

## **Article 7. Environmental and Resource Protection**

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### **7.00.00 Purpose and Intent**

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The purpose of this article is to safeguard the public health, safety, and welfare by ensuring the long-term protection and preservation of environmentally sensitive natural resource systems. Application of the provisions of this article shall result in development that reduces the potential for adverse impacts on the hydrologic functions of wetlands, natural systems, habitats, water quality, shorelines, aquatic wildlife and natural resources.

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### **7.00.01 Applicability**

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All new development and redevelopment shall be designed to ensure protection of areas designated as floodplains, environmentally sensitive lands, wetlands, or wellfields. No permit for development shall be issued by the City that is not in full compliance with the provisions of this article, the technical manuals listed in Article 1 as well as state and federal laws and standards.

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### **7.01.00 Requirements for Stormwater Management Plan**

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Stormwater facilities shall be designed to accommodate the 25-year, 24-hour design storm to meet the water quality and quantity standards that follow the City of Lake Helen Comprehensive Plan Chapter 8: Capital Improvement Element.

The stormwater management plan must:

1. Provide detailed design drawings and specifications for all facilities, temporary and permanent, required by the stormwater management plan.
2. Provide a construction schedule for both temporary and permanent facilities. Reference the schedule to other development activities such as clearing, rough grading, construction, final grading, and vegetation establishment.
3. Provide a plan for maintenance of the stormwater facilities. Describe specific actions and a recommended schedule of maintenance required to maintain the facilities at a satisfactory level of service.
4. Provide a cost estimate for construction of the stormwater management facilities. Provide a separate estimate of the annual cost for maintenance of the proposed facilities.
5. Be prepared under the supervision of, and certified by, a professional engineer or land surveyor registered in the state. The plan shall include sufficient information to evaluate the environmental characteristics of the affected areas, the potential impacts of the proposed development on water resources, and the effectiveness and acceptability of measures proposed for managing stormwater runoff. The developer shall certify on the drawings that all clearing, grading, drainage, construction and development shall be conducted in strict accordance with the plan. The minimum information submitted for support of a stormwater management plan shall be as follows:
  - a. Provide a site plan drawn to a scale of not less than one (1) inch equals fifty feet (50') with the following characteristics and information:
    1. Graphic scale, north arrow and date. North arrow shall be identified as magnetic, true or grid north.
    2. Vicinity map showing the site location relative to surrounding landmarks, highway intersections, rivers and streams.

3. Topography showing existing and proposed elevations in accordance with the following:
  - a. For sites smaller than one (1) acre in size, show the direction of drainage and spot elevations at all breaks in grade and along drainage channels or swales at selected points not more than one hundred feet (100') apart.
  - b. For sites one (1) acre and larger with slopes less than approximately two percent (2%), show contours at intervals of not more than two feet (2') and spot elevations at all breaks in grade along drainage channels or swales at selected points not more than one hundred feet (100') apart.
  - c. For sites one (1) acre and larger with slopes more than approximately two percent (2%), show contours with an interval of not more than five feet (5').
  - d. Elevations shall be based on the datum plane established by the U.S. Coastal and Geodetic Survey.
4. Delineation of property lines and deed record names of adjacent property owners.
5. Location of existing structures.
6. Location and right-of-way of streets, roads, railroads and utility lines, either on or adjacent to the property to be developed. Specify whether utility lines are in easements or rights-of-way and show location of towers and poles.
7. Size and location of existing sewers, water mains, drains, culverts or other underground facilities within the tract or within the right-of-way of streets or roads adjoining the tract. Grades and invert elevations of sewers shall be shown.
8. Proposed conditions:
  - a. Layout of streets, roads, alleys, drives and paved areas, public crosswalks, with widths, road names or designations.
  - b. Location of structures.
  - c. Preliminary plans of storm sewer system with grade, pipe size and location of outlet.
  - d. Certification by a registered land surveyor or professional engineer attesting that the site plan has been prepared in conformity with the minimum standards of this article.
- b. Provide computations and supporting documentation of hydrologic and hydraulic analyses.
- c. The stormwater management plan shall provide the following information for pre-development and post-development conditions:
  1. The composite runoff curve number or runoff coefficient for the site;

2. The peak runoff rate at the point, or points, of discharge for the 25-year, 24-hour design storm; and
  3. The capacity of storm sewers, ditches and other hydraulic structures.
- d. Water Quantity
1. Peak post-development runoff shall not exceed peak pre-development runoff rates. The first one inch of runoff shall be retained on-site.
- e. Water Quality
1. Treatment of stormwater runoff shall be required for all development, redevelopment and, when expansion occurs, existing developed areas. The stormwater treatment system or systems can be project specific, serve sub-areas within the City or be a system to serve the entire City. Regardless of the area served, the stormwater treatment systems must provide a level of treatment which meets the requirements of Chapter 40C-42, in particular section 40C-42.025, Florida Administrative Code (F.A.C.) to ensure that the receiving water quality standards of Chapter 17-302, section 17-302.500, F.A.C. are met and to ensure that the receiving water bodies and their water quality are not degraded below the minimum conditions necessary to maintain their classifications as established in Chapter 17-302, F.A.C. It is intended that all standards in these citations are to apply to all development and redevelopment and that any exemptions or exceptions in these citations, including project size thresholds, are not applicable.
  2. Infill residential development within improved residential areas or subdivisions existing prior to the adoption of this comprehensive plan, must ensure that its post-development stormwater runoff will not contribute pollutants which will cause the runoff from the entire improved area or subdivision of degrade receiving water bodies and their water quality as stated above.
  3. Development and redevelopment projects which are not exempt from the St. John's River Water Management District permitting requirements must also meet the requirements of Chapter 40C-4 and 40C-40, F.A.C.

Note: The Florida Administrative Code citations refer to these regulations as they exist at the time of adoption of this comprehensive plan

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### **7.02.00 Floodplain Management**

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Article 10 outlines the provisions that shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the Florida Building Code; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

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### **7.03.00 Requirements for Streams and other Floodprone Areas**

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Within areas of special flood hazard, where small streams exist but where no base flood data or floodways have been provided, or landlocked areas susceptible to flooding, the following provisions apply:

- A. No encroachments, including fill material or structures, shall be located within the floodprone area unless a Florida registered professional engineer certifies that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- B. The base flood elevation shall be determined for the project area by means of an appropriate hydrologic/hydraulic analysis by a Florida registered professional engineer as part of the certification process.
- C. The City may require the landowner to submit a letter of map revision (LOMR) to FEMA if the stream information is determined to be inadequate for construction permitting purposes.

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### **7.04.00 Environmental Lands Protection**

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1. Relationship to Other Requirements Relating to the Protection of Environmentally Sensitive Lands

In addition to meeting the following protection of environmentally sensitive lands requirements, development plans shall comply with applicable federal, state, county and water management district regulations relating to environmentally sensitive lands. In all cases the strictest of the applicable standards shall apply.

2. Future Land Use Element Incorporated By Reference

The Future Land Use Element of the City Comprehensive Plan as from time to time amended is hereby incorporated by reference into this Code.

3. Compliance When Subdividing Land

Each lot of a proposed development must include a site suitable for constructing a structure in conformity with the standards included in this Land Development Code.

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### **7.05.00 Wetland Protection**

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There shall be no net loss of wetlands function or size as a result of a development activity. Wetlands shall be protected through the implementation of the following standards and guidelines:

1. Precise delineation of wetland areas shall be determined through site specific studies and field determination.
2. Impacts to high quality wetland shall be avoided whenever possible. Where impacts cannot be avoided, development shall be allowed at a minimum density/intensity and least disruptive type. Mitigation of lost wetland resources will be required.
3. Permitted land uses include conservation and passive recreation.
4. Wetland protective measures shall include the use of setbacks and vegetative buffers. Setbacks and buffer widths shall depend upon the nature and functional value of the wetlands to be protected. The minimum upland buffer from the wetland line is twenty-five feet (25').

5. All required permits from jurisdictional agencies shall be approved prior to, or concurrent with, the City issuing a final development order.

The requirements of this section shall apply to all of the areas under the jurisdiction of the Florida DEP, the USACOE, and the SJRWMD, as well as those lands identified as "Conservation" on the FLUM and on the adopted zoning map. Exemptions to buffering requirements exist for resource-based recreational facilities such as trails, boardwalks, piers and boat ramps.

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#### **7.05.01 Agency Coordination Required**

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All new development and redevelopment adjacent to jurisdictional wetlands shall be required to include coordination with the agencies with regulatory jurisdiction over wetlands, including the County, representatives of the Florida DEP, the USACOE, and the SJRWMD, for assistance and verification in identifying and delineating wetlands.

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#### **7.05.02 Development Within Wetlands**

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Except as expressly provided in this section, no development activity shall be permitted in a wetlands area.

1. Wetlands shall be preserved in their natural state. No fill shall be placed in a wetland, and the wetland shall not be altered, unless mitigation is approved as allowed under §7.05.00.2.
2. Buffering requirements for development adjacent to wetlands or natural water bodies:
  - A. All new development and redevelopment adjacent to jurisdictional wetlands or surface water bodies shall be required to provide a buffer zone of native vegetation at least twenty-five feet (25') wide around wetlands and fifty feet (50') from natural water bodies to prevent erosion, retard runoff, and provide areas for habitat; and
  - B. This setback shall be required for any development, except docks or piers which have received a permit from the Florida DEP, SJRWMD, or the USACOE.
3. Permitted activities within areas designated by the City, FDEP, SJRWMD, or the USACOE as wetlands protection zones:
  - A. Potentially allowable uses adjacent to wetlands protection zones are those uses included in the Conservation land use category on the FLUM;
  - B. Development is limited to buildings that are supportive of and accessory to the Conservation land use category, such as interpretative centers, rest rooms, or covered picnic pavilions;
  - C. Developing an area that no longer conforms to the determination of the SJRWMD as wetlands, except former wetlands that have been filled or altered in violation of any rule, regulation, statute, or this LDC. The developer shall demonstrate that the water regime has been permanently altered, either legally or naturally, in a manner so as to preclude the area from maintaining surface water or hydroperiodicity necessary to sustain wetlands structure and function. Adequate proof shall include statements from federal and/or State agencies having jurisdiction as well as technical evidence from registered hydraulics engineers or other certified experts;
  - D. Development of a wetlands stormwater discharge facility or treatment wetlands in accordance with State permits received under currently relevant sections of the F.A.C.; and

- E. Boardwalks, piers, boathouses, boat shelters, fences, duck blinds, wildlife management shelters, footbridges, observation decks and shelters, and other similar water-related structures, provided that installation does not involve grading, fill, dredging, or draining, and provided that such structures are constructed on pilings so as to permit the unobstructed flow of water and light and preserve the natural contour of the wetlands. Any applicable permits are still required. All pilings shall be driven into place; no jetting of pilings shall be allowed.

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### **7.05.03 Design Requirements for Development within Wetlands**

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1. There shall be no net loss of wetlands function or size as a result of a development activity, except where mitigated per §7.05.00.2. Wetlands shall be protected through the implementation of the following standards and guidelines:
  - A. Precise delineation of wetland areas shall be determined through site specific studies and field determination.
  - B. Impacts to high quality wetland shall be avoided whenever possible. Where impacts cannot be avoided, development shall be allowed at a minimum density/intensity and least disruptive type. Mitigation of lost wetland resources will be required.
  - C. Wetland protective measures shall include the use of setbacks and vegetative buffers. Setbacks and buffer widths shall depend upon the nature and functional value of the wetlands to be protected. The minimum upland buffer from the wetland line is twenty-five feet (25').
2. All new development and redevelopment adjacent to jurisdictional wetlands shall be designed, constructed, maintained, and undertaken in a way that minimizes the adverse impacts on the functions of the affected environmentally sensitive zone.
3. In addition to any standards required by federal, State, or local agencies and any other section within this LDC, the following standards shall apply to uses found to be permissible in or adjacent to wetlands:
  - D. The use shall allow the movement of aquatic life requiring shallow water;
  - E. Existing flood channel capacity shall be maintained;
  - F. Stable shoreline embankments shall be ensured on unstable shorelines where water depths are inadequate, to eliminate the need for offshore or foreshore channel construction dredging, maintenance dredging, spoil disposal, filling, and other lake, and channel maintenance activities;
  - G. Uses in areas where there is inadequate water mixing and flushing shall be eliminated or stringently limited;
  - H. Uses shall be prevented in areas which have been identified as hazardous due to high winds or flooding;
  - I. Access roads, parking lots, and similar structures shall be limited to locations on properly zoned uplands;
  - J. Any wetlands shown on the site plan to remain undisturbed that become damaged during construction shall be completely restored using native vegetation appropriate for the location. Complete restoration means that the restored area shall function equivalently to the wetland prior to damage;

- K. Periodical removal of invasive vegetation shall be undertaken and non-native or invasive vegetation shall not be introduced.
- L. Accessory uses shall be limited to those which are water dependent; and
- M. Fill shall not be placed in waters or wetlands to create usable land space, unless mitigation is approved as delineated above.

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#### **7.06.00 Lake Protection Areas**

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A Lake Protection Area shall be established adjacent to and surrounding all lakes for a distance extending seventy-five feet (75') landward of the mean high-water line.

1. Allowed Activities in a Lake Protection Area

Within the Protection Area no development activity shall be permitted except for an allowance for access. No more than twenty percent (20%) or twenty-five feet (25'), whichever is greater, of the shoreline within property boundaries may be altered for reasonable access. The remainder of the shoreline shall be maintained in unaltered native vegetation, except for pruning, planting of suitable native vegetation and removal of exotic and nuisance plant species. Provided, however, that any portion of a principal or accessory residential dwelling structure, in existence on March 18, 2004, and which is non-conforming to the Code as a result of encroaching into a Lake Protection Area boundary, may be altered, expanded, enlarged or restored in the area of encroachment if such activity does not create an encroachment into the Lake Protection Area boundary that is closer than that which exists on March 18, 2004, and which does not create a new non-conformity. Any such afore described activity that is conducted within a Lake Protection Area shall be required to incorporate environmental best management practices for lake protection, as specified by the City at time of permit approval, into project design and implementation.

2. Lake Protection Permit

A permit is required for any activity undertaken within a Lake Protection Area.

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#### **7.07.00 Wellfield Protection**

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The purpose and intent of this section is to safeguard the public health, safety, and welfare by ensuring the protection of the principal source of water from potential contamination and to control development in and adjacent to designated wellheads and surrounding wellfield areas to protect water supplies from potential contamination.

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##### **7.07.01 Wellfield Protection Area**

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- 1. A wellfield protection area is hereby established to include all land within a 500-foot radius from a public potable water wellhead.
- 2. The following uses shall be prohibited within the wellfield protection area:
  - A. All regulated industries by the Florida DEP as defined in Rule 62-521, F.A.C.;
  - B. Facilities for bulk storage, handling or processing of materials on the Florida Substance List;
  - C. Landfills;

- D. Activities that require the storage, use, or transportation of restricted substances, agricultural chemicals, hazardous toxic waste, medical waste, and petroleum products;
- E. Feedlots or Commercial animal facilities, including veterinarian clinics;
- F. Mines;
- G. Excavation of waterways or drainage facilities which intersect the water table;
- H. Industrial land uses;
- I. Wastewater treatment plants, percolation ponds and similar facilities;
- J. Commercial activities that involve the use of hazardous chemicals such as, but not limited to, dry cleaning operations, auto repair and servicing, pool supply, gas stations, junkyards, and machine shops;
- K. Injection wells, irrigation wells, and domestic and commercial wells less than six inches (6") in diameter;
- L. Stormwater facilities, including the use of drainage wells or sinkholes for stormwater disposal; and
- M. Human or animal cemeteries.

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#### **7.08.00 Preventing Destruction of Discovered Artifacts**

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1. Where a proposed development is located on a protected historical or archaeological site, a survey shall be conducted by a State of Florida qualified archaeologist or similar expert. The survey shall contain recommendations on methods of preservation, protection, or mitigation of resources on the site. The survey shall be submitted along with the application according to the submittal, review, and decision-making procedures set forth in the Land Development Code (LDC). Any proposed development shall be consistent with the findings and recommendations contained in the survey.
2. Where previously unidentified historical or archaeological resources are unearthed during site preparation, excavation, construction, or development activity on a site, development shall cease. The developer shall notify the Florida Department of State of such discovery. Construction shall not begin until the State has determined the archaeological significance of the discovery and the restrictions which shall be imposed on development. Development may continue in areas which will not impact the site of discovery.

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#### **7.09.00 Habitat and Wildlife Preservation**

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Development in upland wildlife habitats and areas with threatened and endangered species of plants and animals and plant and animal species of special concern shall be as follows:

1. For proposed non-residential development and residential development of more than one single family dwelling of five (5) acres or more the site must be inspected by an ecologist, biologist or other similar professional for the presence of state and federally protected plant and animal species.
2. Site surveys shall include:
  - a. The size and distribution of the native habitat, wildlife and listed species populations within a proposed development site

- b. The feasibility and viability of on-site protection through the retention of native habitat (canopy, understory and groundcover) needed to accommodate the various wildlife species utilizing the site (including protected plant and animal species)
- c. A management program, whether the proposed development sits includes a wildlife corridor and the feasibility of maintaining the wildlife corridor.
- d. The appropriateness of mitigation to an acceptable off-site location in the event that on-site mitigation is shown to be ineffective.
- e. Protection of any wildlife and protected plant and animal species found on the site and their habitat will be required as part of the overall development plan submitted for development approval.

Development techniques such as clustering are to be used to ensure the protection of the habitats. The preservation of wildlife corridors within developments which connect to other protected wildlife habitats shall be required.

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**7.10.00 Operational Standard: Noise, Vibrations, Odors, Fumes**

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The purpose of this section is to provide appropriate standards for the objective measurement of potential nuisances within the City: to ensure that the community is protected by requiring methods to control or eliminate the hazards and nuisances; to protect potential uses from arbitrary exclusion or persecution based solely on perceived harm or past reputation.

These standards shall apply to all uses and operations within the City of Lake Helen.

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**7.10.01 Noise**

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No person shall operate or cause to be operated any source of sound in such a manner as to create a sound level which exceeds the limits set forth for the receiving land use category in the table below:

**Table 7A Sound Levels by Receiving Land Use**

Receiving Land Use Category	Time	Sound Level Limit dBA
Residential	7:00 am until 10:00 pm	61
	10:00 pm until 7:00 am	55
Commercial	7:00 am until 10:00 pm	66
	10:00 pm until 7:00 am	60

These levels may not be exceeded for more than three (3) cumulative minutes out of any continuous sixty (60) minute period.

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**7.10.02 Noise Level Limits in dBA**

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The following limits are in effect which if exceeded will have a high probability of producing permanent hearing loss in anyone in the area where the noise levels are being exceeded. No noise shall be permitted within the City which exceeds these limits.

**Table 7B Permissible Noise Exposures**

Duration per day, continuous hours	Noise Level - dBA

8	90
6	92
4	95
3	97
2	100
1 ½	102
1	105
½	110
¼ or less	115

When the daily noise exposure is composed of two (2) or more periods of noise exposure at different levels, their combined effect should be considered, rather than the individual effect of each. If the sum of the following fractions:  $C_1/T_1 + C_2/T_2 \dots C_n/T_n$  exceeds unity, then, the mixed exposure should be considered to exceed the noise level limit value.  $C_n$  indicates the total time of exposure at a specified noise level, and  $T_n$  indicates the total time of exposure permitted at that level.

If the device producing the noise level cannot be toned down below the permissible levels, then protection should be provided for those in the area of the noise. The protection must reduce the noise level to below the permissible limits and must not, itself, produce a safety hazard. Procedures must exist which guarantee that the people in the area of the noise will use the protection.

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### 7.10.03 Exemptions

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The following activities or sources are exempt from these noise standards:

1. Activities covered by the following: emergency signaling devices, air-conditioning and air-handling equipment for residential purposes, refuse collection vehicles.
2. From 7 a.m. to 9 p.m. construction operations for which building permits have been issued, or construction operations not requiring permits due to ownership of the project by an agency of the government; providing such equipment is operated in accord with the manufacturer's specifications and with all manufacturer's mufflers and noise reducing equipment in use and in proper operating condition.
3. The lowing of cattle, the clucking of fowl, the neighing of horses, the baying of hounds, or other normal sounds of reasonably cared for agricultural or domestic animals, as well as the sounds of necessary farming equipment for a bona fide agricultural operation.
4. Noises resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of emergency.
5. Construction or routine maintenance of public service utilities.
6. Houses of worship bells or chimes in conjunction with religious services or other sound used in calls to worship.

7. The emission of sound for the purpose of alerting persons to the existence of an emergency, or the emission of sound in the performance of emergency work.

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#### **7.10.04 Noises Prohibited; Unnecessary Noise Standard, Statement of Intent, Sworn Complaint Required**

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Some sounds may be such that they are not measurable by the sound pressure level meter or may not exceed the limits of measurements listed herein, but they may be excessive, unnatural, prolonged, unusual and are a detriment to the public health, comfort, convenience, safety, welfare and prosperity of the residents of the city.

Noises prohibited by this section are unlawful notwithstanding the fact that no violation of any section prior hereto is involved, and notwithstanding the fact that the activity complained about is exempted in 7.10.03.

The following acts, among others are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but said enumeration shall not be deemed to be exclusive:

1. Horns, signaling devices, etc. The sound of any horn or signaling device on any automobile, motorcycle bus or other vehicle on any street or public place of the city, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for any unnecessary and unreasonable period of time.
2. Radios, televisions, phonographs, etc. The using, operating or permitting to be played used or operated any radio receiving set, television set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person(s) who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device in such manner as to be plainly audible at a distance of one hundred feet (100') from the building, structure or vehicle in which it is located shall be prima facie evidence of a violate of this section.
3. Animals, birds, etc. The keeping of any animals or bird which causes frequent or long continued noise which is plainly audible at a distance of one hundred feet (100') from the building or structure in which the animal or bird is located.

Any person making a complaint under this section shall be required to sign a sworn complaint prior to an arrest being made, otherwise no such complaint will be honored. Before any arrests being made, the law enforcement officer shall issue a warning to the offending person or persons and advise the person or persons of the violation and the possible penalty if they fail to reduce or eliminate the noise. Anyone who violates this section shall be guilty of a misdemeanor of the 2nd degree punishable by a fine not exceeding five hundred dollars (\$500.00).

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#### **7.10.05 Variances and Permits**

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Applications for a permit for relief from the maximum allowable noise level limits may be made in writing to the City Administrator or his/her designee. This does not apply to the Permissible Noise Exposures detailed in section 7B. Any permit granted by the City Administrator or his/her designee

must be in writing and shall contain all conditions upon which the permit shall be effective. The City Administrator or his/her designee may grant the relief as applied for under the following conditions:

- A. Entertainment. Permits for entertainment may be granted under the following conditions:
  - 1. The function must be open to the public (admission may be charged).
  - 2. The function must take place on public property or with permission of the City Commission on private property.
  - 3. The permit will be given for only four (4) hours in one twenty-four hour day unless waived by the City Commission.
  - 4. The function must be staged between the hours of 9:00 a.m. and 11:00 p.m.
- B. Non-entertainment. Permits for non-entertainment special purposes may be issued under the following conditions:
  - 1. If the special purpose relates to the operation of a trade or business that the special purpose not be in the ordinary course of that trade or business.
  - 2. If the special purpose be a recurring purpose, that it not recur more often than four (4) times each calendar year.
  - 3. That the special purpose be absolutely necessary to the operation of the applicant's trade or business.
  - 4. Except in emergency situations, as determined by the City Administrator or his/her designee, the permit may be issued only for hours between 9:00 a.m. and 11:00 p.m.
  - 5. Permits may be issued for no longer than one week, renewable by further application to the City Administrator or his/her designee and City Commission.

C. Additional Conditions

The City Administrator or his/her designee may prescribe any reasonable conditions or requirements he deems necessary to minimize adverse effects upon the community or the surrounding neighborhood, including use of mufflers, screens or other sound attenuating devices.

D. Use of Sound Devices

No permit may be issued to permit the use of any loudspeaker or sound device which at any time exceeds the noise level limits prescribed in 7.10.01 except those used for emergency warnings.

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**7.10.06 Vibration**

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Vibration which recurrently generated and perceptible to the normal senses, without instruments, is prohibited.

Vibration shall be determined along or beyond the property line of the site on which the use is located.

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**7.10.07 Air Pollution and Odor**

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A. Smoke and Particulate Matter Standards

All uses shall comply with standards set forth in the rules and regulations of the Florida Department of Environmental Regulation as amended to date, or hereafter amended. No person shall operate a regulated source of air pollution without a valid operation permit issued by the Department of Environmental Regulation. Open burning shall be permitted but only in strict compliance with the requirements established by the Florida Forestry Service.

B. Toxic Gases, Fumes, Vapors and Matter

All uses shall comply with standards as set forth in the rules and regulations of the Florida Department of Environmental Regulations as amended to date, or hereafter amended.

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**7.10.08 Debris, Insect, and Rodent Control**

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All premises shall be maintained free of insect and rodent harborage and infestation. Examination methods and other measures to control insects and rodents shall conform with the requirements of the county health authority. The premises shall be maintained free from accumulation of debris and litter.

Lots and parcels, either improved or unimproved, shall be maintained free from accumulation of debris and litter.

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**7.10.09 Electromagnetic Interference**

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In all districts, no use, activity, or process shall be conducted which produces electric and/or magnetic fields which adversely affect public health, safety, and welfare including but not limited to interference with normal radio, telephone, or television reception from off the premises where the activity is conducted.

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**7.10.10 Glare and Heat**

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No direct or sky-reflected glare, whether from floodlights or from high temperature processes such as combustion or welding or otherwise, so as to be visible at the lot line, shall be permitted. These regulations shall not apply to signs or floodlighting of parking areas otherwise permitted. There shall be no emission or transmission of heat or heated air so as to be discernible at the lot line.

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**7.10.11 Fire and Explosive Hazards**

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In all land use districts in which the storage, use or manufacture of flammable, combustible, or explosive materials occurs, the applicable standards of the National Fire Protection Association shall apply.