



**TOWN OF REDINGTON BEACH, FLORIDA
PLANNING BOARD
REGULAR MEETING AGENDA
NOVEMBER 15, 2022**

The Planning Board of the Town of Redington Beach, Florida will meet on Tuesday, November 15th, 2022 at 7:00 p.m. in Redington Beach Town Hall, at 105-164th Avenue, Redington Beach Florida.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. ROLL CALL**

David Christ	Chairman
Ed Fernandez	Member
Steven Miller	Member
Pete Mattson	Member
Tim Thompson	Member
Hayward Chapman	Alternate Member
Leslie Wilkins	Alternate Member
Linda Fisher	Planner

- 4. AGENDA APPROVAL** – November 15th, 2022
- 5. PAST MEETING MINUTES APPROVAL** – August 30th, 2022
- 6. UNFINISHED BUSINESS**

- a. None**

- 7. NEW BUSINESS**

- a. Proposed Ordinance 2022-13 – Zoning Code Update:**

ORDINANCE NO. 2022 – 13: AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA, AMENDING APPENDIX A OF THE TOWN CODE TO RENAME AND REORGANIZE THE ZONING DISTRICTS, ADOPT AN OFFICIAL ZONING MAP, AMEND THE ZONING DISTRICT STANDARDS FOR CONSISTENCY WITH THE TOWN COMPREHENSIVE PLAN AND OTHER SECTIONS OF THE TOWN CODE, REPEAL PROVISIONS FOR CONSTRUCTION MATERIALS, ESTABLISH DEFINITIONS AND PROVISIONS FOR ADMINISTERING PRINCIPAL AND ACCESSORY USES, ESTABLISH DEFINITIONS FOR BOUNDARY LINES AND SETBACKS, AND AMEND DEFINITIONS FOR CONSISTENCY WITH THE COUNTYWIDE PLAN; AMENDING SECTIONS 6-258 AND 17-16 OF THE TOWN'S CODE TO REFLECT AMENDED ZONING DISTRICT NAMES; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.
Advertised Public Hearing

- 8. OTHER BUSINESS**

- 9. ADJOURNMENT**

One or More Elected or Appointed Officials May Be In Attendance

Please Note: If a person decides to appeal any decision made by the Planning Board with respect to any matter considered at the above cited meeting, the person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based. The Town maintains an audio recording of all public hearings. In the event that you wish to appeal a decision, the recording may or may not adequately ensure a verbatim record of the proceedings; therefore, you may wish to provide a court reporter at your own expense (F.S. 286.0105, Florida Statutes). In accordance with the Americans with Disability Act and Florida Statutes 286.26, persons with disabilities needing special accommodations to participate in the proceedings should contact the Town Clerk's Office with your request. Phone (727) 391-3875 or Fax (727) 397-6911 for assistance; if hearing impaired, contact the Florida Relay Service Numbers (800) 955-8771 (TDD).

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**TOWN OF REDINGTON BEACH, FLORIDA
PLANNING BOARD MINUTES**

Tuesday August 30, 2022
7:00 PM

Having been duly advertised as required by law, The Regular Meeting of the Planning Board of the Town of Redington Beach, Florida, was held on Tuesday August 30, 2022, at 7:00 PM, in Redington Beach Town Hall at 105 164th Avenue, Redington Beach, Florida.

Chair David Christ called the **Planning Board Meeting** to order and led the Pledge of Allegiance at 7:00 PM.

Roll Call

	Present	Absent
Chair David Christ	X	
Vice Chair Peter Mattson		X
Member Ed Fernandez		X
Member Steven Miller		X
Member Tim Thompson	X	
Alternate Leslie Wilkins	X	
Alternate Hayward Chapman		X

Alternate Leslie Wilkins served as a member in place of Steven Miller.

Also in attendance were Town Planner Linda Fisher, AICP Forward Pinellas Principal Planner; Mayor David Will; and Adriana Nieves, Town Clerk.

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Approval of Agenda of August 30, 2022

The Agenda was approved by the Planning Board.

	Motion	Second	Aye	Nay	Absent
Chair David Christ			X		
Vice Chair Peter Mattson					X
Member Ed Fernandez					X
Member Steven Miller					X
Member Tim Thompson	X		X		
Alternate Leslie Wilkins		X	X		
Alternate Hayward Chapman					

Approval of Past Meeting Minutes of July 12, 2022

The Past Minutes was approved by the Planning Board.

	Motion	Second	Aye	Nay	Absent
Chair David Christ			X		
Vice Chair Peter Mattson					X
Member Ed Fernandez					X
Member Steven Miller					X
Member Tim Thompson		X	X		
Alternate Leslie Wilkins	X		X		
Alternate Hayward Chapman					

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Public Forum for Non-Agenda Items

No comments from the public.

Unfinished Business

A. Summary of Planning Board Responsibilities

Linda Fisher, Principal Planner, presented a summary of Town Attorney Robert Eschenfelder's letter dated August 16, 2021, detailing the "Duties of Planning Board."

1. The only two sources of Town law the Planning Board is charged with reviewing are the Town's Comprehensive Plan and Appendix A (the Town's zoning code).
2. Any amendments to Appendix A are within the Planning Board's purview to review, even in the technical sections (e.g., setbacks, screening walls), but the only criteria that can be used to evaluate the amendments is whether they are consistent with the Comprehensive Plan, and whether the language is stated clearly.
3. The Planning Board may find that a given proposed technical specification or setback is, in its opinion, inconsistent with some provision in the Comprehensive Plan, as opposed to the Board members' collective opinions that it isn't a "good" specification.
4. The Planning Board can propose revisions to the amendment language for clarity and consistency.
5. It is a valid question for the Planning Board to want to be sure language they are recommending will be "implementable" (able to be understood by owners and applied by the Building Official). It's the Town Planner's responsibility to take such questions back to the Building Official and then at the next meeting convey the Building Official's responses. If the Planning Board desires to have the Building Official attend a Planning Board meeting, since there would be an associated cost to the Town, the request would need to be approved by the Mayor.
6. As individual citizens, Board members are always free to come to a Commission meeting and provide input on a given proposed code change.

Questions and Discussion from the Planning Board

Tim Thompson:

Under 3.5 Infrastructure Element; Object 2.1 "The Town shall seek to improve the stormwater drainage system... Policy 2.1.1.5 states "The

town shall adopt, implement, and maintain a Standard Details Manual to supplement the Pinellas County Stormwater Manual in order to provide guidance and criteria to the design and building community for best management practices unique to the Town's character.

Question: Do we also include the PC Stormwater Manual and/or the Town's Standard Details Manual for consistency review?

Linda Fisher: I will need to check and come back with an answer.

Public Comment

No comments from the public.

B. Proposed Update to the Zoning Code — Continued Discussion

Linda Fisher, Principle Planner, presented the overview of the proposed changes to the current zoning code. This is a continuation of last meeting.

- The current zoning code is difficult to read and understand.
- The current zoning code has some inconsistencies with the Comprehensive Plan.
- Most communities use a Zoning Map to specify the different zoning districts.
- The current zoning legal descriptions based on the original plat do not match the current Pinellas county legal descriptions for the different districts.
- The use of a Zoning number is not intuitive to the actual zoning usage. Changing from Zoning numbers to a descriptive named usage for the zoning districts.
- Modify the Zoning code to used bullet points and tables that are easier to read and understand than the current lengthy legal language.
- The changes to the current zoning ordinance are: (1) Adopt an official zoning map. (2) Use descriptive names for the zoning districts. (3) Reorganize and simplify the zoning district standards. (4) No regulatory changes, only how the information is presented.

The next issue is how the zoning code relates to the Comprehensive Plan.

- Per state law, any inconsistencies between the Zoning code and Comprehensive Plan, the Comprehensive Plan prevails.
- The main concern is the Future Land Usages Map to determine maximum densities, intensities, and permitted usages a zoning district can have.
- The Zoning code can be more restrictive than the Future Land Use Map but not less restrictive.
- Need to remove inconsistencies between the Zoning code and the Future Land Use Map.
- In Zoning District 3 is an exception for a Realtor Office that is now a vacant lot. I will need to verify with the Town Attorney, however I think since the parcel is now vacant the zoning exception is now removed.
- By removing inconsistencies and combining common zoning districts, reduce the Zoning districts from eight districts to six districts.
- All the Zoning districts will keep the same use as today. Only remove a usage when the specific usage is inconsistent with the Comprehensive Plan.
- Add density standards to the Zoning code for all districts.

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- Since this is an actual change to the Zoning code, this trips the requirement for a referendum by the residents.

Linda Fisher, Principal Planner, presented the overview of issues identified by the Building Official.

- Currently we have no distinction between primary and secondary structures in the code. The Primary Structure is the structure that is used for the primary purpose or function of a parcel of land such as a house. The Secondary Structure is clearly subordinate or incidental to the primary structure such as a dock or pool or shed.
- Need to modify the code to not allow a secondary structure to exist without the primary structure.
- Confusing descriptive language on the lot set back rules. Need to re-organize the lot set back rules to be clear and readable.
- Section 4, Building Materials states that masonry construction only. Need to remove this section and state all building must meet wind load requirements since some modern materials are stronger than masonry.

Linda Fisher, Principal Planner, presented the overview of Town ordinances that need re-wording to reflect the proposed zoning changes.

- Set the building height in Appendix A, Section 5 to be 30 feet above Base Flood Elevation to be consistent with other ordinances.
- Change Gross Land Area to be Net Land Area to match Pinellas County wide Plan definition.
- Rename the numbered zoning districts in the ordinance to the updated zoning district names.
- Update Zoning code definitions to match the Pinellas county-wide definitions.

Questions and Discussion from the Planning Board

David Christ: Concerning the location of the Realtor Office in Zone 3 that is now a vacant lot.

Linda Fisher: The response is from email dated Aug 31, 2022 to clarify the verbal response.

Good afternoon,

This information is in follow-up to a clarification question from last night's meeting. The Town's current Zoning District 3 has a carve-out for "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." The PAO page for the parcel can be found [here](#). There's no official site address, but it's located on Gulf Blvd. just north of 155th Ave.

The PAO has it listed as vacant residential, and the latest Google Street View (from January 2019) shows it as vacant, indicating that original buildings were knocked down at some point. A new building that appears to be residential has since been built there, but

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the records haven't been updated yet. The PAO map and Street View image are shown below.

This is a different parcel from the RE/MAX building, which is located at 16301 Gulf Blvd. It has its own carve-out in current Zoning District 1b. Just wanted to clarify that those are two different parcels.

Best,
Linda

Leslie Wilkins: I notice at the top left are condos that are showing as single-family resident.

Linda Fisher: I do not know the history or reason for the designation.

Leslie Wilkins: Concerning the Zoning changes, Under the Recreation/Open Space the code does not allow Accessory structures without a primary structure. In our parks we have Accessory structures without a primary structure.

Linda Fisher: For the public areas it does not make sense to require a Primary structure. For a private Recreation/Open area it may be required to have a Primary structure. I will review the zoning code for Public Recreation/Open Space.

Leslie Wilkins: In Section 4 of the Zoning ordinance is the transit limitations. Why not the same restriction in other zoning districts?

Linda Fisher: I used what was exactly written in the existing Zoning code.

Public Comment

No comments from the public.

A motion by Tim Thompson and seconded by Leslie Wilkins that the proposed Zoning Ordinance be presented at a Public Hearing at a date to be determined. was passed.

	Motion	Second	Aye	Nay	Absent
Chair David Christ			X		
Vice Chair Peter Mattson					X
Member Ed Fernandez					X
Member Steven Miller					X
Member Tim Thompson	X		X		
Alternate Leslie Wilkins		X	X		
Alternate Hayward Chapman					

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New Business

No new business.

Other Business

No other business.

Adjournment

Meeting was adjourned at 7:45 PM by Chair.

Next Planning Board meeting: To be called by the Chair.

Adriana Nieves, CMC
Town Clerk

ORDINANCE NO. 2022 - 13

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA, AMENDING APPENDIX A OF THE TOWN CODE TO RENAME AND REORGANIZE THE ZONING DISTRICTS, ADOPT AN OFFICIAL ZONING MAP, AMEND THE ZONING DISTRICT STANDARDS FOR CONSISTENCY WITH THE TOWN COMPREHENSIVE PLAN AND OTHER SECTIONS OF THE TOWN CODE, REPEAL PROVISIONS FOR CONSTRUCTION MATERIALS, ESTABLISH DEFINITIONS AND PROVISIONS FOR ADMINISTERING PRINCIPAL AND ACCESSORY USES, ESTABLISH DEFINITIONS FOR BOUNDARY LINES AND SETBACKS, AND AMEND DEFINITIONS FOR CONSISTENCY WITH THE COUNTYWIDE PLAN; AMENDING SECTIONS 6-258 AND 17-16 OF THE TOWN'S CODE TO REFLECT AMENDED ZONING DISTRICT NAMES; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Redington Beach (the Town) has codified its ordinances over time into a Town Code (the Code) which sets forth the cumulative law of the Town; and

WHEREAS, for the purpose of promoting the health, safety, and general welfare, the corporate limits and areas of the Town are divided into zoning districts, with regulations and restrictions set forth for each, as codified in Appendix A of the Code (Zoning Code); and

WHEREAS, part of the Commission's duties include the necessity to ensure that the Zoning Code is consistent with the Town Comprehensive Plan, that there are no internal conflicts with the remainder of the Code, that it is clearly written and interpretable, and that it does not contain outdated, redundant or erroneous provisions; and

WHEREAS, Chapter 2012-245, Laws of Florida, requires local government land development regulations to be consistent with the *Countywide Plan for Pinellas County*; and

WHEREAS, the Town Planner, in consultation with the Building Official, has recommended that this Ordinance be adopted; and

WHEREAS, the Town Attorney has reviewed the recommendations of the Town Planner and Building Official, and has advised they are legally sufficient; and

WHEREAS, the Town's Planning Board, which serves as its Local Planning Agency, has found this Ordinance to be consistent with the Town's Comprehensive Plan and has recommended approval of the Ordinance; and

WHEREAS, the Commission therefore finds that it is in the best interests of the Town, and its citizens, property owners and businesses to adopt this Ordinance.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Redington Beach, Florida, that:

Section 1. Amendments to Appendix A, Sections 1 through 5, of the Code, as set forth in Exhibit 1 of this Ordinance, are hereby adopted and included as part of the Code.

Section 2. The Town of Redington Beach Zoning Map, as set forth in Exhibit 2 of this Ordinance, is hereby adopted and included by reference as part of Appendix A, Section 2 of the Code.

Section 3. Amendments to Appendix A, Sections 15 and 16 of the Code, as set forth in Exhibit 3 of this Ordinance, are hereby adopted and included as part of the Code.

Section 4. Amendments to Section 6-258 of the Code, as set forth in Exhibit 4 of this Ordinance, are hereby adopted and included as part of the Code.

Section 5. Amendments to Section 6-258 of the Code, as set forth in Exhibit 5 of this Ordinance, are hereby adopted and included as part of the Code.

Section 6. For purposes of codification of any existing section of the Redington Beach Code herein amended, words underlined represent additions to original text, words ~~stricken~~ are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 7. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the

remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 8. The Codifier shall codify the substantive amendments to the Redington Beach Town Code contained in Sections 1 through 5 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 9. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the ____ day of _____, by the Board of Commissioners of the Town of Redington Beach, Florida.

ADOPTED ON SECOND AND FINAL READING on the ____ day of _____, by the Board of Commissioners of the Town of Redington Beach, Florida.

David Will, Mayor

Attest:

Adriana Nieves, CMC, CFM
Town Clerk

Approved as to form:

Robert M. Eschenfelder, Esquire
Town Attorney

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 ~~be and the same~~ is hereby divided into ~~three (3)~~ 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

~~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:~~

(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, ~~that is to say, may be 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, ~~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~~

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.

(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.

~~(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.~~

~~(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.~~

(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 Chapter 6, Article IX, 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.

~~[District No. 2 is hereby zoned for the construction of buildings and use thereof as follows:]~~

(2a) District No. 2 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 of this Appendix A, and use of such dwelling houses for single-family residential purposes.

~~{B.}~~ Property owners who rent their properties in the SE district ~~(located in District 2 and District 3)~~ for less than 181 days shall be subject to penalties as set out in section 1-14 of Appendix A, 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.

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

~~(3a) 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.~~

~~(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.~~

(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. - ~~[Reserved] 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}~~

Sec. 5. - Building regulations.

in the case of apartments and/or hotels constructed in areas other than that designated for business, the following lot line regulation shall apply, to wit: That in the event of a one-story or more apartment or hotel, the construction of any part thereof shall not approach nearer than ten (10) feet to the side line of the lot or lots upon which the same is constructed, excepting eaves which may approach two and one-half (2½) feet nearer to side lines.

Editor's note—Upon the instruction of the town, in subsection 5(b), the term "five (5) feet," as pertaining to required distance from the rear lot line, has been changed to "fifteen (15) feet" even though Ord. No. 85-14, adopted Oct. 15, 1985, and passed at referendum Nov. 5, 1985, did not specifically amend § 5(b).

- (c) ~~No structure in a single-family dwelling zone, having a flat or "built up" roof, shall at its highest point exceed thirty (30) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM"); and no such structure having a hip, gable or gambrel roof or other type roof with a ridge line shall exceed thirty (30) feet to the median height of such roof above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM"). Furthermore, a preconstruction elevation plan drawn by registered or licensed architects or engineers must be executed prior to issuance of a permit to build.~~
- (d) ~~No structure in apartment, hotel, multiple-family dwelling or commercial area zones shall, at its highest point, exceed fifty (50) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM"). Furthermore, a preconstruction elevation plan drawn by registered or licensed architects or engineers must be executed prior to issuance of a permit to build.~~

(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

- 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)

Town of Redington Beach Zoning Map



Zoning Districts

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



Amended Through:
Ordinance [No.] - [Effective Date]

Mayor

Town Clerk

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 drainage retention areas and open space buffer 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 ~~gross~~ 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.

~~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.

Impervious surface. A surface that has been compacted or covered with a layer of material so that it is highly ~~resistent~~ 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 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.

GrossNet land area. Gross-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)

Sec. 16. - Nonconforming uses.

- (a) *Building existing at the time this ordinance becomes effective; alteration or change of use.* The lawful use of a building, which use existed at the time of the effective date of this ordinance [Ordinance No. 90-2], may be continued although such use does not conform to the provisions hereof. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or of a more restricted classification. Whenever a nonconforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use.
- (b) *Buildings becoming nonconforming through zoning change.* Whenever the use of a building becomes nonconforming through a change in the zoning ordinance or district boundaries, such use may be continued; and if no structural alterations are made, it may be changed to another nonconforming use of the same or of a more restricted classification.
- (c) *Discontinuance of a nonconforming use.* In the event that a nonconforming use of any building or place is discontinued for a period of six months, the use of the same shall thereafter conform to the use permitted in the district in which it is located.
- (d) *Alteration of building housing nonpermitted use.* No existing building devoted to a use not permitted by this ordinance [Ordinance No. 90-2] in the district in which such building is located shall be enlarged, extended, reconstructed or structurally altered unless such a use is changed to a use permitted in the district in which such building is located.
- (e) *Accessory structures.* An accessory structure located on a parcel where the principal structure is demolished or destroyed shall be deemed nonconforming, and no use of such accessory structure is allowed until construction has commenced on a new principal structure.

(Ord. No. 90-2, § 3, 7-3-90)

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 dwellings and or motels in district 1 the Multifamily, Mixed Use 1, or Mixed Use 2 zoning district, which has having a concrete roof, in which case satellite antenna systems are allowed to be placed on the roof.

(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.

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 districts ~~2 and 3~~, without exception.

(Ord. No. 2019-07, § 3, 2-17-21)

Town of Redington Beach Future Land Use Map

