



**TOWN OF REDINGTON BEACH
BOARD OF COMMISSIONERS
SPECIAL MEETING**

AGENDA

**Wednesday, March 16th, 2026
6:30pm**

Town Hall

Assembly Hall

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF AGENDA

5. PUBLIC FORUM: Non-Agenda Items Only NOTE: A three-minute time limit applies to all comments from the public on non-agenda items only. If a person wishes to address the Board of Commissioners, **about a NON-AGENDA item, please fill out a "Speakers Card" and give it to the Town Clerk prior to the start of the meeting.**

6. UNFINISHED BUSINESS

A. FINAL READING: ORDINANCE NO. 2026-02 - AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA, AMENDING APPENDIX A OF THE TOWN CODE RELATED TO ZONING; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

B. FINAL READING: ORDINANCE NO. 2026-03 - AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA, AMENDING §§ 6-58, 6-258, 6-263, 12-151, 13-30, 15-56, 17-16, AND 18-86 OF THE TOWN CODE RELATED TO BUILDING OR ZONING REGULATIONS; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

7. NEW BUSINESS

NONE

8. OTHER BUSINESS

9. ADJOURNMENT

Note: The Town of Redington Beach Board of Commissioners meet the First Wednesday of each month beginning at 6:30 p.m.

The Town of Redington Beach Board of Commissioners may take action on any matter during this meeting, including items that are not set forth within this agenda. Minutes of the Board of Commissioners meeting may be obtained from the Town Clerk's office. The meetings may be recorded. The Minutes are not transcribed verbatim. It is the policy of the Board of Commissioners to make "action minutes" of all meetings.

Persons requiring a verbatim transcript of any Town meeting (for purposes of appeal or otherwise) should make arrangements to have a certified Court Reporter, at their own cost and expense, present at the meeting.

Persons who wish to appeal any decision made by the Board of Commissioners with respect to any matter considered at this meeting 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 based. (F.S. 286.0105) **Notice Regarding Special Accommodations:** (F.S. 286.26)

In accordance with F.S. 286.26 persons with disabilities needing special accommodations to participate in this meeting should contact the office of the Town Clerk 727-391-3875 no later than 2:00 p.m. on the day prior to the meeting to make arrangements for such special accommodations.

Board Special Meeting
March 16th, 2026

AGENDA ITEM 6A:

FINAL READING: ORDINANCE NO. 2026-02 - AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA, AMENDING APPENDIX A OF THE TOWN CODE RELATED TO ZONING; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.



6A. 2nd Public Hearing of the Town Commission on Proposed Update to the Zoning Code

This public hearing item proposes recommended amendments to the Town of Redington Beach zoning code (Appendix A in the Code of Ordinances) to address a number of issues that have been identified in the past three years. The Town Planner worked with the Planning Board to draft a package of proposed amendments, and presented them to the Town Commission for their discussion and direction at the November 5, 2025 meeting. On January 21, the Planning Board, in its capacity as the Local Planning Agency, recommended that the Commission approve the amendments.

On March 4, the Commission held its 1st public hearing, and after extensive discussion and public comment, voted 3-2 to advance the ordinance to its 2nd and final public hearing.

A. Proposed Amendments

1. General Recommendations – The following do not create substantive changes to the zoning code, but reorganize and update the code to make it easier to use:
 - a. Ensure consistency between the zoning code and comprehensive plan
 - b. Adopt an official zoning map and make it part of the land development code by reference
 - c. Rename the zoning districts and consolidate duplicates
 - d. Ensure that permitted uses have consistent terminology and definitions
 - e. Make zoning standards more complete, readable and free of outdated language
2. Setback Recommendations
 - a. Allow staircases or elevators for single-family homes to encroach into setbacks by 4.5 feet. The Town Board of Adjustment has approved a number of variances allowing this encroachment, but the proposed amendments would allow it by right if appropriate criteria are met.
 - b. Allow eaves to encroach into front and rear setbacks by 2.5 feet. The current code allows this encroachment for side setbacks only.
 - c. Allow structures with legally nonconforming encroachment into setbacks be allowed to preserve their current footprint when elevated or reconstructed under certain circumstances.
3. Other Recommendations
 - a. Increase the allowable height of single-family houses from 30 to 35 feet in order to accommodate additional elevation for flood protection.

- b. Delete the current requirement that new buildings must be masonry only, which was based on an outdated provision that has been superseded by the Florida Building Code.

B. Steps in the Adoption Process – Before the zoning code update can be adopted, the Town must complete a number of steps required by Florida Statutes:

1. Planning Board/Local Planning Agency public hearing – completed January 21
2. Mailed notice to residents – completed February 3
3. 1st public hearing of the Town Commission – completed March 4
4. 2nd public hearing of the Town Commission – March 16

C. Attachments

1. Ordinance 2026-02 (including draft amendments to Appendix A)
2. Draft Zoning Map
3. Draft Appendix A – clean version

ATTACHMENT 1.

Draft Ordinance 2026-02 (LPA Recommendation)

ORDINANCE NO. 2026-02

**AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA,
AMENDING APPENDIX A OF THE TOWN CODE RELATED TO
ZONING; MAKING RELATED FINDINGS; PROVIDING FOR
CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.**

WHEREAS, Appendix A of the Redington Beach Town Code addresses zoning; and

WHEREAS, while the Town is relatively small with the vast majority of its land zoned residential, its zoning code is many decades old and Forward Pinellas, Pinellas County's Planning arm which provides professional planning and zoning services to the Town, has reviewed the Town's zoning code in light of the Town's recently-adopted Comprehensive Plan; and

WHEREAS, based on that review, the Town has been advised that the current zoning code is antiquated in terms of the use of various terms and conditions, contains outdated provisions or provisions which are now inconsistent with the Town's Comprehensive Plan, and needs to be updated to ensure compliance with current Florida laws; and

WHEREAS, while the Town's Charter contains a provision requiring amendments to the zoning code to proceed to a referendum prior to becoming effective, in 2023 the Florida Legislature amended Florida Statutes § 163.3167(8) to provide that retroactively to June 1st 2011, an "initiative or referendum process in regard to any land development regulation is prohibited"; and

WHEREAS, the Town Planner has presented the revisions to the zoning code contained in this Ordinance to the Town's Planning Board and that body has provided its recommendations to the Commission; and

WHEREAS, the Commission has reviewed the ordinance, the Planning Board's recommendations, and the advice of the Town Planner and Town Attorney, and finds that it is in the Town's best interests to adopt this Ordinance.

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

Section 1. Appendix A of the Redington Beach Town Code (Zoning) is hereby amended as follows:

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~~s~~.

Sec. 2. ~~{Zoning districts.}~~

- (a) Establishment of zoning districts. ~~For the purpose of this ordinance, t~~The Town of Redington Beach ~~be and the same~~ is hereby divided into ~~three (3)~~ six (6) zoning districts, ~~each embracing the territory as follows, to wit~~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 property 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.

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

~~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.~~

Sec. 3. Permitted buildings and uses.

District No. 1 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~~

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 dwellings.

(2) Permitted uses.

A. Principal structures include single-family and multifamily 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.

(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 land 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 ~~, that is to say, may be~~ 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-rear~~ 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 property was and is lacking in conformance with the zoning provisions hereof at the time of the introduction and passage of this ordinance.~~

~~(1e) Lots 9, 10 and 11 of C. E. Redington Replat, be 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.~~

(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 dwellings, and business uses.

(2) Permitted uses.

- A. Principal structures include single-family dwellings, multifamily dwellings, community commercial, and 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.
- (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 land 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.

~~(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.~~

(c) Mixed Use 2 (MU-2)

(1) Purpose and Intent. The MU-2 zoning district is hereby zoned for development with public/semi-public institutional uses, single-family and multifamily dwellings.

(2) Permitted uses.

A. Principal structures include single-family dwellings, multifamily dwellings, and uses related to public/semi-public institutional uses, including public storage garages.

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.

(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 land 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.~~

(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 Chapter 6, Article IX, Division 2 of the Town of Redington Beach Code of Ordinances.

(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 are as follows:

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

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

(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.
- (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 is hereby zoned for the construction of single family dwelling houses and the use of such dwelling houses for single family residential purposes.~~

~~(2b) District 2. Other standards.~~

~~(2c) All uses must be a permitted use within the future land use designation as shown on the town's future land use plan map.~~

~~{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.~~

(f) Single-Family (SF)

(1) Purpose and Intent. The SF zoning district is hereby zoned for the construction of single-family dwellings, and the use of such structures 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.

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.

(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 land acre)</u>	<u>Impervious Surface Ratio</u>	<u>Floor Area Ratio</u>
<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>Institutional</u>	<u>No applicable standard</u>	<u>0.85</u>	<u>0.65</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>

Sec. 4. Density.

No zoning district within the Town of Redington Beach, Florida, shall have a maximum density standard that exceeds fifteen (15) units per acre; and the board of adjustment and the board of commissioners shall allow no exception or variance whatsoever from this section.

~~Sec. 4. Construction material.~~

~~Districts Nos. 1, 2 and 3 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.~~

~~Sec. 5. [Building regulations.]~~

- ~~(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 the area including the outside walls of the building exclusive of open or screened breezeways, porches or garage space is less than one thousand (1,000) square feet, except residences on Bay Front and Gulf Boulevard front lots whose area as above described shall not be less than thirteen hundred (1,300) square feet. All single family houses within the Town of Redington Beach shall have a rear yard for inside lots of fifteen (15) feet minimum.~~

~~No building shall be erected in the Town of Redington Beach for use as or converted to a condominium or apartment building in which the area of each living unit, exclusive of open or screened breezeways, porches or balconies, is less than eight hundred (800) square feet for one 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.~~

- ~~(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 abutting the building lot, excepting on Gulf Boulevard, where such building line is hereby fixed at fifty three (53) feet from the center of State Road No. 699 as now actually constructed; and for those lots lying between Gulf Boulevard and the Gulf of Mexico the building line on the Gulf side is hereby fixed at one hundred seventy three (173) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually~~

constructed; excepting however, on Lots 1 to 6, inclusive, Block 1, Redington Beach Homes, where such Gulf side building line is hereby fixed at one hundred eighty three (183) feet from center of State Road No. 699 (or Gulf Boulevard), as now actually constructed; provided this Gulf front building line shall not apply to Block 24 of Third Addition to Redington Beach Homes; 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 the seawall extends into Boca Ciega Bay beyond the property line and is contiguous with the land and bounded by the side property lines. No building, nor any part thereof, as above set forth (excepting eaves which may approach two and one 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; 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, the side line restriction is hereby fixed at ten (10) feet instead of seven and one half (7½) feet, 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 fronts, as the front is above defined, then the side line restriction on such corner lot is hereby fixed at fifteen (15) feet; 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 further, that 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(s) — 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.

Sec. 5. Building regulations.

(a) Building Size

(1) Minimum floor area.

- A. For lots fronting the Gulf of America 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 multifamily 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-five (35) 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-five (35) 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 (5) 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 property line of the subject parcel as defined in Section 10 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 property line 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 property lines shall be the primary front property line, and shall be subject to the provisions of subsection (b)(1) above.
 - B. The longer of the two street-facing property lines shall be the secondary front property line. The secondary front setback shall be located ten (10) feet from the property 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 buildings other than commercial or office constructed within the town, and shall be relative to the side property line of the subject parcel as defined in Section 10 of this Appendix A.
- A. For a multifamily dwelling, the side setback line shall be located ten (10) feet from the side property line.
 - B. For all other applicable buildings, the side setback line shall be located seven and one-half (7½) feet from the side property line.
- (4) Rear setback. Rear setbacks apply to all buildings other than commercial or office constructed within the town, and unless otherwise specified, shall be relative to the rear property line of the subject parcel as defined in Section 10 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 America 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 lying between Gulf Boulevard and the Gulf of America other than those specified in subsection A 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.
 - C. For all lots fronting on Gulf Boulevard other than those specified in subsections A and B 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.
 - D. 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.

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

(5) Exceptions to required setbacks. An encroachment to the setbacks provided in subsections (1) through (4) above are permitted for the following:

A. Eaves may encroach an additional two and one half (2½) feet into the otherwise applicable setbacks.

B. For a single-family house taller than one story or elevated pursuant to Chapter 10, Article IV, the following encroachments are permitted for the purpose of providing pedestrian access to the building:

1. Stairs may encroach up to four and one-half (4.5) feet into any required setback.

2. Elevators or other automated vertical conveyance consistent with Section R321 (Elevators and Platform Lifts) of the Florida Building Code, Residential, may encroach up to four and one-half (4.5) feet into a required side or rear setback.

Any encroachment authorized by this subsection shall be limited to the minimum extent necessary to provide building access, including utility meter access where required by the applicable utility provider.

~~Sec. 6. Reserved.~~

~~Sec. 7. [Adoption of state law.]~~

~~The board of commissioners specifically adopts for the Town of Redington Beach Sections 176.22 and 176.23, Florida Statutes of 1941.~~

~~State law reference(s) — For provisions which were once contained in §§ 176.22 and 176.23, see now F.S. § 163.3161 et seq.~~

~~Sec. 8. [Penalty.]~~

~~Any person violating any of the provisions of this ordinance shall be punished by a fine not exceeding two hundred and fifty dollars (\$250.00), per day per violation or not exceeding five hundred dollars (\$500.00), per day per repeat violation.~~

~~Sec. 9. [Repeal.]~~

~~From the effective date of this ordinance all previous ordinances and parts or amendments of ordinances relative to zoning, to wit: 2, 4, 10, 11, 15, 17, 19, 21, 22, 27, 33, 37, 40, 45 and 52 shall be and the same are hereby repealed.~~

Sec. 10. [Constitutionality.]

~~Should any section or provision of this ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the balance of this ordinance.~~

Sec. 11. [Wing walls and screening walls.]

Sec. 6. Wing walls and screening walls.

No single-family dwelling ~~house~~ within the Town of Redington Beach, ~~as provided and set out in Section 5(a) above,~~ shall have a wing wall or screening wall (as distinguished from fences as regulated in ~~Ordinance No. 57 Chapter 6, Article X,~~ except in side yards as defined ~~herein in~~ Section 10 of this Appendix A, and subject to the following regulations:

~~[1] The term "wing wall," for the purpose of this ordinance, shall indicate a wall or enclosure built at a right angle with the residence wall or side line of the lot.~~

(a) Wing wall standards. A wing wall shall have a maximum height above grade, as established by the building ~~inspector~~ official, of six (6) feet, and shall have an opening three (3) feet wide and the entire height of wall at any location in the length of the wall, and the opening may have a gate or door closure. Not more than one wing wall shall be built in each of the two (2) side yards.

~~[2] The term "screening wall," for the purpose of this ordinance, shall indicate a wall or enclosure located parallel to the side lot line or side wall of the residence.~~

(b) Screening wall standards. A screening wall shall have a six-foot maximum height above grade and a maximum length of twelve (12) feet. A screening wall may be built in either of the side yards of a ~~residence~~ dwelling but not in both.

~~[3] A "side yard," for the purposes of this ordinance, shall indicate the area on each side of a residence between residences and side lot line, and between front setback line (normally twenty (20) feet from the street) and rear setback line, which is normally twenty five (25) feet for waterfront lots and from fifteen (15) to twenty (20) feet for other lots.~~

~~[4]—~~

(c) Wing and screening wall material. Wing walls or screening walls may be of masonry, wood, metal or other suitable material, and shall be supported and anchored to resist overturning due to wind pressure.

Sec. 7. Lot/parcel standards.

(a) Newly created lots, generally. A newly created lot and/or parcel shall have a minimum size of 5,808 square feet, and each such lot and/or parcel shall have direct access to and abut a public roadway.

- (b) Newly created residential lots. For newly created lots in residential districts, street frontage shall be a minimum of 60 feet.
- (c) Existing platted lots. No platted lot shall be reduced in size from that currently platted. This shall not limit the right to rebuild on existing platted lots.

Sec. 128. Off-street parking and loading.

- (a) ~~/General provisions./~~ ~~For the purpose of this section, the term "An~~ off-street parking space" shall consist of a minimum net area of two hundred (200) square feet with minimum dimensions of ten (10) feet by twenty (20) feet for the parking of an automobile, exclusive of access drives or aisles which should be a minimum of twenty (20) feet wide. The minimum width of a driveway to a parking area shall be ten (10) feet. These provisions notwithstanding, whenever the plans for a parking area are prepared to allow parallel or angle parking, such plans shall be submitted to the building ~~inspector~~ official. A variance from the strict provisions aforesaid may be granted if the building ~~inspector~~ official finds that such plans have been so engineered as to provide adequate space for each car intended to be parked on the property, that access and maneuvering space is, in fact, reasonable and adequate for the purpose intended, and that easements and fire lanes are not encroached upon.
- ~~(b) [Number of spaces.] There shall be provided at the time of erection of any main structure, or at the time any main structure is enlarged or increased in capacity by adding dwelling units, guest rooms, floor area or seats, minimum off-street automobile parking spaces with adequate provisions for ingress and egress by automobiles of standard size as follows:~~
- (b) Number of parking spaces required. Parking requirements shall be met at the time any building or structure is erected, enlarged or increased in density or intensity, or a change of use results in an increase in the minimum number of parking spaces required. Minimum off-street automobile parking space, with adequate provisions for ingress and egress by automobiles of standard size, shall be provided as follows:

(1) Dwelling Structure for Permanent Occupants:

Dwelling Units	Parking Space Required per Unit
1 - 19	2
20 - 49	1.8
50 - 99	1.7
100 - 149	1.6
150 or more	1.5

plus two (2) spaces for the resident owner or manager, plus one additional space for each employee other than the manager and his family members.

- (2) ~~General Business or Commercial Establishments~~ Community Commercial Use (excluding restaurants): One space for each two hundred (200) square feet, or fraction thereof, of floor space in sales area.
- ~~(3) Apartment Hotel, Apartment Motel, Hotel or Motel: One and one fourth (1¼) spaces for each dwelling unit, plus two (2) additional spaces for the resident owner or~~

~~manager, plus one additional space for each employee other than the manager and his family members.~~

(43) Office Building: One space for each two hundred (200) square feet, or fraction thereof, of floor area used for office purposes.

~~(5) Private Club or Lodge: One space for each sixty (60) square feet of floor area.~~

(64) Restaurant: One space for each sixty (60) square feet of floor space in dining area.

(75) Where the application of the ordinance formulas results in a total number of spaces plus a fraction, the fraction shall require one additional space.

(c) *Location.* Parking spaces for all dwellings shall be located not more than three hundred (300) feet distant as measured along the nearest pedestrian walkway.

(d) *Off-street loading.* Commercial operations shall provide sufficient space so as not to hinder the free movement of vehicles and pedestrians over a sidewalk, right-of-way, alley easement or fire lane during loading and off-loading operations.

Sec. 13. Density.

~~No property within the Town of Redington Beach, Florida, shall have a density which exceeds fifteen (15) units per acre; and the board of adjustment and the board of commissioners shall allow no exception or variance whatsoever from this section.~~

Sec. 14⁹. Buffers.

(a) *Purpose and intent.* The purpose and intent of this section is to reduce the impacts of a use of land on adjacent uses which are of a significantly different character.

(b) *Buffers required.* A buffer consists of a horizontal distance from a property line which may only be occupied by drainage areas, utilities and landscaping materials. Any required setback is a part of the total required buffer. The required buffering distance between land uses on adjoining lots is set forth in the buffer matrix. Mechanical/air conditioning equipment, outdoor storage areas and parking areas shall not be located within the required buffers.

Compliance with this section is required in all cases of new construction, change of use or expansion of use or structure.

Buffer Matrix

Proposed Use	Abutting Use		
	Dwelling, single- or two-family <u>Single-family dwelling or duplex</u>	Dwelling, multiple- family <u>Multifamily dwelling with three or more units</u>	<u>Nonresidential use</u>
Dwelling, single- or two-family <u>Single-family dwelling or duplex</u>	0	0	0

Dwelling, multiple family Multifamily dwelling with three or more units	5	0	15
Nonresidential use	15	10	0

Sec. 1510. Definitions.

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

Accessory structure. 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 areas~~ and trash receptacle areas for adjacent, contiguous, nonresidential use.

Community commercial. Commercial establishments that generally serve the day-to-day ~~commercial and personal service~~ needs of the community, including restaurants, convenience goods and services, and personal and professional services. Specific examples may include, but are 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. A community commercial use shall not include a medical marijuana dispensing facility or other medical marijuana facility as defined within this section.

Density. The measure of permitted residential development expressed as a maximum number of dwelling units per acre of net land area.

Dock. 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.

Duplex. A building containing two (2) dwelling units, which are either attached side-by-side or stacked vertically, and are located on a single lot. Each unit is intended for occupancy as a separate household with its own kitchen and bathroom facilities.

Dwelling Unit. One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household. This use shall include any type of use of such dwelling units the Town is required by law to permit.

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 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~~ net 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-net~~ land area.

Intensity. The measure of permitted development expressed as a maximum impervious surface ratio and/or floor area ratio per acre of net 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~~ standards 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 property 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.

Multifamily dwelling. A building or portion thereof containing three (3) or more dwelling units, which may be located in a single structure or multiple buildings on the same lot, and designed to be occupied by separate households, with each unit having its own kitchen and bathroom facilities.

Gross-Net 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.

Off-street parking space. A designated area located outside of public rights-of-way, intended for the parking of motor vehicles. This space is typically situated on private property, such as driveways or garages, and is designed to ensure that vehicles are parked without encroaching upon public streets or sidewalks.

Office Use. An occupation or service providing primarily an administrative, professional or clerical service and not involving the sale of merchandise; examples of which include legal, real estate, design, and financial services, and like uses.

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.

Personal service – An occupation or service attending primarily to one's personal care or apparel; examples of which include hair and beauty care, clothing repair or alteration, or dry cleaning/laundry service.

Principal structure. A structure, or combination of structures of primary importance on the premises, and that contains the primary use associated with the premises. The primary use is characterized by identifying the main activity taking place on the premises.

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

- Front property line. The boundary line extending between the side lot lines across the street frontage of the lot.
- Rear property line. The boundary line which is generally most distant from and most closely parallel to the front property line.
- Side property line. Any boundary line which is neither the front nor the rear property line.

Public storage garages. Facility intended for the use, service and incidental repair of publicly-owned motor vehicles, which may include the incidental sale of articles or items of merchandise related to such use.

Public/semi-public institutional use. Those facilities and services of a public, private, or quasi-public nature, including educational, governmental, civic, and religious uses, such as schools, courthouses, community centers, and churches. A public/semi-public institutional use shall not include a medical marijuana dispensing facility or other medical marijuana facility as defined within this section.

Residential use. A dwelling unit including, single-family, multifamily, and mobile home dwelling unit.

Screening wall. A wall or enclosure located parallel to the side lot line or side wall of a dwelling.

Setback. The minimum distance which a building or other structure must be set back from a front, side, or rear property line.

Single-family dwelling. A detached building designed for or occupied exclusively by one person or one family.

Submerged land. The land area situated below the mean high water line of a standing body of water, including ~~ocean~~ gulf, bay, estuary, lake, pond, river or stream. For the purpose of this definition, retention areas that are a function of development and wetlands shall not be considered submerged land.

Vertical conveyance. An elevator, dumbwaiter, escalator, moving sidewalk, platform lift, or stairway chairlift, consistent with Florida Statutes § 399.01.

Wing wall. A wall or enclosure built at a right angle with the dwelling wall or side property line of the lot.

Yard. An area on a lot between the lot line and the nearest principal structure, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided in this Appendix A, including:

- Front yard. A yard extending between side property lines across the front of a lot adjoining a street. On corner lots, the front yard shall be provided parallel to all streets upon which the lot fronts.
- Rear yard. A yard extending across the rear of a lot between the side property lines. On all lots except corner lots, the rear yard shall be opposite the front yard.
- Side yard. The area on each side of a principal structure between the structure and the side property line, and between front setback line and rear setback line.

Sec. ~~16~~11. 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].~~ A building or structure that was lawfully established and maintained in compliance with all applicable regulations in effect at the time of its inception 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.

Sec. 12~~7~~. Exceptions to nonconforming uses, structures and lots.

- (a) *Act of God.* If an act of God or other force beyond the control of the owner occurs which destroys or damages a nonconforming building or any portion of a nonconforming building, such building or portion thereof may be rebuilt as it existed prior to the destruction or damage on the same lot or parcel on which it was constructed within the same footprint as long as it complies with all other existing regulatory codes and provisions of the land development regulations, and the permit for said construction is applied for within 36 months of the date ~~when-that~~ the destruction or damage occurred.

For purposes of this section, vertical extension of an existing roofed or covered patio to meet elevation requirements shall not be deemed an increase in encroachment or creation of a new nonconformity, provided that the encroaching portion remains an open porch and is not made a part of the enclosed structure.

- (b) *Tear down.* Where a lawful building exists at the time of the effective date of the ordinance from which this section derives, and subsequently the owner of record desires to tear down said building and rebuild a new building, but would no longer be able to by reason of restrictions on area, lot coverage, or setbacks or of the subject lot, said new building may be constructed within the same footprint so long as it complies with all other existing regulatory codes and provisions of the land development regulations and remains otherwise lawful, and the permit for said construction is applied for within 18 months of ~~when-the date that~~ the permit to tear down the ~~home-building~~ is issued.

Section 2. Pursuant to Florida Statutes § 166.041(4)(a), prior to the date the public notice of the public hearing for this Ordinance was published, the Town prepared and posted on its website a business impact estimate which included: a) a summary of the Ordinance, a statement of the public purpose to be served by the Ordinance, b) an estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the Town, c) an estimate of direct compliance costs that businesses may reasonably incur due to the Ordinance, d) identification of any new charge or fee on businesses created by the Ordinance or for which businesses will be financially responsible, e) an estimate of the Town's regulatory costs and of revenues from any new charges or fees imposed on businesses to cover such costs, and f) a good faith estimate of the number of businesses likely to be impacted by the Ordinance.

Section 3. 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 4. 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 5. The Codifier shall codify the substantive amendments to the Redington Beach Code contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 6. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the ____ day of _____, 2026, by the Board of Commissioners of the Town of Redington Beach, Florida.

ADOPTED ON SECOND AND FINAL READING on the ____ day of _____, 2026, by the Board of Commissioners of the Town of Redington Beach, Florida.

Attest:

David Will, Mayor

Adriana Nieves, Town Clerk

ATTACHMENT 2.

Draft Zoning Map (LPA Recommendation)

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

ATTACHMENT 3.

Draft Appendix A - Clean Version

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.

Sec. 2. Zoning districts.

- (a) *Establishment of zoning districts.* The Town of Redington Beach is hereby divided into six (6) 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 property 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	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 dwellings.
- (2) *Permitted uses.*
 - A. Principal structures include single-family and multifamily 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.
- (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 land acre.
 - B. The maximum impervious surface ratio is 0.65.
- (4) *Other standards.* In the event any 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 rear 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 dwellings, and business uses.

(2) *Permitted uses.*

- A. Principal structures include single-family dwellings, multifamily dwellings, community commercial, and 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.
- (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 land 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.

(c) Mixed Use 2 (MU-2)

- (1) *Purpose and Intent.* The MU-2 zoning district is hereby zoned for development with public/semi-public institutional uses, single-family and multifamily dwellings.

(2) *Permitted uses.*

- A. Principal structures include single-family dwellings, multifamily dwellings, and uses related to public/semi-public institutional uses, including public storage garages.
 - 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.
- (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 land 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 Chapter 6, Article IX, Division 2 of the Town of Redington Beach Code of Ordinances.
- (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 are 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 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.
- (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 (SF)**

- (1) *Purpose and Intent.* The SF zoning district is hereby zoned for the construction of single-family dwellings, and the use of such structures 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.
 - 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.
- (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 land acre)	Impervious Surface Ratio	Floor Area Ratio
Residential Urban	7.5	0.65	No applicable standard
Residential Medium	15	0.65	No applicable standard
Institutional	No applicable standard	0.85	0.65
Recreation/Open Space	No applicable standard	0.60	0.25
Preservation	No applicable standard	0.20	0.10

Sec. 4. Density.

No zoning district within the Town of Redington Beach, Florida, shall have a maximum density standard that exceeds fifteen (15) units per acre; and the board of adjustment and the board of commissioners shall allow no exception or variance whatsoever from this section.

Sec. 5. Building regulations.

(a) Building Size

(1) *Minimum floor area.*

- A. For lots fronting the Gulf of America 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 multifamily 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-five (35) 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-five (35) 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 (5) 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 property line of the subject parcel as defined in Section 10 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 property line 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 property lines shall be the primary front property line, and shall be subject to the provisions of subsection (b)(1) above.
 - B. The longer of the two street-facing property lines shall be the secondary front property line. The secondary front setback shall be located ten (10) feet from the property 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 buildings other than commercial or office constructed within the town, and shall be relative to the side property line of the subject parcel as defined in Section 10 of this Appendix A.
 - A. For a multifamily dwelling, the side setback line shall be located ten (10) feet from the side property line.
 - B. For all other applicable buildings, the side setback line shall be located seven and one-half (7½) feet from the side property line.
- (4) *Rear setback.* Rear setbacks apply to all buildings other than commercial or office constructed within the town, and unless otherwise specified, shall be relative to the rear property line of the subject parcel as defined in Section 10 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 America 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 lying between Gulf Boulevard and the Gulf of America other than those specified in subsection A 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.
 - C. For all lots fronting on Gulf Boulevard other than those specified in subsections A and B 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.
 - D. 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.
 - E. For all lots other than those specified in subsections A through D above, the rear setback line shall be located fifteen (15) feet from the rear property line.
- (5) *Exceptions to required setbacks.* An encroachment to the setbacks provided in subsections (1) through (4) above are permitted for the following:
- A. Eaves may encroach an additional two and one half (2½) feet into the otherwise applicable setbacks.
 - B. For a single-family house taller than one story or elevated pursuant to Chapter 10, Article IV, the following encroachments are permitted for the purpose of providing pedestrian access to the building:
 - 1. Stairs may encroach up to four and one-half (4.5) feet into any required setback.
 - 2. Elevators or other automated vertical conveyance consistent with Section R321 (*Elevators and Platform Lifts*) of the Florida Building Code, Residential, may encroach up to four and one-half (4.5) feet into a required side or rear setback.

Any encroachment authorized by this subsection shall be limited to the minimum extent necessary to provide building access, including utility meter access where required by the applicable utility provider.

Sec. 6. Wing walls and screening walls.

No single-family dwelling within the Town of Redington Beach shall have a wing wall or screening wall (as distinguished from fences as regulated in Chapter 6, Article X), except in side yards as defined in Section 10 of this Appendix A, and subject to the following regulations:

- (a) *Wing wall standards.* A wing wall shall have a maximum height above grade, as established by the building official, of six (6) feet, and shall have an opening three (3) feet wide and the entire height of wall at any location in the length of the wall, and the opening may have a gate or door closure. Not more than one wing wall shall be built in each of the two (2) side yards.

- (b) *Screening wall standards.* A screening wall shall have a six-foot maximum height above grade and a maximum length of twelve (12) feet. A screening wall may be built in either of the side yards of a dwelling but not in both.
- (c) *Wing and screening wall material.* Wing walls or screening walls may be of masonry, wood, metal or other suitable material, and shall be supported and anchored to resist overturning due to wind pressure.

Sec. 7. Lot/parcel standards.

- (a) *Newly created lots, generally.* A newly created lot and/or parcel shall have a minimum size of 5,808 square feet, and each such lot and/or parcel shall have direct access to and abut a public roadway.
- (b) *Newly created residential lots.* For newly created lots in residential districts, street frontage shall be a minimum of 60 feet.
- (c) *Existing platted lots.* No platted lot shall be reduced in size from that currently platted. This shall not limit the right to rebuild on existing platted lots.

Sec. 8. Off-street parking and loading.

- (a) *General provisions.* An off-street parking space shall consist of a minimum net area of two hundred (200) square feet with minimum dimensions of ten (10) feet by twenty (20) feet for the parking of an automobile, exclusive of access drives or aisles which should be a minimum of twenty (20) feet wide. The minimum width of a driveway to a parking area shall be ten (10) feet. These provisions notwithstanding, whenever the plans for a parking area are prepared to allow parallel or angle parking, such plans shall be submitted to the building official. A variance from the strict provisions aforesaid may be granted if the building official finds that such plans have been so engineered as to provide adequate space for each car intended to be parked on the property, that access and maneuvering space is, in fact, reasonable and adequate for the purpose intended, and that easements and fire lanes are not encroached upon.
- (b) *Number of parking spaces required.* Parking requirements shall be met at the time any building or structure is erected, enlarged or increased in density or intensity, or a change of use results in an increase in the minimum number of parking spaces required. Minimum off-street automobile parking space, with adequate provisions for ingress and egress by automobiles of standard size, shall be provided as follows:

- (1) Dwelling Structure for Permanent Occupants:

Dwelling Units	Parking Space Required per Unit
1 - 19	2
20 - 49	1.8
50 - 99	1.7
100 - 149	1.6
150 or more	1.5

plus two (2) spaces for the resident owner or manager, plus one additional space for each employee other than the manager and his family members.

- (2) Community Commercial Use (excluding restaurants): One space for each two hundred (200) square feet, or fraction thereof, of floor space in sales area.
- (3) Office Building: One space for each two hundred (200) square feet, or fraction thereof, of floor area used for office purposes.
- (4) Restaurant: One space for each sixty (60) square feet of floor space in dining area.
- (5) Where the application of the ordinance formulas results in a total number of spaces plus a fraction, the fraction shall require one additional space.
- (c) *Location.* Parking spaces for all dwellings shall be located not more than three hundred (300) feet distant as measured along the nearest pedestrian walkway.
- (d) *Off-street loading.* Commercial operations shall provide sufficient space so as not to hinder the free movement of vehicles and pedestrians over a sidewalk, right-of-way, alley easement or fire lane during loading and off-loading operations.

Sec. 9. Buffers.

- (a) *Purpose and intent.* The purpose and intent of this section is to reduce the impacts of a use of land on adjacent uses which are of a significantly different character.
- (b) *Buffers required.* A buffer consists of a horizontal distance from a property line which may only be occupied by drainage areas, utilities and landscaping materials. Any required setback is a part of the total required buffer. The required buffering distance between land uses on adjoining lots is set forth in the buffer matrix. Mechanical/air conditioning equipment, outdoor storage areas and parking areas shall not be located within the required buffers.

Compliance with this section is required in all cases of new construction, change of use or expansion of use or structure.

Buffer Matrix

Proposed Use	Abutting Use		
	Single-family dwelling or duplex	Multifamily dwelling with three or more units	Nonresidential use
Single-family dwelling or duplex	0	0	0
Multifamily dwelling with three or more units	5	0	15
Nonresidential use	15	10	0

Sec. 10. Definitions.

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

Accessory structure. 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.

Community commercial. Commercial establishments that generally serve the day-to-day needs of the community, including restaurants, convenience goods and services, and personal and professional services. Specific examples may include, but are 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. A community commercial use shall not include a medical marijuana dispensing facility or other medical marijuana facility as defined within this section.

Density. The measure of permitted residential development expressed as a maximum number of dwelling units per acre of net land area.

Dock. 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.

Duplex. A building containing two (2) dwelling units, which are either attached side-by-side or stacked vertically, and are located on a single lot. Each unit is intended for occupancy as a separate household with its own kitchen and bathroom facilities.

Dwelling Unit. One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household. This use shall include any type of use of such dwelling units the Town is required by law to permit.

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 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 net 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 net land area.

Intensity. The measure of permitted development expressed as a maximum impervious surface ratio and/or floor area ratio per acre of net land area.

Lot and/or parcel of record. 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 standards 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.

Lot line. Shall have the same meaning as property 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.

Multifamily dwelling. A building or portion thereof containing three (3) or more dwelling units, which may be located in a single structure or multiple buildings on the same lot, and designed to be occupied by separate households, with each unit having its own kitchen and bathroom facilities.

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. *Off-street parking space.* A designated area located outside of public rights-of-way, intended for the parking of motor vehicles. This space is typically situated on private property, such as driveways or garages, and is designed to ensure that vehicles are parked without encroaching upon public streets or sidewalks.

Office Use. An occupation or service providing primarily an administrative, professional or clerical service and not involving the sale of merchandise; examples of which include legal, real estate, design, and financial services, and like uses.

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.

Personal service – An occupation or service attending primarily to one's personal care or apparel; examples of which include hair and beauty care, clothing repair or alteration, or dry cleaning/laundry service.

Principal structure. A structure, or combination of structures of primary importance on the premises, and that contains the primary use associated with the premises. The primary use is characterized by identifying the main activity taking place on the premises.

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

- *Front property line.* The boundary line extending between the side lot lines across the street frontage of the lot.
- *Rear property line.* The boundary line which is generally most distant from and most closely parallel to the front property line.
- *Side property line.* Any boundary line which is neither the front nor the rear property line.

Public storage garages. Facility intended for the use, service and incidental repair of publicly-owned motor vehicles, which may include the incidental sale of articles or items of merchandise related to such use.

Public/semi-public institutional use. Those facilities and services of a public, private, or quasi-public nature, including educational, governmental, civic, and religious uses, such as schools, courthouses, community centers, and churches. A public/semi-public institutional use shall not include a medical marijuana dispensing facility or other medical marijuana facility as defined within this section.

Residential use. A dwelling unit including, single-family, multifamily, and mobile home dwelling unit.

Screening wall. A wall or enclosure located parallel to the side lot line or side wall of a dwelling.

Setback. The minimum distance which a building or other structure must be set back from a front, side, or rear property line.

Single-family dwelling. A detached building designed for or occupied exclusively by one person or one family.

Submerged land. The land area situated below the mean high water line of a standing body of water, including gulf, bay, estuary, lake, pond, river or stream. For the purpose of this definition, retention areas that are a function of development and wetlands shall not be considered submerged land.

Vertical conveyance. An elevator, dumbwaiter, escalator, moving sidewalk, platform lift, or stairway chairlift, consistent with Florida Statutes § 399.01.

Wing wall. A wall or enclosure built at a right angle with the dwelling wall or side property line of the lot.

Yard. An area on a lot between the lot line and the nearest principal structure, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided in this Appendix A, including:

- *Front yard.* A yard extending between side property lines across the front of a lot adjoining a street. On corner lots, the front yard shall be provided parallel to all streets upon which the lot fronts.
- *Rear yard.* A yard extending across the rear of a lot between the side property lines. On all lots except corner lots, the rear yard shall be opposite the front yard.
- *Side yard.* The area on each side of a principal structure between the structure and the side property line, and between front setback line and rear setback line.

Sec. 11. Nonconforming uses.

- (a) *Building existing at the time this ordinance becomes effective; alteration or change of use.* A building or structure that was lawfully established and maintained in compliance with all applicable regulations in effect at the time of its inception 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.

Sec. 12. Exceptions to nonconforming uses, structures and lots.

- (a) *Act of God.* If an act of God or other force beyond the control of the owner occurs which destroys or damages a nonconforming building or any portion of a nonconforming building, such building or portion thereof may be rebuilt as it existed prior to the destruction or damage on the same lot or parcel on which it was constructed within the same footprint as long as it complies with all other existing regulatory codes and provisions of the land development regulations, and the permit for said construction is applied for within 36 months of the date that the destruction or damage occurred.

For purposes of this section, vertical extension of an existing roofed or covered patio to meet elevation requirements shall not be deemed an increase in encroachment or creation of a new nonconformity, provided that the encroaching portion remains an open porch and is not made a part of the enclosed structure.

- (b) *Tear down.* Where a lawful building exists at the time of the effective date of the ordinance from which this section derives, and subsequently the owner of record desires to tear down said building and rebuild a new building, but would no longer be able to by reason of restrictions on area, lot coverage, or setbacks or of the subject lot, said new building may be constructed within the same footprint so long as it complies with all other existing regulatory codes and provisions of the land development regulations and remains otherwise lawful, and the permit for said construction is applied for within 18 months of the date that the permit to tear down the building is issued.

AGENDA ITEM 6B:

**FINAL READING: ORDINANCE NO. 2026-03 - AN
ORDINANCE OF THE TOWN OF REDINGTON
BEACH, FLORIDA, AMENDING §§ 6-58, 6-258, 6-263,
12-151, 13-30, 15-56, 17-16, AND 18-86 OF THE
TOWN CODE RELATED TO BUILDING
OR ZONING REGULATIONS; MAKING RELATED
FINDINGS; PROVIDING FOR CODIFICATION,
SEVERABILITY, AND FOR AN EFFECTIVE DATE.**



6B. Consistency Amendments to the Code of Ordinances

A. Recommended Amendments – Ordinance No. 2026-03 is a housekeeping ordinance that proposes to update the names of zoning districts and other corrections in the Town’s Code of Ordinances, consistent with the proposed adoption of Ord. No. 2026-02.

B. Steps in the Adoption Process – Because this ordinance does not amend the zoning code, it does not require a recommendation by the Local Planning Agency or mailed public notice. Two public hearings of the Town Commission are required, scheduled concurrent with the hearings for Ord. No. 2026-02 on March 4 and March 16.

On March 4, the Commission voted to advance the ordinance to its 2nd and final hearing.

C. Attachments

1. Ordinance 2026-03 (including draft amendments to the Code of Ordinances)

ORDINANCE NO. 2026-03

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA, AMENDING §§ 6-58, 6-258, 6-263, 12-151, 13-30, 15-56, 17-16, AND 18-86 OF THE TOWN CODE RELATED TO BUILDING OR ZONING REGULATIONS; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

WHEREAS, at the recommendation of the Town Planner and upon review by the Town's Planning Board, the Town Commission has adopted Ordinance 2026-02, substantially revising Appendix "A" of the Town Code (Zoning); and

WHEREAS, the revisions to the zoning code made in that ordinance resulted in a variety of other parts of the Town Code becoming inconsistent with the zoning code; and

WHEREAS, the Town Planner has carefully reviewed the remainder of the Town Code and has made recommendations for the various revisions to those portions of the Town Code which should be revised to become consistent with the new zoning code; and

WHEREAS, the Commission determines that it would be in the best interests of the Town to revise the Town Code as provided for in this Ordinance to ensure these Code provisions are consistent with the Town's zoning code.

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

Section 1. Section 6-58 of the Redington Beach Town Code is hereby amended as follows:

Sec. 6-58. – General requirements for new buildings.

The general conditions required of all new buildings shall be that:

- (1) The foundations and slab on grade shall be ample and adequately reinforced;
- (2) Care shall be taken to have floors that are not damp and are insect-proof;
- (3) The walls and the roofs shall be substantially constructed to keep out dampness and the elements, i.e., with adequate roof drains, with reasonable safeguards against flood hazard and the hurricane hazard; and
- (4) The final roof covering shall be a fire-resistant material not unduly damaged by high winds.
- (5) The design shall be approved by an architect or professional engineer who are legally registered under the laws of Florida regulating the practice of architecture or engineering and shall affix his official seal to such drawings, specifications and accompanying data for all buildings except single-family residences. Single-family residences, regardless of

size where the work affects the structural components of a building must be designed for compliance to chapter 12, minimum design loads, by an architect or professional engineer, or the building official may accept an alternative.

- (6) Single-family residential structures shall have a maximum roof height of ~~30~~ thirty-five (35) feet above base flood elevation (B.F.E.) for a flat roof and a median roof height of ~~30-thirty-five (35)~~ (35) feet above B.F.E. for all other forms of roofs such as pitched, gabled, etc. All roofs shall conform with the requirements of subsections ~~5(a)(e) and (d)~~ of appendix A of this Code. For the purposes of calculating the median roof height of a structure, "roof" is and shall be defined as the single highest roof.

Averaging or combining of roofs to calculate the median and thereby achieve a taller structure is specifically not allowed. Further, "median" shall have the specific meaning of the average of the height of ridge line (of the single highest roof) and the height at the eave (where roof and exterior wall meet) of that same roof.

The term "roof" as used in appendix A, subsection ~~5(a)(e)~~, also shall be defined and interpreted as the single highest roof, with the roof's median point being determined by averaging the height at that same roof's eave (where wall meets roof) and ridge line.

Section 2. Section 6-258 of the Redington Beach Town Code is hereby amended as follows:

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

Section 3. Section 6-263 of the Redington Beach Town Code is hereby amended as follows:

Sec. 6-263. Location of wireless telecommunication towers in the institutional and use recreational space of the future land use map.

Wireless telecommunication towers are permitted only in the town-owned property which is legally described in section 6-262 as a special exception use in compliance with the following provisions.

- (a) *Town-owned property.* Wireless communication towers located on town-owned property, by permission of the town commission, shall meet the minimum regulations set forth in this chapter. Wireless communication towers, to be located on town-owned property, shall be subject to the special exception hearing process as outlined in the Town of Redington Beach, Code of Ordinances, Chapter 6, article XI. Any wireless communication tower proposed in any nature preserve or park shall require evidence of special need.
- (b) *Setback and height requirements.* Wireless communication towers shall be designed and located with the intentions of shared use. Towers with single users shall not exceed 120 feet in height. Towers utilized for multiple users may add 20 feet for each additional user, provided, the height does not exceed 160 feet. Height of towers shall be consistent with the proposed location area.
 - (1) Monopole towers (i.e. singular support towers), including supporting structures and any accessory buildings/structures, shall comply with the setback requirements set forth in appendix A, zoning, section 5.
 - (2) Guyed and lattice towers, including supporting structures, shall provide a minimum setback distance from property lines equal to 100 percent of the height of the tower. Any accessory buildings and structures utilized in conjunction with the tower shall conform to the setback requirements specified in appendix A, zoning, section 5.
 - (3) A minimum distance of 500 feet shall be maintained between wireless communication towers. Said separation shall apply to both towers within town boundaries and those towers located in adjacent communities.
- (c) *Board of adjustment, town commission, review and standards.* The board of adjustment shall consider and the applicant shall demonstrate compliance with the following

standards in determining whether to recommend approval to the town commission for a wireless communication tower.

- (1) There is no technically suitable space reasonably available on an existing tower or structure within the geographic area to be served. The applicant shall list the location of every tower, building or structure that could support the proposed antenna so as to allow it to serve its intended function.
 - (2) The applicant must demonstrate that a technically suitable location is not reasonably available on an existing tower, building or structure.
 - (3) If another communication tower is technically suitable, the applicant must show that it has requested to co-locate on the existing tower and the co-location request was rejected by the owner of the tower.
 - (4) As a condition of issuing a permit to construct and operate a tower in the town, the owner/operator of the tower is required to allow co-location until said tower has reached full antenna capacity; but in no event fewer than two (2) additional antennas for two (2) additional providers. Agreement to this provision must be included in the lease by the landowner, if different from the owner/operator of the tower. Written documentation must be presented to the board of adjustment and the town commission evidencing that the landowner of the property on which the tower is to be located has agreed to the requirements, regulations and standards established in this section.
 - (5) The applicant shall provide written certification from a registered radio frequency engineer that the antenna and/or tower are to be constructed in compliance with all applicable federal, state and local regulations. Additionally, prior to receiving the final inspection by the building code administrator, documented certification shall be submitted to the FCC by applicant, with a copy to the building code administrator and town commission, certifying that the wireless communication facility complies with all current FCC regulations for non-ionizing electromagnetic radiation.
 - (6) Prior to action by the board of adjustment, the town shall require a review by an independent registered radio frequency engineer engaged by the town and paid for by the applicant pursuant to section 6-266. Among other things, the engineer shall review and approve the written certification of the applicant's engineer filed pursuant to section 6-263(c)(5); shall review and approve the applicant's propagation studies showing the necessity for and location of the tower; and shall review and approve the structural integrity, electrical integrity and electrical safeness of the wireless telecommunication facility in its projected use, so as to assure the protection of the health, safety and welfare of the citizens of Redington Beach.
- (d) *Design guidelines.* The board of adjustment shall consider and the applicant shall demonstrate compliance with the following design guidelines in determining whether to recommend approval to the town commission for a wireless communication tower.
- (1) Screen fencing shall be provided for aesthetic and public safety purposes. Such screen fencing may be either a wooden fence or a concrete wall six feet in height, measured from finished grade, and shall be erected completely around the

communication tower and any related support facilities including accessory buildings pursuant to the requirements of chapter 6, article X, fences, walls and hedges of the Code of Ordinances of the Town of Redington Beach.

- (2) A landscaped buffer area of not less than ten feet in depth shall be placed between the tower and adjacent public rights-of-way and abutting properties. Such buffer shall be placed on the site in a manner which will maximize the aesthetic and environmental benefits while, at the same time, providing a visual buffer and screening. A landscape buffer shall consist of species as provided in ~~appendix A, zoning, section 14,~~ chapter 12, article III of the Town Code.
- (3) The tower shall not be used for advertising purposes and shall not contain any signage, except public safety signage.
- (4) If high voltage is necessary for the operation of the facility and is present in a ground grid or in the tower, signs located every 20 feet and attached to the required fence or wall shall display, six inches in height, in large bold letters the following: "HIGH VOLTAGE DANGER".
- (5) Outdoor storage of any supplies, vehicles or equipment not in use is prohibited.
- (6) Except as required by law, an antenna or a tower shall not be illuminated and lighting fixtures shall not be attached to any antenna or tower. If lighting is required by FAA regulations, white strobe lights shall not be permitted at night unless no other alternative is permitted by FAA. Lighting for security purposes shall be permitted at a wireless telecommunication facility if approved by the board of adjustment and the town commission.
- (7) Approval shall also be based on the following criteria:
 - a. A visible line of site analysis demonstrating minimal visible impact on surrounding properties.
 - b. The extent of camouflage techniques utilized making tower and supporting structures as inconspicuous as possible.
 - c. Proposed tower height is the minimum necessary for efficient telecommunication service.
 - d. The effects on public's interest, health, safety and welfare.
- (e) *Discontinued use of a wireless telecommunication tower.* Whenever use of a wireless communication tower has been discontinued for a period of six months or whenever public and/or private utilities serving the facility have been discontinued for a period of six months the tower shall be considered abandoned. Upon written demand by the town, the owner of the abandoned tower and foundation shall remove the same within 90 days. Failure to remove said tower and foundation within 90 days shall constitute a violation of the Town Code. Failure to remove any abandoned tower and foundation within 90 days will subject the owner thereof to a \$250.00 per day fine. After all towers and foundation have been removed the property shall be left in the same condition as it was prior to the construction thereon and shall be subject to the approval of the building code administrator.

- (f) *Procedures for increasing height of existing telecommunication towers.* An existing wireless telecommunication tower may be increased in height provided such increase will comply with the height requirements specified in section 6-263(b). Such increase shall require administrative approval by the building code administrator and the town commission.
- (g) *Procedures for replacing wireless telecommunication towers.* An existing wireless communication tower may be replaced with another tower provided the applicant amends the special exception which was issued for the original tower. In addition to the requirements specified in this section of the Code, the following shall apply.
 - (1) The replacement tower shall be located on the same lot as the tower that is being replaced.
 - (2) The old tower and the support facilities shall be removed within 90 days of the completion of the replacement tower and support facilities.
 - (3) Any request for increase in tower height shall provide for either the co-location of other antennas; or as necessary to meet operational standards as required by the FCC. Any request for additional height to meet these operational standards will require submittal to the board of adjustment and the town commission of the necessary documentation to demonstrate the functional deficiency of the existing tower and/or antenna and the minimum necessary height to meet the above said standards.
 - (4) Regulations set forth in section 6-263(e) regarding discontinuance of towers shall apply to replacement towers.
- (h) *Permit required.* A permit shall be required to erect, alter, and/or relocate any wireless telecommunication tower within the institutional and recreational space of the future land use map. A permit will be issued after review by the board of adjustment and approval of the town commission.
- (i) *Indemnification.* Every person or entity which owns or controls a tower shall hold harmless, indemnify and defend the town, its officers, employees and agents from, and against all liability and expense, including reasonable attorney's fees, in connection with any and all claims whatsoever for personal injuries or property damage caused by the antenna/tower owner or its agents.

Section 4. Section 12-151 of the Redington Beach Town Code is hereby amended as

follows:

Sec. 12-151. Scope; enforcement.

- (a) This article shall apply to vacation rentals within the Single-Family zoning district. ~~s 2 and 3.~~
- (b) Violations of this article shall be enforced in the manner set forth in article III of chapter 2 of the code, and shall include, in addition to the imposition of daily fines, the suspension of the vacation rental's ability to operate under the conditions set forth in this article.

Section 5. Section 13-30 of the Redington Beach Town Code is hereby amended as

follows:

Sec. 13-30. Customary use of dry sand beach.

- (a) The public's long-standing customary use of the dry sand areas of all of the beaches in the town for recreational purposes is hereby recognized and protected. Except as stated in subsection (c) below, no individual, group, or entity shall impede or interfere with the right of the public at large, including the residents of and visitors to the town, to utilize the dry sand areas of the beach that are owned by private entities for the uses as described in subsection (d).
- (b) The dry sand area of the beach is defined as the zone of unconsolidated material that extends landward from the mean high-water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves, whichever is more seaward.
- (c) Members of the public at large shall not utilize a 15-foot buffer zone located seaward from the toe of the dune or from any privately-owned permanent habitable structure that is located on, or adjacent to, the dry sand areas of the beach, whichever is more seaward, except as is necessary to utilize an existing or future public beach access point for ingress and egress to the beach. The foregoing buffer zone requirement shall not apply to emergency service workers, including police, fire and paramedic personnel, nor to other governmental personnel exercising lawful duties, nor to persons invited or authorized to be within the zone by the private land owner.
- (d) The following are the sole uses permitted for members of the public on the dry sand areas of the beach that are owned by private entities:
 - (1) Traversing the beach;
 - (2) Sitting on the sand, in a beach chair, or on a beach towel or blanket;
 - (3) Using a beach umbrella that is seven feet or less in diameter;
 - (4) Sunbathing;
 - (5) Picnicking;
 - (6) Fishing;
 - (7) Swimming or surfing off the beach;
 - (8) Placement of surfing or fishing equipment for personal use; and
 - (9) Building sand creations unless prohibited by section 4-9 of this Code concerning sea turtles.
- (e) The following are specifically prohibited for members of the public on any part of the beach in the town: use of tobacco; possession of animals; use of an umbrella that exceeds seven feet in diameter; erection or use of tents. For purposes of this section, the term "tent" means a non-permanent portable shelter which is foldable, collapsible or otherwise able to be deployed and

removed by individuals, made of fabric (such as nylon, canvas or other material) which material is stretched and sustained by poles or other support structures, and which is either open-sided or with walls, and regardless of shape or construction materials, and whether referred to as a tent, shelter, cabana, awning, or other similar name. The commission may permit the use of tents at town-owned beach park and moon park.

- (f) Notwithstanding subsection (e) above, to the extent the governing board of any condominium association in [the Multifamily](#) zoning district ~~1(a)~~ provides a written resolution of the governing board permitting tents to be erected on beach property owned by that condominium association, tents of such sizes and configurations as the condominium association board may approve shall be allowed on the association's property.
- (g) Activities on the beach are governed by section 4-9 (sea turtles), section 6-134 (beach access and construction) section 13-4 (beach park rules), and section 15-57 (adoption of state beach and shore regulations) of this Code, and such other regulations as are now or may in the future be included in this article. Violations of this article are punishable as provided by section 1-14 of this Code.

Section 6. Section 15-56 of the Redington Beach Town Code is hereby amended as follows:

Sec. 15-56. Adoption of comprehensive plan.

The following sections of the comprehensive plan for the town are adopted:

- [\(1\) The Goals, Objectives and Policies](#)
- [\(2\) Map 1: Future Land Use Map](#)
- [\(3\) Map 2: Transportation Corridors Map](#)
- [\(4\) Map 3: Coastal High Hazard Area Map](#)
- [\(5\) Map 4: Floodplain Map](#)

- ~~(1) The goals, objectives and policies section of each element.~~
- ~~(2) Section X of the future land use element, entitled "Future Land Use Map," which contains the land use definitions.~~
- ~~(3) Tables 1 and 2 of the recreation and open space element.~~
- ~~(4) Section VIII of the capital improvements element, entitled "Capital Improvements Implementation."~~
- ~~(5) All maps, including Future Land Use Map 5 and the future roadway system map.~~
- ~~(6) The evaluation and appraisal report.~~

Section 7. Section 17-16 of the Redington Beach Town Code is hereby amended as follows:

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.

Section 8. Section 18-86 of the Redington Beach Town Code is hereby amended as follows:

Sec. 18-86. Fees and requirements; penalties for non-payment.

The permit fees and requirements for rolloff container and grapple service contractors shall be as follows:

- (1) *On-street permit fee.* When the rolloff container is to be located on the street, the permit fee shall be 20 percent of the contractor's total monthly gross receipts for the month in which the permit was issued and every month thereafter that the permit is valid. Four barricades with flashing lights shall be posted. In addition, when the rolloff container is to be located in parking meter spaces, an additional fee shall be due, as ~~set forth in~~

~~appendix A~~ provided for in any relevant town fee schedule, permit, or franchise agreement, per meter, per day.

- (2) *Off-street permit fee.* When the rolloff container is to be located on private property, the permit fee shall be 20 percent of the contractor's total monthly gross receipts for the month in which the permit was issued and every month thereafter that the permit is valid.
- (3) *List of accounts.* Each contractor shall provide the town with a current list of the names and addresses of each account, upon initial application, and upon any application for renewal, of its permit, the frequency of service, and the permit number and capacity of each rolloff container or dumpster as per account and the address serviced by each rolloff container or dumpster. No property owner may share an account with another property owner.
- (4) *Monthly report.* Each contractor shall deliver to the town's finance department a true and correct monthly report of gross receipts generated during the previous month (from accounts within the town) on or before the last day of each month. This monthly report shall include the customer names, service addresses, account numbers, and the actual amount collected from each customer. Payments of any fees required in this section shall be made monthly to the finance department, on or before the last day of each month, for gross receipts of the previous month. Contractors having annual gross receipts reported to the town over \$200,000.00 shall, on or before 60 days following the close of their fiscal year, deliver to the finance department a statement of annual gross receipts (generated from accounts within the town) certified by an independent certified public accountant, reflecting gross receipts within the town for the preceding fiscal year.
- (5) *Audit or inspection of contractor's books and records.* Each contractor shall allow the town auditors, upon reasonable notice and during normal business hours, to audit, inspect and examine the contractor's books and records, and state and federal tax returns, insofar as they relate to town accounts, to confirm the contractor's compliance with this section. This information shall include, but not be limited to, the following: billing rates, billing amounts, sequentially pre-numbered invoices, signed receipts, trip tickets, computer records, general ledgers and accounts receivable sorted by service address. Additionally, the town auditors may communicate directly with customers of the contractor for the purpose of confirming compliance with this section.
- (6) *Failure to pay permit fee; penalties for late payment.* If the contractor fails to timely pay the full permit fee as set forth in subsections (1) and (2) of this section, the contractor shall pay any and all of the town's expenses for collection of such fees, including, but not limited to, court costs, audit costs and reasonable attorney fees. If the contractor fails to pay the full permit fee on or before the last day of each month, penalty fees for specialty contractors shall be as follows:
 - a. *Original delinquency.* Any specialty contractor who fails to remit any permit fee imposed by this division within the time required shall pay a penalty of ten percent of the amount of the delinquent fee in addition to the amount of the fee.
 - b. *Continued delinquency.* Any specialty contractor who fails to remit the permit fee on or before the 30th day following the date on which the fee first became

delinquent shall pay a second delinquency penalty of ten percent of the amount of the fee in addition to the amount of the fee and the ten percent penalty imposed pursuant to subsection (1). An additional penalty of ten percent of the amount of the delinquent fee shall be paid for each additional 30-day period, or part thereof, during which the permit fee is delinquent, provided that the total penalty imposed by subsection (a) and this subsection (b) shall not exceed 50 percent of the amount of the permit fee. This penalty shall be in addition to the permit fee and interest imposed by this division.

- c. *Interest.* In addition to the penalties imposed in subsections (a) and (b), any specialty contractor who fails to remit any permit fee imposed by this division shall pay interest at the highest legal rate of interest permitted by law on the amount of fee, exclusive of penalties, from the date on which the permit fee first became delinquent until paid.
 - d. *Penalties merged with permit fee.* Every penalty imposed and all interest accrued under the provisions of this section shall become a part of the permit fee required to be paid.
- (7) *Evidence of payment.* In order to effectively provide for the collection of the permit fee by the contractor to the town, any person seeking to renew his/her annual business tax receipt pursuant to the provisions of chapter ~~1020~~, article ~~III~~^{IV}, in addition to the requirements contained therein, shall provide to the finance director evidence of payment of all outstanding permit fees, fines and other charges as a condition to reissuance or renewal of the business license.
- (8) *Identification of equipment.* All equipment utilized to collect and transport solid waste in the town must be conspicuously marked on both sides of the automotive unit with the name of the hauler, tare weight and cubic yard capacity. Identification information must also be marked on all trailer and container units. All markings must be in letters and numerals at least two inches in height.

Section 9. Pursuant to Florida Statutes § 166.041(4)(a), prior to the date the public notice of the public hearing for this Ordinance was published, the Town prepared and posted on its website a business impact estimate which included: a) a summary of the Ordinance, a statement of the public purpose to be served by the Ordinance, b) an estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the Town, c) an estimate of direct compliance costs that businesses may reasonably incur due to the Ordinance, d) identification of any new charge or fee on businesses created by the Ordinance or for which businesses will be financially responsible, e) an estimate of the Town's regulatory costs and of revenues from any new charges

or fees imposed on businesses to cover such costs, and f) a good faith estimate of the number of businesses likely to be impacted by the Ordinance.

Section 10. 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 11. 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 12. The Codifier shall codify the substantive amendments to the Redington Beach Code contained in Sections 1 – 8 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 13. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the 4th day of March, 2026, by the Board of Commissioners of the Town of Redington Beach, Florida.

ADOPTED ON SECOND AND FINAL READING on the ____ day of _____, 2026, by the Board of Commissioners of the Town of Redington Beach, Florida.

Attest:

David Will, Mayor

Adriana Nieves, Town Clerk