

**ARTICLE III
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**ARTICLE III
LAND USE; TYPE, DENSITY, INTENSITY**

3.00.00 PURPOSE

The purpose of this Article is to describe the specific uses and restrictions that apply to land use districts contained in the Future Land Use Element of the local government Comprehensive Plan. These regulations are intended to allow development and use of property only in compliance with the adopted goals, objectives, and policies of the City of Wewahitchka as expressed in their respective Comprehensive Plans.

3.01.00 LAND USE DISTRICTS

3.01.00 Generally

Land use districts for the City of Wewahitchka are established in the City's Comprehensive Plan and Future Land Use Map. The land use districts (or categories) defined in the Future Land Use Element of the Comprehensive Plan and delineated on the Future Land Use Map shall be the determinants of permissible activities on any parcel in the jurisdiction. Refer to the goals, objectives and policies of the Future Land Use Element of the Comprehensive Plan for the definitions of each land use category.

Allowable uses are described in Section 3.02.03 to correlate individual land use activities with land use districts.

3.01.02 Definitions

ACCESSORY USE OR STRUCTURE: A use of land or structure or portion thereof

customarily incidental and subordinate to the principal use of the land or structure and located on the same parcel with the principal use.

AIRPARK: A type of residential development wherein an airstrip adjoins adjacent residential lots with lot owners having direct access and use of the air strip by virtue of common ownership or agreement. Lot owners are allowed to build hangars, either free standing or as a component of their home and to house an aircraft therein.

DENSITY OR GROSS DENSITY: The total number of dwelling units divided by the total site area.

DWELLING UNIT: A single housing unit providing complete, independent living facilities for one housekeeping unit, including permanent provisions for living, sleeping, eating, cooking and sanitation.

HOME OCCUPATION: Any use that is conducted entirely within a residential dwelling unit or accessory structure and is operated by an occupant thereof that is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof.

MANUFACTURED HOUSING: Manufactured housing has the following features or characteristics:

- (1) Mass produced in a factory;
- (2) Designed and constructed for transportation to a site for installation and use when connected to required utilities;
- (3) Either an independent, individual building or a module for combination with other elements to form a building on the site.

MULTI-FAMILY DWELLING: Any residential structure containing three (3) or more dwelling units.

PASSIVE RECREATION: Recreational opportunities most likely to occur in largely undeveloped or unaltered environments and primarily includes unstructured recreational activities such as hiking, canoeing, fishing, bird watching, picnicking, etc.

RECREATION VEHICLE: A vehicular-type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreation, camping, and travel use and including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.

SINGLE-FAMILY DWELLING: A residential structure containing one dwelling unit, or two attached dwelling units.

3.01.03 Specific Districts

The following list of land use districts pertain to the City of Wewahitchka and are further defined in the Future Land Use Element of the Comprehensive Plan:

RESIDENTIAL
LOW DENSITY
MEDIUM DENSITY
HIGH DENSITY
COMMERCIAL
MIXED COMMERCIAL/RESIDENTIAL
AGRICULTURAL
MIXED AGRICULTURAL/RESIDENTIAL
PUBLIC
RECREATION
CONSERVATION
INDUSTRIAL

3.02.00 USES ALLOWED IN LAND USE DISTRICTS

3.02.01 Generally

This Part defines and prescribes the specific uses allowed within each land use district described in the Comprehensive Plan and this Code.

3.02.02 Types of Uses

A. Residential

1. The category of residential uses includes single-family dwellings, accessory apartments, multi-family dwellings in a variety of housing types, modular and manufactured housing, mobile homes, and recreational vehicle (RV) subdivisions. Permanent parking of an RV outside of an RV subdivision must be approved through variance procedures.
2. While a district may be designated for residential use, it does not follow that any housing type (single-family, apartment, townhouse, etc.) is allowed. Certain areas may be limited to one or more housing types in order to preserve the established character of the area. Under Article I: General Provisions, the abrogation rule provides that deed restrictions may impose more restrictive covenants than those imposed by this Code. For example, deed restrictions may prohibit residential uses, such as multi-family housing and mobile homes, in single-family subdivisions.

B. Institutional

This type of use includes educational facilities (public or private), pre-school and child care facilities (public or private), churches, cemeteries without funeral homes, residential care facilities, nursing home facilities, and all other similar institutional uses.

C. Outdoor Recreational

These uses include areas for outdoor recreational activities such as picnicking, jogging, cycling, hiking, golf courses, play grounds, ball fields, outdoor ball courts, stables, outdoor

swimming pools, camping (including recreational vehicles not used as primary residences), and water-related or water dependent uses such as boat ramps, fishing docks and piers, and all similar outdoor recreational uses, whether public or private. Specifically excluded from this group of uses are firing ranges, marinas, miniature golf courses, race tracks, and similar recreational or quasi-recreational activities inconsistent with the allowable outdoor recreational uses described.

D. Professional Service and Office

This group of uses includes business and professional offices, medical offices or clinics, government offices, financial institutions without drive-up facilities, and personal service businesses where the service is performed on an individual to individual basis as opposed to services which are performed on objects or personal property. Examples of personal service businesses are barber shops, beauty shops, or photography studios. This group of uses may include a dispatching or communications or office center for the distribution of goods, but specifically excludes the warehousing or actual distribution of goods.

E. General Commercial

A wide variety of general commercial, commercial recreational, entertainment, and related activities is included in this group of uses. Examples include the following specific uses, and all substantially similar types of uses:

1. Arcades, billiards/pool parlors, bowling alleys, indoor recreation centers, gymnasiums, spas, and health clubs.
2. Community centers and fraternal lodges.
3. Commercial or trade schools, such as dance and martial arts studios.
4. Department stores and other retail sales stores, such as shoe stores, clothing stores, pharmacies, florists, and book stores.
5. Financial institutions without drive-up facilities.
6. Funeral homes, cemeteries, mortuaries, and crematories.
7. Farm and garden supply, building supply, and vehicle parts and accessories (including vehicle sales, service, and repair).
8. Grocery stores, supermarkets, and specialty food stores, such as meat markets and bakeries.
9. Hospitals.
10. Hotels or motels.
11. Service businesses such as blueprint, printing, reproduction, catering, tailoring, travel

agencies, upholstery shops, laundries, dry cleaners, and light mechanical and electronic repair stores (including camera, TV, bicycle repair shops).

12. Restaurants (standard sit-down and high turnover sit-down, but excluding all restaurants with drive-up facilities), including open air cafes.
13. Shopping centers, excluding regional malls or centers.
14. Theaters and auditoriums.
15. Marinas.
16. Miniature golf and golf driving ranges.
17. Plant nurseries.
18. Veterinary offices and animal hospitals, provided the facility has no outside kennels.

F. High Intensity Commercial

The uses in this group include those activities which require outdoor storage, have higher trip generation rates than the general commercial uses listed above, or have the potential for greater nuisance to adjacent properties due to noise, light and glare, or typical hours of operation. Location of these uses shall be limited to those parcels located within districts allowing this use, having roadway frontage on collectors or arterials (as classified in the Traffic Circulation Element of the Comprehensive Plan), and located a distance of greater than 75 feet from existing residential development. This distance shall be measured from the proposed high intensity commercial development to the residential property line. High intensity commercial uses include the following list of specific uses and all substantially similar activities based upon similarity of characteristics:

1. Vehicle sales, rental, service, and repair, including truck stops, body shops, road services, car wash facilities, and the sales, rental, repair and service of new or used automobiles, boats, buses, motorcycles, trucks, recreational vehicles, and mobile homes.
2. Gasoline sales and service, combination gasoline sales and food marts, and similar facilities.
3. Taverns, bars, lounges, night clubs, and dance halls.
4. Financial institutions with drive-up facilities.
5. Restaurants with drive-up facilities.
6. Roadside produce stands, both temporary and permanent.
7. Veterinary offices and animal hospital with outside kennels.

For the following high intensity commercial uses, the requirements for having frontage on an arterial or collector will not apply. However, it is not the intent of this Code to allow these uses in established residential neighborhoods. The 75 foot high intensity development setback from the property line of an existing residential structure will still apply.

8. Outdoor arenas, rodeo grounds, livestock auction facilities, race tracks and similar activities.
9. Storage yards for equipment, machinery, and supplies for building and trades contractors and garbage haulers.
10. Flea markets or similar outdoor or indoor/outdoor sales complexes.

G. Public Service/Utility

This group of activities includes both low intensity and high intensity uses which provide essential or important public services, and which may have characteristics of outdoor storage, or potential nuisance to adjacent properties due to noise, light and glare, or appearance. Government offices or government agency offices are specifically not included in this group of uses.

Low intensity public service/utility uses include those uses providing essential or important public services, but not requiring intense land development, such as potable water well-fields, sanitary sewer lift stations, power distribution facilities less than 230 KV, and minor support facilities for other public facilities and/or utilities.

High intensity public service/utility uses include those uses providing essential or important public services or utilities requiring intense land development. These uses shall be located a distance of greater than 75 feet from existing residential development. This distance shall be measured from the proposed high intensity public service/utility development to the existing residential property line. High intensity public service/utility uses include the following list of specific uses and all substantially similar activities based upon similarity of characteristics:

1. Emergency service activities such as buildings, garages, parking, and/or dispatch centers for ambulances, fire, police and rescue.
2. Correctional or mental health institutions, including work camps and prisons.
3. Broadcasting stations and transmission towers.
4. Land intensive or major utility facilities, such as water plants, wastewater treatment plans, electricity substations service 230 KV or greater.
5. Maintenance facilities and storage yards for schools, government agencies, and telephone and cable companies.
6. LP gas storage and/or distribution facilities up to one thousand (1000) gallons. This shall not be construed to prevent retail sales of LP gas in canisters or similar pre-filled

containers.

7. Airports, airfields, and truck or bus terminals.

H. Agricultural

Agricultural uses include croplands, pastures, forestry (silviculture), aquaculture, feed lots, and buildings and facilities which are an accessory to agricultural uses. Residential uses may be allowed as provided for in the adopted Comprehensive Plan(s); refer to the table of residential densities (Section 3.02.04).

I. Industrial

This type of use includes those wholesale and retail businesses used for manufacturing, processing, storing, or distributing goods. Included in this category are uses which require primarily outdoor storage or the industrial activity itself is conducted outdoors. Such uses include, LP gas storage and/or distribution exceeding 1000 gallons, junkyards or salvage yards, recycling centers, landfills, hazardous waste collection and handling centers, and borrow pits (but not excavation which requires blasting.). These uses specifically include any industrial activity associated with fisheries, agriculture, and paper production, such as manufacturing, processing, and distribution. These uses shall be located a distance of greater than 100 feet from existing residential development and shall be measured from the proposed industrial development to the residential property line.

J. Mining

The types of uses in this group include surface mining, rock quarries, strip mining, and any extraction activities. Buildings and businesses for the refinement, processing, packaging, and transportation of materials extracted from mining operations are included in this group of uses. These uses shall be located a distance of greater than 100 feet from existing residential development and shall be measured from the proposed mining activity to the residential property line.

K. Preservation

An undeveloped area set aside for the preservation of natural resources.

L. Allowed Special Usage

Cemeteries, Churches and Daycares may be constructed within all types of land use with special approval of the City Commission.

3.02.03 Allowable Uses Within Each Land Use District

A. Residential - Low Density

The following uses are allowed in the Low Density Residential land use district. All others are prohibited:

Wewahitchka:

1. Residential
2. Public Service/Utility
3. Outdoor Recreational (low intensity only)
4. Public Service/Utility (low intensity only)
5. Preservation
6. Special Usage

B. Residential - Medium Density

The following uses are allowed in the Medium Density Residential land use district. All others are prohibited.

1. Residential
2. Public Service/Utility (low intensity only)
3. Institutional
4. Outdoor Recreational
5. Preservation
6. Special Usage

C. Residential - High Density

The following uses are allowed in the High Density Residential land use district. All others are prohibited:

1. Residential
2. Institutional
3. Outdoor Recreational
4. Professional Service and Office
5. Public Service/Utility (low intensity only)
6. Preservation
7. Special Usage

D. Commercial

The following uses are allowed in the Commercial land use district. All others are prohibited:

1. General Commercial
2. High Intensity Commercial
3. Professional Service and Office
4. Outdoor Recreational
5. Institutional
6. Public Service/Utility (low intensity only)
7. Residential (only in conjunction with a primary commercial use located on the same parcel)
8. Special Usage

E. Mixed Commercial/Residential

The following uses are allowed in the Mixed Commercial/Residential land use district. All others are prohibited:

1. Residential (including Airparks)
2. General Commercial
3. High Intensity Commercial
4. Institutional
5. Outdoor Recreational
6. Professional Service and Office
7. Public Service/Utility (low intensity only)
8. Preservation
9. Special Usage

F. Agricultural

The following uses are allowed in the Agricultural land use districts. All others are prohibited:

1. Residential (including recreational vehicles as permanent residences)
2. Agricultural
3. Institutional * (minimum distance of 1/2 mile to Residential Land Use District)
4. Outdoor Recreational
5. Public Service/Utility
6. Preservation
7. General Commercial* ** ***
8. High Intensity Commercial (must be located within of one mile an existing developed area) (Limited to arterials and collectors) (must be loated minimum of 500 feet from existing residential development.
9. Industrial (industrial uses specifically related to aquaculture, silviculture, and agriculture only) ****
10. Special Usage

(*General Commercial: Only those uses compatible with the District, such as veterinary services, neighborhood grocery, feed stores, tack shops, firing ranges, farm supply and equipment sales, and substantially similar uses.)

- * Only allowed in Non-Flood prone Areas
- ** Limited to parcels fronting on arterials or collectors
- *** Maximum size of buildings are 10,000 square feet
- **** Limited to parcels fronting on arterials or collectors
- ***** Minimum distance to residential use shall be 300 feet.

G. Mixed Agricultural/Residential

The following uses are allowed in the Mixed Agricultural/Residential land use district:

1. Residential
2. Agricultural

3. Institutional
4. Outdoor recreational
5. Public Service/Utility
6. Preservation
7. General Commercial*
8. Special Usage

(*General Commercial: Only those uses compatible with the District, such as veterinary services, neighborhood grocery, feed stores, tack shops, and substantially similar uses.)

H. Public

The following uses are allowed in the Public land use district. All others are prohibited:

1. Institutional
2. Outdoor Recreational
3. Public Service/Utility
4. Preservation
5. Special Usage

I. Recreational

The following uses are allowed in the Recreational land use district. All others are prohibited:

1. Outdoor Recreational
2. General Commercial (marinas, miniature golf, golf driving ranges, community centers, health clubs, and gyms and substantially similar uses only)
3. Public Service/Utility (low intensity only)
4. Preservation

J. Conservation

The following uses are allowed in the Conservation land use district. All others are prohibited:

1. Outdoor Recreational (passive uses only)
2. Public Service/Utility (low intensity only)
3. Agricultural (silviculture and native range land only)
4. Preservation

K. Industrial

The following uses are allowed in the Industrial land use district. All others are prohibited:

1. Public Service/Utility
2. Industrial
3. Mining
4. Agricultural
5. Special Usage

3.02.04 Allowable Density And Dwelling Unit Types For Residential Use

The following table outlines the allowable densities and dwelling unity types for residential activity by district. Gross density is described in terms of dwelling units per acre. Dwelling unit types include single-family, multi-family, and manufactured housing. Single-family structures include site-built homes and modular homes manufactured under the Florida Manufactured Building Act and certified by the Florida Department of Community Affairs as complying with the structural requirements of the Standard Building Code. Multi-family structures include any residential structure containing three (3) or more dwelling units. Manufactured housing includes those manufactured homes not meeting the standards of the Florida Manufactured Building Act, but meeting the construction and safety standards of the U.S. Department of Housing and Urban Development (HUD).

**TABLE OF DENSITY AND DWELLING UNIT TYPES
FOR RESIDENTIAL USE**

LAND USE / DISTRICT	GROSS DENSITY	HOUSING TYPES			*	**
		SF	MF	MH		
RESIDENTIAL						
Low Density	4 DU/acre	A	A	A		
Medium Density	7 DU/acre	A	A	A	*	**
High Density	20 DU/acre	A	A	A		

**TABLE OF DENSITY AND DWELLING UNIT TYPES
FOR RESIDENTIAL USE**

LAND USE/DISTRICT	GROSS DENSITY	HOUSING TYPES			*	**
		SF	MF	MH		
MIXED COMMERCIAL/ RESIDENTIAL						
Low Density	4 DU/acre	A	A	A	*	**
Medium Density	7 DU/acre	A	A	A		
High Density	20 DU/acre	A	A	A		
Low Density	4 DU/acre	A	A	A		
Medium Densit	7 DU/acre	A	A	A		
High Density	20 DU/acre	A	A	A		

AGRICULTURAL

* City of Wewahitchka

Low Density	1 DU/40 acre	A	A	A
Medium Density	1 DU/15 acre	A	A	A

**MIXED AGRICULTURAL/
RESIDENTIAL**

****Wewahitchka**

Low Density	1 DU/40 acre	A	A	A
High Density	1 DU/1 acre	A	A	A

LEGEND:	DU = Dwelling Unit	A = Allowed
	SF = Single Family	P = Prohibited
	MF = Multi-Family	
	MH = Manufacture Housing	

****The following parameters will guide the location of agricultural densities in Wewahitchka:**

- (1) High density residential development will be permitted within the Mixed Agriculture/Residential land use category except those areas set aside for low density development as described in Item "3" BELOW.
- (2) Medium Density will be allowed in any area except those areas set aside for low density development.
- (3) A Florida DEP jurisdictional determination must be undertaken prior to development approvals in areas identified as wetlands on the USGS 7.5 Minute Quadrangle Maps. Where FDER jurisdiction is determined, development will be limited to one unit per 40 acres.