

Sec. 10-919. Lake protection.

(a) *Purpose and intent.* The purpose and intent of the lake protection district is for activities in the area immediately adjacent to and affecting Lake Jackson while protecting that water body and ecosystem. This district's location is based on the lake basin boundary so adjusted to primarily include undeveloped areas and existing less intensely developed areas. This district allows residential uses of one unit per two acres or two units per acre if clustered on 40 percent of the property, leaving the remaining 60 percent of the property as undisturbed open space in perpetuity. This cluster option is designed to leave large areas of land undisturbed within the critically impacted area. Minor office and commercial uses may be approved through review by the Board of County Commissioners. Approval by the Board of County Commissioners shall be based upon findings that the proposed use is consistent with the purpose and intent stated above and the proposed development would retain its resultant stormwater on site. All other commercial and office uses are prohibited. Urban services are intended for this category inside the urban service area. Existing nonresidential uses within this district that meet all water quality standards set forth in the comprehensive plan and the environmental regulations of the county will be considered permitted, lawfully established conforming uses.

Any land in the lake protection district lying within a closed basin may be rezoned to another appropriate district by amendment of the official zoning map through the planned unit development process. Densities and intensities of development within a closed basin are limited to primary and secondary uses of the Mixed Use A Future Land Use Category as defined by the comprehensive plan. In order to petition for such an amendment, the potential applicant must demonstrate through presentation of competent scientific evidence certified by a registered engineer that all land affected is located entirely within a closed basin which does not naturally or artificially discharge into the Lake Jackson basin. Stormwater generated by any development must be either retained on-site or filtered through an approved regional stormwater management facility within the closed basin.

(b) *Allowable uses.* For the purpose of this article, the following land use types are allowable in this zoning district and are controlled by the land use development standards of this article, the comprehensive plan and schedules of permitted uses.

- (1) Minor commercial, Board of County Commissioners approval required and runoff retained on site required.
- (2) Minor office, Board of County Commissioners approval required and runoff retained on site required.
- (3) Low-density residential.
- (4) Passive recreation.

- (5) Active recreation.
- (5) Community services.

(c) *List of permitted uses.* See schedules of permitted uses, section 10-1209(a). Some of the uses on these schedules are itemized according to the Standard Industrial Code (SIC). Proposed activities and uses are indicated in the schedules. The activity or use may be classified as permitted, restricted or permitted through special exception, or not allowed.

(d) *Development standards.* All proposed development shall meet the commercial site location standards (section 10-922); buffer zone standards (section 10-923); the parking and loading requirements (division 7); and the land use development criteria as specified in section 10-1209.

(e) *Specific restrictions.* If uses are restricted according to the schedule of permitted uses, they must follow the general development guidelines for restricted uses as provided in division 6. Specific restricted uses are addressed below and in division 8.

- (1) Nonresidential uses allowed only upon approval of a site and development plan by the Board of County Commissioners.

Sec. 10-1209. Lake protection district:

(a) Allowable uses, appropriate permit level and applicable development and locational standards in the lake protection district are as follows:

P = Permitted use R = Restricted use S = Special exception

Legend	
Ag = Agricultural	LR = Low-density residential
MO = Minor office	AR = Active recreation
MC = Minor commercial	CS = Community services

SIC Code	Name of Use	Development and Locational Standards					
		Ag	MO*	MC*	LR	AR	CS
	RESIDENTIAL						
	Dwelling, one-family				P		
	Dwelling, two-family				P		
	Dwelling, townhouse				R		
	Dwelling, mobile home				P		
	Mobile home park				S		
	AGRICULTURE, FORESTRY, AND FISHING						
01	Agricultural production--Crops	R					
02	Agricultural production--Livestock	R					
092	Fish hatcheries and preserves	S					
	TRANSPORTATION AND PUBLIC UTILITIES						
43	Postal service						S
	RETAIL TRADE						
581	Eating and drinking places			S			
591	Drugstores and proprietary stores			S			
592	Liquor stores			S			
5992	Florists			S			
5993	Tobacco stores and stands			S			

SIC Code	Name of Use	Development and Locational Standards					
		Ag	MO*	MC*	LR	AR	CS
5994	News dealers and newsstands			S			
	FINANCE, INSURANCE, AND REAL ESTATE						
602	Commercial banks		S				
603	Savings institutions		S				
606	Credit unions		S				
611	Federal and federal sponsored credit		S				
614	Personal credit institutions		S				
616	Mortgage bankers and brokers		S				
62	Security and commodity brokers		S				
64	Insurance agents, brokers, and service		S				
65	Real estate		S				
654	Title abstract offices		S				
	SERVICES						
703	Camps and recreational vehicle parks					R	
721	Laundry, cleaning, and garment services			S			
7215	Coin-operated laundries and cleaning			S			
723	Beauty shops		S				
724	Barber shops		S				
725	Shoe repair and shoeshine parlors		S				
7311	Advertising agencies		S				
732	Credit reporting and collection		S				
7361	Employment agencies		S				
737	Computer and data processing services		S				

SIC Code	Name of Use	Development and Locational Standards					
		Ag	MO*	MC*	LR	AR	CS
784	Video tape rental			S			
7997	Membership sports and recreation clubs		S			S	
801	Offices and clinics of medical doctors		S				
802	Offices and clinics of dentists		S				
804	Offices of other health practitioners		S				
807	Medical and dental laboratories		S				
808	Home health care services		S				
81	Legal services		S				
821	Elementary and secondary schools						S
823	Libraries--Less than 7500 sq. ft.		S	S			
823	Libraries--7500 sq. ft. or more						S
835	Day care services		S				
836	Residential care		S				
841	Museums and art galleries					S	
842	Botanical and zoological gardens					S	
864	Civic and social associations						S
866	Religious organizations						S
871	Engineering and architectural services		S				
872	Accounting, auditing, and bookkeeping		S				
873	Research and testing services		S				
874	Management and public relations		S				
	PUBLIC ADMINISTRATION						
91	Executive, legislative and general						S
922	Public order and safety						S

SIC Code	Name of Use	Development and Locational Standards					
		Ag	MO*	MC*	LR	AR	CS
9221	Police protection						S
9224	Fire protection						S
	RECREATION						
	Hiking and nature trails					P	
	Picnicking					P	
	Canoe trails					P	
	Bicycle trails					P	
	Horseback riding trails					P	
	Tot lots					P	
	Court sports					R	
	Field sports					R	
	Boat landings					P	
	Archaeological historical sites					S	

* Minimum criteria for approval shall require a finding that the proposed uses would be consistent with the district intent; would not be likely to create significant detrimental environmental impacts; nor be likely to interfere with any lawfully established uses.

(b) The maximum allowable floor area in the lake protection district is as follows:

COMMERCIAL LAND USE TYPE	LAKE PROTECTION
MINOR	
Total location	40,000
Single site or quadrant	20,000
Single structure	20,000

(c) The minimum development standards in the lake protection district are as follows:

	Low-Density Residential		Commercial Office		Community Services; Active Recreation; Public, Primary and Secondary Schools
	Noncluster	Cluster*	Noncluster	Cluster*	
MINIMUM SETBACKS (FEET)					
Front yard					
Building	25	25*	30	25*	30
Parking	--	--	40	40*	40
Corner yard					
Building	25	25*	30	25*	30
Parking	--	--	40	40*	40
Side yard					
Building	15	15*	40	20*	40
Parking	--	--	40	20*	40
Rear yard					
Building	25	25*	50	30*	50
Parking	--	--	40	10*	40
Adjoining lower intensity zoning district					
Building	--	--	50	50*	--
Parking	--	--	50	50*	--
Maximum % impervious surface area	30	25**	40	25**	40
Maximum height at building envelope perimeter	--	35	35	35	35
Maximum additional height/additional zoning setback	1'/1'	--	1'/1'	1'/1'	1'/1'
Maximum total height	35	35	45	45	45***
Minimum lot frontage	15	15	40	40	--
Minimum lot area	2.0	1.0	2.0	1.0	--

- * This number applies to the perimeter setback only.
- ** Maximum percent impervious area of developable portion of site.
- *** This height applies to habitable portion of a structure.

Section 10-1234. OS Open Space District.

1. District Intent	PERMITTED USES								
	2. Principal Uses				3. Accessory Uses				
The OS District is intended to provide areas within the community for the resource conservation and passive or active recreational facility needs of the community. The OS District may be applied to publicly or privately owned lands where preservation of natural features is desired. The OS District is permitted in any Future Land Use category established by the Comprehensive Plan, except the Heavy Industrial Future Land Use Category.	(1) Agriculture. (2) Cemeteries (3) Nature centers and related administrative and service facilities. (4) Open space, natural areas, conservation areas and wildlife management areas. (5) Outdoor passive and active recreational facilities, including trails. (6) Silviculture (7) Stormwater management facilities.				(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the County Administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the County Administrator or designee.				
	DEVELOPMENT STANDARDS								
Use Category	4. Minimum Lot or Site Size			5. Minimum Building Setbacks				6. Maximum Building Restrictions	
	a. Lot or Site Area	b. Lot Width	c. Lot Depth	a. Front	b. Side-Interior Lot	c. Side-Corner Lot	d. Rear	a. Building Size (excluding gross building floor area used for parking)	b. Building Height (excluding stories used for parking)
Any Permitted Principal Use	None	None	None	25 feet	None, except 15 ft. if adjoining a low density residential zoning district.	25 feet	10 feet	1,000 square feet of gross building area per acre	3 stories

GENERAL NOTES:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and non-residential development is limited to a maximum of 2,500 square feet of building area. Community service facilities are limited to a maximum of 5,000 square feet of building area or a 500 gallon septic tank. Also, refer to Sanitary Sewer Policies 3.1.6. and 3.1.7. of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.).