

TOWN OF BRANFORD, FLORIDA
LAND DEVELOPMENT CODE

Adopted June 9, 2015

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**ARTICLE I
GENERAL PROVISIONS, ADMINISTRATION, ENFORCEMENT,
HARDSHIP RELIEF AND CONCURRENCY MANAGEMENT**

1.00.00 TITLE

This code shall be entitled the "The Town of Branford Land Development Code" and may be referred to herein as the "Code".

1.01.00 AUTHORITY

This Land Development Code is enacted by the Town Council of the Town of Branford, Florida pursuant to the requirements and authority of s. 163.3202, Florida Statutes, and the general powers in Chapter 166, Florida Statutes.

1.02.00 APPLICABILITY

1.02.01 General Applicability

Except as provided specifically below, the provisions of this Code shall apply to all development in the Town, and no development shall be undertaken without prior authorization pursuant to this Code.

1.02.02 Exceptions

- A. The provisions of this Code and any amendments thereto shall not affect the validity of any lawfully issued and effective development permit if:
 - 1. The development activity authorized by the permit has been commenced prior to the effective date of this Code or any amendment thereto, or is commenced after the effective date of this Code but within six (6) months of the date of issuance of the building permit and;
 - 2. The development activity continues without interruption (except because of war or natural disaster) until the development is complete. If the development permit expires, any further development on that site shall occur only in conformance with the requirements of this Code or amendment thereto.

- B. Projects with development orders that have not expired at the time this Code or an amendment thereto is adopted, and on which development activity has commenced or does commence and proceeds according to the time limits in the regulations under which the development was originally approved, must meet only the requirements of the regulation in effect when the development plan was approved. If the development plan expires or is otherwise invalidated, any further redevelopment on that site shall occur only in conformance with the requirements of this Code or amendment thereto.

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- C. Nothing in this Section shall be construed to authorize development that is inconsistent with the Town of Branford Comprehensive Plan. At the date of adoption of the Branford Comprehensive Plan, all development and re-development must be consistent with the adopted provisions of the Plan.

1.03.00 INTENT

1.03.01 General Intent

With regard to this Code in general, its provisions shall be construed and implemented to achieve the following intentions and purposes of the Town Council:

- A. To establish the regulations, procedures and standards for review and approval of all proposed development in the Town
- B. To foster and preserve public health, safety, comfort and welfare, and to aid in the harmonious, orderly, aesthetically pleasing and socially beneficial development of the Town in accordance with the Comprehensive Plan.
- C. To adopt a development review process that is:
 - 1. Efficient in terms of time and expense;
 - 2. Effective in terms of addressing the natural resource and public facility implications of proposed development;
 - 3. Equitable in terms of consistency with established regulations and procedures, respect for the rights of property owners, and consideration of the interests of the citizens of the Town.
- D. To implement the Town Comprehensive Plan as required by Chapter 163, Part II, Florida Statutes.
- E. To provide specific procedures to ensure that development orders and permits are conditioned on the availability of public facilities and services that meet level of service requirements (concurrency management).

1.04.00 RULES OF INTERPRETATION

1.04.01 Generally

In the interpretation and application of this Code all provisions shall be liberally construed in favor of the objectives and purposes of the Town and deemed neither to limit nor repeal any other powers granted under state statutes.

1.04.02 Responsibility for Interpretation

In the event that any question arises concerning the application of regulations, performance standards, definitions, development criteria, or any other provision of this code, the Office of the Town Clerk shall be responsible for interpretation and the Town Clerk shall look to the Town Comprehensive Plan for guidance. Responsibility for interpretation by the Office of the Town Clerk shall be limited to standards, regulations and requirements of this Code, but shall not be construed as overriding the responsibilities given to any commission, council, board, or official named in other sections or articles of this code.

1.04.03. Computation of Time

The time within which an act is to be done shall be computed by excluding the first and including the last day; if the last day is a Saturday, Sunday or legal holiday, that day shall be excluded

1.04.04. Delegation of Authority

Whenever a provision appears requiring a particular office, a head of a department or some other Town officer or employee to do some act or perform some duty, it is to be construed to authorize delegation to professional-level subordinates to perform the required act or duty unless the terms of the provision or section specify otherwise.

1.04.05. Gender

Words in the singular shall include the plural and words in the plural shall include the singular.

1.04.06. Shall, May

The word "shall" is mandatory; "may" is permissive.

1.04.07. Written or in Writing

The term "written" or "in writing" shall be construed to include any representation of words, letters or figures, whether by printing or otherwise.

1.04.08. Year

The word "year" shall mean a calendar year, unless otherwise indicated.

1.04.09. Day

The word "day" shall mean a working day, unless a calendar day is indicated.

1.04.10. Boundaries

Interpretations regarding boundaries of land use districts shall be made in accordance with the following:

- A. Boundaries shall be shown as following or approximately following any street shall be construed as following the centerline of the street.
- B. Boundaries shown as following or approximately following section lines, half-section lines, or quarter-section lines shall be construed as following such lines.
- C. Boundaries shown as following or approximately following natural features shall be construed as following such features.
- D. Boundaries shown as following or approximately following property lines shall be construed as following such property lines.

1.05.00 ABROGATION

This Land Development Code is not intended to repeal, abrogate or interfere with any existing easements, covenants, or deed restrictions duly recorded in the public records of the Town.

1.06.00 SEVERABILITY

If any section, subsection, paragraph, clause or phrase of this Code is for any reason held by any court of competent jurisdiction to be unconstitutional or otherwise invalid, the validity of the remaining portions of this Code shall continue in full force and effect.

1.07.00 EFFECTIVE DATE

These regulations shall be effective on the date of adoption and filing.

1.08.00 ADMINISTRATIVE PROVISIONS

1.08.01 Purpose

This section sets forth the application and review procedures required for obtaining development orders, and certain types of permits. This section also specifies the procedures for appealing decisions and seeking legislative action.

1.08.02 Withdrawal of Applications

An application for development review may be withdrawn at any time so long as no notice has been given that the application will be reviewed at a public hearing.

1.08.03 Definitions

Abut

To physically touch or border upon; or to share a common property line.

Adversely Affected Person

Any person who is suffering or will suffer an adverse effect to an interest protected or furthered by the local government comprehensive plan, including but not limited to: interests related to health and safety; police and fire protection services; densities or intensities of development; transportation facilities; recreational facilities; educational facilities; health care facilities, equipment, or services; and environmental or natural resources.

The alleged adverse effect may be shared in common with other members of the community at large, but must exceed in degree the general interest in community good shared by all persons.

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Concurrency Certificate

A certificate finding that a specified development will not result in the degradation of the levels of service adopted for sanitary sewer, solid waste, drainage, potable water, traffic and recreation facilities.

Concurrency Review

Evaluation procedures, to be carried out by the Office of the Town Clerk, determining whether a project degrades or maintains adopted level of service standards for sanitary sewer, solid waste, drainage, potable water, traffic, or recreation facilities.

Developer

Any person who engages in or proposes to engage in a development activity either as the owner or as the agent of an owner of property.

Development or Development Activity

Any of the following activities:

- A. Construction, clearing, filling, excavating, grading, paving, dredging, mining, drilling or otherwise significantly disturbing the soil of a site.
- B. Building, installing, enlarging, replacing or substantially restoring a structure, impervious surface, or water management system, and including the long-term storage of materials.
- C. Subdividing land into two or more parcels.
- D. A tree removal for which authorization is required under this Code.
- E. Erection of a permanent sign unless expressly exempted by Article IX of this Code.
- F. Alteration of an historic property for which authorization is required under this Code.
- G. Changing the use of a site so that the need for parking is increased.
- H. Construction, elimination or alteration of a driveway onto a public street.

Development Order

An order granting, denying, or granting with conditions an application for approval of a development project or activity. A distinction is made between development order, which encompasses all orders and permits, and three distinct types of development orders: preliminary development order, final development order, and development permit. See subparagraphs below.

Preliminary Development Order

Any preliminary approval which does not authorize actual construction, mining, or alterations to land and/or structures. A preliminary development order may authorize a change in the allowable use of land or a building, and may include conceptual and conditional approvals where a series of sequential approvals are required before action authorizes commencement of construction or land alteration. For purposes of this Code preliminary development orders include Future Land Use Map amendments, Comprehensive Plan amendments which affect land use or development standards, preliminary development plan approval, and master plan approval.

Final Development Order

The final authorization of a development project; the authorization which must be granted prior to issuance of a development permit as defined for purposes of this Code. (The final development order authorizes the project, whereas the development permit authorizes specific components of the project, such as building construction, parking lot installation, landscaping, and the like.) For purposes of this Code the final development plan approval is the final development order.

Development Permit

For purposes of this Code a development permit is that official document which authorizes the commencement of construction or land alteration without need for further application and approval. Development permits include: all types of construction permits (plumbing, electrical, foundation, mechanical, and so forth, in addition to the building permit itself), grading and clearing permits, septic tank permits, tree removal permits, sign permits, etc.

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.

Gross Density or Density

The total number of dwelling units divided by the total site area, less public right-of-way.

Gross Floor Area

The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two (2) buildings, but not including interior parking spaces, loading space for motor vehicles, or any space where the floor-to-ceiling height is less than six (6) feet.

Impervious Surface

A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes, but is not limited to, semi-impervious surfaces such as compacted clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots and other similar structures.

Improvements

Any man-made, immovable item which becomes part of, is placed upon, or is affixed to real estate.

Owner

A person who, or entity which, alone, jointly or severally with others, or in a representative capacity (including without limitation, an authorized agent, attorney, executor, personal representative or trustee) has legal or equitable title to any property in question, or a tenant, if the tenancy is chargeable under his lease for the maintenance of the property.

Vehicle Use Area

An area used for circulation, parking, and/or display of motorized vehicles, except junk or automobile salvage yards.

1.09.00 AUTHORIZATION BY DEVELOPMENT PERMIT PRIOR TO UNDERTAKING ANY DEVELOPMENT ACTIVITY

1.09.01 Generally

No development activity may be undertaken unless the activity is authorized by a development permit. Except as provided in Section 1.09.03 below, any development activity within the Town may commence only when a development order and certificate of concurrency has been issued by the Town.

1.09.02 Prerequisites to Issuance of Development Permit

Except as provided in Section 1.10.03 below, a development permit may not be issued unless the proposed development activity:

- A. Is authorized by a Final Development Order issued pursuant to this Code; and
- B. Conforms to any construction standards adopted by the Town.

1.09.03 Exceptions to Requirement of a Final Development Order

A development permit may be issued for the following development activities in the absence of a final development order issued pursuant to this Code. Unless otherwise specifically provided, the development activity shall conform to this Code and any construction standards adopted by the Town. A development order shall not be required for the following:

- A. Development activity necessary to implement a valid site plan/development plan on which the start of construction took place prior to the adoption of this Code and has continued in good faith. Compliance with the development standards in this Code is not required if in conflict with the previously approved plan.
- B. The construction or alteration of a one or two family dwelling on a lot in a valid recorded subdivision approved prior to the adoption of this Code. Compliance with the development standards in this Code is not required if in conflict with the previously approved plat.
- C. The alteration of an existing building or structure so long as no change is made to its gross floor area, its use, or the amount of impervious surface on the site.
- D. The erection of a sign on a previously developed site and independent of any other development activity on the site.
- E. The re-surfacing of a vehicle use area that conforms to all requirements of this Code.

1.09.04 Post-Permit Changes

After a permit has been issued, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of the permit without first obtaining a modification of the permit. A modification may be applied for in the same manner as the original permit. A written record of the modification shall be entered upon the original permit and maintained in the files of the Office of the Town Clerk.

1.10.00 PROCEDURE FOR REVIEW OF DEVELOPMENT PLANS

1.10.01 Pre-Application Conference

Prior to filing for development plan review, the developer shall meet with the Office of the Town Clerk to discuss the development review process and to be informed of which staff members to confer with about the application. The developer shall be notified of all applicable rules and forms. Copies of the land development regulations shall be available to the developer or any other interested party. No person may rely upon any comment concerning a proposed development plan, or any expression of any nature about the proposal made by any participant at the pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form. At this conference, the requirements for a submittal shall be determined. No changes shall be made to these requirements once they have been determined.

1.10.02 Review of Preliminary and Final Development Plans

A. Development Plan Review Authority

1. The Town Clerk shall review and approve all development plans for new development and re-development of Principal Uses and Accessory Uses. During the review and approval process the Clerk may consult with the Town Planner and/or any other professional consultants as needed. The Town Clerk may refer any development plans to the Town Council for review and approval based upon the size, scale, location or potential impact on surrounding properties or impacts on the overall character, health, safety or welfare of the community as a whole.
2. The Town Council shall review and approve all development plans for new development and re-development of Restricted Uses and Conditional and Special Exceptions Uses and any other plans referred by the Town Clerk.

B. Approval of Final Development Plans

1. If the Development Plan involves a Principal or Accessory Use, within fifteen (15) working days the Office of the Town Clerk shall determine whether the Final Development Plan should be approved or denied based on whether the plan conforms to the provisions of the Branford Comprehensive Plan and this Code.

The Office of the Town Clerk shall:

- a. Issue a Final Development Order and forward a copy to the Building Department authorizing the issuance of building permits consistent with this Order; or
 - b. Refuse to issue a Final Development Order based on the failure of the Development to comply with the conditions of the Plan or this Code.
 - c. Refer the Development Plan to the Town Council.
2. If the Development Plan involves a Restricted Use or Conditional or Special Exceptions Uses, within thirty (30) working days the Office of the Town Clerk shall refer the Development Plan to the Town Council.

1.10.03 Required Contents of Development Orders

- A. A Final Development Order shall contain the following:
 - 1. A determination that, where one was required, a valid Preliminary Development Order exists for the requested development.
 - 2. A Final Development Plan with findings and conclusions approved and certified by the Town Clerk or the Town Council.
 - 3. A determination that all conditions of the Preliminary Development Order have been met.
 - 4. If modifications must be made to the development plan before a Final Development Order may be issued, a listing of those modifications and the time limit for submitting a modified plan.
 - 5. A specific time period during which the development order is valid and during which time development shall commence. A Final Development Order shall remain valid only if development commences and continues in good faith according to the terms and conditions of approval.

1.10.04 Optional Contents of Development Orders

- B. A Final Development Order may contain:
 - 1. A schedule of construction phasing consistent with availability of capacity of one or more services and facilities.
 - 2. A schedule of services or facilities to be provided or contracted for construction by the applicant prior to the issuance of any certificate of occupancy or within specified time periods.
 - 3. Any alternate service impact mitigation measures to which the applicant has committed in a recordable written instrument.
 - 4. Such other conditions as may be required to ensure compliance with the concurrency requirement.

1.10.05 Expiration Date

A development order is good for a period of six months unless a longer construction period is established in the order.

1.10.06 Submittal Requirements for Developments

- A. Applications for development review shall be available from the Office of the Town Clerk. A completed application shall be signed by all owners, or their agent, of the property subject to the proposal. Signatures by other parties will be accepted only with notarized proof of authorization by the owners. In a case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's office in the corporation, and embossed with the corporate seal. This development review process is to determine compliance with the standards of this code.
- B. All Preliminary and Final Development Plans submitted pursuant to this Code shall conform to the following standards:
 - 1. All plans shall be drawn to a scale of one (1) inch equals two hundred (200) feet or larger, unless the Town Clerk determines that a different scale is sufficient or necessary for proper review of the proposal.
 - 2. Sheet size shall be twenty-four (24) inches by thirty-six (36) inches.

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3. If multiple sheets are used, the sheet number and total number of sheets must be clearly indicated on each.
 4. The plan set shall include:
 - a. A location map showing the position of the proposed development.
 - b. The name, address and telephone number of the owner(s) of the property. Where a corporation or company is the owner of the property, the name and address of the president and secretary of the entity shall be shown.
 - d. Name, business address, and telephone number of those individuals responsible for the preparation of the drawing(s).
 - e. Each sheet shall contain a graphic scale, a north arrow, and date.
 - f. The plan shall show the boundaries of the property with a metes and bounds description.
 - g. The area of the property shown in square feet and acres.
 5. Three (3) copies of the submittal shall be required.
 6. Unless a format is specifically called for below, the information required may be presented textually, graphically, or on a map, plan, aerial photograph, or by other means, whichever most clearly conveys the required information. It is the responsibility of the developer to submit the information in a form that allows ready determination of whether the requirements of this Code have been met.
- C. All development plans submitted pursuant to this Code shall conform to the following standards:
1. Existing Conditions
 - a. The location of existing property or right-of-way lines both for private and public property, streets, railroads, buildings, transmission lines, sewers, bridges, culverts, drain pipes, water mains, fire hydrants, and any public or private easements.
 - b. The location of potable water wells onsite or within 200 feet of the development site.
 - c. Contour lines at two (2) foot intervals, if needed.
 - d. All water courses, water bodies, the 100 year floodplain, wetlands.
 - e. Existing land use/zoning district of the parcel.
 2. Proposed Development Activities and Design
 - a. The area and percentage of the total site area to be covered by impervious surface.
 - b. For residential developments, the approximate location and density of the proposed development; for non-residential developments, the approximate location and intensity of all proposed development.
 - c. A general parking and circulation plan.
 - d. Points of ingress to and egress from the site with regard to existing or planned public or private road rights-of-way, pedestrian ways, or bicycle paths, and proposed access points to existing or planned public transportation facilities.
 - e. A map depicting development activities and all Conservation Areas within the development site.
 - f. Existing and proposed stormwater management systems on the site and proposed linkage, if any, with existing or planned public water management systems.
 - g. Proposed location and sizing of potable water and waste water facilities to serve the proposed development, including required improvements or extensions of existing off-site facilities.
 - h. Proposed open space areas on the development site and types of activities proposed to be permitted on them.

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- i. Architectural renderings of all buildings sufficient to convey the basic architectural intent of the proposed improvements.
 - j. Renderings depicting location, size, type and height of signs.
 - k. Minimum elevations of buildings within any 100 year floodplain.
 - l. Building setback distances from property lines, abutting right-of-way center lines, and all adjacent buildings and structures.
3. Proposed Development Activities and Design
- a. Generally
 - (1) Area and percentage of total site area to be covered by any impervious surface.
 - (2) Grading plans specifically including perimeter grading.
 - b. Buildings And Other Structures
 - (1) Building plan showing the location, dimensions, gross floor area, and proposed use of buildings.
 - (2) Accessory structures, detached garages, pools, patios.
 - (3) Building setback distances from property lines, abutting right-of-way center lines, and all adjacent buildings and structures.
 - (4) Minimum floor elevations of buildings within any 100-year floodplain.
 - (5) The location, dimensions, type, composition, and intended use of all other structures.
 - c. Potable Water and Wastewater Systems
 - (1) Proposed location and sizing of potable water and waste water facilities to serve the proposed development, including required improvements or extensions of existing off-site facilities.
 - (2) The boundaries of proposed utility easements.
 - (3) Location of the nearest available public water supply and wastewater disposal system and the proposed tie-in points, or an explanation of alternative systems to be used.
 - (4) Exact locations of onsite and nearby existing and proposed fire hydrants.
 - d. Streets, Parking and Loading
 - (1) The layout of all streets and driveways with paving and drainage plans and profiles showing existing and proposed elevations and grades of all public and private paved areas.
 - (2) A parking and loading plan showing the total number and dimensions of proposed parking spaces, spaces reserved for handicapped parking, loading areas, proposed ingress and egress (including proposed public street modifications), and projected on site traffic flow.
 - (3) The location of all exterior lighting.
 - (4) The location and specifications of any proposed garbage dumpsters.
 - (5) Cross sections and specifications of all proposed pavement.
 - (6) Typical and special roadway and drainage sections and summary of quantities.
 - e. Stormwater Management
 - (1) An erosion and sedimentation control plan that describes the type and location of control measures, the stage of development at which they will be put into place or used, and maintenance provisions.

- (2) A description of the proposed stormwater management system, including:
 - (a) Channel, direction, flow rate, and volume of stormwater that will be conveyed from the site, with a comparison to natural or existing conditions.
 - (b) Detention and retention areas, including plans for the discharge of contained waters, maintenance plans, and predictions of surface water quality changes.
 - (c) Areas of the site to be used or reserved for percolation including an assessment of the impact on groundwater quality.
 - (d) Location of all water bodies to be included in the surface water management system (natural and artificial) with details of hydrography, side slopes, depths, and water-surface elevations or hydrographs.
 - (e) Linkages with existing or planned stormwater management systems.
 - (f) On- and off-site right-of-ways and easements for the system including locations and a statement of the nature of the reservation of all areas to be reserved as part of the Stormwater Management System.
 - (g) The entity or agency responsible for the operation and maintenance of the Stormwater Management System.
- (3) The location of off-site water resource facilities such as works, surface water management systems, wells, or well fields, that will be incorporated into or used by the proposed project, showing the names and addresses of the owners of the facilities.
- (4) Runoff calculations shall be in accord with the stormwater management manual.
- Environmentally Sensitive Lands
 - (1) The exact sites and specifications for all proposed drainage, filling, grading, dredging, and vegetation removal activities including estimated quantities of excavation or fill materials computed from cross sections, proposed within a Conservation Area.
 - (2) Detailed statement or other materials showing the following:
 - (a) The percentage of the land surface of the site that is covered with natural vegetation and the percentage of natural vegetation that will be removed by development.
 - (b) The distances between development activities and the boundaries of the Conservation Area.
- f. Signs
 - (1) A blueprint or ink drawing of the plans and specifications of regulated signs, and method of their construction and attachment to the building or ground, except those plans for standard signs that have been placed on file with the building official by a licensed sign contractor for standard signs. The plans shall show all pertinent structural details, wind pressure requirements, and display materials in accordance with the requirements of this Code and the building and electrical codes adopted by the Town/county. The plans shall clearly illustrate the type of sign or sign structure as defined in this Code; the design of the sign, including dimensions, colors and materials; the aggregate sign area; the dollar value of the sign; maximum and minimum heights of the sign; and sources of illumination.

- g. Land Use and Dedications
 - (1) Location of all land to be dedicated or reserved for all public and private uses including rights-of-way, easements, special reservations, and the like.
 - (2) Amount of area devoted to all existing and proposed land uses, including schools, open space, churches, residential and commercial, as well as the location thereof.
 - (3) The total number and type of residential units categorized according to number of bedrooms. The total number of residential units per acre (gross density) shall be given.
 - (4) Location of proposed development in relation to any established urban service areas.

1.11.00 PROCEDURE FOR OBTAINING DEVELOPMENT PERMITS

1.11.01 Issuance by Town Clerk

Approval of Final Development Plans

- 1. If the Development Plan involves a Principal or Accessory Use, within fifteen (15) working days the Office of the Town Clerk shall determine whether the Final Development Plan should be approved or denied based on whether the plan conforms to the provisions of the Branford Comprehensive Plan and this Code.

The Office of the Town Clerk shall:

- a. Issue a Final Development Order and forward a copy to the Building Department authorizing the issuance of building permits consistent with this Order; or
- b. Refuse to issue a Final Development Order based on the failure of the Development to comply with the conditions of the Plan or this Code.
- c. Refer the Development Plan to the Town Council.

1.11.02 Issuance by Town Council

- 1. If the Development Plan involves a Restricted Use or Conditional or Special Exceptions Uses, within thirty (30) working days the Office of the Town Clerk shall refer the Development Plan to the Town Council.

1.12.00 CONCURRENCY DETERMINATIONS

This section illustrates the requirements and procedures for implementing concurrency as defined by the Concurrency Management System of the Town of Branford Comprehensive Plan, and the methods for measuring the impact of new development on the levels of service adopted in the Town of Branford Comprehensive Plan. Activities of concern include the provision of potable water, the management of solid waste disposal systems and sewage treatment facilities, stormwater management, highly used roadways, and the provision of safe, acceptable recreation areas.

1.12.01 Certificate of Concurrency

- A. A certificate of concurrency shall be issued as part of Development Plan approval, upon completion of a concurrency evaluation.

- B. A concurrency determination shall be made by the Town Clerk.
- C. A certificate of concurrency for an approved development order shall remain valid so long as the development order remains valid.

1.13.00 PROCEDURE FOR APPEALING DECISIONS

1.13.01 Appeals of Decisions of the Office of the Town Clerk

A developer or any adversely affected person may appeal a final decision of the Office of the Town Clerk on an application for a development permit or development order. Appeals are made to the Town Commission by filing a notice of appeal with the Town Commission within thirty (30) working days of the decision.

1.13.02 Notice of Appeal to the Town Council

The notice of appeal shall contain:

- A. A statement of the decision to be reviewed, and the date of the decision.
- B. A statement of the interest of the person seeking review.
- C. The specific error alleged as the grounds of the appeal.

1.13.03 Appeals by the Town Council

Within forty-five (45) days the Town Council shall hear the appeal and shall render a decision within thirty (30) days of that hearing.

1.13.04 Custody of Documents and Records

The Office of the Town Clerk shall be the custodian of all documents including the application, the Town Council's decision, and the record of the proceedings.

1.14.00 JUDICIAL REVIEW

1.14.01 Review of Legislative Decisions

A final legislative action of the Town Commission may be reviewed in a court of proper jurisdiction as prescribed by law.

1.15.00 ENFORCEMENT OF DEVELOPMENT PERMITS AND ORDERS

1.15.01 Definitions

1.15.02 On-Going Inspections

- A. The Office of the Town Clerk shall implement a procedure for periodic inspection of development work in progress to insure compliance with the Development Permit which authorized the activity.
- B. If the work is found to have one or more Deviations, the Office of the Town Clerk shall:
 - 1. Place the matter on the next agenda of the Town Council, allowing for adequate notice, and recommend appropriate action for the Town Council to take.
 - 2. Issue a stop work order and/or refuse to allow occupancy of all or part of the development if deemed necessary to protect the public interest. The order shall remain in effect until the Office of the Town Clerk determines that work or occupancy may proceed pursuant to the decision of the Town Council.
 - 3. Refer the matter to the Code Inspector, if it appears that the Developer has committed violations within the jurisdiction of the Office of Code Enforcement.
- C. The Town Council shall hold a public hearing on the matter and shall take one of the following actions:
 - 1. Order the developer to bring the development into substantial compliance (i.e. having no or only Minor Deviations) within a reasonable period of time. The Development Order or Permit may be revoked if this order is not complied with.
 - 2. Amend the Development Order or Permit to accommodate adjustments to the development made necessary by technical or engineering considerations first discovered during actual development and not reasonably anticipated during the initial approval process. Amendments shall be the minimum necessary to overcome the difficulty, and shall be consistent with the intent and purpose of the development approval given and the requirements of this Code.
 - 3. Revoke the relevant Development Order or Permit based on a determination that the development cannot be brought into substantial compliance and that the Development Order or Permit should not be amended to accommodate the deviations.

1.15.03 Action of Developer after Revocation of Development Order

After a Development Order or Permit has been revoked, development activity shall not proceed on the site until a new Development Order or Permit is granted in accordance with procedures for original approval.

1.15.04 Application for Certificate of Occupancy

Upon completion of work authorized by a Development Permit or Development Order, and before the development is occupied, the developer shall apply to the Office of the Town Clerk for a Certificate of Occupancy. The Office of the Town Clerk shall inspect the work and issue the Certificate if found to be in conformity with the Permit or Order.

1.16.00 HARDSHIP RELIEF

1.16.01 Purpose

The purpose of this section is to provide mechanisms for obtaining relief from the provisions of this Code where hardship would otherwise occur. Three forms of hardship are addressed: hardships due to nonconforming development, design standards, and resource protection standards.

1.16.02 Existing Nonconforming Development

Definition: nonconforming development is development that does not conform to the requirements of this Code.

1.16.03 Continuation of Nonconforming Development

Subject to the provisions below for terminating nonconforming development, such development may, if otherwise lawful and in existence on the date of enactment of this Code, remain in use in its nonconforming state.

1.16.04 Termination of Nonconforming Development

A. Generally

Nonconforming development must be brought into full compliance with the use regulations in this Code and the development design and improvement standards in of this Code, in conjunction with the following activities:

1. The gross floor area of the development is expanded by more than 10 percent, or more than four thousand square feet, whichever is less. Repeated expansions of a development, constructed over any period of time commencing with the effective date of this Code, shall be combined in determining whether this threshold has been reached.
2. Reconstruction of the principal structure after the structure has been substantially destroyed by fire or other calamity. A structure is "substantially destroyed" if the cost of reconstruction is fifty percent or more of the fair market value of the structure before the calamity. If there are multiple principal structures on a site, the cost of reconstruction shall be compared to the combined fair market value of all the structures.

1.16.05 Variances

A. Generally

The Office of the Town Clerk may grant a variance from the strict application of any provision of this Code, except for provisions relating to Land Use and Concurrency. Any person desiring to undertake a development activity not in conformance with this Code may apply for a variance in conjunction with the application for development review. A development activity that might otherwise be approved by the Office of the Town Clerk must be approved by the Town Council if a variance is sought. The variance shall be denied or granted in conjunction with the application for development review.

1.16.06 Limitations on Granting Variances

A. Initial Determination

Town of Branford Land Development Code

The Office of the Town Clerk shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape, topographical conditions, or unique physical or environmental conditions that are unique to the specific property involved. If so, the Office of the Town Clerk shall make the following required findings based on the granting of the variance for that site alone. If the condition is common to numerous sites so that requests for variances are likely to be received, the Office of the Town Clerk shall make the required findings based on the cumulative effect of granting the variance to all who may apply. In granting a development approval involving a variance, the Office of the Town Clerk may impose such conditions and restrictions as may be necessary to allow a positive finding to be made on any of the following factors, or to minimize the injurious effect of the variance.

Required Findings:

The Office of the Town Clerk shall not vary the requirements of any provision of this Code unless he makes a positive finding on each of the following:

1. There are practical or economic difficulties in carrying out the strict letter of the regulation.
2. The variance request is not based exclusively upon a desire to reduce the cost of developing the site.
3. The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazards to the public.
4. The proposed variance will not substantially diminish property value in, nor alter the essential character of, the area surrounding the site.
5. The effect of the proposed variance is in harmony with the general intent of this code and the specific intent of the relevant subject area(s) of the Code.

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1.16.07 Restricted Uses

The Town Council shall hear and decide only those restricted uses which are specifically authorized for approval under the terms of Article II (Land Use Provisions). The Town Council shall decide such questions as are pertinent and necessary when determining whether restricted uses shall be granted, determining appropriate conditions and safeguards or denying restricted uses when not in harmony with the purpose and intent of these Land Development Regulations.

A. Procedure

Upon receipt of an application for a restricted use, the Office of the Town Clerk shall examine such application and make a recommendation thereon together with all supporting documentation, and shall transmit a copy of the application, together with supporting and explanatory information, to the Town Council.

B. Decisions

Prior to rendering a decision on an application for a restricted use, the Town Council shall hold a public hearing on the application for approval of a restricted use. The Town Council shall fix a reasonable time of day for the hearing and give public notice thereof as well as due notice to the parties involved. At the hearing any party may appear in person or by agent or attorney.

C. Conditions

In granting any restricted use, the Town Council, in addition to the standards provided in Article II, shall find that such grant will not adversely affect the public interest. In addition, the Town Council may:

Town of Branford Land Development Code

1. Require appropriate conditions and safeguards in conformity with these Land Development Regulations. Violations of such conditions and safeguards, when made a part of the terms under which the restricted use is granted, shall be deemed a violation of these Land Development Regulations.
2. Prescribe a reasonable time limit within which the action for which the restricted use is required shall be begun or completed or both.

ARTICLE II
LAND USE: TYPE, DENSITY AND INTENSITY

2.00.00 GENERALLY

- 2.00.01 Definitions
- 2.00.02 Establishment of Land Use Districts
- 2.00.03 Zoning Districts
- 2.00.04 Applications of Regulations (Except as hereinafter provided):
- 2.00.05 Rules for Determining Boundaries
- 2.00.06 Yard and Access Requirements
- 2.00.07 Non-Conformance
- 2.00.08 Screening, Lighting and Space

2.01.00 USE AND OTHER REQUIREMENTS BY DISTRICT

- 2.01.01 A-Agricultural District
- 2.01.02 R-1-L Residential Low Density District
- 2.01.03 R-1-M Residential Medium Density District
- 2.01.04 R-2 Residential Multi-Family District
- 2.01.05 MHP – Mobile Home Park Residential District
- 2.01.06 C-1, General Commercial District
- 2.01.07 CBD, Central Business District
- 2.01.08 I-1 Industrial District
- 2.01.09 CON, Conservation District
- 2.01.10 P Public District
- 2.01.11 REC Recreation District
- 2.01.12 REL-I Religious Institutional District
- 2.01.13 Travel Trailer Parks
- 2.01.14 Accessory and Temporary Buildings; Home Occupations
- 2.01.15 Automobile Service Stations
- 2.01.16 Restricted Uses
- 2.01.17 Conditional or Special Exception Uses

**ARTICLE II
LAND USE: TYPE, DENSITY AND INTENSITY**

**ARTICLE II
LAND USE: TYPE, DENSITY AND INTENSITY**

2.00.00 GENERALLY

A regulation of the Town of Branford, Florida establishing land use Zoning Districts and regulating the uses of land therein: specifying off-street parking and loading requirements; adopting general land use regulations; adopting a map for the purpose of indicating Zoning Districts; describing land use rules and regulations; establishing certain building and zoning regulations in each of the said districts: regulating land uses and accessory uses; prescribing the percentage of land area which may be occupied under varying circumstances; providing for variances and nonconforming uses; providing a method of administration, and practices and procedures for enforcement; and for other purposes.

2.00.01 Definitions

Accessory building or use: A subordinate building, or portion of the main building, the use of which is incidental to that of the principal building or majority portion of the same building.

Arterial Street

A street designed or utilized primarily for high speed vehicular movements and heavy volumes of traffic.

Arts and Crafts Establishments

The sales, teaching practice, production and repair of articles, in the arts and crafts field, providing that such establishments shall be limited to those requiring special artistic skills or manual skills of a handicraft nature, and shall not include those for mass manufacture of identical articles or those which, because of operational characteristics would be inappropriate to the character of an arts and crafts area.

Automotive Repair

The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, and steam cleaning of vehicles.

Automobile Service Station

An establishment used for the retail sale of motor fuel and oil and where grease, batteries, tires and automobile accessories are sold at retail, and where minor mechanical repairs may be accomplished, but excluding body repairs and major mechanical repairs.

Automotive, Mobile Home, Trailer, and Farm Implement Sales

The sale or rental of new and used motor vehicles, mobile homes, trailers or farm implements, but not including repair work except incidental warranty repair of same to be displayed and sold on the premises.

Automotive Wrecking

The dismantling or wrecking of used motor vehicles, mobile homes, trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

Bar or Cocktail Lounge

Any establishment devoted primarily to the retailing and on-premises drinking of alcoholic beverages.

Basement

A story all or partly underground but having at least one-half of its height below the average level of the adjoining ground.

Block

A piece or parcel of land entirely surrounded by public highway or streets, other than alleys, water courses, railway rights-of-way, physical barriers or a combination thereof.

Block Face

That portion of a block with continuous frontage along a single street.

Boarding House, Rooming House, Lodging House, or Dormitory

A building or part thereof, other than a hotel, motel, or restaurant, where meals and/or lodging are provided for compensation, for four or more unrelated persons where no cooking or dining facilities are provided in individual rooms.

Buffer or Buffer Strip

Shall mean the same as "Visual Screen".

Buildable Area

The portion of a lot remaining after required yards have been provided.

Building

Any structure either temporary or permanent, having a roof, and used or built for the shelter or enclosure of persons, animals, or property of any kind. This definition shall include among others, tents, mobile homes, billboards, utility substations or similar facilities.

Building Accessory

A subordinate building, the use of which is incidental to that of the dominant use of the main building or land.

Building, Alterations of

Any change in the supporting members of a building (such as bearing walls, beams, columns, and girders) except such change as may be required for its safety; and addition to a building; any change in use resulting from moving a building from one location to another.

Building Height

The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip and gambrel roofs.

Building Line

The extreme overall dimensions of a building as staked on the ground, including all area covered by any vertical projection to the ground, including all area covered by any vertical projection to the ground or overhang of walls, roof or any other part of a structure, whichever is nearest to the property line, will be considered as the building line provided, however, that a roof overhang not exceeding two (2) feet shall not be in the determination of a building line.

Building, Principal

A building in which is conducted the main or principal use of the lot on which said building is situated.

Building Setback Line

A line parallel to the property line at the distance prescribed by this zoning Ordinance under minimum building setbacks. See also "Setback".

Bulk

A term used to describe the size and shape of a building or structure and its relationship to other buildings, to the lot area for a building and to open spaces and yards.

Bulkhead

A structure separating land and water areas, primarily designed to resist earth pressures.

Carport

An accessory structure or portion of a principal structure, consisting of a roof and supporting members such as columns or beams, unenclosed from the ground to the roof on at least two sides, and designed or used for the storage of motor driven vehicles.

Cemetery

Land used or intended to be used for the burial of the animal or human dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.

Change of Occupancy

The term "change of occupancy" shall mean a discontinuance of an existing use and the substitution therefor of a use of a different kind or class. Change of occupancy is not intended to include a change of tenants or proprietors unless accompanied by a change in the type of use.

Child Care Center or Facility

An enterprise, licensed by the State of Florida, involving the care of three (3) or more children at one and the same time, either by day or night, which children are not foster children or related by blood or marriage to the operator. The term includes day nurseries, kindergartens, nursery schools and similar terms used to identify places where such enterprise is carried on.

Church

A building used for periodic congregation of persons to express religious beliefs; including temples, synagogues and similar structures.

Town

Shall mean the Town of Branford, Florida.

Clinic

A place used for the care, diagnosis and treatment of sick, ailing, infirm, or injured persons, and those who are in need of medical and surgical attention, but who are not provided with board or room or kept overnight on the premises.

Town of Branford Land Development Regulations

Club

A building or portion thereof or premises owned or operated for a social, literary, political, educational, or recreational purpose primarily for the exclusive use of members and their guests.

Club, Private

An association or organization of a fraternal or social character, not operated or maintained for profit; does not include casinos, night clubs, or other institutions operated for a profit.

College

An institution of higher learning established and operated as either not for profit or for profit as a commercial enterprise, and recognized by the State of Florida as an institution offering post high school curriculum.

Commercial Vehicle

Any vehicle designed, intended or used for transportation of people, goods, or things, other than private passenger vehicles and trailers for private nonprofit transport of goods and boats.

Completely Enclosed Building

A building separated on all sides from adjacent open space, or from other buildings or other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance or exit doors.

Comprehensive Plan

The Land Use Element, Housing Element, Public Facilities Element, and other planning elements adopted by the governing body for the general guidance of community development.

Conditional Use or Special Exception

A use that would not be appropriate generally or without restriction throughout a land use division or district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare.

Convalescent Home

A building, or portion thereof, licensed by the State of Florida, where living accommodations and nursing or personal care are provided for 3 or more persons suffering from illness, other than criminal, mental or contagious illnesses, which is not of sufficient severity to require hospitalization, or for persons requiring further institutional care after being discharged from a hospital other than a criminal mental hospital; includes Extended Care Facilities, independent living facilities, assisted care facilities, disabled care facilities and continuing care congregate facilities, independent living facilities, assisted care facilities, scheduled care facilities, and continuing care congregate facilities.

Convenience Goods

Nondurable, consumer retail items, generally small, which are normally used or consumed on a continuing basis and which must be frequently replenished. The term includes such items as drugs, food supplies, bakery products, meats, hardware items, books and curios and flowers.

Cluster Siting

The non-standard siting of residential or commercial structures at higher than normal densities. Structures are grouped without regard to standard setback and lot sizes so as to afford greater open space areas. Used in this regulation as compensating mechanism for those sections of a parcel, up to twenty-five percent, that may be rendered undevelopable by regulation. This use requires review and approval by the Town Clerk and Council.

Density

A unit of measurement; the number of dwelling units per acre of land.

Town of Branford Land Development Regulations

Density, Gross

The calculated number of dwelling units per acre of the total land to be developed.

Density, Net

The calculated number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses. This excludes streets, highways, parking lots and physical area of land designated by the Ordinance.

Development Plan

A scaled, accurate representation of the manner in which land is intended to be used and other materials affecting use of such property, prepared in accordance with the requirements and standards of this Zoning Ordinance, submitted by the applicant.

Development Standards

Minimum regulations imposed by this Zoning Ordinance which must be met in order to obtain a certificate of occupancy or a building permit for use of land or structure or both.

District

An area within which zoning regulations are generally uniform and apply to a stated character of land use.

Dwelling or Dwelling Unit

Any building, portion thereof, or other enclosed space or area used as or intended for use as the home of one family, with separate cooking and housekeeping facilities, either permanently or temporarily.

Dwelling, Single Family

A detached building designed for and occupied by one family as a home, with cooking and housekeeping facilities. This shall not include, travel trailers, motor homes, house boats, tents or similar housing types.

Dwelling, Two Family

A detached building occupied by or designed for occupancy by two families only, with separate cooking and housekeeping facilities for each. This shall not include mobile homes or similar housing types.

Dwelling, Multiple Family

A building designed for or occupied by three or more families, with separate cooking and housekeeping facilities for each. This shall not include mobile homes or similar housing types.

Easement

A grant by a property owner of the use of land for a specific purpose or purposes by the general public, or a corporation or a certain person or persons.

Erected

The word "erected" includes built, constructed, reconstructed, moved upon or any physical operations on the premises required for building. Excavations, fill drainage, and the like shall be considered a part of erection.

Expansion, Building or Use

The addition of enclosed or unenclosed rooms or storage spaces, porches, or parking areas, to an existing building or use on a parcel of land.

Family

Town of Branford Land Development Regulations

One or more persons occupying a single dwelling unit and using common cooking facilities, provided that unless all members are related by blood, adoption or marriage no such family shall permanently contain over three unrelated persons.

Fixed Dwelling

A dwelling unit (or structure containing several units) attached to a permanent foundation.

Floor Area

The sum of the gross horizontal areas of the several floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings, excluding attic areas with a headroom of less than seven (7) feet, unenclosed stairs or fire escapes, elevator structures, cooling towers, areas devoted to air conditioning, ventilating or heating or other building machinery and equipment, parking structures, and basement space where the ceiling is not more than an average of forty-eight (48) inches above the general finished and graded level of the adjacent portion of the lot.

Floor Area Ratio (Far)

The gross floor area of the building or buildings on any lot divided by the area of the lot. Parking garages, covered patios, walkways and similar areas are calculated at 50% of their area.

Food Processing

The preparation, storage, or processing of food products on a large scale. Examples of these activities include wholesale bakeries, dairies, canneries, and other similar activities or businesses.

Fowl

Any guineas, peafowls, pheasant, pigeons, or poultry.

Frontage, Building

The outside wall surface of a building or of an enclosed porch on a building that is nearest to the front lot line, or, in the case of a wall surface not parallel to the front lot line, the average of the longest and shortest distance of the wall from the front lot line.

Frontage, Building, Street

All the property on the side of a street between two intersecting streets (crossing or terminating), or if the street is dead ended, then all the property abutting on one side between an intersecting street and the dead end of the street.

Garage, Commercial

A building or portion thereof used for equipping, servicing, repairing, rental, selling and/or storing self-propelled motor vehicles. Motor fuels, gasoline, oil, grease, batteries, tires and motor vehicle accessories may be supplies and dispensed at retail.

Garage, Private

A building or part thereof designed and/or used for inside parking of self-propelled private passenger vehicles by the occupants of the house or other principal structure on the premises or by the occupants of or employees of a particular firm.

Garage, Public

A building or part thereof designed or used for indoor or partially indoor (covered) parking of self-propelled private passenger vehicles, operated as a commercial enterprise, accessory to a commercial enterprise, or as a governmental service and providing only incidental services for such vehicles as are parked therein.

Golf Course

Town of Branford Land Development Regulations

Public or private course of at least ten (10) acres designated for golf play.

Green House

A building limited to six hundred (600) square feet of floor area designed or used for growing or propagating plants with walls or roof usually designed to transmit light. Greenhouses shall not be construed to include commercial horticultural activities.

Guest House or Cottage

A dwelling unit in a building separate from and in addition to the main residential building on a lot, intended for intermittent or temporary occupancy by a nonpaying guest, provided, however, that such quarters shall have no cooking facilities and not rented or otherwise used as a permanent long-term separate dwelling.

Habitable Rooms

All living spaces within a dwelling unit (house, apartment, townhouse, mobile home) arranged in such fashion as to be commonly described as kitchen, dining room, living room, dinette, partitioned area that is designed, to be used, or that may be used, in the opinion of the governing body, as a room for the carrying on of general family activities. Excluded from the category of habitable rooms are bathrooms, powder rooms and laundry rooms used exclusively for storing and/or installation of laundry equipment.

Home Association

An incorporated, non-profit organization operating under recorded land agreements through which, (a) each lot and/or Home Owner in a planned or otherwise described land area is automatically a member and (b) each lot is automatically subject to a charge for a proportionate share of the expenses for the Organization's activities, such as maintaining a common property, and (c) the charge if unpaid becomes a lien against the property.

Home Occupation

An occupation conducted in a dwelling unit, provided that: no more than one person, other than members of the family residing on the premises, shall be engaged in such occupation; the use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupant, and not more than twenty-five percent (25%) of the floor area of the dwelling unit shall be used in the conduct of the home occupation.

Hospital

A building or group of buildings having facilities for overnight care of one or more human patients, providing services to in-patients and medical care to the sick and injured, and which may include as related facilities laboratories, out-patient services, training facilities, central service facilities, and staff facilities; provided, however, that any related facility shall be incidental and subordinate to principal hospital use and operation.

Hotel

A transient commercial lodging establishment consisting of one or more buildings used only for this purpose, including accessory uses such as eating and drinking facilities, recreation facilities and parking. This category includes motels and motor hotels. Lodgings may consist of sleeping rooms only or may include cooking facilities also, but are not intended for long term occupancy.

Junk Vehicle

Any vehicle, self-propelled or towed, licensed or not licensed, which is unused, unmoved, unmaintained, or incapable of self movement, or otherwise abandoned for a period of ninety (90) days.

Institution

Building and/or land designed to aid individuals in need of mental, therapeutic, rehabilitative counseling, or other correctional services.

Junk Yard

Place, structure or lot where junk, waste, discarded, salvaged, or similar materials such as old metals, wood, trees or auto parts, lumber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, etc. are bought, sold, exchanged, baled, packed, disassembled, or hauled, including auto wrecking yards, used lumber yards, house-wrecking yards, and yards or places for storage or handling of salvaged house wrecking and structural steel materials. This definition shall not include pawn shops and establishments for the sale, purchase, or storage of usable second hand cars, salvaged machinery, used furniture, radios, stoves, refrigerators or similar household goods and appliances. Nor shall it apply to the processing of used, discarded, or salvaged materials as part of manufacturing operations.

Kennel, or Veterinary Hospital or Clinic

An establishment where more than three (3) dogs, cats or other small domestic animals over six (6) months old are bred, boarded, cared for and sold for profit or public service.

Lot

A parcel of land occupied or intended to be occupied by one or more principal buildings and its accessory buildings, with such open and parking spaces as are required by the provisions of this regulation, and having its frontage upon a street.

Lot Area

The total horizontal area within the lot lines of the lot.

Lot Corner

A lot abutting upon two or more streets at their intersection or upon two parts of a street which form an interior angle of less than one hundred thirty-five (135) degrees. The point of intersection of the street lines is the corner.

Lot Coverage

The area of the lot occupied by the ground floor of all buildings, principal and accessory, measured from the exterior faces of exterior walls, or from exterior faces of supporting exterior columns for any portion of the ground floor not enclosed by exterior walls, or from the centerline of walls separating two buildings.

Lot, Interior

A lot other than a corner lot.

Lot Depth

The mean (average) horizontal distance between the front and rear lot lines, measured at right angles to the street lines.

Lot, Key

A lot having its side lot lines coincident on one or both sides with the rear lot lines of adjacent lots.

Lot, Mobile Home

A space within a mobile home park for the placement of a single mobile home and for the exclusive use of its occupants.

Lot, Through (Double Frontage)

An interior lot having frontages on two parallel or approximately parallel streets.

Lot Width

The mean (average) horizontal distance between the side lot lines, measured at right angles to the lot depth, with the minimum to comply with this code to be measured at the front setback lines.

Lot Line, Front

Town of Branford Land Development Regulations

The lot line separating the lot from the right-of-way of the principal street on which the lot abuts.

Lot Line, Rear

The lot line opposite to and most distant from the front lot line.

Lot Line, Side

Any lot line other than a front or rear lot line. A side lot line of a corner lot, separating a lot from a street, is called a side street lot line. A side lot line separating a lot from another lot is called an interior lot line.

Lot of Record

A lot which is a part of a recorded plat or a lot described by metes and bounds, the map and/or description of which has been recorded according to Florida Law.

Maintenance and Storage Facilities

Land, buildings, and structures devoted primarily to the maintenance and storage of construction equipment and material.

Manufacturing, Heavy

Manufacturing, processing, assembling, storing, testing, and similar industrial uses which are generally major operations and extensive in character; require large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution, and water pollution, but not beyond the district boundary.

Manufacturing, Light

Manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, odor, or dust; operating and storing within enclosed structures; and generating little industrial traffic and no nuisance.

Manufacturing, Extractive

Any mining, quarrying, excavating processing, storing, separating, cleaning, or marketing of any mineral natural resource.

Medical Service or Use (Doctors Offices)

Medical service or use shall be construed as a service or use provided by persons professionally engaged in the care, treatment and diagnosis of human illness and health conditions, including medical doctors, dentists, osteopaths, psychiatrists, surgeons, chiropractors and similar professions.

Mobile Home

A detached dwelling unit intended for occupancy by a single family suitable for year-round occupancy which is equipped with wheels or has provisions for attachment with wheels, and arrives at the site complete and ready for occupancy, on a single residential lot, or in a mobile home park, except for minor and incidental unpacking, assembly and connections.

Mobile Home Park

A parcel of land five acres or more designed, constructed, equipped, operated, managed and maintained for the purpose of providing spaces for rent or lease of mobile homes, or for sale within a managed condominium arrangement.

Mobile Home Space

A plot of ground within a mobile home park designated for the accommodation of one mobile home.

Net Residential Acreage

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Land used or proposed to be used for the placement of dwelling units and their accessory uses, private open spaces, parking areas, etc. Does not include streets or public recreation or open spaces.

Night Club

A restaurant, dining room, bar, or other similar establishment providing food or refreshments wherein floor shows or other forms of entertainment by persons are provided for fee paying customers or guests.

Non-Conforming Uses

Any land use activity, structure of lot of land, that does not conform to the land use regulations in the Code.

Nursing Home

A home for aged, chronically ill, or incurable persons, in which three or more persons not of the immediate family are received, kept, or provided with food and shelter or care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

Nursery, Plant Materials

Land, buildings, structures, or combination thereof for the storage, cultivation, transplanting of live trees, shrubs, or plants offered for retail sale on the premises including products used for gardening or landscaping.

Nursery School

A place for the day care and instructions of children not remaining over night; includes day-care centers.

Open Space

An area open to the sky which may be on the same lot with a building. The area may include, along with natural environment features, non-enclosed swimming pools, tennis courts or any other open recreational facilities. Streets, structures for habitation, and the like shall not be included.

Personal Services

Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repair, barber shops, beauty parlors, and similar activities.

Plat

A map, plan or layout of a county, town, section or subdivision indicating the location and boundaries of properties.

Porch

A roofed-over space attached to the outside of an exterior wall of a building which has no enclosure other than the exterior walls of such building. Open mesh screening shall not be considered enclosure.

Poultry

Any chickens, turkeys, ducks, or geese.

Poultry Market

A commercial establishment or place where live poultry or fowls are kept and prepared for sale, including killing and cleaning.

Professional Service or Use

Professional service or use shall be construed as a service or use provided by persons generally engaged in rendering executive, sales or administrative services or activities, including accountants, town planners, architects, engineers and land surveyors, lawyers, insurance offices, real estate offices, stock brokers, and administrative agencies considered professional in character, except medical services. The term does not include repairs or sales of tangible personal

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property stored or located within the structure nor any use or service that would be incompatible by reason of noise, odor, vibration, etc., to another professional service or use, nor does the term include personal services.

Resource Development Activity

A use, structure or activity located and carried on to exploit a particular natural resource, such as excavation for gravel and fill, mining, or other extracting industry or activity.

Restaurant

An establishment where food is ordered, prepared, and served for pay.

Restaurant, Conventional

A restaurant with a seating capacity of thirty persons or more wherein the number of counter stools does not exceed twenty percent of the total number of seats, including table or booth seats, and food is served primarily for consumption on the premises in a completely enclosed room, under roof of the main structure.

Restaurant, Drive-In

A restaurant wherein special facilities are available or special provision is made to make available service or goods to be consumed by patrons in automobiles, or by patrons who may serve themselves and consume the goods in other than a completely enclosed structure or an interior court on the premises. The term includes any restaurant offering special "curb service" or "drive-in service".

Restaurant, Short Order, or Delicatessen

A restaurant with a seating capacity of less than fifty persons; or a restaurant with a seating capacity of fifty persons or more wherein the number of counter stools exceeds twenty percent of the total number of seats, including table or booth seats, and food is served primarily for consumption on the premises in a completely enclosed room, under roof of the main structure or in an interior court.

Restricted Use

A use that may be allowed under special provision of a use/zoning district but only with the scrutiny and approval of the Town Clerk and Council. Standards include whether the use is in keeping with the character of the immediate neighborhood and whether any special provisions need be made by the applicant for the use to be allowed.

Revetment

A facing of stone, concrete, etc., built to protect a scarp, embankment, or shore structure against erosion by wave action or current.

Right-of-Way

A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting and drainage facilities and may include special features (required by the topography) such as grade separation, landscaped areas, viaducts, and bridges.

Roadside Stand

A temporary structure designed or used for the display or sale of agricultural and related products.

Rooming House

An establishment under resident supervision, where sleeping accommodations for four or more persons is available for rental by periods of one week or longer, as distinguished from transient lodgings open for transient guests by the day.

Setback

The minimum horizontal distance from a lot line to a building line, as required by this regulation.

Story

That portion of a building, other than a basement or mezzanine, included between the surface of any floor and the floor next above it; or, if there is no floor next above it, then the space between such floor and ceiling next above it.

Story, Half

A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three feet above the top floor level, and in which space not more than two-thirds of the floor area is finished for use. A half-story containing independent living quarters shall be construed as a full story.

Structure

Anything constructed or erected, the use of which requires a location on the ground, or attached to something having a location on the ground.

Structural Alteration

Any change, except for repair or replacement, in supporting members of a building structure, such as bearing walls, columns, beams or girders.

Tourist Home

A building, or part thereof, other than a motel or hotel, where sleeping accommodations are provided for transient guests, with or without meals, and which also serves as the residence of the operator.

Trailer

A non self-propelled vehicle designed to be pulled by a motor vehicle along ordinary highways.

Trailer, Dependent

A trailer having sleeping and usually kitchen facilities only which is dependent upon a service building for toilet and lavatory facilities.

Trailer, Self-Contained

A trailer which can operate for short periods of time independent of connections to sewer, water, and electrical systems. It contains a water-flushed toilet, lavatory, shower and kitchen sink, all of which are connected to water storage and sewage holding tanks located within the trailer.

Trailer, Motor Home

A motor home is a portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.

Travel Trailer Park

A development for the accommodation of tourists or vacationers on a short-term basis, providing rental spaces for each individual trailer, camper, motor home, etc., and recreation and service facilities for the use of the tenants.

Transient Lodging

A building or a group of buildings in which sleeping accommodations are offered to the public and intended primarily for rental to transients with daily charge, and which use is regulated by the State of Florida.

Unit

A room or rooms connected together constituting separate, independent living quarters for a person or family, permanently or temporarily, continuously or transiently, containing sleeping quarters with or without bathing or cooking facilities.

Use

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The specific purpose for which land, water or a building is designed, arranged, intended, or for which it is or may be occupied or maintained.

Visual Screen

A structure or device, maintained in sound and attractive condition at all times, put in place for the purpose of concealing from view those areas so screened.

Visual Screen Vegetative or Landscaped

A landscaped area not less than ten feet in width, consisting of at least one row of decorative or ornamental trees, shrubs and other landscaping devices suited to the climate and soils of Branford, Florida, designed and placed in a manner rendering such visual screen at least eighty percent opaque from the ground to not less than four feet in height within a period of five years after such screen is provided.

Wholesale Establishment

Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments, or manufacturing establishments. These commodities are basically for further resale, for use in the fabrication of a product, or for use by a business service.

Yard

A space on the same lot with a main building, such space being open, unoccupied and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings are expressly permitted.

Yard, Front

An open, unoccupied space on the same lot with the main building, extending the full width of the lot and situated between the right-of-way line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the right-of-way line. Covered porches, whether enclosed or unenclosed, shall not project into a required front yard. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

Yard, Rear

An open space on the same lot with the main building, such space being unoccupied except possibly by an accessory building and extending the full width of the lot and situated between the rear line of the lot and the rear line of the main building projected to the side lines of the lot. On all corner lots the rear yard shall be at the opposite end of the lot from the front yard.

Yard, Side

An open, unoccupied space on the same lot with a main building, situated between the side line of the building and the adjacent side line of the lot extending from the rear line of the front yard to the front line of the rear yard. If no front yard is required, the rear boundary of the side yard shall be the rear line of the lot. On corner lots, the side yard shall be considered as parallel to the streets upon which the lot has its greatest dimensions.

2.00.02 Establishment of Land Use Districts

A. Purpose

The Town of Branford, Florida is hereby divided into zoning districts as listed and described below and as shown on the Official Zoning District Map, for the following purposes:

1. Providing a residential environment free of incompatible uses, safe from natural and man-made hazards; bring about a development pattern which reduces potential harm to an individual's life and property.
2. Promoting, where possible, planned residential, commercial and industrial areas in appropriate locations, with appropriate standards and minimum service cost to local government. Concentrate future growth into compact centers for purposes of achieving greater governmental economy and efficiency. Build upon the established development center of Branford.
3. Providing a level of flexibility of control sufficient to promote innovation and creativity in community development, to encourage maximum commercial and industrial profitability and maximum living comfort and convenience at lowest cost. Promote economic growth and diversify through increased industrial jobs, tourism, and commercial development.
4. Protect important environmental resources, such as scenic area, wildlife, and clean air and water in an effort to maintain desirable living conditions and promote tourism, development and a viable economy. Preserve the valuable economic resources found in fertile agricultural soils and extensive forestlands.

2.00.03 Zoning Districts

- AG Agricultural District
- R-1-L Residential Low Density District
- R-1-M Residential Medium Density District
- R-2 Residential Multi-family District
- MHP Mobile Home Park Residential District
- C-1 Commercial District
- CBD Central Business District
- I-1 Industrial District
- CON Conservation District
- P Public District
- REC Recreation District
- REL-I Religious Institutional

2.00.04 Applications of Regulations (Except as hereinafter provided):

- A. Use
No building or land shall hereafter be used or occupied and no building or part thereof shall be erected, constructed, moved, or altered except in conformity with the regulations herein specified for the district in which it is or is to be located.
- B. Building Heights
No building shall hereafter be erected, constructed or altered so as to exceed the height limit specified in the regulations herein for the district in which it is located.
- C. Lots
No lot, even though it may consist of one or more adjacent lots of record, shall be reduced in size so that lot width or depth, front, side or rear yard, inner or outer courts, lot area per family or other requirements of this Code are not maintained, except that a lot may be so reduced when acquired for a public purpose. Such acquisition shall allow a reduction in the affected dimension only and all other requirements shall continue in effect. Cluster siting shall be the only exception to the above provisions.

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D. Yards

No part of a yard or other open space required for any building for the purpose of complying with the provisions of this Code shall be included as part of a yard or other open space similarly required for another building. Every part of a required yard or court shall be open from its lowest point to the sky unobstructed, except for the ordinary projection of sills, cornices, buttresses, ornamental features, chimneys, flues, and eaves, provided such projections shall not extend more than two (2) feet beyond the yard area requirements. Cluster siting shall be the only exceptions to the above.

2.00.05 Rules for Determining Boundaries

A. General

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

1. Unless otherwise indicated, the district boundaries are indicated as approximately following property lines, land lot lines, center lines of streets, highways, alleys or railroads, shorelines of streams, reservoirs, or other bodies of water, or civil boundaries, and they shall be constructed to follow such lines.
2. Where district boundaries are approximately parallel to the center lines of streets, highways, or railroads, streams, reservoirs, or other bodies of water, or said lines extended, such district boundaries shall be construed as being parallel thereto and at such distance thereto and at such distance therefrom as indicated on the Official Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Official Zoning Map.
3. Where a district boundary line as appearing on the Official Zoning Map divides a lot which is in single ownership at the time of this enactment, the use classification of a larger portion may be extended to the remainder by the Town Council without recourse to amendment procedure.
4. Where a public road, street or alley is officially vacated or abandoned, the regulations applicable to the property to which it is reverted shall apply to such vacated or abandoned road, street or alley.
5. In case the exact location of a boundary cannot be determined by the foregoing methods, the Council shall upon application, determine the location of the boundary.

2.00.06 Yard and Access Requirements

A. Yard Requirements

Yard requirements shall be modified subject to the following conditions:

1. On double frontage lots, the required front yard shall be provided on each street.
2. Whenever a rear property line of a lot abuts upon an alley one-half (1/2) of the alley width shall be considered as a portion of the required rear yard.
3. An unroofed porch shall project into a required front yard for a distance not exceeding ten (10) feet.
4. The front and side yard requirements may be waived where dwellings occupy space above commercial uses.
5. These requirements may be waived for cluster siting.

B. Access to Public Streets

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Access to public street shall be maintained in accordance with the following requirements:

1. Each principal use shall be placed on a lot or parcel which provides frontage on a public street having a right-of-way of not less than thirty (30) feet.
2. Any additional dwelling shall have access to a public street by means of a passageway open to the sky at least 15 feet in width.

2.00.07 Non-Conformance

A. Non-Conforming Building and Uses

It is the intent of this Regulation to recognize that the elimination of existing buildings and structures or uses that are not in conformance with the provisions of this Regulation is as much a subject of health, safety and general welfare as is the prevention of the establishment of new uses that would violate the provisions of this Regulation. It is also the intent of this Regulation to administer the elimination of non-conforming uses, buildings, and structures so as to avoid any unreasonable invasion of established private property rights. Therefore, any structure or use of land existing at the time of the enactment of this Regulation and amendments thereto, but not in conformity with its use regulations and provisions, may be continued subject to the following provisions:

1. **Unsafe Structures**
Any structure or portion thereof declared unsafe by an authority may be restored to a safe condition, provided the requirements in this section are met.
2. **Alterations**
Any change in non-conforming building, use, or building site or yard area is subject to the following:
 - a. No non-conforming building can be structurally altered, except repairs on or installation of plumbing fixtures required by law; the changing of interior partitions; and interior remodeling.
 - b. No non-conforming building or lands, except those residential dwellings needing repairs on or installation of plumbing fixtures as required by law, can be substantially added to, moved, or extended in any manner unless such building or land is changed so as to conform with the provisions of this Regulation.
 - c. Whenever an existing residential dwelling must make repairs on or installation of plumbing fixtures which will force the location of the future addition of the dwelling nearer the lot line than the requirements set forth in this Regulation, the addition to the dwelling shall be allowed to extend to the existing building line but no nearer the property line than any existing portion of the dwelling.
 - d. Should a non-conforming building be moved, all nonconforming yard areas shall be eliminated.
3. **Extension**
A non-conforming use of land shall be restricted to the lot occupied by such use as of the effective date of this Regulation. A non-conforming use of a building or buildings shall not be extended to include either additional buildings or land after the effective date of this Regulation.
4. **Restoration of Damaged Buildings**
A non-conforming building, structure, or improvement which is hereafter damaged or destroyed to an extent exceeding fifty (50) percent of the reasonable estimated replacement cost of the structure, building or improvement may not be reconstructed or restored to the same non-conforming character except upon approval of the Town Council.
5. **Change in Use**

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A non-conforming use which is changed to a conforming use shall not be permitted to revert to the original or a less restrictive use.

6. Discontinuance

A non-conforming use which became such after the adoption of this Regulation and which has been discontinued for a continuous period of six (6) months, shall not be re-established and any future use shall be in conformity with the provisions of this Regulation.

7. Adjacent Land

The presence of a non-conforming use in a zoning district shall not in and of itself be allowable as legal grounds for the granting of variances for other surrounding properties by the Council.

8. Lots of Record

Where the owner of a lot of record or his successor to the title thereto does not own sufficient land to enable him to conform to the dimensional requirements of this Regulation, the following exceptions may be allowed:

a. Land Use

Where a lot, tract or parcel of land has an area or width that does not conform to the requirements of the district in which it is located, said lot may be used for a single-family dwelling.

b. Replatting

When two or more adjoining and vacant lots with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the use district in which they are located, such lots shall be platted or re-parcelled so as to create one or more lots which conform to the minimum frontage and are requirements of the use district.

c. Improvements

Buildings or structures located on substandard lots of record may be improved provided that the yard requirements in this Regulation are adhered to.

d. Rear and Side Yard Requirements

The rear and side yard requirements for sub-standard lots of record may be reduced provided in no event shall such rear or side yard be reduced to less than five feet.

2.00.08 Screening, Lighting and Space

- A. In any Commercial or Industrial District, any operation not conducted within a building, such as drive-in businesses, outdoor recreation, outdoor storage of material, and outdoor servicing activities, shall be enclosed by a wall or fence of solid opaque appearance or tight opaque evergreen hedge not less than six (6) feet in height where necessary to conceal such areas or facilities from a residential district adjoining or facing across a street in the rear or on the side of the principal building or use. Such hedges or screening shall be maintained.
- B. In any district where reference is made requiring adequate screening of a specified operation, such screening shall be a wall or fence of solid opaque appearance or tight opaque evergreen hedge not less than six (6) feet in height.
- C. Outdoor lighting of all types shall be directed so as to project away from all residential dwellings, and shall be so situated as not to project directly into any public right-of-way.

2.01.00 USE AND OTHER REQUIREMENTS BY DISTRICT

The requirements of each District are hereby established unless required or modified by other sections of this Code.

2.01.01 AG-Agricultural District

This district is intended to apply to non-urban areas where normal agricultural activities, accessory operations and certain other non-intensive activities compatible with agricultural uses are permitted; or to provide for the reasonable use of the area while preventing the blighting or improper effects of conditions which may otherwise impair the proper future use of the property.

A. Principal Uses

1. Agricultural Activities: General farming; forestry; horticulture; plant nurseries; field crops; orchards; livestock and poultry production, except that restricted uses may be required to meet additional standards.
2. Cemeteries.
3. Clubs: Country clubs; golf; sports; athletic fields; parks, recreation areas, provided no structures are located within 100 feet of any property line.
4. Churches and Schools.
5. Dwellings: Single family dwellings; mobile homes on individual parcels of land.
6. Farm and Garden Supply Stores.
7. Farmers Markets.
8. Public Utilities; Substations; Power Lines: Lift Stations.

B. Accessory Uses

1. Retail sales of agricultural products produced on premises.
2. Country clubs recreation facilities provided no structures are located within 100 feet of any property line.
3. Accessory buildings and uses, and home swimming pools, when located on the same lot or parcel as the principal structure or use and customarily incidental thereto, provided the requirements in all pertinent Sections of this Code are met.

C. Restricted Uses

1. Airports and landing fields planned and operated in accordance with Federal regulations and controls, and provided that there shall be no buildings, runways or flight paths within 1,000 feet (at ground up to 500 feet altitude) of any other district with human occupants.
2. Livestock; poultry production; crop spraying or dusting; or any related agricultural activity which produces objectionable odors, dust, chemical spray or other related nuisances shall not be allowed within 200 feet from a residence, residential district, or commercial medical district.
3. All animals (except those generally recognized as pets) shall be kept within structures, pens or corrals as appropriate to the species and protection of the community.

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- 4. Temporary uses including tents, carnivals, fruit stands and similar uses not exceeding two months in any calendar year provided that sanitary services are arranged for and no public nuisance of odor, dust, or chemicals shall occur within 200 feet of a residential district.
- 5. Public utilities buildings and enclosures when screened from residential or public view.

A; AGRICULTURAL DISTRICT

Minimum Lot or Site Size			Minimum Building Setbacks				Maximum Building Limits		
Area	Width	Depth sf	Front ft	Side-In. ft	Side-Cor. ft	Rear ft ft		Bldg.Ht. ft	Site Density
5 acres	175	150	75	50	75	50	25	3 stories	1units/5 ac.

2.01.02 R-1-L Residential Low Density District

This district is intended to apply to suburban and urban areas where low density residential and related activities are permitted. The regulations of this district are intended to encourage, protect and preserve the single family residential character of low density development and compatible uses within the areas.

A. Principal Uses

1. Single family dwellings, multiple family dwellings, mobile homes,
2. Parks, playgrounds.
3. Public buildings, grounds and utilities

B. Accessory Uses

Accessory buildings and uses including private garages, swimming pools, and others clearly incidental to one or more principal uses permitted and not causing objectionable or nuisance effects of dust, odor, chemical contamination, smoke, noise, unsightly conditions of storage or use of hobbies, trade or other activities, when located in rear yard and not less than five (5) feet from the property line.

C. Restricted Uses

1. Churches.
2. Schools; colleges; universities, except business or trade enterprises.
3. Country clubs; golf courses; recreational facilities for the residents of the R-1 District. This excludes such land intensive commercial uses as miniature or carpet golf and driving ranges.
4. Gardening; green houses and similar agricultural uses.
5. Home occupations or Restricted in home businesses.
6. Cemeteries.
7. Kindergartens; day-care centers.
8. Public utility substation facilities for local distribution and control provided effective screening is maintained.
9. Libraries.

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R-1; RESIDENTIAL LOW DENSITY DISTRICT

SINGLE FAMILY

Area sf	Minimum Lot or Site Size		Minimum Building Setbacks				Maximum Building Limits		
	Width ft	Depth ft	Front ft	Side-In. ft	Side-Cor. ft	Rear ft	Site Cov. %	Bldg.Ht. ft	Density units/ac.
8,000	80	100	25	8	15	20	32	30	4 units/ac.

2.01.03 R-1-M Residential Medium Density District

This district is intended to apply to suburban and urban areas where low density residential and related activities are permitted. The regulations of this district are intended to encourage, protect and preserve the single family residential character of low density development and compatible uses within the areas.

A. Principal Uses

1. Single family dwellings, multiple family dwellings, mobile homes,
2. Parks, playgrounds.
3. Public buildings, grounds and utilities

B. Accessory Uses

Accessory buildings and uses including private garages, swimming pools, and others clearly incidental to one or more principal uses permitted and not causing objectionable or nuisance effects of dust, odor, chemical contamination, smoke, noise, unsightly conditions of storage or use of hobbies, trade or other activities, when located in rear yard and not less than five (5) feet from the property line.

C. Restricted Uses

1. Churches.
2. Schools; colleges; universities, except business or trade enterprises.
3. Country clubs; golf courses; recreational facilities for the residents of the R-1 District. This excludes such land intensive commercial uses as miniature or carpet golf and driving ranges.
4. Gardening; green houses and similar agricultural uses.
5. Home occupations and Restricted in home businesses.
6. Cemeteries.
7. Kindergartens; day-care centers.
8. Public utility substation facilities for local distribution and control provided effective screening is maintained.
9. Libraries.

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R-1-M RESIDENTIAL MEDIUM DENSITY DISTRICT

Area sf	Minimum Lot or Site Size		Minimum Building Setbacks				Maximum Building Limits		
	Width ft	Depth ft	Front ft	Side-In. ft	Side-Cor. ft	Rear ft	Site Cov. %	Bldg.Ht. ft	Density units/ac.
10,000	100	100	25	8	15	20	35	30	4 units/ac.

2.01.04 R-2 Residential Multi-family District

This district is intended to apply to suburban and urban areas where low density residential and related activities are permitted. The regulations of this district are intended to encourage, protect and preserve the single family residential character of low density development and compatible uses within the areas.

A. Principal Uses

1. Single family dwellings, multiple family dwellings, mobile homes,
2. Parks, playgrounds.
3. Public buildings, grounds and utilities

B. Accessory Uses

Accessory buildings and uses including private garages, swimming pools, and others clearly incidental to one or more principal uses permitted and not causing objectionable or nuisance effects of dust, odor, chemical contamination, smoke, noise, unsightly conditions of storage or use of hobbies, trade or other activities, when located in rear yard and not less than five (5) feet from the property line.

C. Restricted Uses

1. Churches.
2. Schools; colleges; universities, except business or trade enterprises.
3. Country clubs; golf courses; recreational facilities for the residents of the R-1 District. This excludes such land intensive commercial uses as miniature or carpet golf and driving ranges.
4. Gardening; green houses and similar agricultural uses.
5. Home occupations or Restricted in home businesses.
6. Cemeteries.
7. Kindergartens; day-care centers.
8. Public utility substation facilities for local distribution and control provided effective screening is maintained.
9. Libraries.

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R-2 RESIDENTIAL MULTI-FAMILY DISTRICT

Minimum Lot or Site Size			Minimum Building Setbacks				Maximum Building Limits		
Area sf	Width ft	Depth ft	Front ft	Side-In. ft	Side-Cor. ft	Rear ft	Site Cov. %	Bldg.Ht. ft	Density units/ac.
10,000	100	100	25	8	15	20	40	40	8 units/ac.

2.01.05 MHP - Mobile Home Park Residential District

This district is intended to apply to urban areas where medium density mobile home and single family residential activities are permitted. The regulations of this district are intended to encourage, protect and preserve the mobile home and single family character of medium density development and compatible uses within the area.

A. Principal Uses

1. Mobile Homes, Mobile Home Parks
2. Single Family Dwellings.
3. Parks and Playgrounds.
4. Public Buildings, grounds and utilities
5. Multiple Family Dwellings

B. Accessory Uses

Accessory buildings and uses including private garages, swimming pools, and others clearly incidental to one or more principal uses permitted and not causing objectionable or nuisance effects of dust, odor, chemical contamination, smoke, noise, unsightly conditions of storage or use of hobbies, trade or other activities.

C. Restricted Uses

1. Churches.
2. Schools; colleges; universities, except business or trade enterprises.
3. Country clubs; golf courses; recreational facilities for the residents of the R-1 District. This excludes such land intensive commercial uses as miniature or carpet golf and driving ranges.
4. Gardening; green houses and similar agricultural uses for personal use-excluding the raising of livestock or poultry.
5. Single family mobile homes on individual sites or lots.
6. Cemeteries.
7. Kindergartens; day-care centers.
8. Public utility substation facilities for local distribution and control provided effective screening is maintained.
9. Libraries.
10. Mobile home parks or subdivisions, not planned unit developments.
11. Restricted in home businesses.

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MH; MOBILE HOME RESIDENTIAL DISTRICT

Minimum area or Site Size	Minimum Lot		Building Setbacks				Maximum Building Limits		
	Width ft	Depth ft	Front ft	Side-In. ft	Side-Cor. ft	Rear ft	Cov. %	Bldg.Ht. ft	Density units/ac.
5 acres	60	100	15	6	15	10	45	40	16

2.01.06 C-1. General Commercial District

This district is intended to apply to urban areas where a variety of retail, commercial, financial, professional, office, service and other trade activities are permitted. The regulations of the district are intended to discourage heavy automotive traffic, transportation maintenance or repair, or other activities not compatible with pedestrian activities involving retail shopping areas. The area is designated to provide for the encouragement, protection and enhancement of general business activities of a medium intensity of land use.

A. Principal Uses

1. Professional Offices, Doctor's Offices, Medical Services, Retail Sales, Personal Services, Specialties Shops.
2. Light Hardware, Paint, Garden Supply, Antique Sales (All must be enclosed with no outside storage visible from the street or adjacent lots).
3. Motor fuel wholesale and retail sales, Automobile, Boat, Small Engine sales and repair.
4. Restaurants.
5. Indoor Amusements, Bowling, Billiards, Game Rooms.
6. Theaters and State Facilities.
7. Financial institutions and Services, Professional Offices.
8. Small item Repair Service: (Shoes, TV and Radio, Business Office Machines and similar uses).
9. Printing and Graphic Arts Services.
10. Transient Lodgings.
11. Schools, Educational Facilities.
12. Clubs, Fraternal and Social Lodges.
13. Broadcast Studios.
14. Communications and Utilities Establishments.
15. Cluster Siting.
16. Retail Pharmaceutical sales

B. Accessory Uses

Accessory buildings and uses including private garages, swimming pools, and others clearly incidental to one or more principal uses permitted and not causing objectionable or nuisance effects of dust, odor, chemical contamination, smoke, noise, unsightly conditions of storage or use of hobbies, trade or other activities.

C. Restricted Uses

1. Churches.
2. Country clubs; golf courses; recreational facilities.
3. Gardening; green houses and similar agricultural uses for personal use excluding the raising of livestock or poultry.
4. Parks; Playgrounds.
5. Cemeteries.
6. Kindergartens; day-care centers.

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7. Public utility substation facilities for local distribution and control provided effective screening is maintained.
8. Libraries.
9. Mortuaries (not less than 100 feet from any residential district).

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C-1; GENERAL COMMERCIAL DISTRICT

Minimum Lot or Site Size			Minimum Building Setbacks				Maximum Building Limits			Site
Area sf	Width ft	Depth ft	Front ft	Side-In. ft	Side-Cor. ft	Rear ft	Cov. %	Bldg.Ht. ft	Density	units/ac.
10,000	100	100	25	10	25	20	75	120		NA

2.01.07 CBD, Central Business District

This district is intended to apply to urban areas which comprise the central concentration of financial, commercial, governmental, cultural and professional activities in the community. The regulations of the district are intended to encourage, protect and preserve the functional and attractive variety of activities compatible with the pedestrian orientation of the area.

A. Principal Uses

1. The same as C-1.
2. Apartment Hotels, Multifamily Dwellings.

B. Accessory Uses

Accessory buildings and uses including private garages, swimming pools, and others clearly incidental to one or more principal uses permitted and not causing objectionable or nuisance effects of dust, odor, chemical contamination, smoke, noise, unsightly conditions of storage or use of hobbies, trade or other activities.

C. Restricted Uses

1. Churches.
2. Country clubs; golf courses; recreational facilities.
3. Gardening; green houses and similar agricultural uses for personal use excluding the raising of livestock or poultry.
4. Parks; Playgrounds.
5. Cemeteries.
6. Kindergartens; day-care centers.
7. Public utility substation facilities for local distribution and control provided effective screening is maintained.
8. Libraries.

Dwellings as accessory uses of principal uses (requires a specific plan to demonstrate adequate separation and safety for occupants.

Antique Shops: all areas must be enclosed with an opaque 6 ft. high fence or within an enclosed structure.

Temporary Structures including circuses, political rallies, community festivals, religious gatherings, and similar temporary activities: not to exceed 15 days in length; provided a permit is obtained from the Town for such activity and with satisfactory provision for sanitary facilities, water supply, crowd control, medical care and fire protection. Additional requirements may be made depending on the nature of the activity, to protect the public health, safety and welfare.

Town of Branford Land Development Regulations

CBD CENTRAL BUSINESS DISTRICT

Minimum Lot or Site Size	Minimum Building Setbacks						Maximum Building Limits			
	Area sf	Width ft	Depth ft	Front ft	Side-In. ft	Side-Cor. ft	Rear ft	Cov. %	Site Bldg.Ht. ft	Density units/ac.
The same as C-1	None	None	None	None	None	None	None	100	120	NA

2.01.08 I-1 Industrial District

This district is intended to apply to urban areas with convenient access to transportation facilities which are capable of meeting the demands of a large variety and intensity of industrial operations and activities. The regulations of the district are intended to provide encouragement, protection and enhancement for most industrial activities which do not detrimentally affect the environment or the public health, safety and welfare. The regulations further prohibit commercial or residential uses which may restrict or hamper the industrial operations.

A. Principal Uses

1. Broadcast Studios and Transmission Facilities.
2. Warehousing in enclosed structures.
3. Communications and Utilities Activities.
4. Transportation and Freight Handling Activities.
5. Wholesale and Distribution Activities.
6. Bottling Plants.
7. Manufacturing and Assembly of clean, non-polluting products.
8. Printing, Publishing and Allied Activities.
9. Laboratories, Research and Development Activities.
10. Veterinary Hospitals and Kennels.
11. Warehousing including open yard storage.
12. Food Processing: (see restricted uses).
13. Lumber, Wood, Furniture, Fixtures.
14. Chemicals and Allied Products: (see restricted uses).
15. Welding, Casting, Smelting, Machine Shops.
16. Crematoriums.

B. Accessory Uses

Accessory buildings and uses including private garages, swimming pools, and others clearly incidental to one or more principal uses permitted and not causing objectionable or nuisance effects of dust, odor, chemical contamination, smoke, noise, unsightly conditions of storage or use of hobbies, trade or other activities.

C. Restricted Uses

Food processing, paper and allied products, manufacturing and assembly, petroleum and chemical refining and allied industries: Such uses shall require plan preparation, approval by the Town, and implementation of such plan to protect, and preserve adjacent properties and the public interest particularly with regard to water, air quality and environmental conditions.

Salvage Yards: Such uses shall be enclosed by an opaque fence of such height to effectively shield from outside view any storage or salvage activities of the operation.

Town of Branford Land Development Code

I-1 INDUSTRIAL DISTRICT

Minimum Lot or Site Size			Minimum Building Setbacks				Maximum Building Limits		
Area sf	Width ft	Depth ft	Front ft	Side-In. ft	Side-Cor. ft	Rear ft	Cov. %	Site Bldg.Ht. ft	Density units/ac.
The same as C-1			25	10	25	20	75	120	NA

2.01.9 CON Conservation District

This district is superimposed on all other districts wherever it is determined, in accordance with the regulations of this Code, that there exists a danger to life, health, and property due to the potential of flooding and its effects. The regulations of this district are intended to permit only such uses which have low flood damage potential and do not threaten directly or indirectly other lands or uses during times of flood, and which are permitted within the basic zoning district upon which this District is applied.

This district shall consist of:

The floodway of the 100 year frequency based upon the Flood Insurance Rate Map (FIRM)

A. Principal Uses

1. Agricultural uses such as pasture, outdoor nurseries, horticulture, wine crop harvesting.
2. Recreational Activities, Boardwalks for access, Boat Ramps, Game Preserves, Camping, Horseback Riding Trails.
3. Residential uses such as lawns, gardens, parking, playgrounds.
4. Construction within this district shall be limited to single family structures and shall meet the requirements of this section and section 4.00, Flood Plain Management and other applicable sections.

B. Accessory Uses

Accessory uses clearly incidental to one or more principal uses permitted and not causing objectionable or nuisance effects of dust, odor, chemical contamination, smoke, unsightly conditions of storage or use of hobbies, trade or other activities.

C. Restricted Uses

1. The platting and development of any new subdivision, or non-residential development shall be prohibited.
2. Filling, grading, and dredging shall be prohibited within the 100 year floodplain except for the purpose of installing necessary utilities.

2.01.10 P Public District

This district is established to provide for Public buildings, infrastructure, grounds and other lands and uses that are owned and/or maintained by the government and/or open and accessible to the general public.

A. Principal Uses

1. Government buildings, lands, grounds and infrastructure facilities.
2. Recreational Activities, Boardwalks for access, Boat Ramps, Game Preserves, Camping, Horseback Riding Trails.
3. Public meeting halls, libraries and civic centers.

B. Accessory Uses

Accessory uses clearly incidental to one or more principal uses permitted and not causing objectionable or nuisance effects of dust, odor, chemical contamination, smoke, unsightly conditions of storage or use of hobbies, trade or other activities.

C. Restricted Uses

Privately owned and maintained facilities which are open to the public.

2.01.11 REC Recreation District

This district is established to provide for Public buildings, infrastructure, grounds and other lands and facilities that are owned and/or maintained by the government and/or open and accessible to the general public for recreational uses, both active and passive.

A. Principal Uses

1. Government Recreational buildings, lands, playgrounds.
2. Recreational Activities, Boardwalks for access, Boat Ramps, Game Preserves, Camping, Horseback Riding Trails.

B. Accessory Uses

Accessory uses clearly incidental to one or more principal uses permitted and not causing objectionable or nuisance effects of dust, odor, chemical contamination, smoke, unsightly conditions of storage or use of hobbies, trade or other activities.

C. Restricted Uses

Privately owned and maintained recreational lands and facilities which are open to the public.

2.01.12 REL-I Religious Institutional District

This district is established to provide for Religious buildings, grounds and other lands and uses that are owned and/or maintained by recognize religious organizations

A. Principal Uses

1. Religious buildings, lands, grounds and infrastructure facilities.
2. Religious meeting rooms, fellowship halls, libraries and convention centers.

B. Accessory Uses

Accessory uses clearly incidental to one or more principal uses permitted and not causing objectionable or nuisance effects of dust, odor, chemical contamination, smoke, unsightly conditions of storage or use of hobbies, trade or other activities.

C. Restricted Uses

Residential units

2.01.13 Travel Trailer Parks

The following regulations apply to all developments provided for the accommodation of transient recreational vehicles, including travel trailers, campers, motor homes and similar transient residential vehicles typically used for vacation purposes.

- A. No travel trailer park shall be located except with direct access to a County, State or Federal Highway, with a minimum lot width not less than sixty (60) feet for the portion used for entrance and exit. No entrance or exit shall be through a residential district.
- B. Travel trailer parks are allowed in the Agricultural, Industrial and Commercial Districts. The minimum lot area per park shall be three (3) acres.
- C. Use of spaces in travel trailer parks shall be limited to recreational vehicles, motor homes, travel trailers and campers.
- D. Users of the spaces shall meet all other applicable laws. Spaces shall be rented by the day or week only and an occupant of such space shall remain in the same trailer park for a period of not more than fourteen (14) days.
- E. Management headquarters, recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to operation of a trailer park are permitted as necessary uses in any district in which trailer parks are allowed.
- F. No space shall be so located that any part intended for occupancy for sleeping purposes shall be within thirty (30) feet of the right-of-way line of any freeway, expressway, or collector street; or of any minor street unless buffered by a dense wall or hedge.
- G. In addition to meeting the above requirements, the travel trailer park site plan shall be accompanied by a certificate of approval of the County Health Department.

2.01.14 Accessory and Temporary Buildings; Home Occupations

A. Accessory Buildings

The location of accessory buildings and uses in residential districts must meet the following requirements:

1. Where an accessory building is attached to the main building, a substantial part of one wall of the accessory building shall be an integral part of the main building or such accessory building shall be attached to the main building in a substantial manner by a roof, and therefore such requirements applicable to the main building shall apply.
2. A detached accessory building shall comply with all setbacks, if possible. However, the Town may grant smaller setbacks, but no building shall not be closer than five (5) feet to the lot line.
3. A detached accessory building, not more two (2) stories in height, may be constructed on not more than 30 percent of the rear yard.
4. No detached accessory building may be located on the front yard of a lot.

B. Temporary Buildings

Temporary buildings used in conjunction with construction work only may be permitted in any district and shall be removed immediately upon completion of construction.

C. Home Occupation

Home occupations, where permitted, must meet the following special requirements:

1. Only persons living in the dwelling unit shall be permitted to engage in a home occupation. Not more than one employee may be engaged who is not a permanent resident and member of the resident family.
2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinated to its use for residential purposes by its occupant. The total area used for the home occupation, including non-merchandise storage, whether inside the dwelling or in a separate building on the premises, shall not exceed twenty-five (25) percent of the total floor area of the dwelling unit and approved accessory building.
3. The home occupation shall be conducted entirely within the principal building that is used as the residential dwelling, and approved accessory building, except for related activities conducted off the premises.
4. No activity shall be conducted nor any machine tool or welding equipment or any type equipment or process shall be used which

constitutes a health hazard or creates noise, vibration, glare, fumes, odors or electrical interference detectible to the normal senses off the premises. No equipment or process shall be used which creates visual or audible interference in any radio or television receiver off the premises or causes fluctuations in line voltage off the premises. The prohibition against trade and craft tools and machinery is not limited to those enumerated here, but includes any such equipment which meets the nuisance criteria established in this provision.

5. The home occupation shall provide a minimum of one off-street parking space, and occupy not more than three off-street parking spaces.
6. Any business sign placed on the premises shall not be larger than two (2) square feet in sign area. Signs shall not be illuminated or electrical, they shall have no moving or flashing parts. Signs shall be affixed to the dwelling unit and shall not exceed 48 inches in height above the ground.

2.01.15 Automobile Service Stations

Within the districts permitting automobile service stations, the following requirements shall apply:

- A. **Location**
The property on which an automobile service station is located shall not be within 100 feet of any residential district, or any property containing a school, public playground, church, hospital, public library, institution for children or dependents.
- B. **Site Requirements**
An automobile service station shall have a minimum frontage on the primary street of 120 feet and a minimum area of 12,000 square feet. All buildings shall be setback 40 feet from all street right-of-way lines and all canopies shall be setback 15 feet from all street right-of-way lines.
- C. **Access to Site**
Vehicular entrances or exits at an automobile service station:
 1. Shall not be provided with more than two curb cuts for the first 120 feet of street frontage or fraction thereof.
 2. Shall contain an access width along the curb line of the street of not more than forty (40) feet as measured parallel to the street at its narrowest point and shall not be located closer than twenty (20) feet to a street intersection or closer than ten (10) feet to the adjoining property.
 3. Shall not have any two driveways, or curb cuts, any closer than twenty (20) feet at both the right-of-way line and the curb or edge of the pavement along a single street.

- D. **Motor Fuel/Gasoline Pump Islands**
All gasoline pump islands shall be setback at least fifteen (15) feet from the right-of-way lines, or where a future widening line has been established, the setback line shall be measured from such line. However, the pumps shall be at least 60 feet from the centerline of an arterial street, 55 feet from the center line of a collector street and 45 feet from the center line of other streets.

2.01.16 Restricted Uses

The Town Council shall hear and decide those applications only under Restricted Uses as identified in these Land Use regulations. The Town Council shall decide such questions as are pertinent and necessary when determining whether restricted use exceptions shall be granted, determining appropriate conditions and safeguards or denying special exceptions when not in harmony with the purpose and intent of these Land Development Regulations.

- A. **Procedure**
Upon receipt of an application for a restricted use, the Office of the Town Clerk shall examine such application and make a recommendation thereon together with all supporting documentation, and shall transmit a copy of the application, together with supporting and explanatory information, to the Town Council.
- B. **Decision**
Prior to rendering a decision on an application for a restricted use, the Town Council shall hold a public hearing on the application for approval of a restricted use. The Town Council shall fix a reasonable time of day for the hearing and give public notice thereof as well as due notice to the parties involved.
- C. **Conditions**
The Town Council may require appropriate conditions and safeguards in conformity with these Land Development Regulations.

2.01.17 Conditional or Special Exception Uses

Conditional Use or Special Exception

A use that would not be appropriate generally or without restriction throughout a land use division or zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote, the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare.

Conditional uses or Special Exceptions include all uses that are not listed as permitted uses, accessory uses or restricted uses in these Land Development Regulations. The following uses shall always be Conditional Uses.

Retail Package Liquors, Cocktail Lounges, Bars, Pubs.

Junkyards

Communications Towers

Night clubs, Social clubs which include adult entertainment and/or which sell adult materials

Retail establishments that sell adult materials

A. The Town Council shall hear and decide those applications for Conditional Uses as identified in these Land Use regulations. The Town Council shall decide such questions as are pertinent and necessary when determining whether restricted use exceptions shall be granted, determining appropriate conditions and safeguards or denying special exceptions when not in harmony with the purpose and intent of these Land Development Regulations and/or when not a benefit to the health, safety and welfare of the Community as a whole.

Procedure

Upon receipt of an application for a Conditional use, the Office of the Town Clerk shall examine such application and make a recommendation thereon together with all supporting documentation, and shall transmit a copy of the application, together with supporting and explanatory information, to the Town Council.

B. Decision

Prior to rendering a decision on an application for a conditional use, the Town Council shall hold a public hearing on the application. The Town Council shall fix a reasonable time of day for the hearing and give public notice thereof as well as due notice to the parties involved. The hearing shall be advertised 7 to 10 days prior to the meeting, in a newspaper of general circulation. Certified letters shall be sent to all property owners within 500 feet of the application site, informing them of the date, time and purpose of the hearing.

C. Conditions

The Town Council may require appropriate conditions and safeguards in conformity with these Land Development Regulations.

D. Specific Conditions

1. Retail Alcohol sales establishments. Only retail package sells of tobacco and alcohol products shall be allowed in the Town of Branford, except for the sale of beer and wine for consumption on the premises, at restaurant establishments that are permitted by the State to prepare and serve complete meals on site. Businesses that sell tobacco and/or alcohol products are only allowed in the Commercial and Central Business District areas consistent with the following conditions:

(a) Retail Package Liquors sales establishments only as defined and governed by Town of Branford Ordinances.

(b) Restaurant establishments, which sell beer and/or wine as defined and governed by Town of Branford Ordinances.

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2. Junkyards, Mechanical and Chemical Waste collection and recycling facilities and any Hazardous Materials collection and recycling facilities are only allowed in the Industrial District and must be at least 1000 feet from the nearest property line of an established residential district, church, school or public playground and the nearest property line of the establishment.

3. Communications Towers are only allowed in the Industrial and Agricultural Districts and must have an engineered design fall zone that does not include any existing residential structures. Structure mounted Communications facilities are only allowed in the Industrial, Agricultural, Commercial and Public Districts.

4. Night clubs, Social clubs which include adult entertainment and/or which sell adult materials are only allowed in the Industrial District and must be at least 1000 feet from the nearest property line of an established residential district, church, school or public playground and the nearest property line of the establishment.

5. Gambling and/or Gaming Establishments that provide onsite and/or electronic services, systems and/or products which include games of chance for public use, are only allowed in the Industrial District and must be at least 1000 feet from the nearest property line of an established residential district, church, school or public playground and the nearest property line of the establishment.

**ARTICLE III
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**ARTICLE III
SUBDIVISION REGULATIONS**

3.00.00 SUBDIVISION REGULATIONS

3.00.01 Purpose

The public health, safety, comfort, economy, and general welfare require the harmonious, orderly and progressive development of land within the Town of Branford. It is in the interest of the public, developer, and future lot owners that subdivisions be conceived, designed, and developed in accordance with sound rules and proper minimum standards.

3.00.02 Intent

The regulation of the subdivision of land is intended:

- A. To guide the future growth of the Town of Branford in accordance with the Branford Comprehensive Plan.
- B. To aid in the coordination of land development in the Town of Branford in accordance with orderly physical development patterns.
- C. To maintain and protect the local economy and natural resources, to prevent the pollution of the air, land, and waters; to safeguard the water table and ground water resources; and encourage the wise use and management of natural resources throughout the Town of Branford in order to protect the integrity, stability, and beauty of the community and the value of the land.
- D. To discourage haphazard, premature, uneconomic, or scattered land development.
- E. To insure safe and convenient traffic flow.
- F. To encourage the development and maintenance of an economically stable and healthful community.
- G. To insure adequate facilities.
- H. To prevent periodic and seasonal flooding by providing protective flood control and drainage facilities.
- I. To assure land subdivision with installation of adequate and necessary physical improvements.
- J. To assure that the citizens and taxpayers of the Town of Branford will not have bear the costs resulting from haphazard subdivision of land and the lack of authority to require installation by the developer of adequate and necessary physical improvements.
- K. To assure the purchaser of land in a subdivision that necessary improvements of a lasting quality have been installed.

3.00.03 Definitions

Except where specifically defined herein, all words used in these regulations shall convey their usual and customary meanings. Words used in the present tense include the future tense; words in the singular number include the plural and

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word in the plural include the singular. The word "shall" implies that which is mandatory and the word "may" implies that which is discretionary. The word "used" or "occupied" as applied to any land or buildings shall be construed to include the words "intended, arranged, or designed to be used or occupied." And when found in these Regulations, the following words and phrases shall have the meaning given in this section.

Alley

Any public right-of-way designated primarily for vehicular access to the back or side of buildings or lots used for commercial purposes and otherwise abutting on a street.

Applicant

Any person who submits subdivision plans for the purpose of compliance with these regulations.

Arterial Road

Any road serving as a connecting link for large volumes of traffic moving at high rates of speed and having well controlled access points.

Block

A tier or group of lots within well-defined and fixed boundaries, particularly an area surrounded by streets or other physical barriers and having an assigned number, letter, or name through which it may be identified.

Buildable Area

That portion of any lot or parcel which lies outside of a front, side, or rear setback or any other structural constraint contained in this Code.

Building

Any structure designed or built for the support, enclosure, shelter, for protection of persons, animals, chattels, or moveable property of any kind. The word "building includes the word "structure."

Central Sewage System

All of the equipment and property involved in the operation of a sanitary sewer utility, including waste water lines and appurtenances, pumping stations, treatment works, disposal facilities, and general property necessary for the operation of such utility, which shall be fully installed, operable, and providing service in compliance with applicable Florida laws and regulations.

Town

The Town of Branford.

Clear Sight Triangle

The area within the limits described by the two intersecting roadway center lines and a line drawn between them from points on each center line that are a prescribed number of feet from the intersection of the center lines.

Clearing

The removal of trees and other vegetation from the land preparatory to construction of buildings or other improvements. As used herein such practices as mowing, yard maintenance, and customary agricultural practices are excluded.

Collector Road

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Any road serving as the connecting link between local roads and arterial roads, or serving as a substantial link between separated local roads within a subdivision. Collector roads may be further defined as "Major collector roads" and "Minor collector roads."

Community Water System

All of the equipment and property involved in the operation of a water utility, including water lines and appurtenances, pumping stations, treatment plants, and general property relating to such utility, which shall be fully installed, operable, and providing service in compliance with applicable Florida laws and regulations.

Comprehensive Plan

The Town of Branford Comprehensive Plan as adopted by Ordinance by the Town Council along with such duly adopted amendments and updates as may be passed by the Council.

Council

The Town Council, Town of Branford.

Cross Walk

A right-of way within a block dedicated to public use and intended primarily for pedestrian use and from which motorized vehicles are excluded.

Cul-de-sac

Any local road with a single intersection.

Dedication

The deliberate assignation of land by its owner(s) for any general or public use(s) with an eventual view toward transfer of ownership and management to the Town. The acceptance of such dedications to the Town are at the discretion of specific action by the Council.

Density, Net Residential

The number of residential dwelling units per acre of land determined by dividing the total number of units by the total area of land within the parcel boundaries minus all dedicated rights-of-way, floodplains, and other undevelopable areas.

Developer

Any person or legal entity engaged in subdividing, developing, or improving land for use or occupancy.

Development Plan

A conceptual design of a proposed subdivision which includes the requirements of these regulations.

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Double Frontage Lots

A lot having two non-adjointing property lines abutting upon a street or streets.

Dwelling

A building or portion thereof designed or used exclusively for residential occupancy. A dwelling may be for single family use or may be a multifamily dwelling.

Easement

A grant by a property owner for the use of land for a specific purpose.

Engineer

A professional engineer registered, certified, and licensed to practice in the State of Florida.

Exempt Subdivision

A subdivision of land into three to five lots in which the transfer of title occurs between or among relatives by blood, marriage, or adoption, or in which the transfer of title passes as a result of inheritance or court decision, or in which the transfer of title occurs between adjacent landowners, provided that such subdivisions does not involve a planned unit development, any new street, or the extension of a municipal utility or other municipal facility. Applicants under this section shall meet all the requirements contained in the Subdivision Design and Improvement Standards section of this Regulation.

Floodplain, One-Hundred Year

A land area which would be subject to a one percent or greater chance of flooding in any given year. Those areas designated by the Federal Insurance Administration of the Federal Emergency Management Agency as flood hazard areas shall be considered the minimal extent of such floodplains. The Council may adopt at the recommendation of the Office of the Town Clerk more restrictive boundaries upon the presentation of appropriate evidence by a suitably experienced engineer.

Frontage

The length of the front property line of the lot, lots or tract of land abutting a street, road, highway, or other right-of-way.

Grade

The slope of a road or the right-of-way specified as a percentage.

Improvement, Public

Any roadway, sanitary sewer, storm sewer, drainageway, water main, bridge, sidewalk, or other facility for which the Town may assume the responsibility for maintenance and operation.

Local Road

Any road primarily serving adjacent property owners and residents as the initial access to the highway system, characterized by short trip distances, low speeds, and light traffic volumes. Any local road serving ten or fewer adjacent lots may be considered a minor subdivision access road.

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Lot

A tract or parcel constituting the least fractional part of a subdivision of land, having a fixed boundary, and bearing a number, letter, or name by which it may be identified.

Major Collector Road

Any collector road which may be determined by the Council at the recommendation of the Office of the Town Clerk to carry the traffic generated by twenty-five or more residences, or which may be otherwise determined as carrying the equivalent traffic load which might reasonably be generated by twenty-five residences.

Minor Collector Road

Any collector road found by the Council at the recommendation of the Office of the Town Clerk to carry less than the designated traffic load which would qualify it as a major collector road.

Minor Subdivision

A subdivision of land of into less than 4 lots, provided that such subdivision does not involve a planned unit development, any new street, or the extension of a utility or other municipal facility. An applicant under this section shall meet all the requirements contained in the Subdivision Design and Improvement Standards contained in this Regulation.

Multifamily Dwelling

A dwelling specifically designed to accommodate two family units (a "duplex"), three family unit (a "triplex"), or four family units (a "quadruplex").

Office of the Town Clerk

Branford Town Clerk, employees of the Office of the Branford Town Clerk, or any person designated by the Town Clerk to represent the Office of the Branford Town Clerk.

Owner

Any person, group of persons, firm, joint venture, corporation, or any other legal entity having legal title to the land sought to be subdivided under these Regulations. The term "owner" is synonymous with "landowner."

Person

Any individual, firm, partnership, trust, estate, company, association, or organization, whether for profit or not-for-profit, which may be awarded legal status under Florida law.

Plat

A map or delineated representation of the subdivision of lands, being a complete and exact representation of the subdivision, along with other information in compliance with the requirements of the Chapters 163 and 177 of the Florida Statutes and these Regulations. The verb "to plat" means to act so as to create a plat.

Right-of-Way

Land dedicated, deeded, used or to be used for a road, alley, walkway, public utility, drainage, access for ingress and egress, or other public purpose.

Road

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A vehicular thoroughfare which affords traffic circulation and principal means of access to abutting property, including avenues, streets, lanes, boulevards, and any other thoroughfare except an alley. A public road is any such road dedicated for public use. A private road is any such road not so dedicated.

Stormwater Management System

The designed features of an improvements to property which collect, convey, channel, hold, store, inhibit, or divert the movement of stormwater to meet the requirements of State and Regional Agency permitting requirements and these Regulations.

Subdivision

The division of any parcel of land, whether improved or unimproved, into three or more lots for the purpose, whether immediate or future, of offer, sale, lease, or development; or the division of a parcel of land of any size in which a change of public rights-of-way or easements are involved. The term includes resubdivision and, where appropriate to the context, shall relate to the process of subdividing or the land subdivided. Subdivisions are subject to these Regulations save that those subdivisions found to be exempt subdivisions or minor subdivisions are subject only to those sections pertinent to them.

Surveyor, Registered

A land surveyor currently registered to practice in the State of Florida.

Utilities

Facilities made available to and shared by the community at large, including, but not limited to, community water systems, central sewage systems, electrical power distribution systems, stormwater management systems, natural gas distribution systems, and telephone systems.

Wetlands

Land subject to regular inundation by water over a majority of time measured over a period of years. Wetlands shall be more particularly defined according to Chapter 403.817 of the Florida Statutes and as any land bearing those dominant wetland plant indicator species as included in Chapter 17-4 of the Florida Administrative Code.

3.01.00 EXEMPT SUBDIVISIONS

3.01.01 Intent

It is the intent of this section to allow certain transfers of ownership involving the division of lands and certain other divisions of land, none of which will create additional needs for community facilities, to proceed as the principals to the transaction intended with a minimum of legal difficulty, save only that all such transfers should be duly recorded with the Town.

3.01.02 Determination of Exempt Status

Any subdivision of land into three to five lots in which the transfer of title occurs between or among relatives by blood, adoption, or marriage, or in which the transfer of title passes as a result of inheritance or court decision, or in which the transfer of title occurs between adjacent landowners, shall be exempt from these Regulations, save in situations where the Office of Town Clerk may find that such subdivision will have an adverse impact on existing community facilities.

In such situations the Office of Town Clerk may make a recommendation to the Council that such subdivision be subject to these Regulations, and if the Council upholds that recommendation, then that subdivision shall not be exempt.

3.02.00 MINOR SUBDIVISION PROCEDURES

3.02.01 Intent

It is the intent of this section to provide expeditious review and approval for those subdivisions qualifying as minor subdivisions by allowing an exemption from the platting process while still meeting the legitimate public need for the provision of certain required public facilities. An applicant under this section shall be subject to the standards, specifications, and requirements included under Subdivision Design and Improvement Standards contained in these regulations.

3.02.02 Minor Subdivision Approval Procedures

- A. Any owner contemplating a subdivision of his or her land which may qualify as a minor subdivision may request a meeting with the Office of Town Clerk to explain their proposal and have explained to them the subdivision approval procedures.
- B. An applicant for a minor subdivision shall submit an application to the Office of Town Clerk. Such application shall include at a minimum: Name, address, and phone number of the applicant; a legal description of the property to be subdivided; a map at a suitable scale showing the proposed new parcels and their dimensions, and a road plan showing all access points and, the layout, design, and cross-section of a suitable minor subdivision access road; diagrams and descriptions as necessary to indicate how the requirements for storm water management will be met; and such other material as the Office of Town Clerk may request for the purpose of making a responsible recommendation to the Council.
- C. The Office of Town Clerk shall consider the application for approval of minor subdivision and shall hear the comments of any interested members of the public before formulating its recommendation.
- D. The Office of Town Clerk may recommend approval, approval with conditions, in which case the conditions shall be clearly stated, or denial. The Office of Town Clerk's recommendation shall be presented in writing to the Council no later than four days before the Council's next regularly scheduled meeting. The recommendation shall be considered by the Council at that meeting. Their decision shall result in issuance of a development order which shall state the conditions, if any, for approval, or if the decision is for denial, the reasons why.
- E. The development order shall be valid for a period of twelve months from the date of issuance unless the Council specifically states a longer period.

3.03.00 SUBDIVISION PRELIMINARY PLAT APPROVAL

3.03.01 Purpose

- A. The purpose of the Preliminary Plat is to permit complete and accurate presentation of technical data and preliminary engineering drawings in such a manner as to allow complete review and evaluation of the proposed development and its impact upon both the site and the surrounding area.

- B. No person shall divide a parcel of land into three or more parcels any one of which is five acres or less, or divide a parcel of any size which would involve a change of public rights-of-way or easements, unless they have qualified as an exempt subdivision or a minor subdivision under these Regulations or have first received the Council's official acceptance of a plat which has been duly filed with the Office of Town Clerk and reviewed for compliance with the standards within these regulations, and have recorded that approved plat with the Clerk of the County Court. Additionally, no road shall be accepted and maintained, nor shall any utility lines be extended, nor shall any permit be issued by a representative of the Town for the construction of any building or for septic tank installation or for any other purpose requiring a permit, without adherence to these regulations.

3.03.02 Preapplication Conference

Any owner of land in the Town who is contemplating subdividing it for any lawful purpose may request an informal pre-application conference with the Office of Town Clerk or its designated representative. At such a conference the owner or owner's agent may present tentative proposals with a view toward learning what would be required to properly evaluate the proposal within the limits of these Regulations. No fee shall be charged, and no formal application shall be required.

3.03.03 Filing a Plat for Preliminary Approval

- A. Prior to any clearing activity or grading preparatory to making any road improvements or installing any utilities, the subdivider shall submit to the Office of Town Clerk a preliminary plat in accordance with the procedures of this section.

- B. The applicant shall submit a letter requesting review and approval of a preliminary plat, at least four copies of the preliminary plat, other substantiating documents as may be required.

- C. The preliminary plat as filed shall meet the following specifications:
 - 1. The preliminary plat shall be clearly and legibly drawn at a scale not smaller than 100 feet to one inch.
 - 2. The sheet size shall be 24 inches by 36 inches. If the complete plat cannot be shown on a sheet of this size, it may be shown on more than one sheet with an index map on a separate sheet of a reduced scale.
 - 3. The title or name of the proposed subdivision, the name, address, and phone number of the owner of the tract proposed for development, and the name, address, and phone number of the engineer and surveyor engaged to prepare and design the preliminary plat shall all be clearly shown.

 - 4. The date, scale of the plat, north arrow, current zoning if any, total number of lots, and minimum lot size shall be included.

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5. A full and detailed legal description of the tract to be platted and its approximate acreage shall be included.
6. A vicinity map shall be included showing the relationship between the area proposed for development and the surrounding area. The vicinity map shall be at a scale of not less than one inch equalling two thousand feet (1"=2000') and shall identify adjacent subdivisions and public roads by name.
7. Existing physical features shall be fully identified. These include but are not limited to roads, culverts, easements, rights-of-way, lakes, rivers and creeks, swamps, other wetland areas, the one hundred year flood plain, wooded areas, cultivated areas, parks and other public open spaces, sewers, and water mains.
8. The proposed layout shall be clearly shown, including roads, alleys, easements, lot lines with approximate dimensions, land to be dedicated for public purposes, and any land proposed for purposes other than single family dwellings. Proposed rights-of-way shall include all dimensions.
9. Block and lot designations shall be shown.
10. The existing zoning for the proposed subdivision and the adjacent properties shall be shown, and the minimum building front yard setback lines shall be shown.
11. Typical road cross-sections and centerline profiles shall be included.
12. Contour intervals of two feet shall be shown. The Office of Town Clerk may request the plotting of contour intervals of one foot in very flat areas. Proposed contour changes shall be shown.
13. The preliminary plat shall clearly state on its face that it is not for recording.

3.03.04 Other Requirements

Other material which the Office of Town Clerk may request from the subdivider during the preliminary plat review process include:

- A. Engineering plans for community water systems, central sewage systems, stormwater management systems, and other public improvements;
- B. Draft copy of any proposed protective covenants or deed restrictions which may be attached to the lots at the time of sale;
- C. Any other information which will enable the Office of Town Clerk to evaluate the proposal for compliance with these Regulations or the Comprehensive Plan.

3.03.05 Review Process

- A. Upon receipt of the application for preliminary plat approval, the Office of Town Clerk shall distribute copies for review to the Town agencies and such other offices as the Office of Town Clerk may determine. They shall address their comments in writing concerning the suitability and adequacy of the proposed subdivision to the Office of Town Clerk.

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- B. Interested members of the general public may review the proposed subdivision in such offices of the Town as the Office of Town Clerk may designate at any time during normal working hours. Comments from the general public, whether written or oral, shall be duly considered by the Office of Town Clerk in its deliberations.
- C. At its regularly scheduled meeting the Office of Town Clerk shall consider the application for preliminary plat approval and the comments of those who have reviewed it prior to formulating a written recommendation of approval, approval with conditions, or denial for the action of the Council. The Office of Town Clerk's recommendations shall be submitted in writing to the Council no later than four days before the Council's next regularly scheduled meeting.
- D. The Council shall act upon the Office of Town Clerk's recommendations at its next regularly scheduled meeting. If the Council approves the proposed subdivision, it shall inscribe a certificate of preliminary approval to the face of the plat, listing the date of preliminary approval, notice that such preliminary approval does not constitute approval of the final plat, and citing an expiration date. If the Council; approves the preliminary plat with conditions, a similar certificate shall be inscribed with the addition of the conditions. If the Council denies the preliminary plat, it shall be returned to the subdivider with a recitation of the reason or reasons for denial.

3.03.06 Authorization to Proceed with Improvements

The preliminary approval by the Council shall constitute authorization for the subdivider to proceed with the installation of the public improvements to the parcel to be subdivided as detailed in the development plans submitted to the Office of Town Clerk for preliminary approval. The necessary clearing, grading, and construction work may proceed as the developer finds expedient consistent with the requirements of these Regulations and other requirements of the law. The developer shall have twelve months from the date of preliminary approval to complete all improvements and file for final plat approval, unless a longer time was specified, or an extension is granted by the Council; subsequent to a recommendation of the Office of Town Clerk.

3.04.00 SUBDIVISION DESIGN AND IMPROVEMENT STANDARDS, SPECIFICATIONS AND REQUIREMENTS

3.04.01 General Principles of Subdivision Design

- A. All lands included within the subdivision shall be suitable for the various purposes proposed in the request for subdivision approval. Further, no subdivision plan shall be approved unless the Council finds, after full consideration of all pertinent data, that the subdivision can be served adequately with such normal public facilities and services as are suitable in the circumstances of the particular case.
- B. Proposed subdivisions subject to these Regulations must conform to the goals, objectives, and policies as stated in the Comprehensive Plan.
- C. Any subdivision located within a planned unit development shall conform to the applicable regulations contained in this Code.

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- D. Access to every subdivision shall be provided over a public road.
- E. Within subdivisions, setbacks, lot sizes, and residential densities shall be governed by the corresponding regulations contained in Article II.
- F. In each subdivision all lots shall have its buildable area located outside the 100-year flood boundary.

3.04.02 Land Use

- A. Subdivisions shall preserve at least 10 percent of on-site vegetation. In the design of subdivisions due regard shall be shown for all natural features and community assets which, if preserved, will add attractiveness and value to the property and Town. Special consideration shall be given in the subdivision design to the preservation of tree cover, large species trees, natural drainageways, floodplains, wetlands, and the natural topography and landscape.
- B. A subdivision plan shall not be approved unless all land intended for use as building sites can be used safely for building purposes, without the danger of flooding and adverse soil conditions affecting structural stability and human health, safety, and welfare. Lots shall not be platted within wetlands, or, if a central sewage system is proposed as part of the development, that a suitably flood-proofed dwelling may be erected on a site within the lot. The subdivider shall present evidence of design measures to minimize the adverse effects of development on the quality and quantity of the natural hydrological system in those portions of any subdivision affecting lakes, ponds, swamps, water courses, wetlands, or the subsurface aquifer. The Town shall not accept any dedicated public improvements for ownership or maintenance in areas where the soil limitation is rated as severe or very severe unless the developer presents evidence of planned compensating structural improvements adequate to accommodate the proposed use.
- C. The lot size or net residential density shall be allowed as provided in Article II, consistent with the Branford Comprehensive Plan. In each case, where soil or topography limitations may indicate, the Office of Town Clerk may request a larger lot size or lower net residential density.

3.04.03 Blocks and Lots

- A. The length, width, and shape of blocks shall be designed with due regard to maximizing the use of existing natural drainage systems, and providing of adequate building sites suitable to the special needs of the type of use contemplated.
- B. Blocks shall not be longer than 1800 feet in length, nor less than 400 feet in length. They shall be wide enough to provide for two tiers of lots, save where abutting upon arterial roads, or where other situations make this requirement impractical.
- C. Subdivision access to arterial roads shall be limited to collector roads, and the subdivider shall design his road plan accordingly so as to eliminate the direct access of local roads or abutting lots.
- D. Lot sizes, shapes and locations shall be made with regard to the topographic conditions, contemplated use, and the surrounding area.

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1. Every lot shall front or abut a public street which has at least a sixty [60] foot right-of-way.
2. Double frontage lots shall not be permitted save where necessary to provide separation of residential development from certain major collector roads and arterial roads or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten feet across which there shall be no right of access shall be provided for such lots.
3. Every residential lot shall conform to the minimum dimension and area requirement provided for in the zoning ordinance. Depth and width of properties reserved or laid out for commercial use and industrial purposes shall be adequate to provide for the off-street services and parking facilities required by the type of use and development contemplated.
4. Corner lots for residential use shall have an extra width of ten feet to permit adequate building setback from side streets.
5. Whenever there is a discrepancy between the minimum standards of or dimensions noted herein and those contained in the zoning ordinance, building codes and other official regulations the most restrictive requirements shall apply.

3.04.04 Road System

The arrangement, character, width, grade and location of all roads shall conform to the Comprehensive Plan, to any standards additional to these Regulations which may be adopted by the Council, and shall be considered in their relation to existing and planned streets, to topographical conditions, to public safety, and in relation to the proposed use of the land to be served by such roads.

- A. Roadway design features for proposed subdivisions shall include the following:
1. The arrangement of roads within a subdivision shall be coordinated with the existing road system surrounding the area and provide for continuation of existing streets where appropriate. Traffic circulation plans shall allow for future road links with adjacent unsubdivided property. Where such adjacent land is clearly developable in large part this requirement shall be waived.
 2. The roadway design shall be such as to discourage the use of local roads for through traffic.
 3. New road names shall not duplicate or closely approximate existing road names, save for cul-de-sacs which may take the same name as the road with which they intersect but with a differing suffix. Any new road that is an extension of or in essential alignment with an existing road where there is a strong probability as determined by the Office of Town Clerk that the discontinuous segments of road will eventually be continuous shall bear the same name as the existing road.
 4. Road jogs with center line offsets of less than 125 feet shall not be permitted.
 5. Road intersections shall be as nearly at right angles as possible with no street intersection being at any angle of less than 70 degrees. No intersection shall be permitted for more than two streets.
 6. Cul-de-sacs shall be no longer than 800 feet and shall have a turn-around at the closed end of no less than a fifty foot radius from the center point to the property line and no less than forty feet from the center point to the edge of the driving surface.
 7. The road right-of-way radius at intersections shall be at least twenty feet, save that where the angle of intersection is less than 90 degrees, the Office of Town Clerk may require an additional length.
 8. Alleys shall be provided in any areas planned for commercial development, but shall not be included in residential areas unless the subdivider provides evidence to the Office of Town Clerk of their necessity. Dead end alleys shall not be provided.

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9. At all road intersections an adequate clear sight triangle must be maintained, within which no impediments to clear sight, including ornamental plantings higher than 30 inches, will be allowed, save that trees will be allowed provided that they do not cumulatively present an obstacle to clear sight. Triangle leg distances shall be 100 feet along any local road, 160 feet along any collector road, and 200 feet along any arterial road.
 10. Road signs shall be provided by the developer of a durable and readable material and posted with a clearance of seven feet so as to be visible for both pedestrian and vehicular traffic. At cross-road intersections, two road sign posts shall be located diagonally across the intersection from each other. Only one road sign post shall be required at T-road intersections.
 11. Where sidewalks are constructed they shall be four inches thick with a minimum width of four feet. Curbs and gutters shall be required where sidewalks are built, and all intersections of sidewalks and curbs shall include a sloping cut adequate for the smooth passage of wheelchairs and bicycles. A thirty inch grass planting strip shall be provided between the back of the curb and the sidewalk. All sidewalks shall slope toward the curb at a grade of one-fourth inch per foot.
- B. Road design and construction standards must meet the minimum specifications as established in the following chart:

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<u>Road</u>	<u>Local Road*</u>	<u>Minor Collect</u>	<u>Major Collect</u>	<u>Subdivision Arterial</u>	<u>Minor Alley</u>	<u>Access</u>
Right-of-way	60'	60'	80'	100'	20'	50'
Lane width	11	12'	12'	12'	12'	12'
Shoulder width (each side)	4'	6'	8'	8'	--	6'
Maximum street grade	10%	8%	8%	6%	8%	15%
Minimum radius of center line curvature	100	300'	500'	800'	300'	100'
Min. length of tangent between reverse curves	100'	150'	200'	300'	--	100'
Minimum stopping sight distance	125'	225'	225'	325'	--	200'

*Except those local roads designated as minor subdivision access roads.

- C. Subdivisions adjoining existing public roads with rights-of-way less than that specified in these Regulations shall dedicate land sufficient to meet the right-of-way requirements. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing road, and one-half of the right-of-way as measured from the centerline shall be provided where any part of the subdivision is on only one side of a public road.
- D. Basic construction requirements for all categories of roads shall include the following considerations.
1. All roads shall be constructed and paved to their full width by the subdivider so that the various public improvements to be provided within the right-of-way may be placed with minimal difficulty.
 2. Utility lines of all kinds shall be constructed and installed to the maximum extent feasible beneath the surface of the ground and within backslope areas of dedicated rights-of-way. It shall be the developer's responsibility to make the necessary arrangements with each utility in accordance with that utility's established policies. Where the Office of Town Clerk determines that soil, topographic, or other limitations preclude below-ground installation, the developer shall be responsible for an alternate arrangement acceptable to the Office of Town Clerk.
 3. If it is necessary for the subdivider or any utility to break existing pavement for the purpose of installing new facilities, the break shall be repaired by the subdivider unless the utility assumes that responsibility as a matter of policy.

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4. An adequate drainage system designed to manage the runoff from a 25year, 24-hour storm event, or otherwise meet the specifications State and Regional permitting requirements, shall be installed within the road right-of-way and in such other locations as may be necessary to fulfill its purpose. Such a system shall include all ditches, curbs, pipes, culverts, headwall, grassy swales, and other such features as required. Where stormwater management facilities exist outside the road right-of-way an appropriate drainage easement shall be necessary to accommodate the area required.
 5. When all construction is completed within the road right-of-way, the subdivider shall replant the shoulder and swales areas with grass or other vegetation to prevent undue soil erosion.
- E. Where not otherwise mentioned in these Regulations, the required standards and specifications for design and construction of roads and their related facilities shall be in conformity with those standards promulgated by the Florida Department of Transportation in the current editions of Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways.
- F. All roads within subdivisions shall be dedicated for public use. Areas dedicated for rights-of-way or for other public improvements do not imply acceptance by the Council. The Council must take specific action to accept any dedicated lands for whatever purpose. Specifically, the Council shall not accept for ownership or maintenance any road not built in accordance with these Regulations.

3.04.05 Potable Water, Sanitary Sewer, and Stormwater Management

- A. All subdivisions shall conform to Stormwater Management requirements of the Comprehensive Plan and this Code.
- B. All subdivisions shall meet the requirements for Groundwater and Potable Water Wellfield Protection.
- C. All subdivisions shall conform to the provisions for Floodplain Management.
- D. All lots within a subdivision shall be required to connect to the Town's central sewer system. Where the central sewer service is unavailable, the developer may with approval of the Town Clerk install individual wastewater treatment facilities excluding septic systems, until such time as the subdivision can be serviced by a central sewer system.

3.04.06 Easements

The use of all easements shall be clearly shown on the plan and shall conform to the following:

- A. Where necessary, easements will be centered on rear or side lot lines. Rear lot easements shall have a minimum width of fifteen feet and side lot easements shall have a minimum width of ten feet except that minimum total width of fifteen feet must be provided where necessary for storm or sanitary sewers.
- B. Where a subdivision is traversed by or abuts a water course, drainageway, channel, or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width, but not less than fifteen feet along each side of the water course, as necessary for maintenance or construction.
- C. The Town will maintain only those easements, rights-of-way, and public sites which it accepts for maintenance.

3.04.07 Monuments

- A. A concrete marker imbedded at least two feet into the ground shall be required at the intersection of all road rights-of-way and radius points. Such a right-of-way monument shall be at least four inches square with a one-eighth inch iron pin imbedded in the center at least four inches deep. The top surface of such marker shall be level with the surface of the ground.

- B. Property line monuments shall be required consisting of an iron pin imbedded at least two feet into the ground at each corner of the subdivision and at each point where the property line changes direction. Such iron pin shall be at least one-half inch in diameter. The top surface of such iron pin shall be approximately level with the ground surface.

3.04.08 Commercial and Industrial Facilities

- A. In any subdivision in which all or part of the land to be subdivided is proposed for commercial or industrial use, it shall be the responsibility of the subdivider to show evidence of adequate depth and width of property to accommodate the proposed use. The subdivider shall also show evidence of adequate off-street service and parking facilities, including paved parking areas for commercial establishments, as may be required by the type of use and development contemplated.

- B. The Office of Town Clerk may require specific information of the subdivider pertinent to such proposed facilities.

- C. The Town standards for commercial and industrial facilities shall be operative when considering subdivision regulation compliance.

3.04.09 Phased Developments

- A. Where appropriate in larger subdivisions in order to make the development process more efficient, the subdivider may propose or the Office of Town Clerk may require that construction proceed in phases. Where so required, the clearing and grading of advanced phases shall not proceed ahead of earlier phases in an unreasonable fashion.

- B. Each phase of development shall be capable of standing on its own if subsequent areas planned for development are not developed.

3.05.00 FULFILLMENT OF REQUIREMENTS AND FINAL PLAT APPROVAL

3.05.01 The Commencement of Construction

Construction and installation of any required public improvements may begin as soon as the Office of Town Clerk approves the preliminary plat.

3.05.02 Inspections Prior to Completion

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- A. In order to facilitate inspection of required improvements during construction, the applicant shall notify the Office of Town Clerk or its designated representative at least two working days before proceeding beyond each of the following stages of construction:
1. When rough grading has been completed;
 2. When excavations are ready for placing foundations, and when pipe trenches are shaped and prepared for laying pipe;
 3. Once the drainings and other facilities are installed, but before back-filling occurs;
 4. Upon completion of base course compaction of roads;
 5. When placing and rolling of lower and surface pavements.
- B. The purpose of these inspections is to insure compliance with the approved preliminary plat and to advise the Council whether or not the roads, storm water management facilities, and other public improvements being constructed appear to qualify for acceptance by the Town. The Town assumes no responsibility or commitment guaranteeing acceptance of the work, or for subsequent failure, by virtue of these stage inspections. However, if any aspect of the work being performed does not comply with acceptable standards, corrections will be required as a condition for Town acceptance.
- C. After completion of the physical development of the subdivision or the posting of a performance bond guaranteeing the eventual completion of the required public improvements, the applicant may file for final plat approval by submitting a letter officially requesting review and approval of the final plat, and four (4) copies of the plats including an original from which additional copies may be made.
- D. The final plat shall be drawn with black drawing ink on mylar or vellum using sheets measuring 24 by 36 inches. Final plats shall meet all the requirements of Chapter 177 of the Florida Statutes and shall be so certified by a registered surveyor.
- E. Information to be included in the final plat shall include:
1. A title block to include the name of the subdivision, the appropriate legal description with reference to the subdivision corner tie, and the words "Town of Branford, Florida."
 2. The name and address of the owner of record and the subdivider, and the name and registration number of the surveyor or engineer.
 3. A vicinity map, at scale, showing the proposed subdivision in relation to the surrounding streets.
 4. The location of all Permanent Reference Markers (PRM's) and Permanent Control Points (PCP's) in conformity with Chapter 177 of the Florida Statutes.
 5. A legend which defines all symbols.
 6. Names of owners of record of adjoining land with their appropriate acreage.
 7. Sufficient data to determine readily and to locate on the ground the location, bearing, and length of each road right-of-way boundary, boundary line, block line, lot line, easement, or other public right-of-way.
 8. The right-of-way lines, widths, and names of all roads. Where roads are curved, the radius, central angle, and arc must be provided.
 9. Lot line and block and lot numbers.
 10. Dedications and easements, showing widths and purposes, shall be delineated on the face of the plat.
 11. Location of all bodies of water and the extent of the 100 year floodplain.
 12. The exact boundary lines of the tract as determined by a field survey, giving distances to the nearest one-tenth of a foot and angles to the nearest minute, shall be balanced and closed with an apparent error of closure not to exceed one in five thousand. Lot lines shall be shown to a similar standard.

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F. The Office of Town Clerk shall make a written recommendation of approval or disapproval to the Town Council no later than four days prior to the next regularly scheduled meeting of the Council. The Town Council's action

shall be final. If the Town Council denies approval, it shall place in writing the conditions which must be met by the subdivider before it will reconsider the matter.

3.05.03 Recording the Plat

- A. Upon the approval of a final plat by the Town Council, the owner or owner's agent shall have the final plat recorded in the office of the Clerk of the County Court whose certification shall final act before lots within the subdivision may be sold.
- B. After the final plat is approved and recorded, the developer may advertise and sell lots within the development.

3.06.00 PROHIBITIONS AND ENFORCEMENT

3.06.01 Generally

- A. Within in the Town, no subdivision shall be made, platted, or recorded unless such subdivision meets all the requirements of these Regulations and has been approved in accordance with the procedures herein.
- B. It shall be unlawful for anyone who is the owner or agent of the owner of any land to transfer, sell, agree to sell, or negotiate to sell such land without having submitted a plan and plat of such subdivision for approval as required by these regulations and without having recorded the approved subdivision plat as required. If such unlawful use be made of a plat before it is properly approved and recorded, the owner or agent of the owner of such land shall be deemed guilty of a misdemeanor and shall be punishable as provided by law. The Council may, through action by the Town Attorney, enjoin such transfer, sale, or agreement. Failure to comply with the provisions of this section shall not impair the title of land so transferred or affect the validity of the title conveyed. However, a purchaser of land sold in violation of this section shall be entitled, within one year from the date of purchase thereof, to bring an appropriate action to avoid such sale or to bring action against the seller for any damages which he suffers as a result of the seller's unlawful act, or both.
- C. No building permit, electrical permit, septic tank permit or any other permit or license which may be required by the Town shall be issued for any lots in a subdivision until appropriate approval is granted by the Council under the procedure of these Regulations. In particular, no certificate of occupancy may be granted until a plat has been recorded with the Town.
- D. Any owner or agent of the owner who falsely represents to any prospective purchaser of real estate that roads, community water systems, central sewage systems, storm water management systems, or any other sort of public improvement whatsoever will be built, constructed, or maintained by the Town shall be deemed guilty of a misdemeanor of the second degree as defined by Chapter 775 of the Florida Statutes.

3.06.02 Enforcement of the Provision of Public Improvement

If the subdivider has agreed to provide certain required public improvements by the time of final plat approval and the Town's inspectors find that such public improvements have not been made or are inadequate or unsatisfactory, the Council shall withhold final plat approval.

3.06.03 Violation

Any person who shall sell any lot, offer to sell any lot, or construct, open, or dedicate any road, sanitary sewer, storm sewer, or water main, or drainage structure without having first complied with the provisions of these Regulations, or otherwise violate these Regulations, shall be punishable pursuant to Town of Branford Ordinances.

3.06.04 Legal Status

A. Severance Clause

If any part or provision of these Regulations or application thereof to any person or circumstances are adjudged invalid by any court of competent jurisdiction, such judgement shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgement shall have been rendered and shall not affect or impair the validity of the remainder of these Regulations or the application thereof to other persons or circumstances. The Council hereby declares that it would have enacted the remainder of these Regulations even without any such part, provision, or application.

B. Vacating Existing Plats

1. The owner of any land subdivided into lots may petition the Council under the provisions of Chapter 177.101 of the Florida Statutes to remove, vacate, and abandon the existing plat, or portion of a plat, from the official records of the Town. The applicant for such action shall file the Petition, Proof of Publication of Notice of Intent, Certificate of Title, Statement of Taxes and Resolution, and shall pay the appropriate filing fee as established by the Council. The Office of the Town Clerk shall coordinate the appropriate review and formulate a recommendation to the Council, which shall act on the petition. The applicant shall be responsible for recording the Petition and the Proof of Publication with the Clerk of the County Court.
2. The Council may, on its own motion consistent with Chapter 163.280(2) of the Florida Statutes, order a vacation and abandonment of all or any part of a subdivision within its jurisdiction. Such action may include the vacation of roads or other parcels, provided that the subdivision plat was lawfully recorded not less than five (5) years before the date of such action by the Council; and no more than ten percent of the total subdivision or thereof has been sold as lots by the original subdivider or his successor in title. Such action shall be based on a finding by the Council that the proposed vacation and abandonment of subdivided land conforms to the Branford Comprehensive Plan; and that the public health, safety, economy, comfort, order, convenience, and welfare will be promoted thereby. Before acting on a proposal for vacation and abandonment of subdivided land, the Council shall hold a hearing, with due public notice of intent.

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3. No owner of any parcel of land in a subdivision shall be deprived through vacation and abandonment of a parcel of plat, or a portion of a plat, of reasonable access to such parcel, nor reasonable access therefrom to existing facilities to which parcel has theretofore had access; providing however, that such access remaining or provided after such vacation need not be the same as that therefore existing, but shall be reasonable equivalent thereto.

C. Interpretation

1. In their interpretation and application, the provisions of these Regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.
2. These Regulations are not intended to interfere with, abrogate, or annul any other Town rule or regulation, statute, or other provision of law. Where any provision of these Regulations imposes restrictions different from those imposed by any other provision of these Regulation or any other Town rule, regulations, or other provision of law, whichever provisions are more restrictive, or impose higher standard, shall control.
3. These Regulations are not intended to abrogate any easement, covenant, or any other private agreement, or restriction, provided that where the provisions of these Regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or private agreement or restriction, the requirements of these Regulations shall govern.

ARTICLE IV TRAFFIC CIRCULATION AND OFF-STREET PARKING

4.01.00 PURPOSE

4.02.00 DEFINITIONS

4.03.00 GENERAL PROVISIONS

- 4.03.01 General
- 4.03.02 Permanent Reservation
- 4.03.03 Off-Street Parking or Loading Plan
- 4.03.04 Exception
- 4.03.05 Repair, Sales, or Service Use of Parking Facilities
- 4.03.06 Pedestrian and Bicycle Traffic

4.04.00 REQUIREMENTS FOR OFF-STREET PARKING

- 4.04.01 Parking Space Requirement
- 4.04.02 Uses Not on the Matrix
- 4.04.03 Parking for Handicapped Persons
- 4.04.04 Joint Use
- 4.04.05 Location of Parking Space
- 4.04.06 Garbage Dumpsters

4.05.00 REQUIREMENTS FOR OFF-STREET LOADING AND UNLOADING AREA

- 4.05.01 General
- 4.05.02 For Gross Floor Area Over 10,000 Square Feet
- 4.05.03 For Gross Floor Area Less 10,000 Square Feet
- 4.05.04 Location of Off-Street Loading Spaces
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4.09.02 Commercial Vehicle Parking and Loading

ARTICLE IV TRAFFIC CIRCULATION AND OFF-STREET PARKING

4.01.00 PURPOSE

The requirements established in this section are applicable to the implementation of the Objectives and Policies in traffic element of the Town of Branford Comprehensive Plan; to provide well-designed parking and loading spaces to ensure a safe and convenient on-site traffic flow, and acceptable vehicle parking for Town and county development.

4.02.00 DEFINITIONS

Permit

A written authorization given by the permitting authority, subject to conditions in accordance with this Code.

Access

Ingress to and egress to or from land bordering on a system of streets and roads.

Connection

One or more driveways, streets, turnouts, or other means of providing for the right of access to or from the controlled access facilities on the state highway system.

Driveway

The portion of the vehicle accommodation area that consists of a travel lane bounded on either side by an area that is not the part of the vehicle accommodation area.

Off-street Parking Space

A portion of the vehicle accommodation area, with a dimensions of nine (9) feet in width and nineteen (19) feet in depth, exclusive of the area required for access drive or aisles.

Parallel Parking Space

A portion of the vehicle accommodation area, with a dimensions of seven (7) feet in width and nineteen (19) feet of additional depth for maneuvering purposes, exclusive of the area required for access drive or aisles.

Off-street Loading Space

A portion of the vehicle accommodation area, while have minimum dimensions of 14 feet in height, 12 feet in width, and 55 feet in length.

Setback

The lateral distance between the right-of-way line and the roadside business, building, gasoline pump, curb base, display stand, or other objects.

Gross Floor Area

The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

State Road

All streets, roads, highways, and other public ways open to travel by the general public and dedicated to public use according to law or by prescription, and designated by the Florida Department of Transportation as part of the state highway system.

Vehicle Accommodation or Vehicle Use Area

That portion of a lot that is used by vehicles for access, circulation, parking, and loading and unloading areas, inclusive of the total circulation, loading and unloading, and parking areas (spaces and aisles).

4.03.00 GENERAL PROVISIONS

4.03.01 General

For every use, activity, or structure which authorized or conditional use is established in accordance with this code, there shall be provided sufficient space for access and off-street parking, loading and unloading for motor vehicles.

4.03.02 Permanent Reservation

At the effective date of this code, area reserved for off-street parking or loading in accordance with the requirements of this code shall not be reduced in area or changed to any other use unless the authorized use which it serves is discontinued or modified, except where equivalent parking space is provided to the satisfaction of the Town council.

4.03.03 Off-Street Parking or Loading Plan

A off-street parking or loading plan shall be submitted with an application for every building permit for which construction or building are required to provided off-street parking or loading spaces.

4.03.04 Exception

- A. Any expansion or change in use, The proposed expansion of any existing building in floor area, volume, capacity, or space shall result in the compliance with the requirements governed by this Code for both existing and new buildings.
- B. A change in use of a structure or building resulting in additional requirements over that of the present use, shall be bound to comply with the regulations contained in this code.
- C. If existing commercial uses in the Central Business District and similar areas desiring to expand but are unable for good and sufficient reason to provide parking at the standard required by the parking space matrix, the Town Council may grant relaxation of the strict application of these requirements on appeal subject to the regulations governing appeals and variances.

4.03.05 Repair, Sales, or Service Use of Parking Facilities

It shall be unlawful to use any required off-street parking and loading facilities for vehicle repair work, service, display, or sales of any kind, except as expressly permitted by the Town Council.

4.03.06 Pedestrian and Bicycle Traffic

It is required that the sidewalk or marked cross lane be provided for pedestrian and bicycle traffic, especially in the Central Business District.

4.04.00 REQUIREMENTS FOR OFF-STREET PARKING

4.04.01 Parking Space Requirements

There shall be provided the minimum off-street parking spaces pursuant to the following requirements:

TABLE OF PARKING SPACE REQUIREMENTS

LAND USE	SPACE REQUIREMENTS
1. Dwellings	
a. Single or Two Families	2 spaces per unit
b. Multiple	One and one-half spaces per unit containing less than 3 habitable rooms; 2 spaces per unit containing 3 or more habitable rooms. (See Note for more requirements)
c. Hotels	1 space per unit plus 1 additional space for each 5 employees.
d. Motels, Tourist Courts and Homes.	1 space per unit, plus 1 space for residential manager or owner.
2. Public Assembly	
a: Private Clubs, lodges, and fraternal buildings not providing overnight accommodations.	1 space per 5 active members.
b: Theaters, Auditoriums, Coliseums, Stadiums and similar Places of Assembly.	1 space per 3 seats.
c: Libraries, Museums	1 space per 500 sq. ft. of gross floor area.

- d: Schools, including Kindergartens, Play-schools and Day care Centers. 1 space per 4 seats in assembly hall, or 1 space for each employee, whichever is greater, plus 5 spaces per classroom for high school and colleges.
- e: Skating Rinks, Dance Halls, and other Places of Amusement or Assembly without fixed seating arrangements. 1 space per 200 sq. ft. floor area.
- f: Bowling Alleys. 4 spaces per alley plus additional parking spaces for other uses on site.

3. Health Facilities

- a: Hospitals, Sanitariums, Nursing Homes, or Similar Institution 1 space per 4 beds, plus 1 space per 4 employees.
- b: Kennels and Animal Hospitals 1 space per 200 sq. ft. of gross floor area.
- c: Medical, Dental and Health Offices and Clinics 1 space per 200 sq. ft. of floor area used for offices and other similar purposes.
- d: Mortuaries and Funeral Parlors 5 spaces per parlor chapel unit, or 1 space per 4 seats, whichever is larger.

4. Business and Offices

- a: Food stores 1 space per 125 sq. ft. of retail floor area.
- b: Furniture and appliance stores 1 space per 400 sq. ft. of retail floor area.
- c: Nonmedical offices and services 1 space per 300 sq. ft. of gross floor area, with a minimum of 4 spaces to be provided.
- d: Financial institutions 1 space per 150 sq. ft. of gross floor area.
- e: Personal services 1 space per 150 sq. ft. of gross floor area.
- f: Repair services 1 space per 300 sq. ft. of gross floor area.
- g: Eating and drinking establishments with on-premises consumption 1 space per 100 sq. ft. of gross floor area.
- h: Shopping Centers 10 spaces per 1,000 sq. ft. of floor area designated for retail sales only for Centers up to 15 acres in size and 8 spaces per 1,000 sq. ft. thereafter.

5. Industry

- | | |
|--|--|
| a: Commercial, Manufacturing and Industrial Establishments, not catering to the retail trade | 1 space per 3 employees on the maximum working shift, plus 1 space for each vehicle operating from the premises. |
| b: Wholesale Establishments | 1 space per 50 sq. ft. of customer service area, plus 2 spaces for each 3 employees on the maximum working shift, plus 1 space for each company vehicle operating from the premises. |
| c: Electric Power, Gas and Telephone Sub-stations. | 25 percent of the parcel on which use located or 4 spaces whichever is smaller. |

Note: Parking requirements for Multiple-family may be provided for in part by remote parking off site. In such event fifty percent (50%) or more must be accommodated on site; twenty-five percent (25%) or more provided within 400 feet of actual pedestrian travel of a main entrance to the facility; and the remaining parking required provided within 800 feet of actual pedestrian travel of a main entrance. Should the parking requirement fail to be maintained in either sufficient number or serviceable condition the building shall be subject to the penalties as herein established for a violation of this Code.

4.04.02 Uses Not on the Matrix

Any uses not specifically listed in the above parking space requirements matrix, shall be derived from the use that most closely approximates the unlisted use.

4.04.03 Parking for Handicapped Persons

Any general public parking area shall provide suitable, marked spaces for handicapped persons as required by State and Federal Building Requirements.

4.04.04 Joint Use

- A. The required numbers of parking space for any separate uses may be combined in one lot, but the required space assigned to one use may not be assigned to another use at the same time. Except:
- B. The parking space required for an existing church whose peak attendance will be at night or on Sunday, may be assigned to a use normally closed at night or on Sundays.
- C. If such a joint parking arrangement is proposed, the applicants must file a written notarized agreement assuring the retention of the joint parking arrangement with the application for a building permit.

4.04.05 Location of Parking Space

- A. All required off-street parking spaces shall be provided on the same lot or parcel or on a contiguous lot in the same ownership and not separated by a street.

- B. Each off-street parking shall be directly accessible from a street, alley, or other public right-of-way; and shall be arranged so that motor vehicles shall not have to back onto any street.
- C. If an off-street parking space cannot be reasonably provided on the same site on which the principal use is conducted, the Town council may allow the designation of such spaces which lie within six hundred (600) feet of the property line of such principal use. Such vehicle parking space shall be associated with the permitted use and shall not hereafter be reduced or encroached upon in any manner.

4.04.06 Garbage Dumpsters

Garbage dumpsters shall not be permitted to be placed in a required parking space. If a garbage dumpster is required, an additional space must be included in the Off-Street Parking Plan.

4.05.00 REQUIREMENT FOR OFF-STREET LOADING AND UNLOADING AREA

4.05.01 General

There shall be provided loading spaces for each hospital, institution, hotel, commercial, or industrial building or similar use requiring the receipt or distribution of materials or merchandise.

4.05.02 For Gross Floor Area Over 10,000 Square Feet

Each said building having a gross floor area of ten thousand (10,000) square feet or more shall be provided at least one off-street loading space for the first 10,000 square feet, and one additional space for each 20,000 square feet or fraction thereof.

4.05.03 For Gross Floor Area Less 10,000 Square Feet

- A. Each said building having a gross floor area of less than ten thousand (10,000) square feet, shall be provided a sufficient off-street loading space (not necessarily a full space if shared by an adjacent establishment).
- B. Based upon sufficient demonstration that a particular loading space will be used exclusively by shorter trucks, the Town council may reduce the minimum length accordingly to thirty-five (35) feet.

4.05.04 Location of Off-Street Loading Spaces

All required off-street loading spaces shall be located on the same lot as the building which they are intended to serve, or on an adjacent lot when shared with the use occupying said adjacent lot. Such space shall be so located as not to hinder the free movement of pedestrians and vehicles over a sidewalk, street or alley.

4.05.05 Marking

Each required loading and unloading area should be marked so that service vehicles may use this space without interfering with the use of street, sidewalks, alleys or parking area, and shall have access to a street or alley or have a driveway which offers satisfactory ingress and egress for trucks in accordance with the Access Management Requirement in this code.

4.05.06 Bus and Trucking Terminals

There shall be provided sufficient space to accommodate the maximum number of buses or trucks to be stored or to be loaded at the terminals at any one time.

4.06.00 DESIGN STANDARDS

4.06.01 Size of Parking Spaces

The following table of parking space standards shall apply to all parking facilities in accordance with this Code.

Parking Angle	Stall Width	Stall Depth	Aisle Width	Curb Length Per Car	Lot Width (2 rows plus aisle)
45°	9'	21'	12'	12.7'	54'
60°	9'	22'	18'	10.4'	62'
90°	9'	19'	26'	9'	64'

4.06.02 Spaces for Handicapped Parking

It shall be designed as a minimum of twelve (12) feet in width by twenty (20) feet in length.

4.06.03 Drainage and Maintenance

All required off-street parking or loading facilities shall conform to the Stormwater Management requirements of the Branford Comprehensive Plan and of this Code. The said parking or loading facilities shall be provided with adequate draining facilities to prevent damage or any inconvenience to abutting private property and/or public streets and alleys; and shall be maintained in a clean and orderly condition.

4.07.00 ACCESS MANAGEMENT

4.07.01 General

The Access Management shall meet the requirements in accordance with the Rule of Florida Department of Transportation and this Code.

4.07.02 Ingress and Egress

All entrance and exits to off-street parking and loading areas from the major arterial shall be subject to special approval by the Town Council.

4.07.03 Access Point

- A. Access points must be able to accommodate all vehicles having occasion to enter the site. There shall be sufficient on-site storage to accommodate queued vehicles waiting to park or exit without using any portion of the street right-of-way or in any other way interfering with street traffic.
- B. A maximum of one access point shall be permitted to a particular site from each of one or two abutting streets. Dual access drives will be considered to be one access point. The number of access points shall be as follows:

Type of Development	Number of Access Points	Preferred Type of Access
Residential, <75 units	1	Residential or Minor Collector
Residential, >75 units	2	Minor Collector
Non-residential, <300 required parking spaces	1	Collector

- C. The separation between access points onto arterial or collector roads, or between an access point and an intersection of an arterial or collector with another road, shall be in accordance with the following table:

Functional Road Class Distance Between Access Points	
Major Arterial	300 feet
Minor Arterial	250 feet
Major Collector	185 feet
Minor Collector	140 feet

4.07.04 Measurement

The distance between access points shall be measured from the centerline of the proposed driveway or roadway to the centerline of the nearest adjacent roadway or driveway.

4.07.05 Driveway Regulation

- A. All driveways connecting to any Town owned or Town maintained right-of-way, where constructed or altered by others, must be included in a site plan before construction can occur.
- B. No one shall be allowed to enter upon a Town owned or Town maintained right-of-way to construct a driveway or roadway. Alternation of an existing driveway or existing roadway and connection of any driveway or roadway shall not commence until the development order is issued. Development orders will not be permitted until the standards are met.

- C. Permits for the construction or alteration of driveways or roadways on Town owned or Town maintained rights-of-way will be issued in conformity with procedures set forth in this Code.

4.07.06 Curb Cut

No curb cut shall exceed fifty (50) feet in length, nor shall curb cuts be closer than ten (10) feet to other curb cuts or to an intersection of two streets measured along the curb line.

4.08.00 REQUIREMENT FOR SETBACK AND ADEQUATE LANDSCAPING

4.08.01 Standards

All off-street parking or loading areas shall be set back a minimum of ten (10) feet from the front property line and six (6) feet from the side and rear property lines.

4.08.02 Exception

- A. If there is the joint use of common access aisles or drives along side or rear property lines of two (2) or more building lots, the said setbacks are not provided.
- B. When a continuous curb or wheelstop is used adjacent to a required setback area or an interior landscape area large enough to allow a two (2) feet vehicular overhang, the parking space depth may be reduced from nineteen (19) feet to seventeen (17) feet.

4.08.03 Landscaping

All off-street parking and loading areas shall be properly landscaped. It is intent of this section to encourage to use of setbacks or adjacent open land to provide adequate protection for undesirable effects from the creation and operation of parking and loading facilities, as well as safe and comfortable space for pedestrians.

4.09.00 EXCEPTIONS AND MODIFICATIONS

4.09.01 Parallel Parking

Motor vehicles may be required to park parallel against the curb in the business district herein designated, in designated areas, sufficiently close together to allow a maximum number of vehicles to park in said area.

4.09.02 Commercial Vehicle Parking and Loading

Commercial vehicle and trailers of all types, including travel, boat, camping and hauling shall not be parked or stored on any lot in any Residential District except in accordance with the permit issued by the Town council.

**ARTICLE V
SIGNS**

5.01.00 SIGNS

- 5.01.01 Definition**
- 5.01.02 Signs, number and surface area**
- 5.01.03 Commercial On- Site Signs**
- 5.01.04 Commercial Off- Site Signs**
- 5.01.05 Approval of Signs**
- 5.01.06 Prohibited Signs**
- 5.01.07 Existing Signs**
- 5.01.08 State and Federal Regulations for Signs**

ARTICLE V SIGNS

5.01.00 SIGNS

5.01.01 Definition

Sign shall mean any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided however, that the following shall not be included in the application of the regulations herein:

- A. Signs not exceeding two (2) square feet in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations;
- B. Flags and insignia of any government except when displayed in connection with commercial promotion;
- C. Legal notices; identification, informational, or directional signs erected or required by governmental bodies;
- D. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights;
- E. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter;
- F. Signs advertising the sale, lease or rental of the premises on which the sign is located. Each sign shall not exceed six (6) square feet in surface area for residential districts or twelve (12) square feet in surface area for other districts.

5.01.02 Signs, number and surface area

Signs, number and surface area.

For the purpose of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign. The surface area of a sign shall be computed as including the entire area within a regular geometric form or combinations of regular geometric forms constituting all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.

5.01.03 Commercial On- Site Signs

Commercial on-site signs:

- A. Signs in the General Commercial areas adjacent to major highways, shall not exceed seventy (70) square feet;
- B. Signs in other Commercial areas shall not exceed fifty (50) square feet;
- C. Signs in residential neighborhoods shall not exceed twenty (12) square feet;
- D. Signs within residential subdivisions shall not exceed twelve (6) square feet.

5.01.04 Commercial Off- Site Signs

Commercial Off-Site Signs

- A. Bill Board signs in the General Commercial areas adjacent to major highways, shall be consistent with and permitted by the State as a condition of being approved by the Town. Non Bill Board signs in the General Commercial areas shall not exceed seventy (70) square feet;
- B. Signs in other Commercial areas shall not exceed fifty (50) square feet;
- C. Signs in residential neighborhoods shall not exceed twenty (12) square feet;
- D. Signs within residential subdivisions shall not exceed twelve (6) square feet.

5.01.05 Approval of Signs

Approval of signs

- A. Replacement of existing permitted signs may be approved by the Town Clerk. Replacement signs must be in the same general location, cannot expand the size of the sign and cannot include any additional characteristics such as new lighting or expanded illumination.
- B. All new signs and/or expanded signs must be approved through the site-plan approval process.

5.01.06 Prohibited Signs

Signs Prohibited.

- A. Signs, on or overhanging public right of way or within one hundred (100) feet of traffic control lights, that contain red or green lights that might be confused with traffic control lights.
- B. Signs that are in violation of the building or electrical code adopted by the Town.
- C. Signs or sign structures that interfere in any way with free use of any fire escape or emergency exit.

5.01.07 Existing Signs

Existing Signs.

All signs, advertising devices, structures of systems which exist at the date of adoption of this Section shall be permitted to continue until the use of such sign is discontinued for a period of six (6) months. Thereafter, such signs, if in conflict herewith, shall be removed at the owner's cost.

5.01.08 State and Federal Regulations for Signs

Applicable State and Federal Regulations.

All signs located along State and Federal highways shall meet all applicable State and Federal Department of Transportation regulations pertaining to such signs.