

ORDINANCE NO. 256

AN ORDINANCE AMENDING THE TOWN'S PERFORMANCE ZONING ORDINANCE NO. 233 ADOPTED ON MARCH 15, 1990 TO CONFORM CERTAIN PROVISIONS THEREOF TO THE TOWN'S PREVIOUSLY ADOPTED COMPREHENSIVE PLAN AS REVISED AND TO MAKE OTHER ADMINISTRATIVE CHANGES THERETO; AMENDING SECTION 4402 PERTAINING TO WETLANDS, SECTION 4408 PERTAINING TO STORMWATER RUNOFF, AND SECTION 4409 PERTAINING TO SEWAGE DISPOSAL, TO MAKE THE SAME CONSISTENT WITH REVISIONS TO THE TOWN'S COMPREHENSIVE PLAN; AMENDING SECTION 5100 PERTAINING TO STANDARDS APPLICABLE TO CERTAIN PERMITTED USES SO AS TO DELETE LANGUAGE ABOUT VEHICLES FOR SALE OR STORAGE HAVING TO BE AT LEAST FORTY (40) FEET FROM ANY STREET; AMENDING SECTION 5200 PERTAINING TO RESIDENTIAL USE REGULATIONS TO ADD NEW LANGUAGE SETTING OUT SPECIFICATIONS FOR DRIVEWAYS TO MEET OFF-STREET PARKING REQUIREMENTS; AMENDING SECTION 5700 PERTAINING TO OFF-STREET PARKING TO ADD NEW LANGUAGE COVERING CHANGES IN THE LAW WITH REGARD TO THE AMERICANS WITH DISABILITIES ACT; AMENDING SECTION 8018 PERTAINING TO FEES AND CHARGES SO AS TO PROVIDE THAT THE APPLICATION FEES FOR ZONING MAP CHANGES AND VARIANCES OR CONDITIONAL USES SHALL BE AS SET BY THE TOWN COUNCIL; PROVIDING CODIFICATION AND EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAVANA:

SECTION 1. That Section 4402 of the Town's Performance Zoning Ordinance No. 233 pertaining to Wetlands is hereby amended to read as follows:

**Section 4402. Wetlands.**

- A. **Permanent open space.** All such areas shall remain as permanent open space. Wetlands may be dredged for deepening or enlargement, provided necessary permits from DER and/or Corps of Engineers are obtained, but wetlands shall not be filled.
- B. **Permitted uses.** The following buildings or structures are permitted within wetlands as a matter of right:

1. Boat launching ramps, boat docks, piers, picnic shelters, and stormwater detention facilities, provided that a licensed engineer has certified that such structures are designed to withstand the forces exerted by the 100-year storm event. Evidence of this certification shall be presented as a precondition to issuance of a zoning certificate.
2. Boat houses, boat buildings, and operational sales or rental structures (except boat or motor repair buildings) associated with uses permitted in the preceding subsection, provided that a licensed engineer certifies that such structures are designed to allow free entrance of floodwaters and structurally to withstand the forces exerted by the 100-year flood event at that location. Evidence of this certification shall be presented as a precondition to issuance of a zoning certificate.
3. Operational, rental, or sales shelters associated with uses permitted by this section; drive-in movie screens, provided that their floors or structures are elevated above flood elevation on piles, piers, or other structures designed to permit floodwaters to flow safely underneath.

All other buildings or any residential, institutional, office, commercial and entertainment, commercial recreation, recreational rental dwelling, or nursery use may be permitted pursuant to conditional use permits (see Article VII), provided that all such uses or structures and their access are elevated so that no floor, or its structural supports, or any utility line has less than three (3) feet of clearance between its lowest point and

the 100-year flood elevation. Vehicular access to such structures shall comply with the same standards in order to insure emergency or fire access during periods of high water. Any reduction of cross-sectional area due to vertical supporting members shall be offset by compensatory storage.

**Commentary:** Note that the Florida Department of Environmental Regulation (DER) has jurisdiction over defined "wetlands." As of July 1991, there were no jurisdictional wetlands identified within the Town limits. The requirements under Section 4402 are minimum standards. DER rules may be more stringent and not allow uses/structures permitted under this section. Alteration of these wetlands without obtaining permits from DER is a violation of state law. DER regulations should be consulted if there is any indication that the area in question is a "wetland."

SECTION 2. That Section 4408 of the Town's Performance Zoning Ordinance No. 233 pertaining to Stormwater Runoff is hereby amended to read as follows:

**Section 4408. Stormwater Runoff.**

- A. Except for conventional single family dwellings with an impervious surface ratio of .26 or less, each development shall provide for the detention on or off site of excess stormwater runoff resulting from that development. For the purpose of this article, "excess stormwater runoff" shall include all increases in stormwater resulting from: an increase in the impervious surface of the site, including all additions of buildings, roads, and parking lots; changes in soil absorption caused by compaction during development; modifications in contours, including the filling or draining of small depressional areas, alterations of drainageways, or regrading of slopes; destruction of forest; alteration of drainageways or installation of collection systems to intercept street flows or to replace swales or other drainageways; or the alteration of subsurface flows, including any groundwater dewatering or diversion practices such as curtain drains, compared with the site in its natural state. No site alteration activities shall allow water to become a health hazard or contribute to the breeding of mosquitoes.
- B. **Limitation on stormwater runoff.** No development shall cause downstream property owners, water courses, channels, or conduits to receive stormwater runoff from proposed developments at a higher peak flow rate than would have resulted from the same storm event occurring over the site of the proposed development with the land in its natural,

undeveloped condition. For the purposes of this article, "undeveloped condition" shall mean that all the natural retention areas and drainageways plus existing farm drainage tiles and highway drainage structures shall be included in the flow calculations. For the purposes of the following calculation, all ground covers shall be considered to be meadow or grassland, with the exception that forested areas shall be treated as woodlands. "Channel" or "drainageway, channel" shall mean the channels used to convey the drainage flows between successive retention facilities or to retention facilities or from the property.

- C. **Storage capacity.** All stormwater storage facilities shall be designed with sufficient capacity to accommodate all runoff caused by the development in excess of the runoff which would have resulted from the site if left in its natural, undeveloped condition. The storage capacity of all storage facilities shall be sufficient to store one hundred and fifteen (115) percent of the excess flow, in each watershed, which would result from the 50-year storm of 24-hour duration.

**Commentary:** The excess storage capacity is intended to provide a safety margin for downstream land uses and to provide reserve capacity to offset losses due to the accumulation of sediments and miscellaneous debris.

- D. **Detention storage calculation.** The engineering calculations regarding stormwater shall be made by a Florida licensed engineer practicing within his/her area of expertise.

**Commentary:** The detention storage calculation is a comprehensive calculation intended to account for all major factors which alter the runoff characteristics of a site during a 50-year, 24-hour storm. First, the runoff from the site in its developed condition is determined, including all upstream areas. This part of the calculation accounts for the impervious surfaces, ground covers, time of concentration, soil types, and compaction of soils. Then, the runoff from upstream areas, which is a factor beyond the landowner's control, is subtracted from this figure. The runoff from the site in a natural condition is also calculated and subtracted. Natural condition includes all forested areas and assumes a grassland cover for all grasslands and fields, whether cultivated or not. This is done because the natural state of runoff has often been substantially altered causing downstream flood damage. All development must restore runoff characteristics to at least natural condition. Next, change in the site's natural retention capacity is subtracted from the site in its developed capacity. If natural depressional areas are filled or drained, their storage capacity is added to the required detention area. If natural storage capacity is enlarged, it is subtracted from the needed detention storage.

**E. Water Quality.** Stormwater treatment shall be required for all new development and redevelopment. The stormwater treatment system or systems can be site-specific or serve sub-areas of the Town. Regardless of the area served, the stormwater treatment systems must provide a level of treatment for the runoff from the first one (1) inch of rainfall for projects in drainage basins of 100 acres or more, or, as an option for projects or project subunits with drainage basins less than 100 acres, the first one-half (1/2) inch of runoff, from the design storm in accordance with Rule 17-25, F.A.C. (1991) in order to meet the receiving water quality standards of Rule 17-302, section 17-302.500, F.A.C. (1991). Stormwater discharge facilities shall be designed so as to not lower the receiving water quality or degrade the receiving water body below the minimum conditions necessary to maintain their classifications as established in Chapter 17-302, F.A.C.

Infill residential development within improved residential areas or subdivisions existing prior to the adoption of this comprehensive plan, must ensure that its post-development stormwater runoff will not contribute pollutants which will cause the runoff from the entire improved area or subdivision to degrade receiving water bodies and their water quality as stated above.

**F. Design regulations.** All detention facilities and improvements required by this section shall comply with the following regulations.

1. **Storage volumes.** Storage may be provided by wet or dry bottom basins or reservoirs or rooftop storage facilities.
2. **Outlet control structures.** Outlet control structures shall be designed as simply as possible and shall operate automatically. They will be designed to limit discharges into existing or planned downstream channels or conduits so as not to exceed existing flow of the site in its natural condition.
3. **Spillway.** Emergency overflow facilities shall be provided unless inflow is controlled to divert flows when the basin is at capacity.
4. **Dry bottom basin.** For basins designed without permanent pools:
  - a. **Interior drainage.** Provisions must be made to facilitate interior drainage, to include the provision of natural grades to outlet structures, longitudinal and transverse grades to perimeter drainage facilities, or the installation of subsurface drains.

- b. **Multipurpose features.** These may be designed to serve secondary purposes for recreation, open space, or other types of use which will not be adversely affected by occasional or intermittent flooding.
  - c. **Cleaning.** The basins shall be designed for periodic cleaning and removal of sediments, which shall be removed from the site or otherwise disposed of in an appropriate manner.
5. **Wet basins.** For basins designed with permanent pools:
- a. **Depth for fish.** If fish are used to help keep the basin clean, at least one-quarter (.25) of the area of the permanent pool must have a minimum depth of four (4) feet.
  - b. **Facilities for emptying.** For emergency purposes, cleaning, or shoreline maintenance, facilities shall be provided or plans prepared for the use of auxiliary equipment to permit emptying and drainage.
  - c. **Pollution abatement.** Aeration facilities may be required when the quality of the influent and detention time would result in a lowering of dissolved oxygen content in the basin.
  - d. **Slopes.** Approach slopes shall be at least 6:1 but not more than 3:1 and shall be at least four (4) to six (6) feet wide and slope gently toward the basin. The side slopes shall be of nonerosive material with a slope of 1:1 or flatter. The ledge shall be four (4) to six (6) feet wide and slope gently toward the shore to prevent people or objects from sliding into deep water. There shall be a freeboard of twelve (12) to eighteen (18) inches above the high-water elevation on all retention basins. Alternate designs for side slopes may be considered under special circumstances where good engineering practice is demonstrated.
  - e. **Cleaning.** The basins shall be designed to include sediment traps in all inlets. Sediment traps shall be designed to permit periodic cleaning and maintenance. A basin maintenance plan shall be developed to insure that the design depths of the basin will remain over time.

6. **Building regulations.**

- a. **Rooftop storage.** Detention storage requirements may be met either in total or in part by detention on flat roofs. Design specifications of such detention shall be a part of the application for a zoning certificate. These specifications shall include the depth and volume of storage, design of outlet devices and downdrains, elevations of overflow scuppers, design loadings for the roof structure, and emergency overflow provisions. Rooftop storage shall not be permitted to drain directly into sanitary sewers or streets.
- b. **Parking lot storage.** Paved parking lots may be designed to provide temporary detention storage of stormwater on a portion of their surfaces not to exceed twenty-five (25) percent. Outlets shall be designed to empty the stored waters slowly, and depths of storage must be limited so as to prevent damage to parked vehicles. Storage areas shall be posted with warning signs and shall be designed to fill to maximum depth in not less than two (2) hours.
- c. **Detention storage.** All or a portion of the detention storage may also be provided in underground detention facilities.

- 7. Retention in floodplains shall be permitted only in depressional floodplain areas. Retention shall not be permitted in riverine floodplains.
- 8. Channeling runoff directly into waterbodies from retention ponds is discouraged wherever possible. Instead, runoff should be routed through swales and other retention or detention systems to increase stormwater infiltration and evapotranspiration, to allow settling of suspended solids, and to remove pollutants.

- G. **Maintenance of facilities.** The developer shall be responsible for the maintenance of all improvements until such time as eighty (80) percent of the development is completed and occupancy permits are issued or until such time as eighty (80) percent of the lots in the development have been sold. The developer shall not, however, transfer these improvements for the purpose of maintenance until he has complied with the above and until he has received final approval, final inspection, and a certificate of compliance from the Town of Havana. Thereafter, all detention improvements shall be maintained in perpetuity and cannot be developed for any other use which would limit or cause to limit the use for detention.

- H. **Inspection of facilities.** The developer's engineer shall be required to inspect all drainage facilities under construction and certify their compliance with approved plans. In addition, a registered engineer, employed by the Town of Havana, may inspect all drainage facilities while under construction. When facilities are not constructed according to approved plans, the Town of Havana has the explicit authority to compel compliance and require correction of any situations which are not in accordance with the approved plans.

SECTION 3. That Section 4409 of the Town's Performance Zoning Ordinance No. 233 pertaining to Sewage Disposal is hereby amended to read as follows:

**Section 4409. Sewage Disposal.**

A single family or duplex dwelling unit must connect to the Town's sewer system if a connection is possible within thirteen hundred twenty (1,320) feet of an existing sewer line measured from the closest lot line, unless each dwelling unit is on a one-acre or greater lot, or if connection to the sewer line is prohibitively expensive. The Town may, at its option, extend a sewer line to within two hundred (200) feet of the lot line in order to allow connection. If, after notification by the Town that a sewer line will not be extended, a single family or duplex dwelling may use an on-site septic system if the requirements of paragraphs A, B or C below are met.

All new subdivisions, new commercial structures or new multi-family dwellings of more than two units must connect to the Town's sewer system prior to issuance of a Certificate of Occupancy.

In any event, all structures using septic tanks must connect to the Town's sewer system and discontinue use of the septic tank within one (1) year after a sewer line is provided within thirteen hundred twenty (1,320) feet of the nearest property line, unless such connection is prohibitively expensive.

On-site septic system disposal, where allowed, shall meet the standards imposed by the State of Florida.

- A. The minimum site upon which a septic system may be permitted shall not be less than one quarter acre (10,890 square feet) where a public water supply is provided.
- B. The minimum site upon which a septic system may be permitted shall not be less than one-half acre (21,780 square feet) where a private well is used to supply water.



- C. The soils in the specific location in the drainfield must meet the percolation and distance above the groundwater table specified by the requirements of the State Health Department or its successor and a permit obtained from the local health unit prior to obtaining a local certificate of occupancy.

SECTION 4. That Section 5100 of the Town's Performance Zoning Ordinance No. 233 pertaining to Standards Applicable to Certain Permitted Uses is hereby amended to read as follows:

**Section 5100. Standards Applicable to Certain Permitted Uses.**

In addition to compliance with other regulations imposed by this ordinance, the following standards are required of the specific uses enumerated below.

**A. Golf driving range.**

1. The site plan required pursuant to Article VIII (Administration and Enforcement) shall show the layout of the property and indicates the location of all driving ranges, putting greens, fences and structures.
2. Accessory uses permitted shall be limited to a refreshment stand, a maintenance shed, a miniature golf course, and a pro shop.

**B. Junk, scrap, or salvage yards.**

1. The site plan required pursuant to Article VIII (Administration and Enforcement) shall show the location of all buildings and the location of storage areas designed or used for automobiles and other vehicles, parts, lubricants, fuel, and other storage.
2. All lubricant and fuel oil substances which are to be stored on the site shall be stored with all necessary precautions taken to prevent their leakage and/or surface or subsurface drainage into streams, creeks, or other bodies of water. A plan detailing how these materials will be stored in compliance with this requirement shall be submitted with the application for a zoning certificate.
3. All hazardous materials shall be stored in a safe manner and, where required, shall be in receipt of a permit for such storage.

**C. Nursery, with or without retail sales or greenhouses.**

1. No more than twenty-five (25) percent of the retail stock of a nursery shall be of materials not grown on the premises.

2. No power equipment, such as gas or electric lawn mowers and farm implements, may be sold wholesale or retail.

D. **Public service.** Because of their public necessity, public service uses are permitted in all zoning districts. If the zoning officer determines that the use may cause either a possible hazard to nearby residents or passersby or an interference with the development, use, or enjoyment of surrounding property, the zoning officer may require fencing or screening with densely planted materials to a greater extent than the required bufferyard.

E. **All road service uses.**

1. All activities involving the production, processing, cleaning, servicing, testing, or repair of materials, goods, or products shall conform to all applicable requirements of this ordinance.
2. All repair, painting, and body work activities shall take place within a building.

F. **Mobile home parks.**

1. Each mobile home shall be located on a lot conforming to the standards in the table below.
2. Table of Dimensional Requirements:

	Length of mobile home	
	Less than 61 ft.	61 ft. or more
Minimum lot area	3600	4500
Minimum lot width at setback line	42	42
Minimum street setback	10	10
Minimum spacing between units	30	30
Off-street parking spaces	2	2

3. All mobile home parks shall be separated from other residential land uses by a G bufferyard pursuant to Section 4607 (Bufferyard Requirements).

G. **Gas stations.**

1. All services except fuel sales shall be performed within a completely enclosed building.
2. When within seventy-five (75) feet of a residential use, a gas station shall store all refuse and vehicle parts within a completely enclosed building or within an area which is completely visually screened from the view of those residences.

H. **Miscellaneous.**

1. Outdoor structures (bleachers, movie screens, permanent rides) and outdoor seating areas shall be at least twenty-five (25) feet from any lot line, exclusive of bufferyards.

2. Campsites and recreational vehicle sites are subject to building setback regulations.
  3. Any pumps, underground fuel storage tanks, and islands, including any canopies, shall be at least twenty (20) feet from any street or lot line.
  4. Chainlink, barbed-wire-topped screening and/or fencing is required for high-voltage transformers and any other utility structures or equipment of potential hazard to residents or passersby.
- I. **Exceptions to minimum yard requirements.** The following structures shall be allowed to project into or be constructed on any minimum required yard as follows: awnings and canopies, not to exceed three (3) feet; bay windows, not to exceed two (2) feet; clotheslines; driveways and their curbs, fences, walls, and hedges may be constructed in minimum yard areas, provided that their installation does not violate any other provision of this ordinance.

SECTION 5. That Section 5200 of the Town's Performance Zoning Ordinance No. 233 pertaining to Residential Use Regulations is hereby amended to read as follows:

**Section 5200. Residential Use Regulations.**

All residential uses must provide for off-street parking (with the exception of residential uses in the urban core). The connection of the residential driveway to the public street must be made in such a way as to prevent dirt or other debris from washing into the public street. This requirement may be met in one of the following ways:

1. The driveway may be graded so as to drain away from the street for a distance of at least five feet. The minimum grade must be at least 0.5 percent.
2. The driveway may be paved with asphalt, concrete, brick, cobblestone or other such material as approved in writing by the zoning officer. The paved area must extend a minimum of five feet from the edge of the city street.
3. A mountable barrier may be installed across the access driveway designed so as to channel any runoff of mud or other debris away from the city street. The design of the barrier must be approved by the zoning officer or Town Manager prior to installation.

4. Other techniques may be implemented provided the zoning officer determines that such technique will provide an adequate solution to the problem of dirt, mud or other debris washing into the city streets.

The remainder of this section specifies the minimum lot dimensions and other requirements for each type of residential unit permitted by this ordinance except in the neighborhood conservation district (see Section 5300).

The regulations provide for lot sizes that vary with the number of bedrooms or size of house and with the type of housing. This gives the developer considerable freedom. For example, in areas where the site is best suited to smaller lots or dwellings, these can be accommodated without a zoning change so long as the overall intensity is balanced by the use of larger lots on other portions of the site.

Any type of single-family detached dwelling unit for which particular standards are not specified in this section shall comply with the requirements of a single-family house.

When a lot size exceeds the minimum permitted area, all other standards applicable to the minimum lot area shall nevertheless apply. The figures specified in the tables of this section are expressed in terms of square feet, feet, or a ratio, whichever applies. The off-street parking figures specify minimum number of off-street parking spaces. When the off-street parking is to be provided entirely on a lot and the required number of spaces is not a whole number, the number of required spaces shall be rounded up to the next higher whole number.

Reduction in number of off-street parking spaces: when a development is specifically designed to be used for senior citizens, all such units shall be required to provide one (1) parking space for each such unit.

SECTION 6. That Section 5700 of the Town's Performance Zoning Ordinance No. 233 pertaining to Offstreet Parking is hereby amended to read as follows:

**Section 5700. 'Off-street Parking.**

- A. The following minimum number of parking spaces shall be required of the nonresidential uses specified below (see Section 5200 for the off-street parking required of residential uses).

Reference herein to "employee(s) on the largest work shift" means the maximum number of employees employed at the facility regardless of the time period during which this occurs and regardless of whether any such person is a full-time employee. The largest work shift may be a particular day of the week or a lunch or dinner period in the case of a restaurant.

The term "capacity" as used herein means the maximum number of persons which may be accommodated by the use as determined by its design or by fire code regulations, whichever is greater.

1. **Agriculture uses:** one (1) space per employee on the largest shift.
2. **Agricultural support uses:** one (1) space per employee on the largest shift, plus one (1) space per two hundred (200) square feet of gross floor area provided for customer sales and service operations.
3. **Commercial and entertainment uses, except as specifically designated below:** one (1) space per hundred fifty (150) square feet of gross floor area of customer sales and service, plus one (1) space per two hundred (200) square feet of storage and/or office gross floor area, or, if the use has at least one hundred thousand (100,000) square feet of gross floor area, five and one-half (5.5) spaces per one thousand (1,000) square feet of gross floor area.

**Other commercial and entertainment uses:**

**Banks:** one (1) space per two hundred (200) square feet gross floor area, plus five (5) spaces off-street waiting (loading) spaces per drive-in lane, plus one (1) space per employee on the largest work shift.

**Funeral home:** one (1) space per four (4) patron seats or twenty-five (25) spaces per chapel unit, whichever is greater.

**Grocery or supermarket:** one (1) space per one hundred (100) square feet of gross floor area of customer sales and service, plus one (1) space per two hundred (200) square feet gross floor area of storage.

**Hospital:** two (2) spaces per three (3) patient beds, plus one (1) space per staff doctor and each other employee on the largest work shift.

**Hotel or motel:** one (1) space per room or suite, plus one (1) space per every three (3) employees on the largest work shift, plus one (1) space per three (3) persons to the maximum capacity of each public meeting and/or banquet room, plus fifty (50) percent of the spaces otherwise required for accessory uses (e.g., restaurants and bars).

Private clubs: one (1) space per three (3) persons to the maximum capacity of the facility.

Repair services: one (1) space per three hundred (300) square feet of gross floor area, plus one (1) space per employee on the largest work shift.

Restaurant, standard: one (1) space per three (3) patron seats or one (1) space per hundred (100) square feet of gross floor area, whichever is greater, plus one (1) space per employee on the largest work shift.

School, commercial or trade: one (1) space per three (3) students, plus one (1) space per employee (including faculty) at capacity class attendance period.

Shopping center, regional: five (5) spaces per one thousand (1,000) square feet of gross floor area.

Theaters and auditoriums: one (1) space per three (3) patrons based on maximum capacity. This requirement may be satisfied on a space-by-space basis by a facility's providing written proof that it has the use of a nearby parking lot available to its patrons (e.g., by contractual arrangement).

4. **Commercial/recreational uses:** one (1) space per four (4) patrons to the maximum capacity of facility, plus one (1) space per two (2) employees on the largest work shift.

**Other commercial/recreational uses:**

Bowling alley: five (5) spaces per lane, plus one (1) space per employee on the largest work shift.

Golf driving range: one (1) space per tee, plus one (1) space per employee on the largest work shift.

Miniature golf: one and one-half (1.5) spaces per hole, plus one (1) space per employee on the largest work shift.

Skating rink, ice or roller: one (1) space per three hundred (300) square feet of gross floor area.

5. **Heavy industrial uses:** one (1) space per employee on the largest shift, plus one (1) space per company vehicle normally left on the premises.

**Other heavy industrial uses:**

Truck terminal: one (1) space per employee on the largest shift, plus one (1) space per truck normally parked on the premises, plus one (1) space per three (3) patrons to the maximum capacity.

Junkyards: one (1) space per ten thousand (10,000) square feet of gross land area, plus one (1) space per employee on the largest work shift.

6. **Institutional, indoor, recreational, and special residential uses:** one (1) space per three (3) patrons to the maximum capacity, plus one (1) space per employee on the largest shift.

**Other institutional, indoor, recreational, and special residential uses:**

Camps, day or youth: one (1) space per employee on the largest shift, plus one (1) space per camp vehicle normally parked on the premises.

Church: one (1) space per four (4) seats of maximum capacity.

Community and recreation center: one (1) space per two hundred and fifty (250) square feet of gross floor area, or one (1) space per four (4) patrons to the maximum capacity, plus one (1) space per employee on the largest shift.

Day or nursery school: one (1) space per teacher/employee on the largest shift, plus one (1) off-street loading space per eight (8) students.

Group dwellings: one (1) space per bedroom or sleeping rooms.

Libraries and museums: one (1) space per two hundred and fifty (250) square feet of floor area or one (1) space per four seats to the maximum capacity, whichever is greater, plus one (1) space per employee on the largest shift.

Nursing homes: one (1) space per six (6) patient beds, plus one (1) space per employee on the largest shift, plus one (1) space per staff member and visiting doctor.

Schools:

- a. Elementary and junior high: one (1) space per teacher and staff member, plus one (1) space per two (2) classrooms.

- b. Senior high: one (1) space per teacher and staff member on the largest shift, plus one (1) space per five (5) nonbused students.
- c. College: one (1) space per staff member on the largest shift, plus one space per two (2) students of the largest class attendance period.

Swimming facility: one (1) space per seventy-five (75) square feet of gross water area, plus one (1) space per employee on the largest shift.

Tennis, racquetball, handball courts: four (4) spaces per court, plus one (1) space per employee on the largest shift.

- 7. **Light industrial uses:** one (1) space per employee on the largest shift, plus one (1) space per company vehicle regularly stored on premises.

**Other light industrial uses:**

Mini-warehouse: one (1) space per ten (10) storage cubicles, plus two (2) spaces per manager's residence, plus one (1) space per twenty-five (25) storage cubicles located at the warehouse office.

Veterinary office with enclosed kennels and/or pens: three (3) spaces per doctor, plus one (1) space per employee on the largest shift.

Warehouse: one (1) space per employee on the largest shift, plus one (1) space per four thousand (4,000) square feet of gross floor area.

- 8. **Nursery uses:** one (1) space per employee on the largest shift, plus one (1) space per two hundred (200) square feet of gross floor area of inside sales or display.
- 9. **Office uses:** one (1) space per two hundred and fifty (250) square feet of gross floor area.

**Other office uses:**

Beauty and barbershops: three (3) spaces per operator or one (1) space per one hundred (100) square feet of gross floor area, whichever is larger, plus one (1) space per employee on the largest shift.

Medical offices: five (5) spaces per doctor.

Personal services: one (1) space per two hundred (200) square feet of basement and first floor gross floor area, plus one (1) space per three hundred (300) square feet of any additional floor area for customer service, plus one (1) space per employee on the largest shift.



10. **Outdoor recreational uses:** one (1) space per four (4) expected patrons at capacity.

**Other outdoor recreational uses:**

Golf courses (nine and eighteen hole): ninety (90) spaces per nine (9) holes, plus one (1) space per employee on the largest shift, plus fifty (50) percent of spaces otherwise required for any accessory uses (e.g., bars, restaurants).

Golf, par three: forty (40) spaces per nine (9) holes, plus one (1) space per employee on the largest shift.

Outdoor swimming pool: one (1) space per seventy-five (75) square feet of gross water area.

Tennis court: three (3) spaces per court.

11. **Public service uses:** one (1) space per employee on the largest work shift, plus one (1) space per company vehicle normally stored on the premises.

12. **Recreational rental uses:** one and one-half (1.5) spaces per site or dwelling unit.

**Other recreational rental uses:**

Recreational vehicle park: one and one-half (1.5) spaces per each recreational vehicle site, plus one (1) space per employee on the largest shift.

13. **Road service uses:** one (1) space per two hundred (200) square feet of gross floor area, plus one (1) space per employee on the largest shift.

**Other road service uses:**

Convenience grocery: one (1) space per one hundred (100) square feet of gross floor area.

Fast-food restaurant: one (1) space per fifty (50) square feet of gross floor area, plus one (1) space per employee on the largest work shift.

Taverns, dance halls, night clubs, and lounges: one (1) space per fifty (50) square feet of gross floor area, plus one (1) space per employee on the largest shift.

Vehicle sales and service: one (1) space per fifteen hundred (1,500) square feet of gross floor area.

Vehicle repair and maintenance services: one (1) space per four hundred (400) square feet of gross floor area,

plus one (1) space per employee on the largest work shift.

- B. All parking areas shall be kept in a dust-free condition at all times. In the case of unpaved parking areas, this may be accomplished by oiling or spraying with calcium chloride.
- C. **Reduction in the number of required off-street parking spaces for large uses** (over 500,000 square feet of gross floor area). In order to prevent the establishment of a greater number of parking spaces than actually needed to meet the particular needs of those large uses over five hundred thousand (500,000) square feet of gross floor area, a reduction in the number of required off-street parking spaces may be permitted. This reduction shall be permitted subject to the following conditions.
1. A maximum reduction of one (1) parking space per every one thousand (1,000) square feet of gross floor area or twenty (20) percent of the total spaces required can be permitted. The land development plan shall indicate the location and dimensions of the parking area provided.
  2. Sufficient area must be reserved to provide for the total number of off-street parking spaces required by Section 5700 (Off-street Parking). The purpose of this reservation is to insure adequate area to meet any future need for additional parking spaces. This reservation shall be provided for by deed-restricting that portion of the site required to provide for the total number of parking spaces on the same property as is being proposed for development. The reserved parking area shall not include areas for required bufferyards, setbacks, or areas which would otherwise be unsuitable for parking spaces due to the physical characteristics of the land or other requirements of this ordinance. The developer shall provide a landscaping plan for the reserved area.
  3. The developer shall enter into written agreement with the Town of Havana that the additional parking spaces up to the total spaces required shall be provided at the owner's expense should the zoning officer determine that the total required parking spaces are necessary to satisfy the needs of the particular use pursuant to the standards imposed by this ordinance.

**Commentary:** Certain large uses, such as regional shopping centers, may need fewer parking spaces than are required by this ordinance since their trip generation per one thousand (1,000) square feet of gross floor area is typically less than smaller uses. For example, large industrial users may find, through van-pooling or car-pooling practices, that their

parking needs are reduced. This section provides a twenty (20) percent maximum reduction in required parking spaces while at the same time requiring that land be reserved to accommodate future parking needs.

- D. Accessible parking for physically handicapped people must be provided by any commercial facility offering parking for the general public or in any public parking lot or structure serving the general public. The minimum number of handicapped accessible spaces must comply with the following table:

<u>Total Parking in Lot</u>	<u>Required Number of Accessible Spaces</u>
<u>Up to 25</u>	<u>1</u>
<u>26 to 50</u>	<u>2</u>
<u>51 to 75</u>	<u>3</u>
<u>76 to 100</u>	<u>4</u>
<u>101 to 150</u>	<u>5</u>
<u>151 to 200</u>	<u>6</u>
<u>201 to 300</u>	<u>7</u>
<u>301 to 400</u>	<u>8</u>
<u>401 to 500</u>	<u>9</u>
<u>501 to 1,000</u>	<u>2% of Total</u>
<u>Over 1,000</u>	<u>20 plus 1 for each</u> <u>100 over 1,000</u>

Parking spaces designated for physically handicapped people that serve a particular building shall be located on the shortest possible accessible circulation route to an accessible entrance of the building. In separate parking structures or lots that do not serve a particular building, parking spaces for physically handicapped people shall be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility.

E. Parking Space Design Standards

1. Handicapped Accessible Parking Spaces

- a. Parking spaces (diagonal or right angle) shall be a minimum of twelve feet wide.
- b. Parallel parking spaces shall be located either at the beginning or end of a block or adjacent to alley entrances. Curbs adjacent to such spaces shall be of a height which will not interfere with the opening and closing of motor vehicle doors.

- c. All spaces shall have an adjacent access aisle 60 inches wide minimum. Parking access aisles shall be part of the accessible route to the building or facility entrance. Two accessible parking spaces may share a common access aisle. Parked vehicle overhangs shall not reduce the clear width of an accessible circulation route.
- d. All spaces shall have accessible thereto a curb-ramp or curb-cut, when necessary to allow access to the building served, and shall be located so that users will not be compelled to wheel behind parked vehicles.
- e. Each such parking space shall be conspicuously outlined in blue paint, and shall be posted and maintained with a permanent, above-grade sign bearing the international symbol of accessibility or the caption "PARKING BY DISABLED PERMIT ONLY," or bearing both such symbol and caption. Such signs shall not be obscured by a vehicle parked in the space. All handicapped parking spaces must be signed and marked in accordance with the standards adopted by the Florida Department of Transportation.

Commentary: The above standards in large part are taken from the Accessibility Requirements Manual published by the Florida Department of Community Affairs. Parking lot designers should ensure that the latest design standards are referenced, since the field of handicapped access is currently evolving at a rapid pace.

## 2. Standard Parking Spaces

The following minimum dimensions shall be used for the design of standard parking spaces under this ordinance:

<u>Parking Angle</u>	<u>Stall Width</u>	<u>Curb Length</u>	<u>Length of Space</u>	<u>Aisle Width</u>	<u>Total Width</u>	<u>Access Drive</u>
90°	9 ft.	9 ft.	19 ft.	24 ft.	62 ft.	Two-way
60°	9 ft.	10.4 ft.	21 ft.	18 ft.	60 ft.	One-way
45°	9 ft.	12.7 ft.	19.8 ft.	13 ft.	52.6 ft.	One-way

## F. Parking Lot Circulation Standards

1. Vehicle circulation may be via two-way aisles where 90° parking stalls are used. With stall angles less than 90°, one-way aisles must be used.
2. Unless rendered impracticable due to lot size and/or shape, cross aisles should be provided at every 30 parking spaces.

SECTION 7. That Section 8018 of the Town's Performance Zoning Ordinance No. 233 pertaining to Fees and Charges is hereby amended to read as follows:

**Section 8018. Fees and Charges.**

The following fees and charges shall be paid to the local governing body:

- |    |   |   |
|----|---|---|
| 1. | Application for change or amendment to the Zoning Map | <u>    **    </u>                                       |
| 2. | Application for Variance or Conditional Use           | <u>    **    </u>                                       |
| 3. | Applications for Zoning Certificates                  |   |
| A. | Commercial  | \$150.00  |
| B. | Multi-family  | \$150.00 (1st 6 units plus<br>\$ 10.00 per unit over 6) |

\*\* Fees to be set by Town Council

No permit or certificate shall be issued, and no inspection, public notice or other action relative to zoning, petitions for changes in zoning, or appeals shall be instituted until after such fees, costs and charges have been paid. When in accordance with the provisions of this section a fee is paid and application is filed, there shall be no return of any funds so received, regardless of the governing body's determination in the matter involved.

SECTION 8. It is the intent of the Town Council of the Town of Havana that this ordinance be a part of the Code of Ordinances of the Town of Havana, Florida, and be codified for inclusion therein.

SECTION 9. This ordinance shall take effect immediately upon its passage and approval as provided by law.

INTRODUCED in open session of the Town Council of the Town of Havana, Florida, on the 8th day of September, A.D. 1992.

ADOPTED AND PASSED in open session of the Town Council of the Town of Havana, Florida, on the 15th day of September, A.D. 1992.

7. J. Davis  
Presiding Officer of the Town  
Council of the Town of Havana,  
Florida

ATTEST:

Ann T. Best  
Clerk of the Town of Havana and  
Clerk of the Town Council thereof