



## **Land Development Code Update Workgroup**

### **AGENDA**

**Thursday, December 19, 2013**

**1:00 PM – 3:00 PM**

**Pinellas County Planning & Development Services**

**310 Court Street, Clearwater, Florida 33756 ~ (727) 464-8200**

**Conference Room – 1<sup>st</sup> Floor**

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- 1. Call to Order**
- 2. Review November 21<sup>st</sup> meeting summary**
- 3. Follow-up items from last meeting**
  - **Development Review Committee**
  - **Zoning districts**
- 4. Discuss Table of Uses Matrix/Definitions**
- 5. Discuss supplemental standards for specific uses**
- 6. Confirm next meeting date**

**Pinellas County Land Development Code Update Workgroup  
November 21, 2013 Meeting Summary**

**Pinellas County Land Development Code Update Workgroup**  
**November 21, 2013 Meeting Results**

**Agenda Item #1: Call to order**

- The meeting officially started at 1:05pm
- Those present included members of the public: Steve Englehardt, Robert Pergolizzi, Jim White, Deborah Martohue, Jake Stowers, and Peter Pensa; County staff: Marcella Faucette, Liz Freeman, David Sadowsky, Gordon Beardslee, Rick MacAulay, John Cueva, Al Navaroli, and Glenn Bailey; consultants: Ryan Givens and Steve Howarth.

**Agenda Item #2: Review October 24<sup>th</sup> meeting summary**

- The workgroup agreed that the summary accurately reflects the previous meeting.

**Agenda Item #3: Review and discuss changes from last meeting**

- Ryan Givens covered proposed changes based on discussions from the last meeting, as well as staff-initiated changes, as follows:

**Development Review Committee**

- Ryan began by explaining the Land Use/Development Review Matrix handout. There was considerable discussion and some confusion on the topic. Gordon helped explain the various proposed review processes through a diagram on the dry erase board.
- Rick asked a question regarding the percentages of Level 1, 2 and 3 reviews. Al responded by saying that the vast majority (over 90 – 95 %) are Level 1.
- Ms. Martohue suggested using the term ‘non-use variance’ to describe variances based on dimensional standards.
- Mr. White gave an example of a development review process he has recently been through in Asheville, North Carolina with redeveloping a site to build a Publix.
- A question was asked on whether or not the DRC could place conditions on site plan approvals. Al responded that yes they could, and gave an example of requiring a brick and mortar wall instead of a chain link fence.
- Citing concern over expensive and time consuming last minute changes, Mr. Pensa added that there may be a more appropriate time and place for public input other than at the final site plan approval hearing. Perhaps at the conceptual site plan phase? He gave examples of Sarasota County, Pasco County, Clearwater and Largo. Some have size thresholds for involving public input and others require neighborhood compatibility meetings to discuss proposed projects near the initial phases of review.
- Staff agreed to examine these various processes and bring the issue back up for discussion at the December meeting.

**Residential Districts**

- Most proposed changes to the residential districts were minor. Ryan explained the more complex changes; beginning with existing Development Master Plans (DMPs) on page 33

and a hand out prepared to explain the proposal. The group agreed with the proposed approach of dealing with unused density/intensity based on previously approved density/intensity limitations and/or the density/intensity limitations of the applicable Future Land Use Map (FLUM) category. Any excess density/intensity between the FLUM and original DMP may be assigned based on the applicant's land holding percentage in relation to the original DMP.

- The group also agreed that the DRC should review and approve modifications to DMPs, with the exception of those involving Level 2 or 3 uses which should obtain approval by the corresponding review board (LPA for Level 2, BCC for Level 3). Existing DMPs originally approved by the BCC must seek approval from the BCC for substantial modifications (such as density/intensity increases, land use locations, and primary transportation connections).
- Liz suggested adding a subsection 138-395.4(c)(3)c. that reiterates DMP modifications must still be consistent with the Comprehensive Plan.
- Ryan then reviewed modifications to the design criteria, which mostly involved language consolidation. New subsection 138-396(g)(1) on page 41 introduced project phasing, where development projects may be phased to incrementally comply with design criteria so long as a development plan for the entire site is approved that depicts a build out design that complies with design criteria and any approved variances. The group agreed.
- There was a 'cut and paste' error on page 36, which will be corrected for the next draft.
- At the end of the residential discussion, Glenn presented and explained the map of proposed roadways in unincorporated Pinellas County where certain multifamily design criteria would not be required. The depicted roadways are primarily six-lane arterials where it would not be appropriate to have multifamily developments moved up close to the roadway due to traffic noise and safety issues. Gordon said that staff will revisit the list of roadways to determine if any changes are needed.

#### **Office, Commercial, Industrial and Mixed-Use Districts**

- Like with the residential districts, Ryan covered the more complex proposed changes to the non-residential districts. One such change involved Section 138-750.1(b)(1)(a), which requires buildings to occupy 40 percent of the site's primary street frontage. The other 60 percent could contain landscaping, parking, open space, etc. Ryan explained that this percentage was based on the Clearwater Mall, and that the added phasing criteria would make this easier to accomplish. After further discussion, the group agreed that this was appropriate.
- Regarding Section 138-750.2(b)(3) on page 21, which describes required shelter elements for multi-tenant buildings, Mr. Englehardt questioned the 'front façade' language. Ryan said he will change the language to say 'near entrance locations'.
- Mr Pergolizzi then questioned the change to Section 138-750.1(c)(3) on page 18 regarding internal vehicle connections. The language 'where willing adjacent property owners exist' was struck and 'at logical locations' was added. Ryan explained that it would be difficult for reviewing staff to determine the existence of willing adjacent property owners. The group countered that it is not appropriate to have internal connections for all occasions (example of liquor store next to day care). Staff agreed to examine this issue further for a solution.

- The discussion on the non-residential districts was then finalized with Ryan stating that the changes to the industrial and mixed-use districts are identical to those already covered.

#### **Agenda Item #4: Table of Uses/Definitions**

- During the remaining time, Ryan covered the Table of Uses Matrix and the major changes from previous versions provided to the group. They included:
  - Dividing retail sales and service uses into four categories according to building size. Further discussion ensued regarding the possibility of consolidating certain currently listed uses into the retail categories (e.g. drug store).
  - Certain components of uses (such as drive thrus and fuel stations) have their own categories and will be separately reviewed from the primary structure due to the possibility of increased impacts and compatibility concerns.
  - Accessory retail uses in industrial zones (such as a carpet showroom for a carpet manufacturing operation). More discussion is needed on this topic.
  - A general downgrading of review levels in certain zoning districts, such as IPD
  - Gordon concluded the discussion on the table of uses matrix by asking the work group to carefully review what is being proposed so it can be further discussed during the next meeting in December. He also reiterated the importance of the associated use definitions and the need to cover them as well.

#### **Agenda Item #5: Confirm next meeting**

- The group decided to meet next on December 19, 2013 from 1:00-3:00pm.
- Proposed topics of discussion will be (1) a review of changes based on this meeting, (2) continued discussion of the table of uses/definitions, and (3) begin to look at supplemental use standards.
- The meeting adjourned at 3:00 pm.

**Chapter 138 – Article II Administration  
Proposed DRC and Criteria ONLY  
DRAFT 12-12-2013**

## ARTICLE II. ADMINISTRATION AND ENFORCEMENT

### Sec. 138-55. – Minor Variances.

- (a) *When authorized.* Subject to the criteria below and in section 138-113 of this chapter, the zoning administrator and/or the Development Review Committee may grant minor variances to the following provisions of this chapter:
  - (1) Setback requirements may be varied up to ten percent or two feet, whichever is greater. Additional deviation may be granted when required in order to preserve environmental areas or trees.
  - (2) Parking dimensional requirements and minimum parking ratio requirements may be varied up to ten percent.
  - (3) Fence heights may be varied up to two feet when not located within the front setback of a parcel.
- (b) *Required information.* These requests must be submitted in writing and must include a drawn to scale site plan along with a detailed explanation and justification for the deviation.
- (c) *Issuing authority.* For uses where site plan review is not required, the zoning administrator may grant or extend a minor variance. For uses requiring site plan review, the Development Review Committee may grant or extend a minor variance concurrently with site plan approval.
- (d) *Initiation of construction.* A minor variance issued under the provisions of this section shall automatically expire within one year from the date of granting such approval if construction of the project has not commenced and continued in good faith. All permits, site plans, and other required approvals must be obtained; and the granting of any minor variance shall not be deemed as automatic approval for any such permit or site plan required.
- (e) *Extensions.* The zoning administrator or development review committee may grant an extension of up to one year for a minor variance upon a showing of good cause, provided the request for extension is submitted in writing stating the reason for extension and is received 30 days prior to the expiration of the minor variance.

### Sec. 138-58. – Criteria for granting of variances

In order to authorize any variance to the terms of this chapter, the authorized reviewing board or committee shall consider the following criteria:

- (a) *Special conditions.* That special conditions and circumstances exist which are peculiar to the land, structure, or building involved, including the nature of and to what extent these special conditions and circumstances may exist as direct results from actions by the applicant.
- (b) *No self-imposed hardship.* That no special conditions and circumstances result from the actions of the applicant that creates a hardship to comply with the provisions of this code.
- (c) *Unnecessary hardship.* That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter.

- (d) *Minimum variance necessary.* That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- (e) *Consistency with the development code.* That the granting of the variance will be in harmony with the general intent, purpose, and spirit of this code.
- (f) *Consideration of rezoning.* That a rezoning of the property has been considered and determined not to be appropriate and/or determined not to meet the objective of the variance.
- (g) *Consistency with comprehensive plan.* That the granting of the variance will be consistent with the intent and limits of the comprehensive plan.
- (h) *Detriment to public welfare.* That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
- (i) *Circumvent Board approval.* That the granting of the variance does not circumvent a condition placed upon the subject property by the Local Planning Agency and/or the Board of County Commissioners.

## **DIVISION 2. DEVELOPMENT REVIEW COMMITTEE**

### **Sec. 138-176. – Establishment; composition; fees.**

- (a) *Establishment.* The development review committee (DRC) (which for the purpose of this division may be referred to as "the committee") is hereby established to review and act on development proposals in order to ensure compliance with this code and the comprehensive plan.
- (b) *Composition.* The development review committee shall be composed of three designated county staff members.
  - (1) The Director of Planning and Development Services shall designate one member to function as the committee chair person.
  - (2) The Director of Environment and Infrastructure shall designate one member
  - (3) The third member shall be designate from either Planning and Development Services or Environment and Infrastructure.
  - (4) The Directors shall designate alternate committee members to ensure a quorum.
  - (5) In the event the aforementioned County departments no longer exist, the membership positions shall be filled by those entities which most closely represented the duties of the original departments.
- (c) *Fees.* The board of county commissioners shall establish by resolution the appropriate schedule of fees for applications to the committee.

### **Sec. 138-177. – Powers.**

- (a) *Site plan approvals.* The committee shall have the authority to grant site plan approvals as set forth in division 5 of this article. This power is limited to Level 1 uses.
- (b) *Minor Variances.* The committee shall have the authority to grant minor variances concurrently with site plan approvals as set forth in section 138-55.
- (c) *Design Criteria Variances.* The committee shall have the authority to grant variances to design criteria as set forth in chapter 138. This power is limited to Level 1 uses.
- (d) *Time extensions.* The committee shall have the authority to grant time extensions to, Level 1 site plans, minor variances, and design criteria variances as set forth in subsections 138-55.
- (e) *Development master plans.* The committee shall have the authority to grant development master plan approvals as set forth in chapter 138. The committee may approve the overall development master plan design and Level 1 uses.
- (f) *Adoption of procedural rules.* The committee shall have the authority to adopt rules of procedure.
- (g) *Other authority.* The committee shall have authority to review and decide on such other matters as provided by this code or as may be assigned by the board of county commissioners from time to time.

### **Sec. 138-178. Criteria for granting approvals.**

- (a) *Site plans.* The criteria for granting site plan approval are that the site plan meets the requirements of this code and the comprehensive plan.
- (b) *Minor Variances.* The committee may grant minor variances as defined and limited in section 138-55. Minor variances are subject to the criteria for granting of variances of section 138-58.

- (c) *Design criteria variances.* Design criteria variances are subject to the criteria for granting of variances of section 138-58.
- (d) *Time extensions.* The criterion for granting a time extension to a Level 1 site plan, minor variance, and/or design criteria variance is that the applicant has shown good cause for the extension.
- (e) *Development master plans.* The criterion for granting development master plan approval is that the development master plan or modification thereof meets the requirements of the applicable zoning district.

**Sec. 138-179. – Minor variance and Design criteria deviation variance approval limits.**

- (a) *Initiation of construction.* A minor variance and/or design criteria variance issued under the provisions of this division shall automatically expire within one year from the date of granting such approval if construction of the project has not commenced and continued in good faith. All permits, site plans, and other required approvals must be obtained; and the granting of any minor variance and/or design criteria variance shall not be deemed as automatic approval for any such permit or site plan required.
- (b) *Extension.* The development review committee may grant an extension of up to one year for a minor variance upon a showing of good cause, provided the request for extension is submitted in writing stating the reason for extension and is received 30 days prior to the expiration of the design criteria deviation.

**Sec. 138-180. – Filing of report by county staff.**

The Development Review Committee shall receive a staff report prior to action on any item before the committee, and shall be part of the record of the application. Reports shall contain a recommendation of action.

**Sec. 138-181. – Record of proceedings.**

- (a) *Records maintenance.* All records of any proceeding before the committee shall be filed with the department of planning and development services.
- (b) *Official minutes.* Minutes shall be kept in which applications, recommendations and all determinations or decisions of the committee shall be recorded.
- (c) *Application files.* Application files shall be held and maintained by the department of planning and development services.

**Sec. 138-182. – Meetings.**

- (a) *Schedule.* The committee shall determine an appropriate meeting schedule to ensure that issues before the committee are reviewed in a timely manner.
- (b) *Notice of meetings.* The committee shall provide reasonable public notice of all meetings. Such notice will be provided on the county's website and shall provide the location and proposed use of the site plan or other issue the committee will be acting on. Where a request includes a variance to the district dimensional standards, the adjacent property owners shall be notified.
- (c) *Public hearing.* All meetings of the committee shall be open to the public.
- (d) *Quorum.* Three members of the committee shall constitute a quorum.
- (e) *Voting.* Decisions by the committee shall be by majority vote.

**Sec. 138-183. Review of committee's decisions: judicial review.**

A party seeking judicial review of a decision of the committee shall have 30 days from the date of the public hearing which resulted in the approval or denial by the committee to bring the appropriate legal action. The 30-day time period will commence when the decision was finalized at the public hearing, not when the decision was reduced to writing.

**Chapter 138 – Articles III and IV  
Proposed Residential Districts  
DRAFT 12-12-2013**

# Contents

<b>CHAPTER 138 – ZONING</b> .....	<b>3</b>
<b>ARTICLE III. – DISTRICT DENSITY AND INTENSITY STANDARDS</b> .....	<b>3</b>
<b>ARTICLE IV. - RESIDENTIAL AND AGRICULTURAL DISTRICTS</b> .....	<b>9</b>
<b>DIVISION 1. – GENERALLY</b> .....	<b>9</b>
<b>DIVISION 2. – SINGLE-FAMILY RESIDENTIAL (SFR) ZONING DISTRICTS: A-E, E-1, R-R, R-1, R-2, R-3 AND RMH</b> .....	<b>9</b>
Sec. 138-360. – A-E, E-1, R-R, R-1, R-2, R-3 and RMH Zoning Districts - Definition, purpose and intent of districts.....	9
Sec. 138-361. – Table of Uses: A-E, E-1, R-R, R-1, R-2, R-3 and RMH Zoning Districts .....	9
Sec. 138-365. - A-E, Agricultural Estate Residential District.....	13
Sec. 138-366. - E-1, Estate Residential District .....	13
Sec. 138-367. - R-R, Rural Residential District.....	14
Sec. 138-368. - R-1, Single-Family Residential District .....	14
Sec. 138-369. - R-2, Single-Family Residential District .....	14
Sec. 138-370. - R-3, Single-Family Residential District .....	15
Sec. 138-371. - Reserved.....	15
Sec. 138-372. – Single-Family Residential Districts – Design Criteria.....	15
Secs. 138-373—138-374. - Reserved.....	17
Sec. 138-375. - RMH, Residential Mobile/Manufactured Home District.....	17
Sec. 138-375.2 - RMH, Residential Mobile/Manufactured Home District – Development Parameters for Mobile Home Subdivision individual lots. ....	18
Secs. 138-376—138-379. - Reserved.....	19
<b>DIVISION 3. – MULTI-FAMILY RESIDENTIAL ZONING DISTRICTS: R-4, R-5, RM, AND RPD</b> .....	<b>19</b>
Sec. 138-380. – R-4, R-5, RM, and RPD Zoning Districts - Definition, purpose and intent of districts. ....	19
Sec. 138-381. – Table of Uses: R-4, R-5, RM, and RPD Zoning.....	19
Secs. 138-382—138-384. - Reserved.....	24

Sec. 138-385. – R-4, One-, Two- and Three-Family Residential District .....	24
Sec. 138-386. – R-5, Single-Family Urban Residential District .....	24
Sec. 138-389. – R-4 and R-5 Residential Districts – Design Criteria .....	26
Sec. 138-390 – RM, Multi-Family Residential District .....	28
Sec. 138-395. – RPD, Residential Planned Development District .....	29
Sec. 138-396. – RM and RPD Districts – Residential Design Criteria.....	34
<b>DIVISION 4. – Supplemental Residential Standards .....</b>	<b>41</b>
<b>Sec. 138-398. – Residential Subdivision Design Criteria .....</b>	<b>41</b>
Sec. 138-399. – Residential Infill Development .....	41

## CHAPTER 138 – ZONING

### ARTICLE III. – DISTRICT DENSITY AND INTENSITY STANDARDS

The maximum density and intensity (Floor Area Ratio) standards for each zoning district are governed by the underlying Future Land Use Map (FLUM) Category identified within the Pinellas County Comprehensive Plan. The following table lists the maximum Floor Area Ratio (FAR) and Density for each Future Land Use (FLUM) Category:

Table 138-351 Density and Intensity Standards					
<i>Underlying Future Land Use Map Classification</i>	<i>Floor Area Ratio (FAR) Maximum</i>	<i>Density (dwelling units per acre)</i>	<i>Residential Equivalent</i>	<i>Transient Accommodation Use</i>	<i>Compatible Zoning Districts</i>
Residential Rural (RR)	0.30	0.5 Max	3 beds per permitted density	N/A	A-E, RPD
Residential Estate (RE)	0.30	1.0 Max	N/A	N/A	A-E, E-1, RPD
Residential Suburban (RS)	0.30	2.5 Max	3 beds per permitted density	N/A	A-E, E-1, R-R, R-1, RM, RPD
Residential Low (RL)	0.40	5.0 Max	3 beds per permitted density	N/A	A-E, E-1, R-R, R-1, R-2, R-3, R-4, RM, RPD
Residential Urban (RU)	0.40	7.5 Max	3 beds per permitted density	N/A	A-E, E-1, R-R, R-1, R-2, R-3, R-4, R-5, RMH, RM, RPD
Residential Low Medium (RLM)	0.50	10.0 Max	3 beds per permitted density	N/A	A-E, E-1, R-R, R-1, R-2, R-3, R-4, R-5, RMH, RM, RPD
Residential Medium (RM)	0.50	15.0 Max	3 beds per permitted density	N/A	R-4, R-5, RM, RPD

Table 138-351 Density and Intensity Standards

<b>Underlying Future Land Use Map Classification</b>	<b>Floor Area Ratio (FAR) Maximum</b>	<b>Density (dwelling units per acre)</b>	<b>Residential Equivalent</b>	<b>Transient Accommodation Use</b>	<b>Compatible Zoning Districts</b>
Residential High (RH)	0.60	30.0 Max	3 beds per permitted density	N/A	R-4, R-5, RM, RPD
Community Redevelopment District (CRD)	0.60	12.5 Max	3 beds per permitted density AND 30% of total development floor area	12.5 units per acre	MXD, OPH-D
Residential/Office Limited (R/OL)	0.20	7.5 Max	3 beds per permitted density	N/A	LO, A-E, E-1, R-R, R-1, R-2, R-3, R-4, R-5, RM, RPD
Residential/Office General (R/OG)	0.40	10.0 Max	3 beds per permitted density	N/A	LO, GO, A-E, E-1, R-R, R-1, R-2, R-3, R-4, R-5, RM, RPD
		12.5 Max Affordable Housing Units			
Residential/Office/Retail (R/O/R)	0.20 Commercial <sup>4</sup> 0.30 Office	10.0 Max	3 beds per permitted density	30 units per acre	LO, GO, CP, C-2, C-T, A-E, E-1, R-R, R-1, R-2, R-3, R-4, R-5, RM, RPD
	At major intersections on U.S. Highway 19 from State Road 60 to State Road 586, 0.30 for commercial 0.40 for office	12.5 Max Affordable Housing Units		45 units per acre / 1.0 FAR With Transient Accommodation Use Overlay	

Table 138-351 Density and Intensity Standards

<b>Underlying Future Land Use Map Classification</b>	<b>Floor Area Ratio (FAR) Maximum</b>	<b>Density (dwelling units per acre)</b>	<b>Residential Equivalent</b>	<b>Transient Accommodation Use</b>	<b>Compatible Zoning Districts</b>
Resort Facilities Overlay-Permanent (RFO-P)	See underlying future land use category		3 beds per permitted density	1 unit per permitted underlying density	PRR
Resort Facilities Overlay-Temporary (RFO-T)	See underlying future land use category		3 beds per permitted density	1 unit per permitted underlying density	CR
Transit Oriented Development – Neighborhood Center (TOD-NC)	1.5 Max 0.5 Min within ¼ Mile of Transit Station	20 Max 10 Min	3 beds per permitted density	See applicable station area plan	MXD
Transit Oriented Development – Community Center (TOD-CC)	3.0 Max 1.0 Min within ¼ Mile of Transit Station	40 Max 15 Min	3 beds per permitted density	See applicable station area plan	MXD
Transit Oriented Development – Regional Center (TOD-RC-E) & (TOD-RC-MU)	5.0 Max 1.5 Min within ¼ Mile of Transit Station	60 Max 40 Min	3 beds per permitted density	See applicable station area plan	MXD
Transit Oriented Development – Downtown Core	8.0 Max 2.0 Min within ¼ Mile of Transit Station	200 Max 40 Min	3 beds per permitted density	See applicable station area plan	MXD
Transit Oriented Development – Park and Ride (TOD-PR)	1.0 Max 0.5 Min within ¼ Mile of Transit Station	15 Max 5 Min	3 beds per permitted density	N/A	MXD

Table 138-351 Density and Intensity Standards

<b>Underlying Future Land Use Map Classification</b>	<b>Floor Area Ratio (FAR) Maximum</b>	<b>Density (dwelling units per acre)</b>	<b>Residential Equivalent</b>	<b>Transient Accommodation Use</b>	<b>Compatible Zoning Districts</b>
Transit Oriented Development Overlay (TODO)	Depends on transit station area typology	Depends on transit station area typology	See applicable station area plan	See applicable station area plan	Generally will require development of a specific zoning district.
Commercial Neighborhood (CN)	0.30	10 Max Affordable Housing Units	N/A	N/A	LO, GO, C-1
Commercial Recreation (CR)	0.35	N/A	N/A	10 units per acre	CR, C-T
				60 units per acre / 1.2 FAR With Transient Accommodation Use Overlay	
Commercial General (CG)	0.35 0.50 Storage/ Warehouse	N/A	50 beds per acre	40 units per acre	LO, GO, C-1, C-2, CP, C-T, WD
				60 units per acre / 1.2 FAR With Transient	

Table 138-351 Density and Intensity Standards

<b>Underlying Future Land Use Map Classification</b>	<b>Floor Area Ratio (FAR) Maximum</b>	<b>Density (dwelling units per acre)</b>	<b>Residential Equivalent</b>	<b>Transient Accommodation Use</b>	<b>Compatible Zoning Districts</b>
				Accommodation Use Overlay	
Industrial Limited (IL)	0.50	N/A	N/A	40 units per acre 75 units per acre / 1.5 FAR With Transient Accommodation Use Overlay	M-1, WD, IPD, C-T
Industrial General (IG)	0.50	N/A	N/A	N/A	M-1, M-2, IPD
Preservation (P)	0.05 Transfer of Development Rights Allowance	1.0 MAX Transfer of Development Rights Allowance	N/A	N/A	AL, PC, RPD
Preservation-Resource Management (P-RM)	0.05	1.0 MAX Transfer of Development Rights Allowance	N/A	N/A	P-RM
	0.05 Transfer of Development Rights Allowance				

Table 138-351 Density and Intensity Standards

<b>Underlying Future Land Use Map Classification</b>	<b>Floor Area Ratio (FAR) Maximum</b>	<b>Density (dwelling units per acre)</b>	<b>Residential Equivalent</b>	<b>Transient Accommodation Use</b>	<b>Compatible Zoning Districts</b>
Recreation/Open Space (R/OS)	0.25	N/A	N/A	N/A	FBR, RBR, PC, RPD
Institutional (I)	0.65	12.5	25 beds per acre	N/A	LI, PSP, A-E, E-1, R-R, R-1, R-2, R-3, R-4, R-5, RM, RPD
Institutional Overlay (IO)	See underlying future land use category		3 beds per permitted density	N/A	LI, those zoning districts compatible with the underlying principal Plan category.
Transportation/Utility (T/U)	0.70	N/A	N/A	N/A	PSP, M-1
<p>General Notes:</p> <ol style="list-style-type: none"> <li>Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.</li> <li>Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.</li> <li>To protect important natural resources and to enhance development flexibility, the Comprehensive Plan encourages and allows specific transfer of development rights from the Preservation (P) and Preservation-Resource Management (P-RM) classifications. See applicable sections of the zoning code for process and standards.</li> <li>At major intersections on U.S. Highway 19 from S.R. 60 to S.R. 586, the FAR shall not exceed 0.30 for commercial uses and 0.40 for office uses.</li> <li>The Local Planning Agency may determine zoning district compatibility other than which is depicted in this table.</li> </ol>					

## **ARTICLE IV. - RESIDENTIAL AND AGRICULTURAL DISTRICTS**

### **DIVISION 1. – GENERALLY**

Secs. 138-352—138-359. - Reserved.

### **DIVISION 2. – SINGLE-FAMILY RESIDENTIAL (SFR) ZONING DISTRICTS: A-E, E-1, R-R, R-1, R-2, R-3 AND RMH**

#### **Sec. 138-360. – A-E, E-1, R-R, R-1, R-2, R-3 and RMH Zoning Districts - Definition, purpose and intent of districts.**

The Single-family zoning districts comprise seven zoning districts ranging in lot size from two or more acres to less than 6,000 square feet. The unifying characteristic these districts have is the single-family residential dwelling. Most of the lots within these districts are also suburban in nature and typified by single-use development.

The regulations within these districts are designed to protect the single-family residential character of these neighborhoods while permitting rehabilitation, improvements and redevelopment in keeping with the scale of the each respective neighborhood.

#### **Sec. 138-361. – Table of Uses: A-E, E-1, R-R, R-1, R-2, R-3 and RMH Zoning Districts**

Land uses within the single-family districts shall be permitted as defined in *Table 138-361 – Table of Uses for the A-E, E-1, R-R, R-1, R-2, R-3 and RMH districts*. The review procedures are further defined in Article II of the Zoning Code.

- (a) An "A" in Table 138-361 denotes that the specific use is permitted as an accessory use to other uses within the district.
- (b) A "1" in Table 138-361 denotes that the specific use is a permitted use and may be established and expanded as an administrative review as defined in Article II.
- (c) A "2" in Table 138-361 denotes that the establishment of the specific use requires ~~Local Planning Agency~~ Community Development Board review, approval and/or approval with conditions as defined in Article II.
- (d) A "3" in Table 138-361 denotes that the establishment of the specific use requires Board of County Commissioners review, approval, and/or approval with conditions as defined in Article II.
- (e) A blank in Table 138-361 denotes that the specific use is not allowed in the zone.
- (f) A "Y" in the Supplemental Uses Standards column of Table 138-361 indicates that there are specific land development or operational requirements that must be provided for the specific use.
- (g) Uses not listed in Table 138-361 are not allowed in any single-family residential district, except as provided for in Section 138.\_\_\_\_, Administrative Provisions.

Table 138-361 – Table of Use for the A-E, E-1, R-R, R-1, R-2, R-3 and RMH Districts

<b>LEGEND:</b> 1 = Permitted Use/ Administrative Review 2 = Local Planning Agency <u>Community Development Board</u> Review 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	A-E: Agricultural Estate Residential District	E-1: Estate Residential District	R-R: Rural Residential District	R-1: Single Family Residential District (9,500 sq. ft. minimum)	R-2: Single Family Residential District (7,500 sq. ft. minimum)	R-3: Single Family Residential District (6,000 sq. ft. minimum)	RMH: Residential Mobile/ Manufactured Home District	Supplemental Use Standards (refer to specific Code section)
<b>Use</b>								
<b>Residential Uses</b>								
Accessory Dwelling Unit	A	A	A	A	A	A		Y
Affordable Housing Development (AHD)	3	3	3	3	3	3	3	Y
Assisted Living Facility	2	2	2	2	2	2	2	
Community Residential Home, Category 1: 1 to 6 residents	1	1	1	1	1	1		Y
Community Residential Home, Category 2: 7 to 14 residents	2	2	2					Y
Community Residential Home, Category 3: more than 14 residents	2	2						Y
Dwelling, Single-family Detached and their customary accessory uses	1	1	1	1	1	1	1	Y
Mobile Home and their customary accessory uses							1	
Mobile Home Park and their customary accessory uses							1	
Mobile Home Subdivision and their customary accessory uses							1	
Modern Manufactured Home	1	1	1	1	1	1	1	Y
<b>Overnight Accommodations</b>								
Bed and Breakfast	2	2	2	2	2	2	2	Y
<b>Commercial and Office Uses</b>								
Home Occupation	A	A	A	A	A	A	A	Y
Kennel/Pet Care Indoor	3							Y
Kennel/Pet Care Outdoor	3							Y
Office, Veterinary	3							Y
<b>Industrial, Manufacturing and Warehouse Uses</b>								

Table 138-361 – Table of Use for the A-E, E-1, R-R, R-1, R-2, R-3 and RMH Districts

<p>LEGEND:                      1 = Permitted Use/ Administrative Review                      2 = Local Planning Agency Community Development Board Review                      3 = Board of County Commissioners Review                      A = Accessory                      Blank = Use Not Allowed</p>	A-E: Agricultural Estate Residential District	E-1: Estate Residential District	R-R: Rural Residential District	R-1: Single Family Residential District (9,500 sq. ft. minimum)	R-2: Single Family Residential District (7,500 sq. ft. minimum)	R-3: Single Family Residential District (6,000 sq. ft. minimum)	RMH: Residential Mobile/ Manufactured Home District	Supplemental Use Standards (refer to specific Code section)
Use								
Electric Vehicle Charging Station	A	A	A	A	A	A	A	Y
<b>Arts, Recreation and Entertainment Uses</b>								
Club, Community Service and Fraternal	2	2	2	2	2	2	2	
Golf courses and accessory structures	2	2	2	2	2	2	2	Y
Public or private parks, playgrounds and recreation areas	2	2	2	2	2	2	2	Y
Recreation Use, Accessory to Residential Use							A	
<b>Education, Public Administration and Health Care Uses</b>								
Cemetery	2	2	2	2	2	2	2	Y
Cemetery, Accessory to a Place of Worship	2	2	2	2	2	2	2	Y
Day Care Center, adult	2	2	2	2	2	2	2	Y
Day Care Facility, child	2	2	2	2	2	2	2	Y
Government Building or Use	3	3	3	3	3	3		Y
Place of worship	2	2	2	2	2	2	2	Y
School, Public, Pre-K thru 12 (Governmental)	1	1	1	1	1	1	1	Y
School, Private, Pre-K thru 12 (Nongovernmental)	2	2	2	2	2	2	2	Y
<b>Transportation, Communication and Information Uses</b>								
Docks and Piers	A	A	A	A	A	A	A	Y
Heliport and Helistops	3	3						Y
Navigation safety devices and structures	2	2	2	2	2	2	2	
Parking, Surface - Accessory	2	2	2	2	2	2	2	Y
Transmitting stations, remote radio and television, not including broadcast studios or office	2	2	2				2	Y
Wireless Communication Antennae (WCA)	A	A	A	A	A	A	A	Y

Table 138-361 – Table of Use for the A-E, E-1, R-R, R-1, R-2, R-3 and RMH Districts

<b>LEGEND:</b> 1 = Permitted Use/ Administrative Review 2 = Local Planning Agency Community Development Board Review 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	A-E: Agricultural Estate Residential District	E-1: Estate Residential District	R-R: Rural Residential District	R-1: Single Family Residential District (9,500 sq. ft. minimum)	R-2: Single Family Residential District (7,500 sq. ft. minimum)	R-3: Single Family Residential District (6,000 sq. ft. minimum)	RMH: Residential Mobile/ Manufactured Home District	Supplemental Use Standards (refer to specific Code section)
<b>Use</b>								
Wireless Communication Tower	1	1	1	1	1	1	1	Y
<b>Utilities</b>								
Solar Energy Systems	A	A	A	A	A	A		Y
Utility Substation	3	3	3	3	3	3	3	Y
Water Recapture Systems	A	A	A	A	A	A	A	
Wind Energy Conservation System, Small Scale	2	2	2	2	2	2		Y
<b>Agricultural Uses</b>								
Agricultural Activities, Commercial Use	3							Y
Agricultural Activities, Personal Use	1	1	1	1				Y
Community Gardens	2	2	2	2	2	2	2	Y
Nursery / Greenhouse, Retail	3							
Nursery / Greenhouse, Wholesale	3							
Urban Agriculture								Y
<b>Other Uses</b>								
Land Fills or excavations of More than 1,000 Cubic Yards	2	2	2	2	2	2	2	Y
Land Fills or Excavations of Less than 1,000 Cubic Yards	1	1	1	1	1	1	1	Y

Secs. 138-362—138-364. - Reserved.

**Sec. 138-365. - A-E, Agricultural Estate Residential District**

The A-E District is characterized by large residential lots of a size and character that can accommodate agricultural activities. The district is intended to retain and preserve much of the natural character of the area including vegetation, hydrology, and topography. Personal and commercial agricultural uses may also be permitted within this district as authorized. In Table 138-361; however, due to the extensively urbanized character of the county, agriculture may not be appropriate within a given area of this district.

**Sec. 138-365.1 - A-E, Agricultural Estate Residential District – Development Parameters**

A-E – Development Parameters Table									
Max. Density <sup>1</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Min. Lot			Min. Setbacks (ft)		
				Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	See Table 138-351	0.6	45	2 ac.	90	100	50	25	25
1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan. 2. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.									

**Sec. 138-366. - E-1, Estate Residential District**

The E-1 District is characterized by large lot, low density residential communities. The area is generally developed with large lot residential estates, while maintaining open spaces and native landscape.

**Sec. 138-366.1 - E-1, Estate Residential District – Development Parameters.**

E-1 – Development Parameters Table									
Max. Density <sup>1</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Min. Lot			Min. Setbacks (ft)		
				Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	See Table 138-351	0.6	45	32,000 sf	125	125	25	15	20
1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan. 2. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.									

**Sec. 138-367. - R-R, Rural Residential District**

The R-R District is characterized by medium to large lot, low density residential communities. The District acts as a transition between rural and suburban neighborhoods within the County.

**Sec. 138-367.1 - R-R, Rural Residential District – Development Parameters.**

R-R – Development Parameters Table									
Max. Density <sup>1</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Min. Lot			Min. Setbacks (ft)		
				Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	See Table 138-351	0.6	45	16,000 sf	90	100	25	10	15
1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan. 2. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.									

**Sec. 138-368. - R-1, Single-Family Residential District**

The R-1, single-family residential district provides areas of single-family residential development located where lower density single-family uses are desirable.

**Sec. 138-368.1 - R-1, Single-Family Residential District – Development Parameters.**

R-1 – Development Parameters Table									
Max. Density <sup>1</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Min. Lot			Min. Setbacks (ft)		
				Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	See Table 138-351	0.75	45	9,500 sf	80	90	25	8	10
1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan. 2. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.									

**Sec. 138-369. - R-2, Single-Family Residential District**

The R-2, single-family residential district provides areas of single-family residential development located where moderate density single-family uses are desirable.

**Sec. 138-369.1 - R-2, Single-Family Residential District – Development Parameters.**

R-2 – Development Parameters Table									
Max. Density <sup>1</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Min. Lot			Min. Setbacks (ft)		
				Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	See Table 138-351	0.75	45	7,500 sf	75	80	25	7	10

1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.

2. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.

**Sec. 138-370. - R-3, Single-Family Residential District**

The R-3, single-family residential district is comprised of single-family dwellings with the most intensive use of land with regard to density of the single-family residential zoning districts.

**Sec. 138-370.1 - R-3, Single-Family Residential District – Development Parameters.**

R-3 – Development Parameters Table									
Max. Density <sup>1</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Min. Lot			Min. Setbacks (ft)		
				Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	See Table 138-351	0.75	45	6,000 sf	60	80	20	6	10

1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.

2. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.

**Sec. 138-371. - Reserved.**

**Sec. 138-372. – Single-Family Residential Districts – Design Criteria**

In addition to the land use standards listed for individual districts, Single-Family Residential districts (*A-E, E-1, R-R, R-1, R-2, and R-3 districts*), shall be planned, phased, and developed consistent with the design criteria listed below.

Specific life/safety standards shall prevail and supersede these design criteria when there is a conflict with other governmental life/safety codes. The Zoning Administrator may administratively modify or eliminate any design criteria that is in conflict with life/safety standards. All other deviations to required design criteria must be approved by the Development Review Committee.

(a) Street, Drive Aisle, and Accessway Design

- (1) Internal streets, drive aisles, and accessways shall be designed as an extension of the surrounding roadway pattern. Specifically, adjacent roadways shall be connected to the development and integrated into the project transportation

network, unless such connections would conflict with adjacent uses. Exemptions shall apply to situations where natural features (e.g. wetland) prevent such a connection.

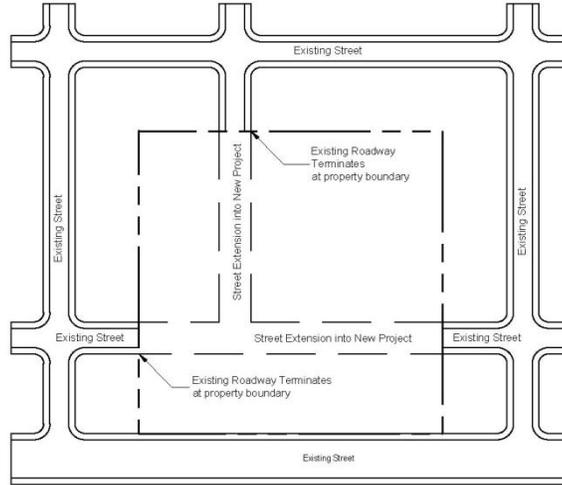


Figure 138-372.(a).1 – Site Layout – Street Extensions into New Projects/Developments

- (2) Internal collector and local roadways that exceed 400 linear feet on a given block should incorporate on-street parking where practical.
- (3) Internal blocks should not exceed 600 linear feet. Block lengths shall be limited and interrupted with a roadway connection, open space tract, and/or significant pedestrian pathway.

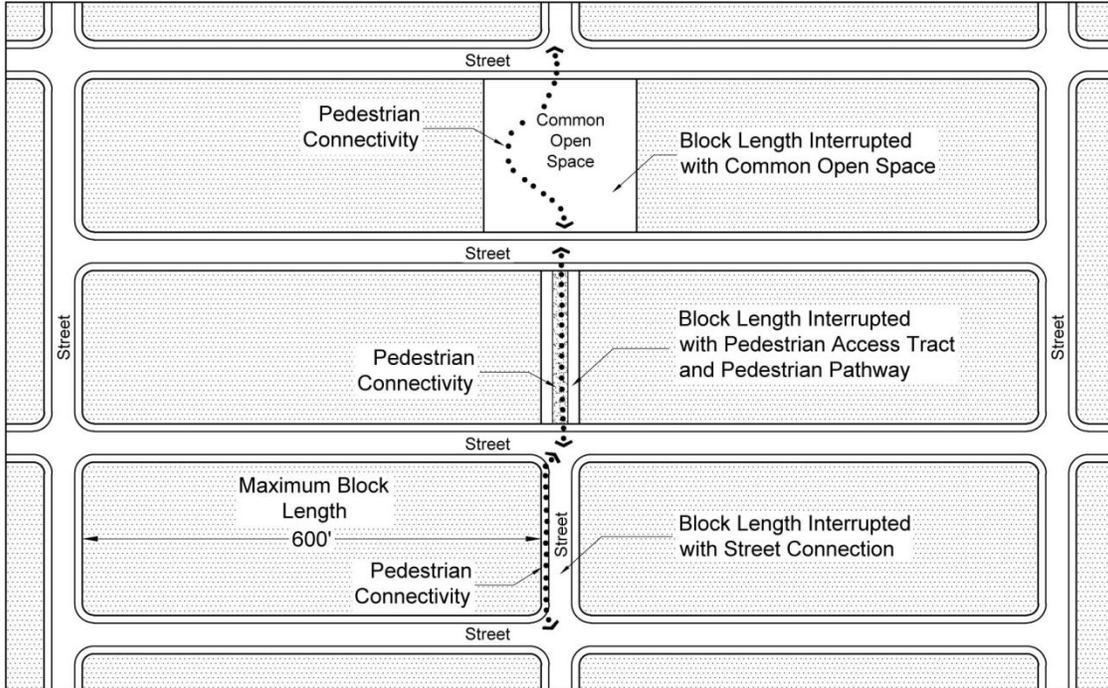


Figure 138-372.(a).3 – Site Layout – Block Length Standards

- (4) All internal and abutting streets shall be lined with sidewalks. Exceptions to this standard are allowed to protect natural resources, to recognize onerous topographic features, and to comply with design restrictions from other governing agencies.

**Secs. 138-373—138-374. - Reserved.**

**Sec. 138-375. - RMH, Residential Mobile/Manufactured Home District**

The RMH, residential, mobile/manufactured home district is composed of mobile/manufactured and single-family residential areas comprised of mobile homes.

**Sec. 138-375.1 - RMH, Residential Mobile/Manufactured Home District – Development Parameters for Mobile Home Parks and their individual lots.**

RMH – Development Parameters Table									
Max. Density <sup>1</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Min. Lot			Min. Setbacks (ft)		
				Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	See Table 138-351	0.75	35	<b>Mobile Home Park</b>					
				15 ac <sup>3</sup>	150 <sup>3</sup>	200 <sup>4</sup>	25 <sup>5</sup>	10 <sup>5</sup>	10 <sup>4</sup>
				<b>Individual Mobile Home Lots</b>					
				3,500 sf <sup>4</sup>	20 <sup>4</sup>	N/A	10 <sup>6</sup>	5 <sup>6</sup>	5 <sup>6</sup>
<p>1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.</p> <p>2. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.</p> <p>3. Mobile Home Park site</p> <p>4. Individual Mobile Home lot: 25 percent of the spaces to be provided in a mobile home park may be a minimum of 3,000 square feet, provided that for each such space one space shall be provided with at least 4,000 square feet. Lot area shall be exclusive of street or drive. See section 138-209 for lots or parcels of substandard dimensions.</p> <p>5. Outer perimeter of park</p> <p>6. Interior lots: hitches may encroach into the front setback</p>									

**Sec. 138-375.2 - RMH, Residential Mobile/Manufactured Home District – Development Parameters for Mobile Home Subdivision individual lots.**

RMH – Development Parameters Table – Subdivision Lots									
Max. Density <sup>1</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Min. Lot			Min. Setbacks (ft)		
				Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	See Table 138-351	0.75	35	6,000 sf <sup>3</sup>	60	80	25 <sup>4</sup>	6	10

1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.

2. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.

3. Mobile Home subdivision site must be a minimum of 10 acres

4. Permitted structures on substandard lots in a mobile home subdivision of record prior to May 7, 1963, shall be set back a minimum of 15 feet in depth, measured from the right-of-way line to the front of the structure.

**Sec. 138-375.3. – RMH, Residential Mobile/Manufactured Home District. Additional Requirements and Clarifications.**

- (a) Street requirements. Roadways or streets within a mobile home park may be private, but the following requirements shall apply:
  - (1) Internal collector streets shall be 30 feet in width, with a minimum of 24 feet of paved surface inclusive of 12 foot lanes.
  - (2) Internal minor streets shall be 25 feet in width, with a minimum of 20 feet of paved surface.
  - (3) A collector street shall be defined as a street designed to facilitate adequate traffic flow from two or more internal minor streets to dedicated rights-of-way. All streets which provide ingress and egress from dedicated public rights-of-way shall be deemed to be collector streets. All other streets within the park may be internal minor streets.
  - (4) Except as otherwise provided in this chapter, the design and construction of roads, streets, drives, utilities and drainage installations shall be in compliance with the minimum standards of the site development regulations and the county utilities system. The county administrator may require a state registered engineer to provide a statement of such compliance prior to the issuance of a certificate of occupancy.
- (b) Recreation area requirements. Not less than 10 percent of the gross site area shall be devoted to open space and recreation facilities, generally provided in a central location, or in larger sites, decentralized. Such areas include space for community buildings and community use facilities, such as recreation and play areas, swimming pools and open space.

- (c) Subdivision standards. A mobile home subdivision shall be platted in accordance with the standards of this chapter and chapter 154 of this Code.
- (d) Any real property zoned R-6 after January 30, 1990, shall comply with all of the provisions set forth in this division. Any legally established mobile home park in existence on or prior to January 30, 1990, may continue to operate in accordance with approved plans and in accordance with the regulations which were in effect at the time of the park's site plan approval. Legally established mobile home parks in existence prior to February 5, 1963, may continue to operate in accordance with approved plans subject to compliance with the zoning regulations in effect on the date of such approval.
- (e) Any additions, expansions or substantial changes to existing mobile home parks or subdivisions shall comply with the provisions of the current requirements of this division.

**Secs. 138-376—138-379. - Reserved.**

**DIVISION 3. – MULTI-FAMILY RESIDENTIAL ZONING DISTRICTS: R-4, R-5, RM, AND RPD**

**Sec. 138-380. – R-4, R-5, RM, and RPD Zoning Districts - Definition, purpose and intent of districts.**

The Multi-family zoning districts comprise individual zoning districts ranging in lot size from two or more acres to less than 3,000 square feet. The unifying characteristic of these districts is the flexibility of providing multi- and single-family residential dwellings or a mix of such uses. These districts also provide a wide range of accessory uses typical of multi-family developments.

The regulations within these districts are designed to protect the residential character of these neighborhoods while permitting rehabilitation, improvements and redevelopment in keeping with the scale of each respective neighborhood and surrounding areas.

**Sec. 138-381. – Table of Uses: R-4, R-5, RM, and RPD Zoning.**

The following table provides the review and approval level for all uses permitted within the Multi-Family zoning Districts. Criteria for specific uses can be found in Section 138-239.

Land uses within the multi-family districts shall be permitted as defined in *Table 138-781 – Table of Uses for the R-4, R-5, RM, AND RPD districts*. The review procedures are further defined in Article II of the Zoning Code.

- (a) An “A” in Table 138-381 denotes that the specific use is permitted as an accessory use to other uses within the district.
- (b) A “1” in Table 138-381 denotes that the specific use is a permitted use and may be established and expanded as an administrative review as defined in Article II.
- (c) A “2” in Table 138-381 denotes that the establishment of the specific use requires ~~Local Planning Agency~~ Community Development Board review, approval and/or approval with conditions as defined in Article II.
- (d) A “3” in Table 138-381 denotes that the establishment of the specific use requires Board of County Commissioners review, approval, and/or approval with conditions as defined in Article II.
- (e) A blank in Table 138-381 denotes that the specific use is not allowed in the zone.

- (f) A “Y” in the Supplemental Uses Standards column of Table 138-781 indicates that there are specific land development or operational requirements that must be provide for the specific use.
- (g) Uses not listed in Table 138-381 are not allowed in any multi-family residential district except as provided for in Section 138.  , Administrative Provisions.

Table 138-381 – Table of Uses for the R-4, R-5, RM AND RPD Districts					
LEGEND: 1 = Permitted Use/ Administrative Review 2 = <del>Local Planning Agency</del> <u>Community Development Board</u> Review 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	R-4: One, Two and Three Family Residential District	R-5: Single Family Urban Residential District	RM: Multi-Family Residential District	RPD: Residential Planned Development District	Supplemental Use Standards (refer to specific Code section)
Use					
Residential Uses					
Accessory Dwelling Unit	A	A	A	A	Y
Affordable Housing Development (AHD)	1 or 3	1 or 3	1 or 3	1 or 3	Y
Assisted Living Facility		3	2	2	
Community Residential Home, Category 1: 1 to 6 residents	1	1	1		Y
Community Residential Home, Category 2: 7 to 14 residents			1	1	Y
Community Residential Home, Category 3: more than 14 residents			2	2	Y
Dwelling, Multifamily and their customary accessory uses		2	1	1	Y
Dwelling, Single-family Attached (Townhouse) and their customary accessory uses	1	1	1	1	Y
Dwelling, Single-family Detached and their customary accessory uses	1	1		1	Y
Dwelling, Single-family Zero Lot Line and their customary accessory uses		1	1	1	Y
Dwelling, Three-family and their customary accessory uses	1	1	1	1	
Dwelling, Two-family and their customary accessory uses	1	1	1	1	
Marina				A	Y

Table 138-381 – Table of Uses for the R-4, R-5, RM AND RPD Districts					
LEGEND: 1 = Permitted Use/ Administrative Review 2 = Local Planning Agency Community Development Board Review 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	R-4: One, Two and Three Family Residential District	R-5: Single Family Urban Residential District	RM: Multi-Family Residential District	RPD: Residential Planned Development District	Supplemental Use Standards (refer to specific Code section)
Use					
Storage, accessory			1	1	Y
<b>Accommodations</b>					
Bed and Breakfast	2	2	2	1	Y
Hotel				1	
<b>Commercial and Office Uses</b>					
Bank				1	
Car Wash and Detailing				1	
Convenience Store with or without Fuel Pumps				1	Y
Dispensing Alcohol- Off-premise consumption				1	
Dispensing Alcohol: On-premise consumption - 138 Art. VII Div.3				1	Y
Drive-Thru Facility or Use with a Drive-Thru				A	
Health Club/Fitness Club				1	
Home Occupation	A	A	A	A	Y
Nursery/Greenhouse, Retail				1	
Office, General				1	
Office, Medical or Dental			2	1	
Office, Veterinary			2	1	
Pharmacy				1	
Restaurant				1	
Restaurant: Accessory Outdoor Area				A	
Retail Sales and Service				1	
Service, Office				1	
Service, Personal				1	Y
Sidewalk Café				1	

Table 138-381 – Table of Uses for the R-4, R-5, RM AND RPD Districts					
LEGEND: 1 = Permitted Use/ Administrative Review 2 = Local Planning Agency Community Development Board Review 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	R-4: One, Two and Three Family Residential District	R-5: Single Family Urban Residential District	RM: Multi-Family Residential District	RPD: Residential Planned Development District	Supplemental Use Standards (refer to specific Code section)
Use					
Studio and Gallery				1	
<b>Industrial, Manufacturing and Warehouse Uses</b>					
Electric Vehicle Charging Station	A	A	A	A	Y
<b>Arts, Recreation and Entertainment Uses</b>					
Club, Community Service and Fraternal	2	2	2	2	
Golf Course and accessory structures	2	2	2	A	Y
Public or private parks, playgrounds and recreation areas	2	2	2	2 or A	Y
Recreation Use, Accessory to Residential Use		A	A	A	
<b>Education, Public Administration and Health Care Uses</b>					
Cemetery	2	2	2	2	Y
Cemetery, Accessory to a House of Worship	2	2	2	2 or A	Y
Congregate care facility		2	2	3	Y
Day Care Center, adult	2	2	3	1, 2 or A	Y
Day Care Facility, child	2	2	3	1, 2 or A	Y
Government Building or Use	3	3	3	3	Y
Meeting Hall and other Community Assembly Facility				1	
Nursing Home			3	3	Y
Place of Worship	2	2	2	2 or A	Y
School, Public, Pre-K thru 12 (Governmental)	1	1	1	1 or A	Y
School, Private, Pre-K thru 12 (Nongovernmental)	2	2	2	2	Y
<b>Transportation, Communication and Information Uses</b>					

Table 138-381 – Table of Uses for the R-4, R-5, RM AND RPD Districts					
LEGEND: 1 = Permitted Use/ Administrative Review 2 = Local Planning Agency Community Development Board Review 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	R-4: One, Two and Three Family Residential District	R-5: Single Family Urban Residential District	RM: Multi-Family Residential District	RPD: Residential Planned Development District	Supplemental Use Standards (refer to specific Code section)
Use					
Docks and Piers	A	A	A	A	Y
Heliport and Helistops				3	Y
Mass Transit Center	3	3	3	3	Y
Navigation safety devices and structures	2	2	2	2	
Parking, Surface - Accessory	2	2	2	2	Y
Parking Structure			1	1	
Transmitting stations, remote radio and television, not including broadcast studios or office			2	2	Y
Wireless Communication Antennae (WCA)	A	A	A	A	Y
Wireless Communication Tower	1	1	1	1	Y
<b>Utilities</b>					
Solar Energy Systems	A	A	A	A	Y
Solar Generation Station	3	3	3	3	Y
Utility Substation	3	3	3	3	Y
Water Recapture Facility	A	A	A	A	
Wind Energy Conservation System, Small Scale	2	2	2	2	Y
<b>Agricultural Uses</b>					
Community Gardens	2	2	2	2	Y
Urban Agriculture					Y
<b>Other Uses</b>					
Excavation Pits and Quarries, in excess of 1,000 cubic yards	2	2	2	2	Y
Land Fills of More than 1,000 Cubic Yards	2	2	2	2	Y
Land Fills or Excavations of Less than 1,000 Cubic Yards	1	1	1	1	Y

**Secs. 138-382—138-384. - Reserved.**

**Sec. 138-385. – R-4, One-, Two- and Three-Family Residential District**

The R-4, one-, two- and three-family residential district is comprised of areas where the development of single-family dwellings, two-family dwellings, and three-family dwellings is appropriate. It is intended that such areas be located in or near urbanized areas where good transportation facilities and urban services are readily available.

**Sec. 138-385.1 – R-4, One-, Two- and Three-Family Residential District – Development Parameters.**

R-4 – Development Parameters Table									
Max. Density <sup>1</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Min. Lot			Min. Setbacks (ft.)		
				Area	Width (ft.)	Depth (ft.)	Front	Side	Rear
See Table 138-351	See Table 138-351	0.75	45	7,500 sf	75	80	25	7.5	10

1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.  
 2. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.

**Sec. 138-385.2 – R-4, One-, Two- and Three-Family Residential District - Additional Requirements and Clarifications.**

- (a) Platting of single-family attached dwellings to allow individual unit ownership is permitted provided the two-family dwellings or three-family dwellings subject to platting were initially approved subject to the provisions of R-4 zoning. No such platting shall be approved until such time as a final site plan for the project has been reviewed and approved for construction purposes. Provisions for parking and easements for access to units and parking areas are required and are to be recorded as part of the plat, and must be shown on the submitted site plan. Easements for maintenance shall be required where necessary. The unit access easements are to be a minimum of four feet in width. It is the intent of this section to allow individual dwelling unit fee simple ownership without creating a nonconforming building area requirement.
- (b) Special requirements. The maximum density of the R-4 district shall be one unit for each full 2,500 square feet of lot area (no structure may contain more than three dwelling units) or the density permitted by the Future Land Use Map, whichever is less.

**Sec. 138-386. – R-5, Single-Family Urban Residential District**

- (a) The R-5 is comprised of areas where the development of small-lot detached single-family dwellings, two-family dwellings, three-family dwellings, and townhouses are appropriate. The district is intended to allow compact, urban-style dwelling units typically comprised of smaller living spaces on smaller lots.
- (b) It is intended that such areas be located in or near urbanized areas where sufficient transportation facilities and urban infrastructure are readily available. The district is also

intended for properties in and around established urban residential neighborhoods that are planned to accommodate infill redevelopment.

- (c) The district is intended to facilitate compact infill redevelopment by allowing housing types with small lots and minor structural setbacks.
- (d) Residential neighborhoods should be developed around and incorporate common open space areas such as parks and courtyards.

**Sec. 138-386.1 – R-5, Single-Family Urban Residential District – Development Parameters.**

R-5 – Development Parameters Table									
Max. Density <sup>1</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Min. Lot <sup>3</sup>			Min. Setbacks <sup>4</sup>		
				Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	See Table 138-351	.85	45	<b>Single-Family Detached</b>					
				3,000 sf	N/A	N/A	10-ft	0/5-ft	5-ft
				<b>Single-Family Attached (two-family dwelling, three-family dwelling, townhouse)</b>					
				N/A	N/A	N/A	8-ft	0/5-ft	5-ft
				<b>All Other Uses and Building Types</b>					
				N/A	N/A	N/A	15-ft	5-ft	10-ft

1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.
2. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.
3. Lot standards are only applicable where units are built on individual lots.
4. Interior units 0-feet, end units 5-feet. For units not located in individual platted lots, buildings must provide a 10-ft separation from an adjacent structure. Zero Lot Line units shall provide 0-foot setback on one side and 10-foot side setback on the opposite side property line.

**Sec. 138-386.2 – R-5, Single-Family Urban Residential District - Additional Requirements and Clarifications.**

- (a) Each residential building may only include up to four individual dwelling units.
- (b) Lots that abut an improved alley shall provide parking in the rear of the dwelling and/or within rear loaded garages.
- (c) Entrances for residential units shall be oriented to an adjacent street, alley, open space area, or internal courtyard.
- (d) A garage vehicle door/opening located on a street-facing façade shall be limited to 55 percent of the façade width in which it is located. This standard shall not be applicable to garages served by alleys.
- (e) All street-facing garage vehicle door/openings should be set back behind the primary home door and/or porch structure.

Secs. 138-387—138-388. - Reserved.

**Sec. 138-389. – R-4 and R-5 Residential Districts – Design Criteria**

In addition to the land use standards listed for individual districts, R-4 and R-5 districts shall be planned, phased, and developed consistent with the design criteria listed below.

Specific life/safety standards shall prevail and supersede these design criteria when there is a conflict with other governmental life/safety codes. The Zoning Administrator may administratively modify or eliminate any design criteria that is in conflict with life/safety standards. All other deviations to required design criteria must be approved by the Development Review Committee.

(a) Street, Drive Aisle, and Accessway Design

- (1) Internal streets, drive aisles, and accessways shall be designed as an extension of the surrounding roadway pattern. Specifically, adjacent roadways shall be extended into the development and integrated into the project transportation network, unless such connections would conflict with adjacent uses. Exemptions shall apply to situations where natural features (e.g. wetland) prevent such a connection.

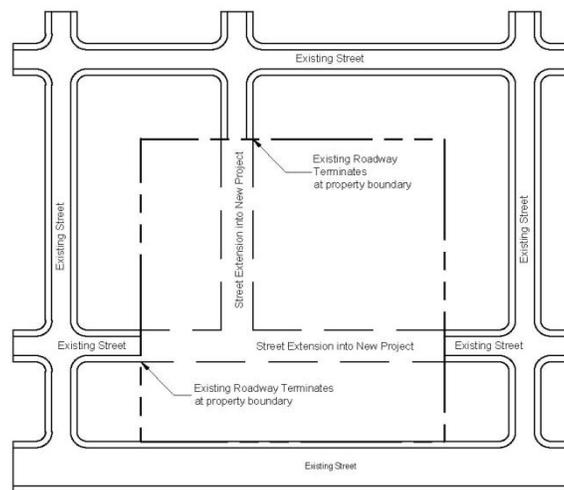


Figure 138-389.(a).1 – Site Layout – Street Extensions into New Projects/Developments

- (2) Internal collector and local roadways that exceed 400 linear feet on a given block should incorporate on-street parking where practical.
- (3) Internal blocks should not exceed 600 linear feet. Block lengths shall be limited and interrupted with a roadway connection, open space tract, and/or significant pedestrian pathway.

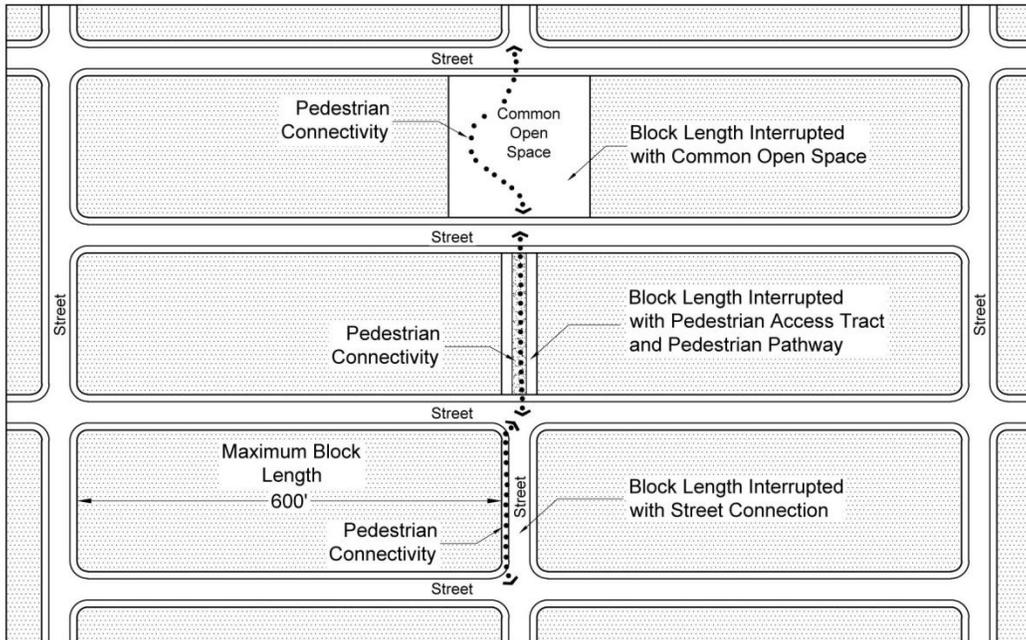


Figure 138-389.(a).3 – Site Layout – Block Length Standards

- (4) All internal and abutting streets shall be lined with sidewalks. Exceptions to this standard are allowed to protect natural resources, to recognize onerous topographic features, and to comply with design restrictions from other governing agencies.

**Sec. 138-390 – RM, Multi-Family Residential District**

The RM, residential, multiple-family district is intended to provide a broad range of residential development types and intensities.

**Sec. 138-390.1 – RM, Multi-Family Residential District – Development Parameters.**

RM – Development Parameters Table									
				Min. Lot <sup>3</sup>			Min. Setbacks		
Max. Density <sup>1</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	See Table 138-351	0.75/ 0.60 <sup>5</sup>	45	<b>Single-Family Attached (two-family dwelling, three-family dwelling, townhouse)</b>					
				1,600 sf	24-ft	70-ft	8-ft	0/5-ft <sup>4</sup>	5-ft
				<b>All Other Uses and Building Types</b>					
				7,500 sf	75-ft	80-ft	15-ft	5-ft	10-ft

1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.

2. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.

3. Lot standards are only applicable where units are built on individual lots.

4. Interior units 0-feet, end units 5-feet. For units not located in individual platted lots, buildings must provide a 10-ft separation from an adjacent structure.

5. The Impervious Surface Ratio (ISR) standard for properties within the RE, RS, RL, and RU Future Land Use Map (FLUM) categories.

**Sec. 138-390.2. – RM, Multi-Family Residential District – Open Space Requirements.**

- (a) Developments shall provide a minimum of 20 percent of the total land area as common open space, or a minimum of 10 percent when it is acceptably demonstrated to the Zoning Administrator that sidewalk accessible public open space which otherwise meets the requirements of this section is located within ¼ mile of the development.
- (b) Required open space shall be provided according to the following:
  - (1) Located within 15 feet of finished grade of the site.
  - (2) Required common open space shall be accessible, at a minimum, to all residents within the development. This standard does not apply to areas retained for natural resource protection.
  - (3) Except for Low Impact Development (LID) stormwater management systems, stormwater management may not be counted towards satisfying the common open space requirement. Up to 50 percent of the common open space requirement may be satisfied by stormwater management systems that utilize LID stormwater management principles, including but not limited to bio/vegetated swales, buffers and landscape strips; bioretention and biofiltration; rainwater harvesting systems and rain gardens.

- (4) A minimum of one-third of the common open space area shall be in one location on the site.
- (5) Required common open space shall be usable for parks, recreation, and/or retained for natural resource protection.
- (6) Residential developments which are greater than 25 units shall provide at least 20 percent of their common open space as facility-based recreation.

**Sec. 138-390.3. – RM, Multi-Family Residential District - Design Criteria.**

In addition to the land use standards listed for individual districts, RM districts shall be planned, phased, and developed consistent with the design criteria set forth in section 138-396.

**Sec. 138-395. – RPD, Residential Planned Development District**

- (a) The RPD, Residential Planned Development district, allows a variety of housing options to accommodate multi-generational communities with a range of residential building forms and housing sizes.
- (b) The intent of this district is to encourage use of imaginative design, to avoid monotonous repetition of pattern, to provide adequate open space and to permit flexibility of site design.
- (c) Promote the health and well-being of residents by including active and passive open space that encourages physical activity, promotes pedestrian activity, provides access to alternative transportation choices, and fosters greater social interaction.
- (d) Provide for flexible mixed-use developments at a scale that serves one or more neighborhoods in appropriate locations that have adequate infrastructure, transportation access, and market demand, consistent with the vision articulated within the Pinellas County Comprehensive Plan.
- (e) Encourage walkable, mixed use neighborhood centers within the community that provide greater opportunity for pedestrian activity, bicycle uses, resulting in reduced parking demand, and establish a sense of place. These centers should include community uses, recreation opportunities, and appropriate commercial services.
- (f) The district should also achieve compatibility with surrounding neighborhoods by avoiding commercial intrusion and associated impacts into established neighborhoods.
- (g) Communities within the RPD district are developed and redeveloped pursuant to an approved Development Master Plan (see Section 138-395.4).

**Sec. 138-395.1 – RPD, Residential Planned Development District – Development Parameters.**

RPD – Development Parameters Table									
Max. Density <sup>1</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Min. Lot <sup>3</sup>			Min. Setbacks		
				Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	See Table 138-351	See Underlying Future Land Use Map Category <sup>5</sup>	<b>Single-Family Detached</b>						
			45	3,000 sf	N/A	N/A	10-ft	0/5-ft <sup>4</sup>	5-ft
			<b>Single-Family Attached (two-family dwelling, three-family dwelling, townhouse)</b>						
			45	N/A	N/A	N/A	8-ft	0/5-ft <sup>4</sup>	5-ft
			<b>All Other Uses and Building Types</b>						
			70	N/A	N/A	N/A	10-ft	7-ft	10-ft

1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.

2. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.

3. Lot standards are only applicable where units are built on individual lots.

4. Interior units 0-feet, end units 5-feet. For units not located in individual platted lots, buildings must provide a 10-ft separation from an adjacent structure. Zero lot line units may have a 0-foot side setback on one side whereas a 10-foot side setback is provided from the opposite lot line.

5. Impervious Service Ratio standards are applied based on the Future Land Use Map classification.

**Sec. 138-395.2– RPD, Residential Planned Development District – Land Uses**

The RPD, Residential Planned Development district shall be planned and developed according to the following use standards.

- (a) Land uses shall be allowed pursuant to Table 138-786. Specific uses shall obtain the review approval as defined in the table.
- (b) Mixed-use development may be permitted as follows:
  - (1) Vertical Mixed-use – A variety of uses may be provided within a single building atop one another.
  - (2) Horizontal Mixed-use – A variety of uses may be provided within the same development in separate buildings.
- (c) Residential - Residential shall be the predominate use within the RPD district and shall be planned and developed according to the following:
  - (1) Residential uses shall occupy the majority of the total lot area in the district.
  - (2) Residential areas should provide a variety of housing options and should include a minimum of two of the following building types:
    - a. Two-family/Three-family
    - b. Multifamily
    - c. Single-family attached/townhouse

- d. Single-family detached
- (d) Commercial, Office and Accommodation Uses - All developments may include one or more of the commercial, office and accommodation land uses listed in Table 138-786. Commercial, office and accommodation uses shall be planned and developed according to the following:
- (1) Commercial and office uses shall not occupy more than five percent of the total land area (less wetlands and submerged lands) of the Development Master Plan.
  - (2) Individual commercial tenant spaces shall be limited to 14,000 square feet.
  - (3) Commercial, office and accommodation uses shall not be located within any areas designated for residential use or within those areas designated for drainage, open space/recreation, conservation/preservation, or wetland on any approved Development Master Plan or plat.
  - (4) Commercial, office and accommodation uses shall be located at one or more of the following locations:
    - a. Along principal or minor arterials (as designated on the Functional Classification maps in the Comprehensive Plan).
    - b. Adjacent to designated or planned transit stops/stations.
    - c. Commercial recreation uses that support a related use (e.g. restaurant/ clubhouse associated with a golf course) may be allowed in other areas of a development where appropriate, as provided for in the approved Development Master Plan.
- (e) Common Open Space
- (1) Developments shall provide a minimum of 20 percent of the total land area as common open space, or a minimum of 10 percent when it is acceptably demonstrated to the Zoning Administrator that sidewalk accessible public open space which otherwise meets the requirements of this section is located within  $\frac{1}{4}$  mile of the development.
  - (2) Required open space shall be provided according to the following:
    - a. Located within 15 feet of finished grade of the site.
    - b. Required common open space shall be accessible, at a minimum, to all residents within the development. This standard does not apply to areas retained for natural resource protection.
    - c. Except for Low Impact Development (LID) stormwater management systems, stormwater management may not be counted towards satisfying the common open space requirement. Up to 50 percent of the common open space requirement may be satisfied by stormwater management systems that utilize LID stormwater management principles, including but not limited to bio/vegetated swales, buffers and landscape strips; bioretention and biofiltration; rainwater harvesting systems, and rain gardens.
    - d. A minimum of one-third of the common open space area shall be in one location on the site.
    - e. Required common open space shall be usable for parks, recreation, and/or retained for natural resource protection.

- f. Residential developments which are greater than 25 units shall provide at least 20 percent of their common open space as facility-based recreation.
- (f) Additional Setbacks
- (1) Multifamily buildings shall not be located within 25 feet of the boundary of the RPD district when the boundary is adjacent to any parcel zoned for single-family detached dwellings.
  - (2) Commercial and office buildings shall not be located within 50 feet of the boundary of the RPD district when the boundary is adjacent to any parcel zoned for single-family detached dwellings.
  - (3) For buildings over 45 feet in height, there shall be an additional one foot of setback at ground level for each additional two feet of height above the first 45 feet. This provision shall apply to the setbacks referenced within this subsection (f).

**Sec. 138-395.3– RPD, Residential Planned Development District – Design Criteria**

Residential Planned Development Districts shall be planned, phased, and developed consistent with the design criteria identified below.

- (a) The design criteria set forth in Section 138-396 shall apply to residential uses in the RPD district.
- (b) The design criteria set forth in Section 138-750 shall apply to commercial, office and accommodation uses in the RPD district.

**Sec. 138-395.4. – RPD, Residential Planned Development District – Development Master Plan**

The Residential Planned Development District shall be planned, phased, and developed as part of a Development Master Plan that is created and approved for each Residential Planned Development district or portion thereof. Each Development Master Plan shall be subject to the following standards.

- (a) A Development Master Plan shall be created and approved for each Residential Planned Development district or portion thereof.
  - (1) The Development Master Plan shall be created by the land owner (or authorized agent) of the property. The County may initiate and approve a Development Master Plan with the owner's approval.
  - (2) Multiple Development Master Plans may be approved for distinctive developments within the overall district and specifically reserved for situations of separate ownerships or development entities.
  - (3) A Development Master Plan shall be created and approved prior to any development or redevelopment. All new development shall be consistent with an approved Development Master Plan except as otherwise provided in Section 138-395.4(c).
  - (4) Review and approval of a new Development Master Plan shall be by the Development Review Committee. Level 2 and 3 land uses as identified in the table of uses shall obtain approval by corresponding review board.
- (b) A Development Master Plan shall be designed as a series of framework plans that, collectively, create a complete future development plan. The Development Master Plan shall include the following framework plans:

- (1) Transportation Framework – The Development Master Plan shall depict all access points, internal roadways, surrounding roadways, transit stops (if available), bicycle facilities, and pedestrian facilities.
  - (2) Land Use Framework – The Development Master Plan shall assign future land use designations to all areas of the development and indicate use, acreage, number of dwelling units, height of buildings, and square footage of floor area.
  - (3) Open Space Framework – The Development Master Plan shall depict the open space network within the community. The individual open space areas shall correspond with a table that identifies the planned open space and recreation uses unique to each tract.
  - (4) Utilities Framework – The Development Master Plan shall depict planned potable water, sanitary sewer and reclaimed water connections, as well as the proposed stormwater management system, and water quality facilities that will serve the overall development.
  - (5) Phasing Framework – The Development Master Plan shall illustrate a phasing plan for development and/or redevelopment. The phasing plan shall include the applicable sequencing of utilities, transportation, and land uses.
  - (6) Theming Framework – The Development Master Plan shall include a theming plan that identifies the intended design and style of the building architecture. The Theming Framework contents may be general in nature but should include images, illustrations, and/or details.
  - (7) Sustainability Framework – The Development Master Plan shall depict and identify all sustainability efforts included as part of the overall project. These efforts may include, but not be limited to, reduced vehicle travel initiatives, proximity to transit, connections to or addition of multimodal travel options, park and open space, use of Low Impact Development (LID) techniques, solar and alternative energy initiatives, ground water recharge initiatives and recycling initiatives.
- (c) Existing Development Master Plans
- (1) All previously approved Development Master Plans shall remain in effect. Any modifications to existing Plans, which includes adding or removing property from a Development Master Plan, shall be subject to the standards of this section. A land owner (or authorized agent) may only modify portions of the Development Master Plan that are under their ownership.
    - a. The Development Review Committee may review and approve modifications to Development Master Plans with the following exceptions:
      1. Level 2 and 3 land uses as identified in the table of uses shall obtain approval by corresponding review board.
      2. Existing Development Master Plans that were originally approved by the Board of County Commissioners shall seek approval from the Board for any substantial modification to the plan such as density/intensity increases, land use locations, and primary transportation connections.
  - (2) Existing Development Master Plans may be developed to or modified with the previously approved density/intensity limitations.

- (3) Existing Development Master Plans may be modified to the density/intensity limitations of underlying Future Land Use Map classification of the Comprehensive Plan.
  - a. Any excess density/intensity that is identified between the Future land Use Map classification and the original Development Master Plan may be assigned to the project.
  - b. When areas of the Development Master Plan are owned by different entities, said areas are entitled to add a portion of the excess density/intensity based on their land holding percentage in relation to the original Development Master Plan.
- (d) The transfer of development rights is permitted as set forth in this chapter.
- (e) Nothing in this section affects the provisions of this chapter regarding deed restrictions, covenants, easements, and other regulations.

**Sec. 138-396. – RM and RPD Districts – Residential Design Criteria**

Specific life/safety standards shall prevail and supersede these design criteria when there is a conflict with other governmental life/safety codes. The Zoning Administrator may administratively relax any design criteria that is in conflict with life/safety standards. All other variances to required design criteria must be approved by the Development Review Committee.

- (a) Street, Drive Aisle, and Accessway Design
  - (1) Internal streets, drive aisles, and accessways shall be designed as an extension of the surrounding roadway pattern. Specifically, adjacent roadways shall be extended into the development and integrated into the project transportation network, unless such connections would conflict with adjacent uses. Exemptions shall apply to situations where natural features (e.g. wetland) prevent such a connection.

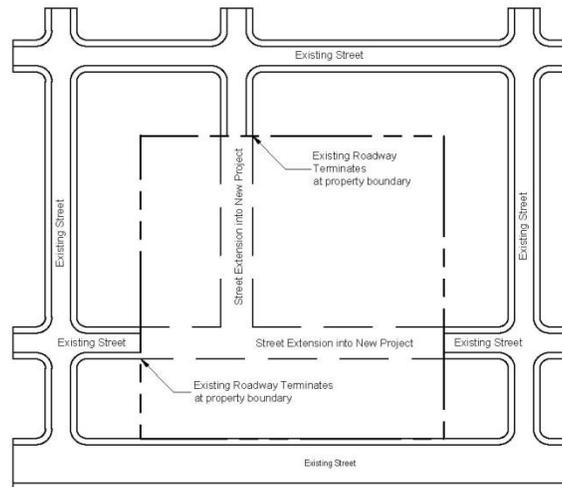


Figure 138-390.2.(a).1 – Site Layout – Street Extensions into New Projects/Developments

- (2) Internal collector and local roadways that exceed 400 linear feet on a given block should incorporate on-street parking where practical.
- (3) Internal blocks should not exceed 600 linear feet. Block lengths shall be limited and interrupted with a roadway connection, open space tract, and/or significant pedestrian pathway.

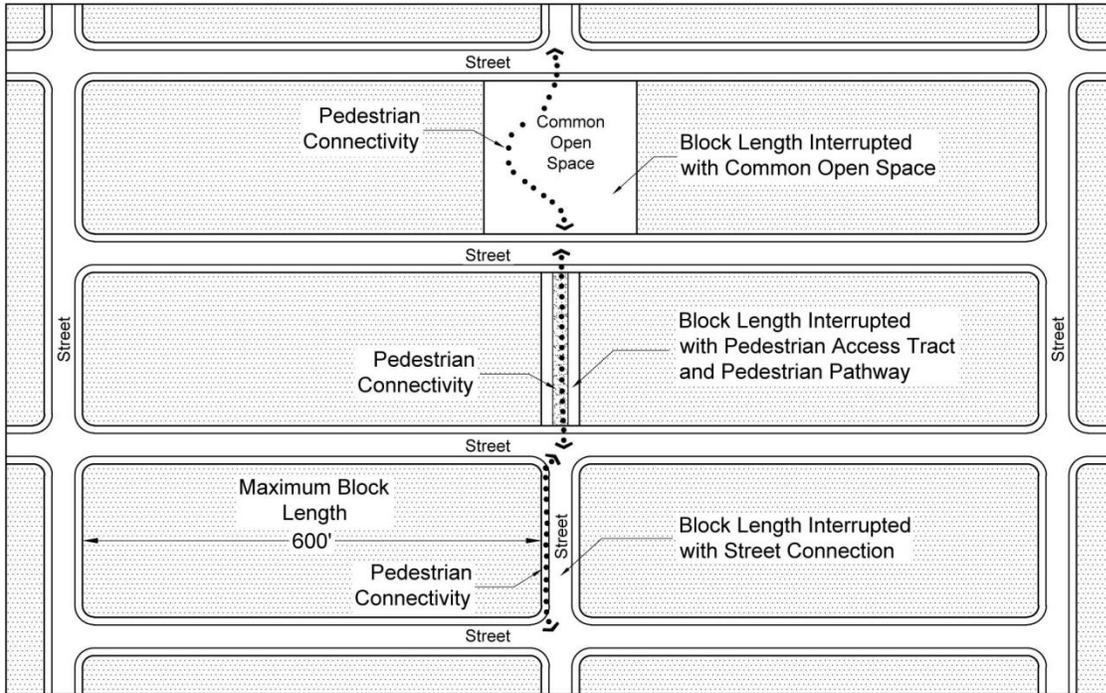


Figure 138-390.2.(a).3 – Site Layout – Block Length Standards

- (4) All internal and abutting streets shall be lined with sidewalks. Exceptions to this standard are allowed to protect natural resources, to recognize onerous topographic features, and to comply with design restrictions from other governing agencies.
- (b) Building Orientation and Design
- (1) Buildings should be located adjacent to roadways/streets to establish an urban form that is oriented to the pedestrian and provides walkway connections to transit stops, public sidewalks and the surrounding neighborhood.
    - a. Buildings shall occupy 50 percent of the site's street frontage(s).
    - b. Where a building is used to meet the minimum street frontage requirement, the following features may be developed/installed between a building and a primary roadway/street:
      1. Low Impact Development (LID) stormwater systems
      2. Open Space areas
      3. Pedestrian amenities
      4. Free-standing architectural elements
      5. Driveways

- c. This standard does not apply to:
    - 1. Buildings located internal (set back from the street) to the development when a separate building(s) is located along the primary roadway/street which independently meets the standard.
    - 2. Single-family residential uses
    - 3. Portions of the site located along the following roadways:
      - i. US-19 and its service roads
      - ii. Ulmerton Road
      - iii. Gandy Boulevard
      - iv. SR 580, east of US-19
      - v. Curlew Road, east of US-19
      - vi. Tampa Road, east of US-19
      - vii. East Lake Road
      - viii. Keystone Road, west of East Lake Road
  - d. For sites fronting along multiple roadways/streets, building orientation should be prioritized on the primary streets.
- (2) New multi-building developments shall be designed so that individual buildings relate to other structures on site in terms of façade design, entrances/entryways, and pedestrian access. This standard does not apply to single-family residential uses.
  - (3) All service areas and loading docks shall be located behind the front facade line of the principle structure they are intended to serve and shall be screened from adjacent roadways and uses.
  - (4) All mechanical equipment and utility functions (e.g. electrical conduits, meters, HVAC equipment) shall be located behind the front façade line of the principal structure. Mechanical equipment that is visible from the streets shall be screened with a material that is compatible with the architecture of the principal structure.

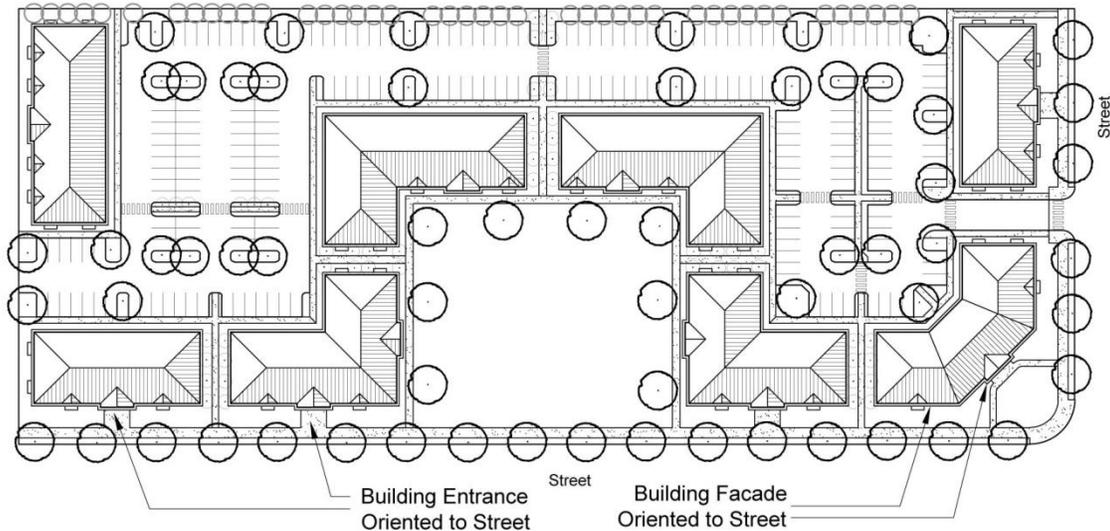


Figure 138-390.2.(b).4 – Site Layout – Building Orientation

- (5) To encourage a pedestrian friendly, traditional neighborhood design, the following standards are preferred for residential developments:
  - a. At least 35 percent of the single-family detached and attached units within a development should be designed with rear loaded garages and/or parking areas.
  - b. A garage vehicle door/opening located on a street-facing façade should be limited to 55 percent of the façade width in which it is located. This standard shall not be applicable to garages served by alleys.
- (6) Entrances/Entryways for residential units shall be oriented to an adjacent street, alley, open space area, or internal courtyard.
- (7) Portions of a building located within 25 feet of the boundary of any parcel zoned for single-family dwellings shall be limited to 45 feet in height.
- (8) Detached open carports which are supported by columns which have a maximum cross-sectional dimension of six inches or less may be permitted with no required front yard setback, provided no portion of the carport, including overhang, extends into the vehicular street or roadway. This portion of the regulation shall not be permitted in single-family areas, nor shall any carport be permitted within the right-of-way of any publicly dedicated street or roadway. No carport shall be permitted within 25 feet of the right-of-way of any street or roadway which is defined as a collector or arterial by the county traffic corridors plan as incorporated into the site development regulations.(c) Building Style (does not apply to single-family detached residential uses)
  - (1) Renovations, additions and accessory structures shall be designed to be compatible with the architectural style of the structure in which they are a part. Compatibility shall be determined by reviewing building materials, finishes and other significant features.
  - (2) Multi-building developments shall provide a unified architectural theme with standardized building materials, finishes, and color schemes. All buildings on the site shall project a complementary building style and/or architectural theme.

(d) Building Form

Multi-family residential buildings should create a width to height ratio of no more than 3:1. Multi-family residential buildings that exceed the width to height ratio of 3:1 shall have architectural fenestration creating a bay system that divides the building design into a maximum ratio of 3:1. This may be done through pilasters, arcades, building line and roof line off-sets, materials and other appropriate architectural features.

(e) Parking Lots and Parking Structures

(1) Parking lot location shall be as follows:

- a. Parking lots shall not be located between a front building façade and the primary roadway/street, with the exception of developments located along the following roadways:
  - 1. US-19 and its service roads
  - 2. Ulmerton Road
  - 3. Gandy Boulevard
  - 4. SR 580, east of US-19
  - 5. Curlew Road, east of US-19
  - 6. Tampa Road, east of US-19
  - 7. East Lake Road
  - 8. Keystone Road, west of East Lake Road

- b. Passenger loading and unloading areas may be provided between a front building façade and an adjacent street. When a passenger loading and unloading area is provided in this arrangement, one drive aisle may be provided to link vehicles to parking areas.

(2) Parking lots shall be landscaped as required by code, and incorporate Low Impact Design (LID) techniques where desired by the developer or otherwise required by code. No more than an average of 24 parking spaces shall be allowed between islands in order to reduce the overall scale of the parking area.

(3) Parking areas shall provide for internal vehicle connections at logical locations between abutting parking areas and adjacent non-residential and multi-family properties.

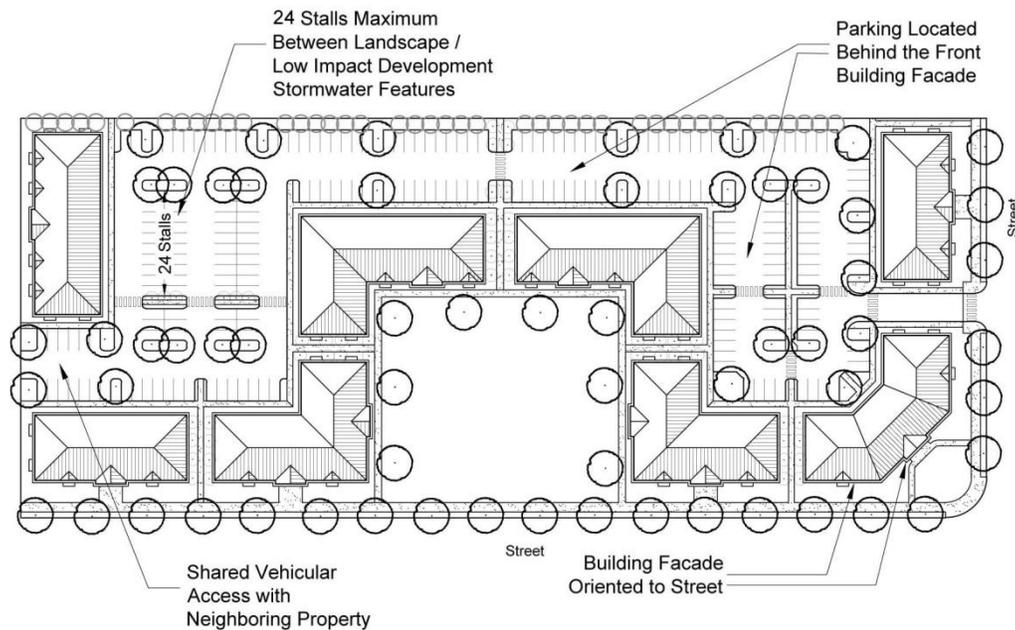


Figure 138-390.2.(d),3- Site Layout – Parking Lot Standards

- (4) Parking lots should be designed to respond to and preserve existing mature trees to the greatest extent possible. Pervious paving and/or pavers may be used for parking surfaces near mature trees to ensure root health and preservation.
- (5) Parking structures shall be designed as follows:
  - a. Parking structures should be internal to the site and shall include architectural features/design elements and a façade treatment compatible with the principal structure; or shall be screened with ornamental grillwork, artwork, vertical/façade landscaping, or similar architectural features.
  - b. Parking structures shall not be located between the primary front building façade and a primary roadway except for along those roadways listed in section 138-396(e)(1)(a).
- (f) Pedestrian Connections/Circulation
  - (1) Where multiple buildings exist within the same development, each tenant space shall be connected by an internal sidewalk system that is clearly delineated from the vehicular pavement. The internal sidewalk system shall connect to any public sidewalk that abuts the property.
  - (2) An internal pedestrian system shall provide a connection at logical locations to abutting properties.
    - a. An internal pedestrian connection is not required to abutting single-family residential lots.
    - b. Internal pedestrian connections to adjacent properties are not required at locations that:

1. Are separated by significant natural features such as wetlands, streams and topography AND/OR
  2. Are separated by significant man-made features such as canals, stormwater ponds, rail lines, storage yards, and the like.
- (3) All buildings that face a primary roadway/street shall contain an entryway that is oriented to said roadway. The entryway shall include decorative door surrounds, and a porch, portico, arcade or stoop. This does not preclude supplemental entrances not facing a roadway.
  - (4) At least one designated pedestrian pathway shall be provided across parking lots that exceed 50 total parking spaces. This designated pedestrian pathway shall be a minimum of five feet in pavement width. The pedestrian pathway shall provide a direct connection between building entrances and all adjacent streets.
  - (5) Structures and landscaping shall be constructed/planted around pedestrian use areas to provide shade and reduce heat island effects.

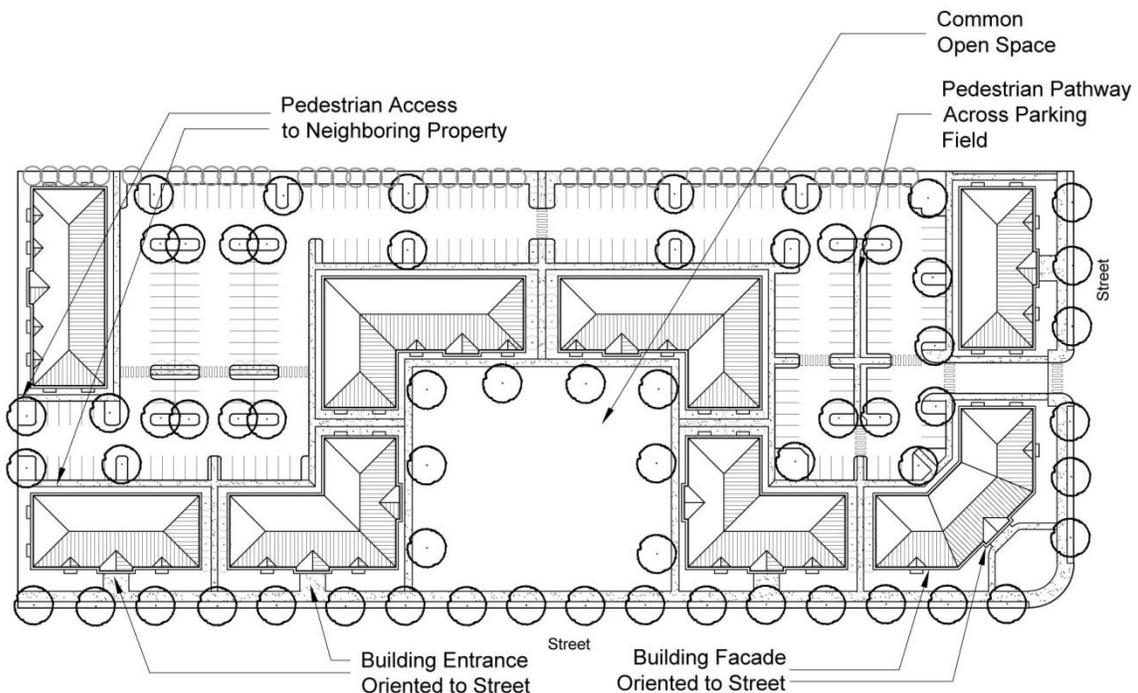


Figure 138-390.2.(e).4 – Site Layout – Pedestrian Standards

(g) Project Phasing

- (1) Development projects may be phased to incrementally comply with design criteria so long as a development plan for the entire site is approved that depicts a build out design that complies with design criteria and any approved variances.

## DIVISION 4. – SUPPLEMENTAL RESIDENTIAL STANDARDS

### Sec. 138-398. – Residential Subdivision Design Criteria

### Sec. 138-399. – Residential Infill Development

This section may be applied to all residential districts as a goal to create compatible and harmonious infill development and redevelopment in established residential neighborhoods. The setback requirements of residential districts may be administratively adjusted to allow development and redevelopment to occur in concert with abutting properties. In cases where properties exist in established residential neighborhoods, development of said properties may occur to be compatible with abutting lots in terms of setbacks and height adjustments.

- (a) The proposed infill development may conform to any standards required by valid recorded plats, deed restriction or approved valid site plans, to the extent provided by law. OR
- (b) Where such documentation is not available, the setbacks of the proposed infill units shall be based upon the average setbacks of abutting units. [Example: if a proposed infill lot abuts two single-family homes with front setbacks of 10 feet and 20 feet, the proposed unit may be constructed with a minimum 15 feet front setback]. This standard shall be applied to the primary structure; accessory structures may not be used in determining the average setback.
- (c) When a primary structure is constructed using a reduced setback afforded by this section, the structural height shall be limited by the average stories/levels of the primary structures on the abutting properties. In this case, a structure that utilizes the reduced setback may not necessarily be permitted the full building height of the district. This standard is intended to achieve compatible infill development.
- (d) The property owner may pursue the development flexibility afforded in this section by providing proper documentation to the applicable County reviewing department. Proper documentation may include official surveys, development plans, blueprints or other documentation as may be approved by the Zoning Administrator.

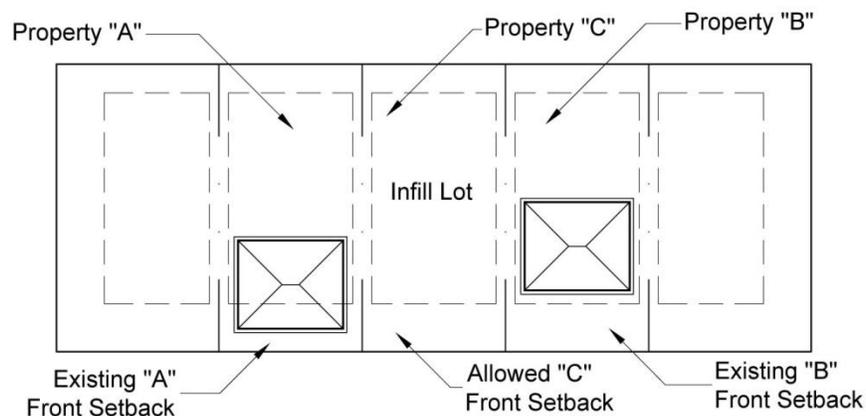


Figure 138-398.(a). – Residential Infill Standards:

Property "C" (infill lot) may be permitted a reduced front structural setback based on the average existing front setbacks of adjacent properties "A" and "B". The average setback of the adjacent properties shall be calculated as follows:

Existing Front Setback "A" + Existing Front Setback "B" / 2 = Allowed Front Setback "C"

**Chapter 138 – Article V**  
**Proposed Commercial/ Industrial/ Mixed Use Districts**  
**DRAFT 12-12-2013**

# Contents

<b>CHAPTER 138 – ZONING</b> .....	<b>3</b>
<b>Article V – Office, Commercial, Industrial &amp; Mixed Use Districts</b> .....	<b>3</b>
<b>DIVISION 1. – GENERALLY</b> .....	<b>3</b>
Sec. 138-711. – District Density and Intensity Standards .....	3
Secs. 138-712—138-740. - Reserved. ....	3
<b>DIVISION 2. - Office and Commercial zoning Districts</b> .....	<b>3</b>
Sec. 138-741. – LO, GO, C-1, C-2, CR, and CP - Definition, purpose and intent of district. ....	3
Sec. 138-742. – LO, GO, C-1, C-2, CR, and CP – Table of Uses .....	4
Sec. 138-743. – LO, Limited Office District .....	9
Sec. 138-744. - GO, General Professional Office District .....	10
Sec. 138-745. – C-1, Neighborhood Commercial District.....	11
Sec. 138-746. – C-2, General Retail Commercial and Limited Services District .....	12
Sec. 138-748. – CR, Commercial Recreation District .....	12
Sec. 138-749. – CP, Commercial Parkway District .....	13
Sec. 138-750. – Office and Commercial Zoning Districts – Design Criteria .....	14
<b>DIVISION 3. – Industrial zoning Districts</b> .....	<b>21</b>
Sec. 138-760. – M-1, M-2, WD, and IPD - Definition, purpose and intent of district. ....	21
Sec. 138-761. – M-1, M-2, WD, and IPD – Table of Uses .....	22
Sec. 138-762. – M-1, Light Manufacturing and Industry District.....	28
Sec. 138-763. – M-2, Heavy Manufacturing and Industry District.....	29
Sec. 138-764. – WD - Warehouse District .....	30
Sec. 138-765. – IPD, Industrial Planned Development District .....	31
<b>DIVISION 4. – Mixed-use zoning District</b> .....	<b>39</b>
Sec. 138-800. – MXD, Mixed-Use District – Definition, purpose and intent of district. ....	39
Sec. 138-801. – MXD, Mixed-Use District – Table of Uses.....	40

Sec. 138-802. – MXD, Mixed-Use District – Development Parameters. ....	45
Sec. 138-803. – MXD, Mixed-Use District – Land Uses .....	46
Sec. 138-810. – MXD, Mixed-Use District – Design Criteria.....	47
Sec. 138-820. – MXD, Mixed-Use District – Development Master Plan .....	53
<b>DIVISION 6. - OPH-D, OLD PALM HARBOR-DOWNTOWN DISTRICT .....</b>	<b>55</b>
Sec. 138-1006. - Definition, purpose and intent of district.....	55
Sec. 138-1007. - Applicability and nonconformities.....	56
Sec. 138-1008. - Permitted uses. ....	58
Sec. 138-1009. - First floor uses.....	60
Sec. 138-1010. - Property development regulations.....	60
Sec. 138-1011. - Off-street parking. ....	61
Sec. 138-1012. - Landscaping for vehicular use (parking) areas.....	63
Sec. 138-1013. - Design criteria.....	65
Sec. 138-1014. - Signs.....	68

## CHAPTER 138 – ZONING

### ARTICLE V – OFFICE, COMMERCIAL, INDUSTRIAL & MIXED USE DISTRICTS

#### DIVISION 1. – GENERALLY

##### Sec. 138-711. – District Density and Intensity Standards

The maximum density and intensity (Floor Area Ratio) standards for each zoning district are governed by the underlying Future Land Use Map (FLUM) Category identified within the Pinellas County Comprehensive Plan. Table 138.351 in Article III lists the maximum Floor Area Ratio (FAR) and Density for each Future Land Use (FLUM) Category.

**Secs. 138-712—138-740. - Reserved.**

#### DIVISION 2. - OFFICE AND COMMERCIAL ZONING DISTRICTS

##### Sec. 138-741. – LO, GO, C-1, C-2, CR, and CP - Definition, purpose and intent of district.

The office and commercial districts implement the commercial policies of the Pinellas County Comprehensive Plan. Individual and unique zoning districts are established to support land uses, development and redevelopment of office and commercial uses that are strategically planned areas within unincorporated Pinellas County. Each zone is established to achieve a specific community character and land use intensity. Some zones are intended to support surrounding residential neighborhoods and others are intended to serve a greater community and/or regional market. All office and commercial zoning districts are intended to facilitate development and redevelopment that is attractive, economically viable, pedestrian-oriented and transit supportive.

- (a) **LO, Limited Office and GO, General Professional Office Districts** - The purpose of the LO and GO districts is to permit general professional services, offices, employment, and related uses. These districts also support limited commercial uses that are complementary to office uses. These office districts include intensity limits and design standards that achieve development and redevelopment that is complementary and compatible with adjacent neighborhoods and commercial districts.
- (b) **C-1, Neighborhood Commercial and C-2, General Commercial Retail and Limited Services Districts** –The purpose of the C-1 and C-2 districts is to permit commercial sales and services at various intensities that are responsive to the surrounding uses and the markets they are intended to serve. The C-1 district is intended to support neighborhood oriented retail sales and services by allowing land uses and imposing design standards that will complement the neighborhoods they are intended to serve. The C-2 district is intended to support retail sales and services to a regional market by allowing more intensive land uses and larger scale commercial buildings to serve the intended market.
- (c) **CR, Commercial Recreation District** – The purpose of the CR district is to permit certain uses of land for commercial outdoor recreation. The CR district is intended to support recreational and entertainment uses that contribute to a livable and vibrant community. The CR district supports recreational uses that are oriented to a neighborhood and/or surrounding community. The district includes intensity and design standards to achieve development and redevelopment that is appropriate and responsive to the adjacent community.

- (d) **CP, Commercial Parkway District** - The purpose of the CP district is to allow and plan for orderly development and redevelopment along the arterial roadways. The CP district is intended to support land uses that are normally associated and marketed to primary transportation corridors yet achieve an attractive, economically viable, and orderly appearance. While development within the CP district is associated with primary transportation corridors, district standards are intended to result in pedestrian-oriented and transit supportive site design.

**Sec. 138-742. – LO, GO, C-1, C-2, CR, and CP – Table of Uses**

Land uses within the office and commercial districts shall be permitted as defined in *Table 138-742 – Table of Uses for the LO, GO, C1, C2, CR, and CP districts*. The review procedures are further defined in Article II of the Zoning Code.

- (a) An "A" in Table 138-742 denotes that the specific use is permitted as an accessory use to other uses within the district.
- (b) A "1" in Table 138-742 denotes that the specific use is a permitted use and may be established and expanded as an administrative review as defined in Article II.
- (c) A "2" in Table 138-742 denotes that the establishment of the specific use requires ~~Local Planning Agency Community Development Board~~ review, approval and/or approval with conditions as defined in Article II.
- (d) A "3" in Table 138-742 denotes that the establishment of the specific use requires Board of County Commissioners review, approval, and/or approval with conditions as defined in Article II.
- (e) A blank in Table 138-742 denotes that the specific use is not allowed in the zone.
- (f) A "Y" in the Supplemental Uses Standards column of Table 138-742 indicates that there are specific land development or operational requirements that must be provide for the specific use.
- (g) A use that is not listed on Table 138-742 is not permitted in any office or commercial district, except as provided for in Section 138.\_\_\_\_, Administrative Provisions.

Table 138-742 – Table of Uses for the LO, GO, C-1, C-2, CR, and CP Districts								
USE	LO: Limited Office District	GO: General Professional Office District	C-1: Neighborhood Commercial District	C-2: General Retail Commercial and Limited Services District	RESERVED	CP: Commercial Parkway District	CR: Commercial Recreation District	Supplemental Use Standards (refer to specific Code section)
	<b>Residential Uses</b>							
Accessory Artist in Residence		A	A	A		A		

Table 138-742 – Table of Uses for the LO, GO, C-1, C-2, CR, and CP Districts

LEGEND: 1 = Permitted Use/ Administrative Review 2 = Local Planning Agency <u>Community Development Board Review</u> 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	LO: Limited Office District	GO: General Professional Office District	C-1: Neighborhood Commercial District	C-2: General Retail Commercial and Limited Services District	RESERVED	CP: Commercial Parkway District	CR: Commercial Recreation District	Supplemental Use Standards (refer to specific Code section)
USE								
Accessory Dwelling Unit						A		Y
Accessory Dwelling Unit, Owner/Manager		A	A	A		A		Y
Affordable Housing Development (AHD)			1	1		1		Y
Assisted Living Facility				1		1		
Community Residential Home, Category 1: 1 to 6 residents						1		Y
Community Residential Home, Category 2: 7 to 14 residents						1		Y
Community Residential Home, Category 3: more than 14 residents						1		Y
Dormitory		A		A		A		Y
Dwelling, Live/Work						1		Y
Dwelling, Multifamily and their customary accessory uses						1		Y
Dwelling, Single-family Attached and their customary accessory uses						1		Y
Dwelling, Single-family Detached and their customary accessory uses						1		Y
Dwelling, Single-family Zero Lot Line and their customary accessory uses						1		Y
Dwelling, Three-family and their customary accessory uses						1		Y
Dwelling, Two-family and their customary accessory uses						1		
<b>Accommodations</b>								
Bed and Breakfast			1	1		1		Y
Hotel				1		1	1	Y
Motel				1		1	1	Y
<b>Commercial and Office Uses</b>								

Table 138-742 – Table of Uses for the LO, GO, C-1, C-2, CR, and CP Districts

LEGEND: 1 = Permitted Use/ Administrative Review 2 = Local Planning Agency <u>Community Development Board Review</u> 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	LO: Limited Office District	GO: General Professional Office District	C-1: Neighborhood Commercial District	C-2: General Retail Commercial and Limited Services District	RESERVED	CP: Commercial Parkway District	CR: Commercial Recreation District	Supplemental Use Standards (refer to specific Code section)
USE								
Bank	1	1	1	1		1		
Car Wash and Detailing				1		1		Y
Catering Service / Food Service Contractor				1		1		
Convenience Store with or without Fuel Pumps			1	1		1		Y
Dispensing Alcohol: Off-premise consumption			1	1		1		Y
Dispensing Alcohol: On-premise consumption			1	1		1		Y
Drive-Thru Facility or Use with a Drive-Thru	A	A		1		1		Y
Health Club/Fitness Center	2	2	1	1		1		Y
Home Occupation						A		Y
Kennel/Pet Care Indoor				1		1		Y
Motor Vehicle Sales				1		1		
Motor Vehicle Service and Repair				1		1		Y
Nursery / Greenhouse, Retail				1		1		
Office, General	1	1	1	1		1		
Office, Medical or Dental	1	1	1	1		1		
Office, Temporary Labor (Day Labor)			3	3		3		
Office, Veterinary	1	1	1	1		1		Y
Outdoor Sales, Outdoor Oriented Goods				1		1		Y
Outdoor Sales, Garden Oriented				1		1		Y
Pharmacy	A	A	1	1		1		
Restaurant	A	A	1	1		1		
Restaurant: Accessory Outdoor Area				A		A		Y
Retail Sales and Service	A	A	1	1		1		
Service and Repair			1	1		1		
Service, Office	1	1	1	1		1		Y

Table 138-742 – Table of Uses for the LO, GO, C-1, C-2, CR, and CP Districts

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USE								
Service, Personal	A	A	1	1		1		Y
Sidewalk Café	A	A	1	1		1		Y
Studio and Gallery	1	1	1	1		1		Y
<b>Industrial, Manufacturing, and Warehousing Uses</b>								
Battery Exchange Stations		1	1	1		1		
Electric Vehicle Charging Station	A	A	1	1		1	A	Y
Laboratories and Research and Development	1	1		1		1		
Manufacturing - Light, Assembly and Processing: Type A				1		1		Y
Storage, Self / Mini Warehouse			2	1		1		Y
Vehicle Towing				1		1		
Vehicle Refueling Station			1	1		1		Y
Vehicle Storage, Maintenance and Repair				1		1		Y
Warehouse				A				
<b>Arts, Recreation and Entertainment Uses</b>								
Adult Use, Adult Use Establishment, Adult use Business				1		1		Y
Club, Community Service and Fraternal	2	2	2	1		1	2	
Commercial Recreation, Indoor				1			1	Y
Commercial Recreation, Outdoor	A	A					1	Y
Shooting Range/Gun Club - indoor				1		1	1	Y
Golf Course and accessory structures							1	Y
Movie Theater/Cinema				1		1		
Movie Theater/Cinema, Drive-In				3		3		
Museum/Cultural Facility				1		1	1	
Performing Arts Venue				1		1		

Table 138-742 – Table of Uses for the LO, GO, C-1, C-2, CR, and CP Districts

LEGEND: 1 = Permitted Use/ Administrative Review 2 = Local Planning Agency <u>Community Development Board Review</u> 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	LO: Limited Office District	GO: General Professional Office District	C-1: Neighborhood Commercial District	C-2: General Retail Commercial and Limited Services District	RESERVED	CP: Commercial Parkway District	CR: Commercial Recreation District	Supplemental Use Standards (refer to specific Code section)
USE								
Shooting Range/Gun Club – indoor				1		1	1	
<b>Education, Public Administration, Health Care, and Industrial Uses</b>								
Birthing Center		1		1				
Cemetery		2	2	2		2	2	Y
Cemetery, Accessory to a Place of Worship		2	2	2		2	2	Y
Day Care Center, adult		1	1	1				Y
Day Care Facility, child	1	1	1	1		1		Y
Funeral Home / Mortuary		1	1	1		1		
Government Building or Use		1		1		1		Y
Hospital				1				Y
Library				1		1		
Meeting Hall and other Community Assembly Facility				1		1		
Nursing Home				1				Y
Place of Worship		1	1	1		1		Y
Probation / Parole Correction Office				1		1		
School, Public, Pre-K thru 12 (Governmental)		1	1	1		1		Y
School, Private, Pre-K thru 12 (Nongovernmental)		1	1	1		1		Y
School, Post-Secondary		1	1	1		1		
School, All Others		1	1	1		1		
<b>Transportation, Communication, and Information Uses</b>								
Docks and Piers		A	A	A		A	A	Y
Commercial Marina				3		3	3	Y
Heliport and Helistops	3	3		3		3		Y
Mass Transit Center	1	1	1	1		1	1	Y
Navigation safety devices and structures		2	2	2		2	2	

Table 138-742 – Table of Uses for the LO, GO, C-1, C-2, CR, and CP Districts

LEGEND: 1 = Permitted Use/ Administrative Review 2 = Local Planning Agency <u>Community Development Board Review</u> 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	LO: Limited Office District	GO: General Professional Office District	C-1: Neighborhood Commercial District	C-2: General Retail Commercial and Limited Services District	RESERVED	CP: Commercial Parkway District	CR: Commercial Recreation District	Supplemental Use Standards (refer to specific Code section)
USE								
Off-shore Tour Vessels and Water Transport				3		3	3	Y
Parking, Surface - Principal Use				1		1		
Parking Structure		1		1		1	1	Y
Wireless Communication Antennae (WCA)		A	A	A			A	Y
Wireless Communication Tower		1	1	1		1	1	Y
<b>Utilities</b>								
Solar Energy Systems	A	A	A	A		A	A	Y
Solid Waste Transfer Facility				3				Y
Utility Substation		3	3	3		3	3	Y
Water Recapture Systems	A	A	A	A		A	A	
Wind Energy Conservation System, Small Scale		1	1	1		1	1	Y
<b>Agricultural Uses</b>								
Community Gardens			1	1		1	1	Y
Urban Agriculture								Y
<b>Other Uses</b>								
Land Fills of More than 1,000 Cubic Yards		2	2	2			2	Y
Land Fills or Excavations of Less than 1,000 Cubic Yards		1	1	1			1	Y

**Sec. 138-743. – LO, Limited Office District**

The purpose of the LO, limited office district is to permit areas for the development of very low intensity office uses which may be compatible with neighboring land uses. This district may serve as a step-down in transition between a high intensity activity area (such as a major traffic corridor) and a low density neighborhood in areas where more intense uses may not be appropriate.

**Sec. 138-743.1. - LO – Development Parameters**

LO – Development Parameters Table										
Max. Density <sup>1</sup>	Max. Building Coverage <sup>2</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Min. Lot			Min. Setbacks (ft)		
					Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	N/A	See Table 138-351	0.75	45	6,000 sf	60	80	10	15	

1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.

2. Building Coverage is applicable to residential-only structures. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.

**Sec. 138-744. - GO, General Professional Office District**

The purpose of the GO, general professional office district is to permit general professional office buildings of high character and attractive surroundings in areas where such uses are appropriate. It is intended that the GO district be located in areas where high intensity uses would not be appropriate, but where moderate intensity office buildings will not have an adverse impact on the adjoining neighborhood. This zone is not intended for use in areas which are predominantly single-family residential in character.

**Sec. 138-744.1. GO - Development Parameters**

GO – Development Parameters Table										
					Min. Lot			Min. Setbacks (ft)		
Max. Density <sup>1</sup>	Max. Building Coverage <sup>2</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	N/A	See Table 138-351	0.75/ 0.90 <sup>3</sup>	75/ 45 <sup>4</sup>	6,000 sf	60	80	15	15	
<p>1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.</p> <p>2. Building Coverage is applicable to residential-only structures. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.</p> <p>3. Storage/warehouse uses in the Future Land Use Map Classification CG - Commercial General.</p> <p>4. Building height is limited to 45 feet for the portions of the building located within 50 feet of residentially zoned property.</p>										

**Sec. 138-745. – C-1, Neighborhood Commercial District**

The C-1, neighborhood commercial district provides areas for commercial development such as compact shopping areas located in the neighborhood which they serve. The location of such areas is intended to conveniently meet the immediate needs of the neighborhood where the types of services rendered and the commodities sold are those which are needed daily and purchased at frequent intervals.

**Sec. 138-745.1. - C-1 – Development Parameters.**

C-1 – Development Parameters Table										
					Min. Lot			Min. Setbacks (ft)		
Max. Density <sup>1</sup>	Max. Building Coverage <sup>2</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	0.30	See Table 138-351	0.80	45	6,000 sf	60	80	10	0 – 20 <sup>3</sup>	
<p>1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.</p> <p>2. Building Coverage is applicable to residential-only structures. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.</p> <p>3. None required for commercial uses or structures; except that, when the side or rear of a lot abuts a residential district, there shall be a side or rear yard provided of a minimum of 20 percent of the lot width or depth, respectively, but this section shall not require more than 20 feet.</p>										

**Sec. 138-746. – C-2, General Retail Commercial and Limited Services District**

The C-2, general retail commercial and limited services district provides an area for the retailing of certain commodities, the furnishing of several limited services and certain selected trade shops, with related commercial activities conveniently located in a community of several neighborhoods. It is intended that this district shall serve a considerably greater population than the C-1 district and offer certain specialized services in addition to all other retail sales outlets for consumer products.

**Sec. 138-746.1. - C-2 – Development Parameters.**

C-2 – Development Parameters Table										
Max. Density <sup>1</sup>	Max. Building Coverage <sup>2</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Min. Lot			Min. Setbacks		
					Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	0.50	See Table 138-351	0.90/ 0.75 <sup>3</sup>	50	10,000 sf	80	100	10	0 – 20 <sup>4</sup>	
<p>1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.</p> <p>2. Building Coverage is applicable to residential-only structures. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures</p> <p>3. In the Future Land Use Map Classification R/O/R – Residential/Office/Retail</p> <p>4. None required for commercial uses or structures; except that, when the side or rear of a lot abuts a residential district, there shall be a side or rear yard provided of a minimum of 20 percent of the lot width or depth, respectively, but this section shall not require more than 20 feet.</p>										

**Sec. 138-748. – CR, Commercial Recreation District**

The CR, commercial recreation district supports recreational destinations within the County such as golf courses, sporting venues and other similar recreational sites. The district is also intended to support temporary accommodations for visitors and tourists of the area. The district supports complementary commercial services that are intended to serve daily and seasonal users of the primary recreational and temporary accommodation use.

**Sec. 138-748.1. - CR, Commercial Recreation District – Development Parameters.**

CR – Development Parameters Table										
					Min. Lot			Min. Setbacks		
Max. Density <sup>1</sup>	Max. Building Coverage <sup>2</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	0.35 <sup>3</sup>	See Table 138-351	0.75	50	1 ac of upland / 2,500 sf <sup>4</sup>	150/25 <sup>4</sup>	200/na <sup>4</sup>	15/5 <sup>4</sup>		20/5 <sup>4</sup>
<p>1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.</p> <p>2. Building Coverage is applicable to residential-only structures. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.</p> <p>3. Includes area covered by recreational vehicles.</p> <p>4. General site requirement/Travel trailer parks and campgrounds vehicle site requirement.</p> <p>5. See applicable specific use listed under each specific zoning district</p>										

**Sec. 138-749. – CP, Commercial Parkway District**

- (a) The CP, commercial parkway district shall include those areas indicated on the zoning atlas maps as CP, CP-1, and CP-2. Adoption of this chapter will not change this classification designation, but will make this division applicable to it. Those areas indicated as CP and CP-1 shall be designated as CP-1. Those areas designated as CP-2 shall remain designated as CP-2 until otherwise changed by law. This district is stratified into two integrally linked highway oriented segments, the characteristics of which vary only by the intensity of use allowed in each. These subclassifications are denoted as:
  - (1) CP-1: Includes those areas fronting on arterial highways where established land use planning criteria would indicate this district could be located.
  - (2) CP-2: Includes those areas located at arterial highway intersections, where established land use planning criteria indicate that more intense uses of land as permitted in this division are appropriate.
- (b) The purpose of establishing the CP, commercial parkway district is to allow for a variety of uses along the arterial roadways and to require that development occur in such a manner as to protect the interest, health, safety and welfare of the general public. Toward that end, the following statements of intent are applicable:
  - (1) Minimize development in the CP-1 classification to a level of intensity having lower traffic generation rates than normally found in a general business area.
  - (2) Allow development in the CP-2 classification to a level of intensity more equivalent to a general business category.

- (3) Minimize points of access which interrupt the smooth and safe flow of traffic, by encouraging the provision of service roads, common curb and median cuts, acceleration/deceleration lanes and/or interconnected parking facilities between properties under individual ownership.
- (4) Provide adequate structural setbacks.
- (5) Promote an aesthetic appearance to and from the roadway.

**Sec. 138-749.1. – CP – Development Parameters.**

CP – Development Parameters Table										
					Min. Lot			Min. Setbacks		
Max. Density <sup>1</sup>	Max. Building Coverage <sup>2</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Area	Width (ft)	Depth (ft)	Front	Side	Rear
<i>CP-1 District</i>										
See Table 138-351	N/A	See Table 138-351	0.75	45	1 ac	150	200	20 <sup>3</sup>		15
<i>CP-2 District</i>										
See Table 138-351	N/A	See Table 138-351	0.75	50	1 ac	150	200	20 <sup>3</sup>		15
<ol style="list-style-type: none"> <li>1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.</li> <li>2. Building Coverage is applicable to residential-only structures. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.</li> <li>3. The first 20 feet of the front setback, measured from the right-of-way, shall remain in permeable open space and may be used for planting, screening, fencing, etc., but in no case shall be used for parking or display of merchandise.</li> </ol>										

**Sec. 138-750. – Office and Commercial Zoning Districts – Design Criteria**

Office and Commercial districts are envisioned to develop to a pedestrian-friendly and transit supportive urban form. This ideal urban form orients buildings to nearby streets, provides designated pedestrian pathways, creates connections to adjacent uses/properties, provides shelter from environmental elements, and provides for an attractive built environment. In addition to the land use standards listed for individual districts, office and commercial districts shall be planned, phased, and developed consistent with the design criteria listed in the following subsections.

Specific life/safety standards shall prevail and supersede these design criteria when there is a conflict with other governmental life/safety codes. The Zoning Administrator may administratively modify or waive any design criteria that is in conflict with life/safety standards. All other variances to required design criteria must be approved by the Development Review Committee.

**Sec. 138-750.1 – Site Layout and Orientation**

(a) Street, Drive Aisle, and Accessway Design

- (1) Internal streets, drive aisles, and accessways shall be designed as a connection to the surrounding roadway pattern. Specifically, adjacent roadways shall be connected to the development and integrated into the project transportation network, unless such connections would conflict with adjacent uses. Exemptions shall apply to situations where natural features (e.g. wetland) prevent such a connection.

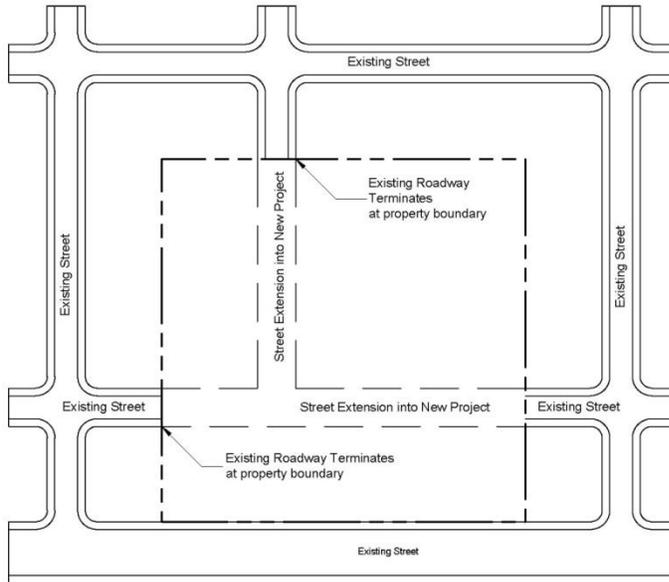


Figure 138-750.1.(a). – Site Layout – Street Extensions into New Projects/Developments

- (2) Internal collector and local roadways that exceed 400 linear feet on a given block should incorporate on-street parking where practical.
  - (3) All internal and abutting streets shall be lined with sidewalks. Exceptions to this standard are allowed to protect natural resources, to recognize onerous topographic features, and to comply with design restrictions from other governing agencies.
- (b) Building Orientation
- (1) Buildings should be located adjacent to roadways/streets to establish an urban form that is oriented to the pedestrian and provides walkway connections to transit stops, public sidewalks and the surrounding neighborhood.
    - a. Buildings shall occupy 40 percent of the site's primary street frontage(s). ~~For sites fronting multiple streets, this requirement shall only apply to collector and arterial roadways.~~
      - 1. For lots located adjacent to two or more roadways, this standard shall only apply to the adjacent primary roadway.
      - 2. The primary roadway shall be defined as that road which has a higher Functional Classification as determined by the Pinellas County

Comprehensive Plan, has a greater number of Average Annual Daily Trips (AADT) or, if such information is unavailable, as determined by the Zoning Administrator.

- b. Where a building is used to meet the minimum street frontage requirement, the following features may be developed/installed between said building and a roadway/street:
    - 1. Low Impact Development (LID) stormwater systems
    - 2. Open Space areas
    - 3. Pedestrian amenities
    - 4. Free-standing architectural elements
    - 5. Driveways
    - 6. Two parking rows and one drive aisle as provided in the parking provisions of this section
  - c. This standard does not apply to:
    - 1. Buildings located internal (set back from the street) to the development when a separate building(s) is located along the primary roadway/street which independently meets the standard.
    - 2. Fuel Service Stations
- (2) First floor, street facing building façades shall be constructed with architectural details including, but not limited to, fenestration, display windows, natural finishes and/or other architectural features intended to break-up large expansive façades.
  - (3) New multi-building developments shall be designed so that individual buildings relate to other structures on site in terms of façade design, entrances/entryways, and pedestrian access.
  - (4) All service areas and loading docks shall be located behind the front facade line of the principal structure they are intended to serve and shall be screened from adjacent roadways and uses. This standard is not intended to be applied to vehicle service station garages.
  - (5) All mechanical equipment and utility functions (e.g. electrical conduits, meters, HVAC equipment) shall be located behind the front façade line of the principal structure. Mechanical equipment that could otherwise be visible from the streets shall be screened with a material that is compatible with the architecture of the principal structure.
  - (6) Drive-through service windows shall not be oriented to an adjacent street unless the site abuts multiple public or private streets, in which case the drive-through pick up service window may be oriented to one of those streets. Drive-through order speakers must be directed away from adjacent residential uses.

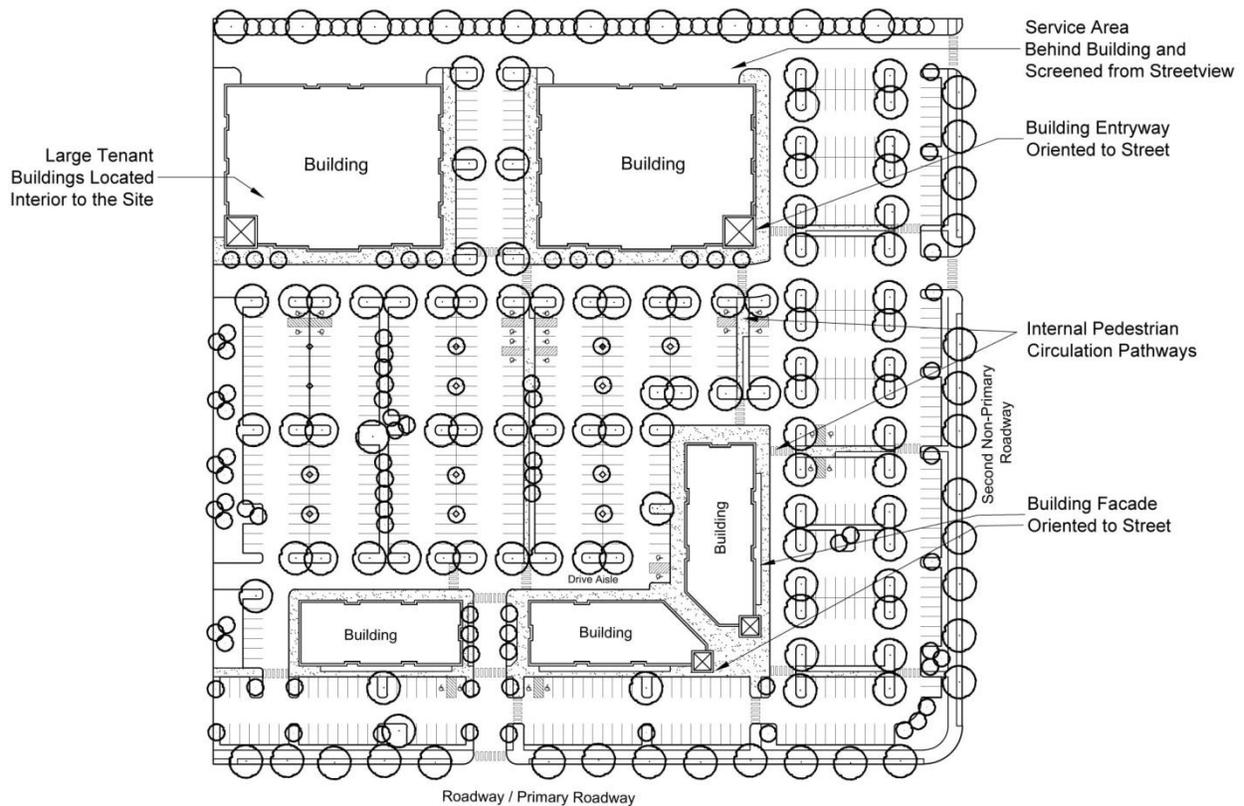


Figure 138-750.1.(b). – Site Layout - Building Orientation Standards

(c) Parking Lots and Parking Structures

- (1) Parking areas between a building façade and the primary roadway should be minimized, and shall be limited to two parking rows and one drive aisle in such locations. This criterion is satisfied if a minimum of 40 percent of roadway frontage is occupied by a building or buildings.
  - a. For lots located adjacent to two or more roadways, this standard shall only apply to the adjacent primary roadway.
  - b. The *primary* roadway shall be defined as that road which has a higher Functional Classification as determined by the Pinellas County Comprehensive Plan, has a greater number of Average Annual Daily Trips (AADT) or, if such information is unavailable, as determined by the Zoning Administrator.
- (2) Parking lots shall be landscaped as required by Code, and incorporate Low Impact Design (LID) techniques where desired by the developer or otherwise required by Code. No more than an average of 24 parking spaces shall be allowed between islands in order to reduce the overall scale of the parking area.
- (3) Parking areas shall provide for internal vehicle connections at logical locations between abutting parking areas and adjacent non-residential and multi-family properties.

- (4) Parking lots should be designed to respond to and preserve existing mature trees to the greatest extent possible. Pervious paving and/or pavers may be used for parking surfaces near mature trees to ensure root health and preservation.
- (5) Parking structures should be internal to the site and shall include architectural features/design elements and a façade treatment compatible with the principal structure; or shall be screened with ornamental grillwork, artwork, vertical/façade landscaping, or similar architectural features. Parking structures located along a primary roadway should include ground-floor commercial or employment along a minimum of 50 percent of the roadway frontage.

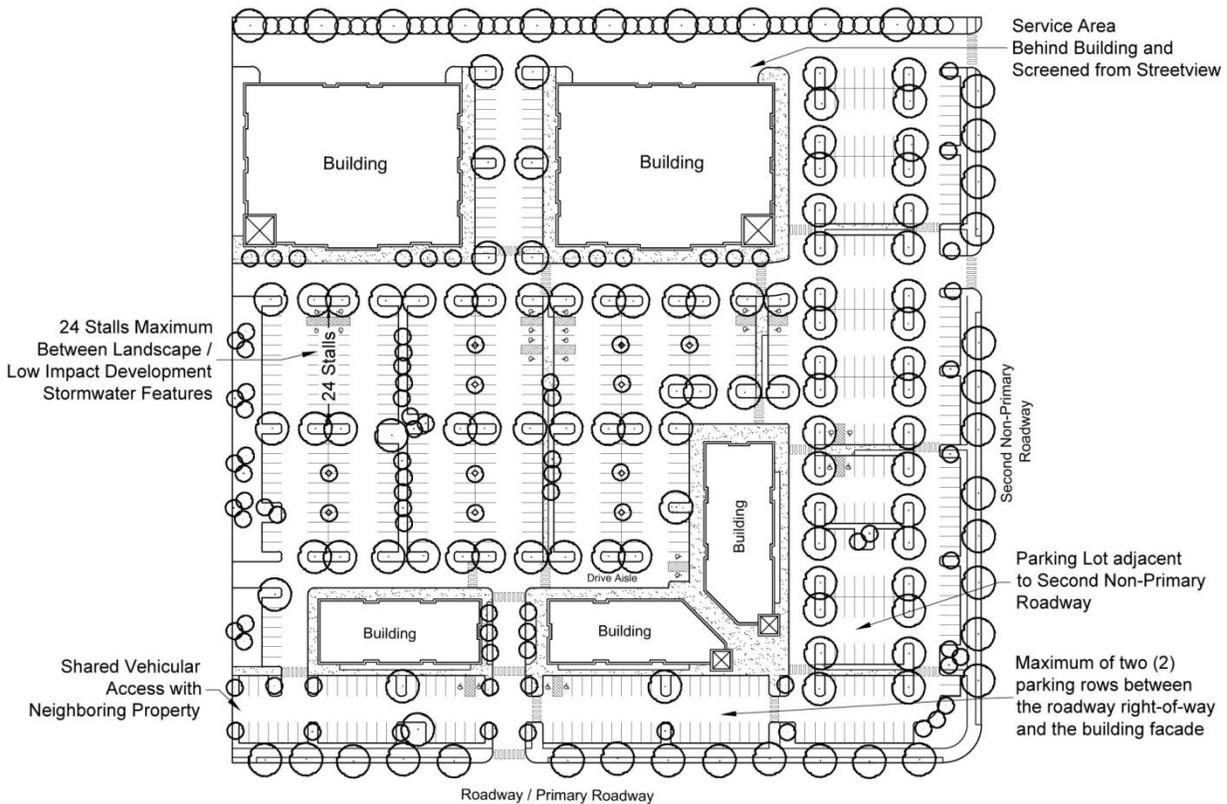


Figure 138-750.1.(c).1 – Site Layout - Parking Standards

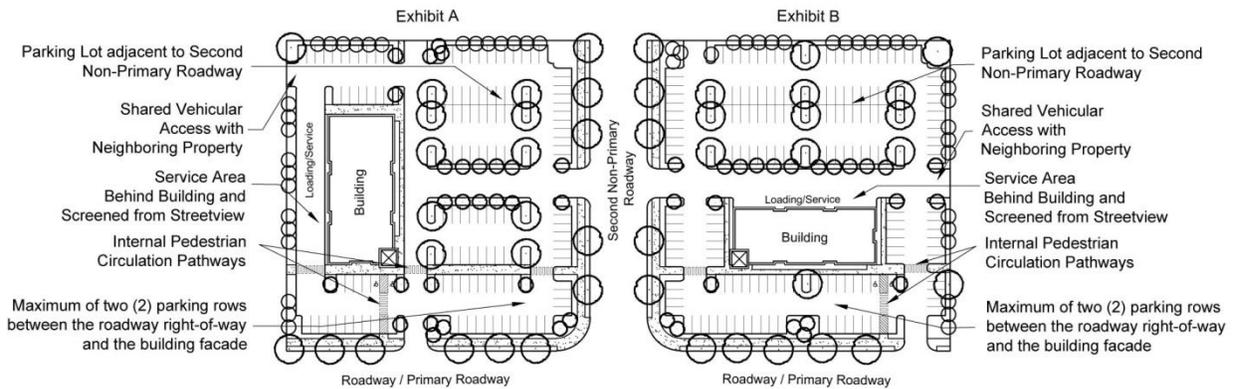


Figure 138-750.1.(c).2 – Site Layout - Parking Standards – Smaller Sites

(d) Pedestrian Connections/Circulation

- (1) Where multiple store fronts or multiple buildings exist within the same development, each tenant space shall be connected by an internal sidewalk system that is clearly delineated from the vehicular pavement. The internal sidewalk system shall connect to any public sidewalk that abuts the property.
- (2) An internal pedestrian system shall provide a connection at logical locations to abutting properties.
  - a. An internal pedestrian connection is not required to abutting single-family residential lots.
  - b. Internal pedestrian connections to adjacent properties are not required at locations that:
    1. Are separated by significant natural features such as wetlands, streams and topography AND/OR
    2. Are separated by significant man-made features such as canals, stormwater ponds, rail lines, storage yards, and the like.
- (3) All buildings that face a primary roadway/street shall contain an entryway that is oriented to said roadway. The entryway shall include decorative door surrounds, and a porch, portico, arcade or stoop. This does not preclude supplemental entrances not facing a roadway.
- (4) At least one designated pedestrian pathway shall be provided across parking lots that exceed 50 total parking spaces. This designated pedestrian pathway shall be a minimum of five feet in pavement width. The pedestrian pathway shall provide a direct connection between building entrances and all adjacent streets.
- (5) Shopping centers shall provide a pedestrian pathway/sidewalk along the full length of the primary center façade. This pedestrian pathway/sidewalk shall average 10 feet in width.
- (6) Structures and landscaping shall be constructed/planted around pedestrian use areas to provide shade and reduce heat island effects.

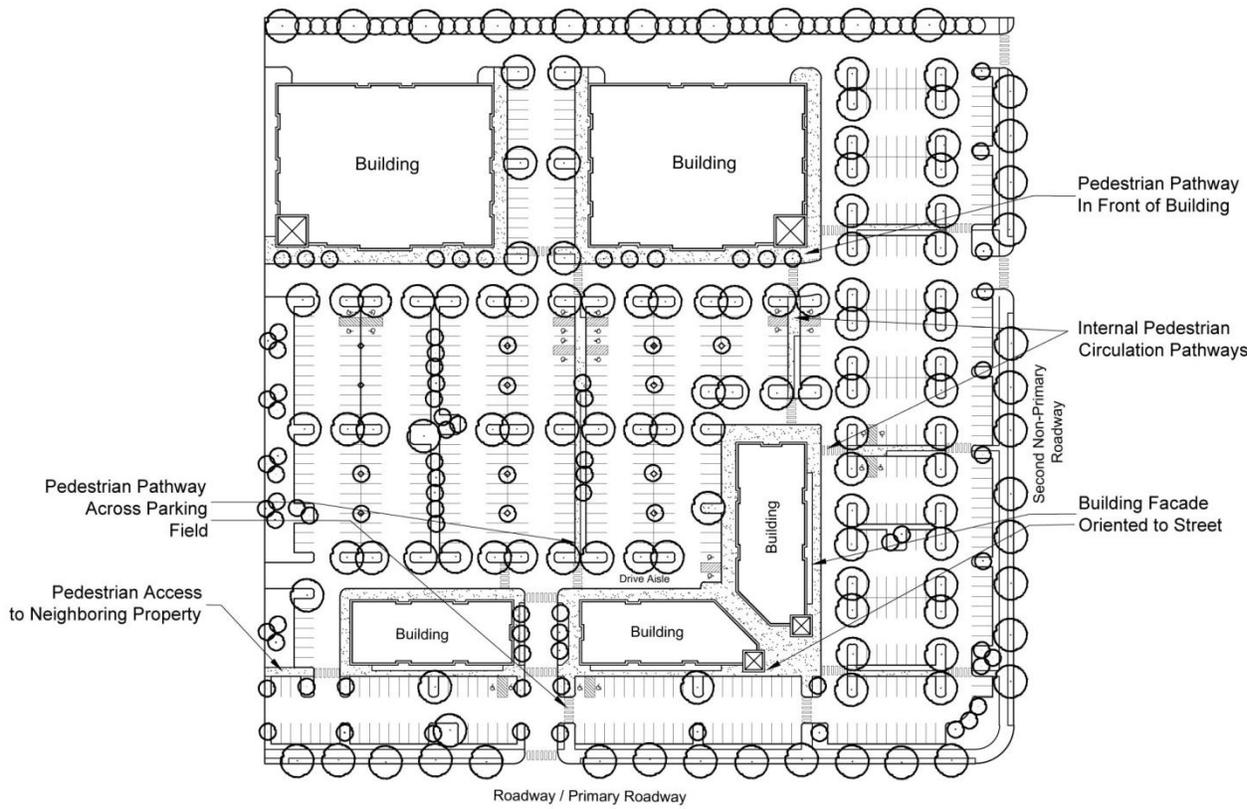


Figure 138-750.1.(d). – Site Layout - Pedestrian Standards

- (e) Project Phasing
  - (1) Development projects may be phased to incrementally comply with design criteria so long as a development plan for the entire site is approved that depicts a build out design that complies with design criteria and any approved variances.

**Sec. 138-750.2 – Building Design Standards**

- (a) Building Style
  - (1) Renovations, additions and accessory structures shall be designed to be compatible with the architectural style of the structure in which they are a part, which will be determined by reviewing building materials, finishes and other significant features.
  - (2) Multi-building developments shall provide a unified architectural theme with standardized building materials, finishes, and color schemes. All buildings on the site shall project a complementary building style and/or architectural theme.
- (b) Building Form
  - (1) Buildings should create a width to height ratio of no more than 3:1. Buildings that exceed the width to height ratio of 3:1 shall have architectural fenestration creating a bay system that divides the building design into a maximum ratio of 3:1. This may be done through pilasters, arcades, building line and roof line off-sets, materials and other appropriate architectural features.

- (2) To promote economic development and flexibility for future tenant re-use, the first floor of each multi-story building should not be less than 12 feet in height measured from the finished first floor surface to the bottom of the second floor.
- (3) Multi-tenant buildings shall provide shelter elements such as awnings, arcades, and/or shade trees along the majority of its ~~front~~ entry façade(s) to protect people from weather elements including sun, wind, and rain.

(c) Building Façade

Façade standards ensure that ground-level storefronts offer attractive features to the pedestrian. They also mitigate blank walls and ensure that all sides of a building have visual interest.

- (1) Building structures that are situated on corner lots or through lots, or which by the nature of the site layout are otherwise clearly visible from rights-of-way, shall be designed with architectural treatments on each building side that is visible from rights-of-way, primary accessways, and internal roadways. Architectural treatment shall include roof design, wall materials, architectural trim, and doors and windows. While it is recognized that buildings have primary and secondary façades, the construction materials and detailing should be similar throughout.
- (2) At least 50 percent of street facades shall have fenestration. At least 30 percent of the interior side and rear facades shall have fenestration. Entry doors shall count as fenestration. Service doors and loading docks shall not count as fenestration.
- (3) At least 25 percent of linear ground level, street facing façades shall be transparent, meaning glass or other transparent or translucent materials.

**DIVISION 3. – INDUSTRIAL ZONING DISTRICTS**

**Sec. 138-760. – M-1, M-2, WD, and IPD - Definition, purpose and intent of district.**

The industrial districts implement the industrial, manufacturing, and employment policies of the Pinellas County Comprehensive Plan. Each zone is established to achieve a specific industrial, manufacturing and employment characteristic and land use intensity. Some zones are intended to support industrial and employment at a smaller, community-oriented scale, while others support large and regionally significant employment centers. All industrial zoning districts are intended to accommodate industrial and manufacturing operations that contribute to the County's economic vitality while protecting surrounding uses through sound site design, buffering, and compatibility standards.

- (a) **M-1, Light Manufacturing and Industry and M-2, Heavy Manufacturing and Industry Districts** - The purpose of the M-1 and M-2 district is to provide areas within the County that allow and support industrial and manufacturing land uses and activities. The M-1 district is intended for lower intensity industrial and manufacturing activities by limiting uses, limiting intensities, and imposing certain site design standards to ensure compatibility with nearby residential and commercial districts. The M-2 district is intended for intensive industrial and manufacturing activities by allowing a wider variety of uses, increased intensities, and limited site design standards to recognize and accommodate more intense operations that contribute to the economic vitality of the region.
- (b) **WD, Warehouse District** - The purpose of the WD district is to provide areas within the County that allow and support warehousing, service offices, large/bulky item sales, and other intensive commercial uses.

- (c) **IPD, Industrial Planned Development District** – The purpose of the IPD district is to allow employment areas to be master planned as highly specialized and technological industries, industrial support facilities, research and experimental institutions, administrative facilities and commercial uses, all of which are within a planned industrial park. The IPD is planned at the developer's option with a land use mix that is unique to the site and is implemented through a master site plan. The IPD district is a land planning option that may be used as an alternative to other industrial zones.

**Sec. 138-761. – M-1, M-2, WD, and IPD – Table of Uses**

Land uses within the office and commercial districts shall be permitted as defined in *Table 138-761 – Table of Uses for the M-1, M-2-, WD, and IPD districts*. The review procedures are further defined in Article II of the Zoning Code.

- (a) An "A" in Table 138-761 denotes that the specific use is permitted as an accessory use to other uses within the district.
- (b) A "1" in Table 138-761 denotes that the specific use is a permitted use and may be established and expanded as an administrative review as defined in Article II.
- (c) A "2" in Table 138-761 denotes that the establishment of the specific use requires ~~Local Planning Agency~~ Community Development Board review, approval and/or approval with conditions as defined in Article II.
- (d) A "3" in Table 138-761 denotes that the establishment of the specific use requires Board of County Commissioners review, approval, and/or approval with conditions as defined in Article II.
- (e) A blank in Table 138-761 denotes that the specific use is not allowed in the zone.
- (f) A "Y" in the Supplemental Uses Standards column of Table 138-761 indicates that there are specific land development or operational requirements that must be provided for the specific use.
- (g) A use that is not listed on Table 138-761 is not permitted in any industrial district, except as provided for in Section 138.\_\_\_\_, Administrative Provisions.

Table 138-761 – Table of Uses for the M-1, M-2, WD, and IPD Districts

USE	M-1: Light Manufacturing and Industry District	M-2: Heavy Manufacturing and Industry District	WD: Warehouse District	IPD: Industrial Planned Development District	Supplemental Use Standards (refer to specific Code section)
<b>LEGEND:</b> 1 = Permitted Use/ Administrative Review 2 = Local Planning Agency Community Development Board Review 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed					
<b>Residential Uses</b>					
Accessory Dwelling Unit, Owner/Manager	A	A	A		Y
Affordable Housing Development (AHD)			1		Y
Dwelling, Live/Work				2	Y
Dwelling, Multifamily and their customary accessory uses				2	Y
Dwelling, Three-family and their customary accessory uses				2	Y
Marina			1		
Storage, accessory				2	Y
<b>Accommodations</b>					
Hotel	3			2	Y
Motel	3			2	Y
<b>Commercial and Office Uses</b>					
Alcohol - Wholesale Storage and Distribution	1	1	1		
Bank				2	
Car Wash and Detailing				2	Y
Catering Service / Food Service Contractor			1	2	
Convenience Store with or without Fuel Pumps				2	Y
Health Club/Fitness Center	2		1 or 2	1	Y
Kennel/Pet Care Indoor	2	2		2	Y
Kennel/Pet Care Outdoor	2	2		2	Y
Motor Vehicle Service and Repair	1		1	3	Y
Nursery / Greenhouse, Retail				3	
Office, General	1	1	1	2	
Office, Medical or Dental				2	

Table 138-761 – Table of Uses for the M-1, M-2, WD, and IPD Districts

LEGEND: 1 = Permitted Use/ Administrative Review 2 = <u>Local Planning Agency Community Development Board Review</u> 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	M-1: Light Manufacturing and Industry District	M-2: Heavy Manufacturing and Industry District	WD: Warehouse District	IPD: Industrial Planned Development District	Supplemental Use Standards (refer to specific Code section)
USE					
Office, Temporary Labor (Day Labor)	3				
Office, Veterinary				2	Y
Outdoor Sales, Outdoor Oriented Goods			1		Y
Outdoor Sales, Garden Oriented			1		Y
Pharmacy				3	
Restaurant	2			3	
Restaurant: Accessory Outdoor Area				3	Y
Retail Sales and Service	A	A		3	
Service and Repair			1	3	
Service, Fleet-Based	1	1	1	3	
Service, Office				3	Y
Service, Personal	1	1	1	2	Y
Sidewalk Café				2	Y
Studio and Gallery				3	Y
<b>Industrial, Manufacturing, and Warehousing Uses</b>					
Battery Exchange Stations	1	1	1	3	
Concrete Mixing Facilities/Asphalt		1		3	
Contractors Yard and Building	1	1	1	3	Y
Electric Vehicle Charging Station	1	1	1	1	Y
Fat, Oil and Grease Facility	3	3	3		Y
Laboratories and Research and Development	1	1	1	1	
Manufacturing - Light, Assembly and Processing: Type A	1	1	3	1	
Manufacturing - Light, Assembly and Processing: Type B	1	1	1	2	
Manufacturing - Heavy		1		3	

Table 138-761 – Table of Uses for the M-1, M-2, WD, and IPD Districts

LEGEND: 1 = Permitted Use/ Administrative Review 2 = <u>Local Planning Agency Community Development Board Review</u> 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	M-1: Light Manufacturing and Industry District	M-2: Heavy Manufacturing and Industry District	WD: Warehouse District	IPD: Industrial Planned Development District	Supplemental Use Standards (refer to specific Code section)
USE					
Outdoor Storage, Accessory Industrial	A	A	A	A	
Outdoor Storage, Principal Use	1	1	1	3	Y
Publishing and Printing	1	1	1	2	
Recycling Center	1	1		2	Y
Salvage Yard		3			Y
Storage, Self / Mini Warehouse	1	1	1	3	Y
Freight Trucking	1	1			
Vehicle Towing	1	1	1		
Vehicle Refueling Station	1	1	1		Y
Vehicle Storage, Maintenance and Repair	1	1	1	3	Y
Transfer Station	3	1	3		Y
Warehouse	1	1	1	1	
Wholesale Establishment	1	1	1	3	
<b>Arts, Recreation, and Entertainment Uses</b>					
Club, Community Service and Fraternal	2	2	2	2	
Commercial Recreation, Indoor			2	2	Y
Commercial Recreation, Outdoor	A	A	2	2	Y
Facility Based Recreation				2	Y
Shooting Range/Gun Club - indoor	2	2	2	2	Y
Golf Course and accessory structures				2	Y
Movie Theater/Cinema				2	
Museum/Cultural Facility				2	
Natural Resources and Wildlife Management Uses				1	
Public or private parks, playgrounds and recreation areas	2	2	2	2	

Table 138-761 – Table of Uses for the M-1, M-2, WD, and IPD Districts

LEGEND: 1 = Permitted Use/ Administrative Review 2 = <u>Local Planning Agency Community Development Board Review</u> 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	M-1: Light Manufacturing and Industry District	M-2: Heavy Manufacturing and Industry District	WD: Warehouse District	IPD: Industrial Planned Development District	Supplemental Use Standards (refer to specific Code section)
USE					
Performing Arts Venue				3	
Recreation Use, Accessory to Residential Use				1	
Resource Based Recreation				1	Y
Shooting Range/Gun Club – indoor	2	2	2	2	Y
<b>Education, Public Administration, Health Care, and Industrial Uses</b>					
Cemetery	2	2	2	3	Y
Cemetery, Accessory to a Place of Worship	2	2	2	3	Y
Congregate care facility				3	
Correctional Facilities				3	
Crematorium	1	1		3	Y
Day Care Center, adult				3	Y
Day Care Facility, child				2	Y
Environmental Education Facilities				1	
Funeral Home / Mortuary				3	
Government Building or Use	1	1		2	Y
Hospital				2	Y
Library				2	
Meeting Hall and other Community Assembly Facility				2	
Nursing Home				3	Y
Place of Worship				2	Y
School, Public, Pre-K thru 12 (Governmental)				2	Y
School, Private, Pre-K thru 12 (Nongovernmental)				2	Y
School, Post-Secondary				2	
School, All Others				2	

Table 138-761 – Table of Uses for the M-1, M-2, WD, and IPD Districts

LEGEND: 1 = Permitted Use/ Administrative Review 2 = <u>Local Planning Agency Community Development Board Review</u> 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	M-1: Light Manufacturing and Industry District	M-2: Heavy Manufacturing and Industry District	WD: Warehouse District	IPD: Industrial Planned Development District	Supplemental Use Standards (refer to specific Code section)
USE					
Social Service Agencies				2	Y
<b>Transportation, Communication, and Information Uses</b>					
Airports and Air Transportation	3	3	3	3	
Docks and Piers	A	A	A	A	Y
Commercial Marina	1	1	1	1	Y
Heliport and Helistops	3	3	3	3	Y
Mass Transit Center	1	1	1	2	Y
Navigation safety devices and structures	2	2	2	2	
Off-shore Tour Vessels and Water Transport	3	3	3	3	Y
Parking, Surface - Accessory				1	Y
Parking, Surface - Principal Use			1	2	
Parking Structure	1	1	1	1	Y
Transmitting stations, remote radio and television, not including broadcast studios or office				2	
Wireless Communication Antennae (WCA)	A	A	A	A	Y
Wireless Communication Tower	1	1	1	1	Y
<b>Utilities</b>					
Biohazardous or Hazardous Waste Storage and Treatment	3	3	3	3	Y
Solar Energy Systems	A	A	A	A	Y
Solar Generation Station	1	1		2	Y
Solid Waste Disposal Facility	3	3	3	3	Y
Utility Plant and Storage (fossil fuel)	3	3	3	3	Y
Utility Substation	1	1	3	3	Y
Water and Wastewater Utility Infrastructure				3	Y
Water Recapture Systems	A	A	A	A	

Table 138-761 – Table of Uses for the M-1, M-2, WD, and IPD Districts

LEGEND: 1 = Permitted Use/ Administrative Review 2 = <u>Local Planning Agency Community Development Board Review</u> 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	M-1: Light Manufacturing and Industry District	M-2: Heavy Manufacturing and Industry District	WD: Warehouse District	IPD: Industrial Planned Development District	Supplemental Use Standards (refer to specific Code section)
USE					
Wind Energy Conservation System, Medium Scale	1	1	1	2	Y
Wind Energy Conservation System, Small Scale	1	1	1	1	Y
<b>Agricultural Uses</b>					
Agricultural Activities, Commercial Use				3	Y
Community Gardens				2	Y
Nursery / Greenhouse, Wholesale			1	3	
Urban Agriculture					Y
<b>Other Uses</b>					
Excavation Pits and Quarries, in excess of 1,000 cubic yards	2	2		2	Y
Land Fills of More than 1,000 Cubic Yards (Need to re-visit)	2	2	2	2	Y
Land Fills or Excavations of Less than 1,000 Cubic	1	1	1	1	Y

**Sec. 138-762. – M-1, Light Manufacturing and Industry District**

The M-1, light manufacturing and industry district will provide areas for light manufacturing, industry, industrial support facilities, and certain public service functions. It is intended that this district will provide low intensity general industrial development which will have minimal impact on the surrounding areas.

**Sec. 138-762.1. – M-1, Light Manufacturing and Industry District – Development Parameters.**

M-1 – Development Parameters Table										
					Min. Lot			Min. Setbacks		
Max. Density <sup>1</sup>	Max. Building Coverage <sup>2</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	0.50	See Table 138-351	0.85	75/45 <sup>3</sup>	12,000 sf	80-ft	100-ft	25-ft	10-ft	
<p>1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.</p> <p>2. Building Coverage is applicable to residential-only structures. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.</p> <p>3. Building height is limited to 45 feet for the portions of the building within 50 feet of residentially zoned property.</p>										

**Sec. 138-763. – M-2, Heavy Manufacturing and Industry District**

The M-2, heavy manufacturing and industry district is intended to permit general manufacturing and industry. It is further intended that this district will be less restrictive than the M-1 district so as to provide a wider variety of industrial uses.

**Sec. 138-763.1. – M-2, Heavy Manufacturing and Industry District – Development Parameters.**

M-2 – Development Parameters Table										
					Min. Lot			Min. Setbacks		
Max. Density <sup>1</sup>	Max. Building Coverage <sup>2</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	0.50	See Table 138-351	0.95	100/45 <sup>3</sup>	25,000 sf	100-ft	200-ft	25-ft	20-ft	
<p>1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.</p> <p>2. Building Coverage is applicable to residential-only structures. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.</p> <p>3. Building height is limited to 45 feet for the portions of the building within 50 feet of residentially zoned property.</p>										

**Sec. 138-764. – WD - Warehouse District**

The WD, warehouse district will provide areas for general services, wholesale distribution, storage and light fabrication. These areas should be conveniently located to arterial highways and transportation facilities. This district is intended as a distribution center for products sold, serviced, stored and warehoused for retail or wholesale sales to a consumer, jobber, sales outlet or wholesaler. Such districts shall be located in the community as to minimize the flow of heavy trucking routes through residential areas. These areas may also provide support services to adjacent or nearby industrial areas.

**Sec. 138-764.1. - WD – Development Parameters.**

WD – Development Parameters Table										
					Min. Lot			Min. Setbacks		
Max. Density <sup>1</sup>	Max. Building Coverage <sup>2</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	N/A	See Table 138-351	0.85	75/45 <sup>3</sup>	12,000 sf	80	100	25-ft	10-ft	
<p>1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.</p> <p>2. Building Coverage is applicable to residential-only structures. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.</p> <p>3. Building height is limited to 45 feet if it is for the portions of the building within 50 feet of residentially zoned property.</p>										

**Sec. 138-765. – IPD, Industrial Planned Development District**

The IPD, industrial planned development district will provide areas exclusively for and conducive to the development of highly specialized and technological industries, industrial support facilities, research and experimental institutions, administrative facilities and commercial uses, all of which are within a planned industrial park. It is intended that these parks be created to produce a campus-like setting; to be aesthetically pleasing and not obnoxious or offensive to the surrounding area. These should also provide maximum protection for the specialized uses against odor, fumes, smoke, gas, dust, noise, vibration, and similar objectionable hazards. It is further intended that this district be located in keeping with established planning and zoning practices so as to be readily accessible to major transportation facilities and other municipal services and to provide compatibility between the uses both internal and external to the site. The IPD is intended to create a sustainable employment center that is master planned to incorporate complementary land uses and provide a high quality pedestrian environment.

**Sec. 138-765.1. – IPD, Industrial Planned Development District – Development Parameters.**

IPD – Development Parameters Table										
Max. Density <sup>1</sup>	Max. Building Coverage <sup>2</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Max. Building Height (ft)	Min. Lot <sup>3</sup>			Min. Setbacks <sup>3</sup>		
					Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	0.60	See Table 138-351	0.85	100/45 <sup>3</sup>	15,000 sf	100-ft	200-ft	10-ft		10-ft
<p>1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.</p> <p>2. Building Coverage is applicable to residential-only structures. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.</p> <p>3. Building height is limited to 45 feet for the portions of the building within 50 feet of residentially zoned property.</p>										

**Sec. 138-765.2. – IPD, Industrial Planned Development District – Design Criteria**

IPD Districts shall be planned, phased, and developed consistent with the design criteria listed in the following subsections.

Specific life/safety standards shall prevail and supersede these design criteria when there is a conflict with other governmental life/safety codes. The Zoning Administrator may administratively modify or eliminate any design criteria that is in conflict with life/safety standards. All other variances to required design criteria must be approved by the Development Review Committee.

(a) Street, Drive Aisle, and Accessway Design

- (1) Internal streets, drive aisles, and accessways shall be designed as a connection to the surrounding roadway pattern. Specifically, adjacent roadways shall be connected to the development and integrated into the project transportation

network, unless such connections would conflict with adjacent uses. Exemptions shall apply to situations where natural features (e.g. wetland) prevent such a connection.

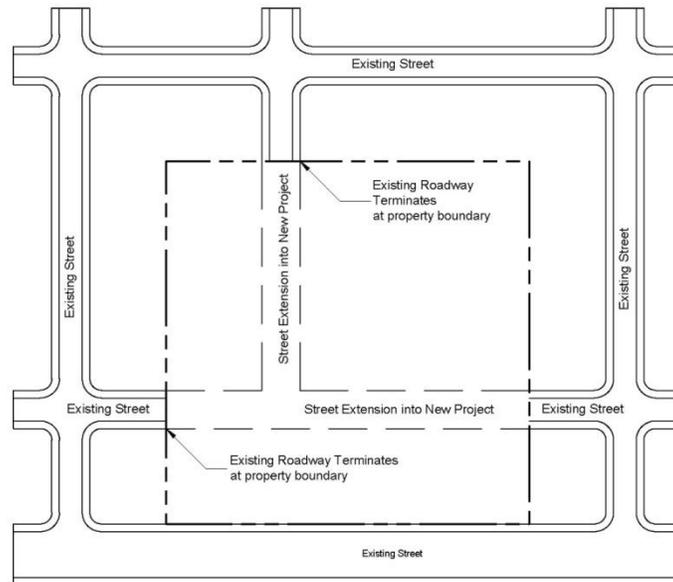


Figure 138-765.2.(a). – Site Layout – Street Extensions into New Projects/Developments

- (2) All internal and abutting streets shall be lined with sidewalks. Exceptions to this standard are allowed to protect natural resources, to recognize onerous topographic features, and to comply with design restrictions from other governing agencies.
- (b) Building Orientation
  - (1) Buildings should be located adjacent to roadways/streets to establish an urban form that is oriented to the pedestrian and provides walkway connections to transit stops public sidewalks and the surrounding neighborhood.
    - a. Buildings shall occupy 30 percent of the site's primary street frontage(s). ~~For sites fronting multiple streets, this requirement shall only apply to collector and arterial roadways.~~
      - 1. For lots located adjacent to two or more roadways, this standard shall only apply to the adjacent primary roadway.
      - 2. The *primary* roadway shall be defined as that road which has a higher Functional Classification as determined by the Pinellas County
    - b. Where a building is used to meet the minimum street frontage requirement, the following features may be developed/installed between said building and a roadway/street:
      - 1. Low Impact Development (LID) stormwater systems
      - 2. Open Space areas
      - 3. Pedestrian amenities
      - 4. Free-standing architectural elements
      - 5. Driveways

6. Two parking rows and one drive aisle as provided in the parking provisions of this section
- c. This standard does not apply to:
  - a. Buildings located internal (set back from the street) to the development when a separate building(s) is located along the primary roadway/street which independently meets the standard.
  - b. Fuel service stations
- (2) New multi-building developments shall be designed so that individual buildings relate to other structures on site in terms of façade design, entrances/entryways, and pedestrian access.
- (3) All service areas and loading docks shall be located behind the front façade line of the principle structure they are intended to serve and shall be screened from adjacent roadways and uses. This standard is not intended to be applied to vehicle service station garages.
- (4) All mechanical equipment and utility functions (e.g. electrical conduits, meters, HVAC equipment) shall be located behind the front façade line of the principal structure. Mechanical equipment that could otherwise be visible from the streets shall be screened with a material that is compatible with the architecture of the principal structure.

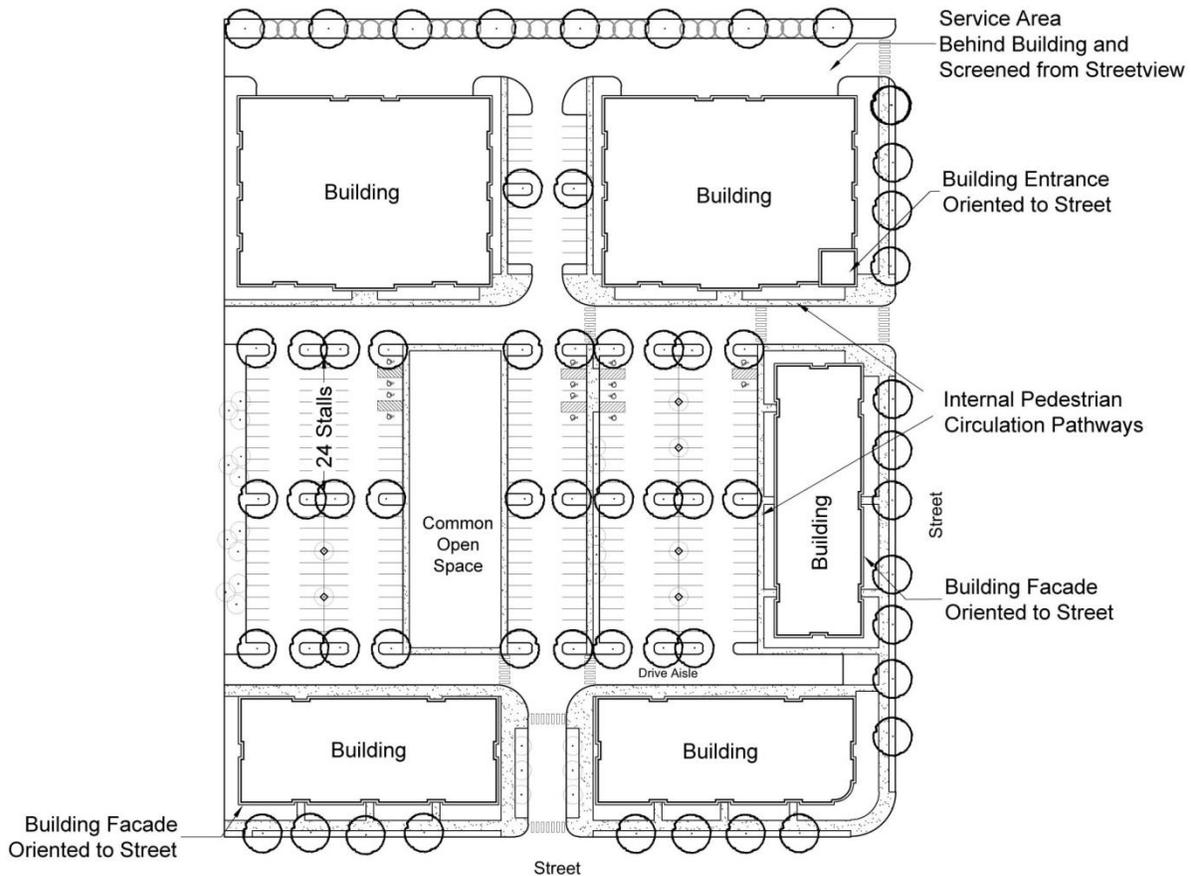


Figure 138-765.2.(b). – Site Layout – Building Orientation

(c) Parking Lots and Parking Structures

- (1) Parking areas between a building façade and the primary roadway should be minimized, and shall be limited to two parking rows and one drive aisle in such locations. This criterion is satisfied if a minimum of 30 percent of roadway frontage is occupied by a building or buildings.
  - a. For lots located adjacent to two or more roadways, this standard shall only apply to the adjacent primary roadway.
  - b. The *primary* roadway shall be defined as that road which has a higher Functional Classification as determined by the Pinellas County Comprehensive Plan, has a greater number of Average Annual Daily Trips (AADT) or, if such information is unavailable, as determined by the Zoning Administrator.
- (2) Parking lots shall be landscaped as required by Code, and incorporate Low Impact Design (LID) techniques where desired by the developer or otherwise required by Code. No more than an average of 24 parking spaces shall be allowed between islands in order to reduce the overall scale of the parking area.
- (3) Parking areas shall provide for internal vehicle connections at logical locations between abutting parking areas and adjacent non-residential and multi-family properties.
- (4) Parking lots should be designed to respond to and preserve existing mature trees to the greatest extent possible. Pervious paving and/or pavers may be used for parking surfaces near mature trees to ensure root health and preservation.
- (5) Parking structures should be internal to the site and shall include architectural features/design elements and a façade treatment compatible with the principal structure; or shall be screened with ornamental grillwork, artwork, vertical/façade landscaping, or similar architectural features. Parking structures located along a primary roadway shall include ground-floor commercial or employment along a minimum of 50 percent of the roadway frontage.

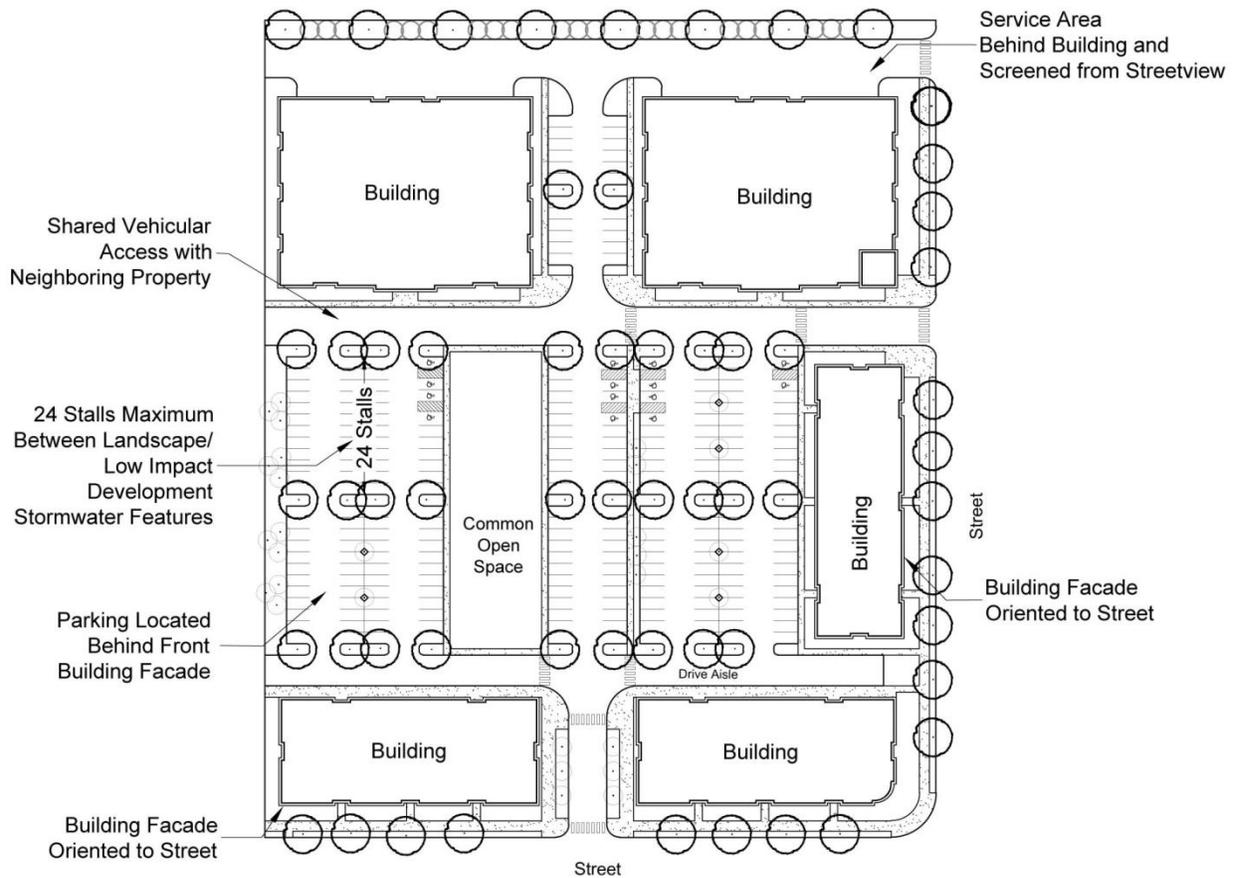


Figure 138-765.2.(C). – Site Layout – Parking Standards

(d) Pedestrian Connections/Circulation

- (1) Where multiple buildings exist within the same development, each tenant space shall be connected by an internal sidewalk system that is clearly delineated from the vehicular pavement. The internal sidewalk system shall connect to any public sidewalk that abuts the property.
- (2) An internal pedestrian system shall provide a connection at logical locations to abutting properties.
  - a. An internal pedestrian connection is not required to abutting single-family residential lots.
  - b. Internal pedestrian connections to adjacent properties are not required at locations that:
    1. Are separated by significant natural features such as wetlands, streams and topography AND/OR
    2. Are separated by significant man-made features such as canals, stormwater ponds, rail lines, storage yards, mines, and the like.
- (3) All buildings that face a primary roadway/street shall contain an entryway that is oriented to said roadway. The entryway shall include decorative door surrounds,

and a porch, portico, arcade or stoop. This does not preclude supplemental entrances not facing a roadway.

- (4) At least one designated pedestrian pathway shall be provided across parking lots that exceed 50 total parking spaces. This designated pedestrian pathway shall be a minimum of five feet in pavement width. The pedestrian pathway shall provide a direct connection between building entrances and all adjacent streets.
- (5) Structures and/or landscaping shall be constructed/planted around pedestrian use areas to provide shade and reduce heat island effects.

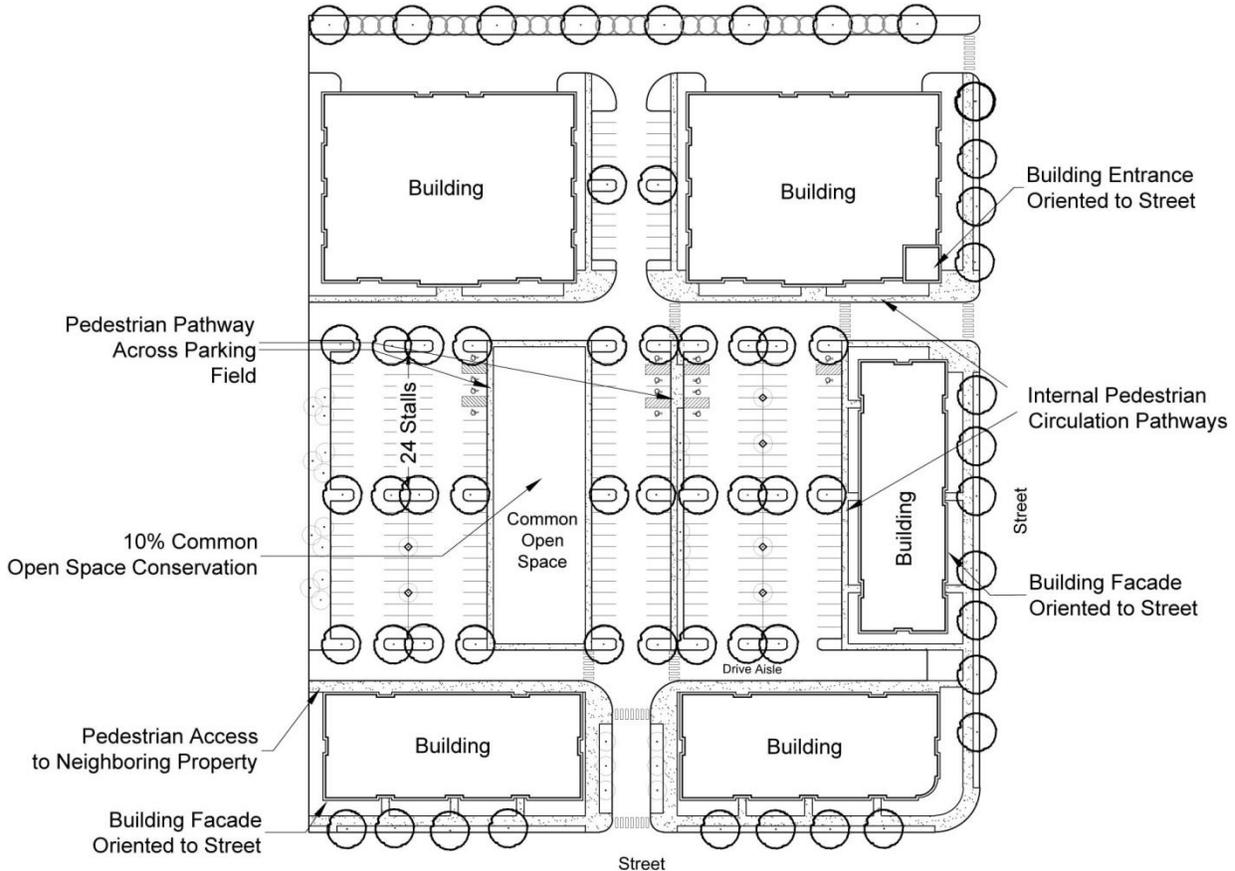


Figure 138-765.2.(d). – Site Layout – Pedestrian Standards

(e) Building Style

- (1) Renovations, additions and accessory structures shall be designed to be compatible with the architectural style of the structure in which they are a part, which will be determined by reviewing building materials, finishes and other significant features.
- (2) Multi-building developments shall provide a unified architectural theme with standardized building materials, finishes, and color schemes. All buildings on the site shall project a complementary building style and/or architectural theme.

(f) Project Phasing

- (1) Development projects may be phased to incrementally comply with design criteria so long as a development plan for the entire site is approved that depicts a build out design that complies with design criteria and any approved variances.

**Sec. 138-765.3. – IPD, Industrial Planned Development – Common Open Space**

All developments shall provide 10 percent of the total land area as common open space. Required common open space shall be provided according to the following:

- (a) The required common open space area shall be planned within 15 feet of finished grade.
- (b) Required common open space shall be accessible, at a minimum to all buildings and properties within the development. This standard does not apply to areas retained for natural resource protection.
- (c) Except for Low Impact Development (LID) stormwater management systems, stormwater management may not be counted towards satisfying the common open space requirement. Up to 100 percent of the common open space requirement may be satisfied by stormwater management systems that utilize LID stormwater management principles, including but not limited to bio/vegetated swales, buffers and landscape strips; bioretention and biofiltration; rainwater harvesting systems, and rain gardens.
- (d) Required open space shall be usable for facility-based or resource-based recreation or retained for natural resource protection.
- (e) Additional open space, parks, and recreational uses are permitted ~~in~~ beyond the minimum requirements of this section.

**Sec. 138-765.4. – IPD, Industrial Planned Development – Development Master Plan**

The IPD District shall be planned, phased, and developed as part of a Development Master Plan that is created and approved for each Industrial Planned Development district or portion thereof. Each Development Master Plan shall be subject to the following standards.

- (a) A Development Master Plan shall be created and approved for each Residential Planned Development district or portion thereof.
  - (1) The Development Master Plan shall be created by the land owner (or authorized agent) of the property. The County may initiate and approve a Development Master Plan with the owner's approval.
  - (2) Multiple Development Master Plans may be approved for distinctive developments within the overall district and specifically reserved for situations of separate ownerships or development entities.
  - (3) A Development Master Plan shall be created and approved prior to any development or redevelopment. All new development shall be consistent with an approved Development Master Plan except as otherwise provided in this section.
  - (4) Review and approval of a new Development Master Plan shall be by the Development Review Committee. Level 2 and 3 land uses as identified in the table of uses shall obtain approval by corresponding review board.
- (b) A Development Master Plan shall be designed as a series of framework plans that, collectively, create a complete future development plan. The Development Master Plan shall include the following framework plans:

- (1) Transportation Framework – The Development Master Plan shall depict all access points, internal roadways, surrounding roadways, transit stops (if available), bicycle facilities, and pedestrian facilities.
- (2) Land Use Framework – The Development Master Plan shall show the future land use designations assigned to all areas of the development and indicate use, acreage, height of buildings, and square footage of floor area.
- (3) Open Space Framework – The Development Master Plan shall depict the open space network within the community. The individual open space areas shall correspond with a table that identifies the planned uses and recreation programming unique to each tract.
- (4) Utilities Framework – The Development Master Plan shall depict planned potable water and sanitary sewer connections, as well as the proposed stormwater management system that will serve the overall development.
- (5) Phasing Framework – The Development Master Plan shall illustrate a phasing plan for development and/or redevelopment. The phasing plan shall include the applicable sequencing of utilities, transportation, and land uses.
- (6) Theming Framework – The Development Master Plan shall include a theming plan that identifies the intended design and style of the building architecture. The Theming Framework contents may be general in nature but should include images, illustrations, and/or details.
- (7) Sustainability Framework – The Development Master Plan shall depict and identify all sustainability efforts included as part of the overall project. These efforts may include, but not be limited to, reduced vehicle travel initiative, proximity to transit, connections to or addition of multimodal travel options, park and open space, use of Low Impact Development (LID) techniques, solar and alternative energy initiatives, ground water recharge initiatives and recycling initiatives.

(c) Existing Development Master Plans

- (1) All previously approved Development Master Plans shall remain in effect. Any modifications to existing Plans, which includes adding or removing property from a Development Master Plan, shall be subject to the standards of this section. A land owner (or authorized agent) may only modify portions of the Development Master Plan that are under their ownership.
  - a. The Development Review Committee may review and approve modifications to Development Master Plans with the following exceptions:
    1. Level 2 and 3 land uses as identified in the table of uses shall obtain approval by corresponding review board.
    2. Existing Development Master Plans that were originally approved by the Board of County Commissioners shall seek approval from the Board for any substantial modification to the plan such as density/intensity increases, land use locations, and primary transportation connections.
- (2) Existing Development Master Plans may be developed to or modified with the previously approved density/intensity limitations.
- (3) Existing Development Master Plans may be modified to the density/intensity limitations of underlying Future Land Use Map classification of the Comprehensive Plan.

- a. Any excess density/intensity that is identified between the Future land Use Map classification and the original Development Master Plan may be assigned to the project.
- b. When areas of the Development Master Plan are owned by different entities, said areas are entitled to add a portion of the excess density/intensity based on their land holding percentage in relation to the original Development Master Plan.
- (d) The transfer of development rights is permitted as set forth in this chapter.
- (e) Nothing in this section affects the provisions of this chapter regarding deed restrictions, covenants, easements, and other regulations.

#### **DIVISION 4. – MIXED-USE ZONING DISTRICT**

##### **Sec. 138-800. – MXD, Mixed-Use District – Definition, purpose and intent of district.**

The Mixed-Use District is intended to promote and achieve distinctive urban nodes that include a mix of complementary land uses designed and arranged to promote economic diversity and to be walkable, bicycle-friendly, and transit supportive. The Mixed-Use district is intended to implement the pedestrian-friendly, transit-oriented goals of the Comprehensive Plan. While there are no defined acreage parameters for the Mixed-Use district, the density, intensity, mass and scale of development must be compatible with the existing and/or intended surrounding community and its distinctive characteristics, with the availability of public services and facilities, and with the area's natural and cultural resources.

The mixed-use district is implemented via an approved Development Master Plan that establishes land uses, a transportation network, utility plans, and phasing plans. Development within the mixed-use district strives to achieve the following urban characteristics:

- (a) Diverse housing options to accommodate a range of residential building forms and housing sizes.
- (b) Promote the health and well-being of residents by including active and passive public open space that encourages physical activity, designing for pedestrian activity, providing access to alternative transportation choices, and fostering greater social interaction.
- (c) Provide for flexible mixed-use developments at a scale that serves one or more neighborhoods in appropriate locations that have adequate infrastructure, transportation access, and market demand, consistent with the vision articulated within the Pinellas County Comprehensive Plan.
- (d) Encourage walkable, mixed use activity centers and corridors within the community that provide greater opportunity for pedestrian activity, bicycle uses, reduced parking, and improved sense of place.
- (e) The district shall also promote optimal land use relationships and achieve compatibility with surrounding neighborhoods.
- (f) Provide for a broad range of uses, including places of employment, neighborhood shopping, and commercial services with diverse housing options that meet the community's needs.

**Sec. 138-801. – MXD, Mixed-Use District – Table of Uses**

Land uses within the mixed use district shall be permitted as defined in *Table 138-801 – Table of Uses for the MXD district*. The review procedures are further defined in Article II of the Zoning Code.

- (a) An "A" in Table 138-801 denotes that the specific use is permitted as an accessory use to other uses within the district.
- (b) A "1" in Table 138-801 denotes that the specific use is a permitted use and may be established and expanded as an administrative review as defined in Article II.
- (c) A "2" in Table 138-801 denotes that the establishment of the specific use requires ~~Local Planning Agency~~ Community Development Board review, approval and/or approval with conditions as defined in Article II.
- (d) A "3" in Table 138-801 denotes that the establishment of the specific use requires Board of County Commissioners review, approval, and/or approval with conditions as defined in Article II.
- (e) A blank in Table 138-801 denotes that the specific use is not allowed in the zone.
- (f) A "Y" in the Supplemental Uses Standards column of Table 138-801 indicates that there are specific land development or operational requirements that must be provided for the specific use.
- (g) A use that is not listed on Table 138-801 is not permitted in the Mixed-Use District, except as provided for in Section 138.\_\_\_\_, Administrative Provisions.

Table 138-801 – Table of Uses for the MXD District		
<p>LEGEND:            1 = Permitted Use/ Administrative Review;            2 = <u>Local Planning Agency Community Development Board</u> Review;            3 = Board of County Commissioners Review;            A = Accessory</p>	MXD: Mixed-Use District	Supplemental Use Standards (refer to specific Code section)
USE		
<b>Residential Uses</b>		
Accessory Artist in Residence	A	
Accessory Dwelling Unit	A	Y
Accessory Dwelling Unit, Owner/Manager	A	Y
Affordable Housing Development (AHD)	1	Y
Assisted Living Facility	2	
Community Residential Home, Category 1: 1 to 6 residents	1	Y
Community Residential Home, Category 2: 7 to 14 residents	2	Y
Community Residential Home, Category 3: more than 14 residents	2	Y
Dormitory	A	Y
Dwelling, Live/Work	1	Y
Dwelling, Multifamily and their customary accessory uses	1	Y
Dwelling, Single-family Attached (Townhouse) and their customary accessory uses	1	Y
Dwelling, Single-family Detached and their customary accessory uses	1	Y (Modular Homes)
Dwelling, Single-family Zero Lot Line and their customary accessory uses	1	Y
Dwelling, Three-family and their customary accessory uses	1	
Dwelling, Two-family and their customary accessory uses	1	
Marina	3	
<b>Accommodations</b>		
Bed and Breakfast	1	Y
Hotel	1	Y

Table 138-801 – Table of Uses for the MXD District

LEGEND: 1 = Permitted Use/ Administrative Review; 2 = Local Planning Agency <u>Community Development Board</u> Review; 3 = Board of County Commissioners Review; A = Accessory	MXD: Mixed-Use District	Supplemental Use Standards (refer to specific Code section)
USE		
Motel	1	Y
<b>Commercial and Office Uses</b>		
Bank	1	
Car Wash and Detailing	3	Y
Catering Service / Food Service Contractor	1	
Convenience Store with or without Fuel Pumps	3	Y
Dispensing Alcohol: Off-premise consumption	1	Y
Dispensing Alcohol: On-premise consumption	1	Y
Drive-Thru Facility or Use with a Drive-Thru	2	Y
Health Club/Fitness Center	1	Y
Home Occupation	A	Y
Kennel/Pet Care Indoor	3	Y
Motor Vehicle Sales	2	Y
Nursery / Greenhouse, Retail	1	
Office, General	1	
Office, Medical or Dental	1	
Office, Temporary Labor (Day Labor)	3	
Office, Veterinary	2	Y
Outdoor Sales, Outdoor Oriented Goods	2	Y
Outdoor Sales, Garden Oriented	2	Y
Pharmacy	1	
Restaurant	1	
Restaurant: Accessory Outdoor Area	A	Y
Retail Sales and Service	1	
Service and Repair	2	
Service, Office	1	Y

Table 138-801 – Table of Uses for the MXD District

LEGEND: 1 = Permitted Use/ Administrative Review; 2 = <del>Local Planning Agency</del> <u>Community Development Board</u> Review; 3 = Board of County Commissioners Review; A = Accessory	MXD: Mixed-Use District	Supplemental Use Standards (refer to specific Code section)
USE		
Service, Personal	1	Y
Sidewalk Café	1	Y
Studio and Gallery	1	Y
<b>Industrial, Manufacturing, and Warehousing Uses</b>		
Battery Exchange Stations	1	
Electric Vehicle Charging Station	A	Y
Laboratories and Research and Development	3	
Manufacturing - Light, Assembly and Processing: Type A	3	
Recycling Center	3	Y
Storage, Self / Mini Warehouse	3	Y
Vehicle Refueling Station	3	Y
Vehicle Storage, Maintenance and Repair	3	Y
<b>Arts, Recreation, and Entertainment Uses</b>		
Club, Community Service and Fraternal	1	
Commercial Recreation, Indoor	3	Y
Commercial Recreation, Outdoor	3	Y
Movie Theater/Cinema	3	
Museum/Cultural Facility	3	
Public or private parks, playgrounds and recreation areas	1	
Performing Arts Venue	3	
Recreation Use, Accessory to Residential Use	A	
<b>Education, Public Administration, Health Care, and Industrial Uses</b>		
Birthing Center	1	
Day Care Center, adult	1	Y
Day Care Facility, child	1	Y
Government Building or Use	1	Y
Hospital	3	Y

Table 138-801 – Table of Uses for the MXD District		
<p>LEGEND:            1 = Permitted Use/ Administrative Review;            2 = Local Planning Agency <u>Community Development Board</u> Review;            3 = Board of County Commissioners Review;            A = Accessory</p>	MXD: Mixed-Use District	Supplemental Use Standards (refer to specific Code section)
USE		
Library	1	
Meeting Hall and other Community Assembly Facility	1	
Nursing Home	1	Y
Place of Worship	3	Y
School, Public, Pre-K thru 12 (Governmental)	2	Y
School, Private, Pre-K thru 12 (Nongovernmental)	2	Y
School, Post-Secondary	3	
School, All Others	3	
<b>Transportation, Communication, and Information Uses</b>		
Docks and Piers	A	Y
Mass Transit Center	1	Y
Navigation safety devices and structures	2	
Parking, Surface - Accessory	1	Y
Parking Structure	1	Y
Wireless Communication Antennae (WCA)	A	Y
<b>Utilities</b>		
Solar Energy Systems	A	Y
Utility Substation	3	Y
Water Recapture Systems	A	
Wind Energy Conservation System (WECS), Small Scale	1	Y
<b>Agricultural Uses</b>		
Community Gardens	1	Y
<b>Other Uses</b>		
Land Fills of More than 1,000 Cubic Yards	2	Y
Land Fills or Excavations of Less than 1,000 Cubic Yards	1	Y

**Sec. 138-802. – MXD, Mixed-Use District – Development Parameters.**

MXD – Development Parameters Table <sup>6</sup>											
Max. Density <sup>1</sup>	Max. FAR <sup>1,2</sup>	Max. ISR	Min. Lot <sup>3</sup>				Min. Setbacks <sup>4</sup>				
			Max. Building Height (ft)	Area	Width (ft)	Depth (ft)	Front	Side	Rear		
See Table 138-351	See Table 138-351	.85	<b>Single-Family Detached</b>								
			45	3,000 sf			10-ft	0/5-ft	5-ft		
			<b>Single-Family Attached (townhouse)</b>								
			45				8-ft	0/5-ft	5-ft		
			<b>All Other Uses and Building Types<sup>5</sup></b>								
			70	N/A	N/A	N/A	0-ft	0-ft	0-ft		

1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.
2. Until an Applicant initiates construction of a portion of the approved residential component, construction of the non-residential component/s shall not exceed a square footage greater than 0.35 FAR. After construction of a portion of the approved residential component is initiated, the Applicant may commence construction of the remaining non-residential components as permitted by the approved Development Master Plan. The percent of residential required to be under construction shall be approved as part of the Development Master Plan.
3. Lot standards are only applicable where units are built on individual lots.
4. Attached units located on individual lots shall conform to the following side setback standards:
  - Interior units with adjacent units connected on each side may be permitted a 0-foot side setback;
  - End units shall provide a 0-foot side setback for portions that are connected to an adjacent unit and a 5-foot setback where no adjacent unit is attached.

Zero lot line units shall conform to the following side setback standards:

  - One side yard may provide a 0-ft side setback;
  - The opposite side property line shall provide a 10-foot side setback;
  - The side setback may be adjacent so long that a 10-foot building separation is provided from any adjacent structure in perpetuity.
5. All non-residential and multifamily buildings shall be setback 25-feet from any platted single-family detached lot located within the mixed-use district, and 50-feet from any platted single-family detached lot located in adjacent areas outside the mixed-use district.
6. If located within a Station Area, the Station Area Plan shall govern density, FAR, ISR, and building height for the development.

### **Sec. 138-803. – MXD, Mixed-Use District – Land Uses**

The MXD, Mixed-Use District shall be planned and developed according the following use standards.

- (a) Land uses shall be allowed pursuant to Table 138-801. Specific uses shall obtain the review approval as defined in the table.
- (b) Mixed-use development may be permitted as follows:
  - (1) Vertical Mixed-use – A variety of uses may be provided within a single multi-story building.
  - (2) Horizontal Mixed-use – A variety of uses may be provided within the same development in separate buildings.
- (c) Mixed-use developments must contain at least two distinct use types, one of which being some form of residential use. Residential uses must be developed to at least 25 percent of maximum allowable residential density.
- (d) A development that can demonstrate that the average residential density within a ¼-mile buffer is at least 10 dwelling units per acre and the number of residential units is comparable to what would be required in subsection (c) above shall be exempt from any residential component if the surrounding residential component has direct public access via a road, sidewalks and/or trail. Upon sufficient information/verification provided by the applicant, the Zoning Administrator shall have the right to administratively waive this criterion, as the existing surrounding residential uses shall be presumed to be complementing/fulfilling the intent of the MXD Zone.
- (e) Common Open Space - All mixed-use developments shall provide a minimum percentage of the total land area as common open space determined by the size of the overall development as follows: less than three acres, 10 percent; three to 10 acres, 12 percent; greater than 10 acres, 15 percent. Required common open space shall be satisfied as part of the Development Master Plan and provided according to the following:
  - (1) The required common open space area shall be planned within 15 feet of finished grade.
  - (2) Required common open space shall be accessible, at a minimum to all residents within the development, or set aside for protection of natural features and visual enjoyment.
  - (3) Except for Low Impact Development (LID) stormwater management systems, stormwater management may not be counted towards satisfying the common open space requirement. Up to 50 percent of the common open space requirement may be satisfied by stormwater management systems that utilize LID stormwater management principles, including but not limited to bio/vegetated swales, buffers and landscape strips; bioretention and biofiltration; rainwater harvesting systems and rain gardens.
  - (4) Required common open space shall be usable for active or passive recreation or retained for natural resource protection.
  - (5) Other green space, open space, parks, and recreational uses may be permitted pursuant to Table 138.801.

**Sec. 138-810. – MXD, Mixed-Use District – Design Criteria**

In addition to the land use standards listed, the mixed-use district shall be planned, phased, and developed consistent with the design criteria listed in the following subsections.

Specific life/safety standards shall prevail and supersede these design criteria when there is a conflict with other governmental life/safety codes. The Zoning Administrator may administratively modify or waive any design criteria that is in conflict with life/safety standards. All other variances to required design criteria must be approved by the Development Review Committee.

**Sec. 138-810.1 – Site Layout and Orientation**

(a) Street Design

- (1) Internal streets shall be designed as an extension of the surrounding roadway pattern. Specifically, adjacent roadways should be extended into the mixed-use development and integrated into the project transportation network. Exemptions shall apply to situations where natural features (e.g. wetland) prevent such a connection.

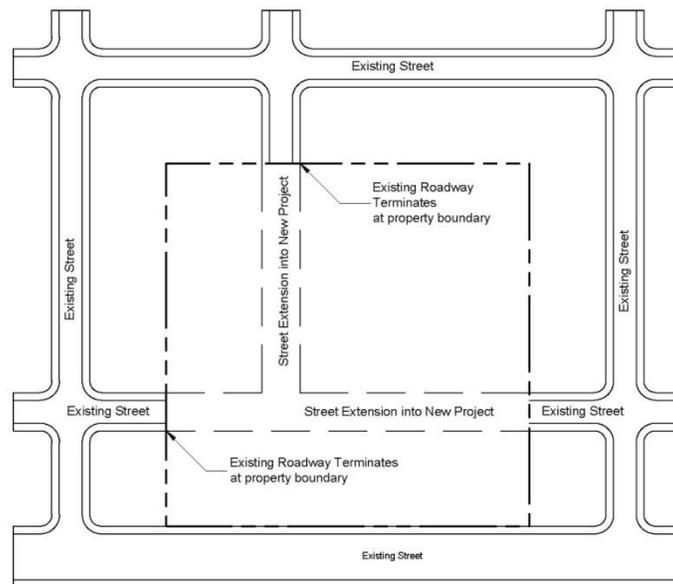


Figure 138-810.1(a).1. – Site Layout – Street Extensions into New Projects/Developments

- (2) Internal blocks should not exceed 600 linear feet. Block lengths shall be limited and interrupted with a roadway connection, open space tract, and/or significant pedestrian pathway.

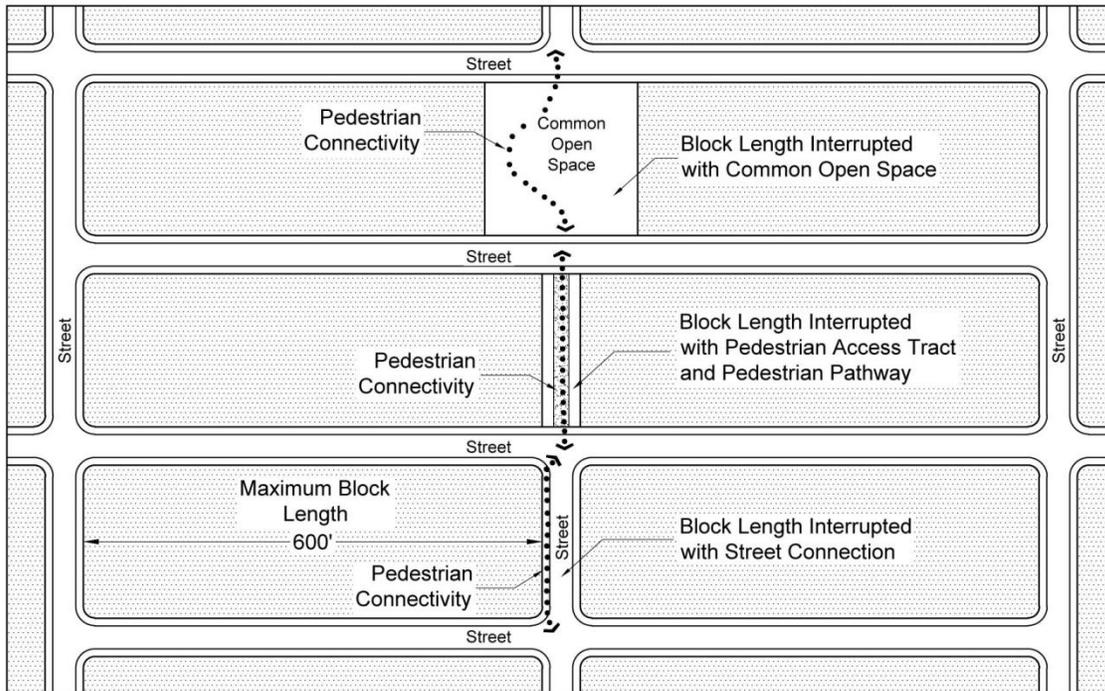


Figure 138-810.1(a).2. – Site Layout – Block Length Standards

- (3) Internal collector and local roadways that exceed 400 linear feet on a given block should incorporate on-street parking where practical.
  - (4) All internal and abutting streets shall be lined with sidewalks. Exceptions to this standard are allowed to protect natural resources, to recognize onerous topographic features, and to comply with design restrictions from other governing agencies.
- (b) Building Orientation
- (1) Structures shall be oriented toward an adjacent roadway or open space area.
    - a. The first floor of commercial buildings of more than 30,000 square feet shall be edged with small scale uses (e.g. retail, restaurant, residential) or the entire wall shall include architectural details such as fenestration, large false (or real) display windows, natural finishes and other architectural features intended to break-up large expansive façades.
    - b. Large format commercial buildings may be located internal (set back from the street) to the development when separate buildings are located along adjacent streets.
  - (2) Buildings shall be located adjacent to streets to establish an urban form that is oriented to the pedestrian and provides walkway connections to transit stops and public sidewalks.
  - (3) New multi-building developments shall be designed consistent with the theming framework of the approved Development Master Plan
  - (4) All service areas and loading docks shall be located behind the front facade line of the principal structure they are intended to serve and shall be screened from adjacent roadways and uses.

- (5) All mechanical equipment and utility functions (e.g. electrical conduits, meters, HVAC equipment) shall be located behind the front façade line of the principal structure. Mechanical equipment that is visible from the streets shall be screened with a material that is compatible with the architecture of the principal structure.
- (6) Drive-through service windows shall not be oriented to an adjacent street, unless the site abuts multiple public or private streets, in which case the drive-through pick up service window may be oriented to one of those streets. Drive-through order speakers must be directed away from adjacent residential uses.
- (7) At least 50 percent of the combined single-family detached and attached units shall be designed with rear loaded garages and/or parking areas.
- (8) Portions of a building located within 25 feet of the boundary of any parcel zoned for single-family dwellings shall be limited to 45 feet in height.

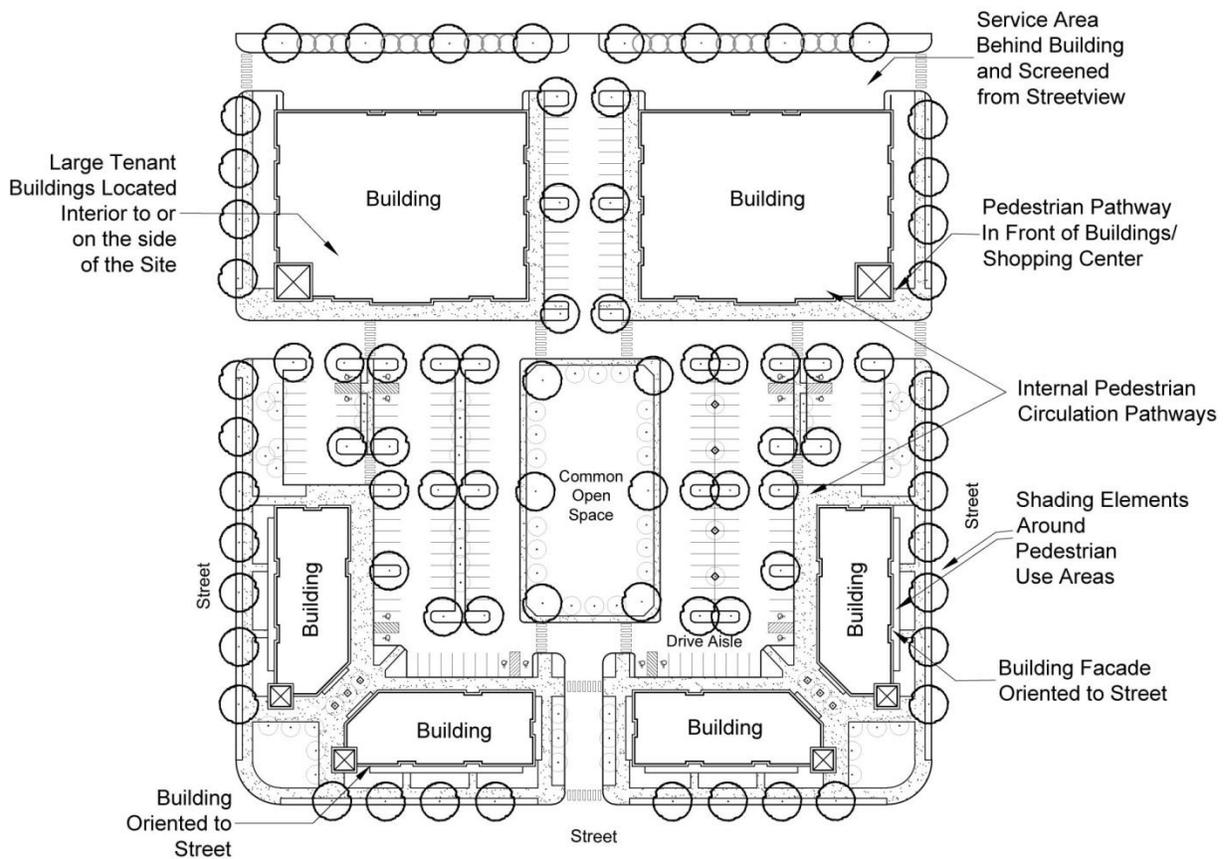


Figure 138-810.1(b). – Site Layout – Building Orientation

(c) Parking Lots and Parking Structures

- (1) Parking lot location should be as follows:
  - a. Parking areas shall be located behind a front building façade.

- b. Parking areas should not be located between a building façade and a roadway.
  - c. Drive aisles shall not be located between the front building façade and a roadway.
  - d. Passenger loading and unloading areas may be provided between a front building façade and an adjacent street. When a passenger loading and unloading area is provided in this arrangement, one drive aisle may be provided to link vehicles to parking areas.
- (2) Parking lots shall be landscaped as required by Code, and incorporate Low Impact Design (LID) techniques where desired by the developer or otherwise required by Code. No more than an average 24 parking spaces shall be allowed between islands to reduce the overall scale of the parking area.
  - (3) Parking areas shall provide for internal vehicle connections at logical locations between abutting parking areas and adjacent non-residential and multi-family properties.
  - (4) Parking lots should be designed to respond to and preserve existing mature trees to the greatest extent possible. Pervious paving and/or pavers may be used for parking surfaces near mature trees to ensure root health and preservation.

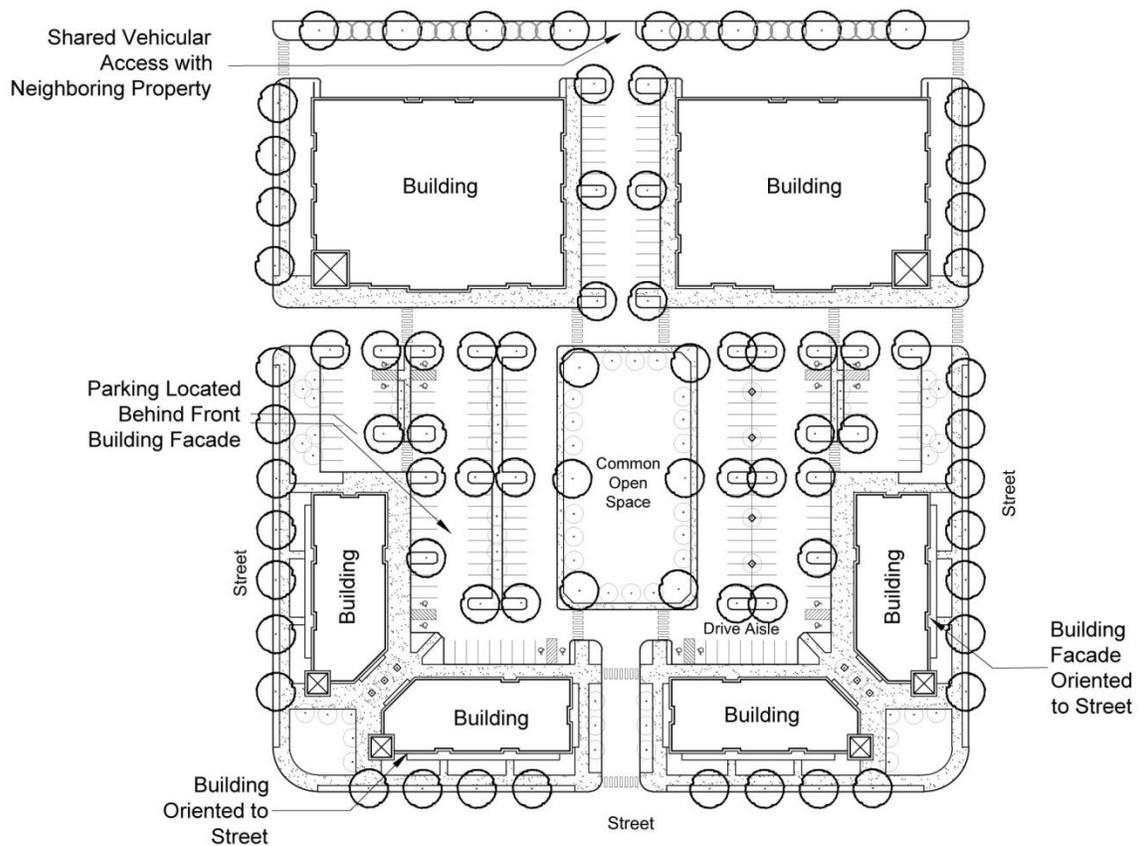


Figure 138-810.1(c). – Site Layout – Parking Design Standards

- (5) Parking structures should be internal to the site and shall include architectural features/design elements and a façade treatment compatible with the principal structure; or shall be screened with ornamental grillwork, artwork, vertical/façade landscaping, or similar architectural features. Parking structures located along a primary roadway shall include ground-floor commercial or employment along a minimum of 50 percent of the roadway frontage.

(d) Pedestrian Connections/Circulation

- (1) Where multiple store fronts or multiple buildings exist within the same development, each shop shall be connected by an internal sidewalk system that is clearly delineated from the vehicular pavement. The internal sidewalk system shall connect to any public sidewalk that abuts the property.
- (2) An internal pedestrian system shall provide a connection at logical locations to abutting properties.
  - a. An internal pedestrian connection is not required to abutting single-family residential lots.
  - b. Internal pedestrian connections to adjacent properties are not required at locations that:
    1. Are separated by significant natural features such as wetlands, streams and topography AND/OR
    2. Are separated by significant man-made features such as canals, stormwater ponds, rail lines, storage yards, and the like.
- (3) All buildings that face a primary roadway/street shall contain an entryway that is oriented to said roadway. The entryway shall include decorative door surrounds, porches, porticos, arcades and/or stoops, which shall be permitted to extend five feet into the building setback. This does not preclude supplemental entrances not facing a roadway.
- (4) At least one designated pedestrian pathway shall be provided across parking lots that exceed 50 total parking spaces. This designated pedestrian pathway shall be a minimum of five feet in pavement width. The pedestrian pathway shall provide a direct connection between building entrances and all adjacent streets.
- (5) To further encourage the use of innovative sustainable energy opportunities, the use of solar panels as coverage for pedestrian walkways and car ports shall be encouraged. In such cases, solar panel covered pedestrian walkways that connect to public roadways and/or transit services shall allow for a 10 percent reduction to the projects overall parking space requirement.
- (6) Structures and landscaping shall be constructed/planted around pedestrian use areas to provide shade and reduce heat island effects.

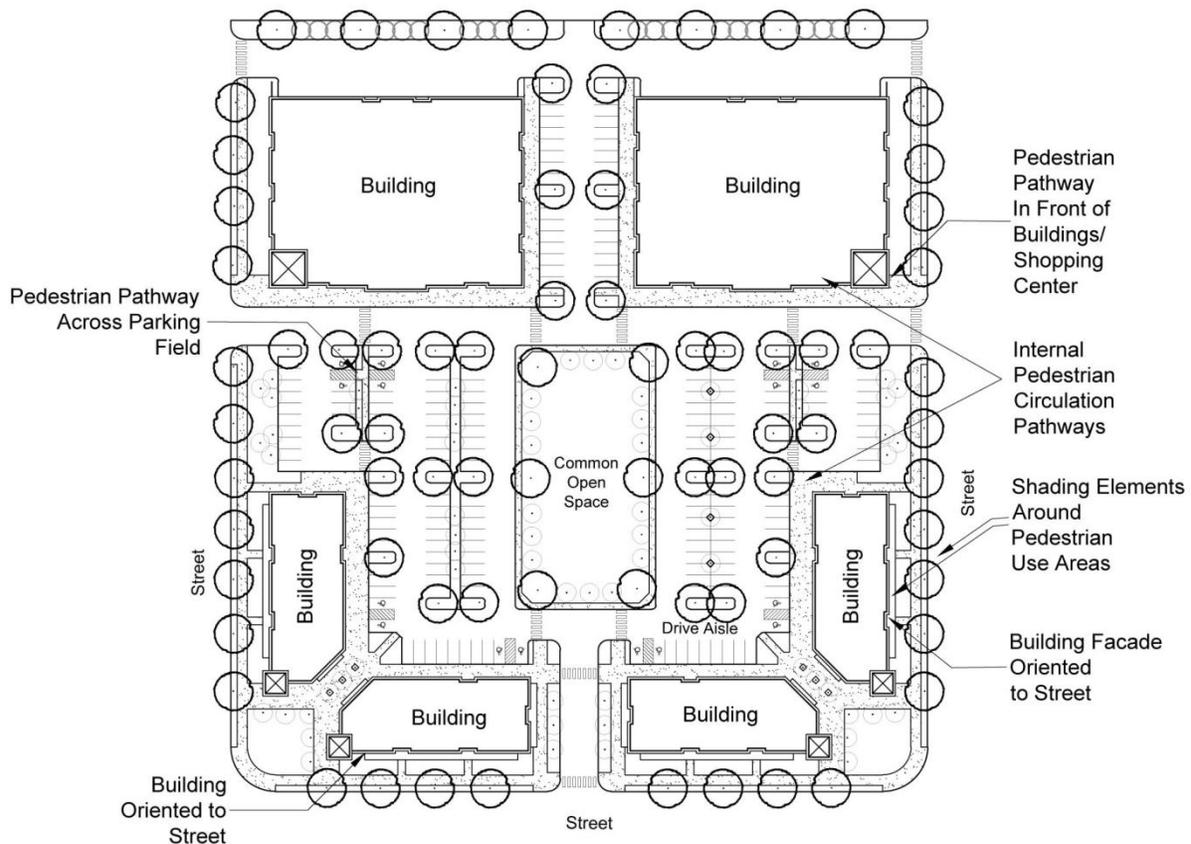


Figure 138-810.1(d). – Site Layout – Pedestrian Design Standards

(e) Project Phasing

- (1) Development projects may be phased to incrementally comply with design criteria so long as a development plan for the entire site is approved that depicts a build out design that complies with design criteria and any approved variances.

**Sec. 138-810.2 – Building Design Standards**

(a) Building Style

- (1) New construction shall utilize an identifiable architectural style.
- (2) Renovations, additions and accessory structures shall be designed to be compatible with the architectural style of the structure in which they are a part, which will be determined by reviewing building materials, finishes and other significant features.
- (3) Multi-building developments shall provide a unified architectural theme with standardized building materials, finishes, and color schemes. All buildings on the site shall project a complementary building style and/or architectural theme.

(b) Building Form

- (1) Non-residential and vertical mixed-use buildings should be constructed at a width to height ratio of no more than 3:1. Buildings that exceed the width to height ratio of 3:1 shall have architectural fenestration creating a bay system that divides the

building design into a maximum ratio of 3:1. This may be done through pilasters, arcades, building line and roof line off-sets, materials and other appropriate architectural features.

- (2) Multifamily residential projects should be constructed at a width to height ratio of no more than 2:1. Buildings that exceed the width to height ratio of 2:1 shall have architectural fenestration creating a bay system that divides the building design into a maximum ratio of 2:1.
- (3) To promote economic development and flexibility for future tenant re-use, the first floor of each multi-story building should not be less than 12 feet in height measured from the finished first floor surface to the bottom of the second floor. This standard is only applicable to non-residential and vertical mixed-use buildings.
- (4) Multi-tenant buildings shall provide shelter elements such as awnings, arcades, and/or shade trees along the majority of its front façade to protect people from weather elements including sun, wind, and rain.

(c) Building Façade

Façade standards ensure that ground-level storefronts, and multi-family and attached single-family residential buildings, offer attractive features to the pedestrian. They also mitigate blank walls and ensure that all sides of a building have visual interest.

- (1) Buildings which are situated on corner lots or through lots, or which by the nature of the site layout are otherwise clearly visible from rights-of-way, shall be designed with architectural treatment on each building side that is visible from rights-of-way, primary accessways, and internal roadways. Architectural treatments shall include roof design, wall materials, architectural trim, and door and window. While it is recognized that buildings have primary and secondary façades, the construction materials and detailing should be similar throughout.
- (2) At least 50 percent of street facades shall have fenestration. At least 30 percent of the interior side and rear facades shall have fenestration. Entry doors shall count as fenestration. Garage doors are not fenestration on street facing facades
- (3) At least 25 percent of linear ground level, street level façades of non-residential, multifamily residential, and vertical mixed-use buildings shall be transparent, meaning glass or other transparent or translucent materials.

**Sec. 138-820. – MXD, Mixed-Use District – Development Master Plan**

The Mixed-Use District shall be planned, phased and developed as part of a Development Master Plan that is created and approved for each mixed-use development or portion thereof. Each Development Master Plan shall be subject to the following standards.

- (a) A Development Master Plan shall be prepared and submitted for each Mixed-Use District or portion thereof.
  - (1) The Development Master Plan shall be created by the land owner (or authorized agent) of the property. The County may initiate and approve a Development Master Plan with the owner's approval.
  - (2) Multiple Development Master Plans may be approved for distinctive components within the overall development and specifically reserved for situations of separate ownerships or development entities.

- (3) A Development Master Plan shall be created and approved prior to any development or redevelopment. All new development shall be consistent with an approved Development Master Plan.
  - (4) Zoning Amendment Application Requirements – For zoning amendment applications that propose three or more acres of new MXD land area, a Development Master Plan shall be submitted with the application.
  - (5) The review and approval of new Development Master Plans shall be by the Development Review Committee unless the Plan is submitted at the time of rezoning pursuant to this section. In such case, the Development Master Plan shall be subject to review and approval by the Board of County Commissioners concurrently with the zoning amendment application. Level 2 and 3 land uses as identified in the table of uses shall obtain approval by corresponding review board.
- (b) A Development Master Plan shall be designed as a series of framework plans that, collectively, create a complete future development plan. The Development Master Plan shall include the following framework plans:
- (1) Transportation Framework – The Development Master Plan shall depict all access points, internal roadways, surrounding roadways, transit stops (if available), bicycle facilities, electric vehicle parking and pedestrian facilities.
  - (2) Land Use Framework – The Development Master Plan shall assign future land use designations to all areas of the development and indicate use, acreage, number of dwelling units, height of buildings, and square footage of floor area.
  - (3) Open Space Framework – The Development Master Plan shall depict the open space network within the development. The individual open space areas shall correspond with a table that identifies the planned uses and recreation programming unique to each tract.
  - (4) Utilities Framework – The Development Master Plan shall depict planned potable water, reclaimed water, re-use water, and sanitary sewer connections, as well as the proposed stormwater management system that will serve the overall development.
  - (5) Phasing Framework – The Development Master Plan shall illustrate a phasing plan for development and/or redevelopment. The phasing plan shall include the applicable sequencing of utilities, transportation, and land uses. The first phase of development must include a minimum of two uses, one of which being some type of residential use unless exempted pursuant to Sec. 138-803(c)(1). If residential is required, construction of the non-residential component(s) shall not exceed a square footage greater than 0.35 FAR until construction of a portion of the approved residential component is initiated. After construction of a portion of the approved residential component is initiated, construction may commence on the remaining non-residential component(s) as permitted by the approved Development Master Plan. The percent of residential required to be under construction shall be approved as part of the Development Master Plan.
  - (6) Theming Framework – The Development Master Plan shall include a theming plan that identifies the intended design and style of building architecture. The Theming Framework contents may be general in nature but should include images, illustrations, and/or details.
  - (7) Sustainability Framework – The Development Master Plan shall depict and identify all sustainability efforts included as part of the overall project. These efforts may

include, but not be limited to, reduced vehicle travel initiatives, proximity to transit, connections to or addition of multimodal travel options, park and open space, use of Low Impact Development (LID) techniques, solar and alternative energy initiatives, ground water recharge initiatives and recycling initiatives.

(c) Existing Development Master Plans

(1) All previously approved Development Master Plans shall remain in effect. Any modifications to existing Plans, which includes adding or removing property from a Development Master Plan, shall be subject to the standards of this section. A land owner (or authorized agent) may only modify portions of the Development Master Plan that are under their ownership.

a. The Development Review Committee may review and approve modifications to Development Master Plans with the following exceptions:

1. Level 2 and 3 land uses as identified in the table of uses shall obtain approval by corresponding review board.
2. Existing Development Master Plans that were originally approved by the Board of County Commissioners shall seek approval from the Board for any substantial modification to the plan such as density/intensity increases, land use locations, land use mix, open space decreases, primary transportation connections, and any conditions of approval.

(2) Existing Development Master Plans may be developed to or modified with the previously approved density/intensity limitations.

(3) Existing Development Master Plans may be modified to the density/intensity limitations of underlying Future Land Use Map classification of the Comprehensive Plan.

a. Any excess density/intensity that is identified between the Future land Use Map classification and the original Development Master Plan may be assigned to the project.

b. When areas of the Development Master Plan are owned by different entities, said areas are entitled to add a portion of the excess density/intensity based on their land holding percentage in relation to the original Development Master Plan.

(d) The transfer of development rights is permitted as set forth in this chapter.

(e) Nothing in this section affects the provisions of this chapter regarding deed restrictions, covenants, easements, and other regulations.

## **DIVISION 6. - OPH-D, OLD PALM HARBOR-DOWNTOWN DISTRICT**

### **Sec. 138-1006. - Definition, purpose and intent of district.**

The Old Palm Harbor-Downtown (OPH-D) District will provide a set of regulations that recognize, maintain and encourage the special character, uses and history of Downtown Old Palm Harbor and its historic district. The area will include a mixture of retail, lodging, residential, office and service uses. The OPH-D district is intended to assist in implementing the Downtown Historic Palm Harbor Master Plan adopted by the board of county commissioners by Ordinance No. 01-85 on December 18, 2001. Only those properties located within the master plan study area as adopted, or as it may be amended by the board, are eligible for designation with this district. The OPH-D district incorporates design and dimensional regulations that maximize the pedestrian

experience and that recognize the existing character of Old Palm Harbor and its historic buildings.

Due to the increased mix of uses promoted, there is the opportunity to combine multiple purposes into one trip. As a result, parking requirements reflect this increased rate of internal capture and other unique circumstances such as a mix of uses, on-street parking, and bike traffic from the Fred Marquis Pinellas Trail.

There are two sub-districts within the OPH-D district based upon the desired uses and the street function. The sub-district assignments will differentiate uses and dimensional regulations, as outlined in the following sections.

- (1) East sub-district: Represents the historic downtown commercial center for Old Palm Harbor.
- (2) West sub-district: Represents a transitional area between residential uses near the waterfront and the historic downtown commercial center.

(Ord. No. 02-42, § 3, 5-21-02)

**Sec. 138-1007. - Applicability and nonconformities.**

- (a) The OPH-D district zoning and design guidelines will provide for the regulation and restriction of uses, structures, lots and parcels, or combinations thereof, which were lawfully established prior to the adoption of the ordinance from which this division derives.
  - (1) All new uses, development, alteration, demolition, relocation, reconstruction and excavation within the OPH-D district shall be subject to the requirements of this division.
  - (2) All new development, alteration, demolition, relocation, reconstruction, and excavation within the OPH-D district shall be subject to the requirements and procedures of section 146-5 for certificates of appropriateness. The design criteria for issuance of a certificate of appropriateness in the OPH-D district shall be as stated in section 138-1013
  - (3) A Downtown Palm Harbor Review Committee is established in section 138-1015 to enable the local community to review and make recommendations to county staff on applications for certificates of appropriateness within the OPH-D district.
- (b) Sections 138-201 through 138-208, regarding nonconformities, shall apply to the OPH-D district.
- (c) In cases where an individual lot or parcel has a building site area smaller than the requirements of the district:
  - (1) Individual lots of record that were legally platted as of the date of adoption of the ordinance from which this division derives and no less than 25 feet in width may be developed.
  - (2) No new lots less than 50 feet in width shall be created.
- (d) Section 138-1009, first floor uses, shall be made compliant according to the criteria of sections 138-201 through 138-208, regarding nonconforming uses.
- (e) Communication towers and antennas as defined in the Pinellas County Code, section 138-1347, must comply with the height requirements in the OPH-D zoning district and in the Downtown Palm Harbor Historic District and be camouflaged and consistent with the architectural character of the Downtown Palm Harbor Historic District.

(Ord. No. 02-42, § 3, 5-21-02; Ord. No. 04-72, § 1, 10-19-04)

**Sec. 138-1008. - Permitted uses.**

The following uses are permitted individually or in combination within the OPH-D district sub-districts subject to the standards in this Code.

Permitted Use	Allowable Sub-District
Commercial and Public/Semi-Public Uses:	
Retail business or commercial use that does not involve the manufacture or processing of products (e.g. grocery, convenience shopping, drugstore, hardware, sundries)	East sub-district
Medical and dental offices	East sub-district
Professional, scientific, and technical services (e.g. attorneys, accounting, engineering, architecture, real estate, stockbrokers, advertising, interior design, surveying and mapping, consulting services, scientific research, financial investment advise, software publishing, insurance)	Both sub-districts
Personal services (e.g. barbershops, beauty parlors, shoe repair, framing shop, personal and household goods repair and maintenance)	East sub-district
Eating and drinking establishments (indoor/outdoor)	East sub-district
Veterinary clinic (no kennel/all enclosed)	East sub-district
Studios and galleries (e.g. artist, photographer, musician)	Both sub-districts
Medical clinic provided it can be carried out in a manner compatible with the definition of this district	East sub-district
School (public or private)	East sub-district
Churches	East sub-district
Day care center(1)	Both sub-districts
Parks and related uses	Both sub-districts
Bank facilities	East sub-district
Bank drive-through facilities(2)	East sub-district
Parking lots or structures (stand-alone)(3)	East sub-district
Government and community buildings and uses(4)	East sub-district

Theatres(5)	East sub-district
Residential and Lodging Uses:	
Single-family dwellings	West sub-district
Duplex and triplex dwellings	Both sub-districts
Multiple family dwellings	Both sub-districts
Home occupations	Both sub-districts
Accessory dwelling units	Both sub-districts
Bed and breakfast(6)	Both sub-districts

Notes to permitted uses:

The following additional standards apply to specific permitted uses:

- (1) Day care centers shall be subject to the following requirements:
  - a. Provide a gross land area of 500 square feet per child (does not apply to adult day care).
  - b. Orient all children's play areas and provide buffering and separation, as deemed appropriate by the director of development review services, so as to prevent adverse impacts to adjacent properties (does not apply to adult day care).
  - c. Facilities to be licensed as required by appropriate governmental agencies.
  - d. Parking required at one space per employee plus one space per each 10 students or clients.
- (2) Bank drive-through facilities [shall be subject to the following requirements:]
  - a. Shall be set back 25 feet from existing residential uses including stacking lanes.
  - b. Shall only be considered for bank facilities located along Alternate U.S. 19.
- (3) Parking lots or structures (stand-alone): In addition to all other applicable requirements, parking lots shall comply with sections 138-1011 and 138-1012
  - a. Not permitted on Florida Avenue.
- (4) Government and community uses and buildings: Pursuant to section 138-270 (6).
- (5) Theatres [shall be subject to the following requirements:]
  - a. Limited in size to 200 seats.
  - b. Shall not be located adjacent to existing residential uses.
- (6) Bed and breakfast [shall be subject to the following requirements:]
  - a. Offers transient accommodations to lodgers in 10 or fewer guest rooms for rent.
  - b. A maximum six-square-foot sign may be provided to identify the facility location in the east sub-district.
  - c. A maximum two-square-foot sign may be provided to identify the facility location in the west sub-district.

(Ord. No. 02-42, § 3, 5-21-02)

**Sec. 138-1009. - First floor uses.**

In that portion of the east sub-district of the OPH-D district located south of Nebraska Avenue, north of Georgia Avenue, east of Alternate U.S. Highway 19, and west of C.R. 1, pedestrian-oriented uses are required on the first floor.

- (1) The allowable uses from section 138-1008 are:
  - (a) Retail businesses.
  - (b) Personal service establishments (e.g. personal and household goods repair and maintenance, personal care services such as barber shops, beauty salons, shoe repair, framing shops).
  - (c) Medical and dental offices.
  - (d) Eating and drinking establishments (indoor and/or outdoor).
  - (e) Food markets.
  - (f) Studios and galleries (artists, photographer, etc.).
  - (g) Bank facilities (no drive-through facilities).
  - (h) Bed and breakfast.
  - (i) Professional, scientific, and technical services (e.g. attorneys, accounting, engineering, architecture, real estate, stockbrokers, advertising, interior design, surveying and mapping, consulting services, scientific research, financial investment advise, software publishing, insurance).

(2) The criteria for compliance with this section are described in section 138-1007 (Ord. No. 02-42, § 3, 5-21-02; Ord. No. 04-72, § 2, 10-19-04)

**Sec. 138-1010. - Property development regulations.**

- (a) Maximum building height. No structure in the OPH-D district shall exceed 30 feet in height (measured to the lowest portion of the eaves).
- (b) Minimum building site area requirements. The minimum building site area requirements in the OPH-D district are as follows:
  - (1) Area: 4,500 square feet.
  - (2) Width: 50 feet.
  - (3) Depth: 90 feet.
  - (4) Lots less than 50 feet in width that are lawfully existing as of the date of adoption of this ordinance may be developed pursuant to the conditions outlined in section 138-1007
- (c) Maximum lot development.

Maximum Lot Development	Sub-District	
	East	West
Floor Area Ratio (F.A.R.)(1)	0.40 maximum(2)	0.30 maximum(3)
Residential Density	10 units per gross acre	10 units per gross acre
Impervious Surface Ratio	0.85 maximum	0.75 maximum

Notes to the maximum lot development:

- (1) Floor area used as a dwelling unit shall not be included in calculating floor area and are exempt from F.A.R. limitations.
- (2) The maximum F.A.R. for properties where first floor uses are restricted per section 138-1010 is 0.60.
- (3) Professional, scientific, and technical service uses, galleries, and studios shall not exceed an FAR of 0.30 or 1,500 square feet, per lot, whichever is less. These nonresidential uses shall only be permitted within an existing residential structure that has been converted for these types of uses. Any structural changes, modifications, or enlargements to existing residential structures shall retain the residential character of the building.

(d) Setback requirements. The following setbacks shall be required:

	Setbacks				
	Front	Side	Rear	Abutting Residential	Corner
East sub-district, abutting Florida Avenue east of Alt. 19; and the property at 1205 Omaha Cir.  Minimum Maximum	0 ft. 15 ft	0 ft. —	0 ft. —	7.5 ft. —	0 ft. —
East sub-district, not abutting Florida Avenue east of Alt. 19  Minimum Maximum	10 ft. 20 ft.	0 ft. —	0 ft. —	7.5 ft. —	5 ft. —
West sub-district  Minimum	10 ft.	7.5 ft	15 ft.	—	10 ft.

Notes to the setback requirements:

- (1) The maximum setback on the east side of Omaha Circle/College Hill Drive, between Nebraska Avenue and Georgia Avenue, shall be 30 feet to accommodate the historic perpendicular parking pattern that was incorporated into the Downtown Historic Palm Harbor Master Plan adopted on December 18, 2002.

(Ord. No. 02-42, § 3, 5-21-02; Ord. No. 04-72, § 3, 10-19-04)

**Sec. 138-1011. - Off-street parking.**

This section provides for safe and efficient parking while recognizing the unique conditions in Palm Harbor. Some internal capture of vehicle trips results from the mixture of uses and the bicycle traffic from the Fred Marquis Pinellas Trail. This combined with the public on-street parking improvements allows a reduced off-street parking requirement for comparable uses in conventional zoning districts.

- (1) There shall be provided at the time of the erection of any structure, or at the time any structure is enlarged or increased in capacity, a minimum number of off-street parking spaces.
- (2) For nonresidential uses, except for medical clinics and offices and other office buildings, in that portion of the east sub-district south of Nebraska Avenue, east of Alternate U.S. Highway 19, north of Michigan Avenue, and west of C.R.1: the minimum number of spaces provided on-site shall be equal to 45 percent of the minimum number of off-street automobile parking spaces required in section 138-1302, with a minimum of two spaces.
- (3) For medical clinics and offices and other office buildings, in that portion of the east sub-district south of Nebraska Avenue, east of Alternate U.S. Highway 19, north of Michigan Avenue, and west of C.R.1: the minimum number of spaces provided on-site shall be equal to 55 percent of the minimum number of off-street automobile parking spaces required in section 138-1302, with a minimum of two spaces.
- (4) For nonresidential uses in the east sub-district north of Nebraska Avenue or west of Alternate U.S. Highway 19: the minimum number of off-street parking spaces shall be equal to four-fifths of the minimum number of off-street parking spaces required in section 138-1302, with a minimum of two spaces. Designated on-street parking directly fronting a lot shall count toward fulfilling the parking requirement for that lot.
- (5) For nonresidential uses in the west sub-district: the minimum number of spaces provided on-site shall be equal to four-fifths the minimum number of off-street automobile parking spaces required in section 138-1302, with a minimum of two spaces.
- (6) Off-street parking for nonresidential uses in the west sub-district shall not be located in the front or corner setback areas.
- (7) Any outdoor seating area shall be included when calculating the required number of minimum off-street parking spaces, except that no off-street parking shall be required for an outdoor seating area that allows up to 24 seats and is equal to or less than 400 square feet in area. An outdoor seating area shall be accessory to an indoor eating and/or drinking establishment.
- (8) Alleys may be used for access to off-street parking spaces.
- (9) Parking spaces for nonresidential uses may be provided on a separate lot or parcel not more than 500 feet from the primary parcel to be served as measured along the most direct pedestrian route.
- (10) Bed and breakfast in the east sub-district: one off-street parking space for every two guest rooms plus one space. Bed and breakfast in the west sub-district: one off-street parking space for every guest room plus two spaces. Parking shall be provided in a manner that is compatible with the surrounding area.
- (11) Single-family dwellings: two off-street parking spaces per dwelling unit.
- (12) For all other residential uses: one off-street parking space per efficiency unit and one and one-half off-street parking spaces per dwelling unit with one or more bedrooms.
- (13) Where not specifically changed in this section, parking requirements shall otherwise comply with article VII, division 2 of chapter 138
- (14) Off-street parking shall not be located on the Florida Avenue frontage east of Alternate U.S. Highway 19.

- (15) Shared parking: parking facilities may be used jointly with parking facilities for other uses when operations are not normally conducted during the same hours, or when hours of peak use vary. Requests for the use of shared parking are subject to approval by the county administrator or his/her designee, and must meet the following conditions:
- a. The applicant must demonstrate to the county administrator's satisfaction that substantial conflict shall not exist in the principal hours or periods of peak demand for the uses for which the joint use is proposed.
  - b. The number of parking spaces which may be credited against the requirements for the structures or uses involved shall not exceed the number of parking spaces reasonably anticipated to be available during differing hours of operation. The maximum reduction in the number of parking spaces required for all uses sharing the parking area shall be 25 percent.
  - c. Parking facilities designed for joint use should not be located further than 500 feet from any structure or use served, measured along the most direct pedestrian route.
  - d. A written agreement shall be drawn to the satisfaction of the county attorney and executed by all parties concerned assuring the continued availability of the number of parking spaces designated for joint use.
- (16) For properties within this district that have existing buildings, as of May 21, 2002, the off-street parking arrangement in existence on that date for each building shall continue to be recognized by the county as meeting the minimum parking requirements of the OPH-D district. Such existing building square foot area may be renovated and redeveloped even if it involves the demolition and subsequent reconstruction of a similar size to the existing building square foot area without providing any additional off-street parking spaces. However, this recognition of existing parking arrangements shall not apply to additional building square footage or to a change in use that increases the required number of off-street parking spaces. Parking shall be provided, as required by this section, for any increase in building square foot area, or for the increased number of parking spaces required by a change in use.

(Ord. No. 02-42, § 3, 5-21-02; Ord. No. 12-08, § 1, 2-21-12)

**Sec. 138-1012. - Landscaping for vehicular use (parking) areas.**

In addition to the requirements of section 166-55 of the land development code, parking lots or vehicular use areas shall comply with the following.

- (1) Parking areas with three spaces or less are exempt per section 166-55
- (2) Parking areas using alley access and not visible from the street are exempt from this section.
- (3) Parking or vehicular use areas shall be designed to complement the streetscape design plan.
  - a. Where appropriate, the site design shall coordinate with and connect with the streetscape on the public right-of-way.
  - b. Plant materials and species shall be selected from the following list:

Botanical Name	Common Name
Palms:	
Sabal palmetto	Cabbage Palm
Acoelorrhaphe wrightii	Paurotis Palm (Needs ample water)
Trees:	
Cornus florida	Dogwood
Ilex cassine	Dahoon Holly
Ilex opaca	American Holly
Ilex x attenuata 'East Palatka'	East Palatka Holly
Ilex x attenuata 'Savannah'	Savannah Holly
Ilex vomitoria	Yaupon Holly
Lagerstroemia indica	Crape Myrtle
Liquidambar styraciflua	Sweet Gum
Magnolia grandiflora	Southern Magnolia
Quercus laurifolia	Laurel Oak
Quercus virginiana	Live Oak
Ulmus alata	Winged Elm
Accents:	
Cercis canadensis	Redbud
Crinum spp.	Spider Lily*
Phoenix roebelenii	Pygmy Date Palm
Prunus angustifolia	Chickasaw Plum
Zamia floridana	Coontie
Shrubs:	
Forestiera segregata	Florida Privet
Ilex cornuta 'burfordii'	Chinese Holly
Ilex cornuta 'rotunda'	Round Chinese Holly
Ilex vomitoria 'schillings'	Dwarf Yaupon Holly
Illicium parviflorum	Anise
Rhaphiolepis indica	Indian Hawthorn
Viburnum obovatum	Walter's Viburnum
Viburnum odoratissimum	Sweet Viburnum
Viburnum suspensum	Sandankwa Viburnum
Ground Covers:	

Juniperus spp.	Juniper
Liriope muscari 'evrgrn gnt'	Evergreen Giant
Ophiopogon japonicus	Mondo Grass
Stachytarpheta jamaicensis	Trailing Porterweed
Zamia floridana	Coontie
Zamia furfuracea	Cardboard Palm
Trachelospermum asiaticum minima	Minima Jasmine
Ornamental Grasses:	
Miscanthus sinensis	Miscanthus
Muhlenbergia capillaris	Muhly Grass
Pennisetum setaceum	Fountain Grass
Pennisetum setaceum 'rubrum'	Red Fountain Grass
Tripsacum floridana	Dwarf Fakahatchee Grass
Ornamentals:	
Lantana species	Sterile subspecies or varieties such as 'Gold Mound'
Lantana montevidensis	
Pentas lanceolata	Pentas*
Plumbago 'Imperial Blue'	Plumbago
Annuals	Annuals
* cold sensitive	

- c. Hardscape, paving and construction materials shall match or complement the streetscape materials within the right-of-way.

(Ord. No. 02-42, § 3, 5-21-02; Ord. No. 04-72, § 4, 10-19-04)

**Sec. 138-1013. - Design criteria.**

- (a) All new development, alteration, demolition, relocation, reconstruction, and excavation within the Old Palm Harbor Downtown (OPH-D) District shall be subject to the criteria for historic properties set forth in chapter 146 and reiterated below. Those properties that are also located within the Downtown Palm Harbor Historic District shall continue to be subject to the provisions of chapter 146, the historical preservation code.
- (b) The following design criteria apply to the OPH-D district. Downtown Old Palm Harbor is the historic commercial center for one of the oldest communities in the county. There are several contributing buildings within the OPH-D district. The historical "contributing" buildings located in the OPH-D district do not fall into any specific architectural style but are instead considered a part of the "folk" architectural tradition. For this reason, design criteria cannot be based upon specific, stylistic elements but instead must be based upon the connecting elements and characteristics that are present in the district. These characteristics include; the relationship between the shape, size and height of the

buildings, the front-facing orientation of the buildings and the lack of setbacks from the main street, the major roof types; window/door design and placement; and minimal ornamentation and architectural detailing. Minor connecting elements in the district include shutters, porches, and fences.

(1) General design criteria.

- a. The scale (height/width ratio) of new construction, or of alterations/additions to existing structures, shall be similar to that of the contributing structures in the district.
- b. The height of new construction, or of alterations/additions to existing structures, shall not exceed 30 feet in height when measured at the eave of the structure.
- c. The historical setback patterns and street-facing orientation shall be maintained for new and reconstructed buildings. The orientation of new buildings, and of alterations/additions to existing buildings, shall maintain front-facing façades with the main entrance on the street side of the building.
- d. The size, slope, and type of roofs for new construction, or for alterations/additions to contributing structures, shall be similar to those of the contributing structures.
- e. Shutters shall be in character with the style and period of the building. Replacement shutters shall be similar to the original in size, configuration, and style, and shall fit the window openings, not to overlap on the surface of the wall.
- f. Porch additions shall have a roof type that is either similar to the existing roof or that is in character with the style and period of the building.
- g. Historically, building, trim, and roof colors have not been a major defining component of the district. Choice of colors should complement and enhance the character of the district. For new construction and noncontributing structures, specific color choice is left to the discretion of the property owner. For contributing structures, the general criteria for evaluating certificates of appropriateness as cited in subsection 146-5(a)(5) of the historic preservation code shall be followed.
- h. On-street or alley parking should be maintained. Historical parking patterns should be followed in site-plan requirements for new construction.

(2) Contributing structures.

- a. If windows and doors in contributing structures are determined to be unrepairable, they shall be replaced with new windows and/or doors matching the size, spacing, and where possible, materials of the originals. The use of materials other than the original materials shall be considered by the Downtown Palm Harbor Review Committee (DPHRC) and Pinellas County on a case-by-case basis.
- b. Porches and porch features that are in good condition or repairable, and which are in character with the style and period of the building, shall be retained. Porches and porch features shall be repaired so they match the existing in materials, size and configuration.

(3) Noncontributing structures.

- a. Where possible and appropriate, alterations and additions to noncontributing structures shall be similar to the major features, details and materials found in the contributing structures. Alterations and additions shall not introduce false historical architectural features not found in the district.
  - b. Where possible and appropriate, when renovating an existing noncontributing structure, new or replacement windows and/or doors shall be similar to the size, spacing, materials and general rhythm of the windows and doors found in the contributing structures.
- (4) New construction.
- a. The roof types of new buildings shall conform to the roof types of the contributing structures in the district. Gable, pyramidal (hip), and flat roofs with parapets are found in the contributing structures. Use of a roof type that is not present in the contributing structures, and which can be seen from the street is prohibited. Alternative roof styles can be used if they are concealed by a parapet and are not visible from the street.
  - b. Proportions, configurations, and placement of windows and doors in new buildings shall be similar to the size, spacing, materials and general rhythm of the window/door fenestration found in the contributing structures.
  - c. Use of double-hung sash windows with two four-lites is encouraged. Jalousie windows are prohibited. Recessed entrances are encouraged.
  - d. Major architectural features, detailing and materials used in new construction shall be similar to those of the contributing structures found in the district.
  - e. Modern equipment such as solar collectors, air conditioners, etc., shall be concealed from public view.
- (c) Fences within the OPH-D district shall be limited to the following styles and materials:
- (1) All fences and walls shall be constructed of materials appropriate to their purpose and location and shall be compatible with the streetscape materials.
    - a. Fences and walls on all street frontages shall be constructed only of decorative open pickets, decorative aluminum, brick, or stamped concrete which are compatible with the streetscape design materials.
    - b. No fence or wall shall be constructed of corrugated sheet metal, barbed wire, chicken wire, or similar materials.
    - c. Chain link fences concealed by landscaping may be allowed along the side of property that has no street or alley frontage.
  - (2) On all street frontages (except for frontage on an alley), walls and fences shall not exceed three feet in height.
  - (3) No fence or wall shall be constructed within a public right-of-way, right-of-way easement or utility easement, unless authorized by the county.
  - (4) No fence or wall shall enclose a water meter box or manhole, unless authorized by the county.
  - (5) Where not specifically changed in this section, fences and walls shall otherwise comply with section 138-1336

(Ord. No. 02-42, § 3, 5-21-02; Ord. No. 09-31, § 1, 5-19-09)

**Sec. 138-1014. - Signs.**

Except as modified herein, signs shall be subject to the regulations outlined in section 138-1334. Nonconforming signs shall be made compliant under the provisions of subsection 138-1334(b)(3), "nonconforming signs". Signs and standards in the OPH-D district shall be permitted as follows:

- (1) In the east sub-district:
  - a. Freestanding signs shall be permitted only as follows:
    1. Number. A maximum of one sign per zone lot is permitted. One additional sign may be permitted for each additional street frontage.
    2. Area. The total maximum area for any freestanding sign or signs shall be that area calculated according to subsections (e)(1) and (e)(2) of section 138-1334 or 50 square feet per sign face, whichever is less.
    3. Height. For properties with frontage facade orientation on Alternate U.S. Highway 19, the maximum height for a freestanding sign is 20 feet or the height of the building, whichever is less. For all other freestanding signs the maximum height is 10 feet.
    4. Setbacks. Such signs shall be set back as follows:
      - i. Three feet from any public right-of-way.
      - ii. Additional setbacks may be required when determined appropriate per subsection (e)(4) of section 138-1334.
    5. Time and temperature signs. Such signs are only permitted on sites fronting and oriented to Alternate U.S. Highway 19. The maximum area for the time and temperature portion only shall be 20 square feet per sign face.
    6. Flags. Flags containing a corporate name, logo, or other message directing attention to the business on site including any commodity or service for sale on site shall be part of the computation of allowable area for freestanding signs.
  - b. Attached signs shall be permitted only as follows:
    1. Area. The maximum total area for all attached signs shall be that area calculated according to subsections (e)(1) and (e)(2) of section 138-1334, or 100 square feet, whichever is less.
    2. Types of signs permitted. The following attached signs may be permitted, provided the cumulative area of the attached signs does not exceed the maximum area according to subsection (1)b.1., above:
      - i. Wall sign;
      - ii. Canopy or awning sign;
      - iii. Permanent window sign;
      - iv. Projecting sign;
      - v. Integral roof sign.
    3. Time and temperature signs. Such signs are only permitted on sites fronting and oriented to Alternate U.S. Highway 19. The maximum area for the time and temperature portion only shall be 20 square feet per sign face.

- c. Directory/information signs shall be permitted only as follows:
  - 1. Number. A maximum of one sign per street frontage is permitted.
  - 2. Area. The maximum area for a directory/information sign shall be 20 square feet per sign face for any one sign.
  - 3. Setback. Three feet from any public right-of-way.
    - d. Public/semi-public land uses shall comply with the sign provisions of subsection 138-1334(f)(2)b.
    - e. Community event signs may be permitted within public rights-of-way provided that they are safely located.
- (2) In the west sub-district, signs shall be permitted pursuant to section 138-1334(f)(2)b. Nonresidential uses permitted in the west sub-district are allowed up to one two-square-foot sign.

(Ord. No. 02-42, § 3, 5-21-02)

**ZONING DISTRICT MATRIX  
TABLE OF PERMITTED USES  
DRAFT 12-12-2013**

LEGEND: 1 = Administrative/Development Review Committee Review; 2 = Community Development Board Review; 3 = Board of County Commissioners Review; A = Accessory; Blank = use not allowed

Use	A-E: Agricultural/Estate Residential District	E-1: Estate Residential District	R-R: Rural Residential District	R-1: Single-family Residential District (9,500 sq. ft.)	R-2: Single-family Residential District (7,500 sq. ft.)	R-3: Single-family Residential District (6,000 sq. ft.)	RMH: Residential Mobile/Manufactured Home District	R-4: One, Two and Three-family Residential District	R-5: Single-Family Urban Residential District	RM: Residential, Multiple Family District	RPD: Residential Planned Development District	LO: Limited Office District	GO: General Professional Office District	C-1: Neighborhood Commercial District	C-2: General Retail Commercial and Limited Services District	CP: Commercial Parkway District	CR: Commercial Recreation District	M-1: Light Manufacturing and Industry District	M-2: Heavy Manufacturing and Industry District	WD: Warehouse District	IPD: Industrial Planned Development	MXD: Mixed-use District	OPH-D: Old Palm Harbor-Downtown District	LI: Limited Institutional District	PSP: Public/Semipublic District	AL: Aquatic Lands District	PC: Preservation/Conservation District	P-RM: Preservation Resource Management District	RBR: Resource-Based Recreation District	FBR: Facility Based Recreation District	Supplemental Use Standards (refer to specific Code section)	Definition			
<b>RESIDENTIAL USES</b>																																			
Accessory Artist in Residence	Δ	Δ								Δ	Δ	Δ	A	A	A	A	Δ	Δ	Δ	Δ	Δ	Δ											Y	Dwelling space that is accessory to a museum, gallery, art production facility or other art facility where an artist resides for a short period of time as a result of a relationship with the art facility involving a special exhibition, project oversight, educational endeavors, etc. No more than 10% of the gross floor area of any art facility shall be utilized for this use. This is not a dwelling unit, but an accessory use to assist with the artistic endeavor.	
Accessory Dwelling Unit	A	A	A	A	A	A		A	A	A	A					A																	Y	A dwelling unit which is either detached or is a portion of space within a single-family dwelling which is intended to provide increased affordable housing opportunity pursuant to the county's affordable housing incentives plan adopted by the board of county commissioners (Resolution 94-60). It is intended that these be clearly accessory and incidental to the primary use of the property (single-family house).	
Accessory Dwelling Unit, Owner/Manager	A	A											A	A	A	A	A	A	A	A	A	A											Y	No more than one on-premises dwelling unit for occupancy by the owner, lessor, manager, watchman, or custodian in connection with the operation of any permitted or permissible use.	
Affordable Housing Development (AHD)	3	3	3	3	3	3	3	3	3	2	2				2	1	1		2	2	2	2	1										Y	A single-family detached housing development in which at least 20 percent of the units are affordable to households at 80 percent of median family income, or a multifamily development in which at least 20 percent of the units are affordable to households at 60 percent of median family income. See also definition of "affordable" in Section 134-2-1.	
Assisted Living Facility	2	2	2	2	2	2	2	2	2	2	2				2	1	1																Y	A licensed establishment providing housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator. (See Chapter 429 F.S.)	
Community Residential Home, Category 1: 1 to 6 residents	1	1	1	1	1	1		1	1	1	1				2	2	1																Y	A dwelling unit licensed as a community residential home (See Chapter 419, F.S.), which provides a home for six (6) or fewer unrelated residents (as defined in Chapter 419, F.S.) who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.	
Community Residential Home, Category 2: 7 to 14 residents	2	2	2					2	2	1	1				2	2	1																Y	A dwelling unit licensed as a community residential home (See Chapter 419, F.S.), which provides a living environment for seven (7) to fourteen (14) unrelated residents (as defined in Chapter 419, F.S.) who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.	
Community Residential Home, Category 3: more than 14 residents	2	2						2	2	2					2	2	1																Y	A dwelling unit licensed as a community residential home (See Chapter 419, F.S.), which provides a living environment for more than 14 unrelated residents (as defined in Chapter 419, F.S.) who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.	
Dormitory	A/2	A/2						A/2	A/1	A/1			A	A/2	A/2	A/2	A/2	A/2	A/2	A/2	A/2	A/2	A/2	A/2	A/2	A/2							Y	A building or group of buildings designed to provide sleeping accommodations, but not individual cooking facilities, for unrelated persons who are registered students at a post secondary school on a seasonal or year-round basis, and is managed by the institution at which the students are registered.	
Dwelling, Live/Work	1	1	1	2	2	2	2	1	1	1	1			1	1	1		1	1	2	1	1											Y	An establishment that includes a dwelling unit and an area for nonresidential use by the residents. The nonresidential use must meet the requirements of the zoning district. The uses shall have shared connections and amenities. The nonresidential use may have employees.	
Dwelling, Multifamily and their customary accessory uses								2	1	1				2	2	1					2	1											Y	Four or more dwelling units, attached to each other by common vertical walls, or by stacking (includes condominiums, townhomes, apartments, villas, etc.).	
Dwelling, Single-family Attached (Townhouse) and their customary accessory uses							1	1	1	1				2	2	2					2	1											Y	A dwelling unit on a single lot or parcel attached to one or more one-family dwellings by a common vertical wall.	
Dwelling, Single-family Detached and their customary accessory uses	1	1	1	1	1	1	1	1	1	2	1																								A dwelling unit in a single structure, on a single lot, not attached to any other dwelling by any means.
Dwelling, Single-family Zero Lot Line and their customary accessory uses				1	1	1		1	1	1	1										2														A dwelling unit, on a lot, with a side setback reduced to zero.
Dwelling, Three-family and their customary accessory uses								1	1	1	1			2	2	2						2	1										Y	Three dwelling units attached to each other by common vertical walls, or by stacking.	
Dwelling, Two-family and their customary accessory uses								1	1	1	1					2							1												Two dwelling units attached by a common vertical wall, or by stacking.
Marina																																	Y	Need definition.	
Mobile Home and their customary accessory uses							1																											A dwelling unit constructed in a factory before June 15, 1976, or constructed after June 15, 1976 in compliance with the federal Manufactured Home Construction and Safety Standards (the HUD code) for manufactured homes. Mobile homes are not self-propelled.	
Mobile Home Park and their customary accessory uses							1																										Y	A place set aside and offered by a person or public body for the parking or accommodation of six or more mobile homes utilized for sleeping or eating for either direct or indirect remuneration to the owner, lessor or operator of such place.	
Mobile Home Subdivision and their customary accessory uses							1																										Y	A platted residential subdivision in which the dwelling units consist of mobile homes and accessory residential structures.	
Modern Manufactured Home	1	1	1	1	1	1	1	1	1	2	1																						Y	A structure built on an integral chassis and designed to be used as a dwelling unit when connected to the required utilities, fabricated in an offsite manufacturing facility after June 15, 1976, in one or more sections, with each section bearing the HUD Code Seal certifying compliance with the Federal Manufactured Home Construction and Safety Standards Act, designed to be transported for installation or assembly at the building site. Also known as a "HUD-Code Home." This definition does not include recreational vehicle, mobile home or modular home.	
Storage, accessory																																	Y	Need definition.	
<b>ACCOMMODATIONS</b>																																			
Bed and Breakfast	2	2	2	2	2	2	2	2	2	2	1			1	1	1	1	3						Div. 6									Y	A building of a residential character other than a hotel, motel or other transient accommodation which provides daily overnight accommodation and morning meal service to transients in return for payment.	



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Office, Veterinary										2	1	1	1	1	1	1		2	2	1	1	1								Y	Facility used by veterinarians to treat and examine animals, including accessory indoor boarding of animals. No outdoor kennels or animal runs are allowed.		
Outdoor Sales, Accessory-Use- (handle in the supplemental standards section of Retail Sales and Services)															A	A				A		A								Y	Areas of private property outside of completely enclosed buildings used to display goods for sale to the general public accessory to a lawful retail sales and service use.		
Outdoor Sales, Accessory-Use-Garden-Oriented (handle in the supplemental standards section of Retail Sales and Services)															A	A				A		A								Y	Areas of private property outside of completely enclosed buildings used to display garden-oriented goods for sale to the general public accessory to a lawful retail sales and service use.		
Outdoor Sales, Permanent															2	1	1	2	2	1	2	2								Y	Establishments selling outdoor-oriented goods and/or garden material where the majority of the sales and display area exists outside of a completely enclosed building such as for sales of vehicles, boats, pools, spas, etc.		
Outdoor Sales, Garden Oriented															2	1	1	2	2	1	2	2								Y	Establishments selling primarily garden oriented goods where the majority of the sales and display area exists outside a completely enclosed building.		
Outdoor Storage, Accessory, Commercial (handle in the supplemental standards section of Retail Sales and Services)															A	A	A	2		A		A								Y	Areas of private property where materials and equipment are stored outside of a completely enclosed building in the same place for more than 24 hours, and where the outdoor storage use is accessory to a lawful principal commercial use. (See Use Specific Development Standards)		
Pharmacy										1	A	A	1	1	1	1	2	2	2	2	1												Establishments proving retail sale of prescription or non-prescription drugs only.
Restaurant										1	A	A	1	1	1	1	2/A	2/A	A	A	2/A	1			2/A	2/A				Y	Establishments serving or selling food prepared on the premises, or beverages, which are generally intended for immediate on- or off-site consumption. See also Dispensing Alcohol: On-premise Consumption.		
Restaurant: Accessory Outdoor Area										A					A	A					3	A								Y	An unenclosed outdoor area for eating, drinking and socializing that is an accessory use to a 'Restaurant: Indoor,' but not a 'Sidewalk Café.' See also Dispensing Alcohol: On-premise Consumption.		
Retail Sales and Service - Less than 5,000 sf										2	2	2	2	1	1	1	1	1	1	1	1	1								Y	Establishments operating in an enclosed building involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods. Does not include activities listed as separate and specific uses in the Table of Uses. Square footage limitation is based on individual tenant spaces. (Source: Clearwater and Model Codes)		
Retail Sales and Service - 5,000 to 19,999 sf										2	3	3	1	1	1	2	A	A	1	2	1									Y	Establishments operating in an enclosed building involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods. Does not include activities listed as separate and specific uses in the Table of Uses. Square footage limitation is based on individual tenant spaces. (Source: Clearwater and Model Codes)		
Retail Sales and Service - 20,000 to 79,999 sf														1	1	1		A	A	1	2	1								Y	Establishments operating in an enclosed building involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods. Does not include activities listed as separate and specific uses in the Table of Uses. Square footage limitation is based on individual tenant spaces. (Source: Clearwater and Model Codes)		
Retail Sales and Service - 80,000 sf or greater														2	1	1		3	3	1	A	2								Y	Establishments operating in an enclosed building involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods. Does not include activities listed as separate and specific uses in the Table of Uses. Square footage limitation is based on individual tenant spaces. (Source: Clearwater and Model Codes)		
Service and Repair																	1	2	2	2	1	1								Y	Establishments for servicing, repairing, or installing tangible personal property or providing personal services including, but not limited to, the following: self service laundromat, dry cleaning operations, catering, services and repair of radios, televisions, computers and related equipment, and sound reproduction systems; locksmith shops; and small appliance service or repair shops.		
Service, Fleet-Based																		1	1	1	1												Establishments using one or more light commercial or fleet vehicles to provide primarily off-site/mobile services including, but not limited to, pest control, cable television, plumbing, irrigation, electrical, air conditioning, lawn care, mobile detailing, tree service, locksmith, taxi, and limousine services.
Service, Office											1	1	1	1	1	1	1	1	1	1	1	1								Y	Establishments providing support services for the operational needs of office uses including, but not limited to, shipping, facsimile transmission, copying and printing services, and the sale or rental of office supplies, equipment or furniture or combination thereof. The term does not include temporary labor offices. Any assembly, sale of merchandise, or conveyance of a product in support of an office support use shall be accessory, incidental, and secondary to such use.		
Service, Personal											1	A	A	1	1	1	1	1	1	1	1	1								Y	Establishments providing individual and personal service functions including, but not limited to, functions such as hair and beauty care facilities, nail and tanning salons, day spas, licensed massage establishments, dry cleaning and laundry service (collection and distribution only), shoe shine and repair, dressmaking, tailoring and garment repair shops. The term shall not include tattoo parlors or body piercing studios. Any assembly, sale of merchandise, or conveyance of a product in support of a personal service use shall be accessory, incidental, and secondary to such use.		
Sidewalk Café											1	A	A	1	1	1					2	1								Y	A use located on a sidewalk which is associated with a business establishment that serves or sells food including beverages. Sidewalk cafes are characterized by table and chairs and are neither enclosed or permanent in nature; with food a beverage preparation occurring inside the structure housing the associated principal use and brought to or carried by the customer to the sidewalk café.		
Studio and Gallery										2	1	1	1	1	1	1	2	2	2	2	2	1								Y	Establishments used for the production or teaching of art, writing, dance, theater, or similar endeavors of an artistic or creative nature, or sports and recreational endeavors such as martial arts and displaying works of art for retail sale.		
INDUSTRIAL, MANUFACTURING and WAREHOUSING USES																																	
Battery Exchange Stations													1	1	1	1	1	1	1	1	1	1		1	1							A fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process.	



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Club, Community Service and Fraternal	2	2	2	2	2	2	2	2	2	2	2	2	2	1	1	1	1	2	2	2	1	1									1	1	Any not-for-profit organization whose primary purpose is to provide a service which benefits the general public, such as labor and political organizations, business associations and professional membership organizations, and civic and not for profit clubs whose primary function is to provide social and humanitarian services to the community (i.e., Women's Club, League of Women Voters, Garden Club, Junior League, Jaycees, Kiwanis, Masons, Rotary Club, Shriners and others of a similar nature).	
Commercial Recreation, Indoor	3										2			2	1	1	1	2	2	1	2	2									3	3	Privately owned commercial facilities offering indoor athletic courts, swimming pools, skating rinks, skateboard or bicycle racing facilities, waterslides, batting and archery facilities, bowling alleys, amusement parks, entertainment venues including dance halls, and amusement facilities containing games or amusement devices.	
Commercial Recreation, Outdoor	3										2	A	A		2	2	1	2	2	2	2	2									3	3	Commercial facilities offering outdoor athletic courts, swimming pools, skating rinks, skateboard or bicycle racing facilities, waterslides, golf driving ranges, batting and archery facilities, amusement parks, entertainment venues, and amusement facilities containing games or amusement devices.	
Facility Based Recreation	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	2	3	3	3	2	2											Y	Publicly owned lands officially designated for facility based recreational uses, which usually require a built facility such as a playfield, court, horse stable, swimming pool, etc. to accommodate them. Uses may include softball, baseball, football, tennis, basketball, soccer, playgrounds, fitness activities, pool swimming, equestrian activities, spray parks/splash parks, skating, skate parks, bicycling/BMX facilities, community centers/social activities such as dance, recreational classes, special events, etc. These activities are not natural resource dependent, however all uses allowed in the RBR district are also allowed in the FBR district.
Golf Course and accessory structures	2	2	2	2	2	2	2	2	2	2	2						1				2	2									2	2	Land developed and operated as a golf course including tees, fairways, and putting greens, clubhouses, practice greens, and driving ranges.	
Movie Theater/Cinema											2			1	1	1	2				2	1									2	2	Establishments used for the showing of motion pictures. For the purpose of this definition, drive-in motion picture theaters are prohibited and adult theaters are regulated as adult uses.	
Movie Theater/Cinema, Drive-In															2	2	2			2	2												An outdoor movie theater where patrons view movies or another form of entertainment on a screen or stage from their vehicles. Does not include adult theaters regulated as adult uses.	
Museum/Cultural Facility													2	1	1	1	1				2	1									1	1	Establishments for the preservation and public exhibition of objects and places of historical, cultural, or educational value, including historical sites, zoos, and similar uses.	
Natural Resources and Wildlife Management Uses	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1									1	1	Activities related to the protection, enhancement and interpretation of natural resources.	
Parks and Recreation areas - Passive	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1									1	1	Park - area of land set aside for public use with few or no buildings maintained for recreational and/or ornamental purposes. Playground - outdoor area provided for children to play on, especially at a school or park. Such a facility is typified by the placement of various pieces of equipment such as swings and slides. Passive - Outdoor leisure activities that are low vehicle trip generators, and have a low potential for nuisance to adjacent properties due to noise, light, glare, or odor. Examples, include, but are not limited to parks, walking, jogging, hiking, and bicycle paths/trails. (Source: Polk County FL)	
Parks and Recreation areas - Active High Intensity	2	2	2	2	2	2	2	2	2	2	2	2	2	2	1	1	1	1	1	1	1	1									1	1	Active High Intensity - Areas for public and private active outdoor recreational activities that may have higher trip generations than low intensity uses, or have the potential for greater nuisance to adjacent properties due to noise, light, glare, or odor. Examples of such uses include, but are not limited to, golf driving ranges, motor-cross tracks, rodeo venues, and stadiums seating in excess of 500 people. (Source: Polk County FL)	
Parks and Recreation areas - Active Low Intensity	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1									1	1	Active Low Intensity - Areas for public and private passive outdoor recreational activities. Typical uses include, but are not limited to, parks, playgrounds, and walking, jogging, hiking, and bicycle paths/trails. (Source: Polk County FL)	
Performing Arts Venue											2	2	2	1	1	1	1				2	1									1	1	Establishments used for the enactment of live performances. Dinner theaters are regulated as restaurants and adult theaters are regulated as adult uses.	
Recreation Use, Accessory to Residential Use	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1												Accessory not for profit private facilities, including swimming pools, athletic courts, playgrounds, clubhouses, etc. exclusively for the benefit of residents and their guests in adjoining areas.
Resource Based Recreation	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1											Y	Publicly owned lands officially designated for resource based recreational use by the general public. Uses may include picnicking/picnic shelters, low-impact camping and accessory uses, environmental education, wildlife viewing/observation decks and towers, horseback riding on trails, fishing/fishing piers, hiking on trails, boardwalks, saltwater beach activities including bath houses, boating/boat ramps, canoeing and kayaking/canoe and kayak launch areas, playgrounds, historical/cultural interpretation and activities, bike riding, dog parks, non-organized field sports, community gardens, concessions, restrooms, special events that are not facility dependent, maintenance activities and facilities, accessory dwellings, and natural resource management activities, including surface water management facilities.
Shooting Range/Gun Club - indoor	2														1	1	1	2	2	1	1	2									2	2	Enclosed firing range with targets for rifle or handgun practice.	
<b>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE and INSTITUTIONAL USES</b>																																		
Birth Center											2		1	1	1	1					2	1												Establishments with no more than six beds providing inpatient and outpatient services related to prenatal, labor, delivery, postpartum and other related medical care, under the guidance and supervision of active practitioners of obstetrics, as licensed by the State of Florida.
Cemetery	2	2	3	3	3	3	3	3	3	3	3	2	2	2	2	2	2	3	3	3	3	3									2	2	Y	Land used or intended to be used for the permanent interment of human remains. A cemetery may contain land or earth interment; mausoleum, vault, or crypt interment; a columbarium, ossuary, scattering garden, or other structure or place used or intended to be used for the interment or disposition of cremated human or pet remains; or any combination of one or more of such structures or places. (Florida Statutes, s. 497.005) This type of use is not permitted on individual residential lots.
Cemetery, Accessory to a House of Worship	2	2	3	3	3	3	3	3	3	2	2	2	2	2	2	2	2	2	2	2	2	2											Y See Cemetery	A cemetery which is located on the same premises as a lawful House of Worship with a site area less than that of the primary use.
Congregate care facility										2	2	2									3	2											Y	a type of housing in which each individual or family has a private bedroom or living quarters but shares with other residents a common dining room, recreational room, or other facilities. (Source: Dictionary.com).



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School, All Others	3											2	1	1	1	1	2	2	2	2	2	1		3	3								Establishments that provide vocational and technical training of nonacademic subjects and trades which are designed to lead to job-specific certification, including beauty schools, computer training, driving education, flight training, and language instruction.	
Social Service Agencies	3													2	1	1	2	2	2	2	2	1		1	1							Y	Includes Personal Care Services/Drop-In Center, Short-Term/Emergency Housing, Food Center, Supply Pantry, Long Term Housing. (See Use Specific Development Standards)	
<b>TRANSPORTATION, COMMUNICATION and INFORMATION USES</b>																																		
Airports (Air Transportation)	3																	3	3	3	3											Y	Tract of leveled land where aircraft can take off and land, usually equipped with hard-surfaced landing strips, a control tower, hangars, aircraft maintenance and refueling facilities, and accommodations for passengers and cargo. This term refers specifically to the St. Petersburg-Clearwater International Airport.	
Docks and Piers	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A										Y (Water and Navigation Permit)	Structures built over or floating upon the water and used as a landing place for boats and other marine transport, fishing, swimming and recreational uses.	
Commercial Marina	3										3			3	3	3	3	1	1	1	1	2			2	2						Y	A facility, adjacent to and utilizing a body of water which may provide only the following: boat storage and launching, docking, minor repair and maintenance of water craft such as washing, polishing, engine tune up, oil change, lubrication, minor outfitting, retail sale of gas, oil, bait, tackle and marine supplies or such other customary use commonly found at a retail marina.	
Heliport and Helistops	3	3								3	3	3	3	3	3	3	3	3	3	3	3	3										Y	An area providing for the take-off and landing of helicopters and related fuel facilities (whether fixed or mobile) and appurtenant areas for parking, maintenance, and repair of helicopters.	
Mass Transit Center	3	3	3					3	3	3	3	2	2	2	1	1	1	1	1	1	1	1										Y	Local and suburban ground passenger transit hub using one or more mode of transport over regular routes and on regular schedules.	
Navigation safety devices and structures	2	2	2	2	2	2	2	2	2	2	2	2	2	1	1	1	1	1	1	1	1	1												Need definition.
Off-shore Tour Vessels and Water Transport														3	2	2	2	2	2	2	2	2										Y	Any type of watercraft which has a Coast Guard rated capacity of 125 or more persons and which regularly engages in tours of two hours or longer, including ferries.	
Parking, Surface - Accessory	2	2	2	2	2	2	2	2	2	2	2										1	1										Y	Surface parking areas located on residential lots that are used to accommodate overflow parking. These are accessory to principal uses.	
Parking, Surface - Principal Use	2	2	2	2	2	2	2	2	2	2	2	2	2	2	1	1	1	1	1	1	1	1											Surface parking areas located outside of structures as a principal use. Surface parking areas reserved for a principal use are accessory uses.	
Parking Structure								2	2	1	1	1	1	2	1	1	1	1	1	1	1	1										Y	Multistory, underground, and rooftop parking facilities.	
Transmitting stations, remote radio and television, not including broadcast studios or office	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	1	1	1	1	2										Y	Need definition.	
Wireless Communication Antennae (WCA)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A										Y	A wireless communication antenna (WCA) is an antenna at a fixed location used for the transmission or reception of wireless communication signals, excluding those antennas used exclusively for dispatch communications by public emergency agencies, ham radio antennas, satellite antennas, those antennas which receive video programming services via multipoint distribution services which are one meter or less in diameter, and those antennas which receive television broadcast signals.	
Wireless Communication Tower	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1										Y	A monopole, guyed or a lattice type tower greater than fifteen feet in height designed for the attachment of or as support for wireless communication antennas or other antennas.	
<b>UTILITIES</b>																																		
Biohazardous or Hazardous Waste Storage and Treatment																		3	3	3	3											Y	Any building, site, structure, or equipment used in an activity or process designed to change the physical form or chemical composition of hazardous waste, as regulated by the Resource Conservation and Recovery Act (RCRA), so as to render it nonhazardous. Biohazardous waste shall be as defined in rule 17-712.200(2), Florida Administrative Code. (Source: Polk County)	
Electric Utility Substation	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	1	1	2	2	3										Y	Low intensity facility such as an electric transforming substation, communication substation, water or sewer pump station and similar uses. No exterior storage of machinery or equipment shall be permitted.	
Power Generation Plant																				3	3	3				3	3						Y	A facility that generates electricity by means of geothermal power, burning of coal, oil, or gas, or by hydropower. Accessory generators for hospitals, schools, and other similar uses shall not be considered a power generation facility, nor does the use include Solar Energy Production Facilities as defined by this Code. (Source: Hillsborough County)
Solar Energy Systems	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A										Y	A complete design or assembly consisting of a solar energy collector, an energy storage facility (where used), and components to the distribution of transformed energy (to the extent they cannot be used jointly with a conventional energy system). It is the intent of the LDC that energy generated from these systems be limited to on-premises consumption, or for net metering purposes.	
Solar Generation Station-Energy Production Facility	3	3	3															1	1	1	2	2										Y	A power generation facility which utilizes ground-mounted or building-mounted photovoltaic devices to convert sunlight into electricity primarily for use by off-site consumers. Such facilities do not include solar energy devices or systems that primarily serve a principal use on the site. (Source: Hillsborough County)	
Solid Waste Management and Disposal Facility																				3	3	3											Y	means a facility for solid waste treatment, solid waste storage or solid waste disposal, and includes commercial, industrial, municipal, state and federal of enumeration, sanitary landfills, dumps, land disposal sites, incinerators, transfer stations, storage facilities, collection and transportation services and processing, treatment and recovery facilities. This term includes the land where the facility is located. (Source: Wisconsin Department of Natural Resources)
Solid Waste Transfer Facility																		3	3	2	2	2										Y	Site with the primary purpose of storing or holding solid waste for transport to a management or disposal facility.	
Utility Plant and Storage (fossil fuel)																		3	3	3	3											Y	Land used to produce or generate electricity, or gas energy. Maintenance, office, storage, and transmission facilities are permitted as an accessory use.	

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Utilities, Class I	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Y	Transmission lines, whether subterranean or overhead; including electrical, natural gas, and water distribution lines; sewer gravity lines and pressure mains; underground septic tanks and drain fields; effluent disposal systems; cable television and telephone transmission lines; or similar utility lines. (Source Polk County Code)						
Utilities, Class II	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Y	Booster stations, pumping stations, switching facilities, substations, lift stations, or other similarly required facilities in connection with telephone, electric, steam, water, sewer, and other similar utilities. (Source Polk County Code)						
Utilities, Class III	3	3	3	3	3	3	3	3	3	3	3	2	2	2	2	2	2	2	1	2	1	2	2	2	2	2	2	2	2	2	2	2	Y	Production or treatment facilities such as sewage treatment plants, elevated water storage towers, non accessory ground storage tanks, or similar facilities. This definition does not include electric power plants and lime stabilization facilities. (Source Polk County Code)						
Water Recapture Systems	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A								
Water and Wastewater Support Facilities	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Y	Need definition.						
Water and Wastewater Treatment and Storage Facilities																		3	3	3	3												Y	Need definition.						
Wind Energy Conservation System (WECS), Medium Scale	3	3	3												3	3	3	3	1	1	1	2	3									3	3		An aggregation of parts including the base, tower, generator, rotor, blades, supports, guy wires, and accessory equipment such as utility interconnect and battery banks, etc., in such configuration as necessary to convert the power of wind into mechanical or electrical energy, i.e., wind charger, windmill or wind turbine. Medium Scale WECS are those WECS rated 61 kW to 100 kW. (Source: Hillsborough County)					
Wind Energy Conservation System (WECS), Small Scale	2	2	2	2	2	2	2	2	2	2	2	2	1	1	1	1	1	1	1	1	1	1	1									1	1	Y	An aggregation of parts including the base, tower, generator, rotor, blades, supports, guy wires, and accessory equipment such as utility interconnect and battery banks, etc., in such configuration as necessary to convert the power of wind into mechanical or electrical energy, i.e., wind charger, windmill or wind turbine. Small Scale WECS are those WECS rated 60 kW or less. (Source: Hillsborough County)					
AGRICULTURAL USES																																								
Agricultural Activities, Commercial Use (need to re-visit)	1	2	2																															3		Y	Includes utilization of land to raise, harvest, or sell crops; feed, breed, manage, and sell livestock, poultry, fur-bearing animals, honeybees, or their produce; dairy and sell dairy products; or any other agricultural or horticultural use, animal husbandry, timber agricultural use, or combination thereof. Farm uses include preparation or processing and storage of products raised on such land (Source: Polk County and Various Model Codes)			
Agricultural Activities, Personal Use	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Y	Includes utilization of land to raise, harvest, or sell crops; feed, breed, and manage livestock, poultry, honeybees, or their produce; dairy products; or any other agricultural or horticultural activity that is for personal use. (Source: Polk County and Various Model Codes)			
Community Gardens	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	Y	An activity on property where more than one person grows produce and/or horticultural plants for their personal consumption and enjoyment, for the consumptions and enjoyment of friends and relatives and/or donation to a not-for-profit organization, generally on a not-for-profit basis.			
Nursery / Greenhouse, Wholesale	2	3	3												2	2	2	2	1	1	1	1																	Establishments primarily engaged in wholesale sales of nursery and garden products, such as trees, shrubs, plants, seeds, bulbs, and sod, that are either grown on site or elsewhere.	
Urban Agriculture (need to re-visit)																																								
OTHER USES																																								
Excavation Pits and Quarries, in excess of 1,000 cubic yards	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	2	2	2	2	2	3													3	3	Y	The removal of 1,000 cubic yards or more of earth material for purposes other than that incidental to and on the site of construction authorized by site plan approval. This shall include land balancing other than that incidental to and on the site of construction authorized by site plan approval.	
Land Fills of More than 1,000 Cubic Yards	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2														2	2	Y	An addition of 1,000 cubic yards or more of earth, topsoil, sand, gravel, or rock to any lot or parcel other than that incidental to and on the site of construction authorized by site plan approval. This shall include land balancing other than that incidental to and on the site of construction authorized by site plan approval. This shall not include any solid waste landfills.
Land Fills or Excavations of Less than 1,000 Cubic Yards	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1														1	1	Y	Any landfill or excavation which is more than five cubic yards but less than 1,000 cubic yards.

**Chapter 138 – Article VII  
Proposed Specific Use Standards  
DRAFT 12-16-2013**

# Contents

<b>CHAPTER 138 – ZONING</b> .....	<b>5</b>
<b>Article VII – Specific Use Standards</b> .....	<b>5</b>
<b>DIVISION 1. – GENERALLY</b> .....	<b>5</b>
Sec. 138-1200. - Applicability .....	5
<b>DIVISION 2. – Residential uses</b> .....	<b>5</b>
Sec. 138-1210. - Accessory Dwelling Units.....	5
Sec. 138-1211. - Affordable Housing Development (AHD) .....	5
Sec. 138-1212. - Assisted Living Facility & Nursing Homes.....	8
Sec. 138-1213. - Community Residential Home .....	8
Sec. 138-1214. - Dormitory .....	8
Sec. 138-1215. - Dwellings .....	9
Sec. 138-1218. - Mobile Home Park and Subdivision .....	9
Sec. 138-1219. - Modern Manufactured Home .....	9
<b>DIVISION 3. – Accommodatlons</b> .....	<b>11</b>
Sec. 138-1230. - Bed and Breakfast.....	11
Sec. 138-1231. – Hotel/Motel.....	11
<b>DIVISION 4. – Commercial and Office Uses</b> .....	<b>11</b>
Sec. 138-1240. – Alcohol Dispensing .....	11
Sec. 138-1241. - Bank.....	14
Sec. 138-1242. – Car Wash and Detailing .....	14
Sec. 138-1243. – Drive-Thru Facility or Use with a Drive-Thru .....	14
Sec. 138-1244. – Food Carts/Food Trucks.....	14
Sec. 138-1245. – Health Club/Fitness Center .....	14
Sec. 138-1246. – Home Occupation .....	14
Sec. 138-1247. – Kennel/Pet Care .....	15
Sec. 138-1248. – Model Dwelling Units and Pre-construction Sales Offices .....	15

Sec. 138-1249. – Motor Vehicle Sales.....	15
Sec. 138-1251. – Office .....	15
Sec. 138-1252. – Outdoor Sales.....	16
Sec. 138-1253. - Restaurant .....	16
Sec. 138-1255. – Retail Sales and Service .....	16
Sec. 138-1256. – Studio and Gallery.....	16
<b>DIVISION 5. – Industrial, Manufacturing, and Warehouse Uses .....</b>	<b>16</b>
Sec. 138-1260. – Contractors Yard and Building.....	16
Sec. 138-1261. – Electric Vehicle Charging Station.....	16
Sec. 138-1262. – Fat, Oil, and Grease Facilities .....	17
Sec. 138-1263. – Freight Trucking .....	17
Sec. 138-1264. – Manufacturing .....	17
Sec. 138-1265. – Outdoor Storage .....	17
Sec. 138-1266. – Recycling Center.....	18
Sec. 138-1267. – Salvage Yard.....	18
Sec. 138-1268. – Storage, Self/Mini Warehouse .....	18
Sec. 138-1270. – Vehicle Refueling Station .....	18
Sec. 138-1271. – Vehicle Storage, Maintenance and Repair .....	18
<b>DIVISION 6. – Arts, Recreation, and Entertainment Uses .....</b>	<b>19</b>
Sec. 138-1280. – Adult Use Establishment, Adult Use Business .....	19
Sec. 138-1281. – Commercial Recreation, Indoor.....	19
Sec. 138-1282. – Golf Course and accessory structures.....	19
Sec. 138-1283. – Parks and Recreation areas .....	19
Sec. 138-1284. – Shooting Range/Gun Club .....	19
<b>DIVISION 7. – Education, Public Administration, Health Care, and Institutional Uses .....</b>	<b>19</b>
Sec. 138-1290. – Cemetery.....	19
Sec. 138-1291. – Congregate care and Nursing Home facilities.....	20
Sec. 138-1292. – Crematorium .....	20

Sec. 138-1293. – Day Care Facility, child and/or adult .....	20
Sec. 138-1294. – Government Building or Use .....	20
Sec. 138-1295. – Hospital.....	21
Sec. 138-1296. – Meeting Hall and other Community Assembly Facility .....	21
Sec. 138-1298. – Place of Worship.....	21
Sec. 138-1299. – School, grades Pre-K thru 12.....	21
Sec. 138-1301. – Social Service Agencies .....	22
<b>DIVISION 8. – Transportation, Communication, and Information Uses .....</b>	<b>22</b>
Sec. 138-1310. – Airports (Air Transportation) .....	22
Sec. 138-1311. – Docks and Piers.....	24
Sec. 138-1312. – Commercial Marina.....	24
Sec. 138-1313. – Heliport and Helistops .....	26
Sec. 138-1314. – Mass Transit Center.....	26
Sec. 138-1315. – Off-shore Tour Vessels and Water Transport .....	26
Sec. 138-1316. – Transmitting Stations, Remote Radio and Television .....	27
Sec. 138-1317. – Wireless Communication Antennae (WCA) .....	28
Sec. 138-1318. – Wireless Communication Tower.....	28
<b>DIVISION 9. – Utilities .....</b>	<b>28</b>
Sec. 138-1320. – Bio Hazardous or Hazardous Waste Storage and Treatment .....	28
Sec. 138-1321. – Solar Energy Systems .....	28
Sec. 138-1322. – Solar Energy Production Facility.....	29
Sec. 138-1323. – Solid Waste Management and Disposal Facility .....	29
Sec. 138-1324. – Solid Waste Transfer Facility .....	29
Sec. 138-1325. – Utilities .....	29
Sec. 138-1326. – Wind Energy Conservation System (WECS), Small Scale .....	29
<b>DIVISION 10. – Agricultural Uses &amp; Activities.....</b>	<b>29</b>
Sec. 138-1330. – Agricultural Activities, Commercial Use.....	29
Sec. 138-1331. – Community Gardens .....	30

<b>DIVISION 11. – Other Uses .....</b>	<b>30</b>
Sec. 138-1340. – Excavation Pits and Quarries, in excess of 1,000 cubic yards .....	30
Sec. 138-131. – Land Fills or Excavation.....	31
<b>Division 12. - Animals and Livestock .....</b>	<b>31</b>
Sec. 138-1351. - Chickens. ....	31
Sec. 138-1352. - Livestock. ....	33
Sec. 138-1353. – Non-Traditional Pets .....	33
<b>DIVISION 13. – Temporary Uses and Structures .....</b>	<b>33</b>
Sec. 138-1356. - Temporary uses and structures. ....	33
<b>Division 14. - Performance Standards.....</b>	<b>34</b>
Sec. 138-1360. - General requirements. ....	34
Sec. 138-1361. - Specific requirements.....	34

# CHAPTER 138 – ZONING

## ARTICLE VII – SPECIFIC USE STANDARDS

### DIVISION 1. – GENERALLY

#### Sec. 138-1200. - Applicability

INSERT

### DIVISION 2. – RESIDENTIAL USES

#### Sec. 138-1210. - Accessory Dwelling Units

(a) *Purpose* - INSERT

(b) *Applicability* - INSERT

(c) *Standards*

- (1) In nonresidential districts, a single-family dwelling for an owner or employee (i.e., a caretaker, night watchman, guard, manager, etc.) may be permitted as an accessory use to a commercial or industrial activity, provided that such residential use is limited to one dwelling unit per parcel of land. Such a dwelling unit shall not cause the maximum lot coverage to be exceeded.

#### Sec. 138-1211. - Affordable Housing Development (AHD)

(a) *Purpose* - The purpose and intent of this section is to provide a permitting procedure for the construction of affordable housing in keeping with the affordable housing incentive plan (Resolution 94-60) adopted by the board of county commissioners pursuant to the state housing initiatives partnership (SHIP) program pursuant to F.S. § 420.9072. This section will describe procedure and criteria for the certification of affordable housing developments (AHD's), describe the package of incentives which may be made available to developers of AHD's and provide a review process for the approval of AHD's. This section may also provide reference to other county ordinances and regulations effecting the development of AHD's.

(b) *Applicability* - INSERT

(c) *Incentives* - The following incentives may be made available to encourage the provision of affordable housing:

- (1) *Expedited permit processing.* The county administrator shall provide a review process which gives AHD's priority in the permit review process. A two-week turn-around time shall be the desired goal for the processing of a site plan for such development. To assist in achieving this goal a pre-application meeting will be required between the applicant and county site plan review staff. The development review administrator will serve as an ombudsman to assist the applicant in achieving an expeditious review.
- (2) *Impact and other review fees may be waived or paid by the county.* The county administrator is authorized to waive all fees for affordable housing units, except where "bond covenants" (i.e. on water, sewer connection fees) or other legal constrains prevent such waiving. Subsidies for payment of fees may be provided in the form of deferred payment or low interest loans. The department of

community development shall administer a program to assist the applicant subject to available funds.

- (3) A density bonus of up to 50 percent above the normal density permitted by this chapter may be provided as a special exception pursuant to article II division 7 of this chapter. Such bonus shall be subject to compatibility with the surrounding natural and physical environment, site constraints, concurrency management requirements and shall be in keeping with the purpose and intent of this chapter.
- (4) Parking requirements may be reduced where it can be shown that such reduction will be compatible with the surrounding neighborhood and not cause an adverse impact to the neighborhood. Such reduction shall be reviewed by the board of adjustment pursuant to [section 138-240](#)(23).
- (5) Setback requirements may be reduced up to 25 percent provided such reductions are not permitted for structures along the periphery of the AHD. Reductions along the periphery or in excess of the 25 percent limitation may be considered by the board of adjustment.
- (6) Zero lot line configuration will be permitted in all single-family residential districts as follows:
  - a. Zero lot line configuration when not located on the periphery of the AHD may be permitted provided no setback is required on one side of the lot and the setback on the opposite side is double on one side of the lot and the setback on the opposite side is double the normal requirement of the district in which the AHD is located. All other requirements must be met including article 4 division 11 of this chapter shall be applicable.
  - b. Zero lot line configuration proposed on the periphery of an AHD where located in a single-family residential district may be permitted as a special exception pursuant to article II division 7 of this chapter.
- (7) *Street design.* Modifications in street layout and design may be permitted subject to site constraints, type and intensity of development, and compatibility with surrounding development. The county public works director or his designee may recommend such modifications as deemed appropriate to achieve the intent of this section. However, such recommendation will be in keeping with standard, safe engineering practice and construction standards generally shall not be modified.
- (8) *Donation of publicly owned land.* County ordinance 88-47 currently permits donations of escheated property to nonprofit organization. Using state or federal housing funds, the county may also make deferred payment or low-interest loans to both nonprofits and for-profits for the purchase of property when the use meets the requirements of the funding source.
- (9) Accessory units will be permitted in all areas permitting single-family homes, as accessory uses, subject to size limits, design guidelines, parking, etc. (see section 138-1).
- (10) *Identifying qualified buyers or renters.* Existing sources will be identified and made available to AHD's to provide assistance in locating a qualified pool of home buyers and renters for the affordable units. The department of community development will make this information available.
- (11) *Affordable housing development.* Up to ten units per acre shall be permitted in commercial zoning districts provided all development standards of the zoning

district are adhered to. Where residential development is provided as upper floors above commercial uses, the allowable floor area permitted for the commercial use shall not be reduced. (This provision shall not become effective until appropriate amendments to the county's comprehensive plan become effective.)

(d) *Procedure for obtaining approval of affordable housing developments.*

- (1) The applicant's first step in obtaining approval for an affordable housing development will be to schedule a meeting with the department of community development to determine if the AHD proposal meets the definitional criteria of affordable housing. Such criteria shall be contained in a manual prepared by the department of community development and adopted by resolution of the board of county commissioners. If the department of community development determines that the AHD proposal meets these criteria and the applicant is not requesting a density bonus, reduced parking, setback reductions for structures along the perimeter of the AHD, or zero lot line configurations along the perimeter of the project, the department of community development will assist the applicant in seeking fee waiver, subsidies, expedited plan review and other incentives available to promote the construction of affordable housing.
- (2) Where the department of community development finds that the AHD proposal meets the definitional criteria and the applicant is seeking a density bonus, reductions, in parking, reductions in setbacks along the periphery, or zero lot line configurations along the periphery of the proposed AHD in a single-family residential district approval by the board of adjustment as a special exception pursuant to article II division 7 of this chapter is required prior to final site plan approval. The county administrator is directed to waive the fee for these applications and to insure that the request is scheduled for the first available public hearing provided required notice of public hearing can be given.

(e) Affordable housing developments, that are not being requested in conjunction with an application for a change in land use and/or zoning, or a conditional use, where a density bonus, reduction of required parking, reduction of setback requirements, or zero lot line configurations along the perimeter of the development in single-family districts are requested,

- (1). A residential density bonus may be granted up to 50 percent of the existing allowable density as an incentive to provide increased opportunity for affordable housing. Any such bonus shall only be granted in a manner which does not negatively impact the surrounding neighborhood or the natural environment. To achieve this incentive in single-family districts the board is authorized to permit a reduction in the required lot size by up to 30 percent. However, lot sizes should be controlled on periphery lots adjacent to single-family districts to maintain neighborhood compatibility. Periphery lots may be reduced in size no more than ten percent of the existing required lot size. No density bonus shall be granted when such development does not comply with the county's concurrency management ordinance.
- (2). Setback reductions may be granted when the applicant can demonstrate such reductions would provide cost savings (i.e. reduced front setbacks thereby reducing paving, concrete and walkways, and the length of water and sewer connections.) Setback reductions should not be considered on the periphery of the development except in such a manner that provides compatibility with neighboring properties.

- (3). Parking requirements may be reduced when it can be shown that such reductions will not adversely impact the neighborhood and that the type of development does not need the number of parking spaces normally required by this chapter.
- (4). Zero lot line configurations may be approved in all single-family districts. No zero lot line setback may be approved when it abuts adjacent property which is not a part of the AHD. Zero lot line configurations shall provide no setback on one side of the lot and double the side yard setback requirement of the district on the other unless reduced in accordance with provision subsection (b) above. Lot size requirements of this chapter may be reduced up to 30 percent of the minimum size required for the district in which located.

**Sec. 138-1212. - Assisted Living Facility & Nursing Homes**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) Nursing homes:
    - a. Number of beds may not exceed three times the allowed density of the zoning district in which the parcel is located (unless otherwise specified).
    - b. Maximum height: Two stories or 25 feet.
    - c. Access to nursing homes shall be from a collector or arterial roadway as shown on the most recently adopted comprehensive road plan.
    - d. New or expanded nursing homes are prohibited within the coastal storm area, the area inundated by a category 2 hurricane or a floodway as defined by this chapter. This restriction does not preclude substantial improvements as defined in section 170-101 or the replacement of an existing facility as long as its use as a nursing home has not been abandoned, and the improvements or replacement do not result in additional beds.

**Sec. 138-1213. - Community Residential Home**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1214. - Dormitory**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1215. - Dwellings**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) MultiFamily
  - (2) Single-Family Attached
  - (3) Three-Family

Sec. 138-1216-1217 Reserved

**Sec. 138-1218. - Mobile Home Park and Subdivision**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1219. - Modern Manufactured Home**

- (a) *Purpose* - It is the intent of this section to encourage the provision of affordable housing in a general residential environment by permitting the use of residential design manufactured housing ("RDMH"), as defined in this section, in residential districts in which similar dwellings constructed on the site are permitted, subject to the requirements and procedures set forth in this section to assure similarity in exterior appearance between such residential designed manufactured housing and dwellings which have been constructed under these and other lawful regulations on adjacent lots in the same district. Manufactured homes approved as RDMH, either individually or by specific model, shall be permitted in residential districts in which similar residential occupancy is permitted, subject to requirements and limitations applying generally to such residential use in the districts, including minimum lots, yard and building spacing, percentage of lot coverage, off-street parking requirements and approved foundations as described in this chapter.
- (b) *Applicability* - INSERT
- (c) Procedures for approval. Approval of residential design manufactured housing (RDMH) shall be authorized by the county administrator or his designee.
  - (1) Applications for approval of manufactured homes as RDMH shall be submitted to the county administrator or his designee in such form as may reasonably be required to make determinations. In particular, in addition to such information as is generally required for permits and as is necessary for administrative purposes, such applications shall include all information necessary to make determinations as to conformity with the standards in this section, including photographs of all sides of the RDMH, exterior dimensions, roof pitch, roof materials, exterior finish, and other information necessary to make determinations.
  - (2) Actions by the county administrator or his designee; time limitations on determinations. Within seven days of receipt of the application and all required supporting materials, the county administrator or his designee shall make the determination as to conformity with the standards in this section, and shall notify the applicant of the approval, conditional approval or denial of the application. Conditional approval shall be granted only where the conditions and reasons

therefor are stated in writing and agreed to by the applicant, and such conditions shall be binding upon the applicant. In the case of disapproval, the reasons therefor shall be stated in writing.

- (d) Standards for determination of similarity in exterior appearance. The following standards shall be used in determinations of similarity in appearance between residential design manufactured homes (RDMH), with foundations approved as provided in this subsection, and compatible in appearance with site-built housing which has been constructed in adjacent or nearby locations.
- (1) Minimum dimension of main body. Minimum dimension of the main body of the RDMH shall not be less than 20 feet, as measured across the narrowest portion. This is not intended to prohibit the offsetting of portions of the home.
  - (2) Minimum roof pitch; minimum roof overhang; roofing materials. Minimum pitch of the main roof shall be not less than three feet of rise for each 12 feet of horizontal run and minimum roof overhang shall be one foot. In cases where site-built housing generally has been constructed in adjacent or nearby locations with lesser roof pitches and/or roof overhangs of less than one foot, then the RDMH may have less roof pitch and overhang, similar to the site-built houses. In general, any roofing material other than a built-up composition roof may be used which is generally used for site-built houses in adjacent or nearby locations.
  - (3) Exterior finish; light reflection. Only material for exterior finish which is generally acceptable for site-built housing which has been constructed in adjacent or nearby locations may be used, provided, however, that reflection for such exterior shall not be greater than from siding coated with clean white gloss exterior enamel.
  - (4) Approved foundations required in residential districts. No RDMH shall be placed or occupied for residential use on a site in a residential district until such foundation plans have been submitted to and approved by the county administrator or his designee as to the appearance and durability of the proposed foundation and being acceptably similar or compatible in appearance to foundations of residences built on adjacent or nearby sites. All homes shall be placed on permanent foundations.
  - (5) Site orientation of the manufactured home. RDMH's shall be placed on lots in such a manner as to be compatible with and reasonably similar in orientation to the site-built housing which has been constructed in adjacent or nearby locations.
  - (6) Garages, carports in residential neighborhoods where adjacent to nearby site-built homes which include garages and/or carports. A RDMH shall be required to be provided with a garage and/or carport compatible with the RDMH and the site-built garages and/or carports constructed in adjacent or nearby locations.
  - (7) Compatibility with nearby site-built housing. RDMH's shall be compared to site-built housing in the neighborhood within the same zoning district. Approval for a RDMH shall not be granted unless it is found that the RDMH is substantially similar in size, siding, material, roof pitch, roof material, foundation and general appearance to site-built housing which may be permitted by the zoning and/or building code in the neighborhood in the same zoning district.

## **DIVISION 3. – ACCOMMODATIONS**

### **Sec. 138-1230. - Bed and Breakfast**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

### **Sec. 138-1231. – Hotel/Motel**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1). Maximum of five guest rooms.
  - (2). Facility shall be designed and operated so as to maintain the residential character of the neighborhood. These facilities are intended to provide short term lodging and meals for transient guests who are visiting the area. It is specifically not intended for these to be rental apartments, boardinghouses or other mid-to long-term rental units. The board of adjustment shall have wide latitude to attach conditions to insure this provision is met.
  - (3). The proposed location should generally not be located on a minor residential street unless the area has some unique features such as access to tourist attractions or location in an historic area where such facilities may be desirable. It may also be appropriate to consider the facilities in buildings where a valid public purpose would be served in maintaining, preserving and reconditioning older structures and neighborhood character.
  - (4). Parking shall be required at the rate of one space for each guest room plus two spaces. Parking shall be provided in a manner which is compatible with the surrounding area.
  - (5). A maximum six-square-foot sign may be provided to identify the facility's location.

## **DIVISION 4. – COMMERCIAL AND OFFICE USES**

### **Sec. 138-1240. – Alcohol Dispensing**

- (a) *Definitions*. As used in this section:

*Alcoholic beverages* means any beer, wine, or liquor as defined by the state beverage law.

*Business establishment* means and includes any place of business, whether or not licensed under the state beverage law, of any vendor, club, organization, corporation, firm, person, partnership or similar entity which dispenses alcoholic beverages. This shall include any establishment commonly known as a bottle club which may permit persons to carry alcoholic beverages onto the premises of such establishment with the knowledge, actual or implied, that such beverages will be consumed thereon.

*Dispense* or *dispensing* means the storing, handling, preparation, distribution, serving, sale, or gift of any alcoholic beverage. For the purpose of this definition, permitting or allowing any person to carry alcoholic beverages onto the premises of a business

establishment with such beverages to be consumed thereon shall be deemed as dispensing such beverages.

*State beverage law* means F.S. chs. 561, 562, 563, 564 and 565, including subsequent amendments or successors thereto.

- (b) *Dispensing for off-premises consumption.* The dispensing of alcoholic beverages for off-premises consumption only by any business establishment shall be permitted only in zoning districts classified by this chapter as C-1, C-2, C-3, CP, M1, or IPD. Such sales shall also be permitted within any authorized commercial building located in an RPD district. The wholesale storage and distribution only of alcoholic beverages shall be permitted in zoning districts C-3, M-1, M-2, and IPD.
- (c) *Dispensing for on-premises consumption; distance required from residential zoning districts.*
  - (1) The dispensing of alcoholic beverages by any business establishment for on-premises consumption shall be permitted only within the following zoning districts: C-1, C-2, C-3, CP, M1, and IPD. Such sales shall also be permitted within any authorized commercial building located in an RPD district.
  - (2) No building or structure in which alcoholic beverages are sold, dispensed or consumed under this subsection shall be located within 150 feet of any residential zoning district boundary line. In the case of a building located in an RPD commercial sales area, such distance shall be measured to the boundary of the nearest property used for residential or accessory residential purposes. Such distance shall be measured along a straight line from the nearest residential zoning district to the closest portion of the building or structure; except that, in a multi-tenant or multi-user building, such as a shopping center, such distance requirement shall be measured from any residential district, boundary along a straight line to the unit or portion of the building or structure in which alcoholic beverages are actually sold, dispensed or consumed under this subsection. The distance requirements of this section shall not apply to residentially zoned property which consists of public right-of-way, water ways, wetlands, or similar lands which cannot be used for actual residential purposes.
  - (3) It is further provided that a building or structure located on a bona fide golf course or country club premises, in which alcoholic beverages are dispensed for consumption by the members and guests thereof only, may be located in any zoning district, but shall be located within the boundaries of the golf course or country club and shall be located not less than 200 feet from any residential structure. The sale of alcoholic beverages from a mobile vehicle, which travels along established cart paths within a bona fide golf course shall be permitted as an ancillary use of the golf course or country club where alcohol sales are permitted within the main clubhouse.
  - (4) The dispensing of alcoholic beverages for on-premises consumption in conjunction with a bona fide restaurant shall be exempt from the distance provisions of this chapter provided sale of alcohol is incidental to food sales (at least 51 percent sale in food). Vendors may be required to provide verification from a certified public accountant of such sales ratio.
- (d) *Dispensing for on-premises consumption by social clubs, or veterans, fraternal, benevolent, civic or other organization described in F.S. § 561.20(7).* Social clubs, veterans', fraternal, benevolent, civic or other organizations described in F.S. § 561.20(7) may dispense alcoholic beverages for on-premises consumption within any zoning district

or location provided such location is approved by the board of county commissioners as a conditional use pursuant to article II, division 8 of this chapter. This subsection shall not apply to those areas which meet the provisions of subsection (c) of this section.

- (e) *Prohibition of dispensing near churches or schools.* The dispensing of alcoholic beverages by any business establishment shall not be permitted from any building or structure within 500 feet, measured in a straight line, from the nearest point of any building or structure (in a multi-tenant or multi-user building such as a shopping center, the distance may be measured from the unit or portion of the building where alcoholic beverages are sold, dispensed, or consumed) to the boundary of any tract of land on which a church or school is located or which has received authority to locate. If the church or school property contains wetlands, waterways, or similar geographic features that would not permit the physical use of the property for church or school use such as buildings, parking, worship areas, playgrounds or other traditional church or school usage, the distance requirement shall include the wetland, waterway, or similar area and the measurement shall taken from the area of the church or school site that would physically allow such traditional church or school use. This subsection shall not be retroactive; and the subsequent erection of a church or school within the distance of a legally authorized business establishment shall not be cause for the revocation or suspension of any permit, certificate, or license, or cause for denial of any permit or certificate thereafter requested for that use. The dispensing of alcoholic beverages for on-premises consumption within a bona fide restaurant shall be exempt from this provision provided the sale of alcohol is incidental to food sales (at least 51 percent of sales shall be in food). Vendors may be required to provide verification by a certified public accountant of such sales ratio.
- (f) *Uniform closing hours.* The provisions of Laws of Fla. ch. 63-1790, as amended (compiled in [ch. 6](#), art. II), relating to uniform closing hours and other restrictions, apply to all business establishments as defined in this section, and the reasonable evidence of any violation thereof shall constitute grounds for the revocation or suspension by the board of county commissioners of any zoning or use approval, building permit, occupancy certificate, or license approval to any such business establishment.
- (g) *Exemptions.*
  - (1) The sale or dispensing of alcoholic beverages within any zoning district at one time or at short duration fundraisers, special events, [and] promotions, shall be exempt from the provisions of this section except for the uniform closing hours established in subsection (f) of this section, under the following conditions:
    - a. Sale or dispensing shall be for a maximum of three days only during any six-month period. This condition shall not apply to the number of annual fundraising and special events held in the Downtown Palm Harbor Historic District provided the events have received street closure approval from the Pinellas County Public Works Department and have received a waiver from [section 6-47](#)(b) of the Pinellas County Code by the board of county commissioners.
    - b. Sale or dispensing shall be located on the site of an authorized use as permitted by this chapter.
  - (2) The sale or dispensing of alcoholic beverages at special events of community interest and importance may be permitted to occur as early as 8:00 a.m. as provided for in [section 6-30](#)(e) of the Pinellas County Code, under the following conditions:

- a. Sale or dispensing shall be located on the site of an authorized use as permitted by this chapter or otherwise waived pursuant to [section 6-47](#)(b) of the Pinellas County Code.
- b. A permit is obtained from the department of development review services detailing the conditions required under this section and [section 6-30](#)(e).

**Sec. 138-1241. - Bank**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1242. – Car Wash and Detailing**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1243. – Drive-Thru Facility or Use with a Drive-Thru**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1244. – Food Carts/Food Trucks**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1245. – Health Club/Fitness Center**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1246. – Home Occupation**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) Standards - Home occupations, where allowed by the provisions of this chapter, shall conform to the following provisions:
  - (1) The use must be conducted entirely within a dwelling and not be visible from the street or neighboring dwellings and may only be carried on by members of a family living therein except as provided below. The home occupation is to be clearly incidental and secondary to the use of the dwelling for dwelling purposes and is not to change the residential character thereof. A home occupation may include such uses, when operated in strict accordance with the provisions of this section as follows: Phone sales, mailing service, accountant, engineer, architect, dressmaker, artist, handicrafts, consultant or similar profession. The precedent list is meant to be illustrative only and is not all inclusive. Home occupations specifically prohibited

would include auto and/or equipment repair, or any similar type of use which is not compatible with the residential neighborhood.

- (2) Up to two persons may be engaged in a home occupation other than members of the family permanently residing on the premises providing parking is available on site in a driveway or other standard parking area. Customers may not conduct business on the premises except as otherwise provided in section 8 below.
- (3) No materials or stock in the trade are to be sold on the premises or stored outside the dwelling.
- (4) The use shall not create dangerous vapors or fumes, and no use shall be permitted where noise, light, dust, or vibration extends beyond the lot or parcel line of an abutting lot or parcel.
- (5) The rooms used for home occupations shall represent no more than 20 percent of the total area of the dwelling.
- (6) All activities associated with the home occupation shall be conducted entirely within a dwelling. There shall be no display or other visible evidence other than as provided in this section that would indicate that the dwelling is being utilized for any other use than a dwelling, unless such display or evidence is located inside of the dwelling in such fashion as not to be visible from the street.
- (7) There shall be no physical change or alteration to the exterior appearance of a structure that would not be appropriate to its use as a dwelling.
- (8) Traditional home based instruction such as but not limited to tutoring and music or swimming lessons where instruction is provided by only one instructor to only three student[s] per class with no more than ten classes per day between the hours of 9 a.m. and 9 p.m. shall be considered a home occupation. Other instruction or private school may be allowed as a special exception pursuant to section 138-240(16).

**Sec. 138-1247. – Kennel/Pet Care**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) Kennel/Pet Care - Indoor
  - (2) Kennel/Pet Care - Outdoor

**Sec. 138-1248. – Model Dwelling Units and Pre-construction Sales Offices**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1249. – Motor Vehicle Sales**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1251. – Office**

- (a) *Purpose* - INSERT

- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) Office, General
  - (2) Office, Medical
    - a. Medical clinics in multiple-family zoning districts, subject to the following:
      - 1. Maximum size of 2,500 square feet of floor space (the board of adjustment may not vary this requirement).
      - 2. Use limited to emergency service, "free clinics," public health service agency, or similar medical facilities to provide health care service convenient to neighborhoods.
  - (3) Office, Temporary Labor
  - (4) Office, Veterinary

**Sec. 138-1252. – Outdoor Sales**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1253. - Restaurant**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1255. – Retail Sales and Service**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1256. – Studio and Gallery**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**DIVISION 5. – INDUSTRIAL, MANUFACTURING, AND WAREHOUSE USES**

**Sec. 138-1260. – Contractors Yard and Building**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1261. – Electric Vehicle Charging Station**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT

(c) *Standards*

**Sec. 138-1262. – Fat, Oil, and Grease Facilities**

(a) *Purpose* - INSERT

(b) *Applicability* - INSERT

(c) *Standards*

**Sec. 138-1263. – Freight Trucking**

(a) *Purpose* - INSERT

(b) *Applicability* - INSERT

(c) *Standards*

**Sec. 138-1264. – Manufacturing**

(a) *Purpose* - INSERT

(b) *Applicability* - INSERT

(c) *Standards*

(1) Manufacturing - Light, Assembly and Processing - Type A

(2) Manufacturing - Light, Assembly and Processing - Type B

(3) Manufacturing - Heavy

**Sec. 138-1265. – Outdoor Storage**

(a) *Purpose* - INSERT

(b) *Applicability* - INSERT

(c) *Standards*

(1) Outdoor Storage, Accessory Industrial

(2) Outdoor Storage, Principal Use - In addition to the general standards (section 138-269), the board should consider each of the following criteria in determining whether an application for this conditional use should be approved:

- a. Light manufacturing and assembly for purpose of this section shall mean a use engaged in the manufacture, predominately from previously prepared materials, of finished products or parts including processing, fabrication, assembly, treatment, packaging, storage, sales and distribution of such products.
- b. There shall be no exterior storage or processing of equipment or materials of any kind.
- c. The use shall be operated in manner so as not to create adverse impacts in terms of noise, solid waste, traffic generation and air quality emissions. Such impacts shall be no more intense that those which could be reasonably attributed to uses permitted by right in the same zoning district.
- d. Hours of operation may be limited to those which are similar to other business which are located in the general vicinity in the same zoning district.
- e. Parking, loading and service to the use shall be operated in a manner so as not to adversely affect neighboring properties.

**Sec. 138-1266. – Recycling Center**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1267. – Salvage Yard**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) Must provide solid screening or walls at least eight feet high to ensure screening and buffering of stored materials. Such screening or wall shall be as deemed appropriate by the board of county commissioners.

**Sec. 138-1268. – Storage, Self/Mini Warehouse**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*: Mini storage in the C-1 district, subject to the following:
  - (1) To be used for dead storage of household goods and items only.
  - (2) No business to be conducted from storage units.
  - (3) No outdoor storage.
  - (4) Maximum height to be 12 feet.
  - (5) Maximum floor area ratio to be .5.
  - (6) Site to be buffered from any adjacent residential property by a minimum of six feet opaque fence. Additional buffering may be required by the board to insure compatibility with the surrounding area.

**Sec. 138-1270. – Vehicle Refueling Station**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) All pump islands and canopy supports at service stations shall be set back at least 15 feet from a road right-of-way line.
  - (2) Service stations shall strictly adhere to performance standards required by this chapter and with any restrictions required by the particular zoning district where located. Additionally, when located within 300 feet of a residential zone, all storage of tires, parts, and equipment shall be within an area enclosed by a solid wall a minimum of eight feet in height.

**Sec. 138-1271. – Vehicle Storage, Maintenance and Repair**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

## **DIVISION 6. – ARTS, RECREATION, AND ENTERTAINMENT USES**

### **Sec. 138-1280. – Adult Use Establishment, Adult Use Business**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards* - Adult uses, as defined by county ordinance, shall be located pursuant to such ordinance adopted by the board of county commissioners to regulate such uses.

### **Sec. 138-1281. – Commercial Recreation, Indoor**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) Commercial Recreation, Indoor
  - (2) Commercial Recreation, Outdoor

### **Sec. 138-1282. – Golf Course and accessory structures**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

### **Sec. 138-1283. – Parks and Recreation areas**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) Parks and Recreation Areas, Passive
  - (2) Parks and Recreation Areas, Active High Intensity
  - (3) Parks and Recreation Areas, Active Low Intensity
  - (4) Public or private parks, playgrounds, clubhouses for fraternal organizations, and recreation areas. If the site exceeds or is equal to three acres in size, these uses shall be designated as appropriate on the future land use map. See table 33, future land use element of the comprehensive land use plan, Ordinance No. 89-32, as amended.

### **Sec. 138-1284. – Shooting Range/Gun Club**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

## **DIVISION 7. – EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE, AND INSTITUTIONAL USES**

### **Sec. 138-1290. – Cemetery**

- (a) *Purpose* - INSERT

(b) *Applicability* - INSERT

(c) *Standards*

**Sec. 138-1291. – Congregate care and Nursing Home facilities**

(a) *Purpose* - INSERT

(b) *Applicability* - INSERT

(c) *Standards*

(1) Congregate Care Facilities

(2) Nursing Home Facilities

**Sec. 138-1292. – Crematorium**

(a) *Purpose* - INSERT

(b) *Applicability* - INSERT

(c) *Standards*

**Sec. 138-1293. – Day Care Facility, child and/or adult**

(a) *Purpose* - INSERT

(b) *Applicability* - INSERT

(c) *Standards*

1. Provide a gross land area of 500 square feet per child (does not apply to adult day care).
2. Orient all children's play areas and provide buffering and separation, as deemed appropriate by the board of adjustment, so as to prevent adverse impact to adjacent properties (does not apply to adult day care).
3. Facilities to be licensed as required by appropriate governmental agencies.
4. Parking required at one space per employee plus one space per each ten students or clients.
5. If the site is equal to or exceeds five acres in size, the property must be designated as required by the future land use map of the comprehensive plan.

**Sec. 138-1294. – Government Building or Use**

(a) *Purpose* - INSERT

(b) *Applicability* - INSERT

(c) *Standards*

- (1) Due to the variety of uses and associated impacts, specific standards shall be determined during review.
- (2) In residential districts, such uses shall be limited to low intensity facilities or office uses such as city hall, courthouse, police station, post office, library, government office, electric transforming substation, communication substation, water or sewer pump station, and similar uses. No exterior storage of machinery or equipment shall be permitted when located in a residential district.
- (3) Any public facility approved by the board of county commissioners through the county's capital improvement program shall be considered to meet the requirements of this division and shall be permitted in any zoning district.

- (4) If such facility involves three or more acres, the proposed development shall be designated as institutional, transportation/utility or other appropriate land use designation as required on the future land use map in addition to any conditions imposed by the board of county commissioners.

**Sec. 138-1295. – Hospital**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) New or expanded hospitals, nursing homes, group living homes I, II, III and congregate care facilities are prohibited within the coastal storm area, the area inundated by a category 2 hurricane, or a floodway as defined by this chapter. This restriction does not preclude substantial improvements or the replacement of an existing facility as long as its use as a hospital, nursing home, group living home, and/or congregate care facility has not been abandoned, and the improvements or replacement do not result in additional beds.

**Sec. 138-1296. – Meeting Hall and other Community Assembly Facility**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1298. – Place of Worship**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  1. Facilities to provide traditional church and worship functions along with incidental ancillary uses only. Such facilities may include but are not limited to sanctuary, temple or similar place of worship, accessory uses for church classrooms, meeting rooms or similar assembly rooms, parsonage and other similar functions which are incidental and ancillary to the use of the site as a church or place of worship.
  2. All other proposed uses not considered as incidental and ancillary to the church may not be permitted in the special exception.
  3. If the site is equal to or exceeds five acres in size the property must be designated as required by the future land use map of the comprehensive plan.

**Sec. 138-1299. – School, grades Pre-K thru 12**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) Schools Proposed by the school board.
    - a. Nothing within this chapter shall prohibit the board of county commissioners from entering into an agreement with the county school board pursuant to F.S. § 235.193(9) to establish a procedure for the review of site plans for compliance with the county's land development regulations and consistency with the comprehensive plan. Such a procedure may include, but not be

limited to, locational criteria (including the identification of zoning districts in which schools may be located), environmental requirements, safety requirements, health requirements, and the mitigation of off-site impacts and effects on adjacent property. The locational criteria of this chapter shall be superseded by the adoption of such an agreement.

- (2) Private schools of general or special education in residential districts:
  - a. Specific standards and conditions to be determined during review in accordance with section 138-238. If the site is equal to or exceeds five acres, the property must be designated as required by the future land use map of the comprehensive plan.

**Sec. 138-1301. – Social Service Agencies**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**DIVISION 8. – TRANSPORTATION, COMMUNICATION, AND INFORMATION USES**

**Sec. 138-1310. – Airports (Air Transportation)**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) New or enlarged airports. In addition to all other items required by the pertinent sections of this chapter, applications for enlarging or changing existing airfields or to permit a new airfield shall be accompanied by:
    - a. Proof of compliance with all county, state and federal laws, regulations and requirements.
    - b. Complete plans for all airport facilities, including approach zones, horizontal zones and conical zones.
    - c. A fee sufficient in amount to reimburse the county for all costs of installing and maintaining warning lights or markers upon any existing tree or structure outside of the property of the applicant and which extends into any approach zone, horizontal zone, or conical zone.
    - d. A list of all trees or structures which extend into any approach zone, horizontal zone or conical zone and the dimensions of such trees or structures.
  - (2) Clear space.
    - a. In order to reduce danger from low-flying planes approaching and taking off from the airfield, the end of a runway shall not be closer than the applicable distance as set out in this subsection and as measured within the area drawn by the means provided in subsection (b)(2) of this section.
      - 1. Seven hundred fifty feet for airstrips.
      - 2. One thousand feet for class I airfields.
      - 3. Two thousand feet for class II or class III airfields.
      - 4. Twenty-five hundred feet for class IV airfields.

- b. Such distance shall be measured from the end of each runway by extending a line perpendicular to the centerline of such runway  $1\frac{1}{2}$  times the width of the runway in each direction from the centerline and taking the points from each end of such line so drawn; thence extending a line from each of such points away from the centerline at an angle of seven degrees on each side for the distance as required in subsection (b)(1) of this section; an arc shall then be drawn connecting the point at the far end of each seven-degree angle line using the end of the centerline of the runway as the center point for such arc.
- (3) Runways. All runways shall conform in length and width to the Federal Aviation Agency's minimum standards.
- (4) Aprons and ramps.
  - a. Aprons and ramps shall be perpendicular to runways and taxiways.
  - b. Vehicles or aircraft shall not be parked or stored in the area outlined by the directions in subsection (b)(2) of this section, nor within 100 feet of the edge of the runway, whichever distance is greater.
- (5) Construction within the airfield.
  - a. Structures within the airfield shall be constructed of material which will provide not less than two hours' fire-resistant construction according to the standards established by the American Society of Testing Materials or the requirements of the National Fire Protection Association.
  - b. All airports shall be fenced; such fences shall be a minimum of four feet in height.
  - c. Storage of gasoline shall be underground and in accordance with the requirements of all applicable laws and ordinances.
- (6) Height limitations near airports.
  - a. No existing use, structure or tree may be extended, expanded or enlarged so as to encroach into any portion of the approach zones, horizontal zones or conical zones, nor shall any existing use, structure or tree be permitted to encroach into any of the aforesaid zones.
  - b. Any use, structure or tree existing on January 30, 1990, and which extends into any approach zone, horizontal zone or conical zone of an existing airport shall be considered nonconforming and may not further encroach into any of the aforesaid zones.
  - c. Where any use, structure or tree which shall be in existence on the date on which a proposed airport shall be approved and where such use, structure or tree extends into the approach zones, horizontal zones or conical zones of such an airport, such use, structure or tree shall be considered nonconforming as of the date specified in subsection (f)(2) of this section and shall be in no way expanded to further encroach into the aforesaid zones.
- (7) *Airport hazards* (Florida Aviation Laws, F.S. § 333.02):
  - a. It is hereby found that an airport hazard endangers the lives and property of users of the airport and of occupants of land in its vicinity and also, if of the obstruction type, in effect reduces the size of the area available for the landing, taking off and maneuvering of aircraft, thus tending to destroy or impair the utility of the airport and the public investment therein. Accordingly, it is hereby declared that:

1. The creation or establishment of an airport hazard is a public nuisance and an injury to the community served by the airport in question;
  2. It is therefore necessary in the interest of the public health, safety and general welfare that the creation or establishment of airport hazards be prevented; and
  3. This should be accomplished, to the extent legally possible, by the exercise of the police power, without compensation.
- b. It is further declared that both the prevention of the creation or establishment of airport hazards and the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards are public purposes for which political subdivisions may raise and expend public funds and acquire land or property interests therein, or air rights thereover.
- (8) Other hazards.
- a. Uses within two miles of any airfield runway shall conform to the performance standards established in this section.
  - b. No electrical use or operation shall be permitted that interferes with instrument control or landing operations of planes or of radar, radio or ground control approach systems for such airport.
- (9) Uses at the St. Petersburg-Clearwater International Airport and in the surrounding area shall be regulated and restricted pursuant to chapter 142, article II.
- (10) Additional Standards
- a. The minimum building site areas for each primary use and its customary accessory use shall be a minimum of five acres of land with a minimum width of 200 feet and a minimum depth of 200 feet.
  - b. No structure within this area shall exceed 45 feet in height.
  - c. The maximum area of a lot or parcel to be covered by structures shall be ten percent of the area of the lot or parcel.
  - d. The following front, side and rear yards shall be required:
    1. Front yard shall be a minimum of 50 feet in depth measured from a right-of-way line to the front of the structure, taxi area, or parking area.
    2. Side and rear yards shall be a minimum of 25 feet to any structure, taxi area, or parking area.
  - e. A showing of compliance with section 138-1331 of this chapter and chapter 14-60, airport licensing and zoning, rules of state department of transportation.
  - f. If the site area is equal to or exceeds three acres, the future land use plan designation shall be transportation utility.

**Sec. 138-1311. – Docks and Piers**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1312. – Commercial Marina**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT

(c) *Standards*

- (1) Site plans for marinas shall not be approved unless such plans are in substantial compliance with policies 4.1.2, 4.1.3, 4.1.4, and 4.1.5 coastal management element of the county's adopted comprehensive plan. For the purpose of this section, marinas and other water dependent uses shall include any facility adjacent to and utilizing a body of water and providing any of the following: boat storage and launching, docking, building, repair, maintenance and outfitting of watercraft that requires access to water, or any similar water dependent use.
- (2) Commercial marinas may be approved within the C-2, commercial general retail commercial and limited services district, CR, commercial recreation, or CP, commercial parkway zoning districts. For purpose of this section a "commercial marina" is defined as a facility, adjacent to and utilizing a body of water which may provide only the following: boat storage and launching, docking, minor repair and maintenance of water craft such as washing, polishing, engine tune up, oil change, lubrication, minor outfitting, retail sale of gas, oil, bait, tackle and marine supplies or such other customary use commonly found at a retail marina.
  - a. Prior to approval of such the board shall be assured that:
    1. The use meets all zoning standards.
    2. The use will comply with applicable noise standards of the county code.
    3. The use shall not general excessive vehicular traffic in the neighborhood.
    4. The use shall be compatible with the surrounding area and shall be utilized for recreational and pleasure craft and/or fishing vessels only with no boat building, major repair operations or shipping port activities included.
    5. The use shall be adequately buffered from adjacent properties.
    6. Water ways will be protected from material adverse impacts on navigation, transportation, recreation and other public purposes.
    7. Water flows and tidal currents in the surrounding waters will be protected from material adverse impacts.
    8. Material adverse impacts on erosion control, storm drainage, shoaling of channels and water quality shall not occur.
    9. Recreational advantages and natural beauty shall be protected.
    10. Material adverse impacts on wildlife, marine life and natural resources including beaches and shores shall not occur.
    11. Health, safety and welfare of the general public is considered.
    12. The use will be consistent with adopted state plans (i.e. manatee protection, swim plans) county and county's comprehensive plan and other adopted resource management plans or other county ordinances and regulations.
    13. A hurricane plan is filed and that such plan is acceptable to the county emergency management department.
  - b. The burden shall be on the applicant to demonstrate compliance with these standards.
  - c. Where docks, seawalls, launching ramps, etc. are proposed and would require permits from the county water and navigation control authority, the conditional use request and the water and navigation application shall be

reviewed simultaneously. The county administrator shall cause all public hearings required for each, if required, to be scheduled at the same time to permit the county commission to review the overall proposed development.

- d. Minor modifications to an existing marina, resulting in no more than a ten percent increase in the number of boat storage spaces on the upland area of the site or a ten percent increase in the size of the building footprint and/or parking area, may be reviewed and approved by the county administrator through the site plan review process, provided all other permitting criteria and conditions are addressed.

**Sec. 138-1313. – Heliport and Helistops**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) The minimum touchdown area shall be 100 feet in length and width.
  - (2) The minimum primary surface area shall be 300 feet in length and width.
  - (3) A showing of compliance with section 14-60, airport licensing and zoning, rules of the state department of transportation.
  - (4) If the site area is equal to or exceeds three acres, the future land use plan designation shall be transportation utility.

**Sec. 138-1314. – Mass Transit Center**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1315. – Off-shore Tour Vessels and Water Transport**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) Off-shore tour vessels may be approved as a conditional use at any location where marinas are specifically permitted. In addition to the general standards contained in section 138-269, the board shall consider each of the following criteria in determining whether an application should be approved:
    - a. Possible detrimental effects on surrounding properties including lights, noise, odor, or other nuisance effects.
    - b. Effects on the navigability of the waterway and the impact on vessels currently using the waterway.
    - c. Impact on traffic circulation.
    - d. Ability to provide parking at a rate of one space per three rated passenger plus one for each employee.
    - e. Within the Anclote River such vessels shall not be moored within 1500 feet of another such vessel (said distance to be measured from the center of the submerged mooring area of the vessels).

## **Sec. 138-1316. – Transmitting Stations, Remote Radio and Television**

- (a) *Purpose* - It shall be the intent of this chapter to allow for the reasonable expansion of technology in keeping with the 1996 Federal Telecommunications Act while providing reasonable regulation of communication towers and antennas to ensure that the county landscape is not adversely affected by the proliferation of tall towers.
- (b) *Applicability* - This section shall not apply to broadcast studios of office.
- (c) *Standards* - Construction of antennas and towers in accordance with the preceding provisions shall be the desired method in the county in order to minimize the visual impacts of towers on the landscape. Proposals to erect towers in another manner (except those specifically exempted from this Code) may be permitted by the board of adjustment. Toward this end the following provisions shall apply:
  - (1) Communication towers may be erected in any commercial or industrial district as a permitted use subject to the height limitations established in section 138-1277 of this chapter.
  - (2) Communication towers which are camouflaged to look like trees or palms which are common to the county may be erected in any zone subject to a height limitation of 75 feet.
  - (3) Antennas and supporting mechanical equipment may be installed on or attached to buildings, light poles, other existing towers, water towers, or other existing structures in any zoning district. Such antennas shall add no more than 20 feet in height above the existing structure and shall be a neutral color similar to that of the supporting structure.
  - (4) Supporting equipment buildings may be located on the site of camouflaged towers provided they do not exceed 500 sq. ft. in size. Such buildings shall be compatible with the architecture of the neighborhood in which located.
  - (5) Towers and supporting structures shall be a neutral nonglare color or finish so as to reduce visual obtrusiveness (except as may otherwise be required by the Federal Aviation Authority).
  - (6) Any tower or antenna which is not operated for a period of 90 days or more shall be considered abandoned. Upon written notification by the county, the owner shall remove same within 60 days. Failure to do so shall constitute a violation of this code. Upon such written notification any previously granted variance or special exception shall terminate. Abandonment shall not include towers or antennas damaged by forces beyond the control of the operator, where the operator is proceeding in good faith to restore the facility to operational status. A tower or antenna shall be considered operational so long as an antenna and corresponding electronics, in operational condition, are present, at the facility or undergoing repairs in accordance with the above.
  - (7) All towers and supporting equipment including guys shall meet normal setback requirement except that towers shall be set back from residential property lines a distance equal to the height of the tower.
  - (8) Towers shall be enclosed by security fencing a minimum of six feet in height.
  - (9) Towers shall not be used for the placement of advertising or signs other than warning signs or devices.
  - (10) Towers shall be set back from residential property lines a distance equal to the height of the tower.
  - (11) Towers shall be equipped with warning lights in accordance with FAA standards regardless of height.

**Sec. 138-1317. – Wireless Communication Antennae (WCA)**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1318. – Wireless Communication Tower**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*: Communication towers may be erected above the height limitations established in this chapter under the following conditions:
  - (1) The applicant must demonstrate a need for the tower's location and increased height.
  - (2) The applicant must demonstrate that the tower cannot be located and constructed pursuant to section 138-1347 of this chapter.
  - (3) The applicant must demonstrate that attempts have been made to locate the proposed communication equipment on another existing tower.
  - (4) The applicant must demonstrate all special exception provisions required by section 138-238 of this chapter have been met.
  - (5) The applicant must agree where practical to provide space for additional future users in order to reduce the proliferation of tall tower structures.
  - (6) Towers shall be set back from residential property lines a distance equal to the height of the tower.
  - (7) Towers shall be a neutral, nonglare color or finish so as to reduce visual obtrusiveness (except as may otherwise be required by this Federal Aviation Authority).
  - (8) Towers shall be enclosed by security fencing not less than six feet tall.
  - (9) Towers shall not be used for advertising or signs other than warning signs.
  - (10) Construction of towers pursuant to section 138-1347 of this chapter shall be the preferred method in the county in order to reduce the proliferation of such structures on the landscape. Therefore, the burden is on the applicant to provide substantial and competent evidence to the board to demonstrate compliance with the above provisions prior to any approval being granted.

**DIVISION 9. – UTILITIES**

**Sec. 138-1320. – Bio Hazardous or Hazardous Waste Storage and Treatment**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1321. – Solar Energy Systems**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1322. – Solar Energy Production Facility**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1323. – Solid Waste Management and Disposal Facility**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) In addition to the general standards (see section 138-269), the board shall require:
    - a. Compliance with all local, state, and federal laws, regulations, orders, consent orders, decrees, permit conditions or judgments; and
    - b. Annual reporting to the county, in a form acceptable to the county, of the tonnage and types of materials received, and the tonnage and types of materials transferred or recycled, if determined to be applicable by Pinellas County Utilities Solid Waste Operations Department.

**Sec. 138-1324. – Solid Waste Transfer Facility**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**Sec. 138-1325. – Utilities**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) Utilities, Class 1
  - (2) Utilities, Class 2
  - (3) Utilities, Class 3

**Sec. 138-1326. – Wind Energy Conservation System (WECS), Small Scale**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

**DIVISION 10. – AGRICULTURAL USES & ACTIVITIES**

**Sec. 138-1330. – Agricultural Activities, Commercial Use**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) Agricultural Activities, Commercial Use

- (2) Agricultural Activities, Personal Use

**Sec. 138-1331. – Community Gardens**

- (a) Purpose - INSERT
- (b) Applicability - INSERT
- (c) Standards

**DIVISION 11. – OTHER USES**

**Sec. 138-1340. – Excavation Pits and Quarries, in excess of 1,000 cubic yards**

- (a) Purpose - INSERT
- (b) Applicability - INSERT
- (c) Standards

- (1) Landfills, excluding class III sanitary landfills and solid waste landfills, may be permitted as a special exception in any location in the unincorporated area of the county, provided such location and landfill shall have been specifically approved by the board of adjustment. Prior to the approval of any landfill, the county site plan review agencies as required shall examine a preliminary site plan (plan shall show existing and proposed grades) for such landfill. Such analysis shall determine whether the proposed finished grade will be compatible with the surrounding area and ultimate county drainage plan or existing patterns. The plan, once approved, shall become a condition upon which the excavation is permitted, and any change or addition shall constitute a violation of the zoning ordinance unless such change or addition is examined by the same county site plan review agencies, according to the same criteria required for original issue, and approved by the board of adjustment. On fill areas where seawalls or bulkheads are required, no permits for construction shall be issued until the seawall or bulkhead has been completed, unless otherwise authorized by the board of county commissioners. All plans for proposed landfills shall be required to bear the seal and signature of an engineer registered and licensed by the state and shall show a positive outfall of overflow into the county drainage system. Landfills shall not be permitted within any well-field zone of protection as established by the county's well-field protection program.
- (2) Excavations may be permitted as a special exception in any location in the unincorporated area of the county, provided such location and excavation shall have been specifically approved by the board of adjustment. Prior to the approval of any excavation, the county site plan review agencies, as required, shall examine a preliminary site plan (a cross-section of the excavation is required) to determine whether the proposed excavation will be detrimental to or interfere with the health, safety or general welfare. The plan, once approved, shall become a condition upon which the excavation is permitted, and any change or addition shall constitute a violation of the zoning ordinance unless such change or addition is examined by the county site plan review agencies according to the same criteria required for original issuance, and approved by the board of adjustment.
  - a. No excavations of earth shall be within 150 feet of any road right-of-way line.
  - b. Unfenced excavations of earth shall be no closer than 50 feet to an adjoining lot or parcel. Fenced excavations shall be no closer than 25 feet to an adjoining lot or parcel.

- c. Depth and slope shall be determined by the county engineering department and/or the county water system according to demands for safety from pollution of the underground watercourses to be determined according to the nature of the particular substrata soil structure.
- d. No excavation shall detract from or interfere with the county's ultimate drainage plans or existing patterns. No excavation may be approved which would pollute the underground watercourse.
- e. All plans for proposed excavation shall be required to bear the seal and signature of an engineer registered and licensed by the state and shall show a positive outfall of overflow into the county drainage system.

**Sec. 138-131. – Land Fills or Excavation**

(a) *Purpose* - INSERT

(b) *Applicability* - INSERT

(c) *Standards*

- (1) A zoning clearance shall be required for any landfill or excavation which is more than five cubic yards but less than 1,000 cubic yards. Prior to issuance of such clearance, a plan shall be submitted to and approved by the zoning division, the water department, the engineering department and the department of environmental management. Such plan shall show the following:
  - a. Legal description and boundaries of the property.
  - b. Location of all trees of four inches diameter breast height (dbh) or larger on the site.
  - c. Location of proposed excavation or fill.
  - d. Existing and proposed topography, including surface water areas.
  - e. All plans shall be scale drawings.
- (2) No zoning clearance is required for fills or excavations of less than five cubic yards; however, no fill or excavation, regardless of size, shall detract from or interfere with the county's ultimate drainage plans or adversely affect drainage on adjacent properties. Where such interference or detraction appears possible, a zoning clearance pursuant to this subsection may be required. Tree removal permits are required for all fills and or excavations.

**DIVISION 12. - ANIMALS AND LIVESTOCK**

**Sec. 138-1351. - Chickens.**

(a) *Purpose* - INSERT

(b) *Applicability* - INSERT

(c) *Standards*

- (1) General conditions for the keeping of chickens in the R-1 through R-6 zoning districts.
  - a. For the purposes of this section of the Code, the term "chicken" refers to female chickens only (i.e., hens).
  - b. Up to four chickens may be kept within an occupied single-family property located in the R-1, R-2, R-3, R-4, and R-6 zoning districts. Chickens may be

- kept within manufactured home subdivisions, but not on duplex, triplex or multifamily properties, or within mobile home/manufactured home parks.
- c. Chickens must be kept within the coop or enclosure at all times.
  - d. Ducks, geese, turkeys, peafowl, male chickens/roosters, or any other poultry or fowl are not allowed under the provisions of this section of the Code.
  - e. Chickens shall be kept for personal use only. Selling chickens, eggs, or chicken manure, or the breeding of chickens for commercial purposes is prohibited.
  - f. Chickens shall not be slaughtered on premises.
  - g. The coop and enclosure must be screened from the neighbor's view, using an opaque fence and/or a landscape screen.
- (2) Location and requirements for chicken coops and enclosures in the R-1 through R-6 zoning districts.
- a. Any chicken coop and fenced enclosure must be located in the rear yard. No coop or enclosure shall be allowed in any front or side yard. (Corner lots shall be excluded from the side setback restriction).
  - b. The coop and enclosure must be a minimum of ten feet from the rear and side property line.
  - c. If the coop structure exceeds 100 square feet in size (ten-foot by ten-foot), a building permit is required under the Florida Building Code.
  - d. The coop shall be covered and ventilated, and a fenced enclosure/run is required. The coop and enclosure must be completely secured from predators, including all openings, ventilation holes, doors and gates (fencing or roofing is required over the enclosure in addition to the coop, in order to protect the chickens from predators).
  - f. All stored feed must be kept in a rodent and predator-proof container.
  - g. The coop shall provide a minimum of three square feet per chicken and be of sufficient size to permit free movement of the chickens. The coop may not be taller than six feet, measured from the natural grade, and must be easily accessible for cleaning and maintenance.
- (3) Health, sanitation and nuisance as applied to the keeping of chickens in the R-1 through R-6 zoning districts.
- a. Chickens shall be kept within a coop and enclosure. No person shall release or set any chicken free from such coop or enclosure.
  - b. Chicken coops and enclosures shall be maintained in a clean and sanitary condition at all times. Chickens shall not be permitted to create a nuisance consisting of odor, noise or pests, or contribute to any other nuisance condition.
- (4) Enforcement.
- a. Enforcement regarding the keeping of chickens within any zoning district is addressed within section 138-54 of this Code.
  - b. In a public health emergency declared by the Director of the Pinellas County Health Department, including but not limited to an outbreak of Avian Flu or West Nile virus, the county may require immediate corrective action in accordance with applicable public health regulations and procedures.
  - c. No person convicted as a repeat violator of subsections 138-1348(a) through (d) of this Code may be permitted to, or continue to, keep chickens on their premises. Repeat violators are as defined in section 138-1 of this Code.

**Sec. 138-1352. - Livestock.**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) No livestock shall be maintained, raised or housed within any zoning district except where specifically authorized by this chapter.

**Sec. 138-1353. – Non-Traditional Pets**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*
  - (1) An applicant may seek approval for a Non-traditional Pet from the **Community Development Board**.

**DIVISION 13. – TEMPORARY USES AND STRUCTURES**

**Sec. 138-1356. - Temporary uses and structures.**

- (a) *Purpose* - INSERT
- (b) *Applicability* - INSERT
- (c) *Standards*

Construction offices, construction storage buildings for land under development, real estate offices and model homes may be allowed in any district for the purpose of development and marketing the property or subdivision in which such uses are to be located. Authorization for a temporary use and structure shall only be granted after the filing of an acceptable preliminary site plan. A maximum of four model homes may be permitted on lots within subdivisions which have not been platted, but which have received final site plan and construction plan approval. A metes and bounds legal description of each lot to be permitted will be required and such permit shall be reviewed for compliance with requirements of the final site plan. Any permit for a temporary use or structure shall expire at the end of two years or upon completion of the project for which the temporary use has been authorized, whichever is sooner, and shall be removed or converted to a permitted use upon such expiration. Extensions to the original permit may be granted for a period of one year by the board of adjustment as a special exception (see section 138-240(21)). Other temporary uses such as Christmas tree sales, pumpkin sales, rummage sales, temporary flea markets, carnivals, festivals, and promotional activities may be permitted under the following criteria:

- (1) May be permitted in commercial, industrial or agricultural zones; may be permitted in other zones if on the site of an existing civic organization (i.e., church, Boy Scouts, school, fraternal organization or similar activity).
- (2) No parcel shall be occupied by a temporary use for more than 90 days in any calendar year.
- (3) No zoning clearance or permit is required for a temporary use except as noted below. However, the operator of a temporary use must:
  - a. Obtain written permission from the property owner and have such permission available on site during the operation of the temporary use.

- b. Provide safe and adequate off-street parking (no parking or sales area shall be within a public right-of-way).
  - c. Insure safe and adequate ingress and egress to the property, including safe site [sight] distance for vehicles entering or leaving the property.
  - d. Insure that all use areas (i.e. sales, activities) other than parking is [are] located at least 25 feet from a public right-of-way and residential properties.
- (4) The provisions of section 138-1339 shall be met for any tent.
  - (5) The operator shall obtain permits for any structures to be located on the property or if such use requires electricity or plumbing permits the operator shall obtain such permits prior to operation.
  - (6) The county administrator or his designee shall have authority to require immediate compliance with the provisions of this section. Failure of the operator to comply with such direction may result in penalties as provided in section 138-54(7), including fines and/or imprisonment.
  - (7) Nothing herein shall relieve an operator of a temporary use from complying with other applicable codes, ordinances, and regulations.

## **DIVISION 14. - PERFORMANCE STANDARDS**

### **Sec. 138-1360. - General requirements.**

All uses in districts where reference is made to this division shall conform to the standards of performance described herein. It is the intent of this division to provide restrictions on properties so as to protect adjacent and nearby properties from noise, pollution, visual and other aesthetic distractions, and other similar undesirable effects.

### **Sec. 138-1361. - Specific requirements.**

- (a) *Noise.* Every use shall be operated so as to comply with chapter 58, article XII of the Pinellas County Code.
- (b) *Screening.* When located within 300 feet of a residential district, all industrial processes (welding, spray painting, fabrication or manufacture of products, equipment repair and similar processes) shall be within completely enclosed buildings (see section 138-1). When located within 300 feet of a residential district, all storage areas, except storage of passenger vehicles, shall be effectively screened from view by a solid fence or wall a minimum of six feet in height. When directly abutting a residential district, all nonresidential uses of land shall be screened along such abutting property line by a solid fence or wall a minimum of six feet high in accordance with the provisions of section 138-1336; and no storage, except storage of passenger vehicles, shall be permitted within 20 feet of any residentially zoned property.
- (c) *Pollution, visible emissions, dust, dirt, odors and fumes.* Every use shall be operated so as to prevent the emission of smoke, dust, fumes or any other pollutant as defined by the state department of environmental protection and chapter 58, article IV of the Pinellas County Code, from any source whatsoever in quantity or at a level which is or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property; or unreasonably interfere with the enjoyment of life or property, including outdoor recreation; or in excess of that specified or allowed by any state or county permit. Any operation which emits or can reasonably be expected to emit any pollutant shall obtain an appropriate permit from the department of environmental protection and/or the county.

- (d) *Industrial sewage and waste.* Every use shall be so operated as to prevent the discharge into any stream, lake, or the ground of waste or other matter in amounts which will exceed the maximum standards established by local, federal or state law.
- (e) *Fire and safety hazard.* Each use shall be so operated as to minimize the danger from fire and explosion.
  - (1) All uses which are determined to be of a hazardous nature, using the standards set forth by NFPA (National Fire Protection Association), shall be provided with additional setbacks as determined by the above-mentioned NFPA standards.
  - (2) Such additional setbacks, if any, shall be determined by the county fire administrator during review of plans.