

CHAPTER 14 - ZONING

COUNTY POLICY, ESTABLISHMENT OF DISTRICTS, DISTRICT BOUNDARIES ON ZONING MAP AND RESTRICTIONS UPON LAND, WATER, BUILDING AND STRUCTURES

14.1 COUNTY POLICY

The regulations contained in Chapter 14 implement policy of the Board of County Commissioners and policies of the Osceola County Comprehensive Plan.

14.2 ESTABLISHMENT OF DISTRICTS

In order to classify, regulate and restrict the uses of land, water, building and structures, and to regulate and restrict the height and bulk of building, and to regulate the area of yards, courts and open spaces about buildings, Osceola County, not part of any municipality, is divided into districts.

14.3 DISTRICTS SHOWN ON MAPS

The boundaries of the various districts in Osceola County, Florida, are shown on maps in the zoning office, entitled "Zoning Map", which is made a part of this Ordinance.

14.4 RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES AND URBAN DEVELOPMENT AREA BOUNDARIES

Where uncertainty exists with respect to the boundaries of the districts as shown on the official Zoning Map, the following rules shall apply:

- A.** Where district boundaries are indicated as following the center lines of streets, highways or alleys, such center lines shall be construed to be such boundaries.
- B.** Where district boundaries are indicated as approximately parallel to the center lines of streets or highways, such district boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the official zoning map. If no distance is indicated specifically on the zoning map, the scale of the map shall determine.
- C.** Where district boundaries run to, but do not extend into water areas, they shall be considered to run into such water areas in a straight line continuing the prevailing direction of the boundary as it approached the water until they intersect other district boundaries or the geographic limits of the County. Boundaries which run through water-courses, lakes and other water areas shall be assumed to be located midway in such water areas unless otherwise indicated.
- D.** Where district boundaries are indicated as following platted lot lines, such lot lines shall be construed to be the district boundaries.
- E.** Where district boundaries are indicated by specific dimensions, such specific dimensions shall control.
- F.** Where district boundaries divide platted lots or cross unsubdivided property, and where no specific dimensions are indicated on the official zoning map, the scale of the official zoning map shall control.

14.5 RESTRICTIONS UPON LAND, BUILDINGS AND STRUCTURES

A. USE

No building or structure shall be erected and no existing building shall be moved, altered, added to, or enlarged, nor shall any land, building, structure or premises be used or designed to be used for any purpose or in any manner other than a use designated in this chapter or amendments thereto, as permitted in the district in which such land, building, structure or premises is or are located, without obtaining the necessary land use, zoning and/or building permits, except when exempt according to Florida Statutes.

B. HEIGHT

No structure or building shall be erected, nor shall any existing building be moved, reconditioned or structurally altered so as to exceed in height the limit, if any, established in this chapter or amendments thereto, for the district in which such building or structure is located.

C. SITE REQUIREMENTS

No building or structure shall be erected, nor shall any existing building or structure be moved, altered, enlarged or rebuilt, nor shall any open space surrounding any building or structure be encroached upon or reduced in any manner, in size or area, except in conformity with the building site requirements, and the area and parking space and yard regulations established by this Ordinance, or amendments thereto, for the district in which such building or structure is located.

D. REQUIRED LOT AND OCCUPANCY

Every building or structure hereafter erected shall be located on a lot or tract as defined herein; and in no case shall there be more than one principal building or use on one (1) lot except as hereinafter provided.

E. FRONT YARD/LOT WIDTH DETERMINATION

Lot front determination shall be where the principal vehicular access to the lot abuts the approved public or private right-of-way.

If the principal vehicular access is served by alley way design, then the Zoning Director shall determine the lot front.

Lot width determination shall be measured at the mid-point of the side lot lines.

F. ZONING DISTRICT CATEGORIES

The following list identifies various zoning districts classified according to general zoning objectives.

1. CLASSIFICATION

Agriculture

GENERAL OBJECTIVES

Development of suitable areas for agriculture production.

ZONING DISTRICTS

AC

2. CLASSIFICATION
Rural
GENERAL OBJECTIVES
Development of suitable areas for very low density residential single family use and areas for limited agriculture production.
ZONING DISTRICTS
R-1, R-1M, R-2, R-2M
3. CLASSIFICATION
Estate
GENERAL OBJECTIVES
Development of suitable areas for select types of very low density country estates for single family use.
ZONING DISTRICTS
E-1, E-1A, E-2, E-2A, E-5
4. CLASSIFICATION
Residential
GENERAL OBJECTIVES
Development of suitable areas for residential low density, single family dwellings.
ZONING DISTRICTS
RS-1, RS-2, RS-3, RS-1A, RS-1C, RMH, RMH-1, RMH-1A, Residential P.D.
5. CLASSIFICATION
Multi-Family
GENERAL OBJECTIVES
Development of suitable areas for attached residential units at medium to high density.
ZONING DISTRICTS
RM-1, RM-2, RM-3, Residential P.D.
6. CLASSIFICATION
Commercial
GENERAL OBJECTIVES
Development of suitable areas for commercial activities which offer a variety of goods and services to the community.
ZONING DISTRICTS
CR, CG, CT, CN, RPB, Commercial P.D., Special Complex P.D.
7. CLASSIFICATION
Industrial
GENERAL OBJECTIVES
Development of suitable areas for various types of industry providing for local employment and adult entertainment.
ZONING DISTRICTS
IB, IR, IG, Industrial P.D.
8. CLASSIFICATION
Institutional
GENERAL OBJECTIVES
Development of suitable areas for public and quasi-public facilities, institutions and/or improvements intended to promote public health, safety and welfare.

ZONING DISTRICTS
IN

G. REZONINGS

All rezonings of sub-DRI development, equal to or larger than the sites listed below, shall be submitted as planned developments.

A. Commercial	10 acres
B. Industrial	20 acres
C. Residential	100 acres or 500 dwelling units
D. Mixed Use	20 acres
E. Short Term Rental	20 acres

Developments smaller than those listed above, may also be submitted as planned developments. These parcels, as with all development parcels, must have been created in compliance with the subdivision regulations found in Chapter 8.

14.6 AGRICULTURAL DEVELOPMENT AND CONSERVATION (AC)

A. OBJECTIVES

To promote the orderly growth and development of the community, protect the value of property, limit the expenditure of public funds, improve the opportunity for local employment and economic activity, and achieve the intent of land use regulations. Further this district is established to:

1. Encourage the retention and development of suitable areas for agricultural production, the preservation of open spaces, and the conservation and management of soil, water, air, game and other natural resources and amenities; and,
2. Discourage the creation or continuation of conditions which could detract from the function, operation, and appearance of rural areas by limiting the ability of such areas to provide food supplies or to effectively compete with other regions producing agricultural products.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply with the requirements contained in these regulations.

1. Groves and farms for the cultivation and propagation of citrus, vegetables, fruits, berries, nuts, grass, sod and trees.
2. Pastures and grasslands for the cultivation and propagation of livestock except for swine and poultry.
3. Greenhouse or nursery for domestic plants and landscaping materials when accessory and incidental to the principal dwelling.
4. Wholesale commercial greenhouses and nurseries, if located in the rural land use category as illustrated on the Osceola County Comprehensive Plan, future land use map.
5. Lakes and ponds for the cultivation and propagation of fish and marine foods for personal

consumption only.

6. Areas for the cultivation and propagation of bees, earthworms and similar insects.
7. Dairy farms.
8. Barns, stables, and silos for the housing of livestock, hay, and feed.
9. Buildings, structures, equipment and work animals utilized for bonafide agricultural activities.
10. Single family residence, including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.
11. Single family manufactured home and mobile home, including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.
12. Swimming pool, spa, recreation room, screen room, boathouse and other customary uses when accessory and incidental to the principal dwelling.
13. Guest home or quarters for domestic employees, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
14. Pier, dock or boathouse, when accessory and incidental to the principal dwelling.
15. Dwellings (5 or less) and customary uses for farm workers, ranch hands and seasonal laborers, when accessory and incidental to a bonafide agricultural activity, provided the overall density does not exceed 1 dwelling unit/5 acres. These dwellings may include single family dwellings, standard design manufactured homes, residential design manufactured homes or mobile homes.
16. Swine and poultry not exceeding a limit of two (2) swine and six (6) fowl, provided they are contained in a pen or fenced enclosure that maintains a minimum 100 feet setback from any property boundary.
17. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of no more than four (4) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.
18. Silviculture and forestry operations when operated in accordance with other provisions of this Ordinance.
19. Community Residential Home A in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
20. Agricultural stands in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
21. Class I aircraft landing fields in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

22. Temporary residences in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
23. Storage buildings, hobby shop and tool sheds, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
24. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

C. CONDITIONAL USES

The following uses may be permitted as conditional uses provided that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Parks, playgrounds, libraries and similar neighborhood activities not operated for profit.
2. Substations for telephone, or other utilities, and for fire fighting or law enforcement services.
3. Houses of worship in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, and customary accessory facilities such as a chapel and educational buildings for religious training.
4. Kindergartens and child care centers for pre-school children and nursing homes for the sick and elderly.
5. Schools and customary accessory facilities such as cafeterias, auditoriums, gymnasiums, and ball fields.
6. Marinas, golf courses, country clubs, and customary accessory facilities such as clubhouses, swimming pools, cabanas, tennis courts, maintenance buildings, and structures for storage of golf carts.
7. Dwellings (6 or more) and customary uses for farm workers, ranch hands and seasonal laborers, when accessory and incidental to a bonafide agricultural activity, provided the overall density does not exceed 1 dwelling unit/5 acres. These dwellings may include single family dwellings, standard design manufactured homes, residential design manufactured homes or mobile homes.
8. Packing houses for the processing and packaging of citrus, vegetables, and fruits.
9. Processing plants for the dressing and packaging of beef, poultry, swine and fish.
10. Sawmills for the cutting, sizing and curing of lumber.
11. Commercial retail sales of nursery plants and landscaping materials in conjunction with wholesale nursery operations.
12. Commercial fish farms and similar aquacultural operations.
13. Plants for the production and processing of feed and fertilizer.

14. Brooders and pens for the husbandry of poultry, swine and similar farm animals exceeding the limits for permitted uses.
15. Aviaries, commercial riding stables and sites for the raising or possession of exotic animals as recognized by the Florida Fish and Wildlife Conservation Commission.
16. Veterinary clinics in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
17. Tourist attractions featuring animals, reptiles or other wildlife.
18. Recreational vehicle parks and campgrounds, when approved in accordance with other provisions of this Ordinance.
19. Recreation facilities for special groups, e.g., athletic associations, girl scouts and boys clubs.
20. Utility plants, landfills (all classes as regulated by the Florida Department of Environmental Protection, and construction and demolition debris disposal sites, in accordance with - Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
21. Cemeteries and customary accessory uses in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
22. Pug mills and/or temporary plants for the production or batching of concrete, asphalt soil cement or asphaltic concrete in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
23. Soil excavation, mining or quarry operations when approved in accordance with other provisions of this Ordinance.
24. Plants for the processing of fertilizer or animal hides.
25. Communication towers in accordance with Chapter 9.
26. Hunting camps and fishing camps in accordance with the Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
27. Temporary parking and storage areas for construction equipment, provided the temporary period does not exceed 5 years.
28. Class II aircraft landing fields in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
29. Community Residential Home B in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
30. Land application disposal in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
31. Areas for the display, sale, assembly and maintenance of agricultural equipment.

32. Outdoor firing ranges provided the property has a rural land use designation in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
33. Membership organizations including fraternal organizations in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
34. Commercial kennels for the raising, breeding and or boarding of domestic animals including, but not limited to, canines or felines in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
35. Bed-and-breakfast establishment in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
36. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site, and its compatibility with adjacent parcels. These above determinations shall be made by the Zoning Director.

D. SPECIAL EXCEPTIONS

The following uses may be permitted as a special exception by the Board of Adjustment provided an application has been approved pursuant to other provisions of this Ordinance.

1. Home occupations.
2. Buildings, yards, pens and/or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of canine exceeding the permitted maximum of four (4) canine, up to a maximum of six (6) canine.
3. Pigeon coops, when accessory and incidental to the principal structure.

E. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Zoning Director shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Zoning Director's decision shall be as provided for according to Chapter 2.

F. DEVELOPMENT STANDARDS

Minimum Lot Area	5 acres
Minimum Lot Width	200 feet
Maximum Building Height	2 stories
Minimum Conditioned Floor Area	600 square feet

MINIMUM BUILDING SETBACKS

(THE FOLLOWING SETBACKS ARE MEASURED FROM THE EXISTING PROPERTY LINE)

Front yard	25 feet
Rear yard	25 feet
Side yard	25 feet

Corner lots or lots having double road frontage shall measure setbacks from both roads as front yards. For those properties abutting a collector or arterial roadway, refer to Osceola County Ordinance 84-2, as amended by Ordinance 89-25.

ACCESSORY STRUCTURE/CONDITIONAL USE

See Chapter 14, Conditional Use and Site Standard (C.U.S.S.)

Minimum Off-Street Parking	Refer to Chapter 7 of this Ordinance.
Signage	Refer to Chapter 15 of this Ordinance.
Landscaping	Refer to Chapter 10 of this Ordinance.

14.7 RURAL DEVELOPMENT - ONE ACRE (R-1; R-1M)

A. OBJECTIVES

To promote the orderly growth and development of the community, protect the value of property, improve the opportunity for local employment and economic activity, and achieve the intent of land use regulations. Further this district is established to:

1. Encourage the retention and development of suitable areas for agricultural production, and the provision of necessary goods and services required to support rural areas; and
2. Discourage the creation or continuation of conditions which could detract from the function, operation and appearance of rural areas by permitting uses of land and densities of population which more properly belong in urban places.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply with the requirements contained in these regulations.

1. Single family residence, including customary uses such as a garage, carport and porch, when accessory and incidental to the principal dwelling;
2. Single family manufactured home and mobile home, including customary uses such as a