



## **Land Development Code Update Workgroup**

### **AGENDA**

**Thursday, May 16, 2013**

**1:00 PM – 3:00 PM**

**Pinellas County Strategic Planning & Initiatives**

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

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

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- 1. Call to Order**
- 2. Review April 18<sup>th</sup> meeting summary**
- 3. Review modifications of the proposed Office, Commercial, Industrial and Mixed Use districts**
- 4. Other Code related items:**
  - Encouraging land assembly
  - Conditional overlays
  - Definitions
- 5. June 6, 2013 Board Work Session**
- 6. What's next?**
  - Topic for next workgroup meeting- The rest of the Zoning Districts (e.g. public/semi-public etc.)
  - Confirm next meeting date

**Pinellas County Land Development Code  
Update Workgroup**

April 18, 2013 Meeting Summary

**Pinellas County Land Development Code Update Workgroup**  
**April 18, 2013 Meeting Results**

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

The meeting started at 1:05 pm.

A brief status of the code update project was provided. Those present included: **D**eborah Martohue, **J**im Millspaugh, **M**ichael Hendry, **P**eter Pensa, **R**obert Pergolizzi and **S**teve Englehardt. County staff present included: **A**l Navaroli, **D**avid Sadowsky, **G**lenn Bailey, **G**ordon Beardslee, **J**ohn Cueva, **L**iz Freeman, **M**arc Mariano (consultant), **M**arcella Faucette, **R**ick MacAulay, and **R**yan Brinson.

The purpose of the April 18<sup>th</sup> meeting was:

- To review the modifications to the proposed Office, Commercial and Industrial Districts based on the last discussion
- To complete review of the proposed Mixed-Use District
- To share Code Update Project discussion/comments/suggestions of LPA Board
- To discuss the June 6, 2013 Board Work Session

**Agenda Item #2: Review of February 28, 2013 Meeting Summary:**

The group had no comments on the February 28, 2013 meeting summary and agreed that it was accurate.

**Agenda Item #3: Review Modifications of Proposed Office, Commercial & Industrial Districts**

The changes made to the office, commercial, and industrial code sections following the last meeting were reviewed by Glenn. Some key changes made at the meeting dealt with:

- Exempting fuel stations from certain building orientation requirements in order to address safety, etc.
- Revisiting the 12 foot minimum height requirement as presented in *Sec. 138-750.2 – Building and Architectural Design Standards*. There was a question as to whether or not this requirement was too strict. It was decided that staff would explore what other municipalities are doing. It is important to create maximum flexibility for future usability/sustainability.
- Revising the language used in *Sec. 138-750.1(b)(6) – Site Layout and Orientation* regarding drive-thrus (*ensuring that language developed here is consistent with language used in the corresponding mixed use district section*). There was a question as to whether or not drive thrus need to be regulated. More discussion is required regarding the possibility of regulating the drive thrus in the mixed use districts but not in the commercial corridors. (*Staff will take a look at the City of Largo's Code to see how they handle drive thrus*).
- Considering (flexibility) in the number of stacking of spaces. There may be a need to relax stacking requirements in order to achieve a design as it becomes a problem when administrative corrections have to be made.
- Responding to a question regarding authority of the Zoning administrator vs. the DRC vs. the LPA:

No clear decisions have been made as to what authority the Zoning administrator will have vs. the DRC vs. the LPA. This is being worked on internally at this time, in association with starting to look at the review processes associated with a new code. Some specifics are proposed in the Code - for example, regarding amending the Master Plan in the IPD district where simple administrative modifications can be approved by the Zoning Administrator, minor modifications can be approved by the DRC and major modifications by the LPA. There can be an appeal. There will be future discussions on where or not to charge a fee for appeals. Overall though, there will be more discussion on this later.

- Responding to a question regarding design criteria and life safety regulation conflicts:  
The life safety regulations/ criteria / standards etc. supersede design criteria in Code should a design conflict arise.

### **Discussion of LPA comments/suggestions on the Code**

The composition of the LPA was described (7 members appointed by the BOCC comprised of a mixture of professions to include a couple of attorneys, a contractor, an architect, and individuals with a variety of experience).

The LPA specifically suggested the following:

- Insertion of: **legend on each page with a Use Table**
- Addition of: **Blank = Use is not allowed**
- Addition of: **Urban Agricultural Uses** (e.g. hydroponics) - different from community gardens
- Addition of: **Water Recapture Systems (cisterns)** – as an accessory use  
Staff will work on definitions for **Urban Agricultural Uses & Water Recapture Systems**

There was some difference of opinion amongst the members during the discussion topic regarding the design criteria for office, commercial & industrial. Some felt that the criteria was too restrictive and that staff should scale back and let the private sector and the market determine what gets built from a design perspective. Others felt that it should not be totally left up to the market and that there should be some standards in the Code from a design perspective, as there will be no consistency as to what would be built (will get good and bad).

When looking at the Code from a design perspective, staff is looking at: site layout & orientation, connectivity of the project as to what's around it, building orientation, parking lots & structures, pedestrian connections & circulation, and basic building architectural design (i.e. style, form, blank or articulation façade design). Staff is attempting to reach a balance in the level of specificity that should be in the Code (between not being overly prescriptive and providing some flexibility in design standards). The goal is to make the process easier for applicants; to avoid excessive requests for variances; to have more marketable uses; to have better graphics; to have better access to information, resources & tools online in order to facilitate better assistance and a quicker turnaround to the developer. Ultimately, staff wants to produce an end product that is consistent with what other communities who have recently gone through code updates are able to achieve through their codes in order to make improvements in the area to make it more attractive.

Need to think about if the application of a design standard effectively eliminates a use that is permitted by right in the Code then maybe its gone too far.

A question was posed to those who have developed in the City of St. Petersburg, which has had design criteria/ for commercial development in place for nearly 6 years.

According to Pete Pensa: Retail has not been as bad, however, it has been challenging when attempting to build gas stations, convenience stores and fast food restaurants with regard to canopies and circulation often due to acreage less than 2 acres or not being a corner property. This discussion facilitated a revision to **Sec. 138-750.1 – Site Layout and Orientation** (b) (1) c. exempting fuel stations from certain orientation/layout standards. He stated that his biggest challenge is how to handle redevelopment (i.e. expansions, add-ons etc.) He suggested the idea of a point based system as used in Sarasota County for redevelopment. Staff will research this further.

Mr. Pensa will test drive a few examples (e.g. gas stations, drive through restaurants, convenience stores) to see if he can work/develop within the proposed standards.

#### **Agenda item #4: Discussion to complete Review of Mixed-Use Districts**

With the Mixed Use district, the desire is true urban form (e.g active ground floor uses), with buildings close up to the public right-of-way of the street. This district would be more suitable for single sites, e.g. at the intersection between Curlew & US 19 - this type of use could also be used around a light rail transit station; however, local governments must be proactive to ensure that development around a transit station is supportive of that use - more discussion is required.

If one rezones to Mixed Use they must have a Development Master Plan.

In a Mixed Use district, one of the uses must be residential. There was a concern that it is possible for commercial or office to come in first and residential never gets built. Question from staff was asked of group - If you have significant adjacent residential area outside of the Mixed Use District, can you build the complimentary uses that support/integrate with the residential and effectively make a Mixed-Use area?

With regard to the residential requirements, one remedy would be to have a master plan with an incorporated phasing plan. (i.e. Phase 1 commercial or office use & Phase 2 – residential). Some believe that a zoning amendment would need to be done. Another option, according to AI, would require a certain percentage of residential to be built in Phase 1. The group liked AI's idea.

#### **Agenda item #5: Board Work Session Discussion**

The Board's Work Session has been re-scheduled for June 6, 2013 at 9:30 a.m. The location, roles and responsibilities will be discussed at the next Workgroup Meeting, scheduled for May 16, 2013.

**Agenda Item # 6: Summary:** The meeting concluded at 3:05 pm with the completion of the Mixed Use District. It was decided that the workgroup would meet again on May 16, 2013 at 1:00pm.

# **Proposed Office, Commercial, Industrial & Mixed Use Districts**

*Draft Version 2013-5-10*

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## CHAPTER 138 – ZONING

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

#### DIVISION 1. – GENERALLY

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

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

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

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

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

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

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

land uses that are normally associated and marketed to primary transportation corridors yet achieve an attractive, economically viable, and orderly appearance. While development within the CP district is associated with primary transportation corridors, district standards are intended to result in pedestrian-oriented and transit supportive site design.

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

Land uses within the office and commercial districts shall be permitted as defined in *Table 138-742 – Table of Uses for the P-1, LO, C1, C2, CR, and CP districts*. The review procedures are further defined in Article II of the Zoning Code.

- (a) An “A” in Table 138-742 denotes that the specific use is permitted as an accessory use to other uses within the district.
- (b) A “1” in Table 138-742 denotes that the specific use is a permitted use and may be established and expanded as an administrative review as defined in Article II.
- (c) A “2” in Table 138-742 denotes that the establishment of the specific use requires Board of Adjustment review, approval and/or approval with conditions as defined in Article II.
- (d) A “3” in Table 138-742 denotes that the establishment of the specific use requires Board of County Commissioners review, approval, and/or approval with conditions as defined in Article II.
- (e) A blank in Table 138-742 denotes that the specific use is not allowed in the zone.
- (f) A “Y” in the Supplemental Uses Standards column of Table 138-742 indicates that there are specific land development or operational requirements that must be provide for the specific use.

Table 138-742 – Table of Uses for the LO, P-1, C-1, C-2, CR, and CP Districts								
USE	LO: Limited Office District	P-1: General Professional Office District	C-1: Neighborhood Commercial District	C-2: General Retail Commercial and Limited Services District	RESERVED	CP: Commercial Parkway District	CR: Commercial Recreation District	Supplemental Use Standards (refer to specific Code section)
<b>Residential Uses</b>								
Accessory Artist in Residence		A	A	A		A		
Accessory Dwelling Unit						1		Y
Accessory Dwelling Unit, Owner/Manager		1	1	1		1		Y
Affordable Housing Development (AHD)			1	1		1		Y
Assisted Living Facility				1		1		

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

LEGEND: 1 = Permitted Use/ Administrative Review 2 = Board of Adjustment Review 3 = Board of County Commissioners Review A = Accessory; Blank = Use Not Allowed Blank = Use Not Allowed	LO: Limited Office District	P-1: General Professional Office District	C-1: Neighborhood Commercial District	C-2: General Retail Commercial and Limited Services District	RESERVED	CP: Commercial Parkway District	CR: Commercial Recreation District	Supplemental Use Standards (refer to specific Code section)
USE								
Community Residential Home, Category 1: 1 to 6 residents						1		Y
Community Residential Home, Category 2: 7 to 14 residents						1		Y
Community Residential Home, Category 3: more than 14 residents						1		Y
Dormitory		A		A		A		Y
Dwelling, Duplex and their customary accessory uses						1		
Dwelling, Live/Work						1		Y
Dwelling, Multifamily and their customary accessory uses						1		Y
Dwelling, Single-family Detached and their customary accessory uses						1		Y
Dwelling, Single-family Zero Lot Line and their customary accessory uses						1		Y
Dwelling, Triplex						1		Y
<b>Accommodations</b>								
Bed and Breakfast			1	1		1		Y
Hotel				1		1	1	Y
Motel				1		1	1	Y
<b>Commercial and Office Uses</b>								
Bank	1	1	1	1		1		
Car Wash and Detailing				1		1		Y
Catering Service / Food Service Contractor				1		1		
Convenience Store with or without Fuel Pumps			1	1		1		Y
Dispensing Alcohol: Off-premise consumption			1	1		1		Y
Dispensing Alcohol: On-premise consumption			1	1		1		Y
Drive-Thru Facility or Use with a Drive-Thru	A	A		1		1		Y

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

LEGEND: 1 = Permitted Use/ Administrative Review 2 = Board of Adjustment Review 3 = Board of County Commissioners Review A = Accessory; Blank = Use Not Allowed Blank = Use Not Allowed	LO: Limited Office District	P-1: General Professional Office District	C-1: Neighborhood Commercial District	C-2: General Retail Commercial and Limited Services District	RESERVED	CP: Commercial Parkway District	CR: Commercial Recreation District	Supplemental Use Standards (refer to specific Code section)
USE								
Home Occupation						A		Y
Kennel/Pet Care Indoor				1		1		Y
Motor Vehicle Sales				1		1		
Motor Vehicle Service and Repair				1		1		Y
Office, General	1	1	1	1		1		
Office, Medical or Dental	1	1	1	1		1		
Office, Temporary Labor (Day Labor)			3	3		3		
Office, Veterinary	1	1	1	1		1		Y
Outdoor Sales, Outdoor Oriented Goods				1		1		Y
Outdoor Sales, Garden Oriented				1		1		Y
Pharmacy	A	A	1	1		1		
Restaurant	A	A	1	1		1		
Restaurant: Accessory Outdoor Area				A		A		Y
Retail Sales and Service	A	A	1	1		1		
Service and Repair			1	1		1		
Service, Office	1	1	1	1		1		Y
Service, Personal	A	A	1	1		1		Y
Sidewalk Café	A	A	1	1		1		Y
Studio and Gallery	1	1	1	1		1		Y
<b>Industrial, Manufacturing, and Warehousing Uses</b>								
Battery Exchange Stations		1	1	1		1		
Electric Vehicle Charging Station	A	A	1	1		1	A	Y
Laboratories and Research and Development	1	1		1		1		
Manufacturing - Light, Assembly and Processing: Type A				1		1		Y
Storage, Self / Mini Warehouse			2	1		1		Y
Vehicle Towing				1		1		

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USE								
Vehicle Refueling Station			1	1				Y
Vehicle Storage, Maintenance and Repair				1		1		Y
Warehouse				A				
<b>Arts, Recreation and Entertainment Uses</b>								
Adult Use, Adult Use Establishment, Adult use Business				1		1		Y
Club, Community Service and Fraternal	2	2	2	1		1	2	
Commercial Recreation, Indoor				1			1	Y
Commercial Recreation, Outdoor	A	A					1	Y
Shooting Range/Gun Club - indoor				1		1	1	Y
Golf Course and accessory structures							1	Y
Health Club/Fitness Center	2	2	1	1		1		Y
Movie Theater/Cinema				1		1		
Movie Theater/Cinema, Drive-In				3		3		
Museum/Cultural Facility				1		1	1	
Performing Arts Venue				1		1		
<b>Education, Public Administration, Health Care, and Industrial Uses</b>								
Day Care Center, adult		1	1	1				Y
Day Care Facility, child	1	1	1	1		1		Y
Birthing Center		1		1				
Cemetery		2	2	2		2	2	Y
Cemetery, Accessory to a Place of Worship		2	2	2		2	2	Y
Funeral Home / Mortuary		1	1	1		1		
Government Building or Use		1		1		1		Y
Hospital				1				Y
Library				1		1		
Meeting Hall and other Community Assembly				1		1		

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USE								
Facility								
Nursing Home				1				Y
Place of Worship		1	1	1		1		Y
Probation / Parole Correction Office				1		1		
School, Public, Pre-K thru 12 (Governmental)		1	1	1		1		Y
School, Private, Pre-K thru 12 (Nongovernmental)		1	1	1		1		Y
School, Post-Secondary		1	1	1		1		
School, All Others		1	1	1		1		
<b>Transportation, Communication, and Information Uses</b>								
Docks and Piers		A	A	A		A	A	Y
Commercial Marina				3		3	3	Y
Heliport and Helistops	3	3		3		3		Y
Mass Transit Center	1	1	1	1		1	1	Y
Navigation safety devices and structures		2	2	2		2	2	
Off-shore Tour Vessels and Water Transport				3		3	3	Y
Parking, Surface - Principal Use				1		1		
Parking Structure		1		1		1	1	Y
Wireless Communication Antennae (WCA)		A	A	A			A	Y
Wireless Communication Tower		1	1	1		1	1	Y
<b>Utilities</b>								
Solar Energy Systems	A	A	A	A		A	A	Y
Solid Waste Transfer Facility				3				Y
Utility Substation		3	3	3		3	3	Y
Water Recapture Systems	A	A	A	A		A	A	
Wind Energy Conservation System, Small Scale		1	1	1		1	1	Y

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USE								
<b>Agricultural Uses</b>								
Community Gardens			1	1		1	1	Y
Nursery / Greenhouse, Retail				1		1		
Urban Agriculture								Y
<b>Other Uses</b>								
Land Fills of More than 1,000 Cubic Yards		2	2	2			2	Y
Land Fills or Excavations of Less than 1,000 Cubic Yards		1	1	1			1	Y

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

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

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

LO – Development Parameters Table										
					Min. Lot			Min. Setbacks (ft)		
Max. Density <sup>1</sup>	Max. Building Coverage <sup>3</sup>	Max. FAR <sup>1</sup>	Max. ISR	Max. Building Height (ft)	Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	N/A	See Table 138-351	0.75	35/ 20 <sup>2</sup>	6,000 sf	60	80	10	15	

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

2. When not abutting single-family dwellings/when abutting single-family dwellings.

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

**Sec. 138-744. - P-1, General Professional Office District**

The purpose of the P-1, general professional office district is to permit general professional office buildings of high character and attractive surroundings in areas where such uses are appropriate. It is intended that the P-1 district be located in areas where high intensity uses would not be appropriate, but where moderate intensity office buildings will not have an adverse impact on the adjoining neighborhood. This zone is not intended for use in areas which are predominantly single-family residential in character.

**Sec. 138-744.1. P-1 - Development Parameters**

P-1 – Development Parameters Table										
					Min. Lot			Min. Setbacks (ft)		
Max. Density <sup>1</sup>	Max. Building Coverage <sup>4</sup>	Max. FAR <sup>1</sup>	Max. ISR	Max. Building Height (ft)	Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	N/A	See Table 138-351	0.75/ 0.90 <sup>3</sup>	75/ 35 <sup>2</sup>	6,000 sf	60	80	15	15	

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

2. 50 feet or farther from residentially zoned property/within 50 feet of residentially zoned property.

3. Storage/warehouse uses in the Future Land Use Map Classification CG - Commercial General

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

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

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

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

C-1 – Development Parameters Table										
Max. Density <sup>1</sup>	Max. Building Coverage	Max. FAR <sup>1</sup>	Max. ISR	Max. Building Height (ft)	Min. Lot			Min. Setbacks (ft)		
					Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	0.30	See Table 138-351	0.80	35	6,000 sf	60	80	10	0 – 20 <sup>2</sup>	
<p>1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.</p> <p>2. None required for commercial uses or structures; except that, when the side or rear of a lot abuts a residential district, there shall be a side or rear yard provided of a minimum of 20 percent of the lot width or depth, respectively, but this section shall not require more than 20 feet.</p> <p>3. Building Coverage is applicable to residential-only structures. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.</p>										

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

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

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

C-2 – Development Parameters Table										
					Min. Lot			Min. Setbacks		
Max. Density <sup>1</sup>	Max. Building Coverage	Max. FAR <sup>1</sup>	Max. ISR	Max. Building Height (ft) <sup>5</sup>	Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	0.50	See Table 138-351	0.90 / 0.75 <sup>4</sup>	50/ 35 <sup>5</sup>	10,000 sf	80	100	10	0 – 20 <sup>2</sup>	
<p>1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.</p> <p>2. None required for commercial uses or structures; except that, when the side or rear of a lot abuts a residential district, there shall be a side or rear yard provided of a minimum of 20 percent of the lot width or depth, respectively, but this section shall not require more than 20 feet.</p> <p>3. Building Coverage is applicable to residential-only structures. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.</p> <p>4. In the Future Land Use Map Classification R/O/R – residential/office/retail</p> <p>5. The maximum building height shall be limited to 35 feet for portions of the site that is within 50 feet of R-1, R-2, R-3, R-4 and/or R-5 zoning district.</p>										

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

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

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

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

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

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

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

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

CP – Development Parameters Table										
					Min. Lot			Min. Setbacks		
Max. Density <sup>1</sup>	Max. Building Coverage	Max. FAR <sup>1</sup>	Max. ISR	Max. Building Height (ft)	Area	Width (ft)	Depth (ft)	Front	Side	Rear
<i>CP-1 District</i>										
See Table 138-351	N/A	See Table 138-351	0.75	35	1 ac	150	200	20 <sup>3</sup>		15
<i>CP-2 District</i>										
See Table 138-351	N/A	See Table 138-351	0.75	50	1 ac	150	200	20 <sup>3</sup>		15
<ol style="list-style-type: none"> <li>1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.</li> <li>2. Building Coverage is applicable to residential-only structures. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.</li> <li>3. The first 20 feet of the front setback, measured from the right-of-way, shall remain in permeable open space and may be used for planting, screening, fencing, etc., but in no case shall be used for parking or display of merchandise.</li> </ol>										

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

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

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

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

(a) Street, Drive Aisle, and Accessway Design

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

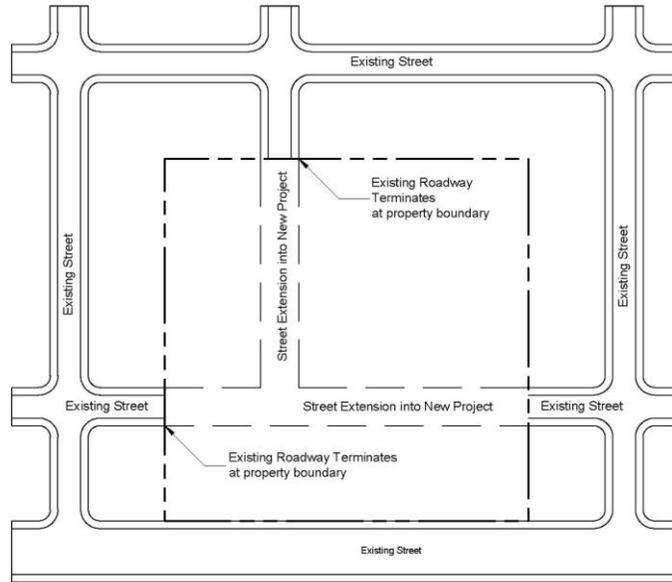


Figure 138-750.1.(a). – Site Layout – Street Extensions into New Projects/Developments

- (2) Internal collector and local roadways that exceed 400 linear feet on a given block should incorporate on-street parking where practical.
- (3) All internal and abutting streets shall be lined with sidewalks. Exceptions to this standard are allowed to protect natural resources, to recognize onerous topographic features, and to comply with design restrictions from other governing agencies.

(b) Building Orientation

- (1) Principal structures shall be oriented toward an adjacent roadway/street. For sites fronting along multiple roadways, building orientation should be emphasized on the primary street. Buildings shall be located adjacent to streets to establish an urban form that is oriented to the pedestrian and provides walkway connections to transit stops and public sidewalks.
  - ~~a. Building entrances/entryways shall be oriented to adjacent roadways/street. A public entryway shall be provided via any façade adjacent to a roadway. This does not preclude supplemental entrances not facing a roadway.~~
  - ~~ba.~~ Large format commercial and office buildings may be located internal (set back from the street) to the development when separate buildings are located along adjacent streets.

- eb. Fuel service stations ~~may be~~ are exempt from this building orientation standard.
- (2) ~~The~~ First floor, street facing building façades ~~of commercial and office buildings~~ shall be constructed with architectural details including, but not limited to, fenestration, large display windows, natural finishes and/or other architectural features intended to break-up large expansive façades.
  - (3) New multi-building developments shall be designed so that individual buildings relate to other structures on site in terms of façade design, entrances/entryways, and pedestrian access.
  - (4) All service areas and loading docks shall be located behind the front facade line of the principle structure they are intended to serve and shall be screened from adjacent roadways and uses. This standard is not intended to be applied to vehicle service station garages.
  - (5) All mechanical equipment and utility functions (e.g. electrical conduits, meters, HVAC equipment) shall be located behind the front façade line of the principal structure. Mechanical equipment that is visible from the streets shall be screened with a material that is compatible with the architecture of the principal structure.
  - (6) ~~Drive-through service windows shall not be located between a building façade and a street. Drive-through service windows may be placed on the side or rear building façades; windows shall not be oriented to an adjacent street. Where~~ unless the sites abuts multiple roadways public or private streets, in which case the drive-through pick up service window may be oriented to one of those streets. Drive-through order speakers must be directed away from adjacent residential ~~properties~~ uses.
  - (7) Portions of a building structure located within 25 feet of the lot line of any parcel zoned, utilized, or approved for single-family dwellings shall be limited to 45 feet in height. (will provide a graphic)

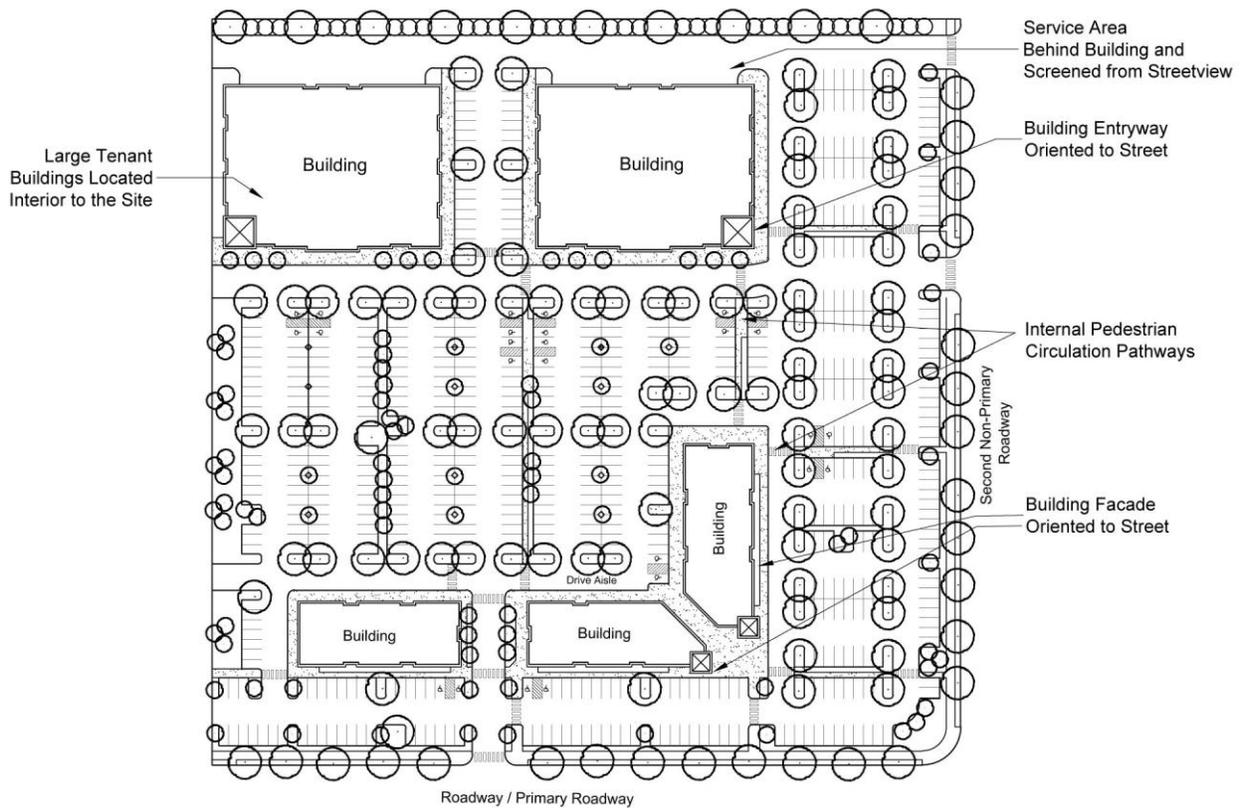


Figure 138-750.1.(b). – Site Layout - Building Orientation Standards

(c) Parking Lots and Parking Structures

- (1) Parking features shall be designed in accordance with the following criteria to reduce the parking areas focus from the primary street corridor and assist in establishing a more urban form of design.
  - a. Parking areas should generally be located behind a front building façade.
  - b. Parking areas should be minimized from the area located between a building façade and an adjacent road.
    1. Parking shall be limited to two parking rows and one drive aisle for lot areas located between any building façade and a roadway.
      - (a). For lots located adjacent to two or more roadways, this standard shall only apply to the adjacent primary roadway.
      - (b). The *primary* roadway shall be defined as that road which has a higher Functional Classification as determined by the Pinellas County Comprehensive Plan, has a greater number of Average Annual Daily Trips (AADT) or, if such information is unavailable, as determined by the Zoning Administrator.
      - (c). This criteria is satisfied if a minimum of ~~40~~ 30 percent of roadway frontage is occupied by a building or buildings.
- (2) Parking lots shall be landscaped as required by Code, and incorporate Low Impact Design (LID) techniques where desired by the developer or otherwise

required by Code. No more than an average of 24 parking spaces shall be allowed between islands in order to reduce the overall scale of the parking area.

- (3) Parking areas shall provide for internal vehicle connections between abutting parking areas and adjacent non-residential and multi-family properties, where willing adjacent property owners exist.
- (4) Parking lots should be designed to respond to and preserve existing mature trees to the greatest extent possible. Pervious paving and/or pavers may be used for parking surfaces near mature trees to ensure root health and preservation.
- (5) Parking structures shall be designed as follows:
  - a. Parking structures should be internal to the site and should include architectural features/design elements related to the principal structure.
  - b. Parking structures should not be located between the primary front building façade and a primary roadway.
  - c. Parking structures located along a roadway shall include a façade treatment that resembles a habitable building and is designed to an identifiable architectural style or screened with ornamental grillwork, artwork or similar architectural features. Stand-alone parking structures located along a primary roadway shall include ground-floor commercial, office, or employment along a minimum of 50 percent of the roadway frontage.

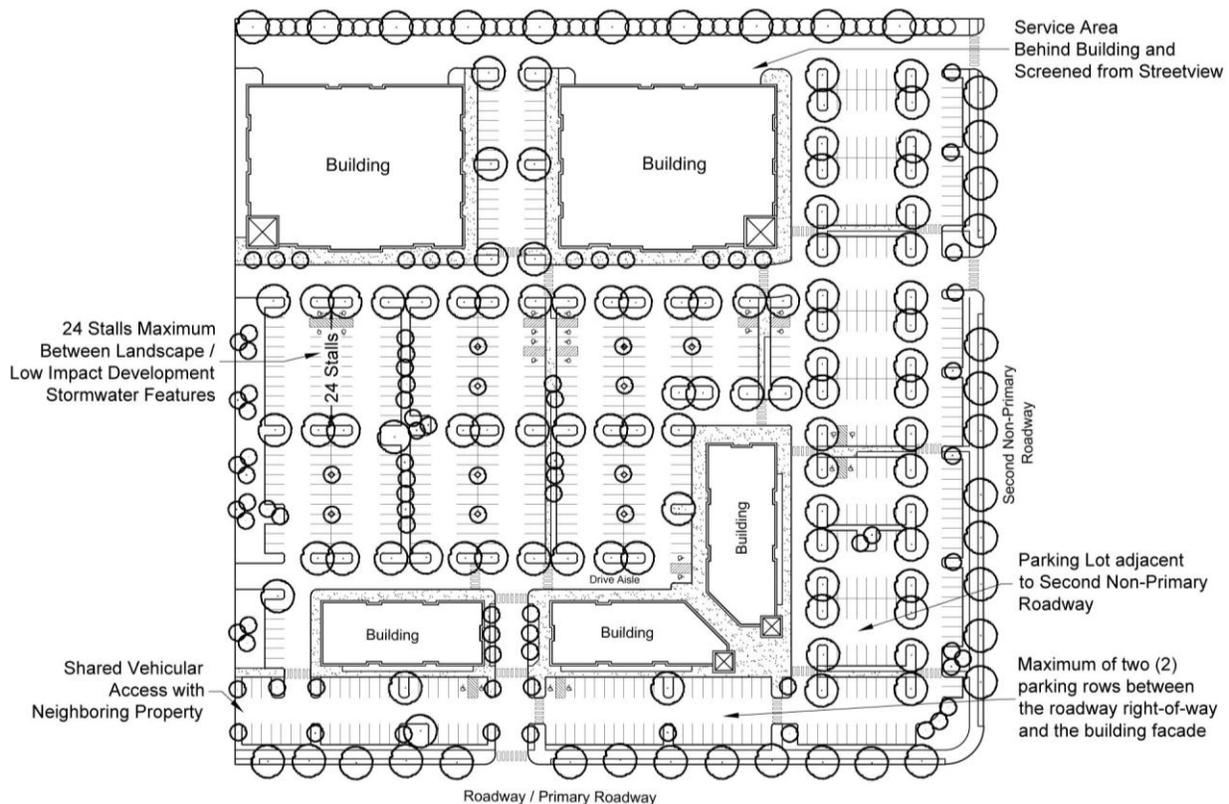


Figure 138-750.1.(c).1 – Site Layout - Parking Standards

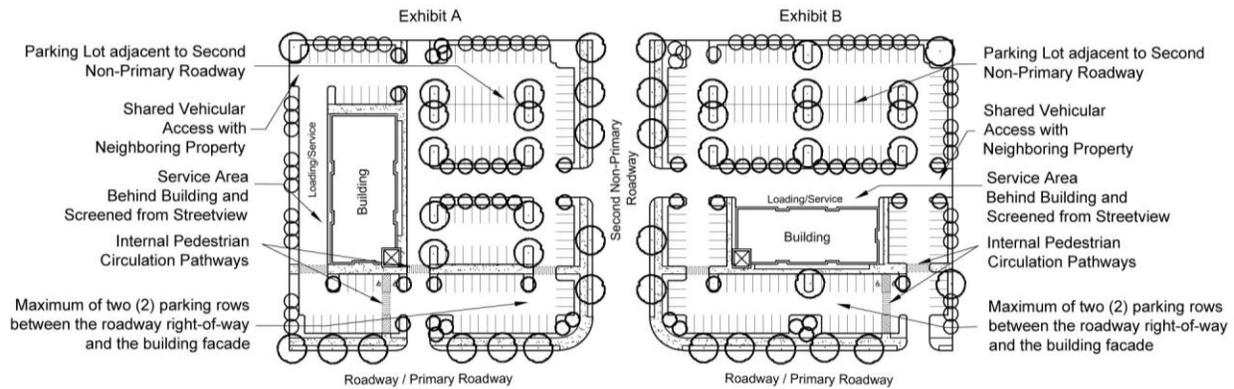


Figure 138-750.1.(c).2 – Site Layout - Parking Standards – Smaller Sites

(d) Pedestrian Connections/Circulation

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

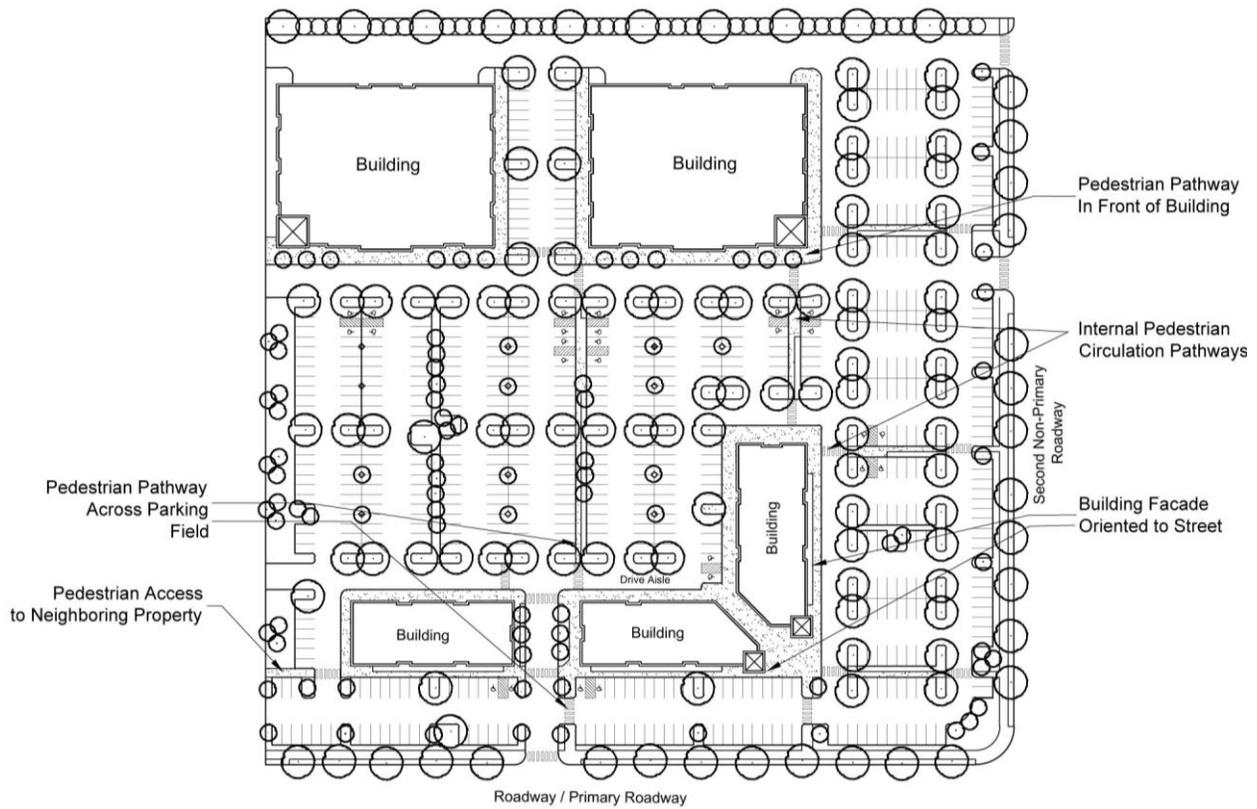


Figure 138-750.1.(d). – Site Layout - Pedestrian Standards

### Sec. 138-750.2 – Building and Architectural Design Standards

#### (a) Building Style

- (1) Renovations, additions and accessory structures shall be designed to complement the architectural style of the structure in which they are a part.
- (2) ~~Multi-tenant commercial and office buildings developments~~ shall provide a unified architectural theme with standardized building materials, finishes, and color schemes. All buildings on the site shall project a complementary building style and/or architectural theme.
- (3) All accessory structures including, but not limited to, drive-throughs, canopies, storage buildings, and solid waste enclosures shall be compatible with the architectural design of the principal structure. Compatibility shall be determined by reviewing building materials, finishes and other significant features.

#### (b) Building Form

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

- (2) The first floor of each multi-story building shall not be less than 12 feet in height measured from the finished first floor surface to the bottom of the second floor.
- (3) To provide protection from the weather, multi-tenant ~~commercial and office~~ buildings shall have shelter/shade elements over and between public entrances. The required shelter/shade elements, inclusive of vertical supports, are intended to protect people from natural elements including sun, wind, and rain, and shall be permitted to encroach into required setbacks. (will provide a graphic)

(c) Building Façade

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

- (1) Building structures that are situated on corner lots or through lots, or which by the nature of the site layout are otherwise clearly visible from rights-of-way, shall be designed with architectural treatments on each building sides that is visible from rights-of-way, primary accessways, and internal roadways. Architectural treatment shall include roof design, wall materials, architectural trim, and doors and windows. While it is recognized that buildings have primary and secondary façades, the construction materials and detailing should be similar throughout.
- (2) There shall be no blank façades. All façades shall include fenestration or other architectural features. No façade on any floor shall have a blank area wider than 24 feet or higher than the height between two floors. (will provide a graphic)
- (3) At least 25 percent of linear ground level, street facing façades shall be transparent, meaning glass or other transparent or translucent materials.

### DIVISION 3. – INDUSTRIAL ZONING DISTRICTS

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

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

- (a) **M-1 and M-2 Districts** - The purpose of the M-1 and M-2 district is to provide areas within the County that allow and support industrial and manufacturing land uses and activities. The M-1 district is intended for lower intensity industrial and manufacturing activities by limiting uses, limiting intensities, and imposing certain site design standards to ensure compatibility with nearby residential and commercial districts. The M-2 district is intended for intensive industrial and manufacturing activities by allowing a wider variety of uses, increased intensities, and limited site design standards to recognize and accommodate more intense operations that contribute to the economic vitality of the region.

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

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

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

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

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

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

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

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

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

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

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

LEGEND: 1 = Permitted Use/ Administrative Review 2 = Board of Adjustment Review 3 = Board of County Commissioners Review A = Accessory Blank = Use Not Allowed	M-1: Light Manufacturing and Industry District	M-2: Heavy Manufacturing and Industry District	WD: Warehouse District	IPD: Industrial Planned Development District	Supplemental Use Standards (refer to specific Code section)
USE					
<b>Education, Public Administration, Health Care, and Industrial Uses</b>					
Congregate care facility				3	
Day Care Center, adult				3	Y
Day Care Facility, child				2	Y
Cemetery	2	2	2	3	Y
Cemetery, Accessory to a Place of Worship	2	2	2	3	Y
Correctional Facilities				3	
Crematorium	1	1		3	Y
Environmental Education Facilities				1	
Funeral Home / Mortuary				3	
Government Building or Use	1	1		2	Y
Hospital				2	Y
Library				2	
Meeting Hall and other Community Assembly Facility				2	
Nursing Home				3	Y
Place of Worship				2	Y
School, Public, Pre-K thru 12 (Governmental)				2	Y
School, Private, Pre-K thru 12 (Nongovernmental)				2	Y
School, Post-Secondary				2	
School, All Others				2	
Social Service Agencies				2	Y
<b>Transportation, Communication, and Information Uses</b>					
Airports and Air Transportation	3	3	3	3	
Docks and Piers	A	A	A	A	Y
Commercial Marina	1	1	1	1	Y

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

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

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

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

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

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

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

M-1 – Development Parameters Table										
					Min. Lot			Min. Setbacks		
Max. Density <sup>1</sup>	Max. Building Coverage	Max. FAR <sup>1</sup>	Max. ISR	Max. Building Height (ft)	Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	0.50	See Table 138-351	0.85	75/35 <sup>3</sup>	12,000 sf	80-ft	100-ft	25-ft	10-ft	

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

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

3. Height limit 50 feet or farther from residentially zoned property/Height limit within 50 feet of residentially zoned property.

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

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

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

M-2 – Development Parameters Table										
					Min. Lot			Min. Setbacks		
Max. Density <sup>1</sup>	Max. Building Coverage	Max. FAR <sup>1</sup>	Max. ISR	Max. Building Height (ft)	Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	0.50	See Table 138-351	0.95	100/35 <sup>3</sup>	25,000 sf	100-ft	200-ft	25-ft	20-ft	

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

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

3. Height limit 50 feet or farther from residentially zoned property/Height limit within 50 feet of residentially zoned property.

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

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

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

WD – Development Parameters Table										
					Min. Lot			Min. Setbacks		
Max. Density <sup>1</sup>	Max. Building Coverage	Max. FAR <sup>1</sup>	Max. ISR	Max. Building Height (ft)	Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	N/A	See Table 138-351	0.85	75/35 <sup>3</sup>	12,000 sf	80	100	25-ft	10-ft	
<p>1. Density and Intensity limitations are governed by the underlying Future Land Use Map (FLUM) category as part of the Pinellas County Comprehensive Plan.</p> <p>2. Building Coverage is applicable to residential-only structures. Floor Area Ratio (FAR) is applicable to non-residential and mixed-use structures.</p> <p>3. Height limit 50 feet or farther from residentially zoned property/Height limit within 50 feet of residentially zoned property.</p>										

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

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

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

IPD – Development Parameters Table										
					Min. Lot <sup>3</sup>			Min. Setbacks <sup>3</sup>		
Max. Density <sup>1</sup>	Max. Building Coverage	Max. FAR	Max. ISR	Max. Building Height (ft) <sup>3</sup>	Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	0.60	See Table 138-351	0.85	100	15,000 sf	100-ft	200-ft	10-ft		10-ft

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

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

3. Dimensional standards may be modified if a part of a previously approved master plan and/as adjusted by the Board of County Commissioners.

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

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

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

(a) Street, Drive Aisle, and Accessway Design

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

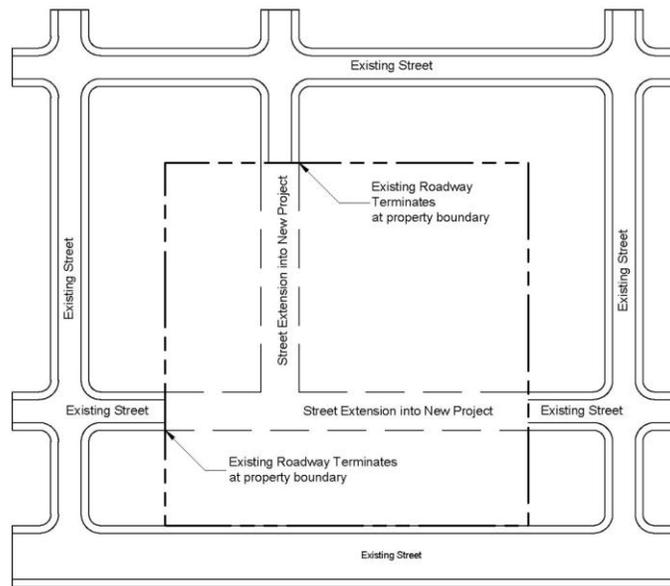


Figure 138-765.2.(a). – Site Layout – Street Extensions into New Projects/Developments

- (2) All internal and abutting streets shall be lined with sidewalks. Exceptions to this standard are allowed to protect natural resources, to recognize onerous topographic features, and to comply with design restrictions from other governing agencies.
- (b) Building Orientation
- (1) Principal structures shall be oriented toward an adjacent roadway or public open space area. Buildings shall be located adjacent to streets to establish an urban form that is oriented to the pedestrian and provides walkway connections to transit stops and public sidewalks.
    - ~~a.~~ ~~Building entrances/entryways shall be oriented to adjacent roadways/streets. A public entryway shall be provided via any façade adjacent to a roadway. This does not preclude supplemental entrances not facing a roadway.~~
    - ~~b.a.~~ Large buildings may be located internal (set back from the street) to the development when separate buildings are located along adjacent streets.
    - ~~b.b.~~ Fuel service stations ~~may be~~ are exempt for this building orientation standard.
  - (2) New multi-building developments shall be designed so that individual buildings relate to other structures on site in terms of façade design, entrances/entryways, and pedestrian access.
  - (3) All service areas and loading docks shall be located behind the front facade line of the principle structure they are intended to serve and shall be screened from adjacent roadways and uses. This standard is not intended to be applied to vehicle service station garages.
  - (4) All mechanical equipment and utility functions (e.g. electrical conduits, meters, HVAC equipment) shall be located behind the front façade line of the principal structure. Mechanical equipment that is visible from the streets shall be screened with a material that is compatible with the architecture of the principal structure.

- (5) Portions of a building structure located within 25 feet of the lot line of any parcel zoned, utilized, or approved for single-family dwellings shall be limited to 45 feet in height.

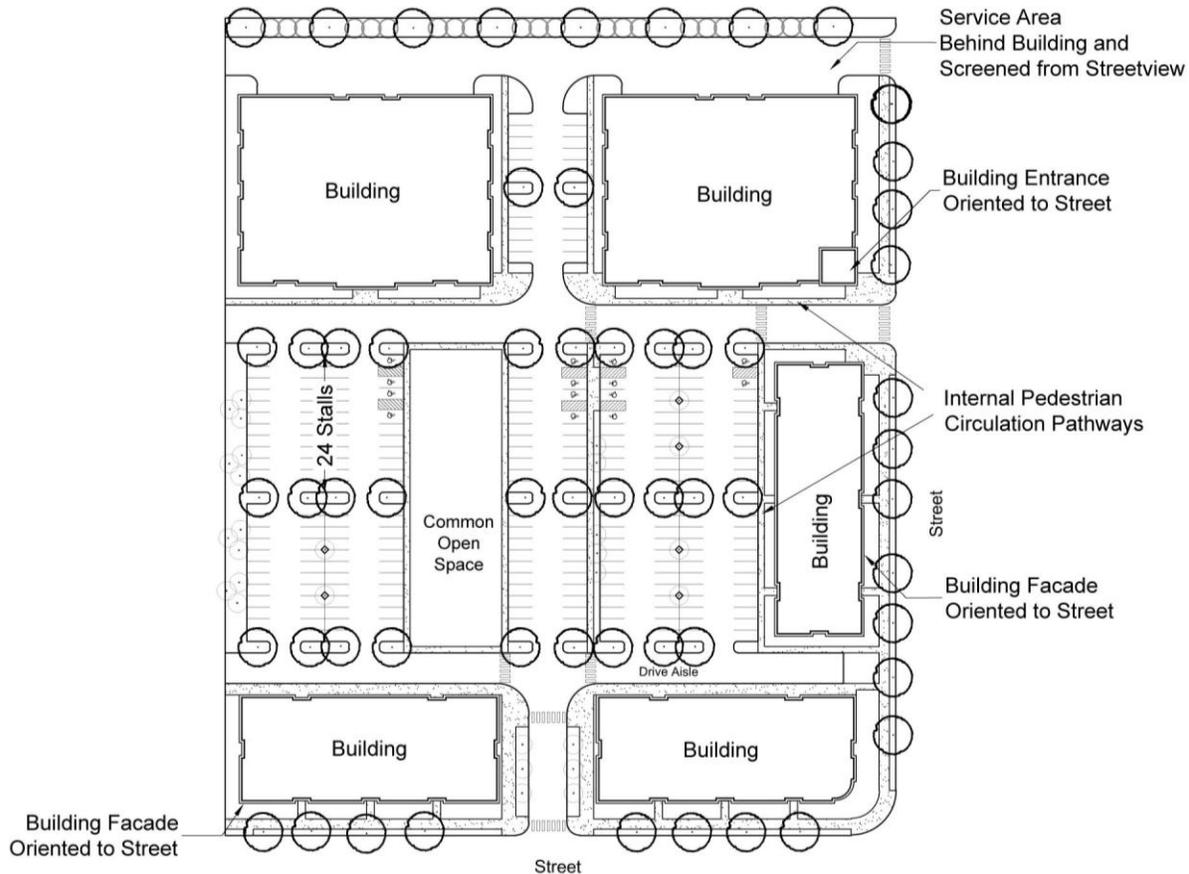


Figure 138-765.2.(b). – Site Layout – Building Orientation

(c) Parking Lots and Parking Structures

- (1) Parking features shall be designed in accordance with the following criteria to reduce the parking areas focus from the primary street corridor and assist in establishing a more urban form of design.
- a. Parking areas should generally be located behind a front building façade.
  - b. Parking areas should be minimized from the area located between a building façade and an adjacent road.
    1. Parking shall be limited to two parking rows and one drive aisle for lot areas located between any building façade and a roadway.
      - (a). For lots located adjacent to two or more roadways, this standard shall only apply to the adjacent primary roadway.
      - (b). The *primary* roadway shall be defined as that road which has a higher Functional Classification as determined by the Pinellas County Comprehensive Plan, has a greater number of Average Annual Daily

Trips (AADT) or, if such information is unavailable, as determined by the Zoning Administrator.

- (2) Parking lots shall be landscaped as required by Code, and incorporate Low Impact Design (LID) techniques where desired by the developer or otherwise required by Code. No more than an average of 24 parking spaces shall be allowed between islands in order to reduce the overall scale of the parking area.
- (3) Parking areas shall provide for internal vehicle connections between abutting parking areas and adjacent non-residential and multi-family properties, where willing adjacent property owners exist.
- (4) Large parking lots should incorporate a direct pedestrian pathway connection between building entrances and all adjacent streets.
- (5) Parking structures shall be designed as follows:
  - a. Parking structures should be internal to the site and to include architectural features/design elements related to the principal structure.
  - b. Parking structures should not be located between the primary front building façade and a primary roadway.
  - c. Parking structures located along a roadway shall include a façade treatment that resembles a habitable building and is designed to an identifiable architectural style, or screened with ornamental grillwork, artwork or similar architectural features. Parking structures located along a primary roadway shall include ground-floor commercial or employment along a minimum of 50 percent of the roadway frontage.

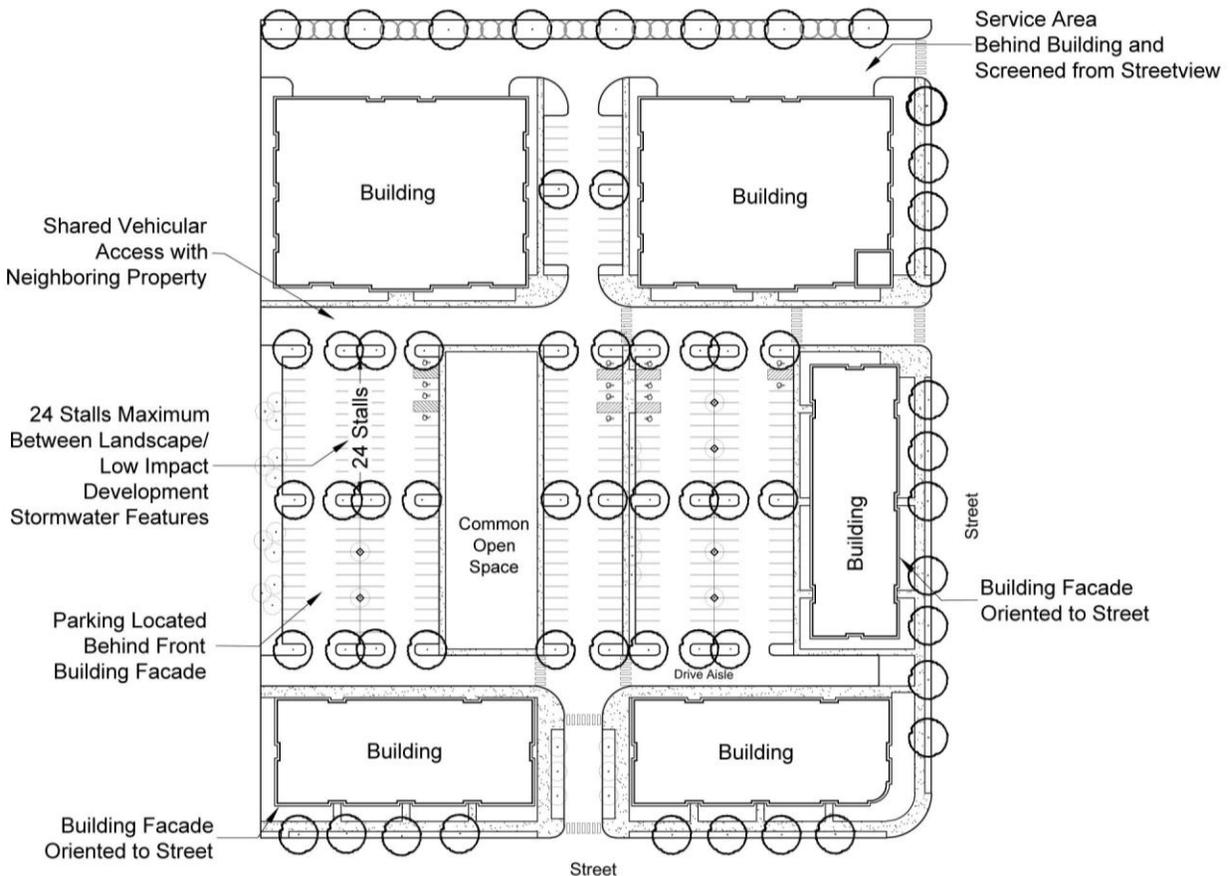


Figure 138-765.2.(C). – Site Layout – Parking Standards

(d) Pedestrian Connections/Circulation

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

and a porches, porticos, arcades and/or stoops. This does not preclude supplemental entrances not facing a roadway.

- (4) Structures and/or landscaping shall be constructed/planted around pedestrian use areas to provide shade and reduce heat island effects.

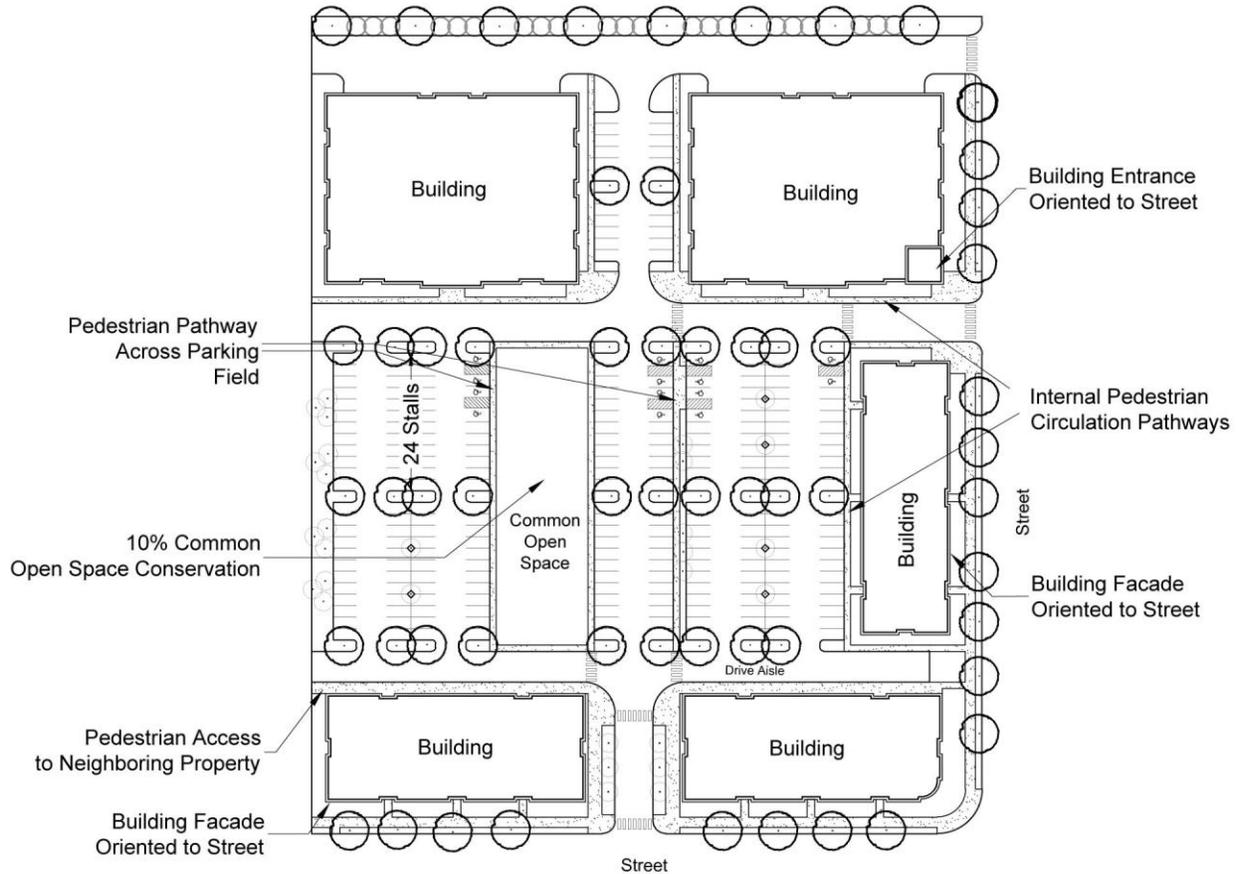


Figure 138-765.2.(d). – Site Layout – Pedestrian Standards

(e) Building Style

- (1) Renovations, additions and accessory structures shall be designed to complement ~~utilize~~ the architectural style of the existing structure, or the entire existing structure shall be modified to utilize an identifiable architectural style. ~~which is recognized by design professionals as having a basis in academic architectural design philosophies.~~
- (2) Individual commercial centers, multi-family housing, and office developments shall provide a unified architectural theme with standardized building materials, finishes, and color schemes. All buildings on the site shall project a complementary building style and/or architectural theme.
- (3) All accessory structures including, but not limited to, drive-throughs, canopies, storage buildings, and solid waste enclosures shall be compatible with the architectural design of the principal structure. Compatibility shall be determined by reviewing building materials, finishes and other significant features.

- (f) Common Open Space - All developments shall provide 10 percent of the developable land area as public/semi-public common open space. Required common open space shall be satisfied as part of the master plan for the development and developed according to the following:
- (1) The required common open space area shall be planned within 15 feet of finished grade.
  - (2) Required common open space shall be accessible, at a minimum to all buildings and properties within the development.
  - (3) Stormwater management may not be counted towards satisfying the common open space requirement. However, up to 100 percent of the common open space requirement may be satisfied by stormwater management systems that utilize Low Impact Design (LID) stormwater management principles, including but not limited to bio/vegetated swales, buffers and landscape strips; bioretention and biofiltration; rainwater harvesting systems, and rain gardens.
  - (4) Required open space shall be usable for active or passive recreation or retained for natural resource protection.
  - (5) Additional open space, parks, and recreational uses are permitted in addition to the minimum requirements of this section.

**Sec. 138-765.3. – Industrial Planned Development – Development Master Plan**

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

- (a) A site-specific Development Master Plan shall be created and approved for each application of the Industrial Planned Development District.
- (1) The Development Master Plan shall be created by the land owner, developer, authorized agent, and/or contract purchaser. The County may initiate and approve a Development Master Plan with the owner's approval.
  - (2) Multiple Development Master Plans may be approved for distinctive developments within the overall district and specifically reserved for situations of separate ownerships and developer entities.
  - (3) A Development Master Plan shall be created and approved prior to any site development or significant redevelopment.
    - a. All new development shall be consistent with an approved Development Master Plan.
    - b. Existing buildings, uses, and parking areas that were present before the IPD district was assigned to the land may be expanded up to 20 percent when:
      1. There is no Development Master Plan approved on the site OR
      2. There is an approved Development Master Plan approved for the site and existing buildings are a part of a distinct future redevelopment phase.
      3. The total of past expansions to the buildings, uses, and/or parking areas do not exceed 20 percent of their original size since the IPD district was assigned to the land.

- (b) A Development Master Plan is required as part of an Industrial Planned Development District zoning amendment application and shall be designed as a series of framework plans that, collectively, create a complete future development plan. The Development Master Plan shall include the following framework plans:
- (1) Transportation Framework – The Development Master Plan shall depict all access points, internal roadways, surrounding roadways, transit stops (if available), bicycle facilities, and pedestrian facilities.
  - (2) Land Use Framework – The Development Master Plan shall assign future land use designations to all areas of the development. The future land use designations shall correspond with a table of specific land uses that are proposed and ultimately permitted with each designation. The plan shall list the proposed land use intensity/density for each land use designation.
  - (3) Open Space Framework – The Development Master Plan shall depict the open space network within the community. The individual open space areas shall correspond with a table that identifies the planned uses and recreation programming unique to each tract.
  - (4) Utilities Framework – The Development Master Plan shall depict planned potable water and sanitary sewer connections, as well as the proposed stormwater management system that will serve the overall development. See Section \_\_\_ for any special requirements.
  - (5) Phasing Framework – The Development Master Plan shall illustrate a phasing plan for development and/or redevelopment. The phasing plan shall include the applicable sequencing of utilities, transportation, and land uses.
  - (6) Theming Framework – The Development Master Plan shall include a theming plan that identifies the intended design and style of the building architecture. The Theming Framework contents may be general in nature but should include images, illustrations, and/or details.
  - (7) Sustainability Framework – The Development Master Plan shall depict and identify all sustainability efforts included as part of the overall project. These efforts shall include but not be limited to reduced vehicle travel initiative, proximity to transit, connections to or addition of multimodal travel options and park and open space, use of Low Impact Development (LID) techniques, solar and alternative energy initiatives, ground water recharge initiatives and recycling initiatives.
- (c) Approval of a Development Master Plan is subject to Board of County Commissioner review, and any conditions applied by the Board. A land owner or development entity may only amend portions of the Development Master Plan that is under their ownership or purchaser contract.
- (d) A purpose of a Development Master Plan is to allow flexibility in dimensional standards and permit an applicant to request standards unique to the proposed development. Approval of the Development Master Plan is subject to final action by the Local Planning Agency (LPA) if the LPA deems it substantively compliant with the concept plan approved by the Board of County Commissioners at the time of rezoning.
- (e) The County's concurrency standards shall apply and be tied to the project phasing plan.
- (f) All previously approved Master Plans or equivalent thereof shall remain in effect. Development may occur consistent with all approved master plans. Any modifications to existing plans shall be consistent with the standards of this section.

(g) Modifications to an Existing Development Master Plan.

The Zoning Administrator is authorized to review the administrative modifications specifically listed in Subsection (1) below, as long as they are in harmony with the originally approved Development Master Plan. The Zoning Administrator shall not have the power to approve changes that constitute a minor or a major modification of the approval. A minor modification shall be. A major modification shall be considered by the Local Planning Agency.

- (1) Administrative Modification: The Zoning Administrator is authorized to approve the following modifications to an approved Development Master Plan. Appeals of decisions made by the Zoning Administrator regarding administrative modifications shall be heard by the Development Review Committee.
  - a. Reduce the number of parking spaces by an amount not to exceed 10 percent of the approved spaces, provided the reduction meets the minimum off-street parking requirement for the uses.
  - b. Any relocation of approved density or intensity farther than 500 feet from the zoning lot boundaries or farther than 200 feet from any part of the development which has been constructed or sold to an owner or owners different from the applicant requesting the change.
- (2) Minor Modification: Any of the following constitute minor modifications that are subject to review by the Development Review Committee. Appeals of decisions made by the Development Review Committee regarding minor modifications shall be heard by the Local Planning Agency.
  - a. Any change in parking areas resulting in a reduction of more than 10 percent in the number of approved spaces which also reduce any minimum required spaces.
  - b. Any reduction in the amount of open space/recreation area or any substantial change in the location or characteristics of open space.
  - c. Changes in location, or type of pedestrian or vehicular accesses or circulation, or any increase or decrease in the number of pedestrian or vehicular accesses.
  - d. Any increase in density or intensity within 500 feet of the zoning lot boundaries or within 200 feet of any part of the development which has been constructed or sold to an owner or owners different from the applicant requesting the change. Relocation of uses, density or intensity which triggers these thresholds shall be considered a minor modification.
  - e. Any increase in density or intensity of use of up to five percent usable floor area, three percent of the number of dwelling units, or five percent in the amount of outside land area devoted to sales, displays, or demonstrations over the entire Development Master Plan. In no case shall the intensity or density be increased over the maximum permitted by the Development Master Plan or the Comprehensive Plan.
  - f. An increase in structure height less than 15 feet or an increase in number of stories.
  - g. Any decrease in required yards.
  - h. Any deletion of a specifically approved use.

- i. Any increase in the area allocated to any land use type, except open space/recreation area, by 10 percent or less.
  - j. Any increase in traffic generation, up to 10 percent.
- (3) Major Modification: Any of the following constitute major modifications that are subject to review by the Local Planning Agency. Appeals of decisions made by the Local Planning Agency regarding major modifications shall be heard by the Board of County Commissioners.
- a. Any increase in intensity of use of more than five percent usable floor area, or an increase of more than three percent in the number of dwelling units, or an increase of more than five percent in the amount of outside land area devoted to sales, displays, or demonstrations over the entire Development Master Plan. In no case shall the intensity or density be increased over the maximum permitted by the associated zoning district or the Comprehensive Plan.
  - b. Any increase in structure height of 15 feet or greater.
  - c. Any addition of a use from the specifically approved use.
  - d. Any increase in the area allocated to any land use type, except open space, by more than ten percent.
  - e. Any increase in traffic generation by more than 10 percent.
  - f. Any change in a condition specifically required by the Board as part of the Development Master Plan approval or amendment. However, deviations and/or modifications are authorized as permitted elsewhere by the Code.

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

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

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

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

- (a) Diverse housing options to accommodate a range of residential building forms and housing sizes.
- (b) Promote the health and well-being of residents by including active and passive public open space that encourages physical activity, designing for pedestrian activity, providing access to alternative transportation choices, and fostering greater social interaction.

- (c) Provide for flexible mixed-use developments at a scale that serves one or more neighborhoods in appropriate locations that have adequate infrastructure, transportation access, and market demand, consistent with the vision articulated within the Pinellas County Comprehensive Plan.
- (d) Encourage walkable, mixed use activity centers and corridors within the community that provide greater opportunity for pedestrian activity, bicycle uses, reduced parking, and improved sense of place.
- (e) The district shall also promote optimal land use relationships and achieve compatibility with surrounding neighborhoods.
- (f) Provide for a broad range of uses, including places of employment, neighborhood shopping, and commercial services with diverse housing options that meet the community's needs.

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

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

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

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

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

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

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

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

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

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

MXD – Development Parameters Table								
Max. Density <sup>1</sup>	Max. FAR <sup>1</sup>	Max. ISR	Min. Lot <sup>2</sup>			Min. Setbacks <sup>3</sup>		
			Area	Width (ft)	Depth (ft)	Front	Side	Rear
See Table 138-351	See Table 138-351	.85	<b>Single-Family Detached</b>					
			3,000 sf	35-ft	80-ft	10-ft	5-ft	5-ft
			<b>Single-Family Attached (townhouse)</b>					
			1,680 sf	24-ft	70-ft	8-ft	0/5-ft	5-ft
			<b>All Other Uses and Building Types<sup>4</sup></b>					
N/A	N/A	N/A	0-ft	0-ft	0-ft			

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

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

3. Attached units located on individual lots shall conform to the following side setback standards:

- Interior units with adjacent units connected on each side may be permitted a 0-foot side setback;
- End units shall provide a 0-foot side setback for portions that are connected to an adjacent unit and a 5-foot setback where no adjacent unit is attached.

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

- One side yard may provide a 0-ft side setback;
- The opposite side property line shall provide a 10-foot side setback;
- The side setback may be adjacent so long that a 10-foot building separation is provided from any adjacent structure in perpetuity.

4. All non-residential and multifamily buildings shall be setback 25-feet from any platted single-family detached lot located within the mixed-use district, and 50-feet from any platted single-family detached lot located in adjacent areas outside the mixed-use district.

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

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

- (a) Land uses shall be allowed pursuant to Table 138-801. Specific uses shall obtain the review approval as defined in the table.
- (b) Mixed-use development may be permitted as follows:
  - (1) Vertical Mixed-use – A variety of uses may be provided within a single building atop one another.
  - (2) Horizontal Mixed-use – A variety of uses may be provided within the same development in separate buildings.

- (c) Mixed-use developments must contain at least two distinct use types, one of which being some form of residential use. Residential uses must be developed to at least 25 percent of maximum allowable residential density.
- (d) Common Open Space - All mixed-use developments shall provide a minimum percentage of the developable land area as public/semi-public common open space determined by the size of the overall development as follows: less than three acres, 10 percent; three to 10 acres, 12 percent; greater than 10 acres, 15 percent. Required common open space shall be satisfied as part of the master plan for the development and developed according to the following:
  - (1) The required common open space area shall be planned within 15 feet of finished grade.
  - (2) Required common open space shall be accessible, at a minimum to all residents within the development, or set aside for protection of natural features and visual enjoyment.
  - (3) Stormwater management may not be counted towards satisfying the common open space requirement. However, up to 50 percent of the common open space requirement may be satisfied by stormwater management systems that utilize Low Impact Design (LID) stormwater management principles, including but not limited to bio/vegetated swales, buffers and landscape strips; bioretention and biofiltration; rainwater harvesting systems and rain gardens.
  - (4) Required common open space shall be usable for active or passive recreation or retained for natural resource protection.
  - (5) Other green space, open space, parks, and recreational uses may be permitted pursuant to Table 138.801.

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

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

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

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

(a) Street Design

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

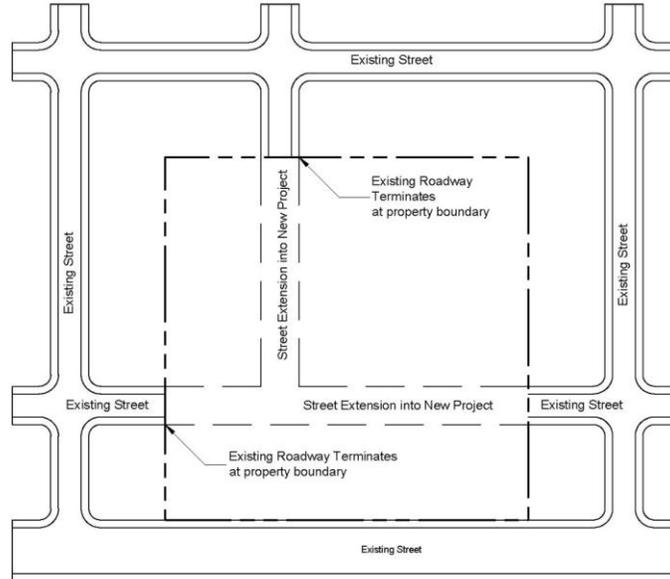


Figure 138-810.1(a).1. – Site Layout – Street Extensions into New Projects/Developments

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

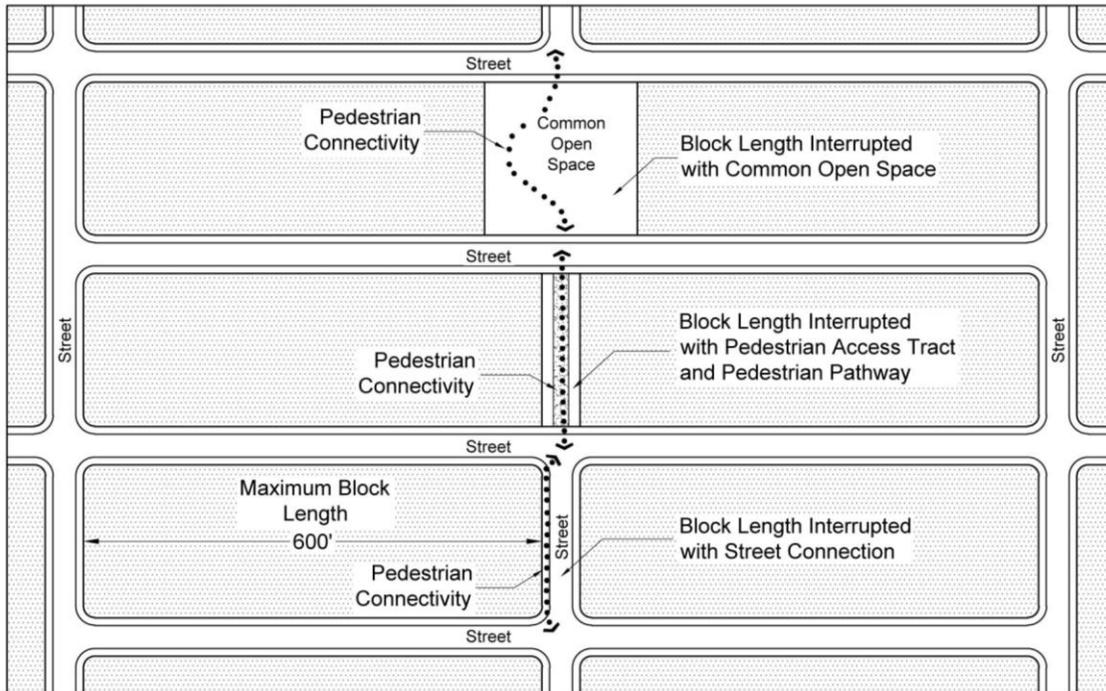


Figure 138-810.1(a).2. – Site Layout – Block Length Standards

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

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

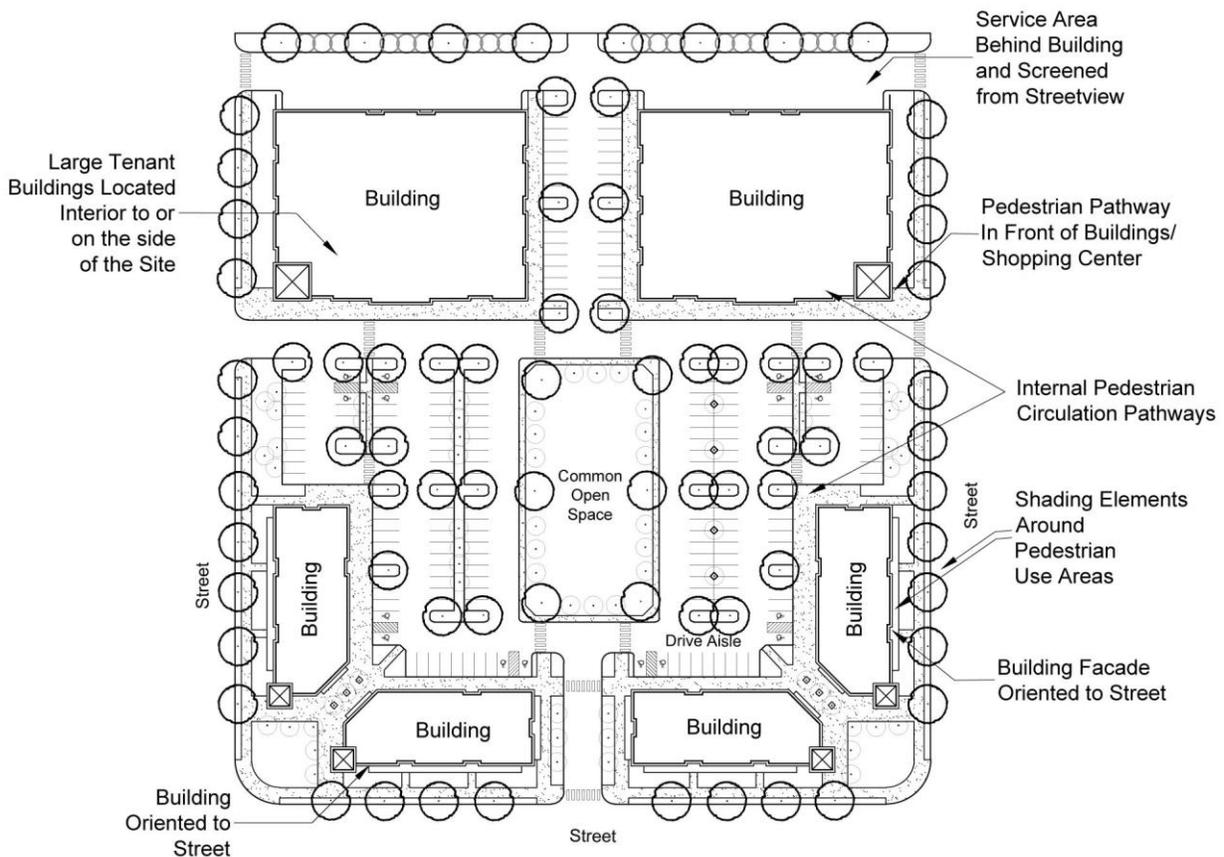


Figure 138-810.1(b). – Site Layout – Building Orientation

(c) Parking Lots and Parking Structures

- (1) Parking lot location should be as follows:

- a. Parking areas shall be located behind a front building façade (internal and external to the development?).
  - b. Parking areas should not be located between a building façade and a roadway.
  - c. Drive aisles shall not be located between the front building façade and a roadway.
  - d. Passenger loading and unloading areas may be provided between a front building façade and an adjacent street. When a passenger loading and unloading area is provided in this arrangement, one drive aisle may be provided to link vehicles to parking areas.
- (2) Parking lots shall be landscaped as required by Code, and incorporate Low Impact Design (LID) techniques where desired by the developer or otherwise required by Code. No more than an average 20 parking spaces shall be allowed between islands to reduce the overall scale of the parking area.
  - (3) Where willing property owners exist, parking areas shall provide cross access easements connecting internal vehicle systems between abutting parking areas.

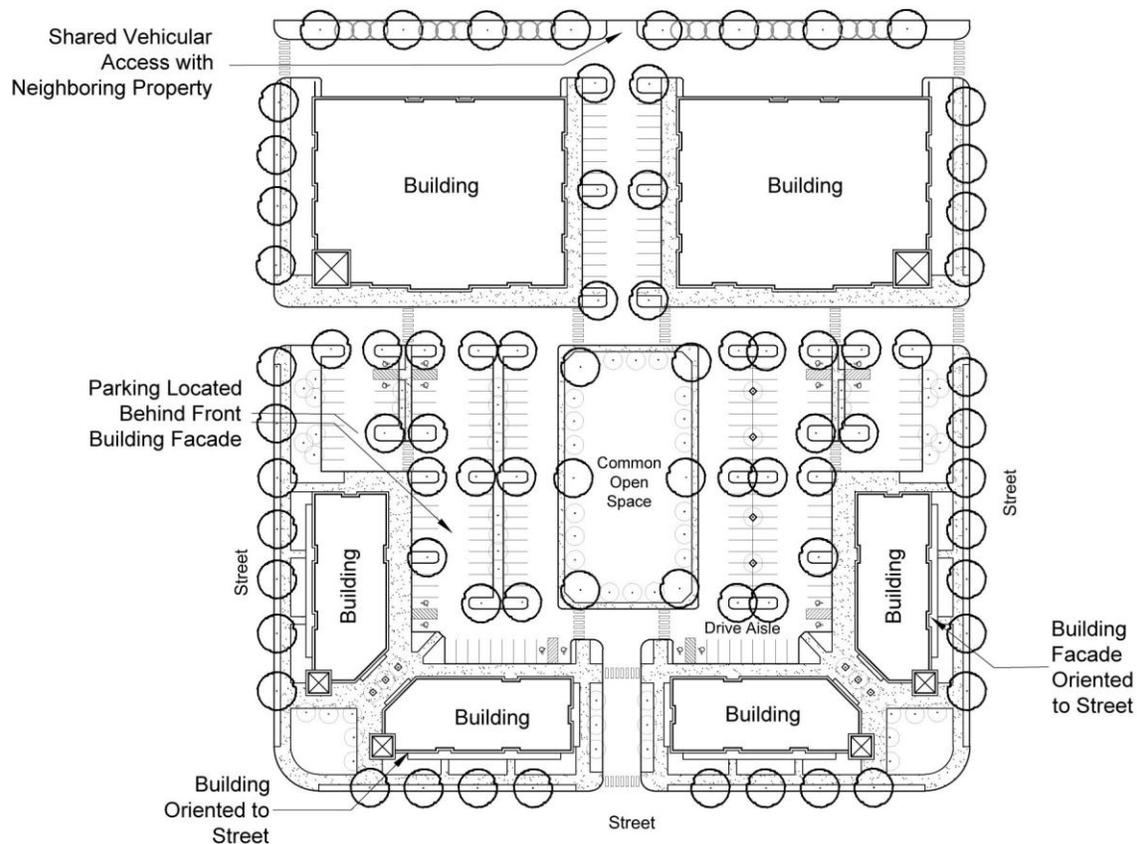


Figure 138-810.1(c). – Site Layout – Parking Design Standards

- (4) Parking structures shall be designed as follows:

- a. Parking structures should be internal to the site and to include architectural features related to the principal structure.
  - b. Parking structures should not be located between the primary front building façade and a roadway.
  - c. Parking structures located along a roadway shall include a façade treatment that resembles a habitable building and is designed to an identifiable architectural style. Parking structures proposed in this arrangement shall include ground-floor commercial or employment along a minimum of 50 percent of the roadway frontage.
- (d) Pedestrian Connections/Circulation
- (1) Where multiple store fronts or multiple buildings exist within the same development, each shop shall be connected by an internal sidewalk system that is clearly delineated from the vehicular pavement. The internal sidewalk system shall connect to any public sidewalk that abuts the property.
  - (2) Where willing property owners exist, cross easements which connect the internal pedestrian system shall be provided between abutting property owners.
  - (3) All buildings that face a primary roadway/street shall contain an entryway that is oriented to said roadway. The entryway shall include decorative door surrounds, porches, porticos, arcades and/or stoops, which shall be permitted to extend five feet into the building setback.
  - (4) At least one designated pedestrian pathway shall be provided across parking lots that exceed 50 total parking spaces. This designated pedestrian pathway shall be a minimum of five feet in pavement width. The pedestrian pathway shall provide a direct connection between building entrances and all adjacent streets.
  - (5) To further encourage the use of innovative sustainable energy opportunities, the use of solar panels as coverage for pedestrian walkways and car ports shall be encouraged. In such cases, solar panel covered pedestrian walkways that connect to public roadways and/or transit services shall allow for a 10 percent reduction to the projects overall parking space requirement.

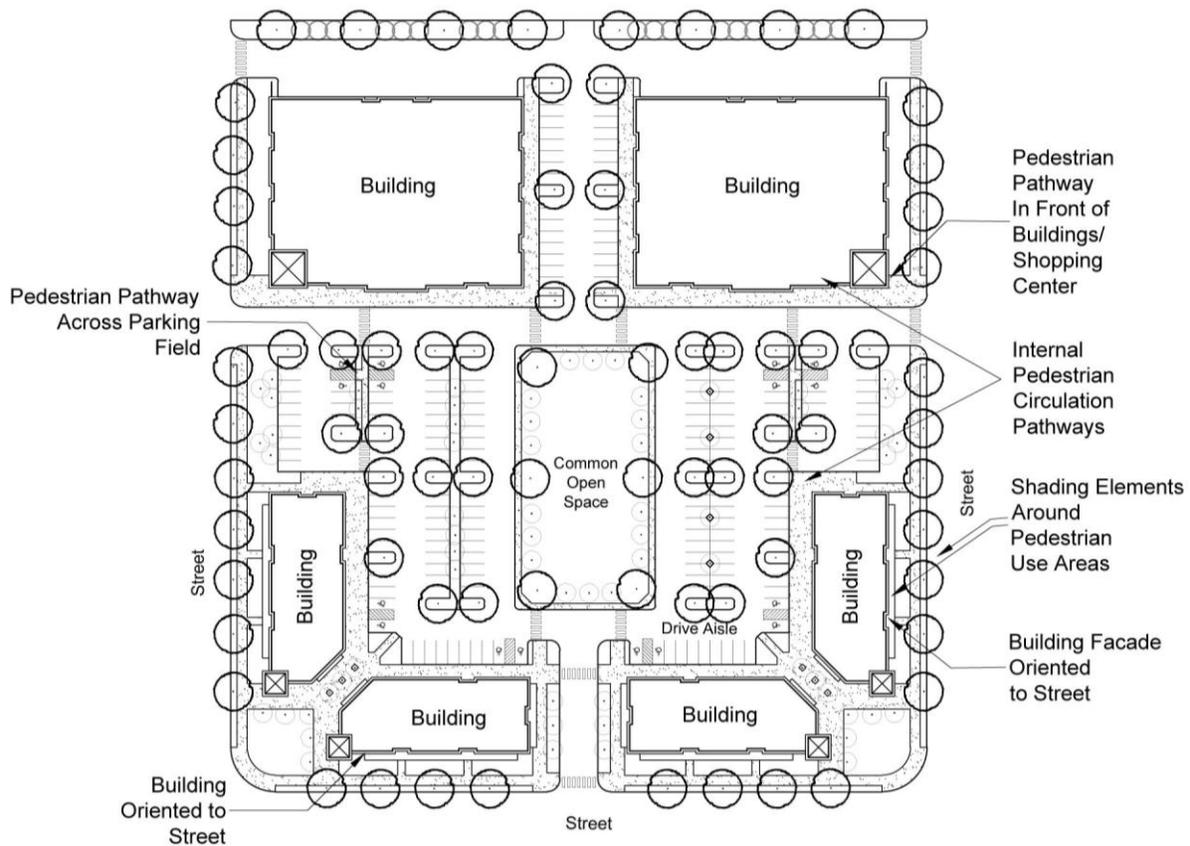


Figure 138-810.1(d). – Site Layout – Pedestrian Design Standards

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

#### (a) Building Style

- (1) New construction shall utilize an identifiable architectural style.
- (2) Renovations, additions and accessory structures shall utilize the architectural style of the existing structure.
- (3) Retail centers, office campuses and shopping centers shall provide a unified architectural theme with standardized building materials, finishes, and color schemes.
- (4) All accessory structures including, but not limited to, drive-thrus, canopies, storage buildings, and solid waste enclosures shall be compatible with the architectural design of the principal structure. Compatibility shall be determined by reviewing building materials, finishes and other significant features

#### (b) Building Form

- (1) Non-residential and vertical mixed-use buildings should create a width to height ratio of no more than 3:1. Buildings that exceed the width to height ratio of 3:1 shall have architectural fenestration creating a bay system that divides the building design into a maximum ratio of 3:1. This may be done through pilasters, arcades,

building line and roof line off-sets, materials and other appropriate architectural features.

- (2) Multifamily residential projects should provide a width to height ratio of no more than 2:1. Buildings that exceed the width to height ratio of 2:1 shall have architectural fenestration creating a bay system that divides the building design into a maximum ratio of 2:1.
- (3) The first floor of each multi-story building shall not be less than 12 feet in height measured from the finished first floor surface to the bottom of the second floor. This standard is only applicable to non-residential and vertical mixed-use buildings.

(c) Building Façade

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

- (1) Building structures which are situated on corner lots or through lots, or which by the nature of the site layout are otherwise clearly visible from rights-of-way, shall be designed with architectural treatment on each building side that is visible from rights-of-way, primary accessways, and internal roadways. Architectural treatments shall include roof design, wall materials, architectural trim, and door and window. While it is recognized that buildings have primary and secondary façades, the construction materials and detailing should be similar throughout.
- (2) There shall be no blank façades. All façades shall include fenestration or other architectural features. No façade on any floor shall have a blank area wider than 24 feet or higher than the height between two floors.
- (3) At least 25 percent of linear ground level, street level façades of non-residential, multifamily residential, and vertical mixed-use buildings shall be transparent, meaning glass or other transparent or translucent materials.

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

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

- (a) A site-specific Development Master Plan shall be prepared and submitted for review with each application of the Mixed-Use District.
  - (1) The Development Master Plan shall be created by the land owner, developer, authorized agent, and/or contract purchaser. The County may initiate and approve a Development Master Plan with the owner's approval.
  - (2) Multiple Development Master Plans may be approved for distinctive components within the overall development and specifically reserved for situations of separate ownerships and developer entities.
  - (3) A Development Master Plan shall be created and approved prior to any site development or significant redevelopment.
    - a. All new development shall be consistent with an approved Development Master Plan.

- b. Existing buildings, uses, and parking areas that were present before the mixed-use district was assigned to the land may be expanded up to 20 percent when:
    1. There is no Development Master Plan approved on the site, OR
    2. There is an approved Development Master Plan approved for the site and existing buildings are a part of a distinct future redevelopment phase.
    3. The total of past expansions to the buildings, uses, and/or parking areas does not exceed 20 percent of their original size since the mixed-use district was assigned to the land.
- (b) A Development Master Plan is required as part of a Mixed Use District zoning amendment application and shall be designed as a series of framework plans that, collectively, create a complete future development plan. The Development Master Plan shall include the following framework plans:
- (1) Transportation Framework – The Development Master Plan shall depict all access points, internal roadways, surrounding roadways, transit stops (if available), bicycle facilities, electric vehicle parking and pedestrian facilities.
  - (2) Land Use Framework – The Development Master Plan shall assign future land use designations to all areas of the development. The future land use designations shall correspond with a table of specific land uses that are proposed and ultimately permitted with each designation. The plan shall list the proposed land use intensity/density for each land use designation.
  - (3) Open Space Framework – The Development Master Plan shall depict the open space network within the development. The individual open space areas shall correspond with a table that identifies the planned uses and recreation programming unique to each tract.
  - (4) Utilities Framework – The Development Master Plan shall depict planned potable water, reclaimed water, re-use water, and sanitary sewer connections, as well as the proposed stormwater management system that will serve the overall development. See Section \_\_ for any special requirements.
  - (5) Phasing Framework – The Development Master Plan shall illustrate a phasing plan for development and/or redevelopment. The phasing plan shall include the applicable sequencing of utilities, transportation, and land uses. The first phase of development must include a minimum of two uses, one of which being some form of residential use. The residential component of the first phase of development must be permitted and under construction before a Certificate of Occupancy will be released for the non-residential component(s).
  - (6) Theming Framework – The Development Master Plan shall include a theming plan that identifies the intended design and style of building architecture. The Theming Framework contents may be general in nature but should include images, illustrations, and/or details.
  - (7) Sustainability Framework – The Development Master Plan shall depict and identify all sustainability efforts included as part of the overall project. These efforts shall include, but not be limited to, reduced vehicle travel initiatives, proximity to transit, connections to or addition of multimodal travel options and park and open space, use of Low Impact Development (LID) techniques, solar and alternative energy initiatives, ground water recharge initiatives and recycling initiatives.

- (c) Approval of a Development Master Plan is subject to Board of County Commissioner review and any conditions applied by the Board. A land owner or development entity may only amend portions of the Development Master Plan that is under their ownership or purchaser contract.
- (d) A purpose of a Development Master Plan is to allow flexibility in dimensional standards and permit an applicant to request standards unique to the proposed development. Approval of the Development Master Plan is subject to final action by the Local Planning Agency (LPA) if the LPA deems it substantively compliant with the concept plan approved by the Board of County Commissioners at the time of rezoning.
- (e) The County's concurrency standards shall apply and be tied to the project phasing plan.
- (f) Modifications to an Existing Development Master Plan

The Zoning Administrator is authorized to review and make decisions regarding administrative modifications specifically listed in Subsection (1) below, as long as they are in harmony with the originally approved Development Master Plan. The Zoning Administrator shall not have the power to approve changes that constitute a minor or a major modification of the approval. A minor modification shall be subject to review by the Development Review Committee. A major modification shall be considered by the Local Planning Agency.

- (1) Administrative Modification: The Zoning Administrator is authorized to approve the following modifications to approved Development Master Plans. Appeals of decisions made by the Zoning Administrator regarding administrative modifications shall be heard by the Development Review Committee.
  - a. Reduce the number of parking spaces by an amount not to exceed 10 percent of the approved spaces, provided the reduction meets the minimum off-street parking requirement for the uses.
  - b. Any relocation of approved density or intensity farther than 500 feet from the zoning lot boundaries or farther than 200 feet from any part of the planned district which has been constructed or sold to an owner or owners different from the applicant requesting the change.
  - c. A change from multi-family to single family, if it does not increase external impacts such as, but not limited to, transportation, schools, parks, or utilities and is consistent in lot size, coverage, and yards with other single-family portions of the development.
- (2) Minor Modification: Any of the following shall constitute minor modifications that are subject to review by the Development Review Committee. Appeals of decisions made by the Development Review Committee regarding minor modifications shall be heard by the Local Planning Agency.
  - a. Any change in parking areas resulting in a reduction of more than 10 percent in the number of approved spaces which also reduce any minimum required spaces.
  - b. Any reduction in the amount of open space/recreation area or any substantial change in the location or characteristics of open space.
  - c. Changes in location, or type of pedestrian or vehicular accesses or circulation, or any increase or decrease in the number of pedestrian or vehicular accesses.

- d. Any increase in density or intensity within 500 feet of the zoning lot boundaries or within 200 feet of any part of the mixed use district which has been constructed or sold to an owner or owners different from the applicant requesting the change. Relocation of uses, density or intensity which triggers these thresholds shall be considered a minor modification.
  - e. Any increase in density or intensity of use of up to five percent usable floor area, three percent of the number of dwelling units, or five percent in the amount of outside land area devoted to sales, displays, or demonstrations over the entire Development Master Plan. In no case shall the intensity or density be increased over the maximum permitted by the Development Master Plan or the Comprehensive Plan.
  - f. An increase in structure height less than 15 feet or an increase in number of stories.
  - g. Any decrease in required yards, except that when such decrease is to apply to three or less single-family lots within the project, the change shall be reviewed per \_\_\_\_\_.
  - h. Any deletion of a specifically approved use.
  - i. Any increase in the area allocated to any land use type, except open space/recreation area, by 10 percent or less.
  - j. Any increase in traffic generation, up to 10 percent.
  - k. Any request for a decrease in intensity from commercial to single-family residential, or from commercial or office to single-family residential, shall be considered a minor modification.
- (3) Major Modification: Any of the following shall constitute major modifications that are subject to review by the Local Planning Agency. Appeals of decisions made by the Local Planning Agency regarding major modifications shall be heard by the Board of County Commissioners.
- a. Any increase in intensity of use of more than five percent usable floor area, or an increase of more than three percent in the number of dwelling units, or an increase of more than five percent in the amount of outside land area devoted to sales, displays, or demonstrations over the entire Development Master Plan. In no case shall the intensity or density be increased over the maximum permitted by the associated zoning district or the Comprehensive Plan.
  - b. Any increase in structure height of 15 feet or greater.
  - c. Any addition of a use from the specifically approved use. However, a change from multi-family to single family shall be an administrative modification if it does not increase external impacts such as, but not limited to, transportation, schools, parks, or utilities and is consistent in lot size, coverage, and yards with other single-family portions of the development.
  - d. Any increase in the area allocated to any land use type, except open space, by more than 10 percent.
  - e. Any increase in traffic generation by more than 10 percent.

- f. Any change in a condition specifically required by the Board as part of the Development Master Plan approval or amendment. However, deviations and/or modifications are authorized as permitted elsewhere by the Code.

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

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

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

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

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

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

(Ord. No. 02-42, § 3, 5-21-02)

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

- (a) The OPH-D district zoning and design guidelines will provide for the regulation and restriction of uses, structures, lots and parcels, or combinations thereof, which were lawfully established prior to the adoption of the ordinance from which this division derives.
  - (1) All new uses, development, alteration, demolition, relocation, reconstruction and excavation within the OPH-D district shall be subject to the requirements of this division.
  - (2) All new development, alteration, demolition, relocation, reconstruction, and excavation within the OPH-D district shall be subject to the requirements and procedures of section 146-5 for certificates of appropriateness. The design criteria for issuance of a certificate of appropriateness in the OPH-D district shall be as stated in section 138-1013

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

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

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

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

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

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

Notes to permitted uses:

The following additional standards apply to specific permitted uses:

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

(Ord. No. 02-42, § 3, 5-21-02)

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

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

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

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

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

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

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

Notes to the maximum lot development:

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

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

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

Notes to the setback requirements:

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

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

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

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

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

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

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

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

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

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

Botanical Name	Common Name
Palms:	

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

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

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

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

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

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

ornamentation and architectural detailing. Minor connecting elements in the district include shutters, porches, and fences.

(1) General design criteria.

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

(2) Contributing structures.

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

(3) Noncontributing structures.

- a. Where possible and appropriate, alterations and additions to noncontributing structures shall be similar to the major features, details and

materials found in the contributing structures. Alterations and additions shall not introduce false historical architectural features not found in the district.

- b. Where possible and appropriate, when renovating an existing noncontributing structure, new or replacement windows and/or doors shall be similar to the size, spacing, materials and general rhythm of the windows and doors found in the contributing structures.

(4) New construction.

- a. The roof types of new buildings shall conform to the roof types of the contributing structures in the district. Gable, pyramidal (hip), and flat roofs with parapets are found in the contributing structures. Use of a roof type that is not present in the contributing structures, and which can be seen from the street is prohibited. Alternative roof styles can be used if they are concealed by a parapet and are not visible from the street.
- b. Proportions, configurations, and placement of windows and doors in new buildings shall be similar to the size, spacing, materials and general rhythm of the window/door fenestration found in the contributing structures.
- c. Use of double-hung sash windows with two four-lites is encouraged. Jalousie windows are prohibited. Recessed entrances are encouraged.
- d. Major architectural features, detailing and materials used in new construction shall be similar to those of the contributing structures found in the district.
- e. Modern equipment such as solar collectors, air conditioners, etc., shall be concealed from public view.

(c) Fences within the OPH-D district shall be limited to the following styles and materials:

- (1) All fences and walls shall be constructed of materials appropriate to their purpose and location and shall be compatible with the streetscape materials.
  - a. Fences and walls on all street frontages shall be constructed only of decorative open pickets, decorative aluminum, brick, or stamped concrete which are compatible with the streetscape design materials.
  - b. No fence or wall shall be constructed of corrugated sheet metal, barbed wire, chicken wire, or similar materials.
  - c. Chain link fences concealed by landscaping may be allowed along the side of property that has no street or alley frontage.
- (2) On all street frontages (except for frontage on an alley), walls and fences shall not exceed three feet in height.
- (3) No fence or wall shall be constructed within a public right-of-way, right-of-way easement or utility easement, unless authorized by the county.
- (4) No fence or wall shall enclose a water meter box or manhole, unless authorized by the county.
- (5) Where not specifically changed in this section, fences and walls shall otherwise comply with section 138-1336

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

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

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

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

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

(Ord. No. 02-42, § 3, 5-21-02)

## **Local Examples of Land Assembly and other Incentives**

## **Local Examples of Land Assembly and other Incentives**

### Clearwater – Beach by Design

- In the Marina Residential District, projects that consolidate a minimum of five acres are eligible for approval of building height up to 100’
- Projects that consolidate at least 2.5 acres are eligible for approval of building height up to 70’
- Structures over 35’ cannot occupy more than 50% of the area
- Otherwise, two to four stories above parking is allowed

### St. Pete Beach - Town Center Core District

- Mixed use developments with at least one level of residential use shall receive an additional FAR of 0.45, for a total allowable FAR of 1.45

### St. Petersburg

- No FAR/density bonuses for land assemblage
- FAR bonus is available for workforce housing or for locating within an Activity Center
- Downtown Center District has incentives linked to provisions of public benefit
- Has a Large Track Planned Development option that allows alternate dimensional and design requirements on tracts of land two acres in size or larger with adequate depth and width for a consistent buffer. The purpose is to allow creative flexibility while maintaining the character of the perimeter of the development consistent with the surrounding established pattern. Projects must comply with the overall density and intensity requirements of the zoning district when averaged over the entire site.

### Dunedin

- No bonuses for land assemblage
- Has a 10% density bonus for green building
- And 25% reduced parking requirements
- And fast track permitting

## **Conditional Overlays**

## **FOR DISCUSSION - Conditional “Overlays”**

In the City of Austin, Texas zoning regulations, they have a “tool” called *Conditional Overlays*. They can use this, along with a zoning district, to regulate the use of land. They describe the purpose as follows: *Conditional Overlays are combined with base zoning districts on specific properties to further restrict a zoning classification or land use. The CO is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties. A conditional overlay may be applied to any base zoning district. A CO may be applied to do the following:*

- *Prohibit permitted, conditional and/or accessory uses otherwise allowed in a base district*
- *Make a permitted use a conditional use*
- *Decrease the density that may be constructed*
- *Decrease building heights*
- *Increase minimum setback requirements*
- *Decrease maximum impervious or building cover requirements*
- *Restrict access to adjacent roads and require specific design features to minimize the effects of traffic.*

According to research by our County Attorney’s Office, “conditional” overlays such as this can be used as a means of achieving some degree of flexibility in land-use control by minimizing the potentially deleterious effect of a zoning change on neighboring properties, etc. It is gaining acceptance in Florida as a desirable means to deal with the rigidity of traditional (Euclidean) zoning. “Growth pressures and diminishing prime development areas have sensitized government to the need to address and mitigate environmental and socioeconomic impacts incidental to urban development before granting development approval. These impacts often cannot be addressed within the bounds of strict Euclidean zoning.” While the County’s Code provides for development agreements to be considered along with a zoning change as a means to deal with potential impacts, today these agreements are frequently used for reasons beyond the original intent provided by Ch. 163, F.S. Development agreements typically require retaining a lawyer, require filing a deed restriction, have expiration dates, etc. Hence, there has been a desire to find an alternate method to a development agreement for conditioning certain zoning approvals, and/or having to deny a zoning request rather than having a simple method, if possible, to arrive at compatibility.





TABLE OF PERMITTED USES (DRAFT 2013-03-25)

LEGEND: 1 = Permitted Use/Administrative Review; 2 = Board of Adjustment Review; 3 = Board of County Commissioners Review; A = Accessory

Use	ACCOMMODATIONS																			Supplemental Use Standards (refer to specific Code section)	Definition														
	AL: Aquatic Lands District	PC: Preservation/Conservation District <i>Refer to the section in the regs.</i>	P-RM: Preservation Resource Management District <i>Refer to the section in the regs.</i>	RBR: Resource-Based Recreation District	EBR: Facility Based Recreation District	A-E: Agricultural/Estate Residential District	E-1: Estate Residential District	R-R: Rural Residential District	R-1: Single-family Residential District (9,500 sq. ft.)	R-2: Single-family Residential District (7,500 sq. ft.)	R-3: Single-family Residential District (6,000 sq. ft.)	RMH: Residential Mobile/Manufactured Home District	R-4: One, Two and Three-family Residential District	R-5: Single-Family Urban Residential District	RM: Residential, Multiple Family District	RPD: Residential Planned Development District	LI: Limited Institutional District	PSP: Public/Semipublic District	LO: Limited Office District			P-1: General Professional Office District	C-1: Neighborhood Commercial District	C-2: General Retail Commercial and Limited Services District	CP: Commercial Parkway District	CR: Commercial Recreation District	M-1: Light Manufacturing and Industry District	M-2: Heavy Manufacturing and Industry District	WD: Warehouse District	IPD: Industrial Planned Development	MXD: Mixed-Use District	OPH-D: Old Palm Harbor-Downtown District			
Bed and Breakfast						2	2	2	2	2	2	2	2	2	2	1					1	1	1									1	See Section 135-2-120	Y	A building of a residential character other than a hotel, motel or other transient accommodation which provides daily overnight accommodation and morning meal service to transients in return for payment.
Hotel																1						1	1	1	3				2	1	See Section 135-2-120	Y	A structure containing sleeping accommodations in which transient guests are lodged for short stays consistent with F.S. 509.013(4)(a). These shall not be used for permanent housing and shall be licensed as hotels by the Florida Department of Business Regulation or its successor agency.		
Motel																						1	1	1	3				2	1	See Section 135-2-120	Y	A structure containing sleeping accommodations in which transient guests are lodged for short stays consistent with F.S. 509.013(4)(a). These shall not be used for permanent housing and shall be licensed as motels by the Florida Department of Business Regulation or its successor agency.		
<b>COMMERCIAL and OFFICE USES</b>																																			
Alcohol - Wholesale Storage and Distribution																									1	1	1						See Section 135-2-120		The wholesaling, storage and distribution of alcoholic beverages from an enclosed building.
Bank																		1	1	1	1	1							2	1	See Section 135-2-120		Establishments providing financial services including check cashing, receiving, lending, and safeguarding of money and other valuable items.		
Car Wash and Detailing																						1	1						2	3	See Section 135-2-120	Y	Establishments providing full- or self-service washing and detailing for motor vehicles and domestic equipment. Retail sale of automotive products is permitted as an accessory use.		
Catering Service / Food Service Contractor																						1	1					1	2	1	See Section 135-2-120		Establishments providing prearranged on- or off-site meal preparation and delivery services for off-site consumption at a lawful principal use. This term shall not include Restaurants which may perform these activities.		
Convenience Store with or without Fuel Pumps																						1	1	1					2	3	See Section 135-2-120	Y	Establishments providing retail sale of groceries for off-premises consumption or both groceries and fuel. This use does not include an establishment that is primarily a restaurant, or motor vehicle service and repair or a business that has more than 10,000 square feet of retail floor space.		
Dispensing Alcohol: Off-premise consumption																1						1	1	1						1	See Section 135-2-120	Y see Dispensing Alcohol	The dispensing of alcoholic beverages for off-premise consumption		
Dispensing Alcohol: On-premise consumption																						1	1	1						1	See Section 135-2-120	Y see Dispensing Alcohol	The dispensing of alcoholic beverages for on-premise consumption		
Drive-Thru Facility or Use with a Drive-Thru																		A	A		1	1							2	See Section 135-2-120	Y	An accessory use to a lawful business establishment, such as a fast food restaurant, designed to enable customers in parked vehicles to transact business with persons inside of the principal building, subject to the applicable use restrictions set forth in this Chapter.			
Drug Store (fits under Retail Sales and Service)																						4	4	4					3	4	See Section 135-2-120		<del>Establishments providing retail sale of prescription or nonprescription drugs, as well as medical, healthcare and other personal products. Uses involving drive-thru facilities shall be subject to the applicable use restrictions.</del>		
Home Occupation						A	A	A	A	A	A	A	A	A	A									A						A	See Section 135-2-120	Y	An accessory use in a residential area consisting of an occupation or activity performed entirely within a dwelling or authorized accessory structure. The home occupation is to be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change the residential character thereof.		
Kennel/Pet Care Indoor						3																	1	1		2	2		2	3	See Section 135-2-120	Y	An establishment where domestic animals are bred, boarded, sold or treated for profit or public service, and housed indoors. This includes personal service functions for pets.		
Kennel/Pet Care Outdoor						3																				2	2		2		See Section 135-2-120	Y	An establishment where domestic animals are bred, boarded, sold or treated for profit or public service, and housed outdoors. This includes personal service functions for pets.		
Motor Vehicle Sales																							1	1						2	See Section 135-2-120		Establishments engaged in selling motor vehicles where the majority of the sales and display area exist inside of a completely enclosed building.		
Motor Vehicle Service and Repair																							1	1		1		1	3	See Section 135-2-120	Y	Establishments providing service and repair of light-duty motor vehicles, boats and/or watercraft.			
Office, General																		1	1	1	1	1			1	1	1	2	1	See Section 135-2-120		Establishments where persons conduct business or carry on stated occupations. The term includes administrative, business and professional offices (including mental health counseling or treatment), radio and television studios, and governmental offices. The term does not include medical or dental offices.			
Office, Medical or Dental																	1	1	1	1	1							2	1	See Section 135-2-120		Establishments where persons perform routine medical or dental examinations, treatments and procedures as outpatient services.			
Office, Temporary Labor (Day Labor)																													3	See Section 135-2-120		Establishments where prospective employees gather to seek temporary construction or industrial labor positions, or similar positions of temporary employment.			
Office, Veterinary						3												1	1	1	1	1						2	2	See Section 135-2-120	Y	Facility used by veterinarians to treat and examine animals, including accessory indoor boarding of animals. No outdoor kennels or animal runs are allowed.			
<del>Outdoor Sales, Accessory Use (handle in the supplemental standards section of Retail Sales and Services)</del>																							A	A			A		A	See Section 135-2-120	<del>Y</del>	<del>Areas of private property outside of completely enclosed buildings used to display goods for sale to the general public accessory to a lawful retail sales and service use.</del>			
<del>Outdoor Sales, Accessory Use Garden Oriented (handle in the supplemental standards section of Retail Sales and Services)</del>																							A	A			A		A	See Section 135-2-120	<del>Y</del>	<del>Areas of private property outside of completely enclosed buildings used to display garden oriented goods for sale to the general public accessory to a lawful retail sales and service use.</del>			
Outdoor Sales, Principal Use Outdoor Oriented Goods																							1	1			1		2	See Section 135-2-120	Y	Establishments selling outdoor oriented goods where the majority of the sales and display area exists outside of a completely enclosed building such as for sales of vehicles, boats, pools, spas, etc.			
Outdoor Sales, Principal Use Garden Oriented																							1	1			1		2	See Section 135-2-120	Y	Establishments selling primarily garden oriented goods where the majority of the sales and display area exists outside a completely enclosed building.			









TABLE OF PERMITTED USES (DRAFT 2013-03-25)																																
LEGEND: 1 = Permitted Use/Administrative Review; 2 = Board of Adjustment Review; 3 = Board of County Commissioners Review; A = Accessory																																
Use	AL: Aquatic Lands District	PC: Preservation/Conservation District <i>Refer to the section in the regs.</i>	P-RM: Preservation Resource Management District <i>Refer to the section in the regs.</i>	RBR: Resource-Based Recreation District	FBR: Facility Based Recreation District	A-E: Agricultural/Estate Residential District	E-1: Estate Residential District	R-R: Rural Residential District	R-1: Single-family Residential District (9,500 sq. ft.)	R-2: Single-family Residential District (7,500 sq. ft.)	R-3: Single-family Residential District (6,000 sq. ft.)	RMH: Residential Mobile/Manufactured Home District	R-4: One, Two and Three-family Residential District	R-5: Single-Family Urban Residential District	RM: Residential, Multiple Family District	RPD: Residential Planned Development District	LI: Limited Institutional District	PSP: Public/Semipublic District	LO: Limited Office District	P-1: General Professional Office District	C-1: Neighborhood Commercial District	C-2: General Retail Commercial and Limited Services District	CP: Commercial Parkway District	CR: Commercial Recreation District	M-1: Light Manufacturing and Industry District	M-2: Heavy Manufacturing and Industry District	WD: Warehouse District	IPD: Industrial Planned Development	MXD: Mixed-use District	OPH-D: Old Palm Harbor-Downtown District	Supplemental Use Standards (refer to specific Code section)	Definition
Solar Energy Systems				A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Y	A complete design or assembly consisting of a solar energy collector, an energy storage facility (where used), and components to the distribution of transformed energy (to the extent they cannot be used jointly with a conventional energy system). It is the intent of the QC that energy generated from these systems be limited to on-premises consumption, or for net metering purposes.
Solar Generation Station														3	3	2	2								1	1			2		Y	An electrical energy generation plant, comprised of one or more devices, that captures solar energy and converts it to electrical energy primarily for sale or consumption off-premises. Solar generation station devices typically consist of photovoltaic solar cells, but can also be combinations of light reflectors, concentrators, and heat exchangers. The terms solar generation station is not intended to include the use of solar energy devices for net metering (producing electrical energy primarily for on-premises consumption).
Solid Waste Transfer Facility																						3									Y	Site with the primary purpose of storing or holding solid waste for transport to a management or disposal facility.
Utility Plant and Storage (fossil fuel)																									3	3	3	3			Y	Land used to produce or generate electricity, or gas energy. Maintenance, office, storage, and transmission facilities are permitted as an accessory use.
Utility Substation						3	3	3	3	3	3	3	3	3	3	3	3	3		3	3	3	3	3	1	1	3	3	3		Y	Low intensity facility such as an electric transforming substation, communication substation, water or sewer pump station and similar uses. No exterior storage of machinery or equipment shall be permitted.
Water and Wastewater Utility Infrastructure <i>(need to re-visit)</i>																												3		Y	<b>Need definition.</b>	
Wind Energy Conservation System (WECS), Medium Scale																									1	1	1	2			Y	An aggregation of parts including the base, tower, generator, rotor, blades, supports, guy wires, and accessory equipment such as utility interconnect and battery banks, etc., in such configuration as necessary to convert the power of wind into mechanical or electrical energy, i.e., wind charger, windmill or wind turbine. Medium Scale WECS are those WECS rated 61 kW to 100 kW.
Wind Energy Conservation System (WECS), Small Scale				1	1	2	2	2	2	2	2	2	2	2	2	2	2	1	1		1	1	1	1	1	1	1	1	1	1	Y	An aggregation of parts including the base, tower, generator, rotor, blades, supports, guy wires, and accessory equipment such as utility interconnect and battery banks, etc., in such configuration as necessary to convert the power of wind into mechanical or electrical energy, i.e., wind charger, windmill or wind turbine. Small Scale WECS are those WECS rated 60 kW or less.
<b>AGRICULTURAL USES</b>																																
Agricultural Activities, Commercial Use <i>(need to re-visit)</i>						3																						3		Y	<b>Need definition.</b>	
Agricultural Activities, Personal Use						1	1	1	1																						Y	General agricultural activities, including the maintaining of livestock with no more than three hoofed animals per acre, but only to the extent as to supply the occupant's personal needs, with the exception that maintaining livestock may include boarding of horses provided the three animals per acre limit is not exceeded.
Community Gardens					1	2	2	2	2	2	2	2	2	2	2	2					1	1	1	1				2	1	Y	An activity on property where more than one person grows produce and/or horticultural plants for their personal consumption and enjoyment, for the consumptions and enjoyment of friends and relatives and/or donation to a not-for-profit organization, generally on a not-for-profit basis.	
Nursery / Greenhouse, Retail						3																1	1					3	1	Y	Establishments primarily engaged in retail sales of nursery and garden products, such as trees, shrubs, plants, seeds, bulbs, and sod, that are predominantly grown elsewhere. These establishments may sell product grown on-site as long as more than 50% of inventory is not grown on site.	
Nursery / Greenhouse, Wholesale						3																					1	3		Y	Establishments primarily engaged in wholesale sales of nursery and garden products, such as trees, shrubs, plants, seeds, bulbs, and sod, that are either grown on site or elsewhere.	
<b>OTHER USES</b>																																
Excavation Pits and Quarries, in excess of 1,000 cubic yards <i>(Need to re-visit)</i>													2	2	2	2										2	2			Y	The removal of 1,000 cubic yards or more of earth material for purposes other than that incidental to and on the site of construction authorized by site plan approval. This shall include land balancing other than that incidental to and on the site of construction authorized by site plan approval.	
Land Fills of More than 1,000 Cubic Yards	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2		2	2	2			2	2	2	2	2	Y	An addition of 1,000 cubic yards or more of earth, topsoil, sand, gravel, or rock to any lot or parcel other than that incidental to and on the site of construction authorized by site plan approval. This shall include land balancing other than that incidental to and on the site of construction authorized by site plan approval. This shall not include any solid waste landfills.	
Land Fills or Excavations of Less than 1,000 Cubic Yards	2	2	2	2	2	1	1	1	1	1	1	1	1	1	1	1	2	2		1	1	1			1	1	1	1	1	Y	Any landfill or excavation which is more than five cubic yards but less than 1,000 cubic yards.	