

ORDINANCE NO. XX-2017

AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS RELATING TO THE URBAN MIXED USE (UMU) ZONING DISTRICT, BY AMENDING CHAPTER 28 "ZONING", SPECIFICALLY AMENDING SECTION 28-54 "USE TABLE", SECTION 28-73 "LIVE-WORK UNIT", SECTION 28-91 "ADVERTISING AGENCY", SECTION 28-95 "ARTS, CRAFTS AND HOBBY SHOP", SECTION 28-96 "ART STUDIO", SECTION 28-99 "BAKERY, RETAIL", SECTION 28-100 "BARBER/BEAUTY SHOP/SALON", SECTION 28-101 "BED AND BREAKFAST INNS", CREATING SECTION 28-101.1 "BICYCLE SALES/SERVICE", AMENDING SECTION 28.109 "CERAMIC SHOP", SECTION 28-111 "CLOTHING AND SHOE STORES", SECTION 28-112 "CONVENIENCE STORE (WITHOUT RETAIL GASOLINE SALES)", SECTION 28-115 "DELICATESSENS" SECTION 28-117 "DRINKING ESTABLISHMENTS (BAR,TAVERN,LOUNGE)"; SECTION 28-123 "FITNESS CENTER", SECTION 28-124 "FLORIST", SECTION 28-127 "GIFT SHOPS", SECTION 28-133 "ICE CREAM PARLOR", SECTION 28-135 "INSURANCE OFFICE", SECTION 28-136 "JEWELERS", SECTION 28-139 "LEGAL OFFICE", SECTION 28-160 "PHOTOGRAPHIC SHOPS", SECTION 28-162 "PRINTING AND COPYING STORES", SECTION 28-164 "PROFESSIONAL OFFICES", SECTION 28-167 "RESTAURANTS", SECTION 28-170 "SCREEN PRINTING SHOPS", SECTION 28-172 "SPA", SECTION 28-174 "TAILOR SERVICES", SECTION 28-177 "TRAVEL AGENCIES", SECTION 28-182 "VIDEOGAME ARCADES", SECTION 28-243 "GOVERNMENT FACILITIES", SECTION 28-325 "URBAN MIXED USE (UMU)"; TO AMEND ALLOWABLE USES AND CONDITIONS OF USES WITHIN THE URBAN MIXED USE (UMU) ZONING DISTRICT; AMENDING CHAPTER 30 "DEVELOPMENT STANDARDS", SPECIFICALLY CREATING SECTION 30-283 "ON-STREET PARKING CREDIT"; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCES, EFFECTIVE DATE AND INCORPORATION INTO THE CODE.

**WHEREAS**, the convergence of the Coast-to-Coast Trail, St. Johns River to Sea Loop and East Coast Greenway in Titusville will create unique recreation opportunities, serve as an amenity for residents, and attract visitors to the City; and

**WHEREAS**, the City Council desires to allow property uses along the trail that serve the users of the trail as well as the residents of Titusville; and

**WHEREAS**, on April 26, 2016, the City Council directed staff to amend the Land Development Regulations, specifically focusing on the Urban Mixed Use (UMU) zoning district; and

**WHEREAS**, amending the Land Development Regulations to enable the development of a walkable, pedestrian friendly environment will best serve the neighborhood and the users of the trail; and

**WHEREAS**, on February 16, 2017, Staff held a public meeting with residents and stakeholders within the Urban Mixed Use zoning district to gather public input.

**NOW, THEREFORE, BE IT ENACTED** by the City of Titusville, Florida as follows:

**SECTION 1:** That Chapter 28 "Zoning", Article IV "Use Table", Sec. 28-54 "Use Table", of the Land Development Regulations of the City of Titusville is hereby amended to read as follows:

**Sec. 28-54. – Use Table.**

SEC. 28-54 USE TABLE

Permitted Principal Uses	Agriculture and Public			Residential Districts										Commercial Districts						Industrial Districts				Mixed Use										Standards									
	GU	OR	P	RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP	HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID	DMU				UMU	SMU	RMU					UV	IRC/N							
	Key: P = Permitted L = Permitted subject to limitations C = Conditional Blank Cell = Use Prohibited																							Downtown	Uptown	Midtown	Civic Waterfront			100	200	300	400	500		C	R	See Noted Section for Use Specific Standards					
<b>Agricultural Uses</b>																																											
Agricultural pursuits	L																																28-61										
Horse boarding	L																																28-62										
Processing, packaging, and sale of agricultural products and commodities produced on-site	P																																28-63										
<b>Residential</b>																																											
Additional Residential Density																																	C	28-71									
Assisted living facility (ALF)									L	L				L																			C	28-72									
Live/work unit																																		P	28-73								
Manufactured housing											P	P																							28-74								
Multifamily dwellings (Duplex, Triplex, Quadraplex, Etc.)									P	P																								P	L	28-75							
Neighborhood group home				P	P	P	P	P	P	P	P																							P	P	28-76							
Patio homes																																		P	28-77								
Residential/professional use				C	C	C	C	C	C	C																								C	28-78								
Residential treatment facilities										C			C																						28-79								
Single-family dwellings (detached)	L	C		P	P	P	P	P					P																					C	P	L	P	28-80					
Townhomes									L	L																									L	L	28-81						
<b>Commercial</b>																																											
Advertising agency																P	P	P	P															P	P	P	P	P	28-91				
Animal kennel	P														L	C	L	L	C																L			28-92					
Animal shelter	P															C	C	L	C	C	L	L														L		28-93					
Arcade Amusement Center																		C																				28-94					
Art, crafts, and hobby shop																P	P	P																		<del>P</del>	P	P	P	P	28-95		
Art studio																P	P	P	P																	<del>P</del>	P	P	P	P	P	28-96	
Automobile repair																	P	P		P	P	P																C	P	L	28-97		
Automobile sales																	P	P																		L		C	P	L	28-98		
Bakery, retail																P	P	P					L													<del>P</del>		P	P	P	P	P	28-99
Barber/Beauty Shop/Salon															P	P	P	P	P																	<del>P</del>		P	P	P	P	P	28-100
Bed and breakfast inns	L	L		L	L	L	L	L	L	L																										L	L		C	C	L	L	28-101
<b>Bicycle Sales/service</b>																<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>																	<del>P</del>						<b>28-101.1</b>	









**SECTION 2:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division II “Residential”, Section 28-73 “Live-Work Unit”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-73. – Live-Work Unit.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP								
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID								
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN		
			D	U	M	C			100	200	300	400	500		C	R	
			P	P	P												

(b) Definition

Live-Work Unit: Buildings or spaces within buildings that are used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.

(c) Standards for Permitted Uses with Limitations

(1) In the Urban Mixed Use (UMU) zoning district, Live-Work Units:

a. Shall limit non-residential uses to only those uses allowed within the district and shall comply with any conditions of said use.

**SECTION 3:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-91 “Advertising Agency”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-91. – Advertising Agency.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP								
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID								
		P	P	P	P												
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN		
			D	U	M	C			100	200	300	400	500		C	R	
			P	P	P	P	<del>P</del>	P		P	P	P				P	

(b) Reserved

(c) ~~Standards for Permitted Uses with Limitations~~Reserved

~~(1) In the Urban Mixed Use (UMU) zoning district, an advertising agency shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

**SECTION 4:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-95 “Arts, Crafts, and Hobby Shop”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-95. – Arts, Crafts and Hobby Shop.**

(a) Districts where permitted

<i>RE</i>	<i>RR</i>	<i>R-1A</i>	<i>R-1B</i>	<i>R-1C</i>	<i>R-2</i>	<i>R-3</i>	<i>RMH-1</i>	<i>RMH-2</i>	<i>RHP</i>							
<i>HM</i>	<i>T</i>	<i>NC</i>	<i>CC</i>	<i>RC</i>	<i>OP</i>	<i>M-1</i>	<i>M-2</i>	<i>M-3</i>	<i>PID</i>							
		P	P	P												
<i>GU</i>	<i>OR</i>	<i>P</i>	<i>DMU</i>				<i>UMU</i>	<i>SMU</i>	<i>RMU</i>					<i>UV</i>	<i>IRCN</i>	
			<i>D</i>	<i>U</i>	<i>M</i>	<i>C</i>			<i>100</i>	<i>200</i>	<i>300</i>	<i>400</i>	<i>500</i>		<i>C</i>	<i>R</i>
			P	P	P		<del>LP</del>		P	P	P		P	P		

(b) Reserved

(c) ~~Standards Reserved~~

~~(1) In the Urban Mixed Use (UMU) zoning district, an arts, crafts, and hobby shop shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

**SECTION 5:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-96 “Art Studio”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-96. – Art Studio.**

(a) Districts where permitted

<i>RE</i>	<i>RR</i>	<i>R-1A</i>	<i>R-1B</i>	<i>R-1C</i>	<i>R-2</i>	<i>R-3</i>	<i>RMH-1</i>	<i>RMH-2</i>	<i>RHP</i>							
<i>HM</i>	<i>T</i>	<i>NC</i>	<i>CC</i>	<i>RC</i>	<i>OP</i>	<i>M-1</i>	<i>M-2</i>	<i>M-3</i>	<i>PID</i>							
		P	P	P	P											
<i>GU</i>	<i>OR</i>	<i>P</i>	<i>DMU</i>				<i>UMU</i>	<i>SMU</i>	<i>RMU</i>					<i>UV</i>	<i>IRCN</i>	
			<i>D</i>	<i>U</i>	<i>M</i>	<i>C</i>			<i>100</i>	<i>200</i>	<i>300</i>	<i>400</i>	<i>500</i>		<i>C</i>	<i>R</i>
			P	P	P		<del>LP</del>	P		P	P	P		P	P	

(b) Definition

Art Studio: A building or portion of a building used as a place of work by artisans engaged in any visual and performing arts, including, but not limited to, dance, music, photography, and painting.

(c) ~~Standards for Permitted Uses with Limitations Reserved~~

~~(1) In the Urban Mixed Use (UMU) zoning district, Art Studios shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~



**SECTION 6:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-99 “Bakery, Retail”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-99. – Bakery, Retail.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
		P	P	P					L							
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN	
			D	U	M	C			100	200	300	400	500		C	R
			P	P	P		<del>LP</del>		P	P	P				P	

(b) Definition

Bakery, retail: A place for preparing, cooking, baking, and selling of products on the premises.

(c) Standards for Permitted Uses with Limitations

~~(1) In the Urban Mixed Use (UMU) zoning district, bakeries, retail shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

(21) In the Planned Industrial Development (PID) zoning district, bakeries, retail shall only be permitted as part of a master development plan that designates a “Commerce Component” and designates the associated area on the master plan.

**SECTION 7:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-100 “Barber/Beauty Shop/Salon”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-100. – Barber/Beauty Shop/Salon.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
	P	P	P	P	P				L							
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN	
			D	U	M	C			100	200	300	400	500		C	R
			P	P	P		<del>LP</del>		P	P	P			P	P	

(b) Reserved

(c) Standards for Permitted Uses with Limitations

~~(1) In the Urban Mixed Use (UMU) zoning district, barber shops shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

(21) In the *Planned Industrial Development (PID)* zoning district, barber shops shall only be permitted as part of a master development plan that designates a “Commerce Component” and designates the associated area on the master plan.

**SECTION 8:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-101 “Bed and Breakfast Inns”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-101. – Bed and Breakfast Inns.**

(a) Districts where permitted

<i>RE</i>	<i>RR</i>	<i>R-1A</i>	<i>R-1B</i>	<i>R-1C</i>	<i>R-2</i>	<i>R-3</i>	<i>RMH-1</i>	<i>RMH-2</i>	<i>RHP</i>							
L	L	L	L	L	L	L			L							
<i>HM</i>	<i>T</i>	<i>NC</i>	<i>CC</i>	<i>RC</i>	<i>OP</i>	<i>M-1</i>	<i>M-2</i>	<i>M-3</i>	<i>PID</i>							
<i>GU</i>	<i>OR</i>	<i>P</i>	<i>DMU</i>				<i>UMU</i>	<i>SMU</i>	<i>RMU</i>					<i>UV</i>	<i>IRCN</i>	
			<i>D</i>	<i>U</i>	<i>M</i>	<i>C</i>			100	200	300	400	500		<i>C</i>	<i>R</i>
L	L		L	L	L	C	L	L		C	C	P			L	L

(b) Definition

Bed and Breakfast Inns: A bed and breakfast inn is a structure originally built as a single-family residence, or a new structure, which is designed as and appears externally as a single-family residence, where short-term lodging rooms and meals (usually breakfast only) are provided to overnight guests. The use is an accessory use to the primary use as a single-family residence of the operator who shall live on the premises.

(c) Standards for Permitted Uses with Limitations

(1) In the *Residential Estate (RE)*, *Rural Residential (RR)*, *Single Family Low Density (R-1A)*, *Single Family Medium Density (R-1B)*, *Single Family High Density (R-1C)*, *Multifamily Medium Density Residential (R-2)*, *Multifamily High Density Residential (R-3)*, *Residential Historic Preservation (RHP)*, *General Use (GU)*, *Open Space and Recreation (OR)*, *Urban Mixed Use (UMU)*, *Shoreline Mixed Use (SMU)*, *Indian River City Neighborhood-Commercial (IRCN-C)* and *Indian River City Neighborhood-Residential (IRCN-R)* zoning districts, bed and breakfast inns:

- a. Shall be limited to the density limitation of the zoning classification. Where an existing single-family house is being utilized as a bed and breakfast or boardinghouse facility, the guest accommodations shall not exceed fifty (50) percent of the floor area of the principal residence.
- b. Shall provide a minimum of one (1) on-site parking space per guestroom and an additional two (2) on-site parking spaces for the resident manager or innkeeper. No parking shall be permitted in the front yard in residential zoning classifications. All parking spaces shall adhere to the City of Titusville Land Development Regulations. Properties within the UMU zoning district shall be exempt from this requirement, but shall provide parking pursuant to Chapter 30 – Development Standards, Article III – Improvements, Division 9 – Parking/Loading/Storage.

- c. In multiple-family and special district zoning classifications, only wall-mounted signs up to eight (8) square feet in size and a maximum of six (6) feet in height shall be permitted.
  - d. Shall have common kitchen and dining facilities, and individual rooms that are rented shall not contain cooking facilities. Meals shall be provided to overnight guests only.
  - e. Shall require an occupational license.
  - f. Shall not be located closer than five hundred (500) feet to any previously approved and established bed and breakfast inn in single-family zoning classifications. The ~~residential—Residential historic—Historic preservation~~ Preservation (RHP) and Urban Mixed Use (UMU) special zoning districts shall be exempt from the aforementioned distance regulation.
- (2) In the *Downtown Mixed Use (DMU) Downtown, Uptown and Midtown sub-districts*, zoning district, bed and breakfast inns:
- a. Shall be no more than five (5) rooms used as guest rooms;
  - b. The owner/operator of the facility must physically reside on-site during all periods that the facility is open to the public and that guests are housed on-site;
  - c. Adjacent to residential homes must be separated by a visual screen consistent with the visual screen standards set forth in Sec. 30-340.
  - d. Shall maintain the residential character of the area by adopting a residential scale and style of construction and conform to the Urban Design Manual for the Downtown Mixed-Use District.
  - e. Shall require a Conditional Use Permit in the Civic Waterfront sub-district.
- (3) In the *Indian River City Neighborhood – Residential (IRCNR)* zoning district, bed and breakfast inns shall be limited to existing licensed bed and breakfast establishments and expansion shall be limited to the existing licensed property as of August 16, 2012 (Effective date of Ord. 25-2012).
- (d) Standards for Conditional Uses – these uses require public hearings
- (1) In the *Downtown Mixed Use (DMU) Civic Waterfront sub-district*, zoning district, bed and breakfast inns shall meet the requirements of (3) (b) above and may be approved by obtaining a conditional use permit.
  - (2) In the *Regional Mixed Use 200 and 300 sub-district (RMU-200, RMU-300)* zoning district, bed and breakfast inns shall meet the same requirements of (3)(a) above and may be approved by obtaining a conditional use permit.

**SECTION 9:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, is amended by adding a section to be numbered Sec. 28-101.1 “Bicycle Sales/Service”, of the Code of Ordinances of the City of Titusville which said section reads as follows:

**Sec. 28-101.1. – Bicycle Sales/Service.**

**(a) Districts where permitted**

<u>RE</u>	<u>RR</u>	<u>R-1A</u>	<u>R-1B</u>	<u>R-1C</u>	<u>R-2</u>	<u>R-3</u>	<u>RMH-1</u>	<u>RMH-2</u>	<u>RHP</u>							
<u>HM</u>	<u>T</u>	<u>NC</u>	<u>CC</u>	<u>RC</u>	<u>OP</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>PID</u>							
	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>												
<u>GU</u>	<u>OR</u>	<u>P</u>	<u>DMU</u>				<u>UMU</u>	<u>SMU</u>	<u>RMU</u>					<u>UV</u>	<u>IRCN</u>	
			<u>D</u>	<u>U</u>	<u>M</u>	<u>C</u>			<u>100</u>	<u>200</u>	<u>300</u>	<u>400</u>	<u>500</u>		<u>C</u>	<u>R</u>
			<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>						<u>P</u>			

**(b) Definition:**

Bicycle Sales/Service: An establishment engaged in the retail sales and associated service of bicycles. May also include retail sales of bicycling accessories and apparel.

**(c) Reserved**

**SECTION 10:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-109 “Ceramic Shop”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-109. – Ceramic Shop.**

**(a) Districts where permitted**

<u>RE</u>	<u>RR</u>	<u>R-1A</u>	<u>R-1B</u>	<u>R-1C</u>	<u>R-2</u>	<u>R-3</u>	<u>RMH-1</u>	<u>RMH-2</u>	<u>RHP</u>							
<u>HM</u>	<u>T</u>	<u>NC</u>	<u>CC</u>	<u>RC</u>	<u>OP</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>PID</u>							
		<u>P</u>	<u>P</u>	<u>P</u>												
<u>GU</u>	<u>OR</u>	<u>P</u>	<u>DMU</u>				<u>UMU</u>	<u>SMU</u>	<u>RMU</u>					<u>UV</u>	<u>IRCN</u>	
			<u>D</u>	<u>U</u>	<u>M</u>	<u>C</u>			<u>100</u>	<u>200</u>	<u>300</u>	<u>400</u>	<u>500</u>		<u>C</u>	<u>R</u>
			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>		

**(b) Reserved**

**(c) ~~Standards for Permitted Uses with Limitations~~Reserved**

~~(1) In the Urban Mixed Use (UMU) district, ceramic shops shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

**SECTION 11:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-111 “Clothing and Shoe Stores”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-111. – Clothing and Shoe Stores.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
		P	P	P												
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN	
			D	U	M	C			100	200	300	400	500		C	R
			P	P	P	P	<u>LP</u>					P		P	P	

(b) Reserved

(c) ~~Standards for Permitted Uses with Limitations Reserved~~

~~(1) In the Urban Mixed Use (UMU) district, clothing and shoe stores shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

**SECTION 12:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-112 “Convenience Store (Without Retail Gasoline Sales)”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-112. – Convenience Store (Without Retail Gasoline Sales).**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
	C	C	C	L												
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN	
			D	U	M	C			100	200	300	400	500		C	R
			L	L	C	C	L			C	L	L			C	

(b) Definition

Convenience Stores: As defined by Florida Statutes §500.03 as may be amended.

(c) Standards for Permitted Uses with Limitations

(1) In the *Regional Commercial (RC)*, *Downtown Mixed Use (DMU) Downtown and Uptown sub-districts*, *Urban Mixed Use (UMU)* and *Regional Mixed Use 300 and 400 sub-districts (RMU-300, RMU-400)* zoning districts, Convenience Stores:

- a. Shall require all gasoline pumps, tanks, vents, pump islands and pump island canopies to conform to setback requirements for the district except that no such pumps, tanks, vents, pump islands or pump island canopies shall be located closer than twenty-five (25) feet to any side property lines.
- b. Shall be free of all obstructions of view from the adjacent street to the main store windows giving a clear and unobstructed view of the cashier's station including obstructions of landscaping and gasoline service islands.

- c. Shall be subject to all special requirements for retail gasoline sales establishments if the proposed store is to include such use.
  - d. Shall have appropriate security systems to include, but not be limited to, the following: convenience store shall be equipped with cameras with video retrieval capabilities. This requirement shall be exempted if the convenience store employs two (2) or more employees at the same time between the hours of 11:00 p.m. and 7:00 a.m. or if the convenience store closes on a permanent basis by 11:00 p.m.
  - e. Shall not have as a part of its operation coin operational amusement devices.
- (2) In addition to the regulations in (c) (1) above, in the *Downtown Mixed Use (DMU)* zoning district, Convenience Stores:
- a. Shall not allow any outdoor display of merchandise.
  - b. Shall have all gasoline or other fuel pumps supported by a dedicated standby generator to ensure continuity of service after severe weather events, or acts of God, subject to approval by the City.
- (3) In addition to the regulations in (c) (1) above, in the *Urban Mixed Use (UMU)* zoning district, convenience stores:
- a. ~~Shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~
  - b. Shall have hours of operation limited to 6:00 a.m. to 10:00 p.m.
- (d) Standards for Conditional Uses – these uses require public hearings
- (1) In the *Tourist (T)*, *Neighborhood Commercial (NC)*, *Community Commercial (CC)*, *Downtown Mixed Use (DMU)* *Midtown and Civic Waterfront Sub-districts*, *Regional Mixed Use 200 sub-district (RMU-200)*, and *Indian River City Neighborhood-Commercial (IRCN-C)* zoning districts, Convenience Stores may be approved by meeting all applicable regulations in (c)(1),(2), and (3) above and by obtaining a conditional use permit.

**SECTION 13:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-115 “Delicatessens”, of the Land Development Regulations of the City of Titusville is hereby amended to read as follows:

**Sec. 28-115. – Delicatessens.**

- (a) Districts where permitted

<i>RE</i>	<i>RR</i>	<i>R-1A</i>	<i>R-1B</i>	<i>R-1C</i>	<i>R-2</i>	<i>R-3</i>	<i>RMH-1</i>	<i>RMH-2</i>	<i>RHP</i>							
<i>HM</i>	<i>T</i>	<i>NC</i>	<i>CC</i>	<i>RC</i>	<i>OP</i>	<i>M-1</i>	<i>M-2</i>	<i>M-3</i>	<i>PID</i>							
	P	P	P	P												
<i>GU</i>	<i>OR</i>	<i>P</i>	<i>DMU</i>				<i>UMU</i>	<i>SMU</i>	<i>RMU</i>					<i>UV</i>	<i>IRCN</i>	
			<i>D</i>	<i>U</i>	<i>M</i>	<i>C</i>			<i>100</i>	<i>200</i>	<i>300</i>	<i>400</i>	<i>500</i>		<i>C</i>	<i>R</i>
			P	P	P	P	<del>LP</del>	P		P	P	P		P	P	

- (b) Reserved

(c) Standards for Permitted Uses with Limitations Reserved

~~(1) In the Urban Mixed Use (UMU) zoning district, drinking establishments shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

**SECTION 14:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-117 “Drinking Establishments (Bar, Tavern, Lounge)”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-117. – Drinking Establishments (Bar, Tavern, Lounge).**

(a) Districts where permitted

<i>RE</i>	<i>RR</i>	<i>R-1A</i>	<i>R-1B</i>	<i>R-1C</i>	<i>R-2</i>	<i>R-3</i>	<i>RMH-1</i>		<i>RMH-2</i>		<i>RHP</i>					
<i>HM</i>	<i>T</i>	<i>NC</i>	<i>CC</i>	<i>RC</i>	<i>OP</i>	<i>M-1</i>	<i>M-2</i>		<i>M-3</i>		<i>PID</i>					
	P		P	P												
<i>GU</i>	<i>OR</i>	<i>P</i>	<i>DMU</i>				<i>UMU</i>	<i>SMU</i>	<i>RMU</i>					<i>UV</i>	<i>IRCN</i>	
			<i>D</i>	<i>U</i>	<i>M</i>	<i>C</i>			<i>100</i>	<i>200</i>	<i>300</i>	<i>400</i>	<i>500</i>		<i>C</i>	<i>R</i>
			P	P	P	C	<del>GL</del>			C	P		P	L		

(b) Definition

Drinking Establishment: A drinking establishment is a business whose primary function is the serving of alcoholic beverages for consumption on the premises, which may include bars, taverns, and lounges. Some establishments may also serve food, or have entertainment, but their main purpose is to serve alcoholic beverages.

(c) Standards for Permitted Uses with Limitations

(1) In the *Indian River City Neighborhood-Commercial (IRCNC)* zoning district, drinking establishments (bar, tavern, lounge) with any outdoor seating may only operate during the hours of 6:00 a.m. to 11:00 p.m. and shall not be located within 50 feet of a residential property line.

(2) In the Urban Mixed Use (UMU) zoning district, drinking establishments (bar, tavern, lounge):

a. Shall only allow on-site consumption within a completely enclosed structure.

b. Shall limit the hours of operation of any business with on-site consumption to the hours of 12:00 p.m. to 10:00 p.m.

(d) Standards for Conditional Uses – these uses require public hearings

(1) In the *Downtown Mixed Use (DMU) Civic Waterfront sub-district*, *Urban Mixed Use (UMU)* and *Regional Mixed Use 300 sub-district (RMU-300)* zoning districts, Drinking Establishments may be approved by obtaining a conditional use permit.

~~(2) In the Urban Mixed Use (UMU) zoning district, drinking establishments (bar, tavern, lounge):~~

~~a. Shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

- b. ~~Shall only allow on-site consumption within a completely enclosed structure.~~
- c. ~~Shall limit the hours of operation of any business with on-site consumption to the hours of 12:00 p.m. to 10:00 p.m.~~

**SECTION 15:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-123 “Fitness Center”, of the Land Development Regulations of the City of Titusville is hereby amended to read as follows:

**Sec. 28-123. – Fitness Center.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
C		C	P	P	C				C							
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN	
			D	U	M	C			100	200	300	400	500		C	R
			P	P	P		L	C			P	P		P	P	

(b) Definition

Fitness Center: A place or building where active exercise and related activities are performed utilizing weight control or muscle building equipment or apparatus for the purpose of physical fitness. Also, a place or building that provides massage, exercise, and/or related activities with or without such equipment.

(c) Standards for Permitted Uses with Limitations

- (1) In the *Urban Mixed Use (UMU)* zoning districts, fitness centers ~~shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue shall have building and/or lease space/unit gross floor area be less than 3,000 square feet.~~

**SECTION 16:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-124 “Florist”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-124. – Florist.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
		P	P	P					L							
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN	
			D	U	M	C			100	200	300	400	500		C	R
			P	P	P	P	<del>LP</del>			P	P		P	P		



(b) Definition

Florist: Retail business whose principal activity is the selling of plants which are not grown on the site and conducting business within an enclosed building.

(c) Standards for Permitted Uses with Limitations

~~(1) In the Urban Mixed Use (UMU) zoning district, florists shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

(21) In the Planned Industrial Development (PID) zoning district, florists shall only be permitted as part of a master development plan that designates a “Commerce Component” and designates the associated area on the master plan.

**SECTION 17:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-127 “Gift Shops”, of the Land Development Regulations of the City of Titusville is hereby amended to read as follows:

**Sec. 28-127. – Gift Shops.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
	P	P	P	P												
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN	
			D	U	M	C			100	200	300	400	500		C	R
			P	P	P	P	<del>LP</del>			P	P		P	P		

(b) Reserved

(c) ~~Standards for Permitted Uses with Limitations~~Reserved

~~(1) In the Urban Mixed Use (UMU) zoning district, gift shops shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

**SECTION 18:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-133 “Ice Cream Parlor”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-133. – Ice Cream Parlor.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
	P	P	P	P												
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN	
			D	U	M	C			100	200	300	400	500		C	R
			P	P	P	P	<del>LP</del>	P		P	P	P		P	P	

(b) Reserved

(c) ~~Standards for Permitted Uses with Limitations Reserved~~

~~(1) In the Urban Mixed Use (UMU) zoning district, ice cream parlors shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

**SECTION 19:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-135 “Insurance Office”, of the Land Development Regulations of the City of Titusville is hereby amended to read as follows:

**Sec. 28-135. – Insurance Office.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
		P	P	P	P											
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN	
			D	U	M	C			100	200	300	400	500		C	R
			P	P	P	P	<del>LP</del>			P	P	P		P	P	

(b) Reserved

(c) ~~Standards for Permitted Uses with Limitations Reserved~~

~~(1) In the Urban Mixed Use (UMU) zoning district, insurance offices shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

**SECTION 20:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-136 “Jewelers”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-136. – Jewelers.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
		P	P	P												
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN	
			D	U	M	C			100	200	300	400	500		C	R
			P	P	P		<del>LP</del>				P	P		P	P	

(b) Reserved

(c) ~~Standards for Permitted Uses with Limitations Reserved~~

~~(1) In the Urban Mixed Use (UMU) zoning district, jewelers shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

**SECTION 21:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-139 “Legal Office”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-139. – Legal Office.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
		P	P	P	P											
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN	
			D	U	M	C			100	200	300	400	500		C	R
			P	P	P	P	<del>P</del>			P	P		P	P		

(b) Reserved

(c) ~~Standards for Permitted Uses with Limitations Reserved~~

~~(1) In the Urban Mixed Use (UMU) zoning district, legal offices must be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

**SECTION 22:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-160 “Photographic Shops”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-160. – Photographic Shops.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
	P	P	P	P												
GU	OR	DMU				UMU	SMU	P	RMU					UV	IRCN	
		D	U	M	C				100	200	300	400	500		C	R
		P	P	P		<del>P</del>			P	P	P		P	P		

(b) Reserved

(c) ~~Standards for Permitted Uses with Limitations Reserved~~

~~(1) In the Urban Mixed Use (UMU) zoning district, photographic shops shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

**SECTION 23:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-162 “Printing and Copying Stores”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-162. – Printing and Copying Stores.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
		P	P	P												
GU	OR	DMU				UMU	SMU	P	RMU					UV	IRCN	
		D	U	M	C				100	200	300	400	500		C	R
		P	P	P	P	L			P	P	P			P	L	

(b) Reserved

(c) Standards for Permitted Uses with Limitations

- (1) In the *Urban Mixed Use (UMU)* zoning district, printing and copying stores shall be limited to a maximum building and/or lease space/unit gross floor area of 3,000 square feet.
  - ~~a. Shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~
  - ~~b. Shall be limited to a maximum building and/or lease space/unit gross floor area of 3,000 square feet.~~
- (2) In the *Indian River City Neighborhood-Commercial (IRCN-C)* zoning district, printing and copying stores shall be limited to a maximum building and/or lease space/unit gross floor area of 3,000 square feet.

**SECTION 24:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-164 “Professional Offices”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-164. – Professional Offices.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
		P	P	P	P											
GU	OR	DMU				UMU	SMU	P	RMU					UV	IRCN	
		D	U	M	C				100	200	300	400	500		C	R
		P	P	P	P	<del>P</del>		P	P	P			P	P		

(b) Definition

Professional Offices: A commercial activity involving the conduct of business in any of the following related categories: architecture, engineering, law, medicine, excluding pain management clinics and cash-only pharmacies, music, art, interior design, dentistry, accounting, insurance, real estate, finance and securities investment and any similar profession.

(c) Standards for Permitted Uses with Limitations

- (1) Master planned office developments on parcels five (5) acres or larger shall adhere to the standards for a Planned Office Park specified in Chapter 33, Article III.

~~(2) In the Urban Mixed Use (UMU) zoning district, professional offices shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

**SECTION 25:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-167 “Restaurants”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-167. – Restaurants.**

- (a) Districts where permitted

<i>RE</i>	<i>RR</i>	<i>R-1A</i>	<i>R-1B</i>	<i>R-1C</i>	<i>R-2</i>	<i>R-3</i>	<i>RMH-1</i>	<i>RMH-2</i>	<i>RHP</i>							
<i>HM</i>	<i>T</i>	<i>NC</i>	<i>CC</i>	<i>RC</i>	<i>OP</i>	<i>M-1</i>	<i>M-2</i>	<i>M-3</i>	<i>PID</i>							
	P	L	P	P		L	L		L							
<i>GU</i>	<i>OR</i>	<i>P</i>	<i>DMU</i>				<i>UMU</i>	<i>SMU</i>	<i>RMU</i>					<i>UV</i>	<i>IRCN</i>	
			<i>D</i>	<i>U</i>	<i>M</i>	<i>C</i>			<i>100</i>	<i>200</i>	<i>300</i>	<i>400</i>	<i>500</i>		<i>C</i>	<i>R</i>
			P	P	P	C	L	P		P	P	P		P	L	

- (b) Definition

Restaurants: An establishment where food and beverages are ordered, prepared and served for pay.

- (c) Standards for Permitted Uses with Limitations

- (1) In the *Neighborhood Commercial (NC)* zoning district, the sale of distilled spirits shall be prohibited within restaurants.
- (2) In the *Light Industrial Services and Warehousing (M-1)* and *Industrial (M-2)* zoning districts, Restaurants and Bars or Brewpubs is an accessory use with a craft brewery or craft distillery manufacturing use.
- (3) In the *Planned Industrial Development (PID)* zoning district, restaurants must cater to commerce and industry.
- (4) In the *Urban Mixed Use (UMU)* zoning district, Restaurants:
- ~~a. Shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~
  - ba. Shall only allow any outdoor seating to operate during the hours of 6:00 a.m. to 10:00 p.m. Outdoor areas of seating shall also meet the standards established in Chapter 28 – Zoning, Article VIII – Accessory Use Standards, Sec. 28-361 – Outdoor Areas of Seating.
  - ~~c. Shall require a conditional use permit if alcohol consumption is being requested in conjunction with the restaurant.~~
- (5) In the *Indian River City Neighborhood-Commercial (IRCNC)* zoning district, any outdoor seating may only operate during the hours of 6:00 a.m. to 11:00 p.m. and shall not be located within 50 feet of a residential property line.

**SECTION 26:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-170 “Screen Printing Shops”, of the Land Development Regulations of the City of Titusville is hereby amended to read as follows:

**Sec. 28-170. – Screen Printing Shops.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
		P	P	P		P	P	P	P							
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN	
			D	U	M	C			100	200	300	400	500		C	R
			P	P	P		L			P	P	P	P	P	L	

(b) Reserved

(c) Standards for Permitted Uses with Limitations

(1) In the *Urban Mixed Use (UMU)* zoning district, Screen Printing Shops:

~~a. Shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

~~ba.~~ Shall have buildings and/or lease space/unit gross floor area be less than 3,000 square feet.

(2) In the *Indian River City Neighborhood-Commercial (IRCN-C)* zoning district, Screen Printing Shops shall have buildings and/or lease space/unit gross floor area less than 3,000 square feet.

**SECTION 27:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-172 “Spa”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-172. – Spa.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP							
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID							
C		C	P	P	C				C							
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN	
			D	U	M	C			100	200	300	400	500		C	R
			P	P	P		<del>LP</del>	C				P		P	P	

(b) Reserved

(c) ~~Standards for Permitted Uses with Limitations~~ Reserved

~~(1) In the Urban Mixed Use (UMU) zoning district, spas shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

**SECTION 28:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-174 “Tailor Services”, of the Land Development Regulations of the City of Titusville is hereby amended to read as follows:

**Sec. 28-174. – Tailor Services.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP											
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID											
	P	P	P	P																
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN					
			D	U	M	C			100	200	300	400	500		C	R				

(b) Reserved

(c) ~~Standards Reserved~~

~~(1) In the Urban Mixed Use (UMU) zoning district, tailor services shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

**SECTION 29:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-177 “Travel Agencies”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-177. – Travel Agencies.**

(a) Districts where permitted

RE	RR	R-1A	R-1B	R-1C	R-2	R-3	RMH-1	RMH-2	RHP											
HM	T	NC	CC	RC	OP	M-1	M-2	M-3	PID											
	P	P	P	P	P				L											
GU	OR	P	DMU				UMU	SMU	RMU					UV	IRCN					
			D	U	M	C			100	200	300	400	500		C	R				
			P	P	P															

(b) Reserved

(c) Standards for Permitted Uses with Limitations

~~(1) In the Urban Mixed Use (UMU) zoning district, travel agencies shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

(21) In the Planned Industrial Development (PID) zoning district, travel agencies shall only be permitted as part of a master development plan that designates a “Commerce Component” and designates the associated area on the master plan.

**SECTION 30:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division III “Commercial”, Section 28-182 “Videogame Arcades”, of the Land Development Regulations of the City of Titusville is hereby amended to read as follows:

**Sec. 28-182. – Videogame Arcades.**

(a) Districts where permitted

<i>RE</i>	<i>RR</i>	<i>R-1A</i>	<i>R-1B</i>	<i>R-1C</i>	<i>R-2</i>	<i>R-3</i>	<i>RMH-1</i>	<i>RMH-2</i>	<i>RHP</i>							
<i>HM</i>	<i>T</i>	<i>NC</i>	<i>CC</i>	<i>RC</i>	<i>OP</i>	<i>M-1</i>	<i>M-2</i>	<i>M-3</i>	<i>PID</i>							
	P			C												
<i>GU</i>	<i>OR</i>	<i>P</i>	<i>DMU</i>				<i>UMU</i>	<i>SMU</i>	<i>RMU</i>					<i>UV</i>	<i>IRCN</i>	
			<i>D</i>	<i>U</i>	<i>M</i>	<i>C</i>			<i>100</i>	<i>200</i>	<i>300</i>	<i>400</i>	<i>500</i>		<i>C</i>	<i>R</i>
			P	P	P	P	<del>LP</del>				C	P		C	P	

(b) Definition

Videogame Arcades: Any electric or electronic machine (e.g. pinball, videogames) which provides amusement, enjoyment, or entertainment and which may be operated upon the insertion of a coin or token. This shall not include Arcade Amusement Centers or Electronic Gaming Establishments.

(c) ~~Standards for Permitted Uses with Limitations Reserved~~

~~(1) In the Urban Mixed Use (UMU) zoning district, videogame arcades shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

**SECTION 31:** That Chapter 28 “Zoning”, Article V “Use Standards”, Division V “Civic, Public, Institutional”, Section 28-243 “Government Facilities”, of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

**Sec. 28-243. – Government Facilities.**

(a) Districts where permitted

<i>RE</i>	<i>RR</i>	<i>R-1A</i>	<i>R-1B</i>	<i>R-1C</i>	<i>R-2</i>	<i>R-3</i>	<i>RMH-1</i>	<i>RMH-2</i>	<i>RHP</i>							
C	C	C	C	C	C	C	C	C								
<i>HM</i>	<i>T</i>	<i>NC</i>	<i>CC</i>	<i>RC</i>	<i>OP</i>	<i>M-1</i>	<i>M-2</i>	<i>M-3</i>	<i>PID</i>							
<i>GU</i>	<i>OR</i>	<i>P</i>	<i>DMU</i>				<i>UMU</i>	<i>SMU</i>	<i>RMU</i>					<i>UV</i>	<i>IRCN</i>	
			<i>D</i>	<i>U</i>	<i>M</i>	<i>C</i>			<i>100</i>	<i>200</i>	<i>300</i>	<i>400</i>	<i>500</i>		<i>C</i>	<i>R</i>
		P	P	P	P	P	<del>LP</del>		L	L	L	L		P	P	

(b) Reserved

~~(c) Standards for Permitted Uses with Limitations~~

~~(1) In the Urban Mixed Use (UMU) zoning district, government facilities shall be located on property that is adjoining to an intersection of Deleon Avenue or Park Avenue.~~

~~(c)~~ Standards for Conditional Uses – these uses require public hearings



- (1) In the *Residential Estate (RE)*, *Rural Residential (RR)*, *Single Family Low Density (R-1A)*, *Single Family Medium Density (R-1B)*, *Single Family High Density (R-1C)*, *Multifamily Medium Density Residential (R2)*, *Multifamily High Density Residential (R-3)*, *Residential Manufactured Housing (RMH-1)*, *Residential Manufactured Housing Park (RMH-2)*, and *Regional Mixed Use (RMU-100, RMU-200, RMU-300, RMU-400)* zoning districts, government facilities:
- Shall not allow storage yards or conditional uses as noted in the public use zoning district.
  - Shall provide a landscape buffer in accordance with Chapter 30, Article III, Division 10 on non-street property lines.
  - Shall have all structures set back a minimum fifty (50) feet from any abutting residential zoning district or residential use.

~~(2) In the *Urban Mixed Use (UMU)* zoning district, government facilities shall be located on property that is adjoining to an intersection of DeLeon Avenue or Park Avenue.~~

**SECTION 32:** That Chapter 28 “Zoning”, Article VI “Zoning District Standards”, Section 28-325 “Urban Mixed Use (UMU)”, of the Land Development Regulations of the City of Titusville is hereby amended to read as follows:

<b>Sec. 28-325 - Urban Mixed Use (UMU)</b>	
<i>(a) Purpose</i>	
<p>The Urban Mixed Use (UMU) <del>District</del> <del>district</del> is <del>created as a zoning district to protect the substantial</del> special <del>district</del> <del>public interest of to be applied</del> the area north of Pine Street, west of the Florida East Coast Railroad, and east of Park Avenue <del>intended to create a walkable, pedestrian-friendly environment allowing a mixing of both residential and commercial uses. Properties within this zoning district are</del> <del>It is intended that the residential development be protected as the prominent land use in the district, while allowing commercial development to provide the neighborhood with commercial goods and services</del> <del>to allow a mix of residential and commercial land uses, while ensuring adequate buffers/screening between property uses of differing intensities. #These regulations isare</del> intended to encourage <del>new</del> <del>infill residentialmixed-use</del> development that <del>capitalizes on the opportunities of the Coast-to-Coast trail and proximity to the City's downtown and provides flexibility in development standards in the Urban Mixed Use zoning district.</del> It is also intended to recognize the existing industrial businesses as permitted uses, while <del>requiring new industrial businesses to be located in industrial zoning districtsprohibiting the establishment of new industrial uses.</del> <del>It is further intended that the district be in accord with and promote the purposes set forth in the Comprehensive Plan.</del></p>	
<i>(b) Use Standards</i>	
See Chapter 28 – Article IV and Article V	
<i>(c) Intensity and Dimensional Standards</i>	
Lot area, minimum (sq ft)	Commercial: 4,000 Single-Family: 4,000 Multifamily (2 units): 1,500 per dwelling unit Multifamily (>2 units): 1,500 per dwelling unit
Lot width, minimum (ft)	Commercial: 40 Single-Family: 40 Multifamily (2 units): 20 Multifamily(>2 units): None
Density, maximum (du/ac)	Commercial: 0.2 FAR (Floor Area Ratio) Single-Family: 15 Multifamily (2 units): 15 Multifamily (>2 units): 15

Floor area per dwelling unit, minimum (sq ft)	Commercial: NA Single-family: 900 Multifamily (2 units): 600 + 100 per each additional bedroom Multifamily (>2 units): None
Building coverage, maximum (% of lot area)	None
Lot coverage, maximum (% of lot area)	None
Height, maximum (ft)	Commercial: 35 Single-Family: 35 Multifamily (2 units): 35 Multifamily (>2 units): 35
Front yard setback, minimum (ft)	Commercial: 5 <sup>1</sup> Single-Family: 10 Multifamily (2 units): 10 Multifamily (>2 units): 10
Side corner yard setback, minimum (ft)	Commercial: 15 <sup>1</sup> Single-Family: 15 Multifamily (2 units): 15 Multifamily (>2 units): 15
Interior side yard setback, minimum (ft)	Commercial: 5 <sup>1</sup> Single-Family: 5 Multifamily (2 units): 5 Multifamily (>2 units): 5
Rear yard setback, minimum (ft)	Commercial: 20 <sup>1</sup> Single-Family: 20 Multifamily (2 units): 20 Multifamily (>2 units): 20
Accessory Use Development Standards	See Chapter 28 – Article VII
NOTES: <sup>1</sup> <u>Where the required building setbacks established in this section are less than that required by Chapter 30 – Development Standards, Article III – Improvements, Division 10 – Landscaping, the required landscape yard may be reduced to be consistent with the building setback regulations in this section.</u>	

**SECTION 33:** That Chapter 30 “Development Standards”, Article III “Improvements”, Division 9 “Parking/Loading/Storage”, is amended by adding a section to be numbered Section 30-283 “On-street Parking Credit”, of the Code of Ordinances of the City of Titusville which said section reads as follows:

**Sec. 30-283. — Reserved On-street Parking Credit.**

(a) The following zoning districts may utilize on-street parking allowance parking strategy located in Section 9.21.3.8 of the Transportation Infrastructure technical manual:

- (1) Downtown Mixed Use (DMU)
- (2) Urban Mixed Use (UMU)

**SECTION 347:** SEVERABILITY. If any provisions of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 358:** REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances, and all resolutions and parts of resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 369:** EFFECTIVE DATE. This Ordinance shall be become in full force and effect upon adoption by the City Council in accordance with the Charter of the City of Titusville, Florida.

**SECTION 3740:** INCORPORATION INTO CODE. This ordinance shall be incorporated into the City of Titusville Code of Ordinances and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this ordinance and the Code may be made.

**PASSED AND ADOPTED** this day \_\_\_\_\_ of, \_\_\_\_\_, 2017.

\_\_\_\_\_  
Walt Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Wanda F. Wells, City Clerk