

# *City of Arcadia*



## Unified Land Development Code

### Article 1

#### **Preamble**

Prepared by the  
Central Florida Regional Planning Council

**ARTICLE 1.**

**PREAMBLE**

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## **ARTICLE 1.**

### **PREAMBLE**

#### **Section 1.01.00. Title.**

This document shall be referred to as the "Unified Land Development Code of the City of Arcadia" and may be referred to herein as the "Code", the "Land Development Code" and the "LDC".

#### **Section 1.02.00. Authority and Purpose.**

This Land Development Code is enacted pursuant to the requirements and authority of 163.3202, Florida Statutes (the Local Government Comprehensive Planning and Land Development Regulation Act), the City Charter, and the general powers enumerated in Chapter 166, Florida Statutes (City Government) for the purpose of promoting the general health, safety, and welfare of present and future inhabitants of the City of Arcadia.

#### **Section 1.03.00. Consistency with Comprehensive Plan.**

The Unified Land Development Code is and shall remain consistent with the City's Comprehensive Plan. The Unified Land Development Code shall be amended as necessary, by ordinance, to assure consistency with the City of Arcadia Comprehensive Plan.

#### **Section 1.04.00. Applicability.**

##### **Section 1.04.01. General Applicability.**

No building or structure, or part thereof, shall hereafter be erected, constructed, reconstructed or altered, and maintained, and no existing use, new use or change of use of any building, structure or land, or part thereof, shall be made or continued, except in conformity with the provisions of this Land Development Code.

With the exceptions listed below, all development in Arcadia shall be subject to the provisions of this Code, and no development shall be undertaken without prior authorization pursuant to this Code.

##### **Section 1.04.02. Exceptions.**

A. Previously Issued Development Orders. A development project with an approved site development plan or subdivision plat may proceed under the regulations in effect at the time of approval provided that:

1. The development order has not expired at the time of adoption of this Code or amendment thereto; and
2. Development activity has begun or will begin according to the time limits under which the development was originally approved.

If the development order expires or is otherwise invalidated, any further development activity on the development site shall conform to the requirements of this Code or amendment thereto.

B. Previously Issued Development Permits. The provisions of this Code and any amendments thereto shall not affect the validity of any lawfully issued and effective development permit provided that:

1. The development permit was issued prior to adoption of this Code and development activity has begun or will begin within six months of the date of issuance of the development permit; and
2. Development activity continues without interruption until the development is complete. If the development permit expires, any further development shall conform to the requirements of this Code or any amendments thereto.

**Section 1.05.00. Repeal of Conflicting Local Laws.**

Any and all other City ordinances, resolutions, or general laws, or any part thereof, which conflict with any provision or provisions of this Code are hereby repealed. The effects of repeal are provided in Section 1-7 of the City Code of Ordinances.

**Section 1.06.00. Interpretation and Conflicting Regulations.**

In interpreting and applying this Code, the provisions thereof shall be held to be a minimum requirement for the promotion of the health, safety, morals and general welfare of the city. It is not intended by this Code to interfere with, abrogate or annul any easements, covenants or agreements between parties. Where the regulations of this Code on a stated point are more restrictive than regulations on the same point as contained in any other law or ordinance, the provisions of this Code shall govern, and where the regulations of the other law or ordinance are more restrictive than those of this Code, the other shall govern.

**Section 1.07.00. References Throughout this Code.**

References throughout this Code to the Florida Statutes, Florida Administrative Code, and any standards established by specific organizations identified in this Code, shall include any amendments and amendments hereafter, including Chapter, Code, and Rule renumbering. References to specific regulating agencies, and organizations which establish standards, shall include any changes in the identifying name of said agencies or organizations. Any references made throughout this Code concerning written comments, copies, applications, and submittals may, at the discretion of the City, include electronic formats.

**Section 1.08.00. Essential Services.**

Essential services shall be permitted as authorized and regulated by law and ordinances of the City, it being the intention of this Section to exempt such essential services from the application of this Land Development Code.

**Section 1.09.00. Penalties for Violation.**

- A. Any person, or anyone acting in behalf thereof, whom shall violate or fail to comply with any of the provisions of this Code shall upon conviction be punished as provided by Section 1-12 of the City Code of Ordinances.
- B. Each day that a violation of this Code is continued or permitted to exist without compliance shall constitute a separate offense punishable upon conviction in the manner prescribed in this section.

**Section 1.10.00. Severability.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

**Section 1.11.00. Enactment and Effective Date.**

The City Council has adopted these regulations by Ordinance No. 994, and the regulations shall take effect immediately upon the Ordinance adoption date.