

8a. PROPOSED UPDATE TO THE ZONING CODE



8a. Proposed Update to the Zoning Code – Preliminary Discussion

This agenda item introduces recommended changes to the Town of Redington Beach zoning code to address a number of issues that have been identified. The proposed amendments are intended to bring the zoning code up to date with customary planning practices, eliminate inconsistencies with the comprehensive plan, and make it easier to use.

A. Zoning Map and District Names

Redington Beach administers its zoning districts differently from most local governments. Rather than an adopted zoning map, the zoning districts are established by legal descriptions based on the Town's original plat, which in some cases do not correspond to the current legal descriptions maintained by the Property Appraiser's Office. Rather than descriptive names, the districts are numbered 1, 2 and 3, with District 1 having several subdistricts. The standards for each district and sub-district are also contained in very long narrative text that is difficult to read and interpret.

Recommended amendments:

1. In place of the current legal descriptions, adopt an official zoning map and make it part of the land development code by reference.
2. Replace the current names of the zoning districts with more descriptive names, such as Mixed Use, Recreation/Open Space, etc., and amend references to those names elsewhere in the code.
3. Reorganize the standards for better readability.

B. Relationship of Zoning Districts to the Comprehensive Plan

In some cases, land uses permitted by the zoning districts conflict with provisions in the comprehensive plan or elsewhere in the code. Section 1 of the current code states, "All land use and land development shall be in accordance with the town's comprehensive plan and these regulations. Where these regulations differ from the town's comprehensive plan the more restrictive of the two (2) shall be applies. [sic]" Therefore, the inconsistent uses are already prohibited, and should be deleted to avoid confusion.

Once the inconsistent uses are eliminated, some of the remaining categories have essentially the same standards. These districts should be consolidated to eliminate redundancy.

Recommended amendments:

4. Include a table showing the relationship between the zoning districts and future land use categories.

5. Explicitly state the permitted uses, densities and intensities for each zoning district instead of deferring to the future land use categories.
6. Correct inconsistencies between the permitted uses of the zoning districts and the future land use categories.
7. Consolidate duplicate zoning districts.

C. Issues Identified by Town Building Official

Other issues have been identified by the Town Building Official in the course of his work and are recommended to be addressed.

Recommended amendments:

8. For permitted uses, identify principal and accessory structures, and state that an accessory structure cannot be built without a principal structure.
9. Clarify the use of front, rear, and side boundary lines, lot lines, and setbacks.

D. Housekeeping Amendments

Other amendments of a minor housekeeping nature are needed to implement the above amendments and correct minor inconsistencies within the code. In addition, there minor inconsistencies with the Countywide Plan, which provides a common set of standards and definitions for all local governments in Pinellas County.

Recommended amendments:

10. Add definitions needed to reflect the above amendments.
11. Correct minor internal inconsistencies between the zoning code (Appendix A) and other sections of the Town code.
12. Correct minor inconsistencies between the code definitions and the Countywide Plan.

E. Next Steps

At the July 12th meeting, the recommended amendments will be introduced to the Planning Board for their initial consideration and discussion, and scheduling of a future public hearing. The Planning Board will be asked to evaluate these recommended actions for consistency with the Town's comprehensive plan.

Attachments:

- A. Draft Official Zoning Map
- B. Draft Appendix A, Secs. 1 through 5 – strikeout/underline version
- C. Draft Appendix A, Secs. 1 through 5 – clean version
- D. Draft Appendix A, Sec. 15 - Definitions
- E. Draft Sec. 6-258. Installation and maintenance (update reference only)
- F. Draft Sec. 17-16. Sign illumination (update reference only)

A. DRAFT ZONING MAP

Town of Redington Beach Official Zoning Map



Zoning Districts

- | | |
|-------------|-----------------------|
| Multifamily | Public/Semi-Public |
| Mixed Use 1 | Recreation/Open Space |
| Mixed Use 2 | Single-Family |



Amended Through:
Ordinance 2021-07 - October 6, 2021

Mayor

Town Clerk

B. DRAFT APPENDIX A
SECTIONS 1-5
(Redlined and strikethrough)

APPENDIX A - ZONING

Sec. 1. - Purpose of regulations.

For the purpose of promoting the health, safety, and general welfare; to secure safety from fire, panic or other dangers; to provide adequate light and air; to prevent the overcrowding of land, and avoidance of undue concentration of population in the Town of Redington Beach, the corporate limits and areas of the Town of Redington Beach are hereby divided into zoning districts, and with regulations and restrictions for each of such districts as hereinafter set forth.

All land use and land development shall be in accordance with the town's comprehensive plan and these regulations. Where these regulations differ from the town's comprehensive plan the more restrictive of the two (2) shall be applied.

(Ord. No. 92-08, § 2, 9-15-92)

Sec. 2. - Zoning districts.

(a) Establishment of zoning districts. For the purpose of this ordinance, the Town of Redington Beach is hereby divided into six zoning districts, known and designated as follows:

<u>Zoning District</u>	<u>Symbol</u>
<u>Multifamily</u>	<u>MF</u>
<u>Mixed Use 1</u>	<u>MU-1</u>
<u>Mixed Use 2</u>	<u>MU-2</u>
<u>Recreation/Open Space</u>	<u>R/OS</u>
<u>Public/Semi-Public</u>	<u>P/SP</u>
<u>Single-Family</u>	<u>SF</u>

(b) Establishment of zoning map. The locations and boundaries of the enumerated zoning districts are established as shown on the adopted Zoning Map of the Town of Redington Beach. The zoning map is hereby made a part of this Appendix A, Section 2. The zoning map shall be identified by the signature of the mayor, attested by the town clerk and bear the seal of the town. The official zoning map shall be maintained on display in the Town Hall.

Except where referenced on the zoning map to a street boundary line or other designated line by dimensions shown on such map, the zoning district boundary lines are intended to follow lot lines or the center line of street or alleys or rights-of-way as they existed at the time of the adoption of the map or any amendments of the same.

(c) Correlation of zoning districts and future land use plan categories. The table below shows the correlation between the town's zoning districts and future land use plan categories, as established in the town's comprehensive plan. Maximum densities, intensities, and permitted uses of land

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Commented [FLA1]: Since the densities/intensities/uses are tied to the underlying FLUM categories, I recommend adding this.

parcels within each zoning district are governed by the underlying future land use category, unless further restricted by these land development regulations.

Future Land Use Category	MF	MU-1	MU-2	R/OS	P/SP	SF
Residential Urban						X
Residential Medium	X			X		X
Residential/Office/Retail		X	X			
Institutional					X	
Recreation/Open Space				X		X
Preservation						X

Sec. 3. - District regulations.

(a) Multifamily (MF)

(1) *Purpose and Intent.* The MF zoning district is hereby zoned for development with single-family and multifamily housing.

(2) *Permitted uses.*

A. Principal structures include single-family dwellings, apartments and other multiple-family dwellings. In addition, a real estate brokerage and properly allied lines of business may be conducted in building located on the tract at the northeast corner of 163rd Avenue and Gulf Boulevard, as such building is now constructed, this latter exception being made for the reason that such property was and is lacking in conformance with the zoning provisions hereof at the time of the introduction and passage of this ordinance.

B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation. No accessory structure shall be constructed until an application for a building permit is submitted for the principal structure, and no use of the accessory structure is allowed until construction has commenced on the principal structure.

(3) *Maximum development potential.* The MF zoning district may be located in the Residential Medium future land use category. The uses and development potential of a parcel of land within the MF district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive.

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¶, each embracing the territory as follows, to wit: ¶
District No. 1 ¶
 Lots 1 to 11, both inclusive, of Block 24, Lots 1 to 9, both inclusive, and Lots 12 to 21, both inclusive, of Block 18, all in Third Addition to Redington Beach Homes; and Lots 1 and 2 and Lots 5 to 11, both inclusive, C. E. Redington Replat; and also unplatted lot or tract of land lying between Lot 21 of Block 18 of Redington Beach Homes aforesaid and Gulf Boulevard. ¶
District No. 2 ¶

That portion of the territory within the corporate limits not included in District No. 1, and lying north of the center line of 157th Avenue, and along such center line as extended to the town limits in the waters of Boca Ciega Bay and the Gulf of Mexico. ¶

District No. 3 ¶

That portion of the territory within the corporate limits lying south of the center line of 157th Avenue, and along such center line as extended to the town limits in the waters of Boca Ciega Bay and the Gulf of Mexico.

Deleted: Permitted buildings and uses.

Deleted: District No. 1

Deleted: is hereby zoned for the construction of buildings and use thereof as follows: ¶

(1a) Lots 1 to 11, Block 24, Third Addition to Redington Beach Homes are hereby zoned for the construction of buildings and the use thereof for the conduct of apartment, hotel or club business, excepting as such construction or use may hereinafter be limited or restricted; in the construction of such apartment, hotel or club building, provision may be made for, and there may be operated and conducted, with necessary kitchen or kitchens, such dining room or other eating, cocktail lounge or bar, and/or other customary club facilities, adequate for the accommodation of the occupants of the apartment building or buildings, if more than one building is included under a single operation, the guests of the hotel and/or the members of the club, as the case may be. The permissive zoning contained in the above portions of this subsection is subject to the ordinances of the Town of Redington Beach now or which may hereafter be in force and effect relative to any or all such facilities. ¶

(1b) Lots 1 to 6, both inclusive, and 15 to 21, both inclusive, of Block 18, Third Addition to Redington Beach Homes and unplatted lot or tract of land lying between Lot 21 of Block 18, of Redington Beach Homes and Gulf Boulevard, are hereby zoned for the construction of multiple-family dwellings or apartments; and provided, that i...

A. The maximum residential density is fifteen (15) dwelling units per net acre.

B. The maximum impervious surface ratio is 0.65.

- (4) *Other standards.* In the event any apartment house or building extends beyond the rear line of any particular lot and is constructed upon two (2) lots backing up to each other, such building shall be architecturally provided with a double front, one of which fronts shall face upon each of the streets which the two (2) lots respectively face upon, in such manner as to eliminate any back yard area facing upon a street.

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(b) Mixed Use 1 (MU-1)

- (1) *Purpose and Intent.* The MU-1 zoning district is hereby zoned for development with single-family and multifamily housing, and business uses.

(2) *Permitted uses.*

A. Principal structures include single-family dwellings, apartments and other multiple-family dwellings, retail commercial, and professional or business offices, or other businesses excluding manufacturing, industrial, medical marijuana facilities, or the handling or sale of beer, wine or other intoxicating beverages.

B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation. No accessory structure shall be constructed until an application for a building permit is submitted for the principal structure, and no use of the accessory structure is allowed until construction has commenced on the principal structure.

- (3) *Maximum development potential.* The MU-1 zoning district may be located in the Residential/Office/Retail future land use category. The uses and development potential of a parcel of land within the MU-1 district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive.

A. The maximum residential density is fifteen (15) dwelling units per net acre.

B. The maximum impervious surface ratio for residential uses is 0.65.

C. The maximum impervious surface ratio for nonresidential uses is 0.85.

D. The maximum floor area ratio for nonresidential uses is 0.40 percent.

E. Mixed residential and nonresidential uses shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the land area of the property.

Deleted: , excepting, however, that a real estate brokerage and properly allied lines of business may be conducted in building located on [the] tract at the northeast corner of 163rd Avenue and Gulf Boulevard, as such building is now constructed, this latter exception being made for the reason that such property was and is lacking in conformance with the zoning provisions hereof at the time of the introduction and passage of this ordinance.

Deleted: (1c) Lots 9, 10 and 11 of C. E. Redington and the same are hereby zoned for the construction of buildings and use of same for multiple-family dwellings or apartments and/or for purposes of transacting retail business, professional or business offices, or other businesses other than manufacturing, industrial, or medical marijuana facilities; excepting, however, the handling or sale of beer, wine or other intoxicating beverages wholesale or retail, for consumption on or off the premises, such sale of beer, wine or intoxicating beverages being hereby strictly prohibited. ¶

(c) Mixed Use 2 (MU-2)

(1) Purpose and Intent. The MU-2 zoning district is hereby zoned for development with public or municipal uses, single-family and multifamily housing.

(2) Permitted uses.

A. Principal structures include single-family dwellings, apartments and other multiple-family dwellings, and uses related to public or municipal purposes, including public storage garages. Public storage garages include the sale of merchandise and/or services for the use, service and incidental repair of motor vehicles.

B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation. No accessory structure shall be constructed until an application for a building permit is submitted for the principal structure, and no use of the accessory structure is allowed until construction has commenced on the principal structure.

(3) Maximum development potential. The MU-2 zoning district may be located in the Residential/Office/Retail future land use category. The uses and development potential of a parcel of land within the MU-2 district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive.

A. The maximum residential density is fifteen (15) dwelling units per net acre.

B. The maximum impervious surface ratio for residential uses is 0.65.

C. The maximum impervious surface ratio for nonresidential uses is 0.85.

D. The maximum floor area ratio for nonresidential uses is 0.40.

E. Mixed residential and nonresidential uses shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the land area of the property.

Deleted: (1d) Lots 7 and 8 of C. E. Redington Replat are hereby zoned for the construction of buildings and use thereof for public or municipal purposes, multiple dwellings, public storage garage or garages, together with sale of such articles or items of merchandise and the performance of such services as are normally incident to the operation and conduct of a storage garage for the uses, services and incidental repair of motor vehicles. ¶

(d) Recreation/Open Space (R/OS)

(1) Purpose and Intent. The R/OS zoning district is hereby zoned for use as open space or recreational uses, whether public or private.

(2) Permitted uses.

A. Principal uses include public or private open space, public or private parks, public recreation facilities, or public beach or water access.

Deleted: (1e) Provided, however, that nothing hereinabove contained shall be taken, construed or interpreted as prohibiting the construction of single-family dwellings in said District No. 1.

Deleted: (1f) Lots 7, 8, 9, 12, 13, and 14, Block 18, Third Addition to Redington Beach Homes and Lots 1, 2, 5 and 6, C. E. Redington Replat are hereby zoned for recreation/open space. ¶

Commented [FLA3]: Language taken from Recreation/Open Space category in the comprehensive plan.

B. Special exception uses include wireless communications towers subject to the provisions of Division 2 of the Town of Redington Beach Code of Ordinances.

C. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation. No accessory structure shall be constructed until an application for a building permit is submitted for the principal structure, and no use of the accessory structure is allowed until construction has commenced on the principal structure.

- (3) Maximum development potential. The R/OS zoning district may be located in more than one future land use category. The uses and development potential of a parcel of land within the R/OS district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive. Intensity standards for the future land use categories that apply to the R/OS zoning district is as follows:

Future Land Use Category	Impervious Surface Ratio	Floor Area Ratio
Recreation/Open Space	0.60	0.25
Residential Medium	0.65	No applicable standard

(e) Public/Semi-Public (P/SP)

- (1) Purpose and Intent. The P/SP zoning district is hereby zoned for public or semi-public institutional uses.

- (2) Permitted uses.

A. Principal structures include public or semi-public institutional facilities such as public buildings, schools, churches, social service agencies, municipal office buildings, public safety facilities, other community service facilities, ancillary nonresidential uses, and single-family dwellings.

B. Special exception uses include wireless communications towers subject to the provisions of Division 2 of the Town of Redington Beach Code of Ordinances.

C. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation. No accessory structure shall be constructed until an application for a building permit is submitted for the principal structure, and no use of the accessory structure is allowed until construction has commenced on the principal structure.

- (3) Maximum development potential. The P/SP zoning district may be located in the Institutional future land use category. The uses and development potential of a parcel of land within the

Deleted: (1g) The Public/Semi-Public (P/SP) zoning district is intended for Lots 3 and 4, C.E. Redington Replat are hereby zoned as public/semi-public. ¶

(A) Public/semi-public, ancillary nonresidential uses: Shall not exceed a maximum area of three (3) acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment. ¶

(B) No commercial or nonresidential use shall exceed a floor area ratio (FAR) of forty (40) percent nor an impervious surface ratio (ISR) of seventy (70) percent. ¶

(C) The permitted uses, densities, and intensity standards in this district shall be limited by the parcel's designation on the future land use map. ¶

(D) Transient accommodation uses are limited to fifteen (15) units per acre. Should the use be residential urban it is limited to seven and one-half (7.5) units per acre.

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(1h) All uses must be a permitted use within the future land use designation as shown on the town's future land use plan map. ¶

Commented [FLA5]: Language taken from Institutional category in the comprehensive plan.

P/SP district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive. The applicable density/intensity standards are as follows:

- A. Public/semi-public or ancillary nonresidential uses: Shall not exceed a maximum area of three (3) acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.
- B. The maximum impervious surface ratio for nonresidential uses is 0.70.
- C. The maximum floor area ratio for nonresidential uses is 0.40.

(f) Single-Family

(1) *Purpose and Intent.* The SF zoning district is hereby zoned for the construction of single-family dwelling houses and the use of such dwelling houses for single-family residential purposes.

(2) *Permitted uses.*

- A. Principal structures include single-family dwellings subject to general zoning regulations and restrictions set forth in Section 5, and use of such dwelling houses for single-family residential purposes, saving and excepting only Lot 9, Block 6 of First Addition to Lone Palm Beach Subdivision which is hereby zoned for use as a real estate brokerage office and office for rental and operation of rental cottages or units, in building or buildings as now constructed only, for the reasons that said lot was at the time of the original passage of Ordinance No. 11, and at all times since, been actually used for a use nonconforming with single-family residence only.
 - B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation. No accessory structure shall be constructed until an application for a building permit is submitted for the principal structure, and no use of the accessory structure is allowed until construction has commenced on the principal structure.
- (3) *Maximum development potential.* The SF zoning district may be located in more than one future land use category. The uses and development potential of a parcel of land within the SF district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive. Density and intensity standards for the future land use categories that apply to the SF zoning district are as follows:

<u>Future Land Use Category</u>	<u>Residential Density (dwelling units per net acre)</u>	<u>Impervious Surface Ratio</u>	<u>Floor Area Ratio</u>
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Deleted: [District No. 2 is hereby zoned for the construction of buildings and use thereof as follows:]

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Deleted: District No. 2

<u>Residential Urban</u>	<u>7.5</u>	<u>0.65</u>	<u>No applicable standard</u>
<u>Residential Medium</u>	<u>15</u>	<u>0.65</u>	<u>No applicable standard</u>
<u>Recreation/Open Space</u>	<u>No applicable standard</u>	<u>0.60</u>	<u>0.25</u>
<u>Preservation</u>	<u>No applicable standard</u>	<u>0.20</u>	<u>0.10</u>

- (4) Other standards. Any use which is not specifically identified as a permitted use, accessory use, or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short-term rentals, subletting, and transient uses of a housing unit in this District. As used in this section, the term "short-term rental" shall mean any rental of a dwelling unit, or portion thereof, of less than a six-month period. For purposes of this section, "transient uses" shall mean uses generally known as hotel, motel, or rooming houses. For the purposes of this section "subletting" shall mean the use of real property for overnight housing purposes, whether or not said overnight housing purposes involves remuneration.

All uses must be a permitted use within the future land use designation as shown on the town's future land use plan map.

Short-term rentals in SF are hereby prohibited and shall be subject to the following:

- A. Short-term rentals of single-family dwellings of less than 181 days constitutes a transient use and shall be prohibited in the SF district.
- B. Property owners who rent their properties in the SF district, for less than 181 days shall be subject to penalties as set out in section 1-14 of the Town of Redington Beach Code of Ordinances, and the Town of Redington Beach shall have authority to impose such penalty.
- C. If such properties are receiving the Homestead Exemption, the town is instructed to notify the Pinellas County Property Appraiser's office and appropriate state agencies to report the violation.
- D. The town shall notify the Pinellas County Tax Collector to ensure the Owner is remitting the appropriate county and or state four percent Tourist Development Tax during the pendency of the prohibited use.

(j)

(Res. of 10-4-66; Ord. No. 85-18, § 1, 10-15-85; Ord. No. 90-7, § 1, 7-3-90; Ord. No. 91-20, §§ I, II, 12-17-91; Ord. No. 92-08, §§ 3, 4, 9-15-92; Ord. No. 08-01, §§ 1, 2, 2-5-08; Ord. No. 2016-07, § 2, 8-3-16; Ord. No. 2018-07, § 2, 8-13-18)

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Deleted: [District No. 3 is hereby zoned for the construction of buildings and use thereof as follows:] ¶

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Deleted: District 3 is hereby zoned for the construction of single-family dwelling houses subject to general zoning regulations and restrictions set forth in Section 5, and use of such dwelling houses for single-family residential purposes, saving and excepting only Lot 9, Block 6 of First Addition to Lone Palm Beach Subdivision which is hereby zoned for use as a real estate brokerage office and office for rental and operation of rental cottages or units, in building or buildings as now constructed only, for the reasons that said lot was at the time of the original passage of Ordinance No. 11, and at all times since, been actually used for a use nonconforming with single-family residence only.

Deleted: (3b) District 3. Other standards. ¶

(3c) All uses must be a permitted use within the future land use designation as shown on the town's future land use plan map. ¶

Sec. 4. - Building regulations.

(a) Building Size

(1) Minimum floor area.

- A. For lots fronting the Gulf of Mexico or Boca Ciega Bay, the minimum floor area of a single-family dwelling shall be thirteen hundred (1,300) square feet, including the outside walls of the building, but not including open or screened breezeways, porches or garage space.
- B. For all other lots, the minimum floor area of a single-family dwelling shall be one thousand (1,000) square feet, including the outside walls of the building, but not including open or screened breezeways, porches or garage space.
- C. For apartments and other multiple-family dwellings, the minimum size of each living unit shall be eight hundred (800) square feet for one (1) bedroom units, nine hundred fifty (950) square feet for two (2) bedroom units, and twelve hundred (1,200) square feet for three (3) bedroom units, including the outside walls of the building, but not including any open or screened breezeways, porches or balconies.

(2) Maximum height.

- A. The maximum height for a single-family dwelling with a flat or built-up roof shall be thirty (30) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM"), measured at the highest point of the roof.
- B. The maximum height for a single-family dwelling with a hip, gable or gambrel roof, or other type roof with a ridge line, shall be thirty (30) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM"), measured by the median height of the roof, as set forth in section 6-58 of the Town of Redington Beach Code of Ordinances.
- C. The maximum height for a principal structure other than a single-family dwelling shall be fifty (50) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM").

Deleted: Sec. 4. - Construction material. ¶
Districts Nos. 1, 2 and 3 The zoning districts enumerated in sections 2 and 3 of this Appendix A are hereby zoned for the construction of buildings of masonry construction only as defined in the building code of the Town of Redington Beach and any amendments thereto; provided, however, that alterations or additions, otherwise conforming to this and other ordinances of the Town of Redington Beach, may be made to any building now existent of the same structural material as that used in the original construction of such building. ¶
(Ord. No. 53A, 4-7-59; Ord. No. 90-20, §§ 1—3, 8-21-90; Ord. No. 2021-11, § 2, 8-18-21) ¶

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Deleted: (a) With the exception of apartments, hotels or business buildings to be constructed in appropriate areas zoned therefor, no building shall be erected in the Town of Redington Beach other than a single-family dwelling house and no such single-family house shall be constructed in the Town of Redington Beach in which ... [1]

Commented [FLA10]: No special building line applies here, so it defaults to the standard for other Gulf Blvd. lots.

Deleted: (b) No building, nor any portion thereof, including porches, balconies, cornices or other permanently fixed decorations, shall approach nearer than twenty (20) feet to the line of roadway or street abut ... [2]

Deleted: and further for these lots bordering on Boca Ciega Bay the building line on the Bay side is hereby fixed at twenty-five (25) feet from the bay-front property line, the mean high tide mark or center of seawall cap; if ... [3]

Deleted: No building, nor any part thereof, as above set forth (excepting eaves which may approach two and one-

Deleted: half (2½) feet nearer shall approach nearer than seven and one-half (7½) feet to the side line of, or nearer than fifteen (15) feet to the rear line of, the lot upon which the same is constructed;

Deleted: provided, however, that in case of corner lots in effect facing upon two (2) streets, the shorter dimension of such lot may be treated as the front, and the longer may be treated as the side line and, in such event, th ... [4]

Deleted: as above set forth; and provided further, that in case of corner lots abutting a lot on the rear of any such corner lot, which abutting lot faces or fronts on a street other than the street upon which such corner lot fro ... [5]

Deleted: and provided further, that the above requirement as to distance from side or rear line of lots shall not apply to business buildings constructed within the areas designated therefore, and provided ... [6]

Commented [FLA15]: The current language has heights by zoning district, but Section 6-58 has it by building type irrespective of zoning district. Based on the permitted uses, the only difference is that 6-58 is mandates lower height ... [7]

D. For all structures, a preconstruction elevation plan drawn by registered or licensed architects or engineers must be executed prior to issuance of a permit to build.

(b) Setbacks.

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Except as specified in subsections (1) through (4) below, no building, nor any portion thereof, including porches, balconies, cornices or other permanently fixed decorations, shall be constructed within an established front, side, or rear setback.

(1) Front setback. Front setbacks apply to all buildings constructed within the town, and shall be relative to the front boundary line of the subject parcel as defined in Section 15 of this Appendix A.

A. For lots bordering Gulf Boulevard, the front setback line shall be located fifty-three (53) feet from the center of State Road No. 699, as now actually constructed.

B. For all other lots, the front setback line shall be located twenty (20) feet from the line of roadway or street abutting the building lot.

C. On a corner lot facing upon two (2) streets, the provisions of subsection (b)(2) apply.

(2) Front setbacks on corner lots. For any building constructed on a corner lot facing upon two (2) streets, the following provisions shall apply:

A. The shorter of the two street-facing boundary lines shall be the primary front boundary line, and shall be subject to the provisions of subsection (b)(1) above.

B. The longer of the two street-facing boundary lines shall be the secondary front boundary line. The secondary front setback shall be located ten (10) feet from the boundary line.

C. Side and rear setbacks on corner lots are subject to the provisions of subsections (b)(3) and (b)(4) below, respectively.

(3) Side setback. Side setbacks apply to all noncommercial buildings constructed within the town, and shall be relative to the side boundary line of the subject parcel as defined in Section 15 of this Appendix A..

A. For an apartment or hotel building, the side setback line shall be located ten (10) feet from the side boundary line.

B. For noncommercial buildings other than an apartment or hotel, the side setback line shall be located seven and one-half (7½) feet from the side boundary line.

C. Eaves may encroach an additional two and one half (2½) feet into the side setback.

(4) Rear setback. Rear setbacks apply to all noncommercial buildings constructed within the town, and shall be relative to the rear boundary line of the subject parcel as defined in Section 15 of this Appendix A..

- A. For Lots 1 through 6 of Block 1 of the Redington Beach Homes Subdivision, the rear setback line facing the Gulf of Mexico shall be located one hundred eighty-three (183) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually constructed.
- B. For lots within Block 24 of the Third Addition to Redington Beach Homes Subdivision, the rear setback line shall be located fifty-three (53) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually constructed.
- C. For lots lying between Gulf Boulevard and the Gulf of Mexico other than those specified in subsections A and B above, the setback line on the side of the property facing the Gulf shall be located one hundred seventy-three (173) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually constructed.
- D. For all lots fronting on Gulf Boulevard other than those specified in subsections A through C above, the rear setback line shall be located fifty-three (53) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually constructed.
- E. For lots bordering on Boca Ciega Bay, the setback line on the side of the property facing the Bay shall be located twenty-five (25) feet from the Bay-fronting property line, the mean high tide mark, or the center of seawall cap, whichever is more restrictive.
- F. For all lots other than those specified in subsections A through E above, the rear setback line shall be located fifteen (15) feet from the rear boundary line.

(Ord. No. 69, 6-4-57; Ord. No. 84-4, 7-17-84; Ord. No. 85-14, § 1, 10-15-85; Ord. No. 85-17, §§ 1, 2, 10-15-85; Ord. No. 88-5, § 1, 8-16-88; Ord. No. 98-04, §§ 1, 2, 5-19-98; Ord. No. 08-08, § 1, 8-5-08)

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The current language has heights by zoning district, but Section 6-58 has it by building type irrespective of zoning district. Based on the permitted uses, the only difference is that 6-58 is mandates lower heights for single-family homes in non-single-family zoning districts. I've made that consistent here.

**C. DRAFT APPENDIX A,
SECTIONS 1-5 (Clean)**

APPENDIX A - ZONING

Sec. 1. - Purpose of regulations.

For the purpose of promoting the health, safety, and general welfare; to secure safety from fire, panic or other dangers; to provide adequate light and air; to prevent the overcrowding of land, and avoidance of undue concentration of population in the Town of Redington Beach, the corporate limits and areas of the Town of Redington Beach are hereby divided into zoning districts, and with regulations and restrictions for each of such districts as hereinafter set forth.

All land use and land development shall be in accordance with the town's comprehensive plan and these regulations. Where these regulations differ from the town's comprehensive plan the more restrictive of the two (2) shall be applied.

(Ord. No. 92-08, § 2, 9-15-92)

Sec. 2. - Zoning districts.

- (a) *Establishment of zoning districts.* For the purpose of this ordinance, the Town of Redington Beach is hereby divided into six zoning districts. known and designated as follows:

Zoning District	Symbol
Multifamily	MF
Mixed Use 1	MU-1
Mixed Use 2	MU-2
Recreation/Open Space	R/OS
Public/Semi-Public	P/SP
Single-Family	SF

- (b) *Establishment of zoning map.* The locations and boundaries of the enumerated zoning districts are established as shown on the adopted Zoning Map of the Town of Redington Beach. The zoning map is hereby made a part of this Appendix A, Section 2. The zoning map shall be identified by the signature of the mayor, attested by the town clerk and bear the seal of the town. The official zoning map shall be maintained on display in the Town Hall.

Except where referenced on the zoning map to a street boundary line or other designated line by dimensions shown on such map, the zoning district boundary lines are intended to follow lot lines or the center line of street or alleys or rights-of-way as they existed at the time of the adoption of the map or any amendments of the same.

- (c) *Correlation of zoning districts and future land use plan categories.* The table below shows the correlation between the town's zoning districts and future land use plan categories, as established in the town's comprehensive plan. Maximum densities, intensities, and permitted uses of land parcels within each zoning district are governed by the underlying future land use category, unless further restricted by these land development regulations.

Future Land Use Category	MF	MU-1	MU-2	R/OS	P/SP	SF
Residential Urban						X
Residential Medium	X			X		X
Residential/Office/Retail		X	X			
Institutional					X	
Recreation/Open Space				X		X
Preservation						X

Sec. 3. - District regulations.

(a) Multifamily (MF)

- (1) *Purpose and Intent.* The MF zoning district is hereby zoned for development with single-family and multifamily housing.
- (2) *Permitted uses.*
 - A. Principal structures include single-family dwellings, apartments and other multiple-family dwellings. In addition, a real estate brokerage and properly allied lines of business may be conducted in building located on the tract at the northeast corner of 163rd Avenue and Gulf Boulevard, as such building is now constructed, this latter exception being made for the reason that such property was and is lacking in conformance with the zoning provisions hereof at the time of the introduction and passage of this ordinance.
 - B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation. No accessory structure shall be constructed until an application for a building permit is submitted for the principal structure, and no use of the accessory structure is allowed until construction has commenced on the principal structure.

- (3) *Maximum development potential.* The MF zoning district may be located in the Residential Medium future land use category. The uses and development potential of a parcel of land within the MF district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive.

A. The maximum residential density is fifteen (15) dwelling units per net acre.

B. The maximum impervious surface ratio is 0.65.

- (4) *Other standards.* In the event any apartment house or building extends beyond the rear line of any particular lot and is constructed upon two (2) lots backing up to each other, such building shall be architecturally provided with a double front, one of which fronts shall face upon each of the streets which the two (2) lots respectively face upon, in such manner as to eliminate any back yard area facing upon a street.

(b) Mixed Use 1 (MU-1)

- (1) *Purpose and Intent.* The MU-1 zoning district is hereby zoned for development with single-family and multifamily housing, and business uses.

- (2) *Permitted uses.*

A. Principal structures include single-family dwellings, apartments and other multiple-family dwellings, retail commercial, and professional or business offices, or other businesses excluding manufacturing, industrial, medical marijuana facilities, or the handling or sale of beer, wine or other intoxicating beverages.

B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation. No accessory structure shall be constructed until an application for a building permit is submitted for the principal structure, and no use of the accessory structure is allowed until construction has commenced on the principal structure.

- (3) *Maximum development potential.* The MU-1 zoning district may be located in the Residential/Office/Retail future land use category. The uses and development potential of a parcel of land within the MU-1 district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive.

A. The maximum residential density is fifteen (15) dwelling units per net acre.

B. The maximum impervious surface ratio for residential uses is 0.65.

C. The maximum impervious surface ratio for nonresidential uses is 0.85.

- D. The maximum floor area ratio for nonresidential uses is 0.40 percent.
- E. Mixed residential and nonresidential uses shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the land area of the property.

(c) Mixed Use 2 (MU-2)

(1) *Purpose and Intent.* The MU-2 zoning district is hereby zoned for development with public or municipal uses, single-family and multifamily housing.

(2) *Permitted uses.*

- A. Principal structures include single-family dwellings, apartments and other multiple-family dwellings, and uses related to public or municipal purposes, including public storage garages. Public storage garages include the sale of merchandise and/or services for the use, service and incidental repair of motor vehicles.
- B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation. No accessory structure shall be constructed until an application for a building permit is submitted for the principal structure, and no use of the accessory structure is allowed until construction has commenced on the principal structure.

(3) *Maximum development potential.* The MU-2 zoning district may be located in the Residential/Office/Retail future land use category. The uses and development potential of a parcel of land within the MU-2 district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive.

- A. The maximum residential density is fifteen (15) dwelling units per net acre.
- B. The maximum impervious surface ratio for residential uses is 0.65.
- C. The maximum impervious surface ratio for nonresidential uses is 0.85.
- D. The maximum floor area ratio for nonresidential uses is 0.40.
- E. Mixed residential and nonresidential uses shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the land area of the property.

(d) Recreation/Open Space (R/OS)

- (1) *Purpose and Intent.* The R/OS zoning district is hereby zoned for use as open space or recreational uses, whether public or private.
- (2) *Permitted uses.*
 - A. Principal uses include public or private open space, public or private parks, public recreation facilities, or public beach or water access.
 - B. Special exception uses include wireless communications towers subject to the provisions of Division 2 of the Town of Redington Beach Code of Ordinances.
 - C. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation. No accessory structure shall be constructed until an application for a building permit is submitted for the principal structure, and no use of the accessory structure is allowed until construction has commenced on the principal structure.
- (3) *Maximum development potential.* The R/OS zoning district may be located in more than one future land use category. The uses and development potential of a parcel of land within the R/OS district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive. Intensity standards for the future land use categories that apply to the R/OS zoning district is as follows:

Future Land Use Category	Impervious Surface Ratio	Floor Area Ratio
Recreation/Open Space	0.60	0.25
Residential Medium	0.65	No applicable standard

(e) Public/Semi-Public (P/SP)

- (1) *Purpose and Intent.* The P/SP zoning district is hereby zoned for public or semi-public institutional uses.
- (2) *Permitted uses.*
 - A. Principal structures include public or semi-public institutional facilities such as public buildings, schools, churches, social service agencies, municipal office buildings, public safety facilities, other community service facilities, ancillary nonresidential uses, and single-family dwellings.

- B. Special exception uses include wireless communications towers subject to the provisions of Division 2 of the Town of Redington Beach Code of Ordinances.
 - C. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation. No accessory structure shall be constructed until an application for a building permit is submitted for the principal structure, and no use of the accessory structure is allowed until construction has commenced on the principal structure.
- (3) *Maximum development potential.* The P/SP zoning district may be located in the Institutional future land use category. The uses and development potential of a parcel of land within the P/SP district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive. The applicable density/intensity standards are as follows:
- A. Public/semi-public or ancillary nonresidential uses: Shall not exceed a maximum area of three (3) acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.
 - B. The maximum impervious surface ratio for nonresidential uses is 0.70.
 - C. The maximum floor area ratio for nonresidential uses is 0.40.
- (f) **Single-Family**
- (1) *Purpose and Intent.* The SF zoning district is hereby zoned for the construction of single-family dwelling houses and the use of such dwelling houses for single-family residential purposes.
- (2) *Permitted uses.*
- A. Principal structures include single-family dwellings subject to general zoning regulations and restrictions set forth in Section 5, and use of such dwelling houses for single-family residential purposes, saving and excepting only Lot 9, Block 6 of First Addition to Lone Palm Beach Subdivision which is hereby zoned for use as a real estate brokerage office and office for rental and operation of rental cottages or units, in building or buildings as now constructed only, for the reasons that said lot was at the time of the original passage of Ordinance No. 11, and at all times since, been actually used for a use nonconforming with single-family residence only.
 - B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a

principal structure and are directly related to its operation. No accessory structure shall be constructed until an application for a building permit is submitted for the principal structure, and no use of the accessory structure is allowed until construction has commenced on the principal structure.

- (3) *Maximum development potential.* The SF zoning district may be located in more than one future land use category. The uses and development potential of a parcel of land within the SF district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive. Density and intensity standards for the future land use categories that apply to the SF zoning district are as follows:

Future Land Use Category	Residential Density (dwelling units per net acre)	Impervious Surface Ratio	Floor Area Ratio
Residential Urban	7.5	0.65	No applicable standard
Residential Medium	15	0.65	No applicable standard
Recreation/Open Space	No applicable standard	0.60	0.25
Preservation	No applicable standard	0.20	0.10

- (4) *Other standards.* Any use which is not specifically identified as a permitted use, accessory use, or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short-term rentals, subletting, and transient uses of a housing unit in this District. As used in this section, the term "short-term rental" shall mean any rental of a dwelling unit, or portion thereof, of less than a six-month period. For purposes of this section, "transient uses" shall mean uses generally known as hotel, motel, or rooming houses. For the purposes of this section "subletting" shall mean the use of real property for overnight housing purposes, whether or not said overnight housing purposes involves remuneration.

All uses must be a permitted use within the future land use designation as shown on the town's future land use plan map.

Short-term rentals in SF are hereby prohibited and shall be subject to the following:

- A. Short-term rentals of single-family dwellings of less than 181 days constitutes a transient use and shall be prohibited in the SF district.
- B. Property owners who rent their properties in the SF district for less than 181 days shall be subject to penalties as set out in section 1-14 of the Town of Redington Beach Code of Ordinances, and the Town of Redington Beach shall have authority to impose such penalty.
- C. If such properties are receiving the Homestead Exemption, the town is instructed to notify the Pinellas County Property Appraiser's office and appropriate state agencies to report the violation.
- D. The town shall notify the Pinellas County Tax Collector to ensure the Owner is remitting the appropriate county and or state four percent Tourist Development Tax during the pendency of the prohibited use.

(Res. of 10-4-66; Ord. No. 85-18, § 1, 10-15-85; Ord. No. 90-7, § 1, 7-3-90; Ord. No. 91-20, §§ I, II, 12-17-91; Ord. No. 92-08, §§ 3, 4, 9-15-92; Ord. No. 08-01, §§ 1, 2, 2-5-08; Ord. No. 2016-07, § 2, 8-3-16; Ord. No. 2018-07, § 2, 8-13-18)

Sec. 4. - Building regulations.

(a) Building Size

(1) *Minimum floor area.*

- A. For lots fronting the Gulf of Mexico or Boca Ciega Bay, the minimum floor area of a single-family dwelling shall be thirteen hundred (1,300) square feet, including the outside walls of the building, but not including open or screened breezeways, porches or garage space.
- B. For all other lots, the minimum floor area of a single-family dwelling shall be one thousand (1,000) square feet, including the outside walls of the building, but not including open or screened breezeways, porches or garage space.
- C. For apartments and other multiple-family dwellings, the minimum size of each living unit shall be eight hundred (800) square feet for one (1) bedroom units, nine hundred fifty (950) square feet for two (2) bedroom units, and twelve hundred (1,200) square feet for three (3) bedroom units, including the outside walls of the building, but not including any open or screened breezeways, porches or balconies.

(2) *Maximum height.*

- A. The maximum height for a single-family dwelling with a flat or built-up roof shall be thirty (30) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM"), measured at the highest point of the roof.
- B. The maximum height for a single-family dwelling with a hip, gable or gambrel roof, or other type roof with a ridge line, shall be thirty (30) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM"), measured by the median height of the roof, as set forth in section 6-58 of the Town of Redington Beach Code of Ordinances.
- C. The maximum height for a principal structure other than a single-family dwelling shall be fifty (50) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM").
- D. For all structures, a preconstruction elevation plan drawn by registered or licensed architects or engineers must be executed prior to issuance of a permit to build.

(b) *Setbacks*

Except as specified in subsections (1) through (4) below, no building, nor any portion thereof, including porches, balconies, cornices or other permanently fixed decorations, shall be constructed within an established front, side, or rear setback.

- (1) *Front setback.* Front setbacks apply to all buildings constructed within the town, and shall be relative to the front boundary line of the subject parcel as defined in Section 15 of this Appendix A.
 - A. For lots bordering Gulf Boulevard, the front setback line shall be located fifty-three (53) feet from the center of State Road No. 699, as now actually constructed.
 - B. For all other lots, the front setback line shall be located twenty (20) feet from the line of roadway or street abutting the building lot.
 - C. On a corner lot facing upon two (2) streets, the provisions of subsection (b)(2) apply.
- (2) *Front setbacks on corner lots.* For any building constructed on a corner lot facing upon two (2) streets, the following provisions shall apply:
 - A. The shorter of the two street-facing boundary lines shall be the primary front boundary line, and shall be subject to the provisions of subsection (b)(1) above.

- B. The longer of the two street-facing boundary lines shall be the secondary front boundary line. The secondary front setback shall be located ten (10) feet from the boundary line.
 - C. Side and rear setbacks on corner lots are subject to the provisions of subsections (b)(3) and (b)(4) below, respectively.
- (3) *Side setback.* Side setbacks apply to all noncommercial buildings constructed within the town, and shall be relative to the side boundary line of the subject parcel as defined in Section 15 of this Appendix A.
- A. For an apartment or hotel building, the side setback line shall be located ten (10) feet from the side boundary line.
 - B. For noncommercial buildings other than an apartment or hotel, the side setback line shall be located seven and one-half (7½) feet from the side boundary line.
 - C. Eaves may encroach an additional two and one half (2½) feet into the side setback.
- (4) *Rear setback.* Rear setbacks apply to all noncommercial buildings constructed within the town, , and shall be relative to the rear boundary line of the subject parcel as defined in Section 15 of this Appendix A.
- A. For Lots 1 through 6 of Block 1 of the Redington Beach Homes Subdivision, the rear setback line facing the Gulf of Mexico shall be located one hundred eighty-three (183) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually constructed.
 - B. For lots within Block 24 of the Third Addition to Redington Beach Homes Subdivision, the rear setback line shall be located fifty-three (53) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually constructed.
 - C. For lots lying between Gulf Boulevard and the Gulf of Mexico other than those specified in subsections A and B above, the setback line on the side of the property facing the Gulf shall be located one hundred seventy-three (173) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually constructed.
 - D. For all lots fronting on Gulf Boulevard other than those specified in subsections A through C above, the rear setback line shall be located fifty-three (53) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually constructed.
 - E. For lots bordering on Boca Ciega Bay, the setback line on the side of the property facing the Bay shall be located twenty-five (25) feet from the Bay-fronting property line, the mean high tide mark, or the center of seawall cap, whichever is more restrictive.

F. For all lots other than those specified in subsections A through E above, the rear setback line shall be located fifteen (15) feet from the rear boundary line.

(Ord. No. 69, 6-4-57; Ord. No. 84-4, 7-17-84; Ord. No. 85-14, § 1, 10-15-85; Ord. No. 85-17, §§ 1, 2, 10-15-85; Ord. No. 88-5, § 1, 8-16-88; Ord. No. 98-04, §§ 1, 2, 5-19-98; Ord. No. 08-08, § 1, 8-5-08)

D. DRAFT APPENDIX A, SECTION 15 DEFINITIONS

Sec. 15. - Definitions.

For purposes of this ordinance, the following terms shall have the meaning given in this section:

Accessory structure means a structure that is clearly subordinate or incidental to, but customarily related to, a principal structure located on the same parcel.

Ancillary nonresidential. Off-street parking and trash receptacle areas for adjacent, contiguous, nonresidential use.

Boundary line. The lines delineating the property boundaries of a lot, including:

- Front boundary line. The boundary line extending between the side lot lines across the street frontage of the lot.

- Rear boundary line. The boundary line which is generally most distant from and most closely parallel to the front property line.

- Side boundary line. Any boundary line which is neither the front nor the rear lot line.

Community commercial. Commercial establishments that generally serve the day-to-day commercial and personal service needs of the community, including, but not limited to, tobacco shops, retail clothing store, newsstands, bakeries, delicatessens, meat and seafood markets, produce markets, barber and beauty shops, seamstress shops, shoe repair and shining shops, dry cleaning and laundry pickup facilities.

Dock means any structure, otherwise known as a pier, wharf or loading platform, which is constructed on pilings over open water, or which is supported by flotation on the water.

Floor area, gross. The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces or loading space for motor vehicles.

Floor area ratio (FAR). A measurement of the intensity of building development on a site. A floor area ratio is the relationship between the gross floor area on a site and the net land area. The FAR is calculated by adding together the gross floor areas of all buildings on the site and dividing by the gross land area. Impervious surface. A surface that has been compacted or covered with a layer of material so that it is highly resistant to or prevents infiltration by stormwater. It includes: surfaces such as limerock, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar surfaces.

Impervious surface ratio (ISR). A measure of the intensity of hard surfaced development on a site. An impervious surface ratio is the relationship between the total impervious surface area on a site and the gross land area. The ISR is calculated by dividing the square footage of the area of all impervious surfaces on the site by the square footage of the gross land area.

Lot and/or parcel of record. A "lot and/or parcel of record" is defined as: a lot and/or parcel which on April 1, 1990, was part of a subdivision, the plat of which had been recorded in the office of the Clerk of the Circuit Court of Pinellas County, or any lot or parcel of land, whether or not part of a subdivision that had been officially recorded by a deed in the office of the clerk, provided such lot and/or parcel was of a size which met the minimum dimension for lots or parcels in the district in which it was located at the time of recording or was recorded prior to the effective date of zoning in the area where the lot and/or parcel shall have a minimum lot and/or parcel size of 5,808 square feet, and each such lot and/or parcel shall have direct access to and abut a public roadway. For all those newly created lots in residential districts, street frontage shall be a minimum of 60 feet frontage, and no platted lot shall be reduced in size from that currently platted. The above requirement shall not limit the right to rebuild on existing platted lots.

Lot line. Shall have the same meaning as boundary line as defined within this section.

Marijuana. Marijuana shall have the meaning given cannabis in F.S. § 893.02(3).

Medical marijuana dispensing facility. A facility that is operated by an approved dispensing organization holding all necessary licenses and permits from which medical cannabis, cannabis-based

Commented [FLA1]: The Countywide Plan definition for ancillary nonresidential was recently changed to "Off-street parking and trash receptacle areas for adjacent, contiguous, nonresidential uses." The intention is for open space buffer areas to be unrestricted, rather than a permitted use. Recommend making the same change.

Deleted: drainage retention areas and open space buffer

Commented [FLA2]: The Town's definition of gross acre is the same as the Countywide Plan definition for net acre. Local government comp plans and codes are required to use consistent terminology with the Countywide Plan, and in this case it doesn't change the substance, so I updated it here and in Appendix A.

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Moved down [1]: *Gross land area.* Gross land area for the purposes of computing density/intensity shall be the total land area within the property boundaries of the subject parcel, and specifically exclusive of any submerged land or public right-of-way. ¶

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products, or cannabis plants as permitted through F.S. § 381.986 are delivered, purchased, possessed, or dispensed for medical purposes and operated in accordance with all local, federal, and state laws. Per Florida Administrative Code Rule 64-4.001 (11)(c) "any area designated in the application where derivative product is dispensed at retail." Medical cannabis dispensing facilities do not include cultivation facilities or processing facilities as defined in Florida Administrative Code Rule 64-4.001 (11)(c). "Medical marijuana treatment center" means any entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers and is registered by the department of health.

Medical marijuana facility. Any authorized medical marijuana treatment center, medical marijuana dispensing facilities, or any other facility that dispenses, processes, cultivates, distributes, sells, or engages in any other activity that involves or is related to medical marijuana pursuant to the Florida Right to Medical Marijuana Initiative, Amendment 2 or any other provision of state law.

Net land area. Net land area for the purposes of computing density/intensity shall be the total land area within the property boundaries of the subject parcel, and specifically exclusive of any submerged land or public right-of-way.

Principal structure. A structure that is used for the primary purpose, activity or function of a parcel of land.

Open space. That portion of a lot(s) that is not occupied by a structure(s) or vehicular use area. Open space includes lands used for active and passive recreation.

Setback. The minimum distance which a building or other structure must be set back from a front, side, or rear boundary line. *Submerged land.* The land area situated below the mean high water line of a standing body of water, including ocean, estuary, lake, pond, river or stream. For the purpose of this definition retention areas that area a function of development and wetlands shall not be considered submerged land.

(Ord. No. 90-2, § 2, 7-3-90; Ord. No. 92-08, § 1, 9-15-92; Ord. No. 2005-09, § 1, 10-18-05; Ord. No. 2006-02, § 1, 4-4-06; Ord. No. 2018-07, § 3, 8-13-18)

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**E. DRAFT SECTION 6-258
INSTALLATION AND
MAINTENANCE**

Sec. 6-258. - Installation and maintenance.

- (a) All parts of a satellite antenna system shall have vertical and horizontal clearance from any electric lines in conformance and compliance with the National Electrical Code and Life Safety Code adopted in section 6-156.
- (b) Every satellite antenna system must be adequately grounded for protection against a direct strike of lightning with an adequate ground wire. Such ground wires shall be of the type approved in the National Electrical Code adopted in section 6-156 for grounding masts and lightning arrestors, and shall be installed in a mechanical manner with as few bends as possible, maintaining a clearance of at least two inches from combustible materials. Lightning arrestors shall be used which are approved as safe by Underwriters' Laboratories, Inc., and both sides of the line must be adequately protected with proper arrestors to remove static charges accumulated on the line. When lead-in conductors or polyethylene ribbon type conductors are used, lightning arrestors must be installed in each conductor. When coaxial cable or shielded twin lead cable is used, suitable protection may be provided without lightning arrestors by grounding the metal sheath.
- (c) All satellite antenna systems shall be installed and maintained in compliance with the requirements of the Standard Building Code adopted in section 6-56 and the electrical code adopted in section 6-156. A permit to build shall be required prior to any installation or construction.
- (d) All satellite antenna systems must comply with the Federal Emergency Management Agency's codes and requirements regarding construction in a flood hazard area with respect to waterborne and wind-borne hazards and installation.
- (e) All permit requests for the installation of a satellite antenna system must be accompanied by installation guidelines approved by a registered engineer. The installed system must be able to withstand winds of 110 miles per hour.
- (f) No satellite antenna system is permitted on the roof, except for a multifamily dwelling or motel in the Multifamily, Mixed Use 1, or Mixed Use 2 zoning district, which has a concrete roof, in which case satellite antenna systems are allowed to be placed on the roof.

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(Code 1980, § 5-26(c))

Cross reference— Building code, § 6-56 et seq.; electrical standards, § 6-156 et seq.; flood prevention and protection, ch. 10.

F. DRAFT SECTION 17-6 SIGN ILLUMINATION

Sec. 17-16. Sign illumination.

- (a) Sign illumination may not create a nuisance to residential areas or for wildlife and shall be compatible with the surrounding neighborhood.
- (b) *Residential signs.* Signs on residential uses in any zone shall not be illuminated.
- (c) *General rule for all nonresidential uses.* Other than signs on residential uses, all other signs may be non-illuminated, or illuminated by internal, internal indirect (halo) illumination, or lit by external indirect illumination, unless otherwise specified. Signs may not be illuminated in a manner which leaves the illumination device exposed to public view except with the use of neon tubing as provided in subsection (h) below.
- (d) *Internal illumination.* Outdoor, internally illuminated signs, including but not limited to awning/canopy signs, cabinet signs (whether freestanding or building mounted), changeable copy panels or service island signs, shall be constructed with an opaque background and translucent letters or other graphical elements, or with a colored background and lighter letters or graphics.
- (e) *External indirect illumination.* Externally lit signs are permitted to be illuminated only with steady, stationary, down directed and shielded light sources directed solely onto the sign. Light bulbs or tubes (excluding neon) used for illuminating a sign shall not be visible from the adjacent public rights-of-way or residential zoned or used properties.
- (f) *Illumination of signs adjacent to single-family uses.* No sign located within 50 feet of a property with a single-family use or zoned for a single-family use shall be internally or externally illuminated.
- (g) Any portion of the sign face or sign structure that is illuminated shall count against the total square footage of allowable sign area.
- (h) *Exposed neon.* Exposed neon tube illumination is not permitted in residential zones, or on residential uses in any zone. It is allowed in all other places, unless otherwise specified.
- (i) Illuminated signs of any kind are specifically prohibited in the Single-Family zoning district, without exception.

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(Ord. No. 2019-07, § 3, 2-17-21)