8	**AGENDA ITEM** **Planning & Zoning**
	Meeting

11/19/2026

MEETING DATE

TO: **Planning and Zoning Board Members** **DATE:** **October 16, 2026**

FROM: **Amy Ring, Special Project Manager** **PHONE:** **904 209-0590**

SUBJECT OR TITLE: **LDCA 2026-06 Land Development Code Updates**

AGENDA TYPE: **Legislative, Report**

PRESENTER: **Jacob Smith, Planning Division Manager**

BACKGROUND INFORMATION:

LDCA 2026-06 amends Land Development Code (LDC) Articles II, III, VI, and XII to maintain consistency with recent changes to Florida Statutes and to clarify certain existing sections of the code. This ordinance also amends Ordinance 2025-19 to authorize St. Johns County Assistant Directors and the Planning Division Manager to process and render approval decisions for plats and replats, in addition to the Director of Growth Management, pursuant to s. 177.071, Florida Statutes. Additionally, this amendment amends the West Augustine overlay to add Food Truck Parks as an allowed use and codify related design standards.

SUGGESTED MOTION/RECOMMENDATION/ACTION:

APPROVE: Recommendation to approve the proposed amendments to the Land Development Code and Ordinance 2025-19 based on the modifications being consistent with Florida Law and the St. Johns County Comprehensive Plan.
APPROVE WITH REVISIONS: Recommendation to approve the proposed amendments to the Land Development Code with revisions based on the modifications being consistent with Florida Law and the St. Johns County Comprehensive Plan.
DENY: Recommendation not to adopt the proposed changes to the Land Development Code and Ordinance 2025-19 based on the modifications not being consistent with Florida Law and the St. Johns County Comprehensive Plan.

To:	Planning and Zoning Agency
From:	Jacob Smith, Planning Division Manager
Date:	November 9, 2026
Subject:	**LDCA 2026-06 Land Development Code Updates**
Hearing Dates:	BCC – November 17, 2026 (first reading) PZA – November 19, 2026 BCC – December 1, 2026 (second reading)
Commissioner District:	N/A

SUGGESTED MOTION/ACTION:

APPROVE: Recommendation to approve the proposed amendments to the Land Development Code based on the modifications being consistent with Florida Law and the St. Johns County Comprehensive Plan.

APPROVE WITH REVISIONS: Recommendation to approve the proposed amendments to the Land Development Code with revisions based on the modifications being consistent with Florida Law and the St. Johns County Comprehensive Plan.

DENY: Recommendation not to adopt the proposed changes to the Land Development Code based on the modifications not being consistent with Florida Law and the St. Johns County Comprehensive Plan.

Summary

This amendment includes updates to Land Development Code (LDC) Articles II, III, VI, and XII to maintain consistency with Florida Statutes (**Category 1**), to allow Food Truck Parks in the West Augustine overlay **(Category 2)**, and to improve clarity to existing Land Development Code regulations (**Category 3**). All proposed changes are found in **Attachment 2 – Redline**. Additionally, this amendment amends Ordinance 2025-19 to authorize Growth Management Department Assistant Directors and the Planning Division Manager to perform review and approval duties for plats and replats in addition to the Growth Management Director pursuant to s. 177.071, Florida Statutes.

Category 1: Statutory Updates

A. Off-Site Constructed Residential Dwelling

Effective January 1, 2027, Chapter 2026-7, Laws of Florida, amends Section 553.385, *Florida Statutes*, to require counties to allow off-site constructed residential dwellings, including a manufactured building as defined in s. 553.36, and a manufactured home as defined in s. 320.01(2)(b), as of right in any zoning district where single-family detached dwellings are allowed. Additionally, land use regulations may not treat an off-site constructed residential dwelling differently or more restrictively than a single-family, site-built dwelling allowed in the same zoning district.

AFFECTED CODE:

- Sec. 2.02.03 Housing Types Table
- Sec. 2.02.04 Accessory Uses
- Sec. 2.03.01 Table of Allowable and Special Uses
- Sec. 2.03.08 Manufactured/Mobile Home
- Sec. 2.03.09 Manufactured/Mobile Home Park
- Sec. 3.11.05, Table 3.11.05
- Sec. 3.11.06 Site Development Criteria, Housing Types Table
- Sec. 3.12.04 Table of Permitted Uses by Zoning District
- Sec. 6.08.23 Manufactured/Mobile Home Parks
- Article XII Definitions – Dwelling, One Family or Single Family

B. Private Schools

Effective July 1, 2026, Chapter 2026-33 Laws of Florida, amended Section 1002.42, *Florida Statutes*, to require that private schools enrolling 150 or fewer students are a permitted use and occupancy in a commercial or mixed-use zoning district within a county without rezoning or obtaining a special exception of a land use change, and without complying with any mitigations requirements, conditions, performance standards, ordinances, rules, codes, or policies, except that a county may require proportionate mitigation measures necessary to mitigate vehicular traffic and pedestrian safety.

AFFECTED CODE:

- Sec. 2.03.01 Table of Allowable and Special Uses
- Sec. 2.03.17 Private School with Conventional Academic Curriculum
- Sec. 3.11.05, Table 3.11.05
- Sec. 3.12.04 Table of Permitted Uses by Zoning District

Category 2: Food Truck Parks in the West Augustine Overlay

Currently, Food Truck Parks are prohibited in the West Augustine Overlay. Based on a request from a local business owner and in conjunction with the West Augustine CRA leadership, staff has drafted language to permit Food Truck Parks as an allowed use within the West Augustine Overlay District.

AFFECTED CODE:

- Section 3.11.05, Table 3.11.05
- Section 3.11.07.B Parking and Loading
- Section 3.11.08 Landscaping and Screening Buffers
- Section 3.11.10 Design Standards

Category 3: General Clarifications

A. Proposed Changes to Accessory Uses and Structures

- Clarify that in addition to Guest Houses and Employee Quarters, Private Garages and residential storage Buildings are not allowed as Accessory Structures in any required Yard.
- Clarify that Accessory Structures 120 square feet or less in size and that do not require a building permit and which are separated from the main Structure by not less than ten (10) feet, may be located in a required Side or Rear Yard but not less than three (3) feet from any Lot line.
- Specify that Accessory Structures in residential zoning districts shall be accessory to the principal building in terms of mass, size, and height and may have eaves no greater in height than the principal structure unless otherwise specifically provided.
- Adjust references from Open Rural Districts to agricultural districts and remove the term Accessory in the references to Agricultural Structures regulations. Amend the definition of Rural Home Industry for consistency.

AFFECTED CODE:

- Sec. 2.02.04 Accessory Uses

B. Definitions

- Amend the definition for Home-Based Business to better align with section 559.955, *Florida Statutes*.

AFFECTED CODE:

- Article XII Definitions

CORRESPONDENCE/PHONE CALLS

Staff have not received any public inquiry into these proposed changes.

AGENCY ACTION

The Agency may recommend approval of the proposed Land Development Code amendments, recommend approval with revisions, or recommend denial of the proposed amendments.

BOARD OF COUNTY COMMISSIONERS

The first reading of this item will take place at the Board of County Commissioners meeting on November 17, 2026, after submission of this staff report. Board discussion and public comment will be summarized by staff during the presentation to the Planning and Zoning Agency.

ATTACHMENTS

1. Ordinance
   Exhibit A LDC Articles II, III, VI, XII (clean)
2. **Redline**
3. Supporting Documentation

Attachment 1
Ordinance & Exhibit A

ORDINANCE NO. 2026-_____

AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS, ST. JOHNS COUNTY, FLORIDA, AMENDING PORTIONS OF ST. JOHNS COUNTY LAND DEVELOPMENT CODE (ORDINANCE 1991-51, AS AMENDED), SPECIFICALLY AMENDING ARTICLE II ZONING DISTRICTS AND SPECIAL USES, PART 2.02.00 USES ALLOWED WITHIN ZONING DISTRICTS, SECTION 2.02.04 ACCESSORY USES AND ARTICLE XII DEFINITIONS TO CLARIFY CERTAIN RESTRICTIONS AND USE CRITERIA FOR ACCESSORY USES AND STRUCTURES; AMENDING ARTICLE II ZONING DISTRICTS AND SPECIAL USES, PART 2.02.00 USES ALLOWED WITHIN ZONING DISTRICTS, SECTION 2.02.03 HOUSING TYPES TABLE, SECTION 2.02.04 ACCESSORY USES, PART 2.03.00 ALLOWABLE AND SPECIAL USES, SECTION 2.03.01, TABLE OF ALLOWABLE AND SPECIAL USES, SECTION 2.03.08 MANUFACTURED/MOBILE HOME, SECTION 2.03.09 MANUFACTURED/MOBILE HOME PARK, ARTICLE III SPECIAL DISTRICTS, PART 3.11.00 WEST AUGUSTINE OVERLAY DISTRICT, TABLE 3.11.05, SECTION 3.11.06 SITE DEVELOPMENT CRITERIA, AND PART 3.12.00 HASTINGS OVERLAY DISTRICT, TABLE 3.12.04 PERMITTED USES BY ZONING DISTRICT, AND ARTICLE VI DESIGN STANDARDS & IMPROVEMENT REQUIREMENTS, PART 6.08.00 SUPPLEMENTAL DESIGN STANDARDS FOR SPECIFIED USES, SECTION 6.08.23 MANUFACTURED/MOBILE HOME PARKS, TO ALLOW MANUFACTURED/MOBILE HOMES BY RIGHT AS A RESIDENTIAL USE CONSISTENT WITH 553.385, *FLORIDA STATUTES* AND RELOCATE CERTAIN DEVELOPMENT CRITERIA FOR MANUFACTURED/MOBILE HOMES TO ARTICLE VI; AMENDING ARTICLE II ZONING DISTRICTS AND SPECIAL USES, PART 2.03.00 ALLOWABLE AND SPECIAL USES, SECTION 2.03.01, TABLE OF ALLOWABLE AND SPECIAL USES, SECTION 2.03.17 PRIVATE SCHOOL WITH CONVENTIONAL ACADEMIC CURRICULUM, ARTICLE III SPECIAL DISTRICTS, PART 3.11.00 WEST AUGUSTINE OVERLAY DISTRICT, TABLE 3.11.05, AND PART 3.12.00 HASTINGS OVERLAY DISTRICTS, TABLE 3.12.04 PERMITTED USES BY ZONING DISTRICT, TO RENAME THE USE OF PRIVATE SCHOOL WITH CONVENTIONAL ACADEMIC CURRICULUM TO PRIVATE SCHOOL AND SIMILAR EDUCATION FACILITIES AND ALLOW THE USE BY RIGHT IN ALL COMMERCIAL AND MIXED-USE ZONING DISTRICTS CONSISTENT WITH 1002.42, *FLORIDA STATUTES*; AMENDING ARTICLE III, SPECIAL DISTRICTS, PART 3.11.00 WEST AUGUSTINE OVERLAY DISTRICT, TO ALLOW FOOD TRUCK PARK AS A SPECIFIED USE AND PROVIDE DESIGN STANDARDS; AMENDING ARTICLE III SPECIAL DISTRICTS, PART 3.12.00 HASTINGS OVERLAY DISTRICT, SECTION 3.12.06 SITE DEVELOPMENT CRITERIA, TO CLARIFY MINIMUM LOT WIDTH AND LOT AREA REQUIREMENTS; AMENDING ARTICLE XII DEFINITIONS FOR DEFINITION OF DWELLING, ONE FAMILY OR

SINGLE FAMILY FOR CONSISTENCY WITH 553.385, *FLORIDA STATUTES* AND DEFINITION FOR HOME-BASED BUSINESS CONSISTENT WITH 559.955, *FLORIDA STATUTES*; DESIGNATING ST. JOHNS COUNTY GROWTH MANAGEMENT ASSISTANT DIRECTORS AND THE ST. JOHNS COUNTY PLANNING DIVISION MANAGER AS ADMINISTRATIVE AUTHORITIES ALLOWED TO PROCESS PLAT AND REPLAT SUBMITTALS AND RENDER DECISIONS OF APPROVAL IN ADDITION TO THE ST. JOHNS COUNTY GROWTH MANAGEMENT DIRECTOR PURSUANT TO 177.071, *FLORIDA STATUTES*; AMENDING TEXT FOR GENERAL CORRECTIONS; PROVIDING FOR CORRECTION OF SCRIVENERS ERRORS; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, local land development regulations require evaluation and revision to address public health, safety and welfare issues that may occur during the implementation of land development regulations; and

WHEREAS, St. Johns County desires to amend certain provisions of the Land Development Code (the "Code"), enacted pursuant to Part II of Chapter 163 and Chapter 190, Florida Statutes, to maintain consistency with Florida State Statutes and to provide for additional clarify and ease of use; and

WHEREAS, St. Johns County has determined that reasonable amendments to land use regulations serve the public health, safety and welfare of the citizens of St. Johns County; and

WHEREAS, pursuant to Section 125.66(3)(a), Florida Statutes, the County prepared and posted a business impact estimate finding no direct detrimental economic impact on private, for-profit businesses in the County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, as follows:

SECTION 1. LEGISLATIVE FINDINGS OF FACT. The above recitals and WHEREAS clauses are true and correct and are hereby adopted as legislative findings and incorporated herein by reference and made a part hereof.

SECTION 2. LAND DEVELOPMENT CODE REGULATIONS. Article II, Article III, Article VI, and Article XII of the St. Johns County Land Development Code, Ordinance No. 1999-51, as previously amended, is hereby amended as follows in the attached **EXHIBIT A,** incorporated herein and made a part of this Ordinance.

SECTION 3. APPLICABILITY. The remaining portions of the St. Johns County Land Development Code, Ordinance No. 99-51, as amended, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

SECTION 4. INCLUSION AND CODIFICATION INTO THE LAND DEVELOPMENT CODE. It is the intent of the St. Johns County Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the St. Johns County Land Development Code, Ordinance No. 1999-51, as previously amended, and that the parts, sections, and attachments of

this Ordinance may be renumbered, reorganized, relettered, and appropriately incorporated into the Land Development Code in order to accomplish such intentions.

SECTION 5. **SCRIVENERS ERRORS**. It is the intent of the St. Johns County Board of County Commissioners that scriveners and typographic errors which do not change the tone or tenor of this Ordinance may be corrected during codification and may be authorized by the County Administrator or designee, without public hearing, by filing a corrected or recodified copy of the same with the Clerk of the Board.

SECTION 6. SEVERABILITY. It is the intent of the Board of County Commissioners of St. Johns County, and is hereby provided, that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is, for any reason, declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the constitutionality or validity of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect upon a certified copy of this Ordinance being filed with the Florida Department of State.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida, this _____day of _____, 2026.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Chair

ATTEST: Brandon J. Patty, Clerk of the Circuit Court and Comptroller

By: _____
Deputy Clerk

Effective Date: _____

ARTICLE II
ZONING DISTRICTS AND SPECIAL USES

PART 2.00.00 GENERALLY
PART 2.02.00 USES ALLOWED WITHIN ZONING DISTRICTS

Sec. 2.02.03 Housing Types

The Table below indicates the housing types allowed in each zoning district within St. Johns County. The housing types are arranged across the top. An "A" indicates that the Use is allowable by right, and an "S" is allowable by approval of a Special Use Permit (SUP) subject to the standards of this Code. A blank space indicates that the Use is prohibited.

HOUSING TYPE							
ZONING DISTRICTS	SINGLE-FAMILY	DUPLEX	MULTI-FAMILY	TOWNHOME	MANUFACTURED/ MOBILE HOME	MANUFACTURED/ MODULAR HOME	MANUFACTURED/ MOBILE HOME PARK
OR	A				A	A	
RS-E	A				A	A	
RS-1	A	S			A	A	
RS-2	A	S			A	A	
RS-3	A	S			A	A	
RG-1	A	A	A		A	A	
RG-2	A	A	A		A	A	
RMH	A				A	A	A
RMH(S)	A				A	A	
WH	A	A	A	A	A	A	
OP	A*	A*			A*	A*	
CN	A*	A*			A*	A*	
CHT	A*	A*			A*	A*	
CG	A*	A*			A*	A*	
TCMU			A	A - Building Type II			
CI	A*	A*			A*	A*	
CR	A*	A*			A*	A*	
CHI	A*	A*			A*	A*	
CW	A*	A*			A*	A*	

IW	A*	A*			A*	A*	
HI	A*	A*			A*	A*	
PS	A*				A*	A*	
AD	A				A	A	
PUD**	A	A	A	A	A	A	A
PRD**	A	A	A	A	A	A	A

* Accessory Use per Section 2.02.04
** Subject to approval of a SUP, PUD or PRD ordinance.

Sec. 2.02.04 Accessory Uses

A. Generally

1. The review of Accessory Uses shall be the same as is required for the principal Use. All required Accessory Uses for any principal Use, including but not limited to off-street parking and loading areas, retention or drainage areas, and private sewer or Water Systems shall be located on the same Parcel as the principal Use and shall have the same or similar zoning district designation as the principal Uses, except in accordance with the Site Plan review requirements in Part 5.02.00 of this Code and/or except as expressly permitted elsewhere in this Code. In no case shall the principal or Accessory Use be located in a zoning district where that Use is not either a permitted Use or a Special Use.

2. Where a Building or Structure containing such principal Use, such Building or portion shall be considered as part of a principle Building and not an accessory Building.

3. Accessory Uses and Structures shall not be located in required Front and Side Yards, in any residential district except as follows:

   a. On double frontage Lots, through Lots and Corner Lots, Accessory Uses and Structures may be located in any required Side Yard.

   b. Accessory Structures for the housing of persons such as Guest Houses or Employee Quarters, or Private Garages or residential storage Buildings shall not be located in any required Yard.

   c. Accessory Structures 120 square feet or less in size and that do not require a building permit and which are separated from the main Structure by not less than ten (10) feet, may be located in a required Side or Rear Yard but not less than three (3) feet from any Lot line.

4. No accessory Building or Structure shall be used or occupied until the main Use Building on the Lot is being used, except for temporary storage of building supplies during the period of Construction of the main Use Building. No accessory Building or Structure shall be placed on a Lot or Parcel prior to the issuance of a Development Permit for the main Use Building or Structure. This restriction shall

not apply to fences, retaining walls, boat docks, boat houses, dune walk-over Structures or well houses.

B. Permitted Accessory Uses, Residential Districts

Each of the following Uses is considered to be a customary Accessory Use, and as such, may be situated on the same Lot with, but detached from, the principal Use with which it is associated. Accessory Uses or Structures shall not attract visitors in larger numbers than would normally be expected in a residential district. Accessory structures in residential zoning districts shall be accessory to the principal building in terms of mass, size, and height and may have eaves no greater in height than the principal structure unless otherwise specifically provided.

3. Boat docks, piers, boat houses, boat shelters, structures on docks, shall be permissible as accessory structures in residential districts and OR, Open Rural districts. In addition these structures may be located on parcel(s) of land that is not developed with a main use residential structure, provided adequate parking as defined in Section 6.05.02.E is placed on site, or within 300 feet of the dock parcel, unless a Special Use Permit is obtained permitting parking at distances greater than 300 feet from the dock parcel.

16. Accessory Family Unit shall be considered an allowable Accessory Use in all residential and OR zoning districts, subject to continual compliance with the following:

f. Reserved.

C. Permitted Accessory Uses, Office, Commercial and Planned Districts

2. Single family dwelling or two (2) family dwelling only for occupancy by owners or employees thereof.

E. Permitted Accessory Uses in Agricultural Districts

1. All Uses described in (B) above, except where in conflict with permitted Uses of agricultural districts or defined to apply to residential districts only. Seasonal sales and farm production tours/events are specifically permitted, as an Accessory Use, in agricultural districts. Such Uses shall provide for a safe surface and an adequate number of parking spaces suitable to accommodate traffic.

3. Agricultural Structures

Agricultural Structures shall not be limited to a maximum height, but shall be set back from the zoning Lot line as follows:

a. An agricultural Structure fifteen (15) feet or less in height shall be located a minimum of three (3) feet away from the side and rear zoning Lot line and

shall not be located in a required Front Yard.

b. An agricultural Structure over fifteen (15) feet up to fifty-one (51) feet in height shall be set back a minimum of one (1) additional foot from the side and rear zoning Lot line (in addition to the requirements of paragraph one (1) immediately above) for every three (3) feet of increased height up to fifty-one (51) feet. Therefore an agricultural Structure forty-five (45) feet in height shall be located a minimum of thirteen (13) feet from the zoning Lot line. Said agricultural Structure shall not be located in a required Front Yard.

c. An agricultural Structure over fifty-one (51) feet in height shall be set back from the Side and Rear Yard an additional (in addition to the requirements of paragraphs one (1) and two (2) immediately above) one (1) foot for every foot of increased height over fifty-one (51) feet. Therefore an agricultural Structure eighty (80) feet in height shall be located a minimum of forty-four (44) feet from the zoning Lot line. Said agricultural Structure shall not be located in a required Front Yard.

PART 2.03.00 ALLOWABLE AND SPECIAL USES

Sec. 2.03.01 Allowable Special Uses By Zoning Districts

The table below indicates the categories of Uses which are allowed in each zoning district within St. Johns County. The categories of Uses are arranged with the zoning district across the top. An "S" indicates the Special Use is allowable subject to the standards of this Part. An “A” indicates the Use is allowable by right. The purpose of Table 2.03.01 is to provide whether a use is allowed by right, or by special use, or prohibited within a zoning district. Specific uses are listed under the general Use Category for convenience (Please see Table 2.02.00).

The Special Uses listed in Section 2.03.01, may be allowed within PUDs and PRDs, subject to the Uses being provided within the PUD or PRD Master Development Plan and approved with the PUD or PRD ordinance, and subject to the limitations of the Comprehensive Plan.

TABLE OF ALLOWABLE AND SPECIAL USES

TABLE 2.03.01

Supplemental Regulations	Uses Allowed Within Zoning Districts	Open Rural OR	RSE	RS-1	RS-2	RS-3	RG-1	RG-2	RMH	RMH(S)	WH	Office & Professional OP	Commercial Neighborhood CN	Commerical General CG	Town Center Mixed Use TCMU	Commercial Highway Touris CHT	Commercial Intensive CI	Commercial Rural CR	Commercial High Intensity CHI	Commerical Warehouse CW	Industrial Warehouseing IW	Heavy Industrial HI	Public Service PS	Airport Development AD
	Residential Use																							
Sec. 2.03.39	Single Family Detached	A	A	A	A	A	A	A		A	A	Aa	Aa	Aa	A	Aa	Aa	Aa	Aa	Aa	Aa	Aa	Aa	A
Sec. 2.03.09	Manufactured/Mobile Home Parks								A	S														
	Condominium Ownership			A	A	A	A	A			A				A									
	cooperatives and other ownership arrangements (Multifamily, triplex)						A	A			A				A									
Sec. 2.03.04	Child and Adult Care	A	S	S	S	S	S	S	S	S		A	A	A	S	A	A	A			S	S		A
	Special Care Housing Level I	A	A	A	A	A	A	A	A	A	A													A
Sec. 2.03.23	Special Care Housing Level II	S					A	A			A				A									S
	Cemetaries/Mausoleums	A	S	S	S	S	S	S	S	S		S	S	S										A
Sec. 2.03.17	Private schools and similar education facilities	S	S	S	S	S	S	S	S	S		S	A#	A#	A#	A#	A#	A#	A#	A#				S

*	drive thru prohibited
**	gas pumps not permitted
a	accessory use per section 2.02.04
A	Allowed by right
S	Special use
I	all vessels to include automobiles, buses, boats, farm and garden equipment, motorcycles, trucks, recreational vehicles, manufactured mobile homes
x	limIted to maximum of 10 units
xx	limIted to max of 20 units
#	limIted to max of 150 students

PART 2.03.00 ALLOWABLE AND SPECIAL USES

Sec. 2.03.08 Reserved

Sec. 2.03.09 Manufactured/Mobile Home Park

A Manufactured/Mobile Home Park may be permitted as a Special Use within districts as defined in Section 2.03.01, subject to the following conditions and limitations:

A. The Manufactured/Mobile Home Park shall meet all design standards contained in Section 6.08.23 for Manufactured/Mobile Home Parks.

B. Units shall not be rented for time periods of less than one week.

C. The application for Special Use Permit shall include any request for signage, if applicable. No Sign shall exceed sixty-four (64) square feet in size and shall not exceed ten (10) feet in height. All lighting shall be shielded.

Sec. 2.03.17 Private School and Similar Education Facilities

Private schools and similar education facilities may be permitted as a Special Use within districts as defined in Section 2.03.01 subject to the following conditions and limitations:

A. Private schools and similar educational facilities with a capacity of more than ten (10) students shall have direct access to an Arterial or Major or Minor Collector.

B. Applications for Special Use within residential districts shall include any request for signage, if applicable. No such Sign shall exceed thirty-two (32) square feet in size.

C. No private school or similar education facility shall be established within one thousand (1,000) feet of an established vendor of alcohol beverages except those vendors licensed in accordance with Section 563.02(1)(a) and/or Section 564.02(1)(a) of the Florida Statutes, as may be amended from time to time, unless a Variance has been granted as provided in Part 9.03.00 of this Code.

ARTICLE III
SPECIAL DISTRICTS

PART 3.11.00 West Augustine Overlay District

Sec. 3.11.05 Uses and Activities subject to the requirements of the West Augustine Overlay District

In the West Augustine Overlay District, mixed use means a single development consisting of the combination of residential and nonresidential uses collocated within the same building, or collocated on the same lot or on contiguous lots. Within the District, mixed use and commercial development are permitted in both Sub-Areas.

A. **WANC and WAGC Sub-Areas: Allowable and Special Uses**. Notwithstanding any other provision in the Land Development Code, the uses for the property contained within the WANC and WAGC Sub-Areas in the West Augustine Overlay District shall be as prescribed in Table 3.11.05, except where such use is not permitted by the St. Johns County Comprehensive Plan. This table is interpreted to allow uses by right and by Special Use approval. Those uses listed within the table that are not "Approved by right" or as a "Special Use", shall be prohibited. Where a use is allowed in the underlying zoning district but not listed in Table 3.11.05, the use shall be allowed as in the underlying zoning district.

Table 3.11.05

A	**Approved by right**	West Augustine Neighborhood Commercial **WANC**	West Augustine General Commercial **WAGC**
S	**Special Use**		
*	**Must adhere to Section 3.11.07.B.**		
**	**Gas Pumps Prohibited**		
***	**No outdoor boarding facilities/enclosed within a sound proofed building**		
Residential Use		√	√
Single Family Detached (Ref. LDC Sec. 2.03.39)		**A**	**A**
Multi Family		**A**	**A**
Condominium ownership		**A**	**A**
Cooperatives and other ownership arrangements		**A**	**A**
Special Care Housing (Ref. LDC Sec. 2.03.23)		**S**	**S**
Cemeteries (Ref. LDC Sec. 2.03.13)		**S**	**S**
Private Schools and similar education facilities w/ max 150 students		**A**	**A**

Schools (with conventional academic curriculum)	**S**	**S**
Community Marinas	**S**	**A**
Model homes with or without sales office/construction trailer	**A**	**A**
Horse and Ponies (Ref. LDC Sec. 2.03.05)	**S**	**S**
Other animals (Ref. LDC Sec. 2.03.06)	**S**	**S**
Household Animals (Ref. LDC Sec. 2.02.04.B.1.)	**A**	**A**
Two family dwellings (Ref. LDC Sec. 2.03.18)	**A**	**A**
More than one main use structure on residential lot (Ref. LDC Sec. 2.03.28)	**A**	**A**
Cultural/Institutional Use	√	√
Child and Adult care (Ref. LDC Sec. 2.03.04)	**A**	**A**
Museum	**A**	**A**
Library	**A**	**A**
Art Gallery	**A**	**A**
Private clubs (Ref. LDC Sec. 2.03.38)	**S**	**A**
Neighborhood Business	√	√
Commercial indoor recreation	**A**	**A**
Indoor archery ranges	**A**	**A**
Hospitality	**A**	**A**
Retail Good Store	**A**	**A**
Financial Institutions with or without drive-through facilities	**A**	**A**
Funeral homes	**A**	**A**
Neighborhood Convenience Stores	**A****	**A**
Grocery stores	**A**	**A**
Specialty food stores	**A**	**A**
Take Out Restaurant	**A**	**A**
Pharmacies	**A**	**A**
Pharmacies w/Drive-thru	**S**	**A**
Billiards	**A**	**A**
Spas/gyms	**A**	**A**
Trade schools	**A**	**A**
Mini warehouse / personal property (Ref. LDC Sec. 2.03.16)	**S**	**S**
Service businesses (catering, printing, mail &package, laundries)	**A**	**A**
Veterinary Offices (Ref. LDC Sec. 2.03.41)	**A*****	**A*****
Beauty shops	**A**	**A**
Barbers	**A**	**A**
Photography studios	**A**	**A**
Psychics (Ref. LDC Sec. 2.03.22)	**S**	**A**
Medical/professional offices	**A**	**A**
Schools for Fine Arts	**A**	**A**
General Business / Commercial Use		√
Commercial recreation (Ref. Sec. 2.03.43)	**A**	**A**
Free standing ATMS	**A**	**A**
Indoor Farm and Garden Supply Centers		**A**

Outdoor Plant Sales	**A**	**A**
Gas Station		**A**
Car Wash facilities (Ref. LDC Sec. 2.03.50)		**A**
Auto Oil Change Facilities (Ref. LDC Sec. 2.03.51)		**S**
Tire Service Centers (Ref. LDC Sec. 2.03.52)		**S**
Small Car Rental Offices with Fleet		**A**
General Store (Ref. LDC Sec. 2.03.29)	**A**	**A**
Supermarkets		**A**
Bowling Alleys		**A**
Community Hospitals		**A**
Bed and breakfast (Ref. LDC Sec. 2.03.24)	**S**	**A**
Small Appliance Repair Shops		**S**
Upholstery Service	**A**	**A**
Employment Services		**A**
Bail Bonds		**A**
Psychiatric Care and Treatment Facilities with or without housing		**A**
Alcohol Rehabilitation Centers with/without housing	**S**	**S**
Social Assistance Center (Ref. LDC Sec. 2.03.53)		**S**
Restaurants	**A**	**A**
Restaurants w/Drive-thru	**S**	**A**
Veterinary Office (no more than 10 outside runs not to exceed 640 SF)		**A*** **
Government Offices	**S**	**A**
Golf Driving Ranges		**A**
Movie Theaters with three or less screens		**A**
Commercial/Vocational/Business/Trade School		**A**
RV and Boat Storage (Ref. LDC Sec. 2.03.42)	**S**	**S**
Other uses		
Hotel/Motel	**A**	**A**
Offsite Parking and Unpaved Parking Lots (Ref. LDC Sec. 2.03.15)	**A***	**A***
Alcoholic Beverages (Ref. LDC Sec. 2.03.02)	**S**	**S**
Water / Wastewater Treatment Facility	**S**	**S**
Antennae Towers	**S**	**S**
Electric Substations	**A**	**A**
Outdoor Storage (Ref. LDC Sec. 2.03.54)	**S**	**A**
Large Places of Assembly (Ref. LDC Sec. 2.03.55)	**S**	**S**
Warehouse (less than 10,000 sf)		**A**
Urban Agriculture (Ref. LDC Sec. 3.11.11)	**A**	**A**
Food Truck Park	**A**	**A**

Section 3.11.06 Site Development Criteria

This section addresses the relationship with the site and general features. The development standards included in this section shall apply to all nonexempt development within the West Augustine Overlay District. Unless otherwise specified in this Section, all other provisions of the Land Development Code apply.

A. **WANC and WAGC Sub-Area Development Criteria**

4. **Housing Type**

Permitted Housing types within the West Augustine Overlay District are as indicated in the Table below:

HOUSING TYPES							
SUB-AREAS	SINGLE-FAMILY	DUPLEX	MULTI-FAMILY	TOWNHOME	MANUFACTURED/ MOBILE HOME	MANUFACTURED/ MODULAR HOME	MANUFACTURED/ MOBILE HOME PARK
WANC	A	A	A	A	A	A	
WAGC	A	A	A	A	A	A	

Section 3.11.07 Access and Parking Requirements

B. **Parking and Loading:**

1. There shall be a minimum of two (2) off-street parking spaces per each 1,000 square feet of non-residential space and 1 parking space per each residential unit.

2. A landscaped buffer shall not be required between the required off-street Vehicular Use Area of any nonresidential development and any adjacent property that maintains a commercial use.

3. All nonresidential developments with parking requirements of ten (10) spaces or more, racks for parking bicycles may substitute for up to ten (10) percent of vehicular parking spaces required. For every bicycle rack capable of parking more than three bicycles, the number of required vehicular parking spaces shall be reduced by one space, up to a maximum of ten (10) vehicular parking spaces. Bicycle parking shall not be substituted for ADA accessible spaces or loading spaces. Existing vehicular parking spaces may be converted to take advantage of this provision. The bicycle parking credit may be utilized in combination with shared parking, in order to further reduce the amount of required parking without the need for a variance.

4. Within the WANC Sub-Area on-site vehicular use areas are limited to one row of parking in the front of structures with frontage along West King Street. All vehicular

use areas along West King Street are to be screened from public view by a building or landscaping as required in Section 3.11.07.B.5 below.

5. Along West King Street, where parking is located within the front or side of a structure and within view of a public street, a five (5) foot wide landscape buffer shall run the entire length of where the parking area is visible from the sidewalk/street. The landscape buffer shall consist of a knee wall with a decorative cap or decorative solid opaque fence 18 to 30 inches in height in combination with a single row of hedge material on the street side of the knee wall. The street wall shall be designed with the same building materials as the principal building.

6. When parking is located to both the front and the side property line, the edge of parking areas shall be setback a minimum of eight (8) feet from the front property line.

7. Within the WAGC Sub-Area, unless otherwise specified in this Section, all Off-street vehicular use areas located along Volusia Street and Holmes Boulevard shall comply with the provisions within Section 6.05.00 of the LDC.

8. Food Truck Parks are required to have 3 parking spaces, one being an ADA parking space. Parking Requirements shall otherwise be the same as Restaurant, or one (1) parking space per three (3) seats, as provided in Table 6.17 of the LDC.

Section 3.11.08 Landscaping and Screening Buffers

B. **Gas Stations, Drive-in Facilities, and Food Truck Parks**

Where the use abuts a property developed with Residential Uses the following landscaping measures shall apply:

1. A minimum ten (10) foot wide landscape buffer with Screening Standard “B” shall be provided where the Use abuts property within the Overlay Boundaries. Where a six (6) foot high masonry wall or solid fence is utilized within the buffer, the width of the buffer may be reduced to five (5) feet.

2. A minimum twenty (20) foot wide landscape buffer with Screening Standard “B” shall be provided where the Use abuts property outside the boundaries of the Overlay District. Where a six (6) foot high masonry wall or solid fence is utilized within the buffer, the width of the buffer may be reduced to ten (10) feet.

3. No more than 50% of the width of the buffer shall be utilized for stormwater retention area.

Section 3.11.10 Design Standards

C. **Gas Stations**

Gas stations are permitted along Volusia Street, Holmes Boulevard, State Road 313, and the intersection of State Road 313 and West King Street within the WAGC Sub-Area, subject to the following design standard:

1. Canopies provided over the pump islands shall provide side (side street and side interior) setbacks of ten (10) feet.

D. **Food Truck Parks**

Food Truck Parks are permitted along Volusia Street, Holmes Boulevard, State Road 313, and the intersection of State Road 313 and West King Street within the West Augustine Overlay, subject to the following design standards:

1. Hours of Operation will be limited to 7:00 AM to 9:00 PM.

2. Food Truck Parks shall require a minimum of three (3) seats per Food Truck, which shall be provided in a designated eating and drinking area.

3. The sales area designated for Food Trucks must be depicted on the site plan; individual Food Trucks may not be located in required parking areas designated for customer parking.

4. Accessibility requirements, including sidewalks and restroom facilities, shall comply with the Americans with Disabilities Act (ADA).

5. Individual Food Trucks shall provide no less than one (1) trash receptable per Food Truck, and the Food Truck Park shall provide facilities for the central storage of solid waste which shall meet applicable requirements as found in Section 6.06.04.B.8 (Solid Waste Storage Screening).

6. Food Truck Parks are required to meet all applicable standards of Section 6.04.12 (Water and Wastewater Connections), including but not limited to water connections, wastewater connections, and grease interceptors.

7. Food Truck Parks shall not create excessive or unnecessary noise and shall operate consistent with the St. Johns County Noise Ordinance 2015-19.

PART 3.12.00 Hastings Overlay District

Sec. 3.12.04 Uses and Activities subject to the requirements of the Hastings Overlay District

A. **Allowable and Special Uses** Notwithstanding any other provision in the Land Development Code, the uses for property contained within the Hastings Overlay District shall be as prescribed in this section and Table 3.12.04, except where such use is not permitted by the St. Johns County Comprehensive Plan. This table is interpreted to identify special treatment of uses within the Overlay District and to allow uses by right and by Special Use approval. Those uses specifically listed within the table that are not “Approved by right” or as a “Special Use”, shall be prohibited in this Overlay, regardless of its allowance in the underlying Zoning District. Where a use is allowed in the underlying zoning district but not specifically listed in Table 3.12.04, the use shall be allowed as in the underlying zoning district. Properties rezoned to other zoning districts unaddressed by this Part shall comply

with all other applicable Land Development Code requirements. Uses are subject to applicable Supplemental Design Standards in Part 6.08.00.

Table 3.12.04

PERMITTED USES BY ZONING DISTRICT

	ZONING DISTRICT						
USES	**RG-2**	**CN**	**CI**	**CG**	**PS**	**OR**	**IW**
Residential							
Single Family Dwelling	A	A	A	A	A	A	A
Multi-Family Dwelling	A						
Special Care Housing Level I	A					A	
Special Care Housing Level II	A					S	
Child Care (In the Home)	S	A	A	A		A	S
Bed and Breakfast	S	A	A	A	S	S	
Temporary Residences (Construction, model home, etc.)	S	S	S	S	S	S	S
Guest Cottage (Ref. LDC Sec. 2.02.04.B.2.)	A					A	
Residences Above Businesses (Ref. LDC Sec. 2.02.04.C)		A	A	A			A
Offices							
Professional Offices	S	A	A	A	S		A
Business Offices	S	A	A	A	S		A
Bank		A*	A	A			
Medical Office	S	A	A	A	A		
Hospital			A		A		
Retail/Sales/Service							
Personal Services	S	A	A	A			
Day Care Center	S	A	A	A	A		S
Beauty/Barber	S	A	A	A			
Drug Store/ Apothecary		A*	A	A	S		
Repair Shops			A	A			A
Restaurants (Ref. LDC Sec. 6.08.16)		A*	A	A			S
Funeral Home	S	A	A	A	S		
Service Station (Ref. LDC Sec. 6.08.19)			A	A			A
Specialty Shops	S	A	A	A			
Retail Sales (No outdoor storage)		A	A	A			A
Retail Sales (Outdoor storage)			A	S			A
Theaters (3 or less screens) (Ref 2.02.01.E.2)			A	A			

PERMITTED USES BY ZONING DISTRICT

	ZONING DISTRICT						
USES	**RG-2**	**CN**	**CI**	**CG**	**PS**	**OR**	**IW**
Convenience Stores		A**	A	A			S
Dry Cleaners, Laundromat		A*	A	A			
Restaurants (with on-site alcohol consumption)		S*	S	S			
Nightclub/Bar/Saloon (with on-site alcohol consumption)			S	S			
Nursing Homes and/or Special Care Housing Level III		A	A	A		S***	
Equipment Rental (some outside storage)			A	S			A
Personal Storage (Mini warehouse)		S	A	S			A
Veterinarian (Ref. LDC Sec. 2.03.41)		A	A	A			A
Motel/Hotel			A				
Shopping Center		A	A	A			
Wholesale Sales (No outdoor storage or display) (Ref. LDC Sec. 2.02.04.D)		S	A	S			A
Wholesale Sales (Outdoor storage or display)			A				A
Nurseries/Greenhouses (with retail sales)			A				A
Manufacturing (No outdoor storage or display)		S	A	S			A
Manufacturing (Outdoor storage or display)			A				A
Educational, Cultural, Religious Uses							
Elementary, Middle, & High Schools	A	A	A	A	A	S	A
Private schools and similar education facilities		A#	A#	A#		S	
Trade & Vocational Schools		A	A	A	A		A
Churches, Synagogues, Temples, etc.	A	A	A	A	A	A	A
Libraries, Art Museums, etc.	S	A	A	A	A	A	A
Social, Fraternal Clubs, Lodges	A	A	A	A	S	A	A
Recreation, Amusement, Entertainment							

PERMITTED USES BY ZONING DISTRICT

	ZONING DISTRICT						
USES	**RG-2**	**CN**	**CI**	**CG**	**PS**	**OR**	**IW**
Uses where activity is conducted entirely within building (Bowling alleys, skating rinks, exercise facilities, etc.)		S	A	A		A	S
Drive-in Movie (Ref. LDC Sec. 6.08.15)			A				S
Privately owned recreational facilities such as golf courses, country clubs, swimming pools, tennis courts, etc.	A	A	A	A	S	A	
Publicly owned and operated recreational facilities such as athletic fields, parks, swimming pool, tennis courts, etc.				A	A	A	
Golf driving range not accessory to golf course, par 3 golf, miniature golf, water slides, skate board parks and similar commercial ventures			A		S	S	S
Horseback Riding Stables			S			A	
Motor Vehicle-related Sales & Services							
Sales with installation of motor vehicle parts			A				A
Motor vehicle maintenance, repair, painting or body work			A				A
Gas Sales		S	A	A			A
Car Wash		S	A	S			A
Miscellaneous Facilities							
Utility facility not Electric Substation	S	S	A	S	S	S	A
Electric Substations	A	A	A	A	A	A	A
Post Office	S	S*	A	A	P		S
Open Air Markets, Flea Markets, Crafts, etc.		S	A	S			S

Explanation of Table 3.12.04

A	- Use is allowable by right
S	- Use is allowable by Special Use
*	-Drive-through not permitted
**	-Gas pumps not permitted
***	-Nursing Homes not permissible in Open Rural (OR) zoning designation

-Max 150 students

Section 3.12.06 Site Development Criteria

This section addresses the relationship with the site and general features. Notwithstanding any other provision in the Land Development Code to the contrary, the specific development standards included in this section shall apply to all development within the Hastings Overlay District, where applicable. Unless otherwise specified in this Section, all other provisions of the Land Development Code apply.

A. Residential Development

1. Minimum Lot Width and Lot Area Requirements:

No minimum lot size or lot width; however all development and improvements shall have a total land area sufficient to meet all other development design standards in the Land Development Code, including any applicable provision in Article VI.

ARTICLE VI
DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS

PART 6.08.00 SUPPLEMENTAL DESIGN STANDARDS FOR SPECIFIED USES

Sec. 6.08.23 Manufactured / Mobile Homes and Mobile Home Parks

A. Each Manufactured/Mobile Home shall remove towing gear.

B. Exterior skirting shall be installed on all Manufactured/Mobile Homes to provide a visual barrier for all underfloor mechanical, electrical, and plumbing installations. Skirting shall extend from the underside of the perimeter of the Structure to the adjacent surrounding grade. Skirting may be constructed of pressure treated wood or natural durable wood such as redwood or cedar, or skirting material manufactured specifically for the purpose of installation on Manufactured/Mobile Homes. Skirting shall be permanently maintained free from broken or missing sections, pieces, or cross members. Exceptions to these skirting requirements may be made in areas where an enclosed underfloor is prohibited due to storm surge, or where the lowest portion of the first floor joists, measured vertically, exceeds seven (7) feet from grade throughout the entire underfloor area.

C. Each Manufactured/Mobile Home space shall be provided with a paved Patio with a minimum of one hundred twenty (120) square feet and one Off-Street Parking Space.

D. Each Manufactured/Mobile Home Park shall be located on a well-drained site and facilities shall be provided for the disposal of sanitary waste as required.

E. Each Manufactured/Mobile Home Park shall be provided with a park and recreational area having a minimum area of one hundred fifty (150) square feet per Manufactured/Mobile Home space. Such areas shall be consolidated into usable areas with a minimum dimension of not less than thirty (30) feet.

F. Each Manufactured/Mobile Home Park shall be provided with a management office and such service Buildings as are necessary to provide facilities for mail distribution, storage space for supplies, maintenance materials and equipment.

ARTICLE XII
DEFINITIONS

PART 12.00.00 GENERALLY

This Article contains most of the definitions for use with this Code. Other definitions, however, may be located elsewhere in this Code and should be used as indicated.

PART 12.01.00 DEFINITIONS

Bona Fide Agricultural Operations: Bona fide agricultural operations activities normal and necessary for good faith commercial Agricultural Use of the land. Such Agricultural Uses include horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bee, aquaculture, piscaculture and all forms of farm products and farm production. Bona fide agricultural activities might include but are not limited to the following activities: transplanting, tilling; plowing; planting; harvesting; contouring to prevent erosion; fencing; construction of internal roads, bridges or culverts to facilitate these operations; construction or maintenance of irrigation and drainage ditches; control structures or dikes; and construction, operation or maintenance of Agricultural Use ponds.

Dwelling, One Family or Single Family: A Building containing only one (1) Dwelling Unit. The term is not to be construed as including travel trailers, housing mounted on self propelled or drawn vehicles, tents, houseboats, or other forms of temporary or portable housing.

Home Based-Business: A business, profession, office, occupation or trade operating in whole or in part from a residential property, which use is clearly accessory, incidental and secondary to the use of the Building and property for dwelling purposes and does not change the essential residential character or appearance of such Building or property (see Section 2.02.04).

Rural Home Industry: An occupation conducted as an Accessory Use in agricultural zoning districts which is incidental and accessory to the Agricultural and/or residential Use.

Attachment 2
Redline

ARTICLE II
ZONING DISTRICTS AND SPECIAL USES

PART 2.00.00 GENERALLY
PART 2.02.00 USES ALLOWED WITHIN ZONING DISTRICTS

Sec. 2.02.03 Housing Types

The Table below indicates the housing types allowed in each zoning district within St. Johns County. The housing types are arranged across the top. An "A" indicates that the Use is allowable by right, and an "S" is allowable by approval of a Special Use Permit (SUP) subject to the standards of this Code. A blank space indicates that the Use is prohibited.

HOUSING TYPE							
ZONING DISTRICTS	SINGLE-FAMILY	DUPLEX	MULTI-FAMILY	TOWNHOME	MANUFACTURED/ MOBILE HOME	MANUFACTURED/ MODULAR HOME	MANUFACTURED/ MOBILE HOME PARK
OR	A				A	A	
RS-E	A				A	A	
RS-1	A	S			~~S~~A	A	
RS-2	A	S			~~S~~A	A	
RS-3	A	S			~~S~~A	A	
RG-1	A	A	A		~~S~~A	A	
RG-2	A	A	A		~~S~~A	A	
RMH	A				A	A	A
RMH(S)	A				A	A	
WH	A	A	A	A	A	A	
OP	A*	A*			A*	A*	
CN	A*	A*			A*	A*	
CHT	A*	A*			A*	A*	
CG	A*	A*			A*	A*	
TCMU			A	A - Building Type II			
CI	A*	A*			A*	A*	
CR	A*	A*			A*	A*	
CHI	A*	A*			A*	A*	
CW	A*	A*			A*	A*	

IW	A*	A*			A*	A*	
HI	A*	A*			A*	A*	
PS	A*				A*	A*	
AD	A				A	A	
PUD**	A	A	A	A	A	A	A
PRD**	A	A	A	A	A	A	A

~~A means the Use is allowable by right.~~
* Accessory Use per Section 2.02.04
** Subject to approval of a SUP, PUD or PRD ordinance.

Sec. 2.02.04 Accessory Uses

A. Generally

1. The review of Accessory Uses shall be the same as is required for the principal Use. All required Accessory Uses for any principal Use, including but not limited to off-street parking and loading areas, retention or drainage areas, and private sewer or Water Systems shall be located on the same Parcel as the principal Use and shall have the same or similar zoning district designation as the principal Uses, except in accordance with the Site Plan review requirements in Part 5.02.00 of this Code and/or except as expressly permitted elsewhere in this Code. In no case shall the principal or Accessory Use be located in a zoning district where that Use is not either a permitted Use or a Special Use.

2. Where a Building or Structure containing such principal Use, such Building or portion shall be considered as part of a principle Building and not an accessory Building.

3. Accessory Uses and Structures shall not be located in required Front and Side Yards, in any residential district except as follows:

   a. On double frontage Lots, through Lots and Corner Lots, Accessory Uses and Structures may be located in any required Side Yard.

   b. Accessory Structures for the housing of persons such as Guest Houses or Employee Quarters, or Private Garages or residential storage Buildings shall not be located in any required Yard.

   c. ~~Detached~~ Accessory Structures 120 square feet or less in size and ~~(other than as in (b) above)~~ that do not require a building permit and which are separated from the main Structure by not less than ten (10) feet, may be located in a required Side or Rear Yard but not less than three (3) feet from any Lot line.

4. No accessory Building or Structure shall be used or occupied until the main Use Building on the Lot is being used, except for temporary storage of building supplies during the period of Construction of the main Use Building. No accessory Building

or Structure shall be placed on a Lot or Parcel prior to the issuance of a Development Permit for the main Use Building or Structure. This restriction shall not apply to fences, retaining walls, ~~-~~boat docks, boat houses, dune walk-over Structures or well houses.

B. Permitted Accessory Uses, Residential Districts

Each of the following Uses is considered to be a customary Accessory Use, and as such, may be situated on the same Lot with, but detached from, the principal Use with which it is associated. Accessory Uses or Structures shall not attract visitors in larger numbers than would normally be expected in a residential district. Accessory structures in residential zoning districts shall be accessory to the principal building in terms of mass, size, and height and may have eaves no greater in height than the principal structure unless otherwise specifically provided.

3. Boat docks, piers, boat houses, ~~boat houses~~, boat shelters, structures on docks, shall be permissible as accessory structures in residential districts and OR, Open Rural districts. In addition these structures may be located on parcel(s) of land that is not developed with a main use residential structure, provided adequate parking as defined in Section 6.05.02.E is placed on site, or within 300 feet of the dock parcel, unless a Special Use Permit is obtained permitting parking at distances greater than 300 feet from the dock parcel.

16. Accessory Family Unit shall be considered an allowable Accessory Use in all residential and OR zoning districts, subject to continual compliance with the following:

f. ~~If a Manufactured/Mobile Home is utilized as an Accessory Family Unit, the minimum Lot requirement shall be two (2) acres and shall only be allowed on the property that is properly zoned for the use of a Manufactured/Mobile Home.~~ Reserved.

C. Permitted Accessory Uses, Office, Commercial and Planned Districts

2. Single family dwelling or two (2) family dwelling only for occupancy by owners or employees thereof. ~~The Use of a Manufactured/Mobile Home for this purpose shall be considered as Special Use, if allowed in the districts, as defined in Part 2.03.00, and shall be considered in accordance with the requirements of Section 6.05.02 of this Code.~~

E. Permitted Accessory Uses in ~~Open Rural~~Agricultural Districts

1. All Uses described in (B) above, except where in conflict with permitted Uses of agricultural districts or defined to apply to residential districts only. Seasonal sales and farm production tours/events are specifically permitted, as an Accessory Use, in ~~Open Rural~~agricultural d~~D~~istricts. Such Uses shall provide for a safe surface and an adequate number of parking spaces suitable to accommodate traffic.

3. Agricultural Structures

~~Accessory~~ Agricultural Structures shall not be limited to a maximum height, but shall be set back from the zoning Lot line as follows:

a. An agricultural ~~Accessory~~ Structure fifteen (15) feet or less in height shall be located a minimum of three (3) feet away from the side and rear zoning Lot line and shall not be located in a required Front Yard.

b. An agricultural ~~Accessory~~ Structure over fifteen (15) feet up to fifty-one (51) feet in height shall be set back a minimum of one (1) additional foot from the side and rear zoning Lot line (in addition to the requirements of paragraph one (1) immediately above) for every three (3) feet of increased height up to fifty-one (51) feet. Therefore an agricultural ~~Accessory~~ Structure forty-five (45) feet in height shall be located a minimum of thirteen (13) feet from the zoning Lot line. Said agricultural ~~Accessory~~ Structure shall not be located in a required Front Yard.

c. An agricultural ~~Accessory~~ Structure over fifty-one (51) feet in height shall be set back from the Side and Rear Yard an additional (in addition to the requirements of paragraphs one (1) and two (2) immediately above) one (1) foot for every foot of increased height over fifty-one (51) feet. Therefore an agricultural ~~Accessory~~ Structure eighty (80) feet in height shall be located a minimum of forty-four (44) feet from the zoning Lot line. Said agricultural ~~Accessory~~ Structure shall not be located in a required Front Yard.

PART 2.03.00 ALLOWABLE AND SPECIAL USES

Sec. 2.03.01 Allowable Special Uses By Zoning Districts

The table below indicates the categories of Uses which are allowed in each zoning district within St. Johns County. The categories of Uses are arranged with the zoning district across the top. An "S" indicates the Special Use is allowable subject to the standards of this Part. An “A” indicates the Use is allowable by right. The purpose of Table 2.03.01 is to provide whether a use is allowed by right, or by special use, or prohibited within a zoning district. Specific uses are listed under the general Use Category for convenience (Please see Table 2.02.00).

The Special Uses listed in Section 2.03.01, may be allowed within PUDs and PRDs, subject to the Uses being provided within the PUD or PRD Master Development Plan and approved with the PUD or PRD ordinance, and subject to the limitations of the Comprehensive Plan.

TABLE OF ALLOWABLE AND SPECIAL USES

TABLE 2.03.01

Supplemental Regulations	Uses Allowed Within Zoning Districts	OR Open Rural	RSE	RS-1	RS-2	RS-3	RG-1	RG-2	RMH	RMH(S)	WH	OP Office & Professional	CN Commercial Neighborhood	CG Commerical General	TCMU Town Center Mixed Use	CHT Commercial Highway Touris	CI Commercial Intensive	CR Commercial Rural	CHI Commercial High Intensity	CW Commerical Warehouse	IW Industrial Warehouseing	HI Heavy Industrial	PS Public Service	AD Airport Development
	Residential Use																							
Sec. 2.03.39	Single Family Detached	A	A	A	A	A	A	A		A	A	Aa	Aa	Aa	A	Aa	Aa	Aa	Aa	Aa	Aa	Aa	Aa	A
~~Sec. 2.03.08~~	~~Manufactured Homes/Mobile Home~~	~~A~~	~~-~~	~~S~~	~~S~~	~~S~~	~~S~~	~~S~~	~~A~~	~~A~~		~~S~~	~~S~~	~~S~~		~~S~~	~~S~~	~~S A~~	~~S~~	~~Aa~~	~~Aa~~	~~Aa~~	~~Aa~~	~~S~~
Sec. 2.03.09	Manufactured/Mobile Home Parks								A	S														
	Condominium Ownership			A	A	A	A	A			A				A									
	cooperatives and other ownership arrangements (Multifamily, triplex)						A	A			A				A									
Sec. 2.03.04	Child and Adult Care	A	S	S	S	S	S	S	S	S		A	A	A	S	A	A	A			S	S		A
	Special Care Housing Level I	A	A	A	A	A	A	A	A	A	A													A
Sec. 2.03.23	Special Care Housing Level II	S					A	A			A				A									S
	Cemetaries/Mausoleums	A	S	S	S	S	S	S	S	S		S	S	S										A
Sec. 2.03.17	Private ~~S~~schools and similar education facilities	S	S	S	S	S	S	S	S	S		S	~~S~~ A#	~~S~~ A#	~~S~~ A#	A#	A#	~~S~~ A#	A#	A#				S

*	drive thru prohibited
**	gas pumps not permitted
a	accessory use per section 2.02.04
A	Allowed by right
S	Special use
I	all vessels to include automobiles, buses, boats, farm and garden equipment, motorcycles, trucks, recreational vehicles, manufactured mobile homes
x	limited to maximum of 10 units
xx	limited to max of 20 units
#	limited to max of 150 students

PART 2.03.00 ALLOWABLE AND SPECIAL USES

Sec. 2.03.08 ~~Manufactured/Mobile Home~~Reserved

~~A Manufactured/Mobile Home on an individual Lot may be permitted as a Special Use within districts as defined in Section 2.03.01, in which such Use is not otherwise allowed, subject to the following conditions and limitations:~~

~~A. The Lot or Parcel of land upon which the Manufactured/Mobile Home is to be located shall not be less than the Single Family Dwelling Lot requirements in such district.~~

~~B. In the commercial or industrial districts, the Use shall be accessory to the main Use and occupancy shall be limited to employees or owners thereof of the permitted Use.~~

~~C. All towing gear shall be removed.~~

~~D. Exterior skirting shall be installed to provide a visual barrier for all underfloor mechanical, electrical, and plumbing installations. Skirting shall extend from the underside of the perimeter of the Structure to the adjacent surrounding grade. Skirting may be constructed of pressure treated wood or natural durable wood such as redwood or cedar, or skirting material manufactured specifically for the purpose of installation on manufactured/mobile homes. Skirting shall be permanently maintained free from broken or missing sections, pieces or cross members. Exceptions to these skirting requirements may be made in areas where an enclosed underfloor is prohibited due to storm surge, or where the lowest portion of the first floor joists, measured vertically, exceeds seven (7) feet from grade throughout the entire underfloor area.~~

Sec. 2.03.09 Manufactured/Mobile Home Park

A Manufactured/Mobile Home Park may be permitted as a Special Use within districts as defined in Section 2.03.01, subject to the following conditions and limitations:

A. The Manufactured/Mobile Home Park shall meet all design standards contained in Section 6.08.23 for Manufactured/Mobile Home Parks.

B. Units shall not be rented for time periods of less than one week.

C. The application for Special Use Permit shall include any request for signage, if applicable. No Sign shall exceed sixty-four (64) square feet in size and shall not exceed ten (10) feet in height. All lighting shall be shielded.

~~D. All units shall remove towing gear and shall provide skirting as required for Manufactured/Mobile Homes in Section 2.03.08.~~

Sec. 2.03.17 Private School ~~with Conventional Academic Curriculum~~and Similar Education Facilities

Private schools ~~with conventional academic curriculum~~and similar education facilities ~~to those of public schools~~ may be permitted as a Special Use within districts as defined in Section 2.03.01 subject to the following conditions and limitations:

A. Private s~~S~~chools and similar educational facilities with a capacity of more than ten (10) students shall ~~be located only in non-residential zoning districts and shall~~ have direct access to an Arterial or Major or Minor Collector.

B. Applications for Special Use within residential districts shall include any request for signage, if applicable. No such Sign shall exceed thirty-two (32) square feet in size.

C. No p~~P~~rivate s~~S~~chool or similar education facility shall be established within one thousand (1,000) feet of an established vendor of alcohol beverages except those vendors licensed in accordance with Section 563.02(1)(a) and/or Section 564.02(1)(a) of the Florida Statutes, as may be amended from time to time, unless a Variance has been granted as provided in Part 9.03.00 of this Code.

ARTICLE III
SPECIAL DISTRICTS

PART 3.11.00 West Augustine Overlay District

Sec. 3.11.05 Uses and Activities subject to the requirements of the West Augustine Overlay District

In the West Augustine Overlay District, mixed use means a single development consisting of the combination of residential and nonresidential uses collocated within the same building, or collocated on the same lot or on contiguous lots. Within the District, mixed use and commercial development are permitted in both Sub-Areas.

A. **WANC and WAGC Sub-Areas: Allowable and Special Uses**. Notwithstanding any other provision in the Land Development Code, the uses for the property contained within the WANC and WAGC Sub-Areas in the West Augustine Overlay District shall be as prescribed in Table 3.11.05, except where such use is not permitted by the St. Johns County Comprehensive Plan. This table is interpreted to allow uses by right and by Special Use approval. Those uses listed within the table that are not "Approved by right" or as a "Special Use", shall be prohibited. Where a use is allowed in the underlying zoning district but not listed in Table 3.11.05, the use shall be allowed as in the underlying zoning district.

Table 3.11.05

A	**Approved by right**	West Augustine Neighborhood Commercial **WANC**	West Augustine General Commercial **WAGC**
S	**Special Use**		
*	**Must adhere to Section 3.11.07.B.**		
**	**Gas Pumps Prohibited**		
***	**No outdoor boarding facilities/enclosed within a sound proofed building**		
Residential Use		√	√
Single Family Detached (Ref. LDC Sec. 2.03.39)		**A**	**A**
Multi Family		**A**	**A**
~~Manufactured/Mobile home (Ref. LDC Sec. 2.03.08)~~		~~S~~	~~S~~
Condominium ownership		**A**	**A**
Cooperatives and other ownership arrangements		**A**	**A**
Special Care Housing (Ref. LDC Sec. 2.03.23)		**S**	**S**

Cemeteries (Ref. LDC Sec. 2.03.13)	**S**	**S**
Private Schools and similar education facilities ~~(Ref. LDC Sec. 2.03.17)~~ w/ max 150 students	~~**S**~~**A**	~~**S**~~**A**
Schools (with conventional academic curriculum)	**S**	**S**
Community Marinas	**S**	**A**
Model homes with or without sales office/construction trailer	**A**	**A**
Horse and Ponies (Ref. LDC Sec. 2.03.05)	**S**	**S**
Other animals (Ref. LDC Sec. 2.03.06)	**S**	**S**
Household Animals (Ref. LDC Sec. 2.02.04.B.1.)	**A**	**A**
Two family dwellings (Ref. LDC Sec. 2.03.18)	**A**	**A**
More than one main use structure on residential lot (Ref. LDC Sec. 2.03.28)	**A**	**A**
Cultural/Institutional Use	√	√
Child and Adult care (Ref. LDC Sec. 2.03.04)	**A**	**A**
Museum	**A**	**A**
Library	**A**	**A**
Art Gallery	**A**	**A**
Private clubs (Ref. LDC Sec. 2.03.38)	**S**	**A**
Neighborhood Business	√	√
Commercial indoor recreation	**A**	**A**
Indoor archery ranges	**A**	**A**
Hospitality	**A**	**A**
Retail Good Store	**A**	**A**
Financial Institutions with or without drive-through facilities	**A**	**A**
Funeral homes	**A**	**A**
Neighborhood Convenience Stores	**A****	**A**
Grocery stores	**A**	**A**
Specialty food stores	**A**	**A**
Take Out Restaurant	**A**	**A**
Pharmacies	**A**	**A**
Pharmacies w/Drive-thru	**S**	**A**
Billiards	**A**	**A**
Spas/gyms	**A**	**A**
Trade schools	**A**	**A**
Mini warehouse / personal property (Ref. LDC Sec. 2.03.16)	**S**	**S**
Service businesses (catering, printing, mail &package, laundries)	**A**	**A**
Veterinary Offices (Ref. LDC Sec. 2.03.41)	**A*****	**A*****
Beauty shops	**A**	**A**
Barbers	**A**	**A**
Photography studios	**A**	**A**
Psychics (Ref. LDC Sec. 2.03.22)	**S**	**A**
Medical/professional offices	**A**	**A**
Schools for Fine Arts	**A**	**A**
General Business / Commercial Use		√

Commercial recreation (Ref. Sec. 2.03.43)	**A**	**A**
Free standing ATMS	**A**	**A**
Indoor Farm and Garden Supply Centers		**A**
Outdoor Plant Sales	**A**	**A**
Gas Station		**A**
Car Wash facilities (Ref. LDC Sec. 2.03.50)		**A**
Auto Oil Change Facilities (Ref. LDC Sec. 2.03.51)		**S**
Tire Service Centers (Ref. LDC Sec. 2.03.52)		**S**
Small Car Rental Offices with Fleet		**A**
General Store (Ref. LDC Sec. 2.03.29)	**A**	**A**
Supermarkets		**A**
Bowling Alleys		**A**
Community Hospitals		**A**
Bed and breakfast (Ref. LDC Sec. 2.03.24)	**S**	**A**
Small Appliance Repair Shops		**S**
Upholstery Service	**A**	**A**
Employment Services		**A**
Bail Bonds		**A**
Psychiatric Care and Treatment Facilities with or without housing		**A**
Alcohol Rehabilitation Centers with/without housing	**S**	**S**
Social Assistance Center (Ref. LDC Sec. 2.03.53)		**S**
Restaurants	**A**	**A**
Restaurants w/Drive-thru	**S**	**A**
Veterinary Office (no more than 10 outside runs not to exceed 640 SF)		**A*** **
Government Offices	**S**	**A**
Golf Driving Ranges		**A**
Movie Theaters with three or less screens		**A**
Commercial/Vocational/Business/Trade School		**A**
RV and Boat Storage (Ref. LDC Sec. 2.03.42)	**S**	**S**
Other uses		
Hotel/Motel	**A**	**A**
Offsite Parking and Unpaved Parking Lots (Ref. LDC Sec. 2.03.15)	**A***	**A***
Alcoholic Beverages (Ref. LDC Sec. 2.03.02)	**S**	**S**
Water / Wastewater Treatment Facility	**S**	**S**
Antennae Towers	**S**	**S**
Electric Substations	**A**	**A**
Outdoor Storage (Ref. LDC Sec. 2.03.54)	**S**	**A**
Large Places of Assembly (Ref. LDC Sec. 2.03.55)	**S**	**S**
Warehouse (less than 10,000 sf)		**A**
Urban Agriculture (Ref. LDC Sec. 3.11.11)	**A**	**A**
Food Truck Park	**A**	**A**

Section 3.11.06 Site Development Criteria

This section addresses the relationship with the site and general features. The development standards included in this section shall apply to all nonexempt development within the West Augustine Overlay District. Unless otherwise specified in this Section, all other provisions of the Land Development Code apply.

A. **WANC and WAGC Sub-Area Development Criteria**

4. **Housing Type**

Permitted Housing types within the West Augustine Overlay District are as indicated in the Table below:

HOUSING TYPES							
SUB-AREAS	SINGLE-FAMILY	DUPLEX	MULTI-FAMILY	TOWNHOME	MANUFACTURED/ MOBILE HOME	MANUFACTURED/ MODULAR HOME	MANUFACTURED/ MOBILE HOME PARK
WANC	A	A	A	A	~~S~~A	~~S~~A	
WAGC	A	A	A	A	~~S~~A	~~S~~A	

Section 3.11.07 Access and Parking Requirements

B. **Parking and Loading:**

1. There shall be a minimum of two (2) off-street parking spaces per each 1,000 square feet of non-residential space and 1 parking space per each residential unit.

2. A landscaped buffer shall not be required between the required off-street Vehicular Use Area of any nonresidential development and any adjacent property that maintains a commercial use.

3. All nonresidential developments with parking requirements of ten (10) spaces or more, racks for parking bicycles may substitute for up to ten (10) percent of vehicular parking spaces required. For every bicycle rack capable of parking more than three bicycles, the number of required vehicular parking spaces shall be reduced by one space, up to a maximum of ten (10) vehicular parking spaces. Bicycle parking shall not be substituted for ADA accessible spaces or loading spaces. Existing vehicular parking spaces may be converted to take advantage of this provision. The bicycle parking credit may be utilized in combination with shared parking, in order to further reduce the amount of required parking without the need for a variance.

4. Within the WANC Sub-Area on-site vehicular use areas are limited to one row of parking in the front of structures with frontage along West King Street. All vehicular use areas along West King Street are to be screened from public view by a building or landscaping as required in Section 3.11.07.B.5 below.

5. Along West King Street, where parking is located within the front or side of a structure and within view of a public street, a five (5) foot wide landscape buffer shall run the entire length of where the parking area is visible from the sidewalk/street. The landscape buffer shall consist of a knee wall with a decorative cap or decorative solid opaque fence 18 to 30 inches in height in combination with a single row of hedge material on the street side of the knee wall. The street wall shall be designed with the same building materials as the principal building.

6. When parking is located to both the front and the side property line, the edge of parking areas shall be setback a minimum of eight (8) feet from the front property line.

7. Within the WAGC Sub-Area, unless otherwise specified in this Section, all Off-street vehicular use areas located along Volusia Street and Holmes Boulevard shall comply with the provisions within Section 6.05.00 of the LDC.

~~7.~~8. Food Truck Parks are required to have 3 parking spaces, one being an ADA parking space. Parking Requirements shall otherwise be the same as Restaurant, or one (1) parking space per three (3) seats, as provided in Table 6.17 of the LDC.

Section 3.11.08 Landscaping and Screening Buffers

B. **Gas Stations, ~~and~~ Drive-in Facilities, and Food Truck Parks**

Where the use abuts a property developed with Residential Uses the following landscaping measures shall apply:

1. A minimum ten (10) foot wide landscape buffer with Screening Standard "B" shall be provided where the Use abuts property within the Overlay Boundaries. Where a six (6) foot high masonry wall or solid fence is utilized within the buffer, the width of the buffer may be reduced to five (5) feet.

2. A minimum twenty (20) foot wide landscape buffer with Screening Standard "B" shall be provided where the Use abuts property outside the boundaries of the Overlay District. Where a six (6) foot high masonry wall or solid fence is utilized within the buffer, the width of the buffer may be reduced to ten (10) feet.

3. No more than 50% of the width of the buffer shall be utilized for stormwater retention area.

Section 3.11.10 Design Standards

C. **Gas Stations**

Gas stations are permitted along Volusia Street, Holmes Boulevard, State Road 313, and the intersection of State Road 313 and West King Street within the WAGC Sub-Area, subject to the following design standard~~s~~:

~~1. A ten (10) foot wide landscape buffer running the entire length of the front property line shall be provided consisting of native evergreen trees planted every 20 – 30~~

~~feet, low growing evergreen plants, evergreen ground cover, or mulch covering the balance of the buffer. The buffer may be reduced to 5' if a masonry wall or fence is used as provided in 3.11.08.B.21.b. If a wall or solid fence is used, the landscape buffer shall be planted on the outside of the wall and fence.~~

~~2.~~1. Canopies provided over the pump islands shall provide side (side street and side interior) setbacks of ten (10) feet.

D. **Food Truck Parks**

Food Truck Parks are permitted along Volusia Street, Holmes Boulevard, State Road 313, and the intersection of State Road 313 and West King Street within the West Augustine Overlay, subject to the following design standards:

1. Hours of Operation will be limited to 7:00 AM to 9:00 PM.

2. Food Truck Parks shall require a minimum of three (3) seats per Food Truck, which shall be provided in a designated eating and drinking area.

3. The sales area designated for Food Trucks must be depicted on the site plan; individual Food Trucks may not be located in required parking areas designated for customer parking.

4. Accessibility requirements, including sidewalks and restroom facilities, shall comply with the Americans with Disabilities Act (ADA).

5. Individual Food Trucks shall provide no less than one (1) trash receptable per Food Truck, and the Food Truck Park shall provide facilities for the central storage of solid waste which shall meet applicable requirements as found in Section 6.06.04.B.8 (Solid Waste Storage Screening).

6. Food Truck Parks are required to meet all applicable standards of Section 6.04.12 (Water and Wastewater Connections), including but not limited to water connections, wastewater connections, and grease interceptors.

7. Food Truck Parks shall not create excessive or unnecessary noise and shall operate consistent with the St. Johns County Noise Ordinance 2015-19.

PART 3.12.00 Hastings Overlay District

Sec. 3.12.04 Uses and Activities subject to the requirements of the Hastings Overlay District

A. **Allowable and Special Uses** Notwithstanding any other provision in the Land Development Code, the uses for property contained within the Hastings Overlay District shall be as prescribed in this section and Table 3.12.04, except where such use is not permitted by the St. Johns County Comprehensive Plan. This table is interpreted to identify special treatment of uses within the Overlay District and to allow uses by right and by Special Use approval. Those uses specifically listed within the table that are not "Approved by right" or as a "Special Use", shall be prohibited in this Overlay, regardless of its allowance in the

underlying Zoning District. Where a use is allowed in the underlying zoning district but not specifically listed in Table 3.12.04, the use shall be allowed as in the underlying zoning district. Properties rezoned to other zoning districts unaddressed by this Part shall comply with all other applicable Land Development Code requirements. Uses are subject to applicable Supplemental Design Standards in Part 6.08.00.

Table 3.12.04

PERMITTED USES BY ZONING DISTRICT

	ZONING DISTRICT						
USES	**RG-2**	**CN**	**CI**	**CG**	**PS**	**OR**	**IW**
Residential							
Single Family Dwelling	A	A	A	~~S~~A	A	A	A
~~Mobile Home (1)~~	~~S~~	~~S~~	~~S~~	~~S~~	~~A~~	~~S~~	~~A~~
Multi-Family Dwelling	A						
Special Care Housing Level I	A					A	
Special Care Housing Level II	A					S	
Child Care (In the Home)	S	A	A	A		A	S
Bed and Breakfast	S	A	A	A	S	S	
Temporary Residences (Construction, model home, etc.)	S	S	S	S	S	S	S
Guest Cottage (Ref. LDC Sec. 2.02.04.B.2.)	A					A	
Residences Above Businesses (Ref. LDC Sec. 2.02.04.C)		A	A	A			A
Offices							
Professional Offices	S	A	A	A	S		A
Business Offices	S	A	A	A	S		A
Bank		A*	A	A			
Medical Office	S	A	A	A	A		
Hospital			A		A		
Retail/Sales/Service							
Personal Services	S	A	A	A			
Day Care Center	S	A	A	A	A		S
Beauty/Barber	S	A	A	A			
Drug Store/ Apothecary		A*	A	A	S		
Repair Shops			A	A			A
Restaurants (Ref. LDC Sec. 6.08.16)		A*	A	A			S
Funeral Home	S	A	A	A	S		
Service Station (Ref. LDC Sec. 6.08.19)			A	A			A
Specialty Shops	S	A	A	A			

PERMITTED USES BY ZONING DISTRICT

	ZONING DISTRICT						
USES	**RG-2**	**CN**	**CI**	**CG**	**PS**	**OR**	**IW**
Retail Sales (No outdoor storage)		A	A	A			A
Retail Sales (Outdoor storage)			A	S			A
Theaters (3 or less screens) (Ref 2.02.01.E.2)			A	A			
Convenience Stores		A**	A	A			S
Dry Cleaners, Laundromat		A*	A	A			
Restaurants (with on-site alcohol consumption)		S*	S	S			
Nightclub/Bar/Saloon (with on-site alcohol consumption)			S	S			
Nursing Homes and/or Special Care Housing Level III		A	A	A		S***	
Equipment Rental (some outside storage)			A	S			A
Personal Storage (Mini warehouse)		S	A	S			A
Veterinarian (Ref. LDC Sec. 2.03.41)		A	A	A			A
Motel/Hotel			A				
Shopping Center		A	A	A			
Wholesale Sales (No outdoor storage or display) (Ref. LDC Sec. 2.02.04.D)		S	A	S			A
Wholesale Sales (Outdoor storage or display)			A				A
Nurseries/Greenhouses (with retail sales)			A				A
Manufacturing (No outdoor storage or display)		S	A	S			A
Manufacturing (Outdoor storage or display)			A				A
Educational, Cultural, Religious Uses							
Elementary, Middle, & High Schools	A	A	A	A	A	S	A
Private schools and similar education facilities		A#	A#	A#		S	
Trade & Vocational Schools		A	A	A	A		A
Churches, Synagogues, Temples, etc.	A	A	A	A	A	A	A
Libraries, Art Museums, etc.	S	A	A	A	A	A	A

PERMITTED USES BY ZONING DISTRICT

	ZONING DISTRICT						
USES	**RG-2**	**CN**	**CI**	**CG**	**PS**	**OR**	**IW**
Social, Fraternal Clubs, Lodges	A	A	A	A	S	A	A
Recreation, Amusement, Entertainment							
Uses where activity is conducted entirely within building (Bowling alleys, skating rinks, exercise facilities, etc.)		S	A	A		A	S
Drive-in Movie (Ref. LDC Sec. 6.08.15)			A				S
Privately owned recreational facilities such as golf courses, country clubs, swimming pools, tennis courts, etc.	A	A	A	A	S	A	
Publicly owned and operated recreational facilities such as athletic fields, parks, swimming pool, tennis courts, etc.				A	A	A	
Golf driving range not accessory to golf course, par 3 golf, miniature golf, water slides, skate board parks and similar commercial ventures			A		S	S	S
Horseback Riding Stables			S			A	
Motor Vehicle-related Sales & Services							
Sales with installation of motor vehicle parts			A				A
Motor vehicle maintenance, repair, painting or body work			A				A
Gas Sales		S	A	A			A
Car Wash		S	A	S			A
Miscellaneous Facilities							
Utility facility not Electric Substation	S	S	A	S	S	S	A
Electric Substations	A	A	A	A	A	A	A
Post Office	S	S*	A	A	P		S
Open Air Markets, Flea Markets, Crafts, etc.		S	A	S			S

Explanation of Table 3.12.04

A - Use is allowable by right

S	- Use is allowable by Special Use
*	-Drive-through not permitted
**	-Gas pumps not permitted
***	-Nursing Homes not permissible in Open Rural (OR) zoning designation
#	-Max 150 students

Section 3.12.06 Site Development Criteria

This section addresses the relationship with the site and general features. Notwithstanding any other provision in the Land Development Code to the contrary, the specific development standards included in this section shall apply to all development within the Hastings Overlay District, where applicable. Unless otherwise specified in this Section, all other provisions of the Land Development Code apply.

A. Residential Development

1. Minimum Lot Width and Lot Area Requirements:

No minimum lot size or lot width; however all development and improvements shall have a total land area sufficient to meet all other development design standards in the Land Development Code, including any applicable provision in Article VI.

ARTICLE VI
DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS

PART 6.08.00 SUPPLEMENTAL DESIGN STANDARDS FOR SPECIFIED USES

Sec. 6.08.23 Manufactured / Mobile Homes and Mobile Home Parks

A. Each Manufactured/Mobile Home shall remove towing gear.

B. Exterior skirting shall be installed on all Manufactured/Mobile Homes to provide a visual barrier for all underfloor mechanical, electrical, and plumbing installations. Skirting shall extend from the underside of the perimeter of the Structure to the adjacent surrounding grade. Skirting may be constructed of pressure treated wood or natural durable wood such as redwood or cedar, or skirting material manufactured specifically for the purpose of installation on Manufactured/Mobile Homes. Skirting shall be permanently maintained free from broken or missing sections, pieces, or cross members. Exceptions to these skirting requirements may be made in areas where an enclosed underfloor is prohibited due to storm surge, or where the lowest portion of the first floor joists, measured vertically, exceeds seven (7) feet from grade throughout the entire underfloor area.

C. Each Manufactured/Mobile Home space shall be provided with a paved Patio with a minimum of one hundred twenty (120) square feet and one Off-Street Parking Space.

~~B.~~ D. Each Manufactured/Mobile Home Park shall be located on a well-drained site and facilities shall be provided for the disposal of sanitary wastes as required.

E. Each Manufactured/Mobile Home Park shall be provided with a park and recreational area having a minimum area of one hundred fifty (150) square feet per Manufactured/Mobile Home space. Such areas shall be consolidated into usable areas with a minimum dimension of not less than thirty (30) feet.

F. ~~C.~~ Each Manufactured/Mobile Home Park shall be provided with a management office and such service Buildings as are necessary to provide facilities for mail distribution, storage space for supplies, maintenance materials and equipment.

ARTICLE XII
DEFINITIONS

PART 12.00.00 GENERALLY

This Article contains most of the definitions for use with this Code. Other definitions, however, may be located elsewhere in this Code and should be used as indicated.

PART 12.01.00 DEFINITIONS

Bona Fide Agricultural Operations: Bona fide agricultural operations activities normal and necessary for good faith commercial Agricultural Use of the land. Such Agricultural Uses include horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bee, aquaculture, piscaculture and all forms of farm products and farm production. Bona fide agricultural activities might include but are not limited to the following activities: transplanting, tilling; plowing; planting; harvesting; contouring to prevent erosion; fencing; construction of internal roads, bridges or culverts to facilitate these operations; construction or maintenance of irrigation and drainage ditches; control structures or dikes; and construction, operation or maintenance of Agricultural Use ponds. ~~In determining whether the activity is normal and necessary for good faith commercial Agricultural Use of the land.~~

Dwelling, One Family or Single Family: A Building containing only one (1) Dwelling Unit. The term is not to be construed as including ~~mobile homes,~~ travel trailers, housing mounted on self propelled or drawn vehicles, tents, houseboats, or other forms of temporary or portable housing. ~~For the purpose of this Code, rowhouses, townhouses, condominiums, cooperative apartments or any other form of Dwelling Units which are not in individual detached Buildings meeting all the requirements of a Single Family Dwelling shall not be construed to be Single Family Dwellings.~~

Home Based-Business: A business, profession, office, occupation or trade ~~conducted entirely within a residential Building or a Structure accessory thereto and carried on by the family residing therein~~operating in whole or in part from a residential property, which use is clearly accessory, incidental and secondary to the use of the Building and property for dwelling purposes and does not change the essential residential character or appearance of such Building or property (see Section 2.02.04).

Rural Home Industry: An occupation conducted as an Accessory Use in ~~the Open Rural~~agricultural zoning districts which is incidental and accessory to the Agricultural and/or residential Use.

Attachment 3
Supporting Documentation

CHAPTER 2026-7

Committee Substitute for Committee Substitute for Committee Substitute for House Bill No. 399

An act relating to land use and development regulations; amending ss. 125.022 and 166.033, F.S.; requiring the amount of application fees associated with development permits or orders to reasonably relate to certain costs; requiring such fees to be published on the county's or municipality's fee schedule, respectively; prohibiting such fees from being based on certain costs or valuations; amending s. 163.31777, F.S.; requiring public schools interlocal agreements to address reasonable access to certain public easements and public rights-of-way; creating s. 163.31803, F.S.; providing legislative intent; defining the term "large destination resort"; requiring local governments to administratively approve applications for minor special exceptions or variances submitted by large destination resorts that meet certain requirements; defining the term "minor special exception or variance"; providing for the expiration of specified provisions; creating s. 163.31804, F.S.; prohibiting the conditioning of a local government permit or other approval for a facility that processes compost on a specified requirement; authorizing a local government to require certain landowners to supply certain turnouts; prohibiting a local government from requiring the purchase of additional property for a specified purpose; prohibiting local governments from revoking existing permits for such facilities under certain circumstances; amending s. 163.3194, F.S.; requiring local government comprehensive plans and land development regulations to include factors for assessing the compatibility of certain residential uses; requiring land development regulations to incorporate measures for mitigating or minimizing potential incompatibility; requiring local government staff to meet certain requirements before recommending denial of certain applications on compatibility grounds; prohibiting a local government from denying certain applications on compatibility grounds if the applicant has proposed certain measures; providing an exception; requiring the denial of an application to specify with particularity certain information; authorizing a local government's approval of an application to include certain requirements or conditions; providing applicability; providing construction; amending s. 553.382, F.S.; prohibiting residential manufactured buildings from being denied a building permit for placement on certain lots; requiring that certain housing units continue to meet certain requirements; requiring housing units located on a mobile home lot to be taxed in a specified manner and be subject to payments to a specified fund; creating s. 553.385, F.S.; defining the terms "local government" and "off-site constructed residential dwelling"; requiring off-site constructed residential dwellings to be permitted as of right in certain zoning districts; prohibiting local governments from adopting or enforcing regulations that treat off-site constructed residential dwellings in a specified manner; providing construction; providing requirements for compatibility and

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

design standards; prohibiting a local government from regulating or restricting off-site constructed residential dwellings based on certain information; prohibiting a local government from adopting or enforcing certain ordinances, regulations, and policies; requiring local government regulations to be reasonable and uniformly enforced; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Effective January 1, 2027, subsection (9) of section 125.022, Florida Statutes, is renumbered as subsection (10), and a new subsection (9) is added to that section to read:

125.022 Development permits and orders.—

(9) The amount of any application fee associated with a development permit or development order must reasonably relate to the direct and reasonable indirect costs associated with the review, processing, and final disposition of the application and must be published on the county's fee schedule. The fee may not be based on a percentage of construction costs, site costs, or project valuation.

Section 2. Effective January 1, 2027, subsection (9) of section 166.033, Florida Statutes, is renumbered as subsection (10), and a new subsection (9) is added to that section to read:

166.033 Development permits and orders.—

(9) The amount of any application fee associated with a development permit or development order must reasonably relate to the direct and reasonable indirect costs associated with the review, processing, and final disposition of the application and must be published on the municipality's fee schedule. The fee may not be based on a percentage of construction costs, site costs, or project valuation.

Section 3. Effective January 1, 2027, paragraph (j) is added to subsection (2) of section 163.31777, Florida Statutes, to read:

163.31777 Public schools interlocal agreement.—

(2) At a minimum, the interlocal agreement must address the following issues:

(j) Reasonable access, where available, to public easements and public rights-of-way which may be necessary for the siting, construction, expansion, or improvement of public school facilities, including charter schools, consistent with adopted level-of-service standards, school concurrency requirements, and applicable public facilities planning requirements.

Section 4. Section 163.31803, Florida Statutes, is created to read:

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163.31803 Large destination resorts.—

(1) It is the intent of the Legislature to promote and sustain national and international tourism to this state by encouraging the ongoing maintenance, renewal, renovation, and improvement of large destination resorts. The Legislature finds that a uniform, statewide approach is necessary to avoid inconsistent local regulation that impedes improvements and to ensure predictability and timeliness in the development and improvement of qualifying large destination resorts.

(2) As used in this section, the term:

(a) "Large destination resort" means a public lodging establishment as defined in s. 509.013 that is comprised of at least 5 contiguous acres owned and controlled by the same business entity, containing at least 500 guest rooms, and that has had an average occupancy rate of at least 70 percent in the past 3 years.

(b) "Minor" means a special exception or variance that applies to no more than 20 percent of the total area of the parcel.

(3) A local government must administratively approve, without further action by the local government or any quasi-judicial or administrative reviewing body, any application for a minor special exception or variance submitted by a large destination resort for the maintenance, modification, or refurbishment of an existing structure or site that is not a contributing structure which is listed in the National Register of Historic Places, provided such changes are consistent with the existing permitted or accessory uses in the land use category of the local government comprehensive plan or zoning district in which the structure or site is located at the time the large destination resort applies for a building permit or any other permit with respect to the changes.

(4) This section expires July 1, 2031.

Section 5. Section 163.31804, Florida Statutes, is created to read:

163.31804 Permits or other approval for facilities that process compost.

(1) A local government permit or other approval for a facility that processes compost as defined in s. 576.011 may not be conditioned on a requirement to purchase additional property to expand the footprint of an existing privately owned road, but, where possible, the landowner may be required to supply turnouts for emergency vehicles. The local government may not require that additional property be purchased in order to provide such turnouts.

(2) An existing permit for a facility that processes compost as defined in s. 576.011 may not be revoked by the local government if such activity is regulated through and in compliance with applicable implemented best management practices, interim measures, or regulations adopted as rules

under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program.

Section 6. Effective January 1, 2027, subsection (7) is added to section 163.3194, Florida Statutes, to read:

163.3194 Legal status of comprehensive plan.—

(7)(a) Local government comprehensive plans and land development regulations must include factors for assessing the compatibility of allowable residential uses within a residential zoning district and future land use category.

(b) Land development regulations must incorporate measures for mitigating or minimizing potential incompatibility.

(c)1. Before recommending denial of an application for rezoning, subdivision, or site plan approval on compatibility grounds, local government staff must identify with specificity each area of incompatibility and may recommend mitigation measures to the applicant.

2. If the applicant has proposed mitigation measures, the local government may not deny an application on compatibility grounds unless the denial includes written findings stating that the proposed mitigation measures are inadequate and that feasible mitigation measures do not exist.

3. A denial of an application on compatibility grounds must specify with particularity the area or areas of incompatibility, including applicable standards and an explanation of any mitigation measures considered and declined by the applicant, or the basis for determining that feasible mitigation measures do not exist. References to "community character" or "neighborhood feel" are not sufficient, in and of themselves, to support a denial of an application on compatibility grounds.

4. A local government's approval of an application may include requirements or conditions to mitigate or minimize compatibility concerns.

(d) This subsection does not apply to any of the following:

1. Compatibility between uses in different future land use categories, including rural, agricultural, conservation, open space, mixed-use, industrial, or commercial use.

2. Applications for development within planned unit developments or master planned communities.

3. Applications for development within historic districts designated before January 1, 2026.

(e) This subsection does not require approval of an application that is otherwise inconsistent with the applicable local government comprehensive plan or land development regulations.

Section 7. Effective January 1, 2027, section 553.382, Florida Statutes, is amended to read:

553.382 Placement of certain housing.—Notwithstanding any other law or ordinance to the contrary, in order to expand the availability of affordable housing in this state, any residential manufactured building that is certified under this chapter by the department may not be denied a building permit for placement ~~be placed~~ on a mobile home lot in a mobile home park, on any lot in a recreational vehicle park, or in a mobile home condominium, cooperative, or subdivision. Any such housing unit placed on a mobile home lot is a mobile home for purposes of chapter 723 and, therefore, all rights, obligations, and duties under chapter 723 apply, including the specifics of the prospectus. However, a housing unit subject to this section may not be placed on a mobile home lot without the prior written approval of the park owner. Any such housing unit must continue to meet all requirements associated with the permit allocation system of the Florida Keys Area of Critical State Concern designated pursuant to s. 380.0552. Each housing unit located on a mobile home lot and subject to this section shall be taxed as a mobile home under s. 320.08(11) and is subject to payments to the Florida Mobile Home Relocation Fund under s. 723.06116.

Section 8. Effective January 1, 2027, section 553.385, Florida Statutes, is created to read:

553.385 Zoning of off-site constructed residential dwellings; parity.—

(1) As used in this section, the term:

(a) "Local government" means a county or municipality.

(b) "Off-site constructed residential dwelling" means:

1. A manufactured building, as defined in s. 553.36, intended for single-family residential use; or

2. A manufactured home, as defined in s. 320.01(2)(b),

which is constructed, in whole or in part, off site and is treated as real property.

(2)(a) An off-site constructed residential dwelling must be permitted as of right in any zoning district where single-family detached dwellings are allowed.

(b) A local government may not adopt or enforce any zoning, land use, or development regulation that treats an off-site constructed residential

dwelling differently or more restrictively than a single-family, site-built dwelling allowed in the same zoning district.

(c) This section does not prohibit a local government from applying generally applicable architectural, aesthetic, design, setback, height, or bulk standards, provided such standards are applied uniformly to all single-family dwellings in the same zoning district.

(d) Compatibility or design standards must be reasonable, may not have the effect of excluding off-site constructed residential dwellings, and, if adopted, must apply equally to single-family, site-built dwellings. Such standards are limited to:

1. Roof pitch.

2. Minimum square footage of livable space.

3. Type and quality of exterior finishing materials.

4. Foundation enclosure.

5. Existence and type of attached structures.

6. Building setbacks, lot dimensions, and orientation.

(e) A local government may not regulate or restrict an off-site constructed residential dwelling based solely on:

1. The method of construction;

2. The location of construction; or

3. The presence of components constructed off site.

(3) A local government may not adopt or enforce any ordinance, regulation, or policy that conflicts with this section or s. 553.38, or that has the effect of excluding off-site constructed residential dwellings. Any such ordinance, regulation, or policy is void and unenforceable as applied to off-site constructed residential dwellings.

(4) Local government regulations must be reasonable and uniformly enforced without distinction as to housing type.

Section 9. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

Approved by the Governor March 27, 2026.

Filed in Office Secretary of State March 27, 2026.

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CHAPTER 2026-33

Committee Substitute for
Committee Substitute for Senate Bill No. 182

An act relating to education; amending s. 1002.33, F.S.; providing that students may not be dismissed from certain charter schools based on academic performance; amending s. 1002.395, F.S.; adding a condition for Florida Tax Credit (FTC) scholarship reimbursements; requiring that certain FTC scholarship funds revert to the organization; amending s. 1002.42, F.S.; providing that certain private schools are considered a permitted use in certain zoning districts; authorizing certain private schools to operate in facilities that meet specified requirements; providing exceptions; requiring certain private schools operating in such facilities to meet specified Florida Fire Prevention Code standards; providing that completion of a specified evaluation system with certain ratings by specified persons constitutes evidence of compliance with the Florida Fire Prevention Code for such private schools; authorizing the State Fire Marshal to adopt rules; amending s. 1003.42, F.S.; requiring students in specified grades to receive instruction in cursive writing; providing requirements for such instruction; requiring students to demonstrate proficiency in cursive writing by the end of a specified grade; defining the term "proficiency in cursive writing"; amending s. 1003.44, F.S.; requiring, subject to legislative appropriation, each district school board to adopt rules to require the display of portraits of George Washington and Abraham Lincoln at each public school in the district; requiring the Department of Education to select the portraits and make them available to each school district; creating s. 1012.988, F.S.; establishing the School Teacher Training and Mentoring Program within the Department of Education; providing the purpose of the program; authorizing school districts and charter schools to place certain classroom teachers as teacher mentors in specified schools for specified purposes; providing requirements for teacher mentors and mentees; authorizing teacher mentors to receive a stipend; providing the time period for each mentor and mentee relationship through the program; providing limitations on the number of mentees teacher mentors may work with; providing department and teacher mentor responsibilities; authorizing the State Board of Education to adopt rules; amending s. 1011.62, F.S.; authorizing specified funds to be used for the School Teacher Training and Mentoring Program; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (e) of subsection (10) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(10) ELIGIBLE STUDENTS.—

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(e) A charter school may limit the enrollment process only to target the following student populations:

1. Students within specific age groups or grade levels.

2. Students considered at risk of dropping out of school or academic failure. Such students shall include exceptional education students.

3. Students enrolling in a charter school-in-the-workplace or charter school-in-a-municipality established pursuant to subsection (15).

4. Students residing within a reasonable distance of the charter school, as described in paragraph (20)(c). Such students shall be subject to a random lottery and to the racial/ethnic balance provisions described in subparagraph (7)(a)8. or any federal provisions that require a school to achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other nearby public schools.

5. Students who meet reasonable academic, artistic, or other eligibility standards established by the charter school and included in the charter school application and charter or, in the case of existing charter schools, standards that are consistent with the school's mission and purpose. Such standards shall be in accordance with current state law and practice in public schools and may not discriminate against otherwise qualified individuals. A school that limits enrollment for such purposes must place a student on a progress monitoring plan for at least one semester before dismissing such student from the school. A student may not be dismissed based on academic performance while a school is implementing a school improvement plan pursuant to paragraph (9)(n) or corrective action plan pursuant to s. 1002.345.

6. Students articulating from one charter school to another pursuant to an articulation agreement between the charter schools that has been approved by the sponsor.

7. Students living in a development, or students whose parent or legal guardian maintains a physical or permanent employment presence within the development, in which a developer, including any affiliated business entity or charitable foundation, contributes to the formation, acquisition, construction, or operation of one or more charter schools or charter school facilities and related property in an amount equal to or having a total appraised value of at least $5 million to be used as charter schools to mitigate the educational impact created by the development of new residential dwelling units. Students living in the development are entitled to 50 percent of the student stations in the charter schools. The students who are eligible for enrollment are subject to a random lottery, the racial/ethnic balance provisions, or any federal provisions, as described in subparagraph 4. The remainder of the student stations must be filled in accordance with subparagraph 4.

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8. Students whose parent or legal guardian is employed within a reasonable distance of the charter school, as described in paragraph (20)(c). The students who are eligible for enrollment are subject to a random lottery.

Section 2. Paragraphs (g) and (h) of subsection (11) of section 1002.395, Florida Statutes, are amended to read:

1002.395 Florida Tax Credit Scholarship Program.—

(11) SCHOLARSHIP AMOUNT AND PAYMENT.—

(g) Reimbursements for program expenditures may continue until the account balance is expended or the scholarship account is closed ~~remaining funds have reverted to the state~~.

(h)1. A student's scholarship account must be closed and any remaining funds must ~~shall~~ revert to the organization ~~state~~ after:

a.~~1.~~ Denial or revocation of program eligibility by the commissioner for fraud or abuse, including, but not limited to, the student or student's parent accepting any payment, refund, or rebate, in any manner, from a provider of any services received pursuant to paragraph (6)(d);

b.~~2.~~ Two consecutive fiscal years in which an account has been inactive; or

c.~~3.~~ The student remains unenrolled in an eligible private school for 30 days while receiving a scholarship that requires full-time enrollment.

2. All funds that revert to the organization must be separately accounted for and used to fund scholarships in the fiscal year the reversion occurs. Any funds remaining at the end of the fiscal year may be carried forward to the following fiscal year and must be fully expended for annual or partial-year scholarships in the following fiscal year.

3. By July 1 of each year, an organization must report to the Department of Education the total number of scholarship accounts that were closed during the prior fiscal year and the amount of funds that reverted to the organization.

Section 3. Subsection (19) of section 1002.42, Florida Statutes, is amended to read:

1002.42 Private schools.—

(19) FACILITIES AND LAND USE.—

(a) A private school may use facilities on property owned or leased by a library, community service organization, museum, performing arts venue, theater, cinema, or church facility under s. 170.201, which is or was actively used as such within 5 years of any executed agreement with a private school

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to use the facilities; any facility or land owned by a Florida College System institution or university; any similar public institutional facilities; and any facility recently used to house a school or child care facility licensed under s. 402.305, under any such facility's preexisting zoning and land use designations without rezoning or obtaining a special exception or a land use change, and without complying with any mitigation requirements or conditions. The facility must be located on property used solely for purposes described in this paragraph, and must meet applicable state and local health, safety, and welfare laws, codes, and rules, including firesafety and building safety.

(b) A private school may use facilities on property purchased from a library, community service organization, museum, performing arts venue, theater, cinema, or church facility under s. 170.201, which is actively or was actively used as such within 5 years of any executed agreement with a private school to purchase the facilities; any facility or land owned by a Florida College System institution or university; any similar public institutional facilities; and any facility recently used to house a school or child care facility licensed under s. 402.305, under any such facility's preexisting zoning and land use designations without obtaining a special exception, rezoning, or a land use change, and without complying with any mitigation requirements or conditions. The facility must be located on property used solely for purposes described in this paragraph, and must meet applicable state and local health, safety, and welfare laws, codes, and rules, including firesafety and building safety.

(c) A private school located in a county with four incorporated municipalities may construct new facilities, which may be temporary or permanent, on property purchased from or owned or leased by a library, community service organization, museum, performing arts venue, theater, cinema, or church under s. 170.201, which is or was actively used as such within 5 years of any executed agreement with a private school; any land owned by a Florida College System institution or state university; and any land recently used to house a school or child care facility licensed under s. 402.305, under its preexisting zoning and land use designations without rezoning or obtaining a special exception or a land use change, and without complying with any mitigation requirements or conditions. Any new facility must be located on property used solely for purposes described in this paragraph, and must meet applicable state and local health, safety, and welfare laws, codes, and rules, including firesafety and building safety.

(d) A private school enrolling 150 or fewer students, or located within the unincorporated area of a county as defined in s. 125.011, shall be considered a permitted use and occupancy in a commercial or mixed-use zoning district within a county or municipality without rezoning or obtaining a special exception or a land use change, and without complying with any mitigation requirements, conditions, performance standards, ordinances, rules, codes, or policies, except that a county or municipality may require proportionate mitigation measures necessary to mitigate vehicular traffic and pedestrian safety.

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1. The vehicular traffic and pedestrian safety mitigation measures required by a county or municipality pursuant to this subsection shall be limited to those impacts reasonably and directly attributable to the operation of the private school at the site and shall be no greater in cost or scope than what is required of all other uses, education or otherwise, within the same zoning district.

2. The private school subject to vehicular traffic and pedestrian safety mitigation measures may, in lieu of complying with such mitigation measures, provide a traffic study that demonstrates the school will not have disproportionate impact on vehicular traffic or pedestrian safety compared to other allowable uses within the same zoning district.

(e) Notwithstanding any other provision of law, a private school enrolling 150 or fewer students may operate in a facility that is an existing assembly, day care, mercantile, or business occupancy, as defined in the Florida Fire Prevention Code. A private school operating in such a facility must meet the standards for existing educational occupancy requirements under the Florida Fire Prevention Code, adopted by the State Fire Marshal. Completion of the fire safety evaluation system for educational occupancies in the National Fire Protection Association, Life Safety Code, NFPA 101A: Guide on Alternative Approaches to Life Safety, adopted by the State Fire Marshal, by a registered design professional licensed under chapter 471 or chapter 481, with a determination of achieving at a minimum an "at least equivalent" conclusion, is considered evidence of compliance with the Florida Fire Prevention Code. The State Fire Marshal may adopt rules to implement this paragraph.

Section 4. Paragraph (w) is added to subsection (2) of section 1003.42, Florida Statutes, to read:

1003.42 Required instruction.—

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(w)1. For students in grades 3 through 5, the study of cursive writing and the development of the skills necessary for legible cursive writing, including:

a. Letter formation.

b. Proper spacing and alignment.

c. Practice in writing complete words and sentences in cursive.

2. By the end of grade 5, each student must demonstrate proficiency in cursive writing. For purposes of this subparagraph, the term "proficiency in cursive writing" means all of the following:

a. The ability to write uppercase and lowercase letters of the alphabet in cursive writing.

b. Writing words and sentences in cursive legibly and maintaining proper spacing and alignment.

c. The ability to read and apply cursive writing in a manner that supports literacy development, including writing essays and assignments in cursive writing in accordance with state academic standards.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. Instructional programming that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraph (u).

Section 5. Subsection (4) of section 1003.44, Florida Statutes, is amended to read:

1003.44 Patriotic programs; rules.—

(4) Each district school board shall adopt rules to require:~~, in all of the schools of the district and in each building used by the district school board,~~

(a) The display of the state motto, "In God We Trust," designated under s. 15.0301, in a conspicuous place at each public school in the district and in each building used by the district school board.

(b) Subject to legislative appropriation, the display of portraits of George Washington and Abraham Lincoln in a conspicuous place at each public school in the district. The Department of Education shall select the portraits and make them available to each school district.

Section 6. Section 1012.988, Florida Statutes, is created to read:

1012.988 School Teacher Training and Mentoring Program.—

(1) The School Teacher Training and Mentoring Program is established within the Department of Education. The purpose of the program is to increase the effectiveness and involvement of classroom teachers and improve student achievement, classroom management, and excellence in the state's public schools.

(2)(a) School districts and charter schools may place retired classroom teachers or current classroom teachers in schools earning a grade of "D" or "F" to act as teacher mentors to:

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1. New classroom teachers;

2. Classroom teachers who are rated as needs improvement, developing, or unsatisfactory on the prior year's performance evaluation under s. 1012.34; or

3. Classroom teachers identified by the school administrator as struggling with behavior management within the classroom.

(b) Each teacher mentor selected by the school district, charter school, or charter management organization must have:

1. At least 3 years of teaching experience in prekindergarten through grade 12.

2. Earned a highly effective rating on his or her most recent performance evaluation under s. 1012.34.

(c) Each teacher mentor may receive a stipend of up to $3,000.

(d) Each mentor and mentee relationship through the program shall be for one grading period.

(e)1. A retired classroom teacher serving as a teacher mentor may not have more than five mentees at a time.

2. A classroom teacher serving as a teacher mentor may not have more than one mentee at a time.

(3) The Department of Education shall establish program standards and a standard contract template for the teacher mentor and mentee which outlines the responsibilities of each person and establishes the framework and goals of the program.

(4) Each teacher mentor must:

(a) Present significant historical events with accuracy and integrity, grounded in verifiable evidence and scholarly rigor.

(b) If a curriculum is used, use a curriculum that affirms the principles of fairness and equal opportunity reflected in the Florida Educational Equity Act and encourages respectful dialogue across diverse perspectives.

(c) Maintain confidentiality, unless prohibited by law.

(d) Not have a personal agenda other than assisting his or her mentee in developing and reaching the mentee's goals.

(e) Help his or her mentee in developing skills and expertise, including drawing upon the teacher mentor's own personal experiences.

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(5) The State Board of Education may adopt rules to administer this section.

Section 7. Paragraph (a) of subsection (7) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(7) EDUCATIONAL ENRICHMENT ALLOCATION.—

(a) The educational enrichment allocation is created to assist school districts in providing educational enrichment activities and services that support and increase the academic achievement of students in grades kindergarten through 12. Educational enrichment activities and services may be provided in a manner and at any time during or beyond the regular 180-day term identified by the school district as being the most effective and efficient way to best help the student progress from grade to grade and graduate from high school. Funds from the educational enrichment allocation may be used for the School Teacher Training and Mentoring Program under s. 1012.988 if funds are available. For fiscal year 2023-2024, the educational enrichment allocation shall consist of a base amount as specified in the General Appropriations Act. Beginning in fiscal year 2024-2025, the educational enrichment allocation shall consist of the base amount that includes a workload adjustment based on changes in the unweighted full-time equivalent membership. Beginning in fiscal year 2025-2026, and each year thereafter, the statewide average base amount as specified in the General Appropriations Act shall be used for any new educational entity funded in the Florida Education Finance Program.

Section 8. This act shall take effect July 1, 2026.

Approved by the Governor April 20, 2026.

Filed in Office Secretary of State April 20, 2026.

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