

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

- 3.00.00        PURPOSE**
  
- 3.01.00        LAND USE DISTRICTS**
- 3.01.01        Generally**
- 3.01.02        Definitions**
- 3.01.03        Specific Districts**
  
- 3.02.00        USES ALLOWED IN LAND USE DISTRICTS**
- 3.02.01        Generally**
- 3.02.02        Types of Uses**
- 3.02.03        Allowable Uses Within Each Land Use District**
- 3.02.04        Allowable Density And Dwelling Unit Types for Residential Use**

## 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 Gulf County as expressed in the Comprehensive Plans.

#### 3.01.00 LAND USE DISTRICTS

##### 3.01.00 Generally

Land use districts for Gulf County are established in the 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 respective 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:** A use of land or portion thereof customarily incidental and subordinate to the principal use of the land.

**ACCESSORY STRUCTURE:** A structure not greater than 3,000 square feet (279m<sup>2</sup>) in floor area, and not over two stories in height, the use of which is customarily accessory to and incidental to that of the dwelling(s) and which is located on the same lot.

**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. This includes mobile homes, RVs, campers and park models. Accessory structures such as portable buildings that are not designed as dwellings are not considered dwelling units.

**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.
- (4) Certified by HUD.

**MODULAR HOMES:** *insert FBC definition*

**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 accommodations 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 (duplex).

**3.01.03 Specific Districts**

The following list of land districts pertain to Gulf County and ~~the City of Wewahatchka~~ and are further defined in the Future Land Use Element of the respective Comprehensive Plan:

- RESIDENTIAL
  - LOW DENSITY
  - MEDIUM DENSITY
  - HIGH DENSITY
- COMMERCIAL
- MIXED COMMERCIAL/RESIDENTIAL
- AGRICULTURAL
- MIXED USE AGRICULTURAL
- 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 LDR.

### **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 vehicles (RV) subdivisions.
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 rules provides that deed restrictions may impose more restrictive covenants than those imposed by this LDR. 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 a picnicking, jogging, cycling, hiking, golf courses, play grounds, ball fields, outdoor ball courts, stables, outdoor swimming pools, camping tents or RV's 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 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 sales and food marts, and similar facilities.
3. Taverns, bars, lounges, night clubs, and dance halls.
4. Financial institutions with drive through facilities.
5. Restaurants with drive through facilities.

6. Roadside produce stands, both temporary and permanent.
7. Veterinary offices and animal hospitals 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 LDR 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 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 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 and 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 plants, 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 (1,000) 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, apiculture or bee keeping, 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. Mixed Use Agricultural

The same as Agricultural except Commercial and Industrial uses are allowed to exceed a formulated acreage.

#### J. 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 1,000 gallons, junkyards or salvage yards, recycling centers, landfills, hazardous waste collection and handling centers, and 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.

#### K. Mining, Borrow Pits, or non-residential Fish Ponds

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.



## L. Preservation

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

### **3.02.03 Allowable Uses Within Each Land Use District**

#### **A. Residential**

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

##### **Gulf County**

1. Residential
2. Institutional
3. Outdoor Recreational
4. Public Service/Utility  
(Low intensity only)
5. Preservation
6. Agricultural activities including apiculture/bee keeping only when limited to personal use. Personal apiculture/bee keeping hives must not be closer than 100' to the adjacent properties. All commercial agricultural is prohibited except in the area know as Gulf County Farms.

#### **B. 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).

#### **C. Mixed Commercial/Residential**

The following uses are allowed in the Mixed Commercial/Residential land use districts. 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. Agricultural activities including apiculture/bee keeping only when limited to personal use. Personal apiculture/bee keeping hives must not be closer than 100' to the adjacent properties. All commercial agricultural is prohibited except in the area know as Gulf County Farms.

#### **D. 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 ½ 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 one mile of an existing developed area) (limited to arterials and collectors) (must be located minimum of 500 feet from existing residential development.
9. Industrial (industrial uses specifically related to aquaculture, silviculture, and agriculture only) \*\*\*\*  
\*\*\*\*\*

(\*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 building are 10,000 square feet
- \*\*\*\* Limited to parcels fronting on arterials or collectors
- \*\*\*\*\* Minimum distance to residential use shall be 300 feet.

#### **E. Mixed Use Agricultural**

1. Residential (including recreational vehicles as permanent residences)
2. Agricultural
3. Institutional \*
4. Outdoor Recreational
5. Public Service/Utility
6. Preservation
7. General Commercial
8. High Intensity Commercial
9. Industrial

\* Only allowed in Non-Flood prone Areas

## **F. 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

## **G. 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

## **H. 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

## **I. Industrial**

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

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

### **3.02.04 Allowable Density And Dwelling Unit Types For Residential Use**

The following table outlines the allowable densities and dwelling unit 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 Florida Building Code. Multi-family structures include any residential structure containing three (3) or more dwelling units and are considered commercial in nature. Manufactured housing includes those manufactured homes meeting the construction and safety standards of the U. S. Department of Housing and Urban Development (HUD). Although RV units were traditionally not designed to be used as a full time residence, new trends in RV development and design have greatly changed the functionality of RV units. These changes have created a new social culture and has generated a new micro economy in Gulf County. In an effort to recognize and protect the property rights of all owners, the following regulations will apply to RV units within unrestricted residential areas:

1. Unless located in a permitted RV Park/Subdivision, owner of the RV must be same as the owner of an ID parcel or be a renter of a ID parcel.
2. RV units with no stabilizers deployed or no water or sewer connections and on a parcel with the owners/renters primary structure shall be deemed in storage.
3. RV may be permitted unless prohibited by deed or by a covenant or restriction clause.
4. Unless located in a permitted RV Park/Subdivision, only one RV shall be allowed per parcel.
5. RV unit must remain supported on its wheels and stabilizers. RV unit must remain supported on its wheels and stabilizers and be fully licensed. RV units not located in a permitted RV subdivision or park will be required to permit a RV unit annually to insure RV's are in compliance with County and State regulations.
6. Unless in storage, RV units must meet all setback requirements, sanitary waste (sewer or septic as permitted), potable water and electrical power.
7. RV units located in flood hazard areas are subject to Section 305 of the 2012 Flood Protection Ordinance which states:

**305.1 Temporary placement.** Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

1. Be on the site for fewer than 180 consecutive days; or
2. Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

**305.2 Permanent placement.** Recreational vehicles and park trailers that do not meet the limitations in Section 305.1 of this ordinance for temporary placement shall meet the requirements of Section 304 of this ordinance for manufactured homes.

8. In addition to the 305.1 clause, any RV within a VE Flood Zone must not be left unattended for more than 72 hours.

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

| LAND USE/DISTRICT | GROSS DISTRICT | HOUSING TYPES |    |       |
|-------------------|----------------|---------------|----|-------|
|                   |                | SF            | MF | MH/RV |

**RESIDENTIAL and MIXED COMMERCIAL/RESIDENTIAL**

**Gulf County**

|                          |                              |   |   |   |
|--------------------------|------------------------------|---|---|---|
| Low Density <sup>①</sup> | <u>1</u> -4 DU/acre          | A | A | A |
| Medium Density           | <u>5</u> -7 <u>8</u> DU/acre | A | A | A |
| High Density             | <u>9</u> -20 DU/acre         | A | A | A |

Note: Density units (DU) are limited to one (1) unit per parcel, including RV's unless located in a RV Park/Subdivision.

① Dwelling units supported by septic and well service must be .5 acres or more and 100 feet wide measured parallel to the road.

\* Gulf side of all County Roads or State Roads Utilizing the number 30, IE: 30A, 30DB, 30E,

S30 - Max 3 units per acre

\*\* Bayside or lagoon side of any roadway numbered 30 - maximum 2 units per acre

**AGRICULTURAL and MIXED USE AGRICULTURAL**

**\*Gulf County**

|                |               |   |   |   |
|----------------|---------------|---|---|---|
| Low Density    | 1 DU/40 acre  | A | A | A |
| Medium Density | 1 DU/15 acre  | A | A | A |
| High Density   | 1 DU/2.5 acre | A | A | A |

Note: Density units (DU) are limited to one (1) unit per parcel, including RV's unless located in a RV Park/Subdivision.

\* Gulf side of all county roads on State Roads utilizing the number 30, i.e., 30A, 30D, 30E, S30 - maximum 3 units per acre

\*\* Bayside or lagoon side of any roadway numbered 30 - maximum 2 units per acre

|        |                        |                         |
|--------|------------------------|-------------------------|
| LEGEND | DU=Dwelling Unit       | A=Allowed               |
|        | SF=Single Family       | P=Prohibited            |
|        | MF=Multi-Family        | RV=Recreational Vehicle |
|        | MH=Manufacture Housing |                         |

NOTE:\* The following parameters will guide the location of agricultural densities in unincorporated Gulf County:

- (1) High Density agricultural development will be permitted within one mile of any residential, mixed, or industrial land use category as identified on the Future Land Use Map.
- (2) Medium Density will be allowed in any area except those areas set aside for low density development, as described in Item 3 below.
- (3) A wetland jurisdictional determination must be undertaken prior to development approvals in areas identified as wetlands on the National Wetland Inventory (NWI) maps. Where jurisdiction wetland is determined, development will be limited to low density.

**COASTAL AREA DENSITIES**

A maximum density of 2 dwelling units per acre will be allowed within the Bayside coastal area depicted on the revised Future Land Use Map.

A maximum density of 3 dwelling units per acre will be allowed within the Gulfside coastal area depicted on the revised Future Land Use Map.

When a transfer of density from wetlands to upland portions of a site occurs within the Bayside, Gulfside, or Indian Lagoon coastal areas, as depicted on the revised Future Land Use Map, such transfer shall be at a density of 1 unit per five acres of wetlands or 20% of wetland area. (Residential or Mixed Use)

Lots and parcels of record which existed prior to January 4, 1992, which are non-conforming with the respect to the Bayside, Gulfside or Indian Lagoon coastal densities, can be developed for one single family residential dwelling unit.