

CHAPTER 500. ZONING STANDARDS

SECTION 530. SUPPLEMENTAL REGULATIONS

The provisions of this chapter shall be subject to such exceptions, additions, or modifications as provided by the following supplemental regulations. The provisions of Section 530.1 shall not apply to properties located in an Urban Service Area.

530.1. Height Regulations Exceptions

- A. Public, semipublic, or public services buildings; hospitals; public institutions; or schools may not exceed sixty (60) feet in height. Churches or temples may not exceed seventy-five (75) feet in height, and the building shall be set back from each yard line at least one (1) foot for each additional two (2) feet of building height above the height limit otherwise provided in the district in which the building is located. Spires, flagpoles, chimneys, residential antennas, towers, tanks, belfries, and similar projections are exempt from the height regulations.
- B. Special industrial and commercial structures, such as cooling towers, elevator bulkheads, fire towers, tanks, water towers, and broadcasting towers which require a greater height than provided in the district in which the structure is located may be erected to a greater height than permitted provided:
 - 1. The structure shall not occupy more than twenty-five (25) percent of the lot area; and
 - 2. The setbacks of the district in which the structure is erected shall be increased by one (1) foot for each three (3) feet of height over the maximum height permitted. However, in no case shall setbacks be less than one-third of the total height of the broadcasting tower, including antennas.
- C. If adjacent to single-family residential zoning or use (except for two or more story multifamily buildings), the setbacks of the district in which the building or structure is erected shall be increased by one (1) foot for each three (3) feet of height over the maximum height permitted.

530.2. Yard Requirements

All yards required by this Code to be provided shall be open to the sky and unobstructed by any structure, except for accessory structures and fences. Accessory structures, however, shall not be constructed within five (5) feet of any rear or side lot line.

- A. The following may project into the required yards:
 - 1. Steps, porches, decks, balconies, and stoops may project to within three (3) feet of the side or rear property line, but may not project more than four (4) feet into the required front yard area.

2. Open or lattice-enclosed fire escapes, fireproof outside stairways and balconies, and the ordinary projection of chimneys and flues not exceeding 3.5 feet in width and placed so as not to obstruct light or ventilation.
 3. Sills; eaves; belt courses, cornices; bay windows and ornamental features, such as wing walls; or wall-mounted air conditioning or heating units not exceeding three (3) feet in width.
 4. Air conditioning or heating units, or similar structures mounted or constructed on a cement slab, or other permanent base not exceeding three (3) feet in width. In order to protect suitable drainage conditions, these units or structures are not permitted within yards less than 7.5 feet in width.
- B. The yard requirements shall be adjusted in the following cases:
1. Front Yard Adjustments:
 - a. Front-Yard Adjustments for Existing Building Alignment. When appropriate, the County Administrator or designee may increase or decrease the depth of the required front yard in any district so that such front yard will approximate the average depth of the existing front yards of the existing structures on adjoining lots on each side, or if there are no such adjoining structures, shall approximate the average depth of the front yards of the nearest structures on the same side of the street within 200 feet. However, no front-yard setback shall be less than fifteen (15) feet from the property line.
 - b. Front-Yard Adjustments Through Lots. In the case of through lots, front yards shall be provided on both frontages, except where one (1) of the front yards of a through lot abuts a collector or arterial roadway, then that yard shall be a rear yard with a minimum setback of twenty (20) feet for principal structures. Swimming pools and accessory structures may be erected to within five (5) feet of the property line adjoining such collector or arterial roadway.
 - c. Front Yard Adjustments for corner lots. In the case of corner lots with more than two (2) frontages, at least two (2) front yards shall each provide the full depth required in the district, and no other front yard on such lot shall have less than half of the full depth required in the district.
 2. Side and Rear Yard Adjustments
 - a. Side-yard and rear-yard width may be varied where the wall of a building is not parallel with the side or rear lot line, is broken or otherwise irregular. In such case, the average width of the yard will be no less than the generally required minimum width, provided that such yard will not be narrower at any point than one-half the normally required setback.
 - b. When the side lines of a lot converge so as to form a rear lot line of less than ten (10) feet or a point in the rear, the rear lot line is that line parallel to the front lot line and measuring ten (10) feet in length

between the two (2) side lot lines. The depth of the rear yard is measured from such ten (10) foot line to the nearest part of the principal building.

- c. In the case of corner lots, there shall be two (2) front yards and two (2) side yards.
- d. Where an existing side, rear, or front yard setback line has been established by an existing primary building on a parcel, any additions or alterations to the primary building or other accessory uses shall be allowed to use the existing setback line, except that no new additions, alterations, or accessory buildings shall be closer to the side property line than three (3) feet, the rear property line by five (5) feet, and the front property line by fifteen (15) feet.

530.3. **Construction of Accessory Buildings and Structures**

No accessory building or structure, except fencing, shall be constructed upon a lot until the construction of the principal building has been actually commenced. No accessory building shall be used for residential purposes, except as provided elsewhere in this Chapter 500. Provided, however, that one (1) residential unit for a caretaker may be permitted in conjunction with any industrial establishment. Accessory buildings or structures shall not be constructed within five (5) feet of any rear or side lot line.

The principle use shall be established prior to or concurrently with any accessory use.

530.4. **Private Swimming Pools**

Private swimming pools shall comply with the following:

- A. The pool is intended and shall be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
- B. Shall be located in the rear yard or side yard of the property, except that pools may be located in the front yard of parcels if the parcel is more than five (5) acres in size.
- C. Shall not be located, including any walls or appurtenant accessory structures closer than five (5) feet to any property line.
- D. The swimming pool shall be walled, fenced, or enclosed so as to prevent uncontrolled access from the street or adjacent property. The barrier shall be at least four (4) feet in height, shall be maintained in good condition, and meet the following conditions:
 - 1. No openings shall be greater than four (4) inches in width, except for necessary gates.
 - 2. Metal or wire, if allowed to be used as fencing material in the zoning district, shall be at least 11.5 gauge.

3. Barbed-wire fences are permitted to serve as a barrier only in agricultural districts on properties over one (1) acre and provided that the minimum height is four (4) feet and that the said fence consists of a minimum of six (6) strands separated by a minimum of eight (8) inches.
4. Screen mesh enclosures around swimming pools shall be set back a minimum five (5) feet from side and rear property lines and cannot be torn or in disrepair at any location up to four (4) feet from grade.
5. Aboveground pools with side walls more than four (4) feet in height need not be fenced or enclosed, provided that access to the interior of the pool is constructed or installed to prevent access to the interior of the pool by persons other than the legal occupants of the property.
6. Split-rail or picket fences used as barriers shall be a minimum of four (4) feet in height with a maximum spacing of four (4) inches between rails or posts.

530.5. **Parking or Storing of Recreational Vehicles**

- A. Recreational vehicles (RVs) may be parked or stored anywhere on property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2 and residentially zoned property that is one (1) acre or more in size or those legal nonconforming lots (small lots of record) in accordance with Section 1200 Nonconformities, provided they are not parked or stored within the required zoning district's setback from the front property line, and provided they are parked or stored at least five (5) feet from a side or rear property line. Vehicles parked in an E-R Estate-Residential Zoning District are subject to the regulations in Subsection B., below, regardless of the size of the property.
- B. On residentially zoned property less than one (1) acre in size, or on E-R Estate-Residential zoned property of any size, RVs are subject to the following regulations:
 1. RVs may be parked or stored in the side yard or rear yard provided that:
 - a. No more than one (1) side yard on any property is used for such purpose.
 - b. No part of the RV may be parked or stored in front of the principal building line of the primary residential structure or between any structure, accessory structure, or part of such structure, and the front yard. This section is intended to restrict such parking in front yards and front driveways as commonly construed.
 - c. RVs may not be parked in any location less than five (5) feet from any rear or side property line.

- d. RVs shall be screened from view from all abutting property by an opaque six (6) foot fence or by vegetation which is at least seventy-five (75) percent opaque and at least six (6) feet high.
 - e. For double frontage or “corner” residential properties, no RVs shall be parked or stored on the side of a home bordered by a roadway.
 - f. For residential properties that have a garage or carport that protrudes past the principal building line of the residence where the front door is located (an “L-shaped” or “U-shaped” structure), the “principal building line of the primary residential structure” is that building line parallel to the front door and not to the front protruding edge of the garage or carport. Under no circumstances shall RVs be parked or stored in a location where the distance from the front door to the front property line is greater than the distance from the front protruding portion of the RV to the front property line. Any person may seek a written determination from the County Administrator or designee identifying the “front door” and/or “principal building line of the primary residential structure” for residential property owned or leased by that person.
- C. The following provisions apply to all RVs parked or stored on properties zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2 and residentially zoned parcels:
- 1. RVs may not be parked or stored on any residentially zoned property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2, and where there is no primary residential structure. .
 - 2. RVs may be temporarily parked in the driveway on property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2, and residentially zoned lot for loading, unloading, and cleanup during the times a person is in fact physically engaged in the act of loading, unloading, or cleaning the vehicle. Campers and motor homes of all types may be temporarily parked in the driveway for trip preparation, loading, unloading, and cleanup for up to seventy-two (72) hours in any seven (7) day period, up to four (4) times per calendar year.
 - 3. RVs may not be repaired on property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2, and residentially zoned property unless parked in accordance with this section and unless owned by the owner-occupant or occupant-lessee of the property. No more than one (1) RV on the property may be in need of repair or under repair. This is intended to limit large-scale or continuous repair or restoration of RVs on property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2, and residentially zoned property, whether for commercial or noncommercial purposes.
 - 4. RVs shall not be connected to water, sewer, or electric lines, except that properly parked or stored RVs may be connected to battery chargers. It shall be unlawful, at any time, to use RVs parked or stored on property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2, and residentially

zoned property for residential purposes, except that (1) park trailers may be occupied temporarily for residential purposes within properly zoned campgrounds, RV parks, and RV subdivisions; and (2) houseguests may temporarily occupy an RV in accordance with Section 530.5.C.8 below. Otherwise, the use of RVs for activities, such as sleeping, housekeeping, living quarters, bathing, dressing, watching television, working, reading, writing, working on hobbies, or other similar activities is considered use of the RV for “residential purposes,” and is prohibited, even if such activities are confined to the daytime hours and the RV is not occupied overnight. Utility, water, electric, sewage, generator, or cable connections to an RV create a presumption that the RV is being used for residential purposes. This presumption may be rebutted only with clear and convincing evidence.

5. No RV parked or stored on property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2, and residentially zoned property shall be used for commercial purposes.
6. No RV shall be parked or stored on the right-of-way. No portion of an RV shall extend over, or interfere with, the use of any sidewalk or right-of-way intended for pedestrian or vehicular traffic.
7. An unlimited number of RVs may be parked or stored within a completely enclosed, permanent structure on any lot zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2, and in a residentially zoned district, provided the enclosed permanent structure meets all applicable construction codes and a valid Building Permit exists for the structure.
8. Parking or storage of RVs on property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2, and any residentially zoned lot shall be limited to RVs owned or leased by the occupant-owner or occupant-lessee of the lot.
 - a. A vehicle owned or leased by a person who is not a resident of Pasco County and who is a houseguest of the occupant-owner or occupant-lessee of the lot may be parked or stored on the lot for a period not to exceed ten (10) days, four (4) times per calendar year, provided that it is parked in accordance with the other regulations in this section.
 - (1) Guest RV parking shall be in accordance with all other provisions of this section, including setbacks, except that it may be temporarily used for residential purposes.
 - (2) A Guest RV Parking Permit must be obtained prior to parking the vehicle on the property and must be prominently displayed.
 - (3) At least thirty (30) days must lapse before guest parking will be permitted on the same property.

- b. RVs may be parked in areas zoned for multiple-family residential use, provided that such areas are approved for such use by the owner of the property and included in the approved site plan for such property.
9. Applicability. This section does not apply to trailers that are used or designed for commercial purposes, which bear commercial markings or advertisements, or which contain “commercial equipment” as defined by this Code. Such trailers must be parked or stored in accordance with the regulations in Section 530.16 concerning the parking or storage of commercial vehicles on residential property.

530.6. **Clear-Sight Triangle Requirements**

To prevent traffic hazards from limited visibility at a street intersection or intersection of a street and railroad crossing, no structure, building, earthen bank, or vegetation shall be allowed within the clear-sight triangle on corner lots if it exceeds 3.5 feet in height, measured from grade at the finished, paved area at the center of the roadway.

The clear-sight triangle shall be the combination of the triangle created by connecting the points twenty (20) feet from the intersection of road right-of-way lines and the area determined using FDOT Index 546.

530.7. **Essential Services**

Essential services, as defined in this Code, shall be permitted in all districts, subject to restrictions recommended by the County Administrator or designee with respect to use, design, yard area, setback, and height.

530.8. **Accumulation of Debris; Property Maintenance**

- A. It shall be unlawful for any owner, occupant, tenant, lessee, or other person responsible for the condition of the property to permit, maintain, or cause an accumulation of debris, decaying vegetative matter, exposed salvageable material, or other manmade materials upon any lot, tract, or parcel of land where the effect of such accumulation is to cause or create:
- 1. A visual nuisance or other unsightly condition visible from adjoining public or private property;
 - 2. An actual or potential haven or breeding place for snakes, rats, rodents, or other vermin of like or similar character;
 - 3. An actual or potential breeding place for mosquitoes;
 - 4. A fire hazard to adjacent properties; or
 - 5. A hazard to traffic at road intersections or rights-of-way within the County.

Debris, decaying vegetative matter, exposed salvageable material, or other manmade materials means and includes without limitation garbage; rubbish; refuse from residential, commercial, or industrial activities; animal waste; scattered recyclable material; scattered personal items, including clothing and household goods; kitchen and table food waste or other waste that is attendant with or results from the storage, preparation, cooking, or handling of food material; paper; wood

scraps; yard waste; tree or landscape debris and rotting fruit; cardboard; cloth; glass; rubber; plastic; carpet; discarded vehicle tires or other vehicle or watercraft fixtures or parts; household goods and appliances; tools and equipment that are broken, derelict, or otherwise in disrepair; and similar materials. Proof of adverse effect, impact, or impairment to economic welfare shall not require expert opinion testimony or a showing of any specific decrease in property value and may be given by fact-based opinion of affected property owners, occupants, or any other person generally knowledgeable concerning property in the area.

B. Exemptions

This section shall not apply to generally accepted horticultural, agricultural, or environmental enhancement practices including, but not limited to, use of decaying vegetative matter for composting, mulching, or habitat creation.

530.9. Temporary Uses

A. The following uses may be permitted temporarily, for a period of up to four (4) weeks in any six (6) month period, after issuance of a Zoning Permit and necessary Building Permits by the County Administrator or designee:

1. Christmas tree and tent sales.
2. Facilities for the transshipment, processing, fabrication, or manufacture of materials for public works projects may be permitted as temporary uses during the construction periods of specific public works projects so long as such temporary uses do not cause adverse effects on adjacent lands or uses.
3. Carnival, circus, music festivals, and street fairs.
4. Mobile amusements, banners, and lighting equipment for promotion, advertisement, and grand openings.
5. Tent revival meetings.
6. Other uses that are deemed appropriate by the County Administrator or designee.

B. Before issuing a permit, the County Administrator or designee shall determine that the site is adequate for its intended temporary use according to the following:

1. The proposed activity is in compliance with all safety, health, and environmental standards, and is not detrimental to the surrounding area.
2. The site is of a sufficient size to accommodate the intended temporary use.
3. Safe and orderly flow of traffic can be ensured.

530.10. Junkyards

All junkyards existing at the effective date of this Code, within one (1) year thereafter, and all new junkyards, where permitted, shall comply with the following provisions:

- A. From and after January 1, 1964, no person, firm, or corporation shall operate or maintain in the County any junkyard, motor-vehicle wrecking yard, or used-car parts business, unless and until the same shall be enclosed by a fence, the construction of which will obscure the view thereof by the passing public. The said fence shall be of a height not less than eight (8) feet and all of the operations of such business shall be carried on and conducted within the enclosure of such fence.
- B. All junk shall be stored or arranged so as to permit access by fire-fighting equipment and to prevent the accumulation of water, and no junk pile shall reach a height of more than eight (8) feet, unless it is 200 feet from any property line.
- C. No oil, grease, tires, gasoline, or other similar material shall be burned at any time and all other burning shall be in accordance with applicable State and local regulations.
- D. Any junkyard shall be maintained in such a manner as to cause no public or private nuisance; nor to cause any offensive or noxious sounds or odors; and not to cause the breeding or harboring of rats, flies, or other vectors.

530.11. **Travel Trailer/Recreational Parks and Campgrounds**

All commercial travel trailer parks shall be subject to the following minimum regulations:

- A. A minimum of one (1) dump station for sewage or sanitary waste disposal for every fifty (50) trailer pads or spaces shall be provided, except for those spaces which have approved sanitary sewer connections.
- B. Sewage or sanitary-waste facilities shall be in accordance with the requirements of County and State codes and ordinances.
- C. A buffer area of a minimum of twenty-five (25) feet with appropriate screening in accordance with this Code shall be maintained around all property boundaries of travel trailer parks adjacent to residential districts. Parks adjacent to other districts and public rights-of-way shall require a minimum fifteen (15) foot buffer area and screening in accordance with this Code. Any development activities occurring adjacent to existing agricultural uses shall provide adequate buffering against discharges and emissions listed above and generated by the ongoing agricultural use.
- D. The development of recreational areas shall be in accordance with the requirements established in this Code; however, in no case shall a recreation area be less than 10,000 square feet. The said recreation area shall be in addition to the buffer area requirements of the section.

E. A minimum space of thirty (30) feet by fifty (50) feet shall be provided for each travel trailer. Park trailers over 400 square feet shall have a minimum space of forty (40) feet by sixty-five (65) feet.

F. Setback Requirements

1. RV units containing 320 square feet or less shall be located a minimum of ten (10) feet from any other RV or permanent building within or adjacent to the travel trailer park. The following accessory structures shall be located to within three (3) feet of a recreational unit (320 square feet or less) or permanent structure:

- a. Open aluminum carports.
- b. Aluminum storage sheds.
- c. Aluminum screened or glass porches.
- d. Open aluminum or metal decks or porches.

All other accessory structures shall be located a minimum of ten (10) feet from any recreational unit (320 square feet or less) or permanent building.

2. RV units over 320 square feet shall be located a minimum of ten (10) feet side-to-side, eight (8) feet end-to-side, and six (6) feet end-to-end horizontally from any other RV. The following accessory structures may be located to within three (3) feet of an RV unit (over 320 square feet) or permanent structure:

- a. Open aluminum carports.
- b. Aluminum storage sheds.
- c. Aluminum screened or glass porches.
- d. Open aluminum or metal decks or porches.

All other accessory structures shall be located a minimum of five (5) feet from any recreational unit (over 320 square feet) or permanent building.

3. Front setbacks shall be subject to this Code, Chapter 600, if applicable.

G. Provision of commercial and service facilities intended to directly serve the needs of park users are permitted, encouraged, and should be centrally located within the park.

H. No travel-trailer park shall be divided into three (3) parcels or more or individual lots for the purpose of sales or leasing without complying with all of the requirements of Section 530.12, Travel Trailer/RV Subdivisions.

- I. The total number of units shall be limited according to the density limitations established by the Comprehensive Plan Future Land Use (FLU) Map Classification.
- J. A development plan shall be submitted in accordance with this Code, Chapter 400.

530.12. **Travel Trailer/RV Subdivisions**

In addition to complying with the requirements of this Code, all travel trailer or RV subdivisions shall be subject to the following minimum regulations:

- A. Minimum site area: ten (10) acres.
- B. Minimum lot area: 2,600 square feet.
- C. Minimum lot width: forty (40) feet.
- D. Minimum lot depth: sixty-five (65) feet.
- E. Maximum possible gross density of 11.5 dwelling units per acre, subject to compliance with the density limitations established by the FLU Map Classification.
- F. Minimum front-yard setback of twenty (20) feet.
- G. Minimum side-yard setback of 7.5 feet.
- H. Minimum rear-yard setback of ten (10) feet.
- I. A buffer area of a minimum of twenty-five (25) feet in depth and consisting of open space with appropriate screening in accordance with this Code shall be maintained around all perimeter property boundaries of travel-trailer subdivisions adjacent to residential districts. Travel-trailer or RV subdivisions adjacent to other districts shall maintain a minimum fifteen (15) foot buffer area and screening in accordance with this Code. Any development activities occurring adjacent to existing agricultural uses shall provide adequate buffering against discharges and emissions listed above and generated by the ongoing agricultural use.
- J. Recreational areas shall be provided in accordance with the requirements established in this Code; however, in no case shall any part of such recreation area be less than 10,000 square feet. The said recreation areas shall be in addition to the buffer requirements set forth in J above.
- K. Adequate central water and sewer systems shall be provided.
- L. A development plan shall be submitted in accordance with this Code, Chapter 400.

530.13. **Waterfront Property**

All waterfront property which, for the purposes of this section shall be defined as those properties which abut navigable water bodies, shall be subject to the following minimum requirements:

- A. Except as provided below and as may be permitted by Section 1001, no structure shall be located within fifteen (15) feet of the mean high-water line. This applies to dwelling structures, accessory structures, enclosed swimming pools, walls, and any other type of construction that presents a visually solid-type wall.
- B. Fences may be constructed along the rear property line or within fifteen (15) feet of the mean high-water line or alongside property lines, provided they do not exceed four (4) feet in height and shall be constructed so as to not obstruct vision within fifteen (15) feet of the rear property line or within fifteen (15) feet of the mean high-water line. Fences in the side yard may be a maximum of six (6) feet in height, so long as they do not extend in front of or to the rear of the dwelling structure.

530.14. **Applicability of this Code to the Sale of Alcoholic Beverages**

- A. Off-premises sales of beer, as defined in Section 563, Florida Statutes, shall be exempt from the provisions of this Code. The sale of wine for off-premises consumption shall be required to obtain administrative approval. Additionally, the sale of beer, wine, and other liquor in supermarkets for off-premises consumption shall be exempt from the provisions of this Code. For the purposes of this section, the term "supermarket" shall mean a retail store employing at the location of sale a minimum of eight (8) full-time employees on the longest working shift and whose primary business is the retail sale of food products, apart from alcoholic beverages, where such business is located in a building, or portion thereof, of greater than 20,000 square feet in size. Nothing in this subsection shall be construed as exempting any operation, whether a supermarket or any other operation, which permits the sale of beer, wine, or other liquor for on-premises consumption. It is expressly declared that it is the intent of the Board of County Commissioners to include such on-premises operations within the scope of the provisions of this Code.

The package sales of beer and wine for off-premises consumption and the sale of beer, wine, and other liquor in supermarkets, shall be exempt from the 1,000-foot-distance requirement from places of worship, schools, and public parks as stated in this Code.

- B. Except as provided for in Section 530.14.A, Section 402.3 is applicable to all unincorporated areas in the County where alcoholic beverages are to be sold or consumed.
- C. Nothing herein contained shall be construed to permit the sale or consumption of alcoholic beverages at any site in the unincorporated area of the County where there was no building in existence on the original date of adoption of this Code without compliance with the provisions of Section 402.3.
- D. Except as specifically approved in an MPUD, a conditional use application must be filed for properties in PUD Planned Unit Developments and MPUD Master Planned Unit Developments before a conditional use will be permitted in an area which is

designated for uses comparable to those allowed in a zoning district in which conditional uses are identified as a possible use of property.

- E. Bottle Clubs that hold licenses under Rule 61A-3.049 FAC or the Division of Alcoholic Beverages and Tobacco are prohibited.

530.15. **Fraternal Lodges and Social and Recreational Clubs**

- A. Fraternal lodges and social and recreational clubs shall be conditional uses in all districts, except I-1 Light Industrial Park and I-2 General Industrial Park Districts, which must be reviewed and approved in accordance with this Code.
- B. In addition to the criteria set forth in this Code, the following site limitations shall be observed for such uses:
 - 1. Minimum lot area: 20,000 square feet.
 - 2. Minimum lot width: 150 feet.
 - 3. The height of any building constructed shall not exceed the maximum height restrictions of the applicable zoning district within which it is located.
 - 4. Fifty (50) feet minimum building setback from all property lines.
 - 5. A buffer consisting of either walls, landscaping, or fences shall be provided when adjacent to residential districts in accordance with this Code.
- C. On site consumption of alcoholic beverages by members and guests shall be permitted in any fraternal, social, or recreational club or lodge which is approved as a conditional use, provided such use is located more than 1,000 feet from a school, church, place of worship, or public park, as measured from the structure in which alcoholic beverages are being served to the nearest property line of the school, church, place of worship, or public park.
- D. Development Plan

A development plan shall be submitted in accordance with this Code, Chapter 400.

530.16. **Parking and Storage of Commercial Vehicles and Commercial Equipment in Certain Residential Areas Prohibited**

- A. No commercial vehicles and no commercially related equipment shall be permitted to park or be stored in any areas of the unincorporated County which are zoned R-1 Rural Density Residential, R-2 Low Density Residential, R-3 Medium Density Residential, R-4 High Density Residential, R-MH Mobile Home, R-1MH Single-Family/Mobile Home, R-2MH Rural Density Mobile Home, PUD Planned Unit Development, MF-1 Multiple Family Medium Density, MF-2 Multiple Family High Density, MF-3 Multiple Family High Density, E-R Estate-Residential, ER-2 Estate-Residential, A-R Agricultural-Residential, and AR-1 Agricultural-Residential Zoning Districts, except when such commercial vehicles and equipment are being utilized

as part of a business lawfully operating in the said zoning districts. The following are specifically exempt from this section:

1. Properties zoned A-C Agricultural and AC-1 Agricultural.
2. Properties larger than five (5) acres zoned A-R Agricultural-Residential and AR-1 Agricultural-Residential.
3. Properties with a bona fide agricultural classification, as determined by the County Property Appraiser, when the vehicle or equipment are related to the agricultural use of the property.

B. The provisions of this section shall not apply to:

1. A commercial vehicle parked in a residential neighborhood while the operator of the said commercial vehicle is making a delivery or conducting business within the said residential area or when the commercial vehicle or equipment is parked or stored within an enclosed structure.
2. The use of a commons area in any residentially zoned neighborhood for the parking of a commercial vehicle, provided that the commons area is actually used as a commons area, is duly recorded and platted as a commons area, and provided further that the use of the said commercial vehicle is for the benefit of the community in which it is situated or the use is for the benefit of a charitable project sponsored by the community as a whole or sponsored by any civic or charitable group within the community. For purposes of this subsection only, community is defined as the residentially zoned neighborhood which is serviced by the commons area.

C. Any use of E-R Estate-Residential, R-1 Rural Density Residential, R-2 Low Density Residential, R-3 Medium Density Residential, R-4 High Density Residential, R-MH Mobile Home, R-1MH Single-Family/Mobile Home, R-2MH Rural Density Mobile Home, PUD Planned Unit Development, MF-1 Multiple Family Medium Density, MF-2 Multiple Family High Density, or MF-3 Multiple Family High Density zoned property for the parking or storing of commercial vehicles or equipment prior to the adoption of this section shall not be considered a nonconforming use.

D. Nothing in this section is intended to authorize the use of residentially zoned property for commercial or industrial activities that are not permitted uses of the zoning district where the commercial vehicle or equipment is parked or stored.

530.17. **Reserved**

530.18. **Temporary Use of Portable Storage Units**

A. **Location and Placement**

Portable storage units may be temporarily located only on certain residentially zoned and commercially zoned parcels. Units shall not obstruct vehicular or

pedestrian traffic. Units shall not be placed in the right-of-way or in such a manner that a person lawfully using the sidewalk must detour into the street in order to go around the unit.

B. Duration

1. A portable storage unit may be placed at a site used for residential purposes for up to thirty (30) calendar days. One (1) portable-storage unit may be placed on a site no more than two (2) times per calendar year.
2. One (1) portable storage unit may be placed at a site zoned for commercial use and actually used for commercial purposes for up to sixty (60) calendar days, no more than two (2) times per calendar year, provided: (a) that the unit is not visible from surrounding parcels or from the right-of-way; the unit must be buffered by tall, opaque fencing; located behind the building; or located on a portion of a parcel with no abutting development; or (b) the location of the unit must be approved as part of a site plan.
3. Redelivery of a portable storage unit for purposes of unloading will be allowed for a period of five (5) days in addition to the time periods provided in this subsection.

C. Construction

1. For sites where the portable storage units are being used in connection with new construction or extensive renovation or repair of property, portable storage units related to and used for the ongoing construction or storage of construction materials during such construction shall be allowed for the period of continuous construction, provided that there is an active and valid Building Permit for the property. Any portable storage unit at the site that is not specifically related to and used in connection with the construction shall be subject to the limits otherwise imposed in this section of this Code. Within five (5) calendar days of the expiration of a Building Permit, passage of all final inspections, or the issuance of a Certificate of Occupancy (CO) (whichever is later), the portable storage units shall be removed.
2. In the event of a fire, hurricane, or natural disaster causing substantial damage to the principal structure on the property, a portable storage unit shall be allowed on site, subject to all applicable sections of this chapter, for sixty (60) calendar days regardless of the existence of a valid Building Permit.

D. High Winds

Within (twelve) 12 hours after issuance of a hurricane warning including Pasco County, all portable storage units shall be removed or secured to minimize the danger of damage to persons or property from the effect of high winds on the units.

530.19. **Use of Dumpsters in Residentially Zoned Property**

Residential properties in A-R Agricultural-Residential, AR-1 Agricultural-Residential, AR-5 Agricultural-Residential, AR-5MH Agricultural Mobile Home, E-R Estate-Residential, ER-2 Estate-Residential, A-C Agricultural, and AC-1 Agricultural Zoning Districts that are more than one (1) acre or which the Pasco County Property Appraiser has classified as a bona fide agricultural land under the Agricultural Assessment Provisions of Section 193.461, Florida Statutes, may use dumpsters of eight (8) cubic yards or smaller on a permanent basis to store large volumes of refuse as the primary method of garbage collection and disposal for the residence, as long as the dumpster is not located on a right-of-way, and is a portable, nonabsorbent, enclosed container with a close-fitting cover or doors which is capable of being serviced by mechanical equipment. Dumpsters larger than eight (8) cubic yards may be used only on a temporary basis and are subject to the regulations set out in subsections A-E below. Properties that are five (5) acres or larger in A-R Agricultural-Residential and A-C Agricultural Zoning Districts are exempt from the regulations in this section.

Dumpsters are permitted on all other residentially zoned properties only on a temporary basis and are subject to the following regulations:

A. **Location and Placement**

Dumpsters may be temporarily located only on certain residentially zoned parcels. Dumpsters shall not obstruct vehicular or pedestrian traffic. Dumpsters shall not be placed on the right-of-way or in such a manner that a person lawfully using the sidewalk must detour into the street in order to go around the unit.

B. **Duration**

A dumpster may remain at a site used for residential purposes for up to thirty (30) calendar days. One (1) dumpster may be placed on a site no more than two (2) times per calendar year allowed.

C. **Construction**

1. For sites where a dumpster is being used in connection with new construction or extensive renovation or repair of property, dumpsters related to and used for the ongoing construction or demolition during such construction shall be allowed for the period of continuous construction or demolition, provided there is an active and valid Building or Demolition Permit for the property. Any dumpster at the site that is not specifically related to and used in connection with the construction or demolition shall be subject to the limits otherwise imposed in this section of this Code. Within five (5) calendar days of the expiration of a Building Permit, passage of all final inspections, or the issuance of a CO (whichever is later), all dumpsters shall be removed.
2. In the event of a fire, hurricane, or natural disaster causing substantial damage to the principal structure on the property, a dumpster shall be

allowed on site, subject to all applicable sections of this chapter, for sixty (60) calendar days regardless of the existence of a valid Building Permit.

D. High Winds

Within twelve (12) hours after the issuance of a hurricane warning including Pasco County, all dumpsters shall be removed or secured to minimize the danger of damage to persons or property from the effect of high winds of the dumpsters.

530.20. Temporary/Portable Toilet Facilities

A. Location and Placement

Temporary toilet facilities provided in connection with construction or renovation may be temporarily located on all properties. Units shall not obstruct vehicular or pedestrian traffic. Units shall not be placed on the right-of-way or in such a manner that a person lawfully using the sidewalk must detour into the street in order to go around the unit.

B. Removal

Temporary toilet facilities provided in connection with construction or renovation shall be removed by the person responsible for the unit within fourteen (14) calendar days of cancellation of the rental contract for the unit or within fourteen (14) calendar days of the issuance of a CO for the structure that is under construction or renovation, whichever is sooner.

C. Storage

Properties upon which such units are stored when not in use shall be fenced with opaque fencing in such a manner so that the units are not visible to abutting, residentially zoned properties.

530.21. Home Occupations

A. Purpose

The intent of this section is to provide for certain types of restricted home occupations. The purpose of this section is to establish performance standards that will provide fair and equitable administration and enforcement of this section. Only such uses will be allowed which:

1. Are incidental to the use of the premises as a residence;
2. Are compatible with residential uses in the area;
3. Are limited in scale and intensity; and
4. Do not detract from the residential character of the area.

If the application of the home occupation regulations conflict with other sections of this Code, the most restrictive shall apply.

B. Review Procedures

Unless otherwise indicated as a permitted accessory use, home occupations are reviewed pursuant to this Code, Section 402.4, as Special Exception Uses. Minor home occupations are permitted as-of-right in designated zoning districts, unless they exceed specified thresholds.

C. Standards for All Home Occupations

1. The use of the dwelling unit for the home occupation shall be clearly incidental and secondary to its use for residential purposes.
2. There shall be no change in the outside appearance of the building or premises as a result of such business.
3. No exterior signs and no signs that would be visible from the street or neighboring dwellings that are associated with the home occupation are permitted. Professional signs that are statutorily required are permitted.
4. A home occupation shall be conducted wholly within the principal residential dwelling unit or in an accessory building on the parcel, except as otherwise noted herein.
5. No outside display, storage, or use of land is permitted for the home occupation.
6. More than one (1) home occupation may be permitted in a single residence; however, all applicable limitations herein shall apply to the combined uses as if they were one business.
7. No truck deliveries are permitted, except for parcels delivered by public or private services that customarily make residential deliveries.
8. For those home occupations that require a special exception, the approval of the special exception shall not be transferred to another owner or lessee of the property.

D. Minor Home Occupation Standards

1. A minor home occupation shall occupy no more than twenty-five (25) percent of the total floor area of the dwelling unit and nondwelling unit accessory building.
2. The use shall not create dangerous vapors or fumes, and no use shall be permitted where noise, light, glare, odor, dust, vibration, heat, or other nuisance extends beyond the subject dwelling unit or structure.

3. No mechanical equipment shall be used on the premises, except those normally used for purely domestic or household purposes.
4. New vehicle trip generation, except those as addressed in Section 530.21.D.5, shall not result from the establishment of a minor home occupation, i.e., the home occupation shall not involve appointments in the residence.
5. An applicant may seek a Special Exception from the Planning Commission that allows trip generation as a result of the establishment of a minor home occupation, but shall meet the following conditions:
 - a. In no case, shall more than fourteen (14) total daily trips, including those associated with the primary residential use, be generated per dwelling unit as a result of the establishment of the home occupation(s).
 - b. All business-related visits shall be by appointment only and shall be limited to one (1) customer at a given time. Where applicable, and where on-site parking is available, an additional person in waiting is permitted.
 - c. Traditional home-based instruction, such as, but not limited to, tutoring and music or swimming lessons or the like, is permitted where instruction is provided by only one (1) instructor to no more than three (3) students per class.

E. Major Home Occupation Standards

1. Major home occupations shall occupy no more than thirty (30) percent of the total floor area of the dwelling unit or one (1) accessory building on the same lot or parcel.
2. On-site employees of the major home occupation shall be limited to residents of the property and up to two (2) nonresident employees.
3. External impacts, such as traffic, noise, odor, or vibrations, shall not exceed those normally associated with the principal uses permitted in the zoning district within which the property is located.

**TABLE 530.21-1
Permitted Home Occupations By District**

| Zoning District | Minor Home Occupation | Major Home Occupation | |
|-----------------|---------------------------------------|---------------------------------------|--------------------------------|
| | Permitted Accessory Use (As-of-Right) | Permitted Accessory Use (As-of-Right) | Permitted by Special Exception |
| A-C | X | - | X |
| AC-1 | X | - | X |
| A-R | X | - | X |

| | | | |
|--------|---|---|---|
| AR-1 | X | - | X |
| AR-5 | X | - | X |
| AR-5MH | X | - | X |
| E-R | X | - | X |
| ER-2 | X | - | X |
| R-MH | X | - | - |
| R-1MH | X | - | - |
| R-2MH | X | - | - |
| R-1 | X | - | X |
| R-2 | X | - | X |
| R-3 | X | - | X |
| R-4 | X | - | X |
| MF-1 | X | - | - |
| MF-2 | X | - | - |
| MF-3 | X | - | - |

530.22. **Donation Bins**

The requirements of this Section apply to donation bins (hereinafter referred to as “bins” or “boxes”) which function as accessory uses or structures when used or designed for the purpose of collecting recyclable materials and/or re-sellable goods. This Section shall not apply to primary principal use recycling operations and donation facilities that are located within the same building, and are accessory to a primary principal use, and/or recycling operations in permanent structures. Said primary uses shall meet all applicable development standards of the district in which they are located. The requirements of this Section shall not apply to trash cans, dumpsters, and/or community recycling program containers for glass, metals, paper, cardboard, or similar curbside recyclable materials as described in Chapter 90 of the Pasco County Code of Ordinances.

Unless otherwise stated in this Code, donation bins may be permitted in accordance with this Code on commercial properties zoned C-1 Neighborhood Commercial District, C-2 General Commercial District and C-3 Commercial/Light Manufacturing District and industrial properties Zoned I-1 Light Industrial Park District and I-2 General Industrial Park District and commercial or industrial portions of MPUD Master Planned Unit Development Districts.

In addition to any applicable Zoning District and Land Development Regulations, all donation bins allowed as accessory uses or structures under this Section shall conform to the following requirements.

A. **Zoning and Permitting Requirements**

No donation bin (or box) shall be established unless and until the applicant submits the required information and obtains approval in the form of a Donation Bin Permit, subject to annual renewal, as provided in this Code.

1. Application and Submittal Requirements. In order to obtain zoning approval for one or more donation bin(s) on a site, the applicant shall file with the

Planning and Development Department, in writing, the following information:

- a. A completed Donation Bin Permit application in accordance with Section 530.22 and applicable fees; and
 - b. A site plan showing the location of the proposed donation bin. The location of the donation bin shall comply with the requirements of this Section and may not be placed in a location that would interfere with any required parking spaces such that the elimination of the parking space causes the on-site business to be in violation of the minimum required parking spaces pursuant to its approved site plan and/or the Land Development Code; and
 - c. Written consent of the property owner or legal designee to establish the donation bin; and
 - d. Information as to the manner and schedule for which the donation bin(s) will be emptied and maintained; and
 - e. Evidence that the charitable organization and professional fundraiser, if any, are registered to solicit charitable contributions in the State of Florida.
2. Ongoing Requirements. Following the issuance of a donation bin permit, the donation bin must not be relocated elsewhere within the site unless the applicant obtains a new Donation Bin Permit. The donation bin must meet all applicable permitting requirements. Thereafter, a Donation Bin Permit renewal must be issued annually for each donation bin.

Renewal applications shall include the following:

- a. An affidavit that all information and statements in the original application continue to be true and correct.
- b. An affidavit that the subject donation bin(s) are not subject to ongoing enforcement action.

B. Location and Site Development Requirements

1. Location Requirements. All donation bins must be located only upon improved, level, paved surfaces which constitute part of larger developed and occupied non-residential site in commercial, industrial zoning districts, or commercial or industrial portions of MPUD Master Planned Unit Development Districts. No donation bin shall be permitted on any site that is developed but unoccupied. Each donation bin must be located on the site in such a manner that the bin is not overturned or relocated due to a severe weather event. If not physically affixed to the paved surface, the permittee shall provide a signed indemnification form, which shall indemnify and defend the County from any and all claims and/or damages that may

result from movement of the bin and/or its contents as a result of a severe weather event. Indemnification shall be provided on a form approved by the County Attorney's Office. The indemnification form may be signed by the permittee, bin operator, or bin owner. All sites shall have adequate driveway access and maneuverability to accommodate service vehicles and loading vehicles in accordance with Chapter 900 of this Code.

2. **Maximum Number.** A donation bin shall be limited to one bin per parcel, except that one additional donation bin may be permitted if the parcel or lot has more than three hundred (300) feet of road frontage.
3. **Development Standards.** All sites shall meet the following requirements:
 - a. If more than one donation bin is located on a property, then all donation bins within the approved location must be arranged side-by-side and may not be separated by more than 12 inches.
 - b. The receiving door on each donation bin must be oriented toward the interior of the site and away from the public right-of-way.
 - c. Each donation bin must be enclosed by use of a receiving door or safety chute to prevent vandalism and locked so that the contents of the bin cannot be accessed by anyone other than those responsible for the retrieval of the contents.
 - d. No donation bin shall exceed 25 square feet in area nor 7 feet in height.
4. **Setbacks.** All donation bins must conform to the following setbacks:
 - a. From any residential use: thirty (30) feet;
 - b. From any residential zoning district boundary: thirty (30) feet;
 - c. From any right-of-way: five (25) feet;
 - d. From any other property line: five (5) feet.
5. **Landscaping.** No additional landscaping shall be required. However, donation bins shall not encroach on any required landscaping, and no required landscaping shall be removed to install a donation bin.
6. **Signage.** Signage shall be limited to five (5) square feet per side. Each donation bin must be clearly marked to identify the name and telephone number of its responsible operator. The permit number shall be displayed on the donation bin (box) as provided in the Donation Bin Permit. The following information shall be visible from the front of any charitable donation bin:

- a. Name, telephone number, and website of the Permittee of the charitable donation bin.
- b. Name, telephone number, and website of the benefitting nonprofit organization (if not the Permittee).
- c. Permit sticker.

The following information shall be visible from the front of any charitable donation bin that is not operated by a nonprofit organization or a professional fundraiser registered to solicit charitable contributions on behalf of a nonprofit organization in the State of Florida:

- a. "This bin is operated by a commercial company that sells the contents for profit."

This disclosure shall be printed on the depositing side of the donation bin in bold and a minimum of four (4) inch font size.

7. **Parking and Travel Lane Design.** No donation bin shall be located so as to occupy or block access to any parking space that is needed to meet the minimum number of parking spaces required by Section 907 of this Code. For attended semi-tractor trailers or other temporary structures, a loading and unloading drive through area shall be provided with a minimum of three (3) waiting spaces (including the car being served). One employee parking space shall be provided.
8. **Indoor Donation Bins.** Notwithstanding any other requirement of this Section, donation bins may be located within a principal building or structure without further review or regulation. Donation bins also may be located within a parking garage provided that all parking and travel lane design requirements of this Section are met.
9. **Maintenance Standards.** Donation bins must be regularly emptied of their contents so that materials and donations do not overflow. The appearance of donation bins shall be maintained including but not limited to, rust free, fresh paint, legible signage, and clean. The area surrounding the donation bin shall be free of any junk, garbage, trash, debris, donations, or another refuse material. All donated items must be located entirely within the donation bin.
10. **Exception for Non-Profit Organizations and Religious Institutions.** Notwithstanding the zoning district requirements of this part, any non-profit organization or religious institution that engages in collection of recyclable materials as part of its organizational mission may maintain its own accessory donation bins on its own building site. All such donation bins must obtain a Donation Bin Permit.

C. Application Completeness Review and Review Timeframes

1. Application; determination of completeness. Before any Donation Bin Permit is issued, a written application in the form provided by the County Administrator or designee shall be filed together with such information required in this Code Section 530.22.A. Upon submission of an application, staff shall have ten (10) business days to determine whether the application is complete. If staff finds that the application is not complete, the applicant shall be provided, in writing, a list of deficiencies within the ten (10) business day period. Upon resubmission of the application, staff shall have five (5) additional business days to determine whether the applicant's revisions are sufficient to complete the application. If they are not, staff will again inform the applicant of any remaining deficiencies in writing. This process shall continue until the applicant has submitted a complete application or demands that the application be reviewed "as is."
 2. Administrative review. Administrative review of a Donation Bin Permit application shall include the review of all information submitted to determine the conformity with this Code.
 3. The County Administrator or designee shall approve or deny the Donation Bin Permit application based on whether it complies with the requirements of this Code Section 530.22 and shall approve or deny the Donation Bin Permit within twenty (20) business days after receipt of a complete application or from the date the applicant demands that the application be reviewed "as is". The County Administrator or designee shall prepare a written notice of its decision describing the applicant's appeal rights and send the decision by certified mail, return receipt requested to the applicant pursuant to Section 407.1. The applicant may file an appeal application to the BCC within thirty (30) calendar days after the date of receiving the appeal application. If the BCC does not grant the appeal, then the appellant may seek relief in the Circuit Court for the County, as provided by law.
- D. Nonconforming Use. Bins lawfully sited and placed on a property prior to October 25, 2016 may be considered a nonconforming use, pursuant to Chapter 1200 of this Code, and subject to the procedures and restrictions in that Chapter. A nonconforming use determination may be requested with respect to the following elements of the County's donation bin regulations"
1. The maximum number of bins allowed on a parcel;
 2. The setback requirements for bins; and
 3. The maximum size of signage on bins. Nonconforming signage that existed prior to October 25, 2016, but is larger than allowed by this ordinance, may remain only until replaced or changed and must thereafter meet the size requirements of this ordinance.

Bins located on a property prior to October 25, 2016 will not be considered lawfully sited and/or placed and will not be considered nonconforming uses if placed on undeveloped property, located in violation of the approved site plan for the

property, located without the permission of the property owner, or located or placed in violation of any other law or regulation existing at the time of placement.

- E. Violations. Violations of these provisions may be enforced as described in Chapter 100 of this Code. In addition, violations of any of these standards may result in revocation of a permit. The process for revocation is as follows:

The County Administrator or designee shall prepare a written notice of its decision to revoke the permit, describing the grounds for the decision and the affected parties' appeal rights, and send it by certified mail, return receipt requested, to the property owner, permittee, and other known parties in interest (e.g., the benefitting organization). Any owner, permittee, and/or interested party may file and appeal application to the Board of County Commissioners (BCC) within thirty (30) calendar days after the date of receiving the notice of revocation. If the BCC does not grant the appeal, then the appellant may seek relief in the Circuit Court for the County, as provided by law.

530.23. **Community Gardens, Market Gardens and Community Farms**

A. Intent and Purpose

The intent of this Section is to:

- Allow the growing of crops and ornamental flowers within Pasco County while minimizing negative impacts to adjacent properties and the community;
- Encourage locally grown produce, promote healthy and nutritional food, and fill gaps in food accessibility within the County;
- Foster community engagement by providing opportunities for recreation education/training, special events, social interaction and economic potential benefits; and
- Provide green space and enhance community character.

The purpose of this Section is to establish design, operations, and maintenance standards for Community Gardens, Market Gardens and Community Farms in Pasco County.

B. Applicability

1. Community Gardens, Community Farms, and Market Gardens shall be deemed a Permitted Principal Use or Conditional Use, as per this Code Section 500, Table 530.23 - 1 "Table of Principal Uses and Conditional Uses by District – Community Gardens, Market Gardens and Community Farms". This section shall not apply to Home Gardening as defined in this Code, Appendix A.

2. Community Gardens, Market Gardens and Community Farms may be located on otherwise vacant properties, and shall be deemed the principal use until such time that the parcel is developed as per this Code. At that time, the subject Community Garden or Community Farm shall be deemed an accessory use.

C. Application, Permit and Fees

1. A permit shall be required for a Community Garden with structures, Market Garden with or without structures, or Community Farm with structures.
2. Application and permit fees shall apply in accordance with this Code, Section 400 Permit Types and Application, Section 406.8 Garden Plan Permits.

D. Registration

Community Gardens and Community Farms are required to register annually with the Food Policy Advisory Council of Pasco County.

E. Permitted Uses

The following uses, as detailed in Table 530.23-1 shall be located on private property, on the ground or on a portion of a building roof or other structure. These uses may be located on public property with the written approval of the County Administrator or Designee.

1. Home Garden/Vegetable Garden

Means a plot of ground where herbs, fruits, flowers, or vegetables are cultivated for human ingestion, in accordance with the definition in Chapter 604.71, Florida Statutes, with less than 14 vehicle trips daily, with limited heavy vehicle use.

2. Community Garden

A community garden is a garden used to grow and harvest food crops or ornamental plants (including flowers) with daily vehicle trips of greater than 14 vehicle trips per day and less than 100 vehicle trips per day, with limited use of heavy vehicles. Community gardens may be any size.

3. Market Garden

A market garden primarily sells and buys produce grown on-site or off-site including fruits, vegetables and other garden derived edibles with daily vehicle trips of more than 14 vehicle trips daily, and is less than 5 acres.

4. Community Farm

A community farm primarily grows produce, fruits, vegetables and other garden derived edibles primarily for distribution off-site with daily vehicle trips of 14 vehicle trips or more daily. Community farms may be any size.

TABLE 530.23-1

**Table of Principal Uses and Conditional Uses by District
Community Gardens, Market Gardens and Community Farms**

| Zoning District | PRINCIPAL USE | | | | CONDITIONAL USE | | |
|-----------------|----------------------------------|------------------|---------------|----------------|------------------|---------------|----------------|
| | Home Garden/ Vegetable Garden | Community Garden | Market Garden | Community Farm | Community Garden | Market Garden | Community Farm |
| A-C | X | X | X | X | | | |
| AC-1 | X | X | X | X | | | |
| A-R | X | X | X | X | | | |
| AR-1 | X | X | X | X | | | |
| AR-5 | X | X | X | X | | | |
| AR-5MH | X | X | X | X | | | |
| E-R | X | X | | X | | X | |
| ER-2 | X | X | | X | | X | |
| R-MH | X | X | | X | | X | |
| R-1MH | X | X | | X | | X | |
| R-2MH | X | X | | X | | X | |
| R-1 | X | X | | X | | X | |
| R-2 | X | X | | | | X | X |
| R-4 | X | X | | | | X | X |
| MF-1 | X | | | | | | |
| MF-2 | X | X | | | | X | X |
| MF-3 | X | X | | | | X | X |
| MPUD | X | X | | | | X | X |
| PO-1 | | X | X | X | | | |
| PO-2 | | X | | | | X | X |
| C-1 | | X | | | | X | X |
| C-2 | | X | X | X | | | |
| C-3 | | X | X | X | | | |
| I-1 | | X | X | X | | | |
| I-2 | | | | | X | X | X |

F. Development Standards

1. Community Gardens, Market Gardens, and Community Farms are allowable as a Permitted Principal Use in all Agricultural zoning districts. Home gardens/vegetable gardens are allowable as a permitted principal use in all residential zoning districts.
2. Uses allowable as Permitted Principal Uses or Conditional Uses are detailed in the Table of Permitted Principal Uses and Conditional Uses for Community Gardens, Market Gardens and Community Farms as detailed in Table 530.23-1 Table of Permitted Principal Uses and Conditional Uses by District for Community Gardens, Market Gardens and Community Farms.

All of these uses shall meet the requirements outlined in Table 530.23-2. Those uses that are permitted Conditional Uses, shall meet the additional requirements identified during the Conditional Use permit process, in accordance with Chapter 400, Permit Types and Applications, Section 402 Use Permits, 402.3 Conditional Uses.

**TABLE 530.23-2
Community Gardens, Market Gardens and Community Farms
Development Standards**

| General Standards | | | | |
|---|--|-----------------------------|--------------------------|---------------------------|
| Standard | Home Garden/ Vegetable Garden | Community Garden | Market Garden | Community Farm |
| A. Can be the primary use on a vacant parcel | X | X | X | X |
| B. If parcel is not vacant the garden or farm shall be an accessory to a business or | | X | X | X |
| C. Educational and charitable uses pertaining to the creation and operation of gardens or community farms are allowed | | X | X | X |
| D. All state and federal regulations shall be met. | | X | X | X |
| E. Allowed in Residential districts only if heavy vehicles do not exceed 10% of all vehicle trips | | | X | X |

| Design Standards | | | |
|---|-----------------------------|--------------------------|---------------------------|
| Standard | Community Garden | Market Garden | Community Farm |
| A. Transportation review may be required in accordance with Section 901 of this Code. | | X | X |

| | | | |
|--|---|---|---|
| B. A Garden Plan review is required by the County Administrator or designee. At a minimum, the Garden plan should: a) show the property size with readable dimensions; b) reflect existing streets | X | X | X |
|--|---|---|---|

| | | | |
|---|---|---|---|
| (label), easements or land reservations within the site; c) include proposed fencing and screening, if any; d) indicate any buildings to be removed or demolished; e) show setbacks to all structures and from adjoining property lines; f) show existing driveways and any changes proposed to said driveways; g) label adjacent property owners; and h) identify the source of water that will be used for irrigation purposes. If structures are proposed, a Site Plan is required, consistent with this Code, Section 530.23 (See Table 530.23-3 Community Gardens, Market Gardens and Community Farms Required Site Plans.) | | | |
| C. Located on a vacant parcel will not require buffers | X | | X |
| D. Accessory structures must follow set back guidelines and buffer requirements within the underlying zoning classification. | X | X | X |
| E. Accessory structures such as farm stands, hoop houses, green houses, storage shed, hydroponic and aquaponics systems enclosures can occupy up to one-third of the total available garden or farm area collectively. Raised bed or garden box structures should be of stone, bricks, concrete blocks, ACQ Ground Contact treated lumber, or cedar, redwood or synthetic wood. Railroad ties and old pressure treated lumber purchased prior to 2004 are prohibited for edible raised beds due to the potential for food contamination from creosote and arsenic. | X | X | X |
| F. Requested irrigation hook-up must use water conservation techniques (such as micro-irrigation or drip) | X | X | X |
| G. Gates, Fences and Walls in accordance with this Code, Chapter 1000 Miscellaneous Structure Regulations, Section 1003 Gates, Fences and Walls. No new chain linked fences permitted. | X | X | X |
| H. ADA accessible suitable materials may be used for disabled participants | X | X | X |
| I. Signs are permitted in accordance with this Code, Section 406.1 | X | X | X |
| J. Composting plant material bins shall be located at the center or rear of the site | X | X | X |
| K. Must meet parking requirements of this Code, Section 907 | | X | X |
| L. Benches, Picnic Tables and garden art and similar amenities are allowed on-site. Acceptable garden art excludes recycled toilets, bathtubs, sinks, tires, refrigerators and other similar items. | X | X | X |
| M. All site drainage must be retained on-site and be in accordance with this Code. | X | X | X |

| | | | |
|---|---|---|---|
| N. All structures associated must meet Florida Building Code, unless specifically exempted by the Florida Statutes, Chapter 553.73. | X | X | X |
|---|---|---|---|

| Operational Standards | | | |
|---|-------------------------|----------------------|-----------------------|
| Standard | Community Garden | Market Garden | Community Farm |
| A. Sales are permitted in accordance with Section 66-97 of the Pasco County Code of Ordinances | | X | X |
| B. In accordance with the Pasco County Code of Ordinances, Article IV, Division 2 Noise, Section 66-97 Specific Noises Prohibited and this Code, Ambient noises or other noises resulting from the sales operation shall not result in public nuisances as measured at the permittee's property lines and shall not generate noise in excess of that allowed by regulation of any local, State, or Federal agency. | X | X | X |
| C. Special events are limited to a maximum of 3 days per event | X | | |
| D. Raw and processed sales of produce is allowed on or off-site | | X | X |
| E. Employee(s) or equivalent are permitted, in addition to the property owner | X | X | X |
| F. A farm manager is required and equivalent employees are allowed, in addition to the property owner | | | X |
| G. The property owner must apply for the permit. A principal point of contact must be provided annually through an annual garden registration application. | X | X | X |
| H. In residential zones, motor vehicles associated with the operations of a garden/farm shall be in accordance with this Code, Section 530.16 (Parking and Storage of Commercial Vehicles and Commercial Equipment in Certain Areas is Prohibited). The use or operation of power tools or portable mechanical equipment used outdoors in residentially zoned districts is prohibited between sunset and sunrise so as to avoid disturbance in the community, in accordance with this Code. | X | X | X |
| I. Aquaponics and Hydroponics operations are allowed. Water conservation practices must be followed, at minimum in accordance with county, state and federal laws. | | X | X |
| J. Pest, Herbicides and Fertilizer Products must be used in accordance with the label and Article IV, Section 42 of the Pasco County Code of Ordinances. | X | X | X |

| | | | |
|--|---|---|---|
| K. If selling or bartering raw or processed produce, a relevant license may be required to apply pest, herbicides and fertilizer products | X | X | X |
| L. Hours of operations shall be between sunrise to sunset. | X | X | X |
| M. The following activities are prohibited: amplified sound above 55 dBAs in accordance with this Code and the Pasco County Code of Ordinances, Article IV, Division 2. Crops which require any agricultural appurtenances related to pest mitigation above 55 dBAs as measured from the nearest adjacent property line, and crops prohibited by State or Federal law. | X | X | X |
| N. If there will be sales to the public the garden/farm owner or manager must participate in an annual food safety program as recommended by the University of Florida's Institute of Food and Agricultural Sciences (UF/IFAS) and produce a certification of such participation to the County upon request | X | X | X |

| Maintenance Standards | | | |
|--|-------------------------|----------------------|-----------------------|
| Standard | Community Garden | Market Garden | Community Farm |
| A. Gardeners shall properly tend to the garden, for example Gardeners shall prepare planting areas for off-season in a manner that creates positive aesthetics in addition to controlling dust, erosion, and run-off. This shall include but is not limited to removal or tilling of dead plant debris, etc. | X | X | X |
| B. Equipment, fertilizers and pesticides must be secured at all times if left on-site with a locked storage box or equipment shed | X | X | X |
| C. Proper handling of composting will occur regularly to reduce odor | X | X | X |
| D. Trash and waste will be removed from site at the minimum weekly | X | X | X |

TABLE 530.23-3

Community Gardens, Market Gardens and Community Farms Require Site Plans

| Type | Site Plan Required | |
|--|--------------------|------------|
| | No Structures | Structures |
| Community Garden | No | Yes |
| Market Garden | Yes | Yes |
| Community Farm | Yes | Yes |
| If not exempt under Florida Statutes, Chapter 193.46 | | |

3. Thresholds by Use Type are detailed in Table 530.23-4 for Vehicle Trips, Parking, Heavy Vehicles, Business Tax Receipts and Special Events.

TABLE 530.23-4 Thresholds by Use Type

| Use Type | Vehicle Trips | Parking | Heavy Vehicles | Business Tax Receipt |
|--|--|--|---|---|
| Code Citation | Vehicle Trips in accordance with Section 901 of this Code. | Parking in accordance with Section 907.1 of this Code. | Heavy Vehicles in accordance with Section 901 of this Code. | Business Tax Receipt in accordance with Article II, Occupational License Tax, Section 102 of the Pasco County Code of Ordinances. |
| Home Garden/ Vegetable Garden | < 14 vehicle trips | No | No | No |
| Community Garden | > 14 vehicle trips < 100 vehicle trips | No | Limited, max 2 per day | No |
| Market Gardens | > 14 vehicle trips | Yes | Yes | Yes |
| Community Farm | > 14 vehicle trips | Yes | Yes | Yes |
| If not exempt under Florida Statutes, Chapter 193.46 | | | | |

G. Community Gardens on Public Land

1. Community Gardens are allowed on public lands through the use of a Land Use Agreement for non-profit entities engaged in community development activities. Community Gardens on lands funded by impact fees shall only be allowed as an interim use.

Community Farms may be allowed through ground lease agreements with the County, for profit with payment to the County to be specifically allocated to the Food Policy Advisory Council for its stated public purpose.

2. All public infrastructures on-site must retain or provide a direct access path, five (5) foot in width from the closest right-of-way (ROW) and have a five (5) foot clear buffer around such infrastructure. A hardscape damage waiver must be filed with the Pasco County Utilities Engineering & Contracts Management Department.
3. The applicant shall register the garden and provide the County with a completed Community Garden application, which shall include:
 - a. Contact information of Garden Manager and Sponsor;
 - b. A narrative stating the purpose and objective of the Community Garden;
 - c. A not for profit entity must sponsor the garden and be the primary contracting entity for the Land Use Agreement and insurance;
 - d. A Land Use Agreement between the applicant and the County;
 - e. Approved Site Plan