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## **Sec. 130-83. Improved Subdivision District (IS).**

- (a) The following uses are permitted as of right in the improved subdivision district:
- (1) In those improved subdivision districts with no subdistrict indicator, detached dwellings of all types;
  - (2) IS-M: In those improved subdivision districts with an M subdistrict indicator, only detached dwellings of masonry appearance;
  - (3) IS-D: In those improved subdivision districts with a D subdistrict indicator:
    - a. Detached dwellings; and
    - b. Duplexes;
  - (4) Home occupations—Special use permit required;
  - (5) Accessory uses;
  - (6) Collocations on existing antenna-supporting structures, pursuant to section 146-5(c);
  - (7) Satellite earth stations less than two meters in diameter, as accessory uses, pursuant to section 146-5(f);
  - (8) Wastewater nutrient reduction cluster systems that serve less than ten residences; and
  - (9) Public infrastructure and utilities, provided that:
    - a. The parcel(s) proposed for development shall be separated from any established residential use by a class C bufferyard. As determined by the Planning Director, the bufferyard may be required on all property lines adjacent to an established residential principal use to screen the use from view.
    - b. A solid fence may be required upon determination by the Planning Director.
- (b) Vacation rental use is prohibited in all IS districts and subdistricts, except in:
- (1) IS-V districts (as set forth in section 130-84); and
  - (2) In gated communities that have:
    - a. Controlled access; and
    - b. A homeowner's or property owner's association that expressly regulates or manages vacation rental uses.
- (c) The following uses are permitted as minor conditional uses in the improved subdivision district, subject to the standards and procedures set forth in chapter 110, article III:
- (1) Parks;
  - (2) Institutional uses limited to schools; and
  - (3) Satellite earth stations greater than or equal to two meters in diameter, as accessory uses, pursuant to section 146-5(f).
- (d) The following uses are permitted as major conditional uses in the improved subdivision district, subject to the standards and procedures set forth in chapter 110, article III:
- (1) Stealth wireless communications facilities, as accessory uses, pursuant to section 146-5(e);
  - (2) Wastewater treatment facilities and wastewater treatment collection systems serving uses located in any land use district, provided that:

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- a. The wastewater treatment facility and wastewater treatment collection systems are in compliance with all federal, state, and local requirements;
  - b. The wastewater treatment facility, wastewater treatment collection systems and accessory uses shall be screened by structures designed to be architecturally consistent with the character of the surrounding community and shall minimize the impact of any outdoor storage, temporary or permanent; and
  - c. In addition to any district boundary buffers set forth in chapter 114, article V, a planting bed, eight feet in width, to be measured perpendicular to the exterior of the screening structure shall be established with the following:
    - 1. One native canopy tree for every 25 linear feet of screening structure; and one understory tree for every ten linear feet of screening structure;
    - 2. The required trees shall be evenly distributed throughout the planting bed;
    - 3. The planting bed shall be installed as set forth in chapter 114, article IV; and
    - 4. A solid fence may be required upon determination by the planning director.
- (e) The following lawfully established nonresidential uses in the Improved Subdivision land use district, which were rendered nonconforming by the 2010 Comprehensive Plan, but listed as permitted uses in the land development regulations that were in effect immediately prior to the institution of the 2010 Comprehensive Plan (pre-2010 LDRs, Section 9-212) and lawfully existed on such lands on January 4, 1996, which are damaged or destroyed may be permitted to be redeveloped, make substantial improvements, or be reestablished as an amendment to a major conditional use, subject to the standards and procedures set forth in chapter 110, article III:
- (1) Commercial retail, office, or any combination thereof, of low and medium intensity, of less than 2,500 square feet of floor area, provided that:
    - a. The parcel of land on which the commercial retail use is to be located abuts the right-of-way of U.S. 1, or a dedicated right-of-way to serve as a frontage road for U.S. 1;
    - b. The structure must be located within 200 feet of the centerline of U.S. 1;
    - c. The commercial retail use does not involve the sale of petroleum products;
    - d. The commercial retail use does not involve the outside storage or display of goods or merchandise;
    - e. There is no direct access to U.S. 1 from the parcel of land on which the commercial retail use is to be located;
    - f. The structure in which the commercial retail use is to be located is separated from the U.S. 1 right-of-way by a class C bufferyard;
    - g. The structure in which the commercial retail use is to be located is separated from any existing residential structure by a class C bufferyard;
    - h. No signage other than one identification sign of no more than four square feet shall be placed in any yard or on the wall of the structure in which the commercial retail use is to be located except for the yard or wall that abuts the right-of-way for U.S. 1; and
    - i. The use is limited in intensity, floor area, density and to the type of use that existed on January 4, 1996, or limited to the permitted uses and/or the provisions for minor or major conditional uses allowed in the pre-1996 LDRs for this district, whichever is more restrictive.
  - (2) Marinas, provided that:

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- a. The parcel proposed for development has continuous access to water of depths of at least four (4) feet below mean sea level at mean low tide;
  - b. The use does not involve the sale of goods or services other than private clubs, sport fishing charters, boat dockage and storage;
  - c. All boat storage is limited to surface storage on trailers or skids and no boat or other equipment is stored on any elevated rack, frame or structure;
  - d. Vessels docked or stored shall not be used for live-aboard purposes;
  - e. All outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six (6) feet in height; and
  - f. Each nonwaterside perimeter setback of the parcel proposed for development must have a class C bufferyard within a side yard setback of ten feet; and
  - g. The use is limited in intensity, floor area, density and to the type of use that existed on January 4, 1996, or limited to the permitted uses and/or the provisions for minor or major conditional uses allowed in the pre-1996 LDRs for this district, whichever is more restrictive.

( Ord. No. 006-2016 , § 1(Exh. 1), 4-13-2016; Ord. No. 010-2020 , § 1, 2-19-2020, eff. 6-4-2020)