

Article III - ZONING DISTRICTS

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Sec. 5.1. - Accessory structures and uses.

5.1.1. Purpose. It is the purpose of this Section to regulate the installation, configuration, and use of accessory structures, and the conduct of accessory uses, in order to ensure that they are not harmful either aesthetically or physically to residents and surrounding areas.

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5.1.6. Home garden.

A. A home garden containing any vegetables or fruit (unless grown in trees) must not be visible from the street adjacent to the property. Section 5.18.5.A. is not applicable to this provision.

B. Produce grown within a home garden shall not be sold from the premises.

5.1.7. [Outdoor grilling.] Outdoor grilling accessory to full service or take-out restaurant is permitted pursuant to Section 5.32.1(D).

5.1.8. Accessory Dwelling Unit

1. Definition

An accessory dwelling unit is an ancillary or secondary living unit to a single-family dwelling use that may contain a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or on the same lot, as the primary dwelling unit.

2. Standards

An accessory dwelling unit is allowed as an accessory use to a single-family dwelling, subject to the following standards:

a. An accessory dwelling unit is permitted only as accessory to, and on the same lot as, a single-family dwelling, and are not permitted as accessory to a two-family dwelling, multifamily dwelling, or mobile home dwelling.

b. Not more than one accessory dwelling unit per lot is permitted, and the accessory dwelling unit may not encroach on any required setback for the principal structure.

c. An accessory dwelling unit may be within or attached to the principal dwelling (e.g., a downstairs apartment), or exist within or as a detached structure (e.g., an apartment above a detached garage or a guesthouse). An accessory dwelling unit attached to the principal dwelling shall have an operative interconnecting door with the principal dwelling, and shall have a principal access only from the side or rear yard of the principal dwelling.

d. The use of a mobile home, recreational vehicle, or a similar vehicle as an accessory dwelling unit is prohibited.

e. The floor area of an accessory dwelling unit may be up to 500 square feet but may not exceed the floor area of the principal dwelling.

f. At least one, but no more than two, off-street parking spaces shall be provided for an accessory dwelling unit (in addition to the off-street parking required for the principal dwelling).

g. Accessory Dwelling Units may not be leased or advertised for rent as a “short-term rentals or vacation rental,” for any period less than 6 months.

h. Accessory Dwelling Units must comply with the applicable requirements of Schedule M. Minimum Housing Quality Standards, including but not limited to, application submittal, maintaining a Certificate of Use, and annual inspections.

i. For purposes of determining maximum density, an accessory dwelling unit shall be considered a half dwelling unit, however, accessory dwelling units that are committed to be restricted to be affordable housing per F.S. §163.31771, are permitted without the need to calculate density. An affidavit that attests to the fact that the unit will only be rented at an affordable rate to extremely-low-income, very-low-income, low-income, or moderate-income person or persons is required to be submitted as part of the building permit requirements if the unit is to be approved without a density calculation.

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SCHEDULE A. - LAND USE CLASSIFICATIONS

ACCESSORY DWELLING UNIT: An ancillary or secondary living unit to a single-family dwelling use that may contain a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or on the same lot, as the primary dwelling unit.

ADULT DAY CARE: A state licensed community care use which provides programs and services for adults who need a protective setting during the day. The basic services include, but are not limited to: social activities, self-care training, nutritional meals, a place to rest, and respite care.

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