

VILLAGE OF INDIANTOWN, FLORIDA

ORDINANCE NO. 02-2022

AN ORDINANCE OF THE VILLAGE OF INDIANTOWN, FLORIDA, AMENDING THE VILLAGE OF INDIANTOWN LAND DEVELOPMENT REGULATIONS TO REVISE THE PERMITTED USE TABLE AND RELATED PROVISIONS; AND PROVIDING FOR FINDINGS, CODIFICATION, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, on December 12, 2019, pursuant to Chapter 163, Florida Statutes, the Village Council of the Village of Indiantown, Florida ("Village Council") adopted the Indiantown Comprehensive Plan; and

WHEREAS, on November 12, 2020, pursuant to Chapter 163, Florida Statutes, the Village Council adopted the Indiantown Land Development Regulations; and

WHEREAS, Chapter 163, Florida Statutes, requires municipalities to maintain Land Development Regulations that are consistent with and implement their Comprehensive Plans; and

WHEREAS, the Village of Indiantown Planning, Zoning and Appeals Board, sitting as the Local Planning Agency, held a duly noticed public hearing on March 3, 2022, and recommended that the Village Council adopt the Land Development Regulations amendment set forth herein, with a finding that the amendment is consistent with the adopted Comprehensive Plan; and

WHEREAS, the Village Council finds that the Land Development Regulations amendment set forth herein will promote the public health, safety, welfare, economic order, and public interest, and will further implement, and is consistent with, the adopted Comprehensive Plan.

NOW, THEREFORE BE IT ORDAINED, by the Village Council of the Village of Indiantown, Florida, as follows:

SECTION 1. RECITALS. The above recitals and "Whereas" clauses are hereby included as findings by the Village Council of the Village of Indiantown and are otherwise fully incorporated herein.

SECTION 2. LDR AMENDMENT. The referenced portions of the Village of Indiantown Land Development Regulations are amended as set forth in the attached Exhibit "A".

SECTION 3. CODIFICATION. The Village Clerk shall cause the Land Development Regulations amendments set forth in this Ordinance to be codified as a part of the Land Development Regulations during the next codification update cycle.

SECTION 4. SEVERABILITY. The provisions of this Ordinance are severable; and if any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. CONFLICTS. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon adoption.

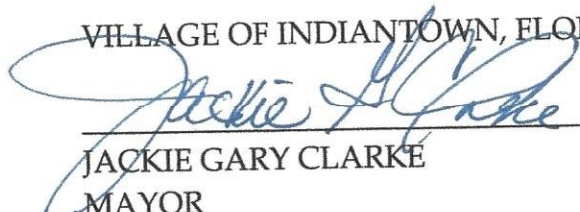
PASSED on first reading on the 24th day of March, 2022.

ADOPTED on second reading on the 14th day of April, 2022.

ATTEST:


SUSAN A. OWENS, MPA, MMC
VILLAGE CLERK

VILLAGE OF INDIANTOWN, FLORIDA


JACKIE GARY CLARKE
MAYOR

REVIEWED FOR FORM AND
CORRECTNESS:

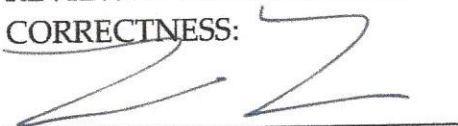

WADE C. VOSE, ESQ.
VILLAGE ATTORNEY



Exhibit "A"

Sec. 2-3. Definitions.

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Consistency: Compatibility and agreement with the Comprehensive Plan. Florida statutes require consistency between the Comprehensive Plan and implementing documents such as the Land Development Regulations. Consistency exists when the standards and criteria of the Comprehensive Plan are met or exceeded.

Construction industry trades: Skilled occupations typically involved in construction, such as carpenters, painters, plumbers, masons, electricians, tile contractors, etc.

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Townhouse, rowhouse: See Dwelling, townhouse or rowhouse.

Trades and skilled services. Shops providing services involving skilled labor or craftsmanship, such as, but not limited to, printing and binding, electronics repair, carpet cleaning, craft-making, decorating services and locksmithing. This shall not be construed to include shops primarily engaged in retail sales and services where the provision of skilled labor or craftsmanship is merely incidental to the retail activity.

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Wetlands: Areas between land and water where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this definition, wetlands must have the following three attributes: (a) have a predominance of hydric soils; (b) are inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and (c) under normal circumstances support a prevalence of such vegetation.

Wholesale trades and services. Establishments offering bulk goods to other firms for eventual resale.

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(Notes: For ease of review: (1) a header row is included on each page, but should not be codified; and (2) with the exception of dashes removed, revisions are provided in strikethrough and underline, with revised text colored red.)

Sec. 3-3.1. Permitted uses.

Table 14. Permitted Use Table													
Key: P = Permitted C = Conditional SE = Special Exception EO = Existing Only MU = Mixed-Use Only - = Not Allowed	Rural Residential	Limited Residential	Single Family Residential	Neighborhood Mixed-Use	Downtown	Village Mixed-Use	Canal Mixed-Use	Utility	Light Industrial	Heavy Industrial	Civic Facilities	Parks and Open Space	Conservation
RESIDENTIAL USES													
Accessory Dwelling Units	P	P	P	P	P	-	MU	-	-	-	-	-	-
Caretaker's Residence	-	-	-	-	-	-	P	P	P	P	P	SE	SE
Community Residential Home (7—14)	-	C	-	C	C	C	MU/C	-	MU/C	-	-	-	-
Group Home (6 or fewer)	C	C	C	C	C	C	MU/C	-	MU/C	-	-	-	-
Mobile Home	P	-	EO	-	-	-	EO	-	-	-	-	-	-
Multi-family	-	P	-	P	P	P	MU	-	MU	-	-	-	-
Recreational Vehicle Park	-	-	-	-	-	-	EO	-	-	-	-	-	-
Single-family Detached	P	P	P	P	-	-	MU	-	-	-	-	-	-
Single-family Attached/Townhouse	-	P	P	P	P	P	MU	-	MU	-	-	-	-
Two-family	P	P	P	P	P	-	MU	-	MU	-	-	-	-
Zero Lot Line Single-Family	-	P	P	P	P	P	MU	-	MU	-	-	-	-
Home Occupation	P	P	P	P	P	P	P	-	-	-	-	-	-
Live/Work Unit	-	-	-	P	P	P	MU	-	-	-	-	-	-
LODGING USES													
Bed and Breakfast	-	SE	-	P	P	-	-	-	-	-	-	-	-
Boatel	-	-	-	-	-	-	P	-	-	-	-	-	-

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Hotel/Motel	-	-	-	SE	P	P	P	-	-	-	-	-	-
Resort	-	-	-	P	-	-	P	-	-	-	-	-	-
COMMERCIAL USES													
Adult Businesses	-	-	-	-	-	-	-	-	C	-	-	-	-
Aquaculture	-	-	-	-	-	-	P	-	-	-	-	-	-
Automobile Sales (new or used)	-	-	-	SE	-	C	-	-	P	-	-	-	-
Automobile Service/Garage	-	-	-	SE	EO	EO	-	-	P	-	-	-	-
Bar/Nightclub	-	-	-	C	C	C	C	-	C	-	-	-	-
Boat Sales or Rental	-	-	-	SE	-	C	P	-	P	-	-	-	-
Boat Service/Repair	-	-	-	-	-	C	P	-	P	-	-	-	-
Boatyard	-	-	-	-	-	-	P	-	-	-	-	-	-
Car Wash	-	-	-	P	P	P	-	-	P	-	-	-	-
Caterer	-	-	-	P	P	P	-	-	P	-	-	-	-
Commercial Amusement, indoor	-	-	-	SE	P	P	P	-	P	-	-	-	-
Commercial Amusement, outdoor	SE	-	-	SE	-	P	P	-	P	-	-	-	-
Convenience Store, 4,000 sq. ft. or less	-	-	-	P	P	P	P	-	P	P	-	-	-
Crematorium	-	-	-	-	-	P	-	-	P	-	-	-	-
Day Care, Commercial	-	-	-	C	C	C	-	-	P	-	-	-	-
Day Care, Family	P	P	P	P	-	-	-	-	-	-	-	-	-
Farm Supplies and Implement Sales	-	-	-	-	-	P	-	-	P	-	-	-	-
Financial Institution	-	-	-	P	P	P	P ¹	-	-	-	-	-	-

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Fuel Pumps (Gas Station)	-	-	-	-	-	P	P	-	P	P	-	-	-
Funeral Home	-	-	-	P	P	P	-	-	-	-	-	-	-
Kennel/Doggy Daycare	-	-	-	SE	SE	C	SE ¹	-	C	-	-	-	-
Marina	-	-	-	-	-	-	P	-	-	-	-	-	-
Maritime Activities	-	-	-	-	-	-	P	-	-	-	-	-	-
Medical Marijuana Dispensing Facility	-	-	-	-	P	P	-	-	-	-	-	-	-
Medical Service/Office	-	-	-	P	P	P	P ¹	-	P	-	-	-	-
Mobile Food Vendor	-	-	-	C	C	C	C	-	SE	SE	-	-	-
Movie Theater	-	-	-	-	P	P	P	-	-	-	-	-	-
Non-Chartered Financial Institutions	-	-	-	-	-	C	-	-	-	-	-	-	-
Office, Professional	-	-	-	P	P	P	P	P	P	-	-	-	-
Pawn Shop/Gold Buying Business	-	-	-	-	-	C	-	-	-	-	-	-	-
Personal Services	-	-	-	P	P	P	P ¹	-	-	-	-	-	-
Pharmacy	-	-	-	-	P	P	-	-	-	-	-	-	-
Recreational Vehicle Storage	-	-	-	-	-	EO	EO	-	P	P	-	-	-
Restaurant	-	-	-	P	P	P	P	-	SE	SE	-	-	-
Retail Small, less than 15,000 sq. ft.	-	-	-	P	P	P	P	-	P	-	-	-	-
Retail Large, 15,000 sq. ft. or more	-	-	-	SE	SE	P	SE	-	SE	-	-	-	-
Shooting Range, Indoor	-	-	-	-	-	-	-	-	SE	C	-	-	-
Shooting Range, Outdoor	-	-	-	-	-	-	-	-	SE	C	-	-	-

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Stable, Commercial/Equestrian Facility	-	-	-	-	-	-	-	-	-	-	-	-	-
Studio or Center for Art, Martial Arts, Fitness and Dance	-	-	-	P	P	P	P ¹	-	P	-	-	-	-
Trades and Skilled Services	-	-	-	P	P	P	P ¹	-	P	P	-	-	-
Veterinary Clinic (no outdoor kennels)	-	-	-	P	P	P	P ¹	-	-	-	-	-	-
COMMUNITY FACILITY USES													
Assisted Living Facility	-	SE	-	P	P	P	-	-	-	-	-	-	-
Cemetery/Memorial Garden	P	EO	EO	EO	-	-	-	-	-	-	P	-	-
Community Center	-	P	-	P	-	P	P	-	-	-	P	-	-
Correctional Facility	-	-	-	-	-	-	-	-	-	P	P	-	-
Golf Course	-	SE	-	-	-	-	-	-	-	-	-	P	-
Fire Station	-	P	-	P	-	P	-	-	P	P	P	-	-
Government Services and Offices	P	SE	-	P	-	P	-	P	P	-	P	-	-
Gymnasium/Work out Facility	-	SE	-	P	P	P	P ¹	-	P	-	P	-	-
Hospital	-	-	-	-	SE	P	-	-	-	-	SE	-	-
Library	-	P	P	P	P	P	-	-	-	-	P	-	-
Park	P	P	P	P	P	P	P	-	SE	-	P	P	-
Place of Public Assembly	SE	P	SE	P	P	P	P	-	SE	-	P	-	-
Place of Worship	SE	P	SE	P	P	P	P	-	SE	-	P	-	-
Police Station or substation	-	-	-	P	P	P	P	-	P	-	P	-	-
School or School Facilities (public or private K—12, vocational, community college)	-	SE	-	P	-	-	-	-	-	-	P	-	-

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Sports Field	-	SE	-	-	-	-	-	-	-	-	P	P	-
UTILITY USES													
Bus Station	-	-	-	-	-	P	-	-	P	-	-	-	-
Power Plant	-	-	-	-	-	-	-	P	P	P	-	-	-
Railyard	-	-	-	-	-	-	-	P	P	P	-	-	-
Water Facilities, Public	-	-	-	SE	-	-	-	P	-	-	-	-	-
Water Impoundment less than ten acres	P	SE	-	-	-	-	-	P	P	P	-	-	-
Water Impoundment more than ten acres	-	-	-	-	-	-	-	P	P	P	-	-	-
Wireless Communications Tower	P	SE	-	SE	SE	P	SE	P	P	P	P	SE	-
INDUSTRIAL USES													
Airport	-	-	-	-	-	-	-	-	SE	-	P	-	-
Blacksmith	-	-	-	-	-	-	-	-	P	P	-	-	-
Chemical Manufacturing/Storage	-	-	-	-	-	-	-	-	P	P	-	-	-
Cold Storage and Warehousing	-	-	-	-	-	-	-	-	P	P	-	-	-
Construction Industry Trades	-	-	-	-	-	-	p ¹	-	P	P	-	-	-
Computer and Data Processing	-	-	-	-	P	P	-	-	P	P	-	-	-
Distribution Center	-	-	-	-	-	-	-	-	C	P	-	-	-
Heavy Retail	-	-	-	-	-	SE	SE	-	P	P	-	-	-
Junkyard/Scrapyard	-	-	-	-	-	-	-	-	-	P	-	-	-
Lumber and Wood Products	-	-	-	-	EO	EO	P	-	P	P	-	-	-
Marine Manufacturing	-	-	-	-	-	-	P	-	P	P	-	-	-

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Marine Wholesale Trades and Services	-	-	-	-	-	-	P	-	SE	P	-	-	-
Metal Fabrication	-	-	-	-	-	-	P	-	P	P	-	-	-
Mining and Excavation	-	-	-	-	-	-	P	-	-	SE	-	-	-
Outdoor Storage	-	-	-	-	-	EO	-	-	P	P	-	-	-
Paper and Allied Products	-	-	-	-	-	-	-	-	-	P	-	-	-
Petroleum Refining	-	-	-	-	-	-	-	-	-	P	-	-	-
Primary Metal Industries	-	-	-	-	-	-	-	-	-	P	-	-	-
Research and Development Labs	-	-	-	-	-	-	P	-	P	P	-	-	-
Rubber and Plastic Manufacturing	-	-	-	-	-	-	-	-	-	P	-	-	-
Self-Storage/Mini Warehouse	-	-	-	-	-	EO	P	-	P	P	-	-	-
Solid Waste Disposal Facility or Transfer Station	-	-	-	-	-	EO	-	-	-	P	-	-	-
Stone, Clay, Glass and Concrete Production	-	-	-	-	-	-	-	-	-	P	-	-	-
Storage for RVs, Boats, Automobiles and Equipment	-	-	-	-	-	EO	P	-	P	P	-	-	-
Wholesale Trades and Services							P ¹		SE	P			

Footnotes to Permitted Use Table:

¹To ensure consistency with Policy L6.1.14 (Commercial Waterfront Future Land Use) of the Indiantown Comprehensive Plan, the specified use shall be permissible within the Canal Mixed-Use zoning district where such use is a marina or water-related use, or such use is integrated into and serves a multi-use project that has an overall marina or water-related use.

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Sec. 3-7.5. - Automotive/boat/truck sales, rental, service and repair.

- (a) Large surface parking/display lots shall be visually and functionally segmented into several smaller lots. The size of any single lot shall be limited to one and one-half acres, unless divided by a street, principal building, or 15-foot landscape buffer area. All areas shall be connected internally with sidewalks and landscaping following the requirements of this Code.
- (b) No outdoor public address system shall be permitted which can be heard beyond the boundaries of the property.
- (c) Service and repair activities shall operate during regular business hours, no earlier than 7:00 a.m. and no later than 8:00 p.m.
- (d) Service and repair activities are not permitted outdoors within 200 feet of a RR, SR or LR zoned property.
- (e) Parking, display and storage of vehicles is limited to paved areas.
- (f) In the Canal Mixed-Use zoning district, RV sales, service, and repair shall be permitted as an accessory use to Recreational Vehicle Storage (where permitted as an Existing Only use).