

Council Members

Roger Manning-Mayor
Katrina Long Robinson-Vice Mayor
John Stanavitch-Seat 1
Kara Crump-Seat 2
Phillip Everett-Seat 3



City of Westlake

4001 Seminole Pratt Whitney Rd.
Westlake, Florida 33470
Phone: 561-530-5880
Fax: 561-790-5466

Council Workshop
Monday, August 12, 2019

Meeting Location
Westlake Council Chambers
4005 Seminole Pratt-Whitney Road
Westlake, FL 33470
6:00 p.m.

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the City Council with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The meeting/hearing may be continued to another date and time as may be found necessary during the aforesaid meeting. In accordance with the provisions of the Americans with Disabilities Act (ADA), any person requiring special accommodations at these meetings because of disability or physical impairment should contact the Interim City Manager at (954)753-5841 at least two (2) calendar days prior to the meeting.

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August 5, 2019

City Council
City of Westlake

Dear Mayor and Council:

The City Council of the City of Westlake will hold a workshop on Monday, August 12, 2019 at 6:00 p.m. at the Westlake Council Chambers, 4005 Seminole Pratt Whitney Road, Westlake, Florida. Following is the advance agenda for the meeting.

1. Call to Order/ Roll Call
2. Pledge of Allegiance
3. Presentation and Discussion of Proposed Article 3 – Zoning Districts
 - A. Staff Presentation
 - B. Updated Article 3 Draft
4. Audience Comments on Agenda Items (3) Minute Time Limit
5. Adjournment

Any additional supporting material for the items listed above, not included in the agenda package, will be distributed at the meeting. Staff will present their reports at the meeting. I look forward to seeing you, but in the meantime if you have any questions, please contact me.

Sincerely,

Kenneth Cassel

Kenneth G. Cassel
City Manager

cc: Pam E. Booker, Esq.
Terry Lewis
John Carter
Kelley Burke

Third Order of Business

3A.



CITY OF WESTLAKE

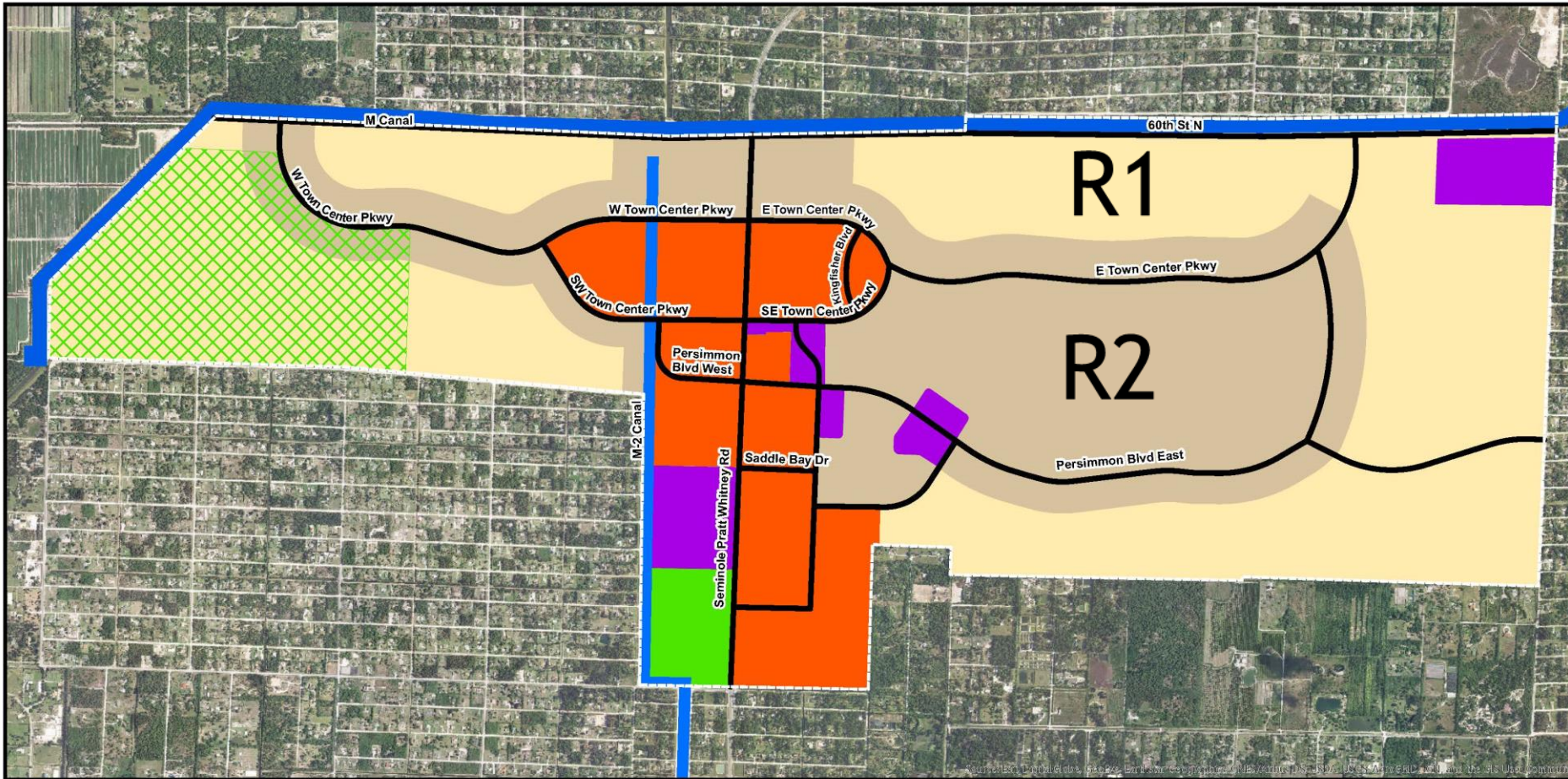
CITY COUNCIL WORKSHOP










Land Development Regulations

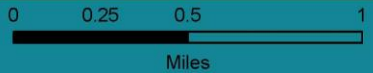
Article 3

8.12.19

Future Land Use Map



FUTURE LAND USE		OTHER		<p>City of Westlake Comprehensive Plan</p> <p>Revision Date: March 12, 2018</p>
 Residential 1	 Civic	 Roads	 City Boundary	
 Residential 2	 Open Space & Recreation	 Major Canal and ROW		
 Downtown Mixed Use	 Solar Energy Overlay			<p>Note 1: The illustration of roads shows preliminary alignments.</p> <p>Note 2: The City maintains the GIS data used to create this map. Data available upon request.</p>



FLU Map 2.1: 2038 Future Land Use Map

ZONING MAP

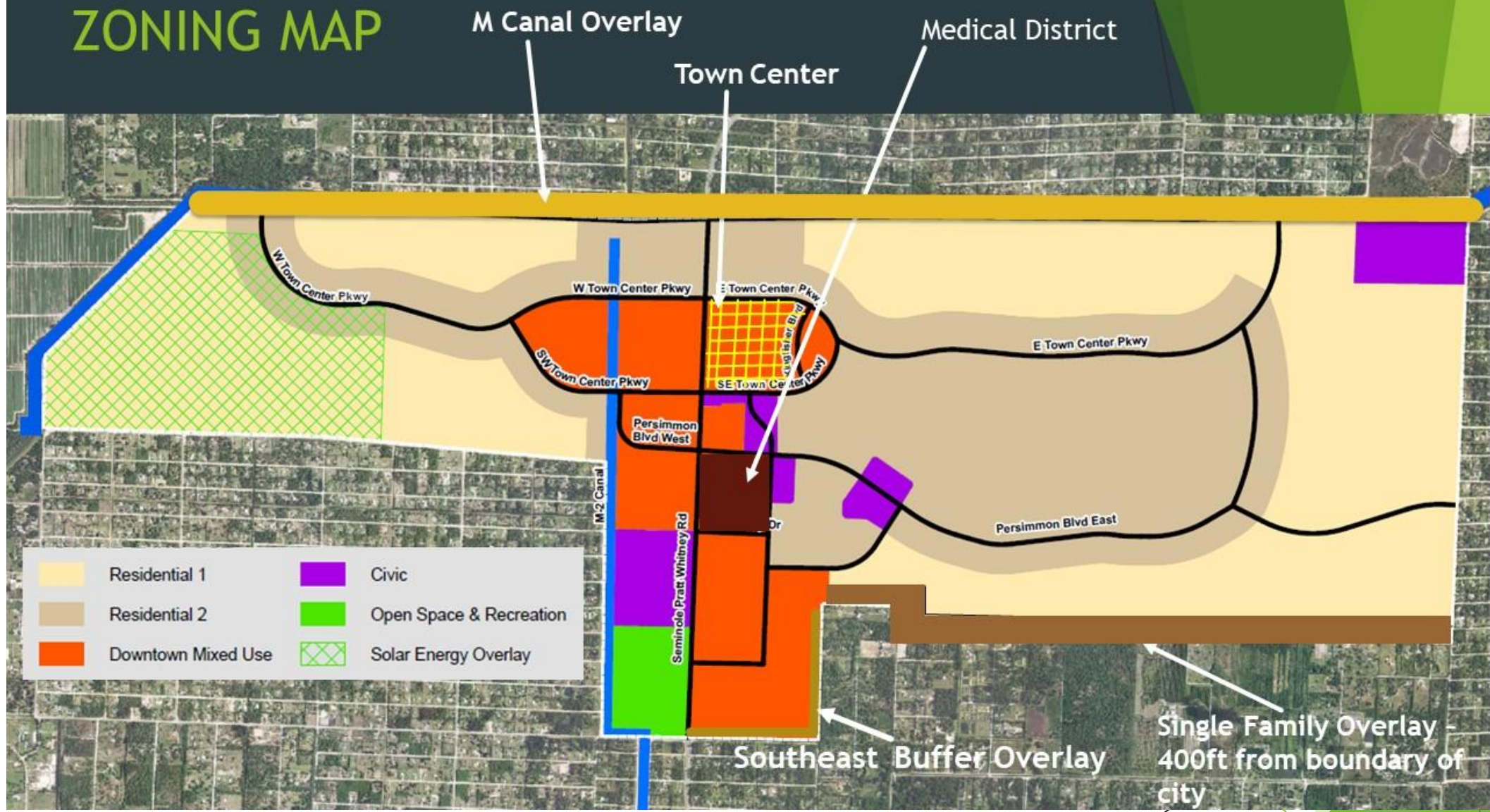


TABLE 3-1: FUTURE LAND USE CONSISTENCY TABLE

Future Land Use Category	Consistent Zoning Districts
Residential – 1	Residential-1 (R-1) Open Space and Recreation (OSR) Planned Development (PD)
Residential – 2	Residential-2 (R-2) Open Space and Recreation (OSR) Planned Development (PD)
Civic	Civic (C) Open Space and Recreation (OSR) Planned Development (PD)
Downtown Mixed Use	Mixed Use (MU) Town Center (TC) Medical District (M) Civic (C) Open Space and Recreation (OSR) Planned Development (PD)
Open Space and Recreation	Open Space and Recreation (OSR) Planned Development (PD)

Residential 1 District

Section 1: Residential Districts.

Residential-1 (R-1)

(1) Permitted Uses, Density and Intensity. Uses permitted within the R-1 District are identified in Table 3-20: Permitted Uses.

(a) Density for all residential uses.

(i) Maximum gross density is 5 dwelling units per gross acre. Accessory dwelling units are not counted towards the maximum gross density.

(II) Bonus densities may be permitted up to 4 dwelling units per gross acre pursuant to Section 3.3.2: Bonus Density.

(b) Accessory dwelling units.

(i) Each single family dwelling unit may have one accessory dwelling unit.

(ii) Mobile homes are not permitted as accessory dwelling units except in mobile home subdivisions.

(c) Intensity for all non-residential uses.

(i) Maximum FAR is 0.25.

(ii) Neighborhood Centers shall not exceed 10 acres and shall be governed by the requirements of Section 3.3.1: Neighborhood Centers.⁶

(2) Requirements.

(a) Forty feet is the minimum lot width for a lot containing a single family detached dwelling.

(b) For any residential parcel within R-1, no more than 49% of the lots may be less than 50 feet in width.

(c) Development in R-1 is subject to the standards found in Tables 3-2, 3-3, 3-4, and 3-5, below.

**TABLE 3-2: R-1 DISTRICT RESIDENTIAL STANDARDS FOR SINGLE FAMILY DETACHED
(EXCLUDING ZERO LOT LINE DEVELOPMENT)**

Residential Use Type	Lot Width (Feet)	Minimum Lot Size (Square Feet)	Minimum Front Setback ¹ (Feet)	Minimum Side Road Setback ² (Feet)	Minimum Side Yard Setback ² (Feet)	Minimum Rear Yard Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Single family detached dwelling	40 ³	4,400	BLDG: 10	BLDG: 10	BLDG: 5	10	36	55%	25%
			FLG: 20	SLG: 15	SLG: 15				
	50 ⁴	5,500	BLDG: 10	BLDG: 10	BLDG: 5	10	36	55%	25%
			FLG: 20	SLG: 15	SLG: 15				
	More than 70 ⁵	7,700	BLDG: 10	BLDG: 10	BLDG: 7.5	15	36	45%	25%
			FLG: 20	SLG: 15	SLG: 15				

1. BLDG = Building without front-loading garage, or portion of a building without a front-loading garage. FLG = Front Loading Garage.

2. BLDG = Building without side-loading garage, or portion of a building without a side-loading garage. SLG = Side Loading Garage.

3. If a lot is at least 40 feet wide but less than 50 feet wide, the standards in this row apply.

4. If a lot at least 50 feet wide but not more than 70 feet wide, the standards in this row apply.

5. If a lot is greater than 70 feet in width, the standards in this row apply unless the lot is part of a residential parcel developed under a common plan of development intended to provide 70 foot (or less) lots.

TABLE 3-3: R-1 DISTRICT RESIDENTIAL STANDARDS FOR DETACHED ZERO LOT LINE DEVELOPMENT

Residential Use Type	Lot Width (Feet)	Minimum Lot Size (Square Feet)	Minimum Front Setback ¹ (Feet)	Minimum Side Road Setback ² (Feet)	Minimum Rear Yard Setback (Feet)	Minimum Building Separation (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Single family detached dwelling ³	40 ⁴	4,400	BLDG: 10	BLDG: 10	10	10	36	55%	25%
			FLG: 20	SLG: 15					
	50 ⁵	5,500	BLDG: 10	BLDG: 10	10	10	36	55%	25%
			FLG: 20	SLG: 15					
	More than 70 ⁶	7,700	BLDG: 10	BLDG: 10	15	15	36	45%	25%
			FLG: 20	SLG: 15					

1. BLDG = Building without front-loading garage, or portion of a building without a front-loading garage. FLG = Front Loading Garage.

2. BLDG = Building without side-loading garage, or portion of a building without a side-loading garage. SLG = Side Loading Garage.

3. No setback is required (i.e. a 0-foot setback is permitted) for zero lot line development on the zero lot line side.

4. If a lot at least 40 feet wide but less than 50 feet wide, the standards in this row apply.

5. If a lot at least 50 feet wide but not more than 70 feet wide, the standards in this row apply.

6. If a lot is greater than 70 feet in width, the standards in this row apply unless the lot is part of a residential parcel developed under a common plan of development intended to provide 70 foot (or less) lots.

**TABLE 3-4: R-1 DISTRICT RESIDENTIAL STANDARDS
FOR ATTACHED DWELLING UNITS AND MOBILE HOMES**

Residential Use Type	Minimum Lot Width Per Dwelling Unit (Feet)	Minimum Lot Square Footage Per Dwelling Unit	Minimum Front Setback ¹ (Feet)	Minimum Side Road Setback ² (Feet)	Minimum Side Yard Setback ^{2,3} (Feet)	Minimum Building Separation (Feet)	Minimum Rear Yard Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Single family attached dwellings ⁴	25	2,500	BLDG:10	BLDG: 10	BLDG: 5	10	10	36	60%	25%
			FLG: 20	SLG: 10	SLG: 15					
Mobile homes	-	-	-	-	-	-	-	-	60%	25%

1. BLDG = Building without front-loading garage, or portion of a building without a front-loading garage. FLG = Front Loading Garage.

2. BLDG = Building without side-loading garage, or portion of a building without a side-loading garage. SLG = Side Loading Garage.

3. No setback is required (i.e. a 0-foot setback is permitted) for zero lot line development on the zero lot line side.

4. Single family attached dwellings may be zero lot line. No more than 8 single family dwelling units may be attached without a separation.

TABLE 3-5: R-1 DISTRICT NON-RESIDENTIAL STANDARDS

Non-Residential Use Type	Minimum Parcel Size (Square Feet)	Minimum Parcel Width (Feet)	Minimum Front Setback (Feet)	Minimum Side Road Setback (Feet)	Minimum Side Yard Setback (Feet)	Minimum Rear Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Religious uses	43,560	100	30	20	30	30 ¹	50	35%	25%
Pre-schools and Child Nursery Schools	43,560	100	30 ¹	20	30	30 ¹	36	35%	25%
Neighborhood Parks	-	-	15	15	15	15	36	30%	40%
Residential Amenity Center	20,000		20	30	30	30	30	40%	25%
Conservation uses	-	-	-	-	-	-	-	-	-

1. Where the rear of a neighborhood park abuts a lake or open space tract, a 5 foot setback is required.

(a) Unless otherwise specified below, accessory structures shall not exceed 25 feet in height, and shall meet all setback requirements of the principal structure.

(b) The following structures are subject to the following requirements:

(i) Fences and walls.

1. Setbacks. The minimum front setback for fences and walls is 10 feet. Except for decorative edge treatments permitted below, fences and walls shall be set back at least three (3) feet from the nearest face of the structure.

(a) Decorative edge treatments, which may include decorative fencing or walls, are permitted for a group of residences developed under a common plan of development, but will not be permitted on a lot-by-lot basis. Decorative edge treatments permitted under this section may be located in front of a residence, shall not encroach on any right of way, and shall not exceed 3 feet in height.

(b) Fences and walls are not subject to any other setback requirements.

2. The maximum height of a wall or fence shall be 6 feet.

(ii) Swimming pools, screen enclosures, pool decks, spas, cabanas, saunas, and patios.

1. For single family detached dwelling units, these structures are not permitted in the front yard.

2. The minimum side road, side yard, and rear setbacks are 3 feet.

(iii) Detached Garages.

1. For detached garages on lots developed under a common plan of development, the minimum rear setback is 5 feet.

2. For all other detached garages, the minimum rear setback is 10 feet.

Residential 2 District

(1) Permitted Uses, Density and Intensity. Uses permitted within the R-2 District are identified in Table 3-20: Permitted Uses.

(a) Density for all residential uses.

(i) The maximum gross density is 12 dwelling units per gross acre.

1. Accessory dwelling units are not counted towards the maximum gross density.

2. The maximum gross density for Continuing Care and Assisted Living Facilities may be calculated as follows: 25 beds per acre.

(ii) Bonus densities may be permitted up to 8 dwelling units per gross acre pursuant to Section 3.3.2: Bonus Density.

(b) Accessory Dwelling Units.

(i) Each single family dwelling unit may have one accessory dwelling unit.

(ii) Mobile homes are not permitted as accessory dwelling units.

(c) Intensity for all non-residential uses.

(i) Maximum FAR is .35

(ii) Neighborhood centers shall not exceed 15 acres and shall be governed by the requirements of Section 3.3.1: Neighborhood Centers.

(2) Requirements

(a) Development in R-2 is subject to the standards found in Tables 3-6, 3-7, 3-8, and 3-9, below.

(b) Forty feet is the minimum lot width for a lot containing a single family detached dwelling.

**TABLE 3-6: R-2 DISTRICT RESIDENTIAL STANDARDS FOR SINGLE FAMILY DETACHED
(EXCLUDING ZERO LOT LINE)**

Residential Use Type	Lot Width	Minimum Lot Size (Square Feet)	Minimum Front Setback ¹ (Feet)	Minimum Side Road Setback ² (Feet)	Minimum Side Yard Setback ² (Feet)	Minimum Rear Yard Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel	
Single family detached dwellings	40 ³	3,600	BLDG: 10	BLDG: 10	BLDG: 5	10	40	60%	25%	
			FLG: 20	SLG: 10	SLG: 10					
	50 ⁴	4,500	BLDG: 10	BLDG: 10	BLDG: 5	10	40	60%	25%	
			FLG: 20	SLG: 10	SLG: 10					
	More than 70 ⁵		6,300	BLDG: 10	BLDG: 10	BLDG: 5	10	40	55%	25%
				FLG: 20	SLG: 10	SLG: 10				

1. BLDG = Building without front-loading garage, or portion of building without front-loading garage. FLG = Front Loading Garage.

2. BLDG = Building without side-loading garage, or portion of building without side-loading garage. SLG = Side Loading Garage.

3. If a lot is at least 40 feet wide but less than 50 feet wide, the standards in this row apply.

4. If a lot is at least 50 feet wide but not more than 70 feet wide, the standards in this row apply.

5. If a lot is greater than 70 feet in width, the standards in this row apply unless the lot is part of a residential parcel developed under a common plan of development intended to provide 70 foot (or less) lots.

**TABLE 3-7: R-2 DISTRICT RESIDENTIAL STANDARDS
FOR DETACHED ZERO LOT LINE DEVELOPMENT**

Residential Use Type	Minimum Lot Width (Feet)	Minimum Lot Size (Square Feet)	Minimum Front Setback ¹ (Feet)	Minimum Side Road Setback on non-zero-lot-line ^{2, 3} (Feet)	Minimum Building Separation (Feet)	Minimum Rear Yard Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Zero lot line single family detached dwellings	40	3,600	BLDG:10	BLDG: 10	10	10	40	60%	25%
			FLG: 20	SLG: 15					

1. BLDG = Building without front-loading garage, or portion of building without front-loading garage. FLG = Front Loading Garage.

2. No setback is required (i.e. a 0-foot setback is permitted) for zero lot line development on the zero lot line side.

3. BLDG = Building without side-loading garage, or portion of building without side-loading garage. SLG = Side Loading Garage.

TABLE 3-8: R-2 DISTRICT OTHER RESIDENTIAL STANDARDS

Residential Use Type	Minimum Lot or Parcel Width (Feet)	Minimum Lot or Parcel Size (Square Feet)	Minimum Front Road Setback¹ (Feet)	Minimum Side Road Setback² (Feet)	Minimum Side Yard Setback² (Feet)	Minimum Rear Yard Setback (Feet)	Maximum Building Height³ (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Single family attached	20	1,600	BLDG: 10	BLDG: 10	BLDG: 10	10	40	65%	20%
			FLG: 20	SLG: 10	FLG: 20				
Multi-family dwellings ⁴	-	10,000	15	10	10	20	60	50%	25%
Assisted living facilities	-	-	20	20	20	20	75	50%	25%
Foster care facilities and group homes	50	3500	BLDG: 10	BLDG: 10	BLDG: 10	10	40	60%	25%
			FLG: 20	SLG: 10	FLG: 20				

1. BLDG = Building without front-loading garage, or portion of building without front-loading garage. FLG = Front Loading Garage.

2. BLDG = Building without side-loading garage, or portion of building without side-loading garage. SLG = Side Loading Garage. No setback is required for single family attached dwelling units along the shared wall.

3. The maximum building height for buildings abutting lots containing single family detached dwellings shall be 40 feet, regardless of the number in this column.

4. For multi-family developments, setbacks shall be measured from the boundary of the parcel. No other setbacks apply to buildings within the parcel, except buildings are subject to building separation requirements in the Florida Building Code and fire safety codes.

TABLE 3-9: R-2 DISTRICT NON-RESIDENTIAL STANDARDS

Non-Residential Use Type	Minimum Parcel Size (Square Feet)	Minimum Parcel Width (Feet)	Minimum Front Setback (Feet)	Minimum Side Road Setback (Feet)	Minimum Side Yard Setback (Feet)	Minimum Rear Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Religious uses	43,560	100	20	20	30	30	50	35%	25%
Educational uses	43,560	100	20	20	30	30	40	35%	25%
Recreational	N/A	-	15	15	15	15 ¹	40	30%	40%
Residential Amenity Center	20,000	-	20	30	30	30 ¹	30	40%	25%
Conservation uses	-	-	-	-	-	-	-	-	-

1. No setback required if abutting a lake or open space tract.

(3) Accessory Structures. Unless otherwise specified below, accessory structures shall not exceed 25 feet in height, and shall meet all setback requirements of the principal structure.

(4) The following structures are subject to the following requirements:

(i) Fences and walls.

1. Setbacks. The minimum front setback for fences and walls is 10 feet. Except for decorative edge treatments permitted below, fences and walls shall be set back at least three (3) feet from the nearest face of the structure.

a. Decorative edge treatments, which may include decorative fencing or walls, are permitted for a group of residences developed under a common plan of development, but will not be permitted on a lot-by-lot basis. Decorative edge treatments permitted under this section may be located in front of a residence, shall not encroach on any right of way, and shall not exceed 3 feet in height.

b. Fences and walls are not subject to any other setback requirements.

2. The maximum height of a wall or fence shall be 6 feet.

(ii) Swimming pools, screen enclosures, pool decks, spas, cabanas, saunas, and patios.

1. For single family detached dwelling units, these structures are only permitted in the rear yard.

2. The minimum side road, side yard, and rear setbacks are 3 feet, except:

a. Screen enclosures are permitted along the attached side of attached dwelling units,.

(iii) Detached Garages.

1. Detached garages shall only be permitted as part of a common plan of development. The minimum setback is 10 feet.

Civic District

Section 2: Civic District (CV)

A. Permitted Uses. Uses permitted within the CV District are identified in Table 3-20: Permitted Uses.

B. Intensity. Intensity for all non-residential uses: maximum FAR is 1.5.

C. Requirements. Development in CV is subject to the standards found in Table 3-10

TABLE 3-10: CV DISTRICT STANDARDS

Use Type	Minimum Front Setback (Feet)	Minimum Side Road Setback (Feet)	Minimum Side Yard Setback (Feet)	Minimum Rear Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Religious uses	15	15	15	10	50	35%	25%
Educational uses	15	15	15	10	50	35%	25%
Recreational uses	15	15	10	10	50	30%	50%
Conservation uses	-	-	-	-	-	-	-
Civic Uses	20	15	15	10, or if abutting residential, 25	50	30%	25%

Mixed Use District

D) Accessory Structures. Accessory structures shall be permitted pursuant to the requirements below:

(a) Unless otherwise specified below, accessory structures shall not exceed 30 feet in height, and shall meet all setback requirements of the principal structure.

(b) The following structures are subject to the following additional requirements:

(i) Fences and walls.

1. The minimum front setback for fences and walls is 10 feet. Fences and walls are not subject to any other setback requirements.

2. The maximum height of a wall or fence shall be 6 feet.

Section 3: Mixed Use (MU)

A) Permitted Uses, Density and Intensity. Uses permitted within the MU District are identified in Table 3-20: Permitted Uses.

(1) Density for all residential uses.

(a) Minimum gross density is 4 units per gross acre, and the maximum gross density is 16 dwelling units per gross acre, excluding accessory dwelling units.

(i) Accessory dwelling units are not counted towards the maximum gross density.

(ii) The maximum gross density for Continuing Care and Assisted Living Facilities may be calculated as follows: 34 beds per acre.

(b) Bonus densities may be permitted up to 8 dwelling units per acre pursuant to Section 3.3.2: Bonus Density.

(2) Accessory dwelling units.

(a) Each single family dwelling unit may have one accessory dwelling unit.

(b) Mobile homes are not permitted as accessory dwelling units except in mobile home subdivisions.

B) Requirements.

(1) General Requirements. Development in MU is subject to the standards found in Tables 3-11 and 3-12 below.

(a) Building Height.

(i) The maximum building height in the MU District is 120 feet, except:

1. The maximum building height in the MU District within 100 feet of the R-1 District is 50 feet.
2. The maximum building height for development in the MU District within 100 feet of R-2 District is 70 feet.

(b) The minimum rear setback for development abutting residential zoning districts is 25 feet. All other development shall have a minimum setback of 10 feet.

(2) **Non-residential** . Non-residential development in the MU District is subject to the following requirements.

(a) Standards for uses under 20,000 square feet.

(i) Front setback:

1. Minimum 20 foot from lot line.
2. Minimum 20 foot building separation.

(ii) Side Setback.

1. Minimum 10 foot from lot line.
2. Minimum 20 foot building separation.

(iii) Rear Setback:

1. Minimum

(b) Standards for uses 20,000 square feet or more.

(c) Setbacks shall be measured from the boundary of the parcel. No other setback standards apply to buildings within the parcel, except buildings are subject to building separation requirements in the Florida Building Code and the fire safety code. Don't provide these - coordinate with George. Do this for town center as well.

TABLE 3-11: MU DISTRICT RESIDENTIAL STANDARDS

Residential Use Type	Minimum Lot Width Per Dwelling Unit (Feet)	Minimum Front Setback¹,² (Feet)	Minimum Side Road Setback²,³ (Feet)	Minimum Side Yard Setback²,³ (Feet)	Minimum Rear Yard Setback² (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Single family attached dwellings	20	BLDG: 5	BLDG: 5	BLDG: 5	10	50	70%	20%
		FLG: 20	SLG: 20	SLG: 20				
Multi-family dwellings	-	5	20	10	20	100	50%	25%
Assisted living facilities	-	5	20	10	20	100	50%	25%

1. BLDG = Building without front-loading garage, or portion of building without front-loading garage. FLG = Front Loading Garage.

2. For multi-family developments, setbacks shall be measured from the boundary of the parcel. No other setbacks apply to buildings within the parcel, except buildings are subject to building separation requirements in the Florida Building Code and fire safety codes.

3. BLDG = Building without side-loading garage, or portion of building without side-loading garage. SLG = Side Loading Garage. No setback is required for single family attached dwelling units along the shared wall.

TABLE 3-12: MU DISTRICT NON-RESIDENTIAL STANDARDS

Non-Residential Use Type	Minimum Parcel Size (Square Feet)	Minimum Front Setback (Feet)	Minimum Side Setback (Feet)	Minimum Rear Setback (Feet)	Minimum Building Separation (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Religious uses	43,560	20	10	10	20	35%	25%
Educational Uses	43,560	20	10	10	20	35%	25%
Recreational Uses	-	20	10	10	20	30%	60%
Conservation uses	-	-	-	-	-	-	-
Commercial Uses	-	20	10	10	20	45%	25%
Sexually oriented business	-	30	10	10	20	35%	25%
Civic Uses	-	20	10	10	20	30%	25%
Light industrial uses	-	30	10	10	20	50%	25%
Institutional uses	-	10	10	10	20	35%	25%
Commercial recreation uses	-	20	10	10	20	35%	25%
Agricultural uses	-	-	-	-	-	-	-
Essential facilities and services	-	-	-	-	-	-	-
Utilities	-	-	-	-	-	-	-

1. Buildings separated from residential zoning districts by a road or canal are not considered adjacent to residential zoning districts.

(1) Accessory Structures. Accessory structures shall be permitted pursuant to the requirements below:

(a) Unless otherwise specified below, accessory structures are subject to the same setback and height requirements as the principle structure.

(b) The following structures are subject to the following additional requirements:

(i) Fences and walls.

a. The minimum front setback for fences and walls is 10 feet. Fences and walls are not subject to any other setback requirements.

b. The maximum height of a wall or fence shall be 6 feet.

(ii) Swimming pools, screen enclosures, pool decks, spas, cabanas, saunas, and patios.

a. For single family attached residential uses, these structures are only permitted in the rear yard.

b. The minimum side road, side yard, and rear setbacks for a screen enclosure are 5 feet, unless the screen enclosure is adjacent to a lake or open space tract, in which case the minimum side road, side yard, and rear yard setbacks are 3 feet from the lake or open space tract.

c. Except for screen enclosures, the minimum side road, side yard, and rear setback is 3 feet.

(iii) Detached Garages.

a. Detached garages shall have minimum side road, side yard, and rear setbacks of 10 feet.

Town Center District

Section 4: Town Center District (TC)

B) Permitted Uses Density and Intensity.

- (1) Uses permitted within the TC District are identified in Table 3-20: Permitted Uses.
- (2) Density for all residential uses.
 - (a) The minimum gross density is 4 units per gross acre, and the maximum gross density is 16 dwelling units per gross acre.
 - (i) Accessory dwelling units are not counted towards the maximum gross density.
 - (ii) The maximum gross density for Continuing Care and Assisted Living Facilities may be calculated as follows: 34 beds per acre.
 - (b) Bonus densities may be permitted up to 8 dwelling units per acre pursuant to Section 3.3.2: Bonus Density.
- (3) Intensity for all non-residential uses: maximum FAR is 3.0.

Requirements.

(1) General Requirements. Development in TC is subject to the standards found in Tables 3-13 and 3-14 below.

(a) Building Height.

(i) The maximum building height in the TC District is 150 feet, except:

1. The maximum building height for development in the TC District within 120 feet of the R-1 District is 50 feet.
2. The maximum building height for development in the TC District within 100 feet of R-2 District is 70 feet.

(b) Building Separation.

(i) For every 400 feet of continuous building frontage there must be 40 feet of separation. The building separation requirement is a total footage requirement and may be broken into smaller increments. All development is subject to building separation requirements in the Florida Building Code and fire safety codes.

TABLE 3-13: TOWN CENTER RESIDENTIAL STANDARDS

Residential Use Type	Minimum Lot Square Footage Per Dwelling Unit	Minimum Lot Width Per Dwelling Unit (Feet)	Minimum Front Setback ^{1, 2} (Feet)	Minimum Side Road Setback ^{2, 3} (Feet)	Minimum Side Yard Setback ^{2, 3} (Feet)	Minimum Rear Yard Setback ² (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Single family attached dwellings	1,600	16	BLDG: 5	BLDG: 5	BLDG: 5	10	50	60%	25%
			FLG: 20	SLG: 20	SLG 20				
Multi-family dwellings	-	-	5	20	10	20	100	50%	25%
Assisted living facilities	-	-	5	20	10	20	100	50%	25%

1. BLDG = Building without front-loading garage, or portion of building without front-loading garage. FLG = Front Loading Garage.

2. For multi-family developments, setbacks shall be measured from the boundary of the parcel. No other setbacks apply to buildings within the parcel, except buildings are subject to building separation requirements in the Florida Building Code and fire safety codes.

3. BLDG = Building without side-loading garage, or portion of building without side-loading garage. SLG = Side Loading Garage. No setback is required for single family attached dwelling units along the shared wall.

TABLE 3-14: TOWN CENTER NON-RESIDENTIAL STANDARDS

Non-Residential Use Type	Minimum Front Setback for Buildings (Feet)	Minimum Side Setback (Feet)	Minimum Rear Setback (Feet)	Maximum Lot Coverage²	Minimum Pervious Percentage of Parcel²
Religious uses	10	10	10	50%	25%
Educational Uses	10	10	10	50%	25%
Recreational Uses	10	10	10	50%	60%
Conservation Uses	-	-	-	-	-
Commercial Uses	5	10	10	55%	25%
Civic Uses	5	10	10	35%	25%

TABLE 3-14: TOWN CENTER NON-RESIDENTIAL STANDARDS

Non-Residential Use Type	Minimum Front Setback for Buildings (Feet)	Minimum Side Setback (Feet)	Minimum Rear Setback (Feet)	Maximum Lot Coverage²	Minimum Pervious Percentage of Parcel²
Sexually oriented business	35	10	10	50%	25%
Light industrial uses	30	10	10	50%	25%
Institutional uses	10	10	10	50%	25%
Commercial recreation uses	10	10	10	50%	25%
Agricultural uses	-	-	-	-	-
Essential facilities and services	-	-	-	-	-
Utilities	-	-	-	-	-

1. For multi-family developments, setbacks shall be measured from the boundary of the parcel. No other setbacks apply to buildings within the parcel, except buildings are subject to building separation requirements in the Florida Building Code and fire safety codes.

Open Space and Recreation

Section 5: Open Space and Recreation (OSR)

A) Permitted Uses Density and Intensity.

- (1) Uses permitted within the OSR District are identified in Table 3-20: Permitted Uses.
- (2) Intensity for all non-residential uses: maximum FAR is 0.25.

B) **Requirements.** Development in OSR is subject to the standards found in Table 3-16, below.

TABLE 3-16: OPEN SPACE AND RECREATION STANDARDS

Use Type	Minimum Parcel Size (Square Feet)	Minimum Parcel Width (Feet)	Minimum Front Setback	Minimum Side Road Setback	Minimum Side Yard Setback	Minimum Rear Setback	Maximum Building Height
Recreational uses							
Neighborhood Parks	-	-	15	15/15	15	15	40
Conservation uses	-	-	-	-	-	-	-

Medical District

Section 6: Medical District (MD)

D) Permitted Uses, Density, and Intensity. Uses permitted within the MD District are identified in Table 3-20: Permitted Uses.

(1) Minimum gross density is 4 units per gross acre, and the maximum gross density is 16 dwelling units per gross acre. Accessory dwelling units are not counted towards the maximum gross density.

(2) Intensity for all non-residential uses types: Maximum FAR is 3.0.

(3) Accessory uses to a hospital or medical use include, but are not limited to:

- (a) Newstand
- (b) Giftshop
- (c) Cafeteria
- (d) Religious Use or Place of Worship

E) Conflict. If this section conflicts with another section of these LDRs, the provisions within this section shall apply to the extent of the conflict.

F) Limitation on certain uses. Hospitality Houses for patients (and/or patients' families); food service, restaurants, and cafes, including those with live entertainment (but excluding those with drive through service); and restaurants and cafes with drive through service are permitted within the MD District but may not exceed 10,000 total square feet within the district.

G) Requirements. Development in MD District is subject to the standards found in Tables 3-17, below.

TABLE 3-17: MD DISTRICT STANDARDS

Use Type	Minimum Parcel Size ¹ (Acres)	Minimum Parcel Width (Feet)	Minimum Front Setback (Feet)	Minimum Side Setback - Collector or Arterial Road (Feet)	Minimum Side Setback - Local Road (Feet)	Minimum Rear Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Hospital	1	200	35	25	10	20	200	60%	25%
All Other Uses in MD District	1	200	35	25	10	20	120 [KR2]	60%	25%

1. There is no minimum size requirement for development parcels created by metes and bounds, provided there is unity of control with parent development parcel.

Section 7: Planned Development (PD)

A) In lieu of proceeding under the standards above, a parcel or property owner may propose project-specific standards as a Planned Development (PD). PDs must be consistent with the land use types and densities and intensities of the underlying future land use category consistent with the Comprehensive Plan and other Articles of these LDRs. PDs shall be allowed in all Future Land Use Categories as Zoning Districts, and may allow for all uses. PDs shall be processed as Rezoning, subject to City Council Approval.

B) Requirements:

(1) Design Guidelines. Developer must submit design guidelines that will govern development within the PD and address any standards that differ from the standards in these LDRs.

ARTICLE 3.2 Overlays

Section 1: Solar Energy Overlay. Primary Solar Facilities and accessory solar facilities shall be allowed within the Solar Energy Overlay pursuant to the requirements of the Comprehensive Plan.

Section 2: M Canal Overlay. Vertical development is prohibited within the M Canal right of way. Further, vertical development is prohibited north of the M Canal right of way and within 80 feet to the south of the M Canal right of way. This does not prohibit vertical development in M Canal right of way related to the operation and maintenance of the M Canal.

Section 3: Single Family Overlay. Multi-family dwellings shall be prohibited within 400 feet of the southern boundary of the City from its eastern boundary to the eastern edge of the MU District as depicted on the City of Westlake Official Zoning Map. Only single family attached and single family detached dwelling units shall be allowed in this area.

Section 4: Southeast Buffer Overlay. Only buffers may be constructed within the Southeast Buffer Overlay.

Special Use Standards

ARTICLE 3.3 Special Use Standards

Section 1: Neighborhood Centers. Neighborhood Centers are permitted in R-1 and R-2 zoning districts as part of site plan approval consistent with the requirements below.

A) Uses within a Neighborhood Center are limited to:

- (1) Religious Uses
- (2) Vocational or Technical Schools
- (3) Pre-schools and Child Nursery Schools
- (4) Small-Scale Civic Uses
- (5) Retail Sales or Service.
- (6) Motor Vehicle Repair and/or service establishments, gasoline stations, and car washes
- (7) Office
- (8) Food Service, Restaurants, and Cafes, including those with live entertainment (but excluding those with drive through service Restaurants and cafes with drive through service)
- (9) Microbreweries
- (10) Medical office
- (11) Essential Facilities and Services
- (12) Uses accessory to permitted uses
- (13) Clubhouses and amenity centers

b) Any use not listed may be permitted as a conditional use subject to Comprehensive Plan compatibility requirements.

C) Stand-alone religious and educational uses (including vocational and technical schools, preschools, and child nursery schools) cannot be neighborhood centers unless accompanied by at least one other use.

D) Requirements. - Neighborhood Centers are subject to the standards found in Table 3-18 below. In addition Neighborhood Centers in R-1 must be a minimum of 3 acres and a maximum of 10 acres. Neighborhood Centers in R-2 must be a minimum of 3 acres

TABLE 3-18: NEIGHBORHOOD CENTER STANDARDS

Uses ¹	Minimum Front Setback (Feet)	Minimum Side Setback (Feet)	Minimum Rear Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Religious uses	15	30	30	50	35%	30%
Educational uses	15	20	25	40	35%	30%
Small Scale Civic Uses	15	20	25	35	35%	30%
Retail sales or service	15	20	25	35	35%	30%
Food Service except as follows:	15	15	25	35	35%	30%
Restaurants and cafes with drive through service	25	30	30	35	35%	30%

1. Accessory uses shall adhere to the same height and setback requirements as the primary use.

Section 2: Voluntary Bonus Density Program.

A) Developers may elect to use the Voluntary Bonus Density Program. Developers that meet the criteria in this section will be granted density bonuses over the maximum gross densities in accordance with the following limits set forth in Table 3-19, below:

TABLE 3-19: AVAILABLE BONUS DENSITIES	
District	Available Bonus Density
R-1	4 Dwelling Units/Acre
R-2	8 Dwelling Units/Acre
MU	8 Dwelling Units/Acre
Town Center	8 Dwelling Units/Acre

B) In order to be granted bonus densities, developers will guarantee Affordable or Workforce Housing, or Senior Housing be provided consistent with the following requirements:

(1) Affordable or Workforce Housing.

(a) Required percentage of bonus housing units.

(i) At the time of initial sale or rental:

1. 25% of all bonus housing units will be affordable to moderate-income households of 4 persons, or
2. 50% of all bonus housing units will be affordable to middle-income households of 4 persons.

(ii) Phased Development. Affordable and workforce housing units must be provided in the same phase as the bonus density housing.

THANK YOU!

3B.

LAST UPDATED ON: _____ 8/1/2019 _____

CHAPTER 3: ZONING DISTRICT PROVISIONS

ARTICLE 3.1 OFFICIAL ZONING MAP

Section 1: Zoning Map. The boundaries of each zoning district and overlay are shown on a map entitled “City of Westlake Official Zoning Map,” which is hereby made a part of these LDRs. The City shall maintain the digital GIS files that comprise the City of Westlake Official Zoning Map, and all amendments thereto.

Section 2: Administration and Maintenance of Zoning Map. The Official Zoning Map, as the same may be amended from time to time, shall be maintained by the City in GIS data format and shall be kept on file with the City Clerk. A physical copy of the zoning map may be printed upon request, and shall contain the number and date of the latest ordinance amending the Official Zoning Map.

Section 3: Determination of Zoning District and Overlay Boundaries. The official GIS data maintained by the City shall be used to determine zoning district and overlay boundaries.

ARTICLE 3.2 FUTURE LAND USE CONSISTENCY TABLE

Section 1: Consistency Table. The City shall use the following table when assigning a zoning district designation to ensure compatibility with the parcel’s Future Land Use category.

TABLE 3-1: FUTURE LAND USE CONSISTENCY TABLE

Future Land Use Category	Consistent Zoning Districts
Residential – 1	Residential-1 (R-1) Open Space and Recreation (OSR) Planned Development (PD)
Residential – 2	Residential-2 (R-2) Open Space and Recreation (OSR) Planned Development (PD)
Civic	Civic (C) Open Space and Recreation (OSR) Planned Development (PD)
Downtown Mixed Use	Mixed Use (MU) Town Center (TC) Medical District (M) Civic (C) Open Space and Recreation (OSR) Planned Development (PD)
Open Space and Recreation	Open Space and Recreation (OSR) Planned Development (PD)

ARTICLE 3.3 ZONING DISTRICTS AND STANDARDS

Section 1: Residential Districts.

(A) Residential-1 (R-1)

(1) Permitted Uses, Density and Intensity. Uses permitted within the R-1 District are identified in Table 3-20: Permitted Uses.

(a) Density for all residential uses.

(i) Maximum gross density is 5 dwelling units per gross acre. Accessory dwelling units are not counted towards the maximum gross density.

(ii) Bonus densities may be permitted up to 4 dwelling units per gross acre pursuant to Section 3.3.2: Bonus Density.

(b) Accessory dwelling units.

(i) Each single family dwelling unit may have one accessory dwelling unit.

(ii) Mobile homes are not permitted as accessory dwelling units except in mobile home subdivisions.

(c) Intensity for all non-residential uses.

(i) Maximum FAR is 0.25.

(ii) Neighborhood Centers shall not exceed 10 acres and shall be governed by the requirements of Section 3.3.1: Neighborhood Centers.

(2) Requirements.

(a) Forty feet is the minimum lot width for a lot containing a single family detached dwelling.

(b) For any residential parcel within R-1, no more than 49% of the lots may be less than 50 feet in width.

(c) Development in R-1 is subject to the standards found in Tables 3-2, 3-3, 3-4, and 3-5, below.

**TABLE 3-2: R-1 DISTRICT RESIDENTIAL STANDARDS FOR SINGLE FAMILY DETACHED
(EXCLUDING ZERO LOT LINE DEVELOPMENT)**

Residential Use Type	Lot Width (Feet)	Minimum Lot Size (Square Feet)	Minimum Front Setback ¹ (Feet)	Minimum Side Road Setback ² (Feet)	Minimum Side Yard Setback ² (Feet)	Minimum Rear Yard Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Single family detached dwelling	40 ³	4,400	BLDG: 10	BLDG: 10	BLDG: 5	10	36	55%	25%
			FLG: 20	SLG: 15	SLG: 15				
	50 ⁴	5,500	BLDG: 10	BLDG: 10	BLDG: 5	10	36	55%	25%
			FLG: 20	SLG: 15	SLG: 15				
	More than 70 ⁵	7,700	BLDG: 10	BLDG: 10	BLDG: 7.5	15	36	45%	25%
			FLG: 20	SLG: 15	SLG: 15				
1. BLDG = Building without front-loading garage, or portion of a building without a front-loading garage. FLG = Front Loading Garage.									
2. BLDG = Building without side-loading garage, or portion of a building without a side-loading garage. SLG = Side Loading Garage.									
3. If a lot is at least 40 feet wide but less than 50 feet wide, the standards in this row apply.									
4. If a lot at least 50 feet wide but not more than 70 feet wide, the standards in this row apply.									
5. If a lot is greater than 70 feet in width, the standards in this row apply unless the lot is part of a residential parcel developed under a common plan of development intended to provide 70 foot (or less) lots.									

TABLE 3-3: R-1 DISTRICT RESIDENTIAL STANDARDS FOR DETACHED ZERO LOT LINE DEVELOPMENT

Residential Use Type	Lot Width (Feet)	Minimum Lot Size (Square Feet)	Minimum Front Setback ¹ (Feet)	Minimum Side Road Setback ² (Feet)	Minimum Rear Yard Setback (Feet)	Minimum Building Separation (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Single family detached dwelling ³	40 ⁴	4,400	BLDG: 10	BLDG: 10	10	10	36	55%	25%
			FLG: 20	SLG: 15					
	50 ⁵	5,500	BLDG: 10	BLDG: 10	10	10	36	55%	25%
			FLG: 20	SLG: 15					
	More than 70 ⁶	7,700	BLDG: 10	BLDG: 10	15	15	36	45%	25%
			FLG: 20	SLG: 15					

1. BLDG = Building without front-loading garage, or portion of a building without a front-loading garage. FLG = Front Loading Garage.

2. BLDG = Building without side-loading garage, or portion of a building without a side-loading garage. SLG = Side Loading Garage.

3. No setback is required (i.e. a 0-foot setback is permitted) for zero lot line development on the zero lot line side.

4. If a lot at least 40 feet wide but less than 50 feet wide, the standards in this row apply.

5. If a lot at least 50 feet wide but not more than 70 feet wide, the standards in this row apply.

6. If a lot is greater than 70 feet in width, the standards in this row apply unless the lot is part of a residential parcel developed under a common plan of development intended to provide 70 foot (or less) lots.

TABLE 3-4: R-1 DISTRICT RESIDENTIAL STANDARDS FOR ATTACHED DWELLING UNITS AND MOBILE HOMES

Residential Use Type	Minimum Lot Width Per Dwelling Unit (Feet)	Minimum Lot Square Footage Per Dwelling Unit	Minimum Front Setback ¹ (Feet)	Minimum Side Road Setback ² (Feet)	Minimum Side Yard Setback ^{2,3} (Feet)	Minimum Building Separation (Feet)	Minimum Rear Yard Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Single family attached dwellings ⁴	25	2,500	BLDG:10	BLDG: 10	BLDG: 5	10	10	36	60%	25%
			FLG: 20	SLG: 10	SLG: 15					
Mobile homes	-	-	-	-	-	-	-	-	60%	25%
1. BLDG = Building without front-loading garage, or portion of a building without a front-loading garage. FLG = Front Loading Garage.										
2. BLDG = Building without side-loading garage, or portion of a building without a side-loading garage. SLG = Side Loading Garage.										
3. No setback is required (i.e. a 0-foot setback is permitted) for zero lot line development on the zero lot line side.										
4. Single family attached dwellings may be zero lot line. No more than 8 single family dwelling units may be attached without a separation.										

TABLE 3-5: R-1 DISTRICT NON-RESIDENTIAL STANDARDS

Non-Residential Use Type	Minimum Parcel Size (Square Feet)	Minimum Parcel Width (Feet)	Minimum Front Setback (Feet)	Minimum Side Road Setback (Feet)	Minimum Side Yard Setback (Feet)	Minimum Rear Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel	
Religious uses	43,560	100	30	20	30	30 ¹	50	35%	25%	
Pre-schools and Child Nursery Schools	43,560	100	30 ¹	20	30	30 ¹	36	35%	25%	
Neighborhood Parks	-	-	15	15	15	15	36	30%	40%	
Residential Amenity Center	20,000		20	30	30	30	30	40%	25%	
Conservation uses	-	-	-	-	-	-	-	-	-	
1. Where the rear of a neighborhood park abuts a lake or open space tract, a 5 foot setback is required.										

(3) Accessory Structures. Accessory structures shall be permitted pursuant to the requirements below:

- (a) Unless otherwise specified below, accessory structures shall not exceed 25 feet in height, and shall meet all setback requirements of the principal structure.
- (b) The following structures are subject to the following requirements:
 - (i) Fences and walls.
 - 1. Setbacks. The minimum front setback for fences and walls is 10 feet. Except for decorative edge treatments permitted below, fences and walls shall be set back at least three (3) feet from the nearest face of the structure.
 - a. Decorative edge treatments, which may include decorative fencing or walls, are permitted for a group of residences developed under a common plan of development, but will not be permitted on a lot-by-lot basis. Decorative edge treatments permitted under this section may be located in front of a residence, shall not encroach on any right of way, and shall not exceed 3 feet in height.
 - b. Fences and walls are not subject to any other setback requirements.
 - 2. The maximum height of a wall or fence shall be 6 feet.
 - (ii) Swimming pools, screen enclosures, pool decks, spas, cabanas, saunas, and patios.
 - 1. For single family detached dwelling units, these structures are not permitted in the front yard.
 - 2. The minimum side road, side yard, and rear setbacks are 3 feet.
 - (iii) Detached Garages.
 - 1. For detached garages on lots developed under a common plan of development, the minimum rear setback is 5 feet.
 - 2. For all other detached garages, the minimum rear setback is 10 feet.

B) Residential-2 (R-2)

(1) Permitted Uses, Density and Intensity. Uses permitted within the R-2 District are identified in Table 3-20: Permitted Uses.

- (a) Density for all residential uses.
 - (i) The maximum gross density is 12 dwelling units per gross acre.
 - 1. Accessory dwelling units are not counted towards the maximum gross density.
 - 2. The maximum gross density for Continuing Care and Assisted Living Facilities may be calculated as follows: 25 beds per acre.
 - (ii) Bonus densities may be permitted up to 8 dwelling units per gross acre pursuant to Section 3.3.2: Bonus Density.
- (b) Accessory Dwelling Units.
 - (i) Each single family dwelling unit may have one accessory dwelling unit.
 - (ii) Mobile homes are not permitted as accessory dwelling units.
- (c) Intensity for all non-residential uses.
 - (i) Maximum FAR is .35

(ii) Neighborhood centers shall not exceed 15 acres and shall be governed by the requirements of Section 3.3.1: Neighborhood Centers.

(2) Requirements

- (a) Development in R-2 is subject to the standards found in Tables 3-6, 3-7, 3-8, and 3-9, below.
- (b) Forty feet is the minimum lot width for a lot containing a single family detached dwelling.

TABLE 3-6: R-2 DISTRICT RESIDENTIAL STANDARDS FOR SINGLE FAMILY DETACHED (EXCLUDING ZERO LOT LINE)

Residential Use Type	Lot Width	Minimum Lot Size (Square Feet)	Minimum Front Setback ¹ (Feet)	Minimum Side Road Setback ² (Feet)	Minimum Side Yard Setback ² (Feet)	Minimum Rear Yard Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Single family detached dwellings	40 ³	3,600	BLDG: 10	BLDG: 10	BLDG: 5	10	40	60%	25%
			FLG: 20	SLG: 10	SLG: 10				
	50 ⁴	4,500	BLDG: 10	BLDG: 10	BLDG: 5	10	40	60%	25%
			FLG: 20	SLG: 10	SLG: 10				
	More than 70 ⁵	6,300	BLDG: 10	BLDG: 10	BLDG: 5	10	40	55%	25%
			FLG: 20	SLG: 10	SLG: 10				
1. BLDG = Building without front-loading garage, or portion of building without front-loading garage. FLG = Front Loading Garage.									
2. BLDG = Building without side-loading garage, or portion of building without side-loading garage. SLG = Side Loading Garage.									
3. If a lot is at least 40 feet wide but less than 50 feet wide, the standards in this row apply.									
4. If a lot is at least 50 feet wide but not more than 70 feet wide, the standards in this row apply.									
5. If a lot is greater than 70 feet in width, the standards in this row apply unless the lot is part of a residential parcel developed under a common plan of development intended to provide 70 foot (or less) lots.									

**TABLE 3-7: R-2 DISTRICT RESIDENTIAL STANDARDS
FOR DETACHED ZERO LOT LINE DEVELOPMENT**

Residential Use Type	Minimum Lot Width (Feet)	Minimum Lot Size (Square Feet)	Minimum Front Setback ¹ (Feet)	Minimum Side Road Setback on non-zero-lot-line ^{2, 3} (Feet)	Minimum Building Separation (Feet)	Minimum Rear Yard Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Zero lot line single family detached dwellings	40	3,600	BLDG:10	BLDG: 10	10	10	40	60%	25%
			FLG: 20	SLG: 15					
1. BLDG = Building without front-loading garage, or portion of building without front-loading garage. FLG = Front Loading Garage.									
2. No setback is required (i.e. a 0-foot setback is permitted) for zero lot line development on the zero lot line side.									
3. BLDG = Building without side-loading garage, or portion of building without side-loading garage. SLG = Side Loading Garage.									

TABLE 3-8: R-2 DISTRICT OTHER RESIDENTIAL STANDARDS

Residential Use Type	Minimum Lot or Parcel Width (Feet)	Minimum Lot or Parcel Size (Square Feet)	Minimum Front Road Setback ¹ (Feet)	Minimum Side Road Setback ² (Feet)	Minimum Side Yard Setback ² (Feet)	Minimum Rear Yard Setback (Feet)	Maximum Building Height ³ (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Single family attached	20	1,600	BLDG: 10	BLDG: 10	BLDG: 10	10	40	65%	20%
			FLG: 20	SLG: 10	FLG: 20				
Multi-family dwellings ⁴	-	10,000	15	10	10	20	60	50%	25%
Assisted living facilities	-	-	20	20	20	20	75	50%	25%
Foster care facilities and group homes	50	3500	BLDG: 10	BLDG: 10	BLDG: 10	10	40	60%	25%
			FLG: 20	SLG: 10	FLG: 20				
1. BLDG = Building without front-loading garage, or portion of building without front-loading garage. FLG = Front Loading Garage.									
2. BLDG = Building without side-loading garage, or portion of building without side-loading garage. SLG = Side Loading Garage. No setback is required for single family attached dwelling units along the shared wall.									
3. The maximum building height for buildings abutting lots containing single family detached dwellings shall be 40 feet, regardless of the number in this column.									
4. For multi-family developments, setbacks shall be measured from the boundary of the parcel. No other setbacks apply to buildings within the parcel, except buildings are subject to building separation requirements in the Florida Building Code and fire safety codes.									

TABLE 3-9: R-2 DISTRICT NON-RESIDENTIAL STANDARDS

Non-Residential Use Type	Minimum Parcel Size (Square Feet)	Minimum Parcel Width (Feet)	Minimum Front Setback (Feet)	Minimum Side Road Setback (Feet)	Minimum Side Yard Setback (Feet)	Minimum Rear Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Religious uses	43,560	100	20	20	30	30	50	35%	25%
Educational uses	43,560	100	20	20	30	30	40	35%	25%
Recreational	N/A	-	15	15	15	15 ¹	40	30%	40%
Residential Amenity Center	20,000	-	20	30	30	30 ¹	30	40%	25%
Conservation uses	-	-	-	-	-	-	-	-	-

1. No setback required if abutting a lake or open space tract.

(3) Accessory Structures. Unless otherwise specified below, accessory structures shall not exceed 25 feet in height, and shall meet all setback requirements of the principal structure.

(4) The following structures are subject to the following requirements:

(i) Fences and walls.

1. Setbacks. The minimum front setback for fences and walls is 10 feet. Except for decorative edge treatments permitted below, fences and walls shall be set back at least three (3) feet from the nearest face of the structure.
 - a. Decorative edge treatments, which may include decorative fencing or walls, are permitted for a group of residences developed under a common plan of development, but will not be permitted on a lot-by-lot basis. Decorative edge treatments permitted under this section may be located in front of a residence, shall not encroach on any right of way, and shall not exceed 3 feet in height.
 - b. Fences and walls are not subject to any other setback requirements.
2. The maximum height of a wall or fence shall be 6 feet.

(ii) Swimming pools, screen enclosures, pool decks, spas, cabanas, saunas, and patios.

1. For single family detached dwelling units, these structures are only permitted in the rear yard.
2. The minimum side road, side yard, and rear setbacks are 3 feet, except:
 - a. Screen enclosures are permitted along the attached side of attached dwelling units.

(iii) Detached Garages.

1. Detached garages shall only be permitted as part of a common plan of development. The minimum setback is 10 feet.

Section 2: Civic District (CV)

- A) Permitted Uses.** Uses permitted within the CV District are identified in Table 3-20: Permitted Uses.
- B) Intensity.** Intensity for all non-residential uses: maximum FAR is 1.5.
- C) Requirements.** Development in CV is subject to the standards found in Table 3-10 below.

TABLE 3-10: CV DISTRICT STANDARDS

Use Type	Minimum Front Setback (Feet)	Minimum Side Road Setback (Feet)	Minimum Side Yard Setback (Feet)	Minimum Rear Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Religious uses	15	15	15	10	50	35%	25%
Educational uses	15	15	15	10	50	35%	25%
Recreational uses	15	15	10	10	50	30%	50%
Conservation uses	-	-	-	-	-	-	-
Civic Uses	20	15	15	10, or if abutting residential, 25	50	30%	25%

- D) Accessory Structures.** Accessory structures shall be permitted pursuant to the requirements below:
 - (a) Unless otherwise specified below, accessory structures shall not exceed 30 feet in height, and shall meet all setback requirements of the principal structure.
 - (b) The following structures are subject to the following additional requirements:
 - (i) Fences and walls.
 1. The minimum front setback for fences and walls is 10 feet. Fences and walls are not subject to any other setback requirements.
 2. The maximum height of a wall or fence shall be 6 feet.

Section 3: Mixed Use (MU)

A) Permitted Uses, Density and Intensity. Uses permitted within the MU District are identified in Table 3-20: Permitted Uses.

(1) Density for all residential uses.

- (a) Minimum gross density is 4 units per gross acre, and the maximum gross density is 16 dwelling units per gross acre, excluding accessory dwelling units.
 - (i) Accessory dwelling units are not counted towards the maximum gross density.
 - (ii) The maximum gross density for Continuing Care and Assisted Living Facilities may be calculated as follows: 34 beds per acre.
- (b) Bonus densities may be permitted up to 8 dwelling units per acre pursuant to Section 3.3.2: Bonus Density.

(2) Accessory dwelling units.

- (a) Each single family dwelling unit may have one accessory dwelling unit.
- (b) Mobile homes are not permitted as accessory dwelling units except in mobile home subdivisions.

(3) Intensity for all non-residential uses: maximum FAR is 3.0.

(4) A mix of non-residential and residential uses may be developed on the same parcel, and may be integrated vertically or horizontally. On a parcel with mixed use, both density and intensity shall be calculated based upon the gross acreage. The maximum amount of allowed non-residential development is not affected by the amount of allowed residential development on a parcel; the maximum amount of allowed residential development is not affected by the amount of allowed non-residential development on a parcel.

B) Requirements.

(1) General Requirements. Development in MU is subject to the standards found in Tables 3-11 and 3-12 below.

(a) Building Height.

- (i) The maximum building height in the MU District is 120 feet, except:
 - 1. The maximum building height in the MU District within 100 feet of the R-1 District is 50 feet.
 - 2. The maximum building height for development in the MU District within 100 feet of R-2 District is 70 feet.

(b) The minimum rear setback for development abutting residential zoning districts is 25 feet. All other development shall have a minimum setback of 10 feet.

(2) Non-residential. Non-residential development in the MU District is subject to the following requirements.

(a) Standards for uses under 20,000 square feet.

- (i) Front setback:
 - 1. Minimum 20 foot from lot line.

2. Minimum 20 foot building separation.

(ii) Side Setback.

1. Minimum 10 foot from lot line.
2. Minimum 20 foot building separation.

(iii) Rear Setback:

1. Minimum

(b) Standards for uses 20,000 square feet or more.

(c) Setbacks shall be measured from the boundary of the parcel. No other setback standards apply to buildings within the parcel, except buildings are subject to building separation requirements in the Florida Building Code and the fire safety code.

TABLE 3-11: MU DISTRICT RESIDENTIAL STANDARDS

Residential Use Type	Minimum Lot Width Per Dwelling Unit (Feet)	Minimum Front Setback ¹ ₂ (Feet)	Minimum Side Road Setback ² ₃ (Feet)	Minimum Side Yard Setback ^{2, 3} (Feet)	Minimum Rear Yard Setback ² (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Single family attached dwellings	20	BLDG: 5	BLDG: 5	BLDG: 5	10	50	70%	20%
		FLG: 20	SLG: 20	SLG: 20				
Multi-family dwellings	-	5	20	10	20	100	50%	25%
Assisted living facilities	-	5	20	10	20	100	50%	25%
<p>1. BLDG = Building without front-loading garage, or portion of building without front-loading garage. FLG = Front Loading Garage.</p> <p>2. For multi-family developments, setbacks shall be measured from the boundary of the parcel. No other setbacks apply to buildings within the parcel, except buildings are subject to building separation requirements in the Florida Building Code and fire safety codes.</p> <p>3. BLDG = Building without side-loading garage, or portion of building without side-loading garage. SLG = Side Loading Garage. No setback is required for single family attached dwelling units along the shared wall.</p>								

TABLE 3-12: MU DISTRICT NON-RESIDENTIAL STANDARDS

Non-Residential Use Type	Minimum Parcel Size (Square Feet)	Minimum Front Setback (Feet)	Minimum Side Setback (Feet)	Minimum Rear Setback (Feet)	Minimum Building Separation (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Religious uses	43,560	20	10	10	20	35%	25%
Educational Uses	43,560	20	10	10	20	35%	25%
Recreational Uses	-	20	10	10	20	30%	60%
Conservation uses	-	-	-	-	-	-	-
Commercial Uses	-	20	10	10	20	45%	25%
Medical Uses	-	20	10	10	20	45%	25%
Sexually oriented business	-	30	10	10	20	35%	25%
Civic Uses	-	20	10	10	20	30%	25%
Light industrial uses	-	30	10	10	20	50%	25%
Institutional uses	-	10	10	10	20	35%	25%
Commercial recreation uses	-	20	10	10	20	35%	25%
Agricultural uses	-	-	-	-	-	-	-
Essential facilities and services	-	-	-	-	-	-	-
Utilities	-	-	-	-	-	-	-
1. Buildings separated from residential zoning districts by a road or canal are not considered adjacent to residential zoning districts.							

- (1) Accessory Structures.** Accessory structures shall be permitted pursuant to the requirements below:
- (a) Unless otherwise specified below, accessory structures are subject to the same setback and height requirements as the principle structure.
 - (b) The following structures are subject to the following additional requirements:
 - (i) Fences and walls.
 - a. The minimum front setback for fences and walls is 10 feet. Fences and walls are not subject to any other setback requirements.
 - b. The maximum height of a wall or fence shall be 6 feet.
 - (ii) Swimming pools, screen enclosures, pool decks, spas, cabanas, saunas, and patios.
 - a. For single family attached residential uses, these structures are only permitted in the rear yard.

- b. The minimum side road, side yard, and rear setbacks for a screen enclosure are 5 feet, unless the screen enclosure is adjacent to a lake or open space tract, in which case the minimum side road, side yard, and rear yard setbacks are 3 feet from the lake or open space tract.
 - c. Except for screen enclosures, the minimum side road, side yard, and rear setback is 3 feet.
- (iii) Detached Garages.
1. Detached garages shall have minimum side road, side yard, and rear setbacks of 10 feet.

Section 4: Town Center District (TC)

B) Permitted Uses Density and Intensity.

- (1) Uses permitted within the TC District are identified in Table 3-20: Permitted Uses.
- (2) Density for all residential uses.
 - (a) The minimum gross density is 4 units per gross acre, and the maximum gross density is 16 dwelling units per gross acre.
 - (i) Accessory dwelling units are not counted towards the maximum gross density.
 - (ii) The maximum gross density for Continuing Care and Assisted Living Facilities may be calculated as follows: 34 beds per acre.
 - (b) Bonus densities may be permitted up to 8 dwelling units per acre pursuant to Section 3.3.2: Bonus Density.
- (3) Intensity for all non-residential uses: maximum FAR is 3.0.

C) Requirements.

- (1) General Requirements. Development in TC is subject to the standards found in Tables 3-13 and 3-14 below.
 - (a) Building Height.
 - (i) The maximum building height in the TC District is 150 feet, except:
 1. The maximum building height for development in the TC District within 120 feet of the R-1 District is 50 feet.
 2. The maximum building height for development in the TC District within 100 feet of R-2 District is 70 feet.
 - (b) Building Separation.
 - (i) For every 400 feet of continuous building frontage there must be 40 feet of separation. The building separation requirement is a total footage requirement and may be broken into smaller increments. All development is subject to building separation requirements in the Florida Building Code and fire safety codes.

TABLE 3-13: TOWN CENTER RESIDENTIAL STANDARDS

Residential Use Type	Minimum Lot Square Footage Per Dwelling Unit	Minimum Lot Width Per Dwelling Unit (Feet)	Minimum Front Setback ^{1,2} (Feet)	Minimum Side Road Setback ^{2,3} (Feet)	Minimum Side Yard Setback ^{2,3} (Feet)	Minimum Rear Yard Setback ² (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Single family attached dwellings	1,600	16	BLDG: 5	BLDG: 5	BLDG: 5	10	50	60%	25%
			FLG: 20	SLG: 20	SLG: 20				
Multi-family dwellings	-	-	5	20	10	20	100	50%	25%
Assisted living facilities	-	-	5	20	10	20	100	50%	25%
1. BLDG = Building without front-loading garage, or portion of building without front-loading garage. FLG = Front Loading Garage.									
2. For multi-family developments, setbacks shall be measured from the boundary of the parcel. No other setbacks apply to buildings within the parcel, except buildings are subject to building separation requirements in the Florida Building Code and fire safety codes.									
3. BLDG = Building without side-loading garage, or portion of building without side-loading garage. SLG = Side Loading Garage. No setback is required for single family attached dwelling units along the shared wall.									

TABLE 3-14: TOWN CENTER NON-RESIDENTIAL STANDARDS

Non-Residential Use Type	Minimum Front Setback for Buildings (Feet)	Minimum Side Setback (Feet)	Minimum Rear Setback (Feet)	Maximum Lot Coverage ²	Minimum Pervious Percentage of Parcel ²
Recreational Uses	10	10	10	50%	60%
Conservation Uses	-	-	-	-	-
Commercial Uses	5	10	10	55%	25%
Medical Uses	5	10	10	55%	25%
Civic Uses	5	10	10	35%	25%

TABLE 3-14: TOWN CENTER NON-RESIDENTIAL STANDARDS

Non-Residential Use Type	Minimum Front Setback for Buildings (Feet)	Minimum Side Setback (Feet)	Minimum Rear Setback (Feet)	Maximum Lot Coverage²	Minimum Pervious Percentage of Parcel²
Sexually oriented business	35	10	10	50%	25%
Light industrial uses	30	10	10	50%	25%
Institutional uses	10	10	10	50%	25%
Commercial recreation uses	10	10	10	50%	25%
Agricultural uses	-	-	-	-	-
Essential facilities and services	-	-	-	-	-
Utilities	-	-	-	-	-
1. For multi-family developments, setbacks shall be measured from the boundary of the parcel. No other setbacks apply to buildings within the parcel, except buildings are subject to building separation requirements in the Florida Building Code and fire safety codes.					

Section 5: Open Space and Recreation (OSR)

A) Permitted Uses Density and Intensity.

- (1) Uses permitted within the OSR District are identified in Table 3-20: Permitted Uses.
- (2) Intensity for all non-residential uses: maximum FAR is 0.25.

B) Requirements. Development in OSR is subject to the standards found in Table 3-16, below.

TABLE 3-16: OPEN SPACE AND RECREATION STANDARDS

Use Type	Minimum Parcel Size (Square Feet)	Minimum Parcel Width (Feet)	Minimum Front Setback	Minimum Side Road Setback	Minimum Side Yard Setback	Minimum Rear Setback	Maximum Building Height
Recreational uses							
Neighborhood Parks	-	-	15	15/15	15	15	40
Conservation uses	-	-	-	-	-	-	-
Civic uses	-	-	5	10	10	35%	25%

Section 6: Medical District (MD)

- D) Permitted Uses, Density, and Intensity.** Uses permitted within the MD District are identified in Table 3-20: Permitted Uses.
 - (1) Minimum gross density is 4 units per gross acre, and the maximum gross density is 16 dwelling units per gross acre. Accessory dwelling units are not counted towards the maximum gross density.
 - (2) Intensity for all non-residential uses types: Maximum FAR is 3.0.
 - (3) Accessory uses to a hospital or medical use include, but are not limited to:
 - (a) Newstand
 - (b) Giftshop
 - (c) Cafeteria
 - (d) Religious Use or Place of Worship
- E) Conflict.** If this section conflicts with another section of these LDRs, the provisions within this section shall apply to the extent of the conflict.
- F) Limitation on certain uses.** Hospitality Houses for patients (and/or patients’ families); food service, restaurants, and cafes, including those with live entertainment (but excluding those with drive through service); and restaurants and cafes with drive through service are permitted within the MD District but may not exceed 10,000 total square feet within the district.
- G) Requirements.** Development in MD District is subject to the standards found in Tables 3-17, below.

TABLE 3-17: MD DISTRICT STANDARDS

Use Type	Minimum Parcel Size ¹ (Acres)	Minimum Parcel Width	Minimum Front Setback	Minimum Side Setback - Collector	Minimum Side Setback -	Minimum Rear Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
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		(Feet)	(Feet)	or Arterial Road (Feet)	Local Road (Feet)				
Hospital	1	200	35	25	10	20	200 ²	60%	25%
All Other Uses in MD District	1	200	35	25	10	20	120	60%	25%

1. There is no minimum size requirement for development parcels created by metes and bounds, provided there is unity of control with parent development parcel.
2. For any portion of a hospital within 200 feet of the R-2 District, the maximum height is 150 feet.

Section 7: Planned Development (PD)

- A) In lieu of proceeding under the standards above, a parcel or property owner may propose project-specific standards as a Planned Development (PD). PDs must be consistent with the land use types and densities and intensities of the underlying future land use category consistent with the Comprehensive Plan and other Articles of these LDRs. PDs shall be allowed in all Future Land Use Categories as Zoning Districts, and may allow for all uses. PDs shall be processed as Rezoning, subject to City Council Approval.
- B) Requirements:
 - (1) Design Guidelines. Developer must submit design guidelines that will govern development within the PD and address any standards that differ from the standards in these LDRs.

ARTICLE 3.2 Overlays

Section 1: Solar Energy Overlay. Primary Solar Facilities and accessory solar facilities shall be allowed within the Solar Energy Overlay pursuant to the requirements of the Comprehensive Plan.

Section 2: M Canal Overlay. Vertical development is prohibited within the M Canal right of way. Further, vertical development is prohibited north of the M Canal right of way and within 80 feet to the south of the M Canal right of way. This does not prohibit vertical development in M Canal right of way related to the operation and maintenance of the M Canal.

Section 3: Single Family Overlay. Multi-family dwellings shall be prohibited within 400 feet of the southern boundary of the City from its eastern boundary to the eastern edge of the MU District as depicted on the City of Westlake Official Zoning Map. Only single family attached and single family detached dwelling units shall be allowed in this area.

Section 4: Southeast Buffer Overlay. Only buffers may be constructed within the Southeast Buffer Overlay.

ARTICLE 3.3 Special Use Standards

Section 1: Neighborhood Centers. Neighborhood Centers are permitted in R-1 and R-2 zoning districts as part of site plan approval consistent with the requirements below.

- A) Uses within a Neighborhood Center are limited to:
 - (1) Religious Uses
 - (2) Vocational or Technical Schools
 - (3) Pre-schools and Child Nursery Schools
 - (4) Small-Scale Civic Uses
 - (5) Retail Sales or Service.
 - (6) Motor Vehicle Repair and/or service establishments, gasoline stations, and car washes
 - (7) Office
 - (8) Food Service, Restaurants, and Cafes, including those with live entertainment (but excluding those with drive through service Restaurants and cafes with drive through service)
 - (9) Microbreweries
 - (10) Medical office
 - (11) Essential Facilities and Services
 - (12) Uses accessory to permitted uses
 - (13) Clubhouses and amenity centers
- B) Any use not listed may be permitted as a conditional use subject to Comprehensive Plan compatibility requirements.
- C) Stand-alone religious and educational uses (including vocational and technical schools, preschools, and child nursery schools) cannot be neighborhood centers unless accompanied by at least one other use.
- D) **Requirements.** – Neighborhood Centers are subject to the standards found in Table 3-18 below. In addition Neighborhood Centers in R-1 must be a minimum of 3 acres and a maximum of 10 acres. Neighborhood Centers in R-2 must be a minimum of 3 acres and a maximum of 15 acres.

TABLE 3-18: NEIGHBORHOOD CENTER STANDARDS

Uses ¹	Minimum Front Setback (Feet)	Minimum Side Setback (Feet)	Minimum Rear Setback (Feet)	Maximum Building Height (Feet)	Maximum Lot Coverage	Minimum Pervious Percentage of Parcel
Religious uses	15	30	30	50	35%	30%
Educational uses	15	20	25	40	35%	30%
Small Scale Civic Uses	15	20	25	35	35%	30%
Retail sales or service	15	20	25	35	35%	30%
Food Service except as follows:	15	15	25	35	35%	30%

Restaurants and cafes with drive through service	25	30	30	35	35%	30%
1. Accessory uses shall adhere to the same height and setback requirements as the primary use.						

Section 2: Voluntary Bonus Density Program.

A) Developers may elect to use the Voluntary Bonus Density Program. Developers that meet the criteria in this section will be granted density bonuses over the maximum gross densities in accordance with the following limits set forth in Table 3-19, below:

TABLE 3-19: AVAILABLE BONUS DENSITIES

District	Available Bonus Density
R-1	4 Dwelling Units/Acre
R-2	8 Dwelling Units/Acre
MU	8 Dwelling Units/Acre
Town Center	8 Dwelling Units/Acre

B) In order to be granted bonus densities, developers will guarantee Affordable or Workforce Housing, or Senior Housing be provided consistent with the following requirements:

(1) Affordable or Workforce Housing.

(a) Required percentage of bonus housing units.

(i) At the time of initial sale or rental:

1. 25% of all bonus housing units will be affordable to moderate-income households of 4 persons, or
2. 50% of all bonus housing units will be affordable to middle-income households of 4 persons.

(ii) Phased Development. Affordable and workforce housing units must be provided in the same phase as the bonus density housing.

(b) Developers shall demonstrate that the initial sale or rental is affordable to the appropriate income category (moderate-income or middle-income) based on professionally acceptable methodologies and the following parameters:

(i) For purchase:

1. A down payment not exceeding 10% of the total unit value;
2. A household size of 4 persons (or less)
3. A 30-year fixed rate mortgage based on the most recent six-month period as provided by the Federal Housing Finance Agency

Commented [KR1]: Pam to look into additional criteria – how will City evaluate the application and guarantee – what do applicants have to show to ensure applicant will be eligible to get the bonuses.

Must identify each affordable density bonus unit

What do you do for a period of 10 years to guarantee that it remains affordable (including reporting). (Example, house is smaller than other standard products.)

See TWD notes on agreed 10 year period.

Commented [KR2R1]: Also – sliding scale for payback of downpayment assistance. If you stay less than 5 years, must return down payment.

- 4. Estimates of tax, utility, and insurance costs.

(ii) For Rental:

- 1. A household size of 4 persons (or less)
- 2. Rental prices based on the annual Florida Housing Finance Corporation Multi-Family Rental Figures, adjusted for the number of bedrooms.
- 3. Estimates of utility and insurance costs.
- 4. Rental price to remain affordable for at least 5 years.

(c) The timing for construction of affordable or workforce bonus housing units would be such that the maximum gross density for the project, unadjusted for the density bonus units, would not be exceeded until the affordable or workforce units have been constructed.

(2) Senior Housing. Development must demonstrate at least 50% of the housing will be age-restricted to persons aged 55 and older.

C) Workforce and affordable bonus housing units shall be marketed in the same manner as the market-rate units within a development.

D) Affordability Requirements: All required Work Force Housing units (WFH) shall be offered for sale at an attainable housing cost for each of the targeted income ranges. The sale prices shall be updated annually by the Planning and Zoning Director or his or her designee, with the sales prices based on the AMI, and the household income limits for PBC (West Palm Beach/Boca Raton metropolitan statistical area) for a family of four, which pricing shall not be adjusted based on the number of occupants, as published annually by HUD (sale price: household income figure multiplied by three and priced at the middle of each of the four WFH income categories).

(1) Prior to final approval by the Planning and Zoning Director, at the time of site plan for each residential parcel containing Work Force Housing units (WFH), the property owner shall identify each required WFH unit within that residential parcel.

(2) The deed for each Work Force Housing units (WFH) sold shall include restrictions requiring

- (a) that all identified WFH units be sold or resold only to qualified households in the applicable targeted income range at an attainable housing cost for each of the targeted income ranges;
- (b) that these restrictions remain in effect for a total of 10 years from the date of the certificate of occupancy for each unit; and,
- (c) that in the event a unit is resold before the 10-year period concludes, the covenant remains in place until the expiration of the original 10-year period.

(3) Release of Obligation to Construct Work Force Housing units (WFH) For-Sale Units It is not the intent of the WFH provisions to require a developer to commence construction on a WFH for sale unit for which a valid and binding contract for purchase between developer and buyer has not been executed. It is intended that all WFH units will be marketed in the same manner as the market-rate units within the development. In the event a WFH unit eligible for contract has been available for purchase for a period not less than 180 days and no contract to purchase that unit has been executed during the 180 day period,

and is located within a residential parcel or Phase in which not less than 80% of the market rate units have binding purchase contracts, then that specific WFH unit shall be eligible to be released from the WFH obligations indicated in the Applicable Site Plan. When a WFH unit is not purchased in accordance with the provision above, the developer shall make an in lieu payment to the City pursuant to the following:

- (a) An amount equal to one half of the differential between the WFH unit cost and the contract price not to exceed \$40,000 per unit.
- (b) "Available for purchase" shall be defined as:
- (c) Written notice is provided to the Planning and Zoning Director that developer has a project approved which requires the construction of WFH units and the developer is ready to commence sales of the required WFH unit within the development. The written notice shall include the location of the subject property, the location of the sales office, the hours of the sales office, the floor plan and construction specifications for the WFH unit available for contract; and the pricing of the WFH unit available for contract;
 - (i) Developer shall include in the sales office displays and WFH unit promotional brochures produced as of and during the entire duration of the build-out of the project until all WFH units required have been sold and/or released according to this condition;
 - (ii) The inclusion of informational packets in the sales center for those interested in purchasing a WFH unit which provides the qualification standards, where to go to get qualified, and other relevant information regarding the WFH units. This packet shall be provided by or approved by the City prior to placement on the sales floor;
 - (iii) At the time the WFH units become available for purchase the developer shall provide to the Planning and Zoning Director proof of out-reach to local housing advocacy groups and others on the interested parties list; and,
 - (iv) The developer acts in good faith to market and sell the unit during the term of the project until such time as all WFH units are sold or released pursuant to this condition.
- (d) In the event of default by the purchaser of a for sale Work Force Housing units (WFH), after execution of a binding contract, the subject WFH shall return as available for sale for the remainder of the applicable 180-day sale period.
- (e) Nothing in these conditions requires the developer to provide and/or guarantee financing for any applicant for a Work Force Housing units (WFH). The Developer is not required to aid in the purchase and/or financing of the WFH unit.

Commented [NL3]: Discuss insert sliding scale, or percentage of difference between WFH price and market price

(4) On an annual basis, beginning November 1, 2018, or as otherwise stipulated, the owner of the Work Force Housing units (WFH) shall submit to the Planning Director, or designee, on a form provided by the City, an annual report containing information and documentation to demonstrate continued compliance with the WFH and a copy of any monitoring information provided to and received from the appropriate funding agency/source.

E) Development incorporating bonus density housing units will meet all applicable Comprehensive Plan requirements.

F) Design flexibility.

(1) The City may deviate from parcel size, setback, landscaping, parking, height, and other standards to encourage developers to engage in the voluntary density bonus program. The City will not authorize deviations from standard LDR requirements that would result in detrimental effects to the public’s health, safety, or welfare.

G) The developer shall have the obligation to demonstrate compliance with the density bonus program and shall provide documentation to the City evidencing such compliance pursuant to any requirements in the development order.

ARTICLE 3.4 Uses

A) Interpretation of Use Tables.

(1) **Materially Similar Uses.** The City Manager or designee may determine that a use is materially similar if a permitted use is sufficiently similar to a use classified below, and may rely on:

- (a) American Planning Association Land-Based Classification Standards (LBCS)
- (b) North American Industrial Classification System (NAICS)
- (c) Institute of Transportation Engineers (ITS) Trip Generation Guide

B) Permitted Uses. The uses permitted in each zoning district are shown below in Table 3-20: Permitted Uses. Table 3-20: Permitted Uses does not apply to PDs.

TABLE 3-20: PERMITTED USES

(Excludes PDs)

	R-1	R-2	CV	MU	TC	OSR	MD
Residential Use Types:							
Single family attached dwellings	P	P		P	P		
Single family detached dwellings	P	P					
Mobile homes	P						

TABLE 3-20: PERMITTED USES
(Excludes PDs)

	R-1	R-2	CV	MU	TC	OSR	MD
Accessory dwelling units	P	P		P			
Multi-family dwellings		P		P	P		
Assisted living facilities		C		P	P		P
Foster care facilities and group homes		C					
Religious Uses:							
Religious Uses	C	C	P	P			P
Educational Uses:							
Public or Private Primary and Secondary Schools			P	P			
Vocational and Technical Schools			P	P			P
Colleges and Universities			P	P			
Pre-schools and Child Nursery Schools	C	C	P	P			P
Recreational Uses:							
Neighborhood Parks	C	P	P	P		P	
Community Parks			P	P		P	
Residential Amenity Center	P	P		P			
Commercial recreation uses				P		P	
Outdoor amphitheaters				P	P		

TABLE 3-20: PERMITTED USES
(Excludes PDs)

	R-1	R-2	CV	MU	TC	OSR	MD
Stadiums, Arenas, and Sports Complexes			P	P		P	
Golf Courses	C	C				P	
Conservation Uses:							
Conservation uses	P	P	P	P		P	
Civic Uses:							
Civic uses			P	P		P	
Assembly including Places of Worship			P	P		P	
Cemetery			P	P		P	
Daycare			P	P		P	
Government Services			P	P		P	
Commercial Uses:							
Retail Sales or Service				P	P		
Neighborhood Center	P	P					
Hotels, motels, other accommodation services				P	P		
Motor vehicle repair and/or service establishments,				P			

TABLE 3-20: PERMITTED USES
(Excludes PDs)

	R-1	R-2	CV	MU	TC	OSR	MD
gasoline stations, and car washes.							
Bars and Night Clubs include those with live entertainment open to the general public				P	P		
Bowling Alleys, Billiards, Miniature Golf, and similar indoor or outdoor recreational facilities				P	P		
Museums, Art Gallery, Auditorium, theatres including open air theaters and cinemas, and similar cultural uses.				P	P		
Funeral Homes, Crematorium, Mausoleum, Death care services				P			
Office				P	P		P
Veterinary				P	P		
Overnight Kennel, including kennels ancillary to veterinary services				C			
Food Service, Restaurants, and cafes, including those with live entertainment (but				P	P		P

Commented [KR4]: May also be civic – check definitions of comp plan

TABLE 3-20: PERMITTED USES
(Excludes PDs)

	R-1	R-2	CV	MU	TC	OSR	MD
excluding those with drive through service)							
Restaurants and cafes with drive through service				P	P		
Mobile food services				P	P		P
Microbreweries or Craft Brewery (Beer & Cider)				P	P		
Craft Distillery (Spirits)				P	P		
Sexually oriented business				C			
Medical Uses:¹							
Hospital							P
Pharmacy and Dispensary				P	P		P
Medical or Dental Office				P	P		P
Behavioral Health Center							P
Inpatient Rehabilitation Center							P
Free Standing Emergency Department							P
Medical marijuana dispensary							P
Emergency Department (Linked to Hospital)							P
Child Birth Center							P

TABLE 3-20: PERMITTED USES
(Excludes PDs)

	R-1	R-2	CV	MU	TC	OSR	MD
Surgical Facilities (excluding in-office dental and eye surgical facilities)							P
Cardiac Catheterization Laboratory							P
Chemotherapy and Radiation/Cancer Center Treatment							P
Medical Infusion Center							P
Hyperbaric Oxygen and Wound Care Treatment Facility							P
Imaging, Diagnostic, Therapeutic, and Laboratory Services							P
Proton Center							P
Urgent Care Center							P
Hospitality House for Patients (and/or Patients' Families)				P	P		P
Light Industrial Uses							
Light industrial uses				P			
Other Uses:							
Institutional uses not otherwise listed in this table or prohibited uses table				P			P
Agricultural uses (FLU Policy 1.2.2)			C			C	

TABLE 3-20: PERMITTED USES
(Excludes PDs)

	R-1	R-2	CV	MU	TC	OSR	MD
Essential facilities and services	P	P	P	P	P	P	P
Utilities	P	P	P	P	P	P	P
Wireless communication facility			C	C	C	C	
Helipad				P			P
Parking Structures		P	P	P	P	P	P
Accessory Uses	P	P	P	P	P	P	P
Key: P = Permitted Use C = Conditional Use							
1. Services such as x-ray and laboratory services that are incidental and ancillary services to the primary medical services,							

C) Prohibited Uses. The following uses are prohibited within the zoning districts denoted by “x” in the table below. In the case of any ambiguity between this table and Table 3-20: Permitted Uses above, this table shall control.

TABLE 3-21: Prohibited Uses

USE	R-1	R-2	C	MU	TC	OSR	MD
Jail or Detention Center Not Owned by Westlake.	X	X	X	X	X	X	X
Outdoor Shooting Range	X	X	X	X	X	X	X

Commented [KR5]: Incorporate into use table

Sexually Oriented Uses							X
Tattoo Shop							X
Pawn Shop							X
Liquor Store							X
Auto Sales							X