATTRACTIVE DEVELOPMENT. ALL DEVELOPMENT DESIGNS SHALL CONSIDER THE PROTECTION OF THE PUBLIC AND NATURAL RESOURCES, AS THE FIRST OBJECTIVE BEFORE COMPLYING WITH THE DESIGN STANDARDS DESCRIBED IN THIS CHAPTER. ALL DEVELOPMENTS SHALL BE DESIGNED TO AVOID UNNECESSARY IMPERVIOUS SURFACE COVER, TO PROVIDE ADEQUATE ACCESS TO LOTS AND SITES, AND TO AVOID ADVERSE EFFECTS OF SHADOW, GLARE, NOISE, ODOR, TRAFFIC, DRAINAGE, AND UTILITIES ON SURROUNDING PROPERTIES.

ALL IMPROVEMENTS REQUIRED BY THESE DESIGN STANDARDS ARE THE FINANCIAL RESPONSIBILITY OF THE PROPERTY OWNER/DEVELOPER, INCLUDING THE COSTS ASSOCIATED WITH DESIGN, APPLICATIONS PERMITS, CONSTRUCTION, INSTALLATION, REPAIR AND/OR MAINTENANCE.

THE PURPOSE OF THIS SECTION IS TO DESCRIE THE MINUMUM REQUIREMENTS THAT PROPERTY OWNERS/DEVELOPERS MUST COMPLY WITH WHEN REQUESTING RESIDENTIAL PLAT APPROVAL OR SITE PLAN APPROVAL, AND/OR NONRESIDENTIAL SITE PLAN APPROVAL FOR PROPERTY LOCATED WITHIN THE CITY.

THE STANDARDS SHALL APPLY TO PUBLIC AND PRIVATE STREETS, BICYCLE/PEDESTRIAN PATHS, AND ACCESS CONTROL TO AND FROM PUBLIC STREETS.

THE INTENT OF THESE STANDARDS IS TO PROVIDE SAFE, ADEQUATE AND EFFICIENT CIRCULATION BY ASSURING THAT DEVELOPMENTS PROVIDE ADEQUATE ACCESS, STORAGE AND MOVEMENT OF VEHICLES CONSISTENT WITH GOOD ENGINEERING AND DEVELOPMENT DESIGN PRACTICES TO MINIMIZE THE TRAFFIC IMPACTS FROM DEVELOPMENT.

## ARTICLE 2 - GENERAL PROVISIONS

All property owners/developers requesting plat or site plan approval of residential subdivisions or nonresidential developments shall be required to provide all transportation system elements as specified within the City of Bushnell Design and Construction Standards Manual. These standards shall apply to public or private streets, right-of-way. pedestrian/bicycle ways, and driveways that are required to be constructed as part of a development.

## ARTICLE 3 - STREETS

A. Functional Classifications

(a) Streets within the City of Bushnell are classified according to functional and existing and projected future traffic volumes in order to regulate access, right-of-way and road widths, circulation patterns, design speed and construction standards.

(b) Whenever a new street in a development connects to and continues an existing street that previously terminated outside of said development, or it is expected that a street in a development will be continued beyond said development at some future time, the classification of the street will be based on the entire or anticipated entire street, both within and outside the development.

## ARTICLE 4 - STREET FUNCTIONAL CLASSIFICATION

A. Local

Local streets provide direct access to residential development, but may give access to limited nonresidential uses, provided the average daily traffic (ADT) volume generated by the non-residential use does not exceed applicable standards for the affected streets. Residential streets shall have a design speed of thirty-five (35) miles per hour or less and a maximum ADT of two thousand (2,000). All residential streets should be designed to minimize unnecessary and/or high-speed traffic. Each residential street shall be classified and designed for its entire length to meet the minimum standards.

## ARTICLE 5 - COLLECTOR STREETS

A. Minor Collector

Minor collector streets are local collectors that provide direct access to commercial and industrial uses and to residential developments, but do not provide direct access to individual dwelling units. Minor collector streets may receive access from other collector streets, minor arterials, or arterials. Minor collector streets may give access to any residential street type.

B. Major Collector

Major collector streets serve ma or community or regional facilities as well as providing a route for through traffic. Major collector roads may receive access from other major collectors, minor arterials and arterials, and may give access to the same or any other lower order of street type. No street parking is allowed on major collector roads unless specifically authorized by the City Manager.

## ARTICLE 6 - ARTERIAL ROADS

Arterial roads provide links between communities or to limited-access expressways and limit direct access from abutting properties except for regionally significant uses. Arterial roads are designed for speed up to sixty (60) miles per hour and ADT of seven thousand (7,000) or greater. No street parking is allowed on arterial roads. Each arterial road shall be classified and designed for its entire length to meet the minimum standards for one of the following three arterial road types:

A. Minor Arterial

Minor arterial roads link community districts to regional or state highways. These roads may also provide direct access to regionally significant land uses. The minor arterial roads may receive access from other arterials or freeways and may give access to any lower order non-residential street type.

B. Principal Arterial

Principal arterial roads are major regional highways providing links between communities. These roads may receive access from other major arterials or freeways and may give access to any lower order non-residential street type.

## ARTICLE 7 - SPECIAL PURPOSE STREETS

New streets may be classified and designed as special purpose streets if specified within this Design and Specifications Manual or if warranted due to site-specific development conditions. Designation of special purpose streets will be at the discretion of the City Manager.

A. Alley

An alley is a special type of street that provides a secondary means of access to a lot or parcel. It is normally placed in the residential access street level of the street functional classification system, although different design standards apply.

B. Marginal Access Street (Frontage Road)

A marginal access street, located parallel and adjacent to a collector or higher level street, functions as a local road by providing access to abutting properties and separation from the high-speed through traffic on the adjacent collector. Marginal access streets may be designed at the level of residential access streets or residential sub collectors as the anticipated traffic volumes will dictate.

C. Divided Street

For the purpose of protecting environmental features or avoiding excessive grading, a municipality may require that a street be divided. In these cases, the design standards shall be applied to the aggregate dimensions of the two street segments.

## ARTICLE 8 - OFFICIAL STREET MAP

The Future Traffic Circulation Map Series and any amendments thereto, which is a part of the City of Bushnell Comprehensive Plan, is hereby made the Official Street Map of the City of Bushnell and becomes a part of this manual. All existing roadways within the City's jurisdiction shall be designated on the Official Street Map according to the foregoing classification system. Any Street abutting or affecting the design of a development that is not already classified on the Official Street Map shall be classified according to its function, design, and use by the city at the request of the applicant or during plat or site plan review. The City of Bushnell shall use the Official Street Map as a basis (along with all relevant Preliminary Design and Engineering studies for the area, Sumter County's Comprehensive Road Improvement Plans, and FDOT's current Five-Year Work Plan) for decision-making regarding required road improvements, reservation or dedication of right-of-way for required road improvements, or access of proposed land uses to existing or proposed roadways.

## ARTICLE 9 - GENERAL STREET DESIGN STANDARDS

Street layouts in all new developments shall be coordinated with and interconnected to the street system of the surrounding areas. Streets in proposed developments shall be connected to platted streets in adjacent areas whenever feasible and deemed necessary by the city to allow for inter-neighborhood traffic flow.

Where a development abuts or contains arterial or collector streets, the city may require marginal access streets to provide separation of through and local traffic.

A. Road Standards

(a) Location

Public access roads shall be designed to provide positive drainage to the stormwater inlet structures or swales without flooding to the buildings. Roads shall be constructed to provide a minimum graded elevation of twelve (12) inches lower than the elevations of the abutting property where determined feasible by the city. Locations of roads shall avoid environmental sensitive areas.

(b) Design

Public access roads shall be designed in accordance with Florida Department of Transportation's *Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Street and Highways (Green Book).*

(c) Speed

The Minimum design speeds for traffic are as follows:

| **Road Type** | **Urban** | **Rural** |
|---|---|---|
| Arterial (Principal) | 60 | 65 |
| Arterial (Minor) | 55 | 60 |
| Collector (Major) | 50 | 55 |
| Collector (Minor) | 40 | 45 |
| Local (Residential) | 30 | 35 |

(d) Lanes and Width

The minimum lanes and width shall be as follows:

| **Classification** | **No. of Lanes** | **Lane Width** |
|---|---|---|
| Arterial | 2-6 | 12ft. |
| Major Collector | 2-4 | 12 ft. |
| Minor Collector | 2-4 | 12 ft. |
| Local Street | 2 | 10 ft. |

The minimum lane width on a two-lane divided road shall be sixteen (16) feet.

On-Street parking shall be approved by the City Manager. All on-street parking, if required, shall be paved a minimum of eight (8) feet wide.

(e) Angle

All access roads shall be constructed at not less than 60 degrees with the intersecting road, whenever possible.

(f) Radii

The minimum radius for road intersections is twenty-five (25) feet for residential and non-residential areas, and fifty (50) feet for truck traffic routes. Radius for curvature changes shall be based on FDOT standards.

(g) Spacing

The spacing between two intersecting roads shall be 500 feet minimum for intersections with collector roads, and 1,000 feet minimum for intersections with arterial or ma or collector roads. Where an offset (fpg) at an intersection is required by the city, the distance between the center lines of the intersecting roads shall be no less than 150 feet.

(h) Grade

Minimum grades for roads shall be 0.2%. Maximum grades for roads shall not exceed 8.0%. The gradient of approaches within 100 feet of intersections shall not exceed 3%.

(i) Curbing

Curb and gutter or Miami curb shall be provided for runoff conveyance to the stormwater inlet structures. Curbing shall be provided to all road intersections extending fifty (50) feet from the edges of intersections as a minimum. Longitudinal slope of 3% or more requires street curbing to

protect the pavement. Where curb and gutter or Miami curb is not used, ribbon curb shall be provided to protect the pavement.

(j) Shoulders

Shoulders are used to provide emergency parking for disabled vehicles and lateral support of the pavement. Shoulders shall be a minimum of three (3) feet for roads with curbing and six (6) feet for roads without curbing. Shoulders shall have a cross slope of 1/2 inch per foot.

Dead end streets shall be terminated with a cul-de-sac for traffic turn-around purpose. The cul-de-sac shall be a minimum of 100 feet diameter of dedicated right-of-way with a 74-foot diameter paved surface.

(l) Medians and Islands

Medians and islands are generally located at road entrances or cul-de-sacs. The minimum median width for divided boulevards shall be eight (8) feet. The maximum diameter of islands at cul-de-sacs shall be thirty (30) feet except as otherwise negotiated and approved.

(m) Clear Sight Zone

A clear sight zone shall be provided for all intersections to allow for safe ingress, egress, crossing, and turning maneuvers. A clear visibility triangle shall be maintained and clear of any obstructions within the triangle area measured from the intersection of the right-of-way lines along each right-of-way from the intersection point.

| **Road Type** | **Sight Distance** |
|---|---|
| Arterial Street | 50 feet |
| Collector Street | 35 feet |
| Local Street | 25 feet |

(n) Acceleration, Deceleration and Turning Lanes

All turn lanes shall consist of storage lanes with tapers. The right turn deceleration lane and left turn lane shall have the storage and taper lengths as follows:

| **Roadway Speed** | **Taper Length** | **Storage Length Stop Cond.** | **Free Right** |
|---|---|---|---|
| 30 mph | 150 ft. | 50 ft. | 50 ft. |
| 35 mph | 170 ft. | 105 ft. | 80 ft. |
| 40 mph | 190 ft. | 135 ft. | ll0 ft. |
| 45 mph | 210 ft. | 165 ft. | 140 ft. |
| 50 mph | 230 ft. | 195 ft. | 170 ft. |
| 55 mph | 250 ft. | 210 ft. | 200 ft. |

NOTE: 100 ft. Storage Length for left turn lane. The “Stop Cond.” column applies to both right and left turn lanes. The “Free Right” column applies to the right turn lane only.

(o) Blocks

Tract of land bounded by parallel streets shall not exceed 1,800 feet in length, nor be less than 500 feet.

(p) Alleys

Alleys, if required, shall be in commercial and industrial land use districts, but not in residential districts. Alleys shall have a minimum right-of-way width of thirty (20) feet and paved width of twelve (12) feet. Dead end alleys shall be prohibited.

B. Right-Of-Way

The minimum right-of-way widths within the city are as follows:

| **Road Type** | **Width** |
|---|---|
| Arterial (Principal) | Per FDOT |
| Arterial (Minor) | Per FDOT |
| Collector (Major) | 66-100 ft. |
| Collector (Minor) | 60-80 ft. |
| Local (Residential) | 50-66 ft. |

C. Street Naming

All proposed street names shall be submitted to the city for review and approval. New street names shall avoid duplication, shall not be offensive, and shall not be confusing with existing or proposed names. Streets that are in line with current streets shall be considered a continuation of an existing street and named appropriately.

Street designations shall be as follows:

**Avenue:** Travels in an East-West direction and has a minimum of two intersections.

**Street:** Travels in a North-South direction and has a minimum of two intersections.

**Boulevard:** A traffic route with three or more lanes that travels in a non-directional pattern and has a minimum of two intersections.

**Road:** A two-lane traffic route which travels in a non-directional pattern and directly links two State routes.

**Court:** A roadway which is 500 feet, or less, and ends in a dead end Cul-De-Sac.

**Circle:** A traffic route which connects itself together.

D. Street Trees

Tree planting within the right-of-way and utility easement is strictly prohibited. Trees shall be planted within the private property line with a minimum of five (5) feet from the edges of right-of-way, or easement, whichever is greater. Landscape shrubs and garden-type trees not over ten (10) feet tall when mature are acceptable in the medians and islands as part of the landscaping improvement within the development. Tree planting shall be in accordance with the City's Tree Protection and Preservation ordinance.

E. Sidewalks

Sidewalks shall be provided for connections to the existing adjacent sidewalks that lead to public facilities such as schools, churches, public libraries and other public facilities within walking distances. Sidewalks, if required, shall be a minimum of five (5) feet wide, four (4) inches thick, and six (6) inches thick with wire mesh at driveways with a minimum compressive strength of 3,000 psi concrete. All sidewalks shall have

wheelchair and handicap ramps for crossing street intersections. Sidewalks may be required to have safety handrails at locations with a steep slope.

F. Bikeways

On street bicycle lanes shall be one-way drive in the same direction as the motor vehicle traffic. Bicycle lanes, if required, shall be a minimum of four (4) feet wide and shall be designed in accordance with the *Florida Department of Transportation Bicycle Facilities Planning and Design Manual.*

G. Driveways

Private driveways shall be located not closer than three (3) feet from stormwater inlet structures and five (5) feet from property corners. All driveways shall be paved to the edge of the road pavement. On roads with curb and gutters, valley gutters shall be required in driveways and shall be placed in line with the gutter line. The minimum design criteria of driveways are as follows:

| | **Driveways** | **Values** |
|---|---|---|
| Widths: | Single Family Residence (single) | 8 ft. |
| | Single Family Residence (double) | 15 ft. |
| | Commercial (one-way) | 18-24 ft. |
| | Commercial (two-way) | 24-48 ft. |
| Angle: | | 90 degrees |
| Radii: | Single Family Residence | 6 ft. (or 4’ W x 8’ flares) |
| | Commercial | 25 ft. |
| | Semi-trailer | 50 ft. |

The driveway shall be designed to accommodate and improve drainage facilities at the site in accordance with the approved site plans. The drainage facility shall dictate that the driveways shall act as a paved swale or swale check. The crown of a cross-section shall be one (1) foot higher than the crown of the road to avoid potential flooding to the building during storms.

H. Awnings, Marquees, and Overhangs

All awnings, marquees and overhangs projecting over the public right-of-way from commercial buildings shall not be less than eight (8) feet above the sidewalk at their lowest point and they shall not project closer than two (2) feet from the vertical projection of the back of the street curb line or the edge of the pavement line if there is no curb.

(a) Height Above Sidewalks

Awnings, awning frames, marquees and overhangs erected over the right-of-way from commercial buildings shall not be less than eight (8) feet above the sidewalk at their lowest point and they shall not project closer than two (2) feet from the vertical projection of the back of the street curb line or the edge of the pavement line if there is no curb.

(b) Responsibility of Owners

Owners of commercial buildings shall be responsible for the operation and maintenance of awnings, awning frames, overhangs, marquees, and supporting pillars.

(c) Rainfall Runoff

Rainfall runoff shall not be directed onto the sidewalk or street. Gutters, downspouts, or other techniques shall be used to divert the runoff to the drainage facility.

## STORMWATER MANAGEMENT

### ARTICLE 1. PURPOSE AND INTENT

THE PURPOSE OF THIS SECTION IS TO PROVIDE STORMWATER MANAGEMENT FOR PROTECTING THE PUBLIC HEALTH, SAFETY, AND WELFARE FROM DETERIORATION OF WATER QUALITY, DAMAGE OF PROPERTY AND INFRASTRUCTURES, AND DEGRADATION OF ENVIRONMENT.

THE INTENT OF THE STORMWATER MANAGEMENT IS TO CONFINE AND REGULATE RUNOFF FROM POLLUTING SURFACE WATER, REDUCING EROSION AND SEDIMENTATION, PREVENTING FLOODING AND ENDANGERING THE ECOLOGICAL BALANCE OF THE ENVIRONMENT. PROPER STORM WATER MANAGEMENT ENHANCES LANDSCAPE VALUE, INCREASES GROUNDWATER RECHARGE, AND DECREASES GROUNDWATER CONSUMPTION.

ALL NEW DEVELOPMENTS REQUIRE STORMWATER MANAGEMENT WITH THE FINANCIAL RESPONSIBILITY OF DESIGN, PERMITS, CONSTRUCTION AND MAINTENANCE BEING BORN BY THE DEVELOPER.

### ARTICLE 2. PERFORMANCE CRITERIA AND STANDARDS

All stormwater management shall be planned, designed, constructed and maintained to meet the performance criteria and standards as described herein and required by law.

(a) Pollution Abatement

Stormwater runoff shall be contained as required by state and federal regulatory agencies to provide retention and detention storage as required by the agency having jurisdiction (Southwest Florida Water Management District - SWFWMD).

Retention basins with percolation and detention basins without filtration (wet detention) are recommended. The use of detention basins with under drain filtration (dry detention) is discouraged due to maintenance problems.

(b) Volume of Discharge

Stormwater runoff shall be contained such that the post-development volume of runoff shall not exceed pre-development conditions based on a 25 year, 24-hour storm event for areas having positive drainage outfall, and a 100-year, 24-hour storm event for areas having no positive drainage outfall.

(c) Flood Plain

Development within the flood plain is discouraged. Construction within the flood prone areas as defined by City of Bushnell's Stormwater Management Master Plan maps shall be compensated by providing storage volume for all floodwater displaced by development below the elevation of the 100 year flood plain.

(d) Off-Site Drainage

Off-site areas that drain to or across a developing site must be accommodated in the stormwater management plans. Developing sites which drain to off-site areas must include those off-site areas in the stormwater management plans. The stormwater management system for the development

must be capable of transporting flows without increasing stages of flows upstream or downstream of developing areas.

(e) Roadway Swales

Roadway swales may be acceptable for retention and detention of stormwater runoff from the roadway. Swale drainage shall be designed to provide positive drainage on site or conveyance of runoff to the retention or detention ponds based on 25-year, 24-hour storm event. Positive percolation on site will be accepted only when the wet season ground water level is a minimum of 2 feet below the invert of the swale.

(f) Storm Sewer

Storm sewer shall be designed based on a minimum of 10-year, 24-hour storm event. The minimum size of pipe used for storm sewer is 15 inches. All storm sewers shall be designed for a minimum velocity of 2 fps when flowing full, and the outlet ends shall be equipped with energy dissipaters for erosion control. Storm sewers shall be designed such that the hydraulic gradient is one (1) foot below the gutter line or edge of pavement for arterial roadways, and one-half (1/2) foot below the gutter line or edge of pavement for collector and local roadways.

(g) Stormwater Facilities

Stormwater facilities shall be designed to provide the following levels of service:

**Canals:** Canals, ditches, or culverts external to the development, and stormwater detention or retention basins which are not part of a project that is contributory to land-locked areas with no positive outlet, shall be designed for the 25-year, 24-hour storm event.

**Roadway:** Stormwater flooding for arterial and collector roadways shall not exceed one-half (1/2) of the roadway width. For local roads, stormwater flooding shall not exceed the crown of the road for the 25-year, 24-hour storm event.

(h) Easement

A minimum fifteen (15) feet drainage easement shall be granted to the city for maintenance of drainage ways on-site or through the retention/detention basins. A twenty (20) feet wide berm easement around the storage basins for maintenance purposes shall be provided to the city. This easement shall in no way relieve the property owner of maintenance of the drainage facility (for example, mowing of grass or weed control). It is not the intent of the city to provide routine maintenance in these easements; rather, the intent is to allow the city access to maintain the easement area as deemed necessary in the city's sole discretion.

(i) Safety Protection

Where a sidewalk or public right-of-way is immediately abutting to a retention/detention basin, a guardrail or other protective device shall be installed along the sidewalk or right-of-way.

## UNIFORM MARKINGS FOR UNDERGROUND UTILITIES

THIS GUIDE SHALL PROVIDE FOR UNIVERSAL USE AND UNDERSTANDING OF THE MARKINGS OF SUBSURFACE FACILITIES TO PREVENT ACCIDENTAL DAMAGE OR SERVICE INTERRUPTION.

SURFACE MARKS (PAINT OR SIMILAR COATINGS) SHALL BE USED TO INDICATE THE LOCATION, DIRECTION, CHANGE IN DIRECTION AND DEAD—ENDS OF BURIED LINES. TO INCREASE VISIBILITY COLOR—CODED VERTICAL MARKERS (TEMPORARY STAKES OR FLAGS) SHALL SUPPLEMENT SURFACE MARK. IF THE SURFACE OVER THE BURIED LINE IS TO BE REMOVED, SUPPLEMENTAL OFFSET MARKINGS SHALL BE USED. OFFSET MARKINGS SHALL BE ON A UNFORM ALIGNMENT AND SHALL INDICATE THAT THE FACILT1Y IS A SPECIFIC DISTANCE AWAY.

ANY EXCAVATION WITHIN THE LOCATION TOLERANCE ZONE SHALL BE PERFORMED WITH HAND TOOLS UNTIL THE MARKED FACILITY IS EXPOSED.

EXISTING ONE—CALL SYSTEM SHALL BE USED TO MINIMIZE DAMAGE TO BURIED LINES.

UNIFORM COLOR CODE

| | |
|---|---|
| BROWN | SEWER FORCE MAINS |
| RED | ELECTRIC POWER LINES: CABLES, CONDUIT AND LIGHTING CABLES |
| RED | PETROLEUM OR GASEOUS MATERIALS: GAS, OIL AND STEAM. |
| ORANGE | CABLES OR CONDUIT: COMMUNICATION, ALARM OR SIGNAL LINES |
| BLUE | WATER, IRRIGATION AND SLURRY LINES |
| GREEN | SEWERS AND DRAIN LINES |
| PURPLE | RECLAIMED WATER |

# SECTION III

# SANITATION STANDARDS

## SECTION III
## SANITATION STANDARDS

### ARTICLE 1. SPECIFICATIONS FOR DUMPSTER BAYS

Any business that requires dumpster service will be required to build dumpster bays. The minimum measurements of each dumpster bay will be as measured inside: height 6', width 13' and the depth will be 7' for 2, 3 and 4 yard dumpsters and 10' for 6 and 8 yard dumpsters. They may be constructed of the following materials: concrete block, stucco, chain link fence with screen or slats. Other requirements are a minimum of 2 retaining posts (located in the rear of the bay), doors or gates, concrete floors minimum of 4" thickness, 3,000 psi concrete with fiber or reinforcement wire.

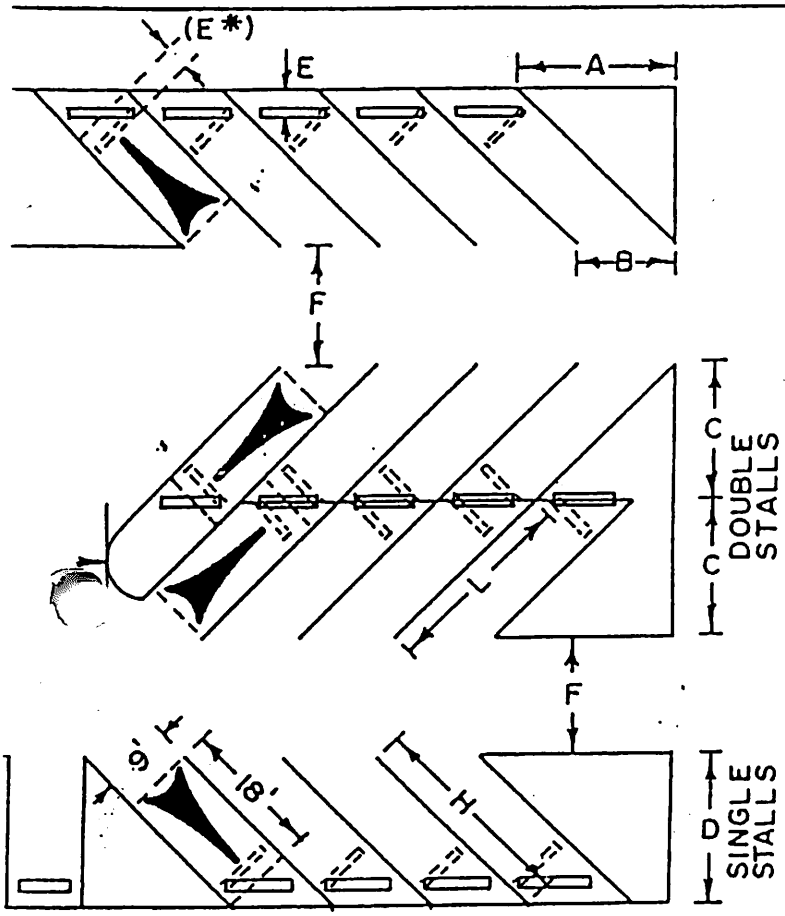
| Size | Depth of Dumpster |
|---|---|
| 2 yard | 36" x 80" |
| 3 yard | 42" x 80" |
| 4 yard | 48" x 80" |
| 6 yard | 67" x 80" |
| 8 yard | 80"x 80" |

ALL DUMPSTER PAD MINIMUMS

| | | |
|---|---|---|
| Height | 6 ft | |
| Width | 13 ft (inside) | |
| Depth (Length) | 7' for 2, 3 and 4 yard dumpsters | 10' for 6 and 8 yard dumpsters |

# ILLUSTRATION 60-1

## LOCATIONS OF PARKING DIMENSION MEASUREMENTS




DIMENSIONS WHEN PARKED AT ANGLES:

| ANGLE | | 45° | 60° | 90° |
|---|---|---|---|---|
| OFFSET | A | 19'-10" | 12' | 1'-6" |
| CAR SPACE | B | 12'-9" | 10'-5" | 9' |
| STALL DEPTH | C | 15'10" | 18' | 18' |
| STALL DEPTH | D | 19'-1" | 20'-2" | 18' |
| OVERHANG | E | 2'-11" | 3'-1" | 2'-9" |
| DRIVEWAY | F | 13' | 18' | 24' |
| TURNAROUND | G | 15' | 15' | 15' |
| STRIPE | H | 27' | 23'-3" | 18' |
| STRIPE | L | 22'-6" | 20'-9" | 18' |

* NOTE: WHEN WHEELSTOP IS PERPENDICULAR TO STALL USE "E" FOR 90°

DIMENSIONS WHEN PARKED PARALLEL:

