

City of St. Petersburg
Housing, Land Use, and Transportation Committee
March 6, 2025 – 9:00 AM
City Hall, Room 100

Members: Committee Chair Richie Floyd, Committee Vice-Chair Mike Harting, Council Member Brandi Gabbard, and Council Member Gina Driscoll

Alternate: Council Member Deborah Figgs-Sanders

Support Staff: Cortney Phillips – City Council Legislative Aide

1) Call to Order

2) Approval of Agenda

3) Approval of February 13, 2025 Minutes

4) New Business – March 6, 2025

- a) **A discussion on the Pinellas Suncoast Transit Authority's (PSTA) Connected Community Bus Network – *Transportation & Parking Management Director Evan Mory, PSTA Chief Planning and Community Affairs Officer Darden Rice, PSTA Jacob Labutka***

Attachments:

- 1) Council Member Floyd New Business Item
- 2) Connected Community Bus Network Memo
- 3) PowerPoint

- b) **Residential Land Development Regulation (LDR) update – *Planning and Development Services Director Liz Abernethy, Zoning Official Manager Corey Malyszka***

Attachments:

- 1) Residential Code Update 2024-2025 PowerPoint

Upcoming Meeting Dates & Tentative Agenda Items

April 10, 2025

- a) Housing Opportunities for All Annual Update

General Attachments:

Minutes of the February 13, 2025 HLUT Committee Meeting
Pending and Continuing Referral List
Agenda Item Support Material

City of St. Petersburg
Housing, Land Use, and Transportation Committee
February 13, 2025 Meeting Minutes
City Hall, Room 100

Members: Committee Chair Richie Floyd, Vice Chair Mike Harting, Council Member Brandi Gabbard and Council Member Gina Driscoll

Also present: Council Chair Copley Gerdes, Council Member Corey Givens, Jr., Council Member Lisset Hanewicz

Staff: City Administrator Rob Gerdes, Housing and Neighborhood Services Administrator Amy Foster, Planning and Development Director Liz Abernethy, Housing and Community Development Assistant Director Mark Vanlue, Assistant City Attorney Michael Dema, Assistant City Attorney Brett Pettigrew, Deputy City Clerk Jordan Wilson

Alternate: Council Member Deborah Figgs-Sanders

Support Staff: Cortney Phillips – City Council Legislative Aide

1) Call to Order

2) Approval of Agenda - CM Gabbard moved approval; all voted in favor.

3) Approval of the January 9, 2025 Minutes - CM Gabbard moved approval. All voted in favor.

4) New Business – Affordable housing and mixed-use development in the CRT 1 and 2 zoning categories and potential updates to the Affordable Housing Site Plan Review regulations related to state updates to the Live Local Act (17.5)

In connection with the new business, Administrator Foster shared a PowerPoint Presentation regarding Corridor Residential Traditional (CRT) 1 and 2 zoning and provided a background of State legislation related to the item, including House Bill 1339, Senate Bill 102 and most recently Senate Bill 328. Planning and Development Director Liz Abernethy outlined the language changes to City Code Section 17.5 that will be needed to comply with SB 328, including:

- Allowing floor area ratio (FAR) up to 150% of what the local jurisdiction permits, which is 6.0 FAR at that the maximum density of our largest base allowance in downtown.
- Exclusion of airport impact areas, which will affect areas adjacent to Albert Whitted Airport.
- Allowing parking exemptions for any approved Transit-oriented Developments (TOD)
- Clarifying when a project is conforming or non-conforming, and what happens in the future if a project were to no longer include affordable housing.

CM Gabbard inquired if the airport impact area exclusion would affect any of District 2, as the Gateway area is listed as the maximum allowed height by the FAA. Ms. Abernethy replied that no, those impacts don't fall within that jurisdiction.

Ms. Abernethy went on to discuss that staff is looking for feedback today on whether the committee would want to change the code so that Chapter 16 zoning code defines a residential district

as including CRT. Currently, CRT is not included as a district that qualified for the affordable housing site plan because it's defined in chapter 16 as residential. Ms. Abernethy went on to explain the areas of St. Petersburg which CRT would affect, and the height limitations of properties by zoning.

CM Gabbard questioned Ms. Abernethy if she sees redevelopment opportunity in these corridors by adding mixed-use developments that could potentially have ground floor retail, small scale groceries, small scale childcare, etc. Ms. Abernethy replied that there are two different provisions of Section 17.5, an "optional", which is where local government may approve projects right in certain districts. Under this provision we could have language that required a mixed-use component. Under the other "mandatory" provision, she doesn't think we would have any ability under the statutory language to require there to be that mixed-use component. Assistant City Attorney Michael Dema added that the City would be specifically preempted from requiring it, but we have the provision there now to accommodate mixed-use if developers want to bring it with a project. City Administrator Gerdes discussed looking at rezoning some of the CRT neighborhoods to Corridor Commercial Traditional (CCT) to allow mixed-use. Chair Floyd added that he would be interested in a discussion of rezoning some of the CRT as areas of District 8 along Fifth Avenue North, where people in the neighborhood want more restaurants.

Ms. Abernethy noted that staff had anticipated proposing rezoning the blocks around the SunRunner stops from the CRT to the CCT to open up some of those additional uses, like restaurants, but this was sidetracked by two hurricanes, and staff is still working to reset that schedule to come back to Council. Administrator Foster added that much of the CRT-1 along Central Avenue would fit in with the Union Central Plan that was done. The neighborhoods along that portion CRT-1 were very supportive of wanting more development along that corridor, even while wanting to protect residential neighborhoods. Ms. Abernethy added that Neighborhood Traditional Mixed Residential (NTM) was rezoning, but it also allowed CRT the use of the NTM higher density option.

Housing and Community Development Assistant Director Mark Vanlue discussed that we've had a few developers approach us wanting to know about the potential of using the Live Local Act or our Section 17.5 process on CRT zoned parcels. The proposed parcels have been relatively small, and so the projects would be limited in scope. However, the developers intended to use the full capability of those programs to develop as much housing as possible on a on a smaller site, and none of them were proposed as being mixed-use. He went on to say that in his research there have been differing interpretations across the State of the allowability of mixed-use and how people have approached it. Until someone decides to press the matter further and get a legal opinion or the State to weigh in, there is room for interpretation. Mr. Dema concurred and added that it's inherently reasonable to have this discussion and to see that developers wouldn't feel comfortable going forward with mixed-use properties because in Section 17.5 we say where it's allowed, and it's not currently allowed in the CRT. The simple fix is to amend the language and that use to 17.5.

CM Gabbard inquired what the possibility is for us to be able to encourage or mandate developments to build at the maximum of the FAA height limit. Ms. Abernethy responded that we have a lot of flexibility with buildings under 13 stories, and when these proposed projects come in, we have conversations about compatibility, step down to the neighborhood, and how close the buildings are to residential properties. She noted that she doesn't think we have the ability to make that provision mandatory. Mr. Dema agreed that we're preempted in that area, but that we have retained site plan approval, even if it's administrative. Mr. Vanlue elaborated that staff has pre application and pre site plan application meetings, and most developers want to build something that we want in the city, and that the neighborhood is satisfied with. We do negotiate. Developers try to do the maximum number of units that the site area might allow, but they still have to be able to allow for parking, drainage,

setbacks, green space, and impervious surface ratio. All of those factors come together and tend to limit what's possible to do on a site.

CM Hanewicz questioned what outreach has been done with the neighborhoods. Ms. Abernethy replied that no outreach has been done, as it depends on the feedback they get from the committee today. CM Hanewicz explained that the neighborhoods in District 4 had quite a lot of feedback for the zoning changes with NTM, and many of the neighborhoods would be affected by these changes. She went on to say that she'd like to know about the practical effect this will have on residents, not just in terms of height or density, but in parking and other issues. She inquired if there was a way to divide areas with more impact to the traditional neighborhoods, versus some areas that are more commercial where CRT may be more appropriate. Ms. Abernethy explained that it would not be her approach to say certain areas qualify and certain areas do not, the language makes this zoning complicated. Because of the preemption language, we can't tell developers a property must be a specific height and size. This is much broader in saying that 82 units are allowed, you can have four stories, you figure out what fits, and you bring it to us. It's less predictable than what we currently have in our zoning. CM Hanewicz added that unpredictability is not something that the residents like to hear, and that the neighborhoods in District 4 have a diversity of housing to take into consideration.

CM Driscoll noted that it's interesting that in downtown there is a large overlap of the Intown Activity Center and the SunRunner Activity Center, and she wonders if any special attention should be given to an area that has not one but two impacts from activity centers. Ms. Abernethy noted that some of that area is also part of the new SunRunner 22nd overlay, and that there was consideration during the evaluation of that station area with additional changes in the part two that we haven't gotten back yet that addresses the remainder of that corridor. She reiterated that their focus right now is still post-storm permitting, and that the second part of the SunRunner plan may not come back in 2025.

Chair Floyd agreed with other Council Members that his interest is in getting uses in the neighborhoods that want the uses. He also shared his concern to the potential threats of legal action around this zoning and the lack of clarity, and unease if in the future we're challenged and it's not our choice to approve this kind of process in CRT. Mr. Dema stated that while we don't know what that would look like in the long run, a legal challenge would be subject to preemption, attorneys' fees, and other provisions that have been put in the preemptive statute over the last couple of years. Chair Floyd asked for clarity on the outcome if we were to lose a legal challenge, and if we would lose control over how CRT gets included in our code. Mr. Dema explained that it's speculative, but his guess would be that the City makes CRT eligible, and that the court would not be within its power to do more than that. The larger question is if CRT belongs in Section 17.5.

CM Gabbard moved that the committee accept the Senate Bill 328 amendment suggestions and move to first reading at full Council.

Administrator Gerdes added that based on the discussion today, it may make more sense to leave CRT-1 alone for right now on this issue and focus on possible targeted CCT rezonings and come back to committee. Chair Floyd shared that he believes there are some Councilmembers interested in CRT being included as well.

Chair Floyd called CM Gabbard's motion to a vote. All were in favor of the motion.

CM Gabbard questioned what a potential motion would look like if we wanted to include CRT, as she would like to see it move forward but does understand the concern about community feedback.

Mr. Dema responded that a motion would not be required for this item to stay on the referral list. Chair Floyd agreed that this item will be kept on the referral list to come back when staff is ready.

New Business - A Discussion on City Council Affordable Housing Priorities (Business Item was Previously Titled "City Council Resolution 2018-385 Concerning Penny for Pinellas Guidelines for Affordable Housing")

In connection with the new business, Chair Floyd introduced the item with a discussion of its background, with favorable community feedback and changes to the housing market being contributing factors. Previously in HLUT it was discussed that the Penny for Pinellas guidelines were set by Council, and had been referenced in a lot of affordable housing projects regardless of whether they were Penny projects. This item proposes having a priority from Council that blankets all of the affordable housing projects through resolution that includes prioritizing housing for people making 80% of the area median income (AMI) or below. He added there has been a lot of discussion about housing policy that has flowed down from the State recently, and they have produced opportunities to create 120% AMI without Council's input. This resolution was brought forward to state that when we subsidize outside development, City Council's priority is for it to be for people making 80% of the AMI or below and asks administration to justify the decision if it is above that 80%. It does not completely stop administration from making the decision, but it does give Council an opportunity to analyze as to whether that's what they want to approve.

CM Gabbard stated that she supports the resolution, but questioned if there was a target percentage of 80% AMI or below units for a given development. Administrator Foster replied that Mayor Welch supports lower income units as well, and when administration gives an update to the Housing Opportunities for All Plan in April, the data will show the majority of the units brought forward are under 80% AMI, as it has been in previous years. Right now, it's about a 50/50 split of 80% AMI and 120% AMI units. In order to subsidize those units that are a little bit less expensive, they have to be able to get some of those higher AMI units. CM Gabbard continued that if the goal is 100% of units at 80% AMI, there will be a much higher subsidy per unit. She would like to make sure that when new Councilmembers come in and they go back to this resolution, she wants it to be clear about what expectations can actually come to fruition. CM Gabbard added that she supports this, but would like to see language that clarifies the percentage of units at 80% AMI. Chair Floyd discussed that the reason that no such language is included is because this doesn't contemplate 100% affordable housing or workforce housing projects. These are all projects where just a portion of it is affordable or workforce, and his thinking in this draft is that Council is often considering projects that are 30% affordable, with 15% of the units are 120% AMI and 15% of the units are at 80% AMI. He believes it would be a better priority for Council to see 20% of units at 80% AMI and not have any units at 120% AMI in it, because he doesn't see any point in the City subsidizing units that cost \$3,000 a month.

Administrator Foster stated that in practice you could take the upcoming Raytheon deal, with 1000 units. 300 of them are affordable, with 50% of the units at 80% AMI, and 50% of units at 120% AMI. They will have a \$6 million ask of the City, so even if the City only pays for the 80% AMI units, the numbers are going to be the same. She has never seen a developer build 80% AMI units without the 120% AMI units, because they need that to help subsidize the lower units. CM Gabbard noted that she feels that having guidance around some level of split within the affordable units helps Council get to a place where we are actually producing projects that will put more units overall. She would like to make sure that we are still working towards all of those AMIs and the market rate. Mr. Vanlue noted that the difference between current 120% AMI and market rate is that 120% AMI is restricted for the period of affordability, which is typically 30 years or more in our deals, whereas market rates can go wherever the market takes them. So even though 120% AMI today may be current with market rents,

it may not be five years, 10 years, or 20 years from now. Historically, market rents have grown faster than the increases in restricted rent levels.

CM Driscoll voiced her concerns that this resolution could have a chilling effect on developments and projects that could provide real benefit to our city. Mr. Vanlue continued that developers don't like uncertainty, and they will often not invest the time on a project if they're going to be right down to the end before they know whether Council is willing to move forward. CM Driscoll asked for clarification if this resolution was establishing policy goals with no enforcement. Mr. Pettigrew explained that structure of the resolution is to promote efficient and informed discussion in front of Council, so that instead of a project coming that has a mix of AMI that was unexpected or undesirable, Council will have an explanation from administration directly accompanying the item. CM Driscoll questioned if this would require a separate meeting for staff. Mr. Vanlue explained that he does tell developers up front when they start talking about needing funding assistance, he makes sure they understand the goals and the focus of the City with regard to affordable housing, and that we have more requests for funding than we have funding to provide. His only concern with providing this information within the backup materials is that developers could see this on the surface, and it could have a chilling effect on projects.

Council Chair Gerdes agreed with Councilmember Gabbard's concerns of needing a blend of 80% AMI and 120% AMI to meet different needs within a given development, and while he's appreciative of the intent of the resolution, he's worried about unintended consequences.

Chair Floyd stated that this item will be left on the referral list to see if we can make some changes and bring back to committee, although he will probably not bring anything back if the committee can't support 80% AMI. He will reach out to community advocates and see what's possible in the future.

There being no further business, the meeting was adjourned at 10:10 AM.

	Housing, Land Use, & Transportation Committee Pending & Continuing Referral List					March 6, 2025	
	Topic	Return Date	Date of Referral	Prior Meeting	Referred by	Staff	Notes
1	A discussion on the Pinellas Suncoast Transit Authority's (PSTA) Connected Community Bus Network	3/6/25	2/6/25		Floyd (Staff Request)	Evan Mory, Cheryl Stacks	
2	Residential Land Development Regulation (LDR) update	3/6/25	3/21/24	9/12/24	Staff	Liz Abernethy, Corey Malyzska	9/12/2024 - Next update: November 2024 (Canceled due to Hurricanes) January 2025 - Staff wishes to return to the 3/6/25 HLUT meeting
3	Housing Opportunities for All Annual Update	4/10/25	2/20/25		Floyd (Staff Request)	Amy Foster	
4	Creation of community eviction standards for City-owned housing and City-subsidized housing	TBD	6/16/22	2/9/23	Floyd	City Legal	3/7/2024 - These two items were combined, per CM Floyd's request. Estimated return date: summer 2024.
5	Percentage of required permeable green space for yards abutting streets	TBD	12/15/22	5/11/23	Gerdes	Liz Abernethy, Claude Tankersley, Corey Malyzska	3/7/2024 - Estimated return date: summer 2024. 6/20/2023 - CM Gerdes plans to bring back this item.
6	Funding housing development projects through municipal bonds	TBD	8/3/23		Floyd	Tom Greene	
7	A Discussion on City Council Affordable Housing Priorities (Business Item was Previously Titled "City Council Resolution 2018-385 Concerning Penny for Pinellas Guidelines for Affordable Housing")	TBD	11/30/23	5/30/2024 2/13/25	Floyd	Brett Pettigrew	5/30/2024 - CM Floyd will work with Legal to draft resolution and seek input from advisory committees on a resolution to address broader affordable housing funding priorities beyond the scope of the Penny for Pinellas program. CM Floyd will bring this back to HLUT 10/10/2024 - Canceled due to Hurricane Milton.
8	Potential code changes addressing Condo/Hotel hybrid uses	TBD	3/21/24		Hanewicz	Liz Abernethy, Corey Malyzska	
9	Potential actions to appropriately recognize the historic significance of the Lincoln Cemetery and the Greenwood Cemetery	TBD	3/21/24		Driscoll	Michael Dema, Derek Kilborn	
10	Universal Basic Mobility pilot program	TBD	4/11/24	7/11/24	Driscoll	Evan Mory, Cheryl Stacks	7/11/2024 - Item introduced and will come back when staff is ready.
11	Potential amendments to Section 16.20.120.6.2 regarding the calculation of floor area ratio bonuses for workforce housing	TBD	2/15/24	8/8/24	Driscoll	Liz Abernethy, Mark VanLue	8/8/2024 - Estimated return date: Spring 2025
12	Expansion of the Jamestown Apartments for affordable housing	TBD	5/16/24	8/8/24	Driscoll	Chris Ballestra	8/8/2024 - Estimated return date: Fall 2024
13	AHAC Update	TBD	Ongoing	4/11/24	Council	Mark VanLue	
14	Minimum requirements for new construction in the stormwater floodplain areas	TBD	11/7/24		Hanewicz	Liz Abernethy, Hannah Rebholz	
15	Reviewing regulations on development in the Coastal High Hazard Area	TBD	1/9/25		Driscoll	Liz Abernethy, Hannah Rebholz	
16	Affordable housing and mixed-use development in the CRT 1 and 2 zoning categories and potential updates to the Affordable Housing Site Plan Review regulations related to state updates to the Live Local Act (17.5)	TBD	1/9/25	2/13/25	Gabbard	Liz Abernethy	2/13/25 - Approved motion by CM Gabbard to accept the Senate Bill 328 amendment suggestions and move to first reading at full Council. Item to remain on the referral list to return for staff update when ready.
17	A Discussion on Neighborhood Traffic Calming	TBD	1/23/25		Floyd	Evan Mory, Cheryl Stacks	

Upcoming HLUT Committee meetings: 4/10, 5/8, 6/12, 7/10, 8/14, 9/11, 10/9 & 12/4

Revised: 2/28/2025

CITY COUNCIL AGENDA

NEW BUSINESS ITEM

TO: Honorable Copley Gerdes & Members of City Council

DATE: January 24, 2025

COUNCIL DATE: February 6, 2025

RE: Connected Community Bus Network

ACTION DESIRED:

Respectfully requesting a referral to the Housing, Land Use, and Transportation Committee, or other relevant committee, for a discussion on the Pinellas Suncoast Transit Authority's (PSTA) Connected Community Bus Network.

PSTA is developing a Connected Community Bus Network, also known as the Community Bus Plan, which aims to improve transit service in Pinellas County. PSTA and their consultants are currently gathering public comments and refining the recommendations. The purpose of this referral is to inform the committee about the plan, answer questions, and receive comments for consideration.

This referral is a staff request and I am formally submitting this new business item as a method of informing City Council.

Richie Floyd
Council Member, District 8
Chair, Housing Land, Use & Transportation (HLUT) Committee



CITY OF ST. PETERSBURG

TO: The Honorable Richie Floyd, Chair, and Members of the Housing, Land Use, and Transportation Committee

FROM: Evan Mory, Director *Evan Mory*
Transportation and Parking Management

DATE: Meeting of March 6, 2025

SUBJECT: **PSTA's Connected Community Bus Network**

BACKGROUND

The Pinellas Suncoast Transit Authority (PSTA) began working on the Community Bus Plan in 2023, which is now known as the Connected Community Bus Network (CCBN). The CCBN is a review of the purpose and performance of PSTA's bus network to plan for improvements to the network over the next 10 years. This process is a collaborative planning effort among PSTA, its municipal partners, Forward Pinellas, transit stakeholders, and community members to decide the goals and purposes of PSTA's investment in public transit. The CCBN will inform future decisions about where bus routes go, at what times they run, and how frequently. PSTA has sought input from riders and the public throughout the development of the plan. The PSTA Board is scheduled to vote on the plan on March 26, 2025, and implementation is planned for the fall of 2025. The purpose of this item is to provide an overview of the draft CCBN and the next steps in the process, and then receive questions and input from the HLUT Committee. This report and PSTA's presentation provide detailed information on how the draft network would impact transit service in St. Petersburg.

A goal of the plan is to provide cost-neutral recommendations that can be funded through PSTA's existing operating budget. PSTA's consultant, Jarret Walker and Associates, assisted PSTA with the development of a coverage concept and frequency concept. The coverage concept slightly expanded the number of people who are close to transit overall. It provided less frequent service and more on-demand zones to cover more areas with minimum service. The frequency concept provided much higher frequency along the county's most active corridors, but some people in lower-density areas would lose bus service. It had five frequent 15-minute routes that many people would find useful. Based on public engagement, survey respondents were almost evenly split between both concepts with a very slight preference towards the frequency concept. This input has been used as direction to design the draft network. The draft network has been designed to keep transit service near all places that have service today but shift resources to make the overall network more useful to most people.

The draft network includes new frequent 15-minute service in several areas, less duplication and straighter, more direct routes along main corridors through the county, timed connections that allow riders to transfer more quickly at key locations, and more service on evenings and weekends. In the draft network, most routes would have more consistent spans that are easier to understand—from 6 a.m. to at least 9 or 10 p.m. on weekdays. There are five frequent routes and two 20-minute routes. Saturdays show a slight improvement, with all routes starting at 6 a.m. and ending at 9 p.m. On Sundays, all routes except four run from 7 a.m. to 8 p.m. This increase in all-day, all-week service reflects that more and more jobs are on nontraditional schedules, requiring shifts on weekends or ending later than 6 p.m. This trend is especially pronounced for lower-wage jobs in retail, healthcare, restaurants and personal services, so improving weekend and evening service helps improve the lives of people with lower incomes.

The Draft Network improves access to jobs for residents at all times of day. The Draft Network allows the average person to reach 1,900 jobs within 60 minutes by walking and taking transit during midday on a weekday, 6% more jobs than are reachable within the existing network. The average resident could reach 24% more jobs in 60 minutes on evenings and Sundays. The increase in job access is greater during evenings and weekends due to how PSTA currently operates less service during these time periods than is proposed in the CCBN.

IMPACT ON ST. PETERSBURG

Besides the overall system changes described in the previous sections, several recommendations would impact transit services in St. Petersburg at a route level. The most significant improvement is the new, 15-minute service on 34th Street from Grand Central Station to Eckerd College, known as the 34th St Spark. Route 38 will provide a one-seat ride from downtown St. Petersburg to Maderia Beach. Timed transfers are planned for downtown St. Petersburg. Route 52, PSTA's most popular route, will be split into Routes 52 and 49. A and B routes are planned for Routes 4, 9, 52, 74. Service reductions are planned for several routes, including 23 and 74. Route 32, also known as the Downtown St. Petersburg Circulator, is proposed to be eliminated. To accommodate the travel needs of some of the Route 32 riders, Route 16 will be extended down to 6th Avenue South and 3rd Street to serve medical offices in the Innovation District more closely. Route 22 is being extended to connect to downtown via 4th Street rather than ending at 4th St & 22nd Ave N.

PSTA states in their Draft Network Report that downtown St. Petersburg has the strongest offering of transit service in Pinellas County, but has complexities. Most routes are doing something different, which provides service on nearly every street, making the network very difficult to remember. Some of this complexity is due to one-way streets in downtown; however, most routes use different couplets. For example, Routes 14, 20, and 23 come into downtown from the south using Dr. Martin Luther King Jr. Street South and then use 8th Street South. After that, each route does something different. Route 14 uses 6th Avenue South, Route 20 uses 3rd Avenue South, and Route 23 uses 1st Avenue South. This inconsistency makes it difficult for riders to make connections in downtown St. Petersburg.

PSTA states in the Draft Network Report that the draft network in downtown St. Petersburg is much simpler. Generally, routes that are coming from the same geographic area use the same streets to get into downtown. This fact makes the network easier for users to remember. Also, if someone can use different routes to get where they need to go, they don't need to consult schedules to figure out which bus is coming next and what street it is on. Instead, they can wait at one stop for the next bus to come, whichever route it is. All routes go to one central area, called the transfer hub, to allow a timed connection. The timed connection in downtown St Petersburg will allow riders to only wait 10 minutes to transfer. Without the timed connections, riders would have to wait 30 minutes, on average, and 59 minutes if they just missed the bus. The transfer hub is not one big facility. It is a series of bus stops along two intersections on 1st Avenue South where passengers can transfer. Buses would layover within the vicinity of either 3rd Avenue North or 3rd Avenue South.

The Transportation and Parking Management Department met with PSTA recently to discuss the Draft Network Report. The Department concurs with PSTA that the downtown system will be easier to understand and provide higher levels of service. The trade-off is that fewer roads outside of the downtown core will have service. Riders with origins and destinations on or close to roads no longer served would need to walk further distances to utilize the PSTA system. The roads in the downtown core, such as Central Avenue, 1st Avenue North, 1st Avenue South, 3rd Street, and 4th Street, will experience a higher number of buses due to the transfer hub and two layovers. This would mean excellent service to the core, but a significant number of buses stopping and laying over in a relatively small area, which could result in greater congestion, stacking of several buses on relatively short blocks, and potentially increase roadway wear and tear in certain high-traffic areas.

CONCLUSION AND NEXT STEPS

The PSTA Board held a public hearing to discuss the CCBN network on February 26, 2025. The Board's final vote on the plan is scheduled for March 26, 2025. If the Board approves the plan, a series of public workshops and town halls will be held with riders to explain how they can use the new system. The new system would be implemented in the fall.

If the PSTA Board approves the service changes, City staff will work closely with PSTA staff to address the impact of the changes on downtown St. Petersburg. This will include a more detailed evaluation of the transfer hub and layover areas.



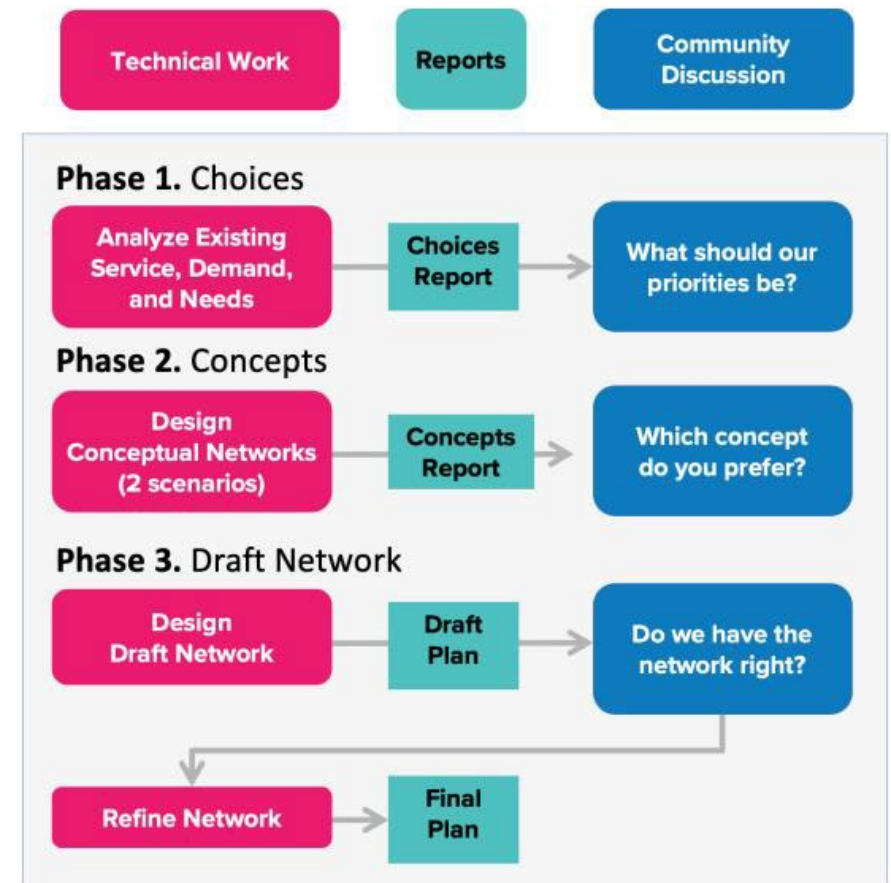
HLUT Committee Meeting

Pinellas Suncoast Transit Authority

Connected Community Bus Network



- Proposed recommendations are cost neutral
- This plan functions as a network
- The Connected Community Bus Network is Clear, Consistent, & Connected:
 - Clear – Route schedules are easier to understand
 - Consistent – Nearly all routes will operate 7 days a week
 - Connected – Route design and timing will improve transfers



Existing Network

Pinellas County, FL

Existing Network

At the middle of the day, the bus comes every...

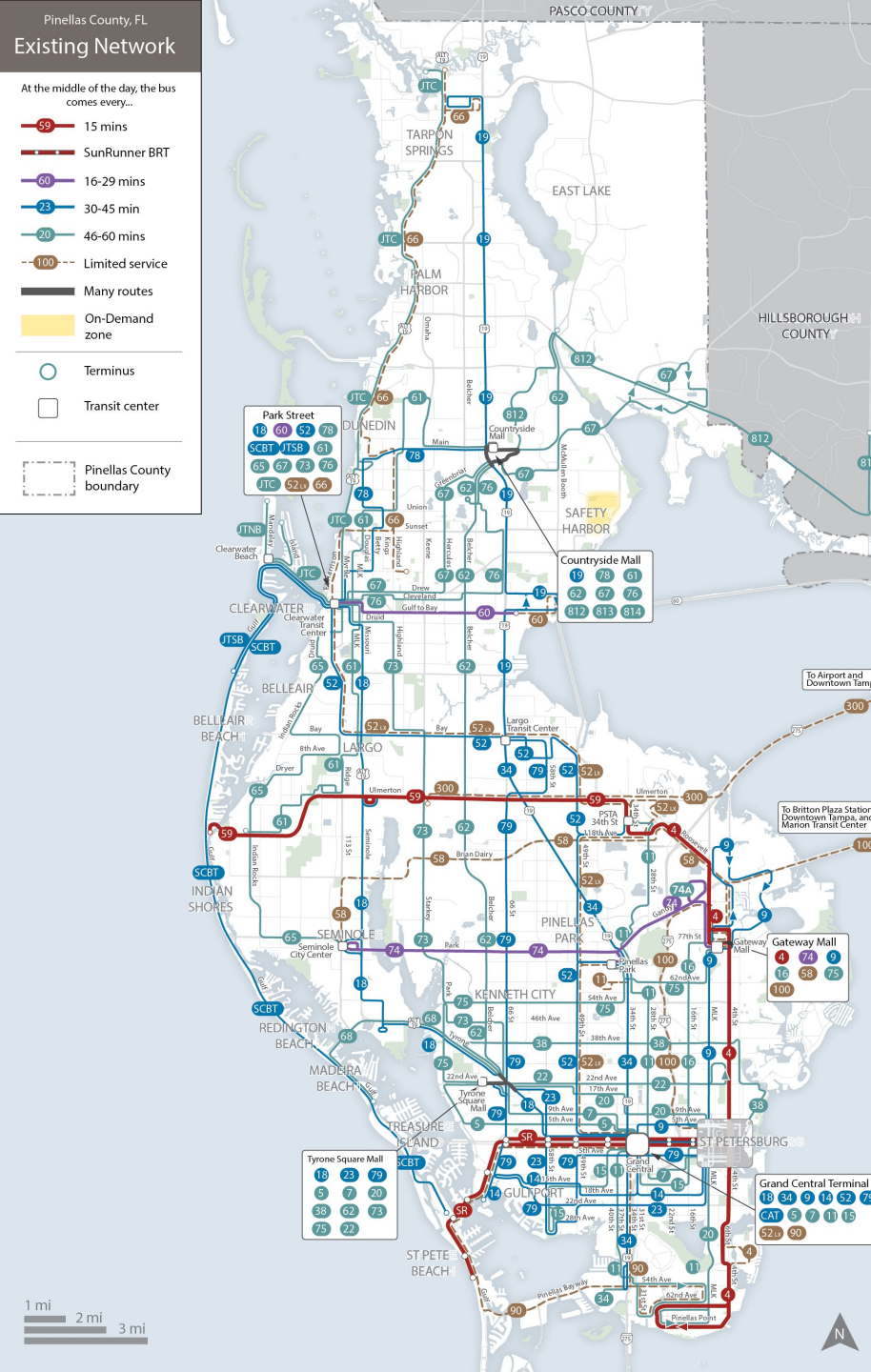
-  15 mins or less
-  SunRunner BRT
-  16-29 mins
-  30-45 min
-  46-60 mins
-  Limited service
-  Many routes

Pinellas County, FL
Existing Network

At the middle of the day, the bus comes every...

-  15 mins
-  SunRunner BRT
-  16-29 mins
-  30-45 min
-  46-60 mins
-  Limited service
-  Many routes
-  On-Demand zone
-  Terminus
-  Transit center
-  Pinellas County boundary

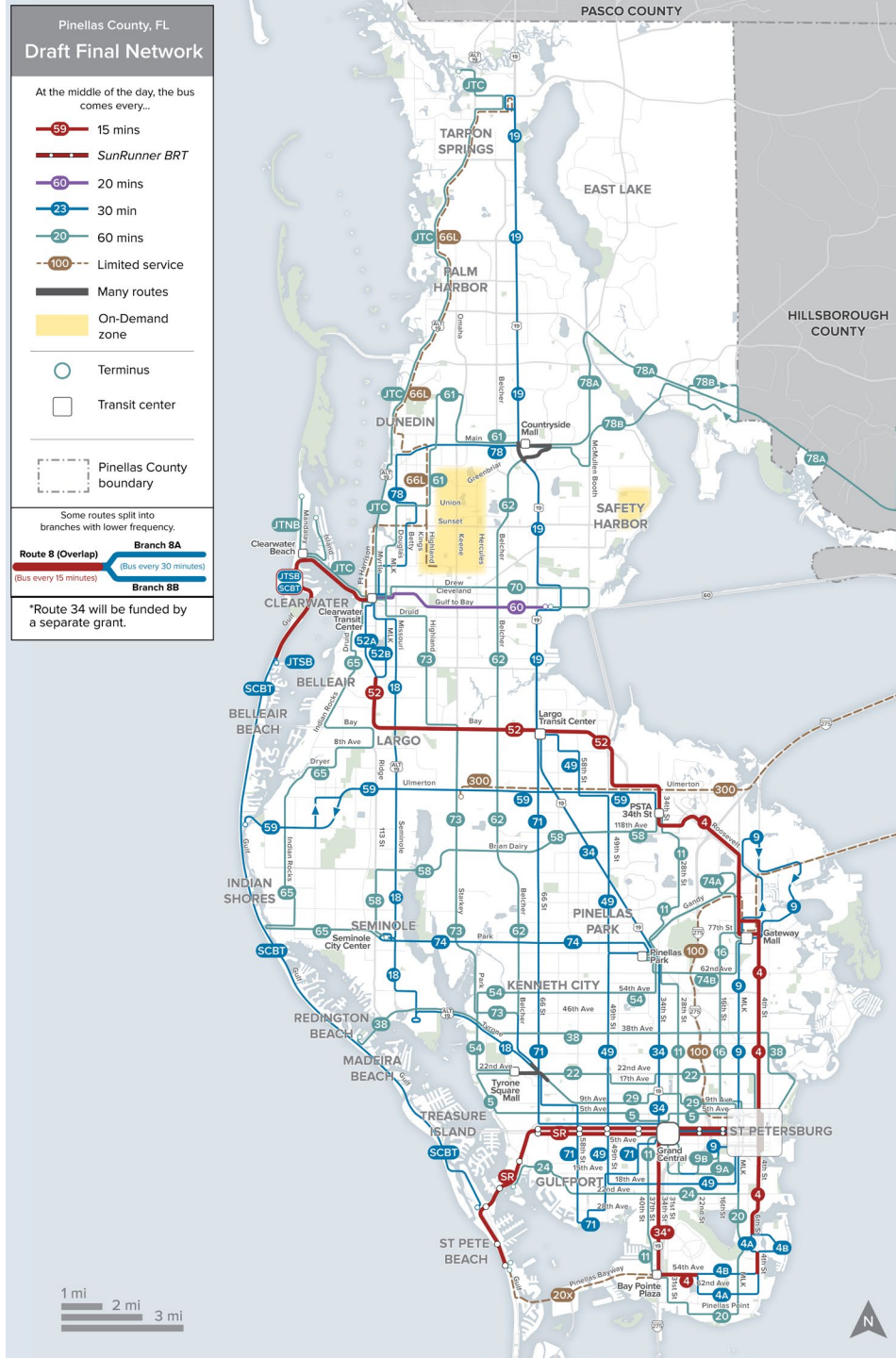
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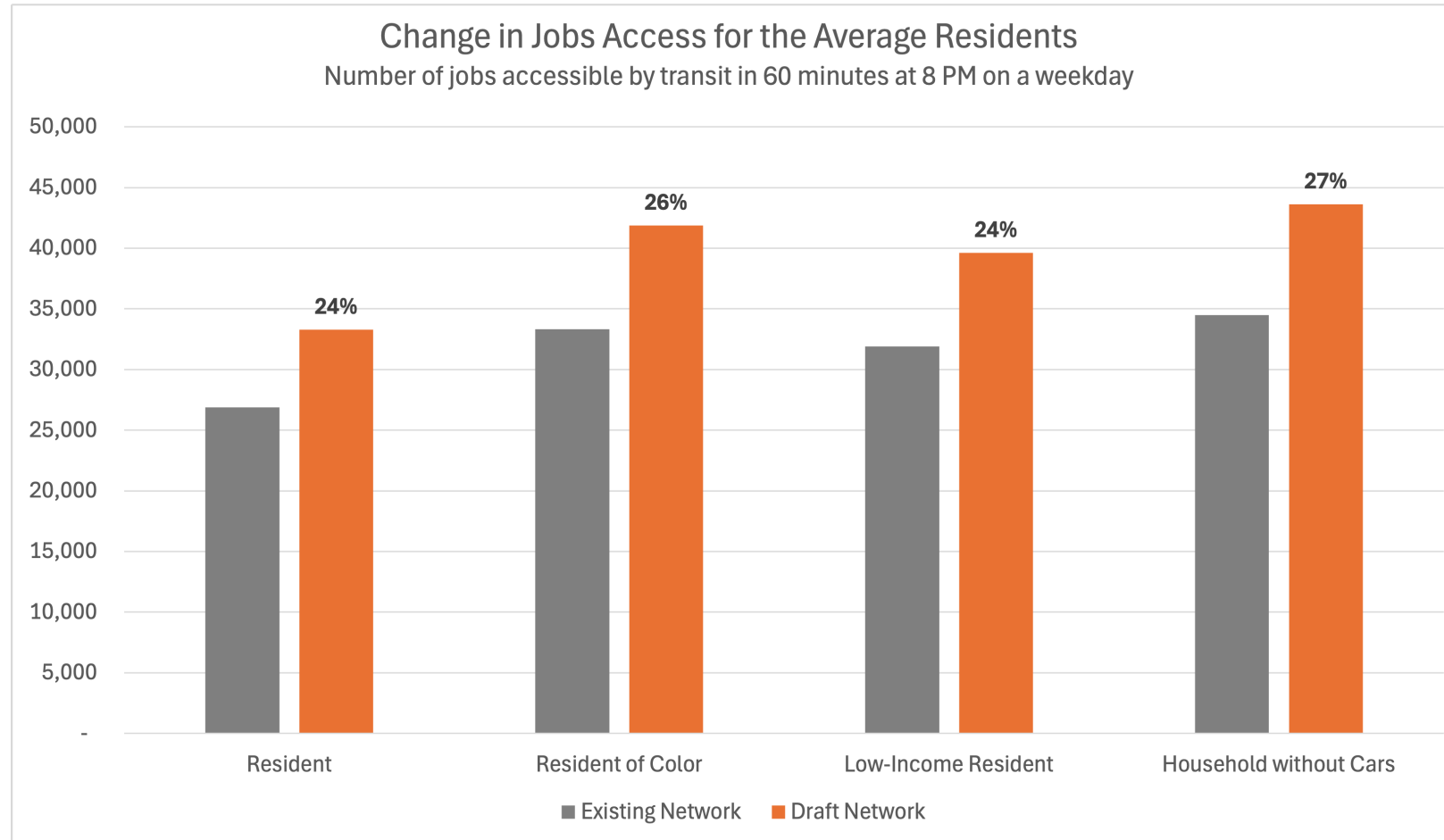
CONNECTED COMMUNITY BUS NETWORK

Clear, Consistent, & Connected

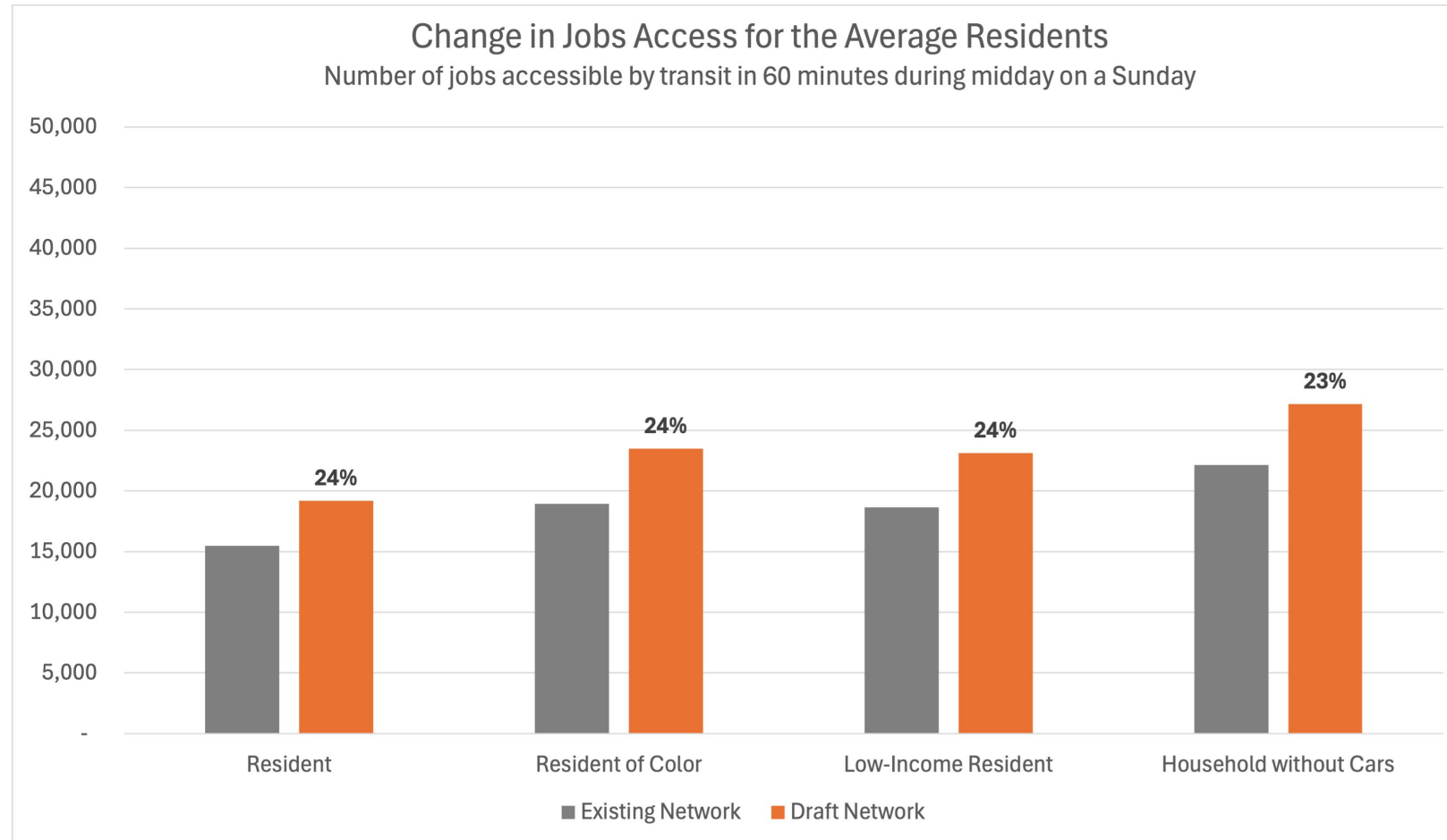
1. More weekend demand, less M-F peak travel only.
2. More tourist transportation demand.
3. Capitalize on premium core routes.
4. Increase access to jobs.
5. Decrease travel time w/ timed transfers
6. Cost neutral.



Increase Access to Jobs: Evenings



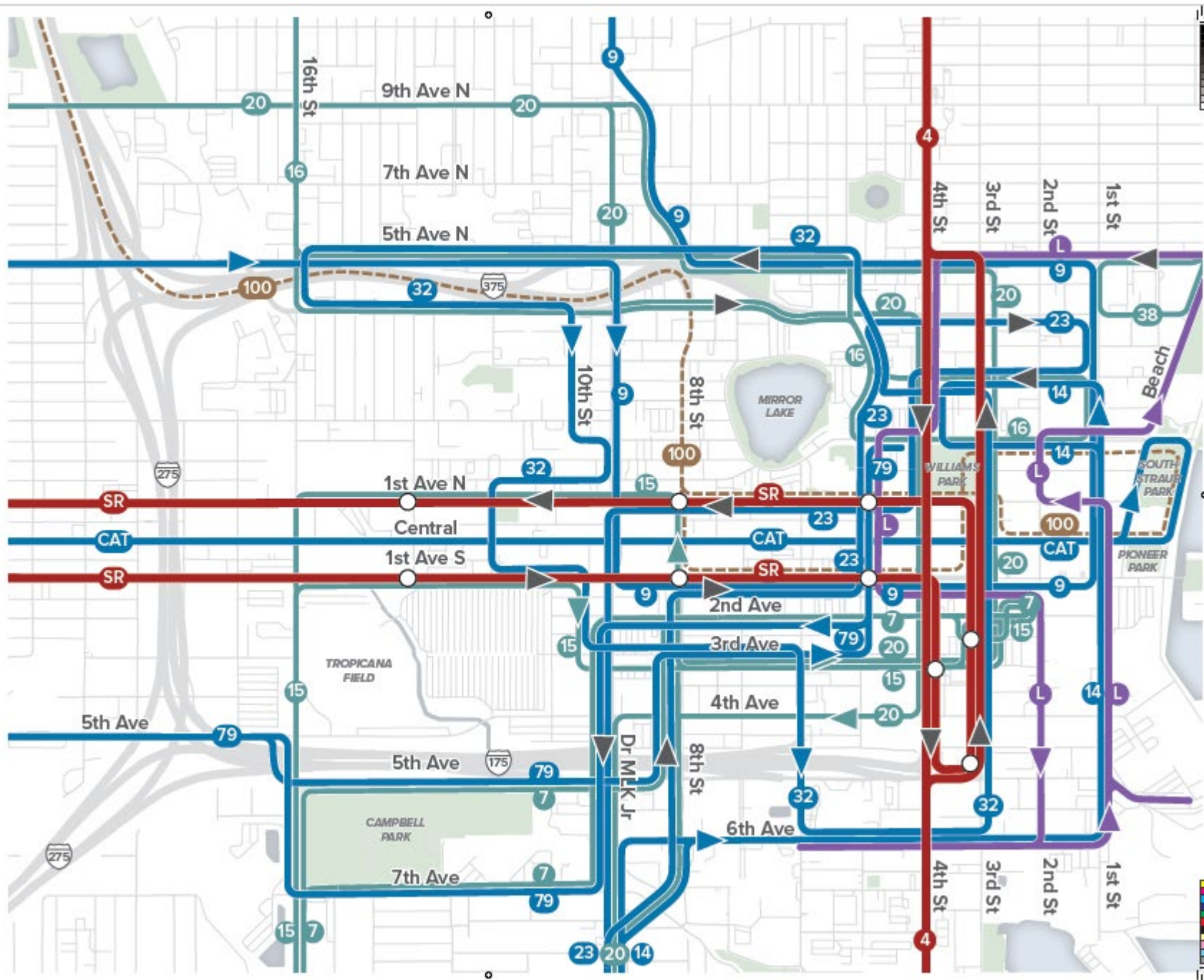
Increase Access to Jobs: Sunday

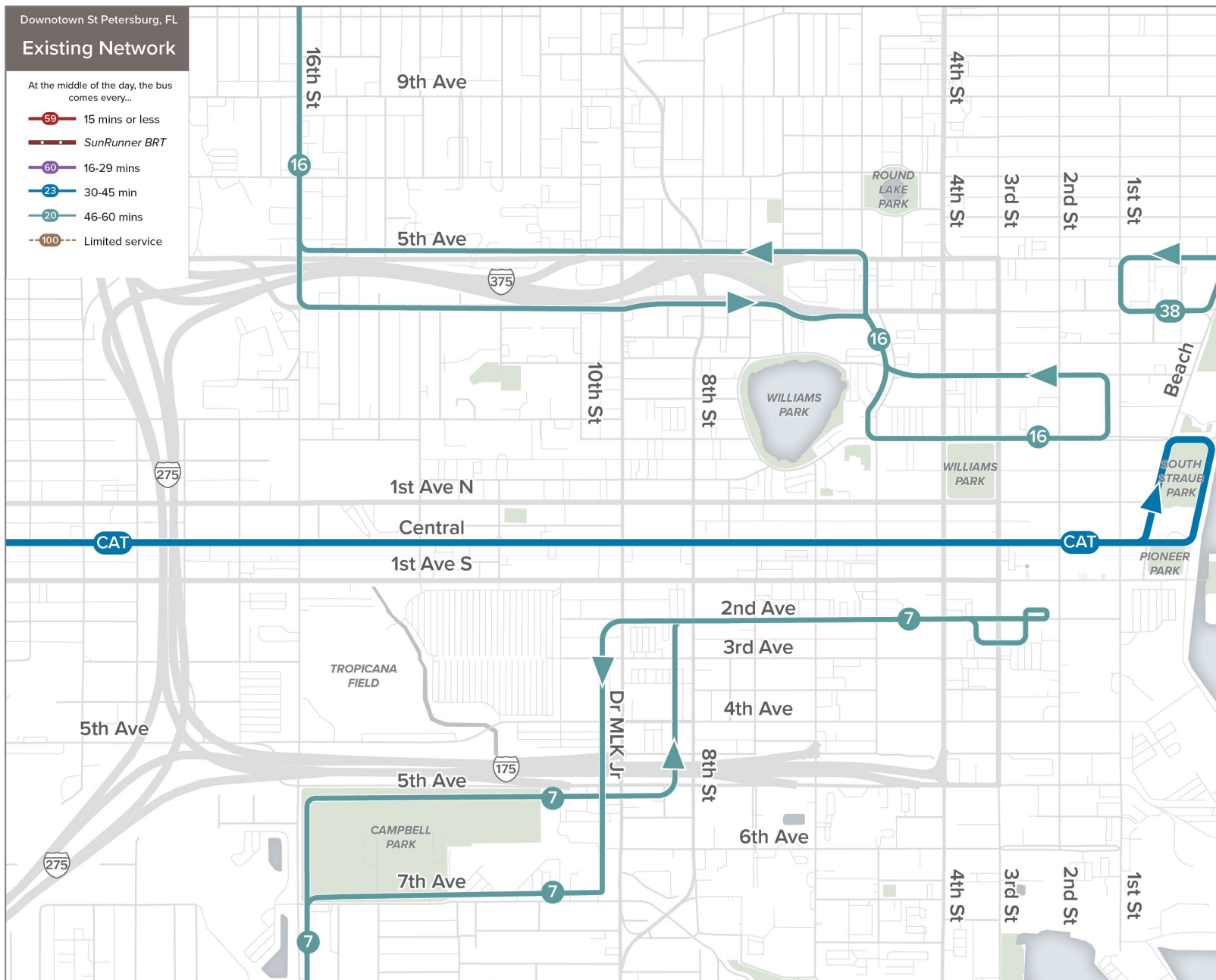


Downtown St Petersburg, FL Existing Network

At the middle of the day, the bus comes every...

- 59 15 mins or less
- SunRunner BRT
- 60 20 mins
- 23 30 min
- 20 60 mins
- 100 Limited service

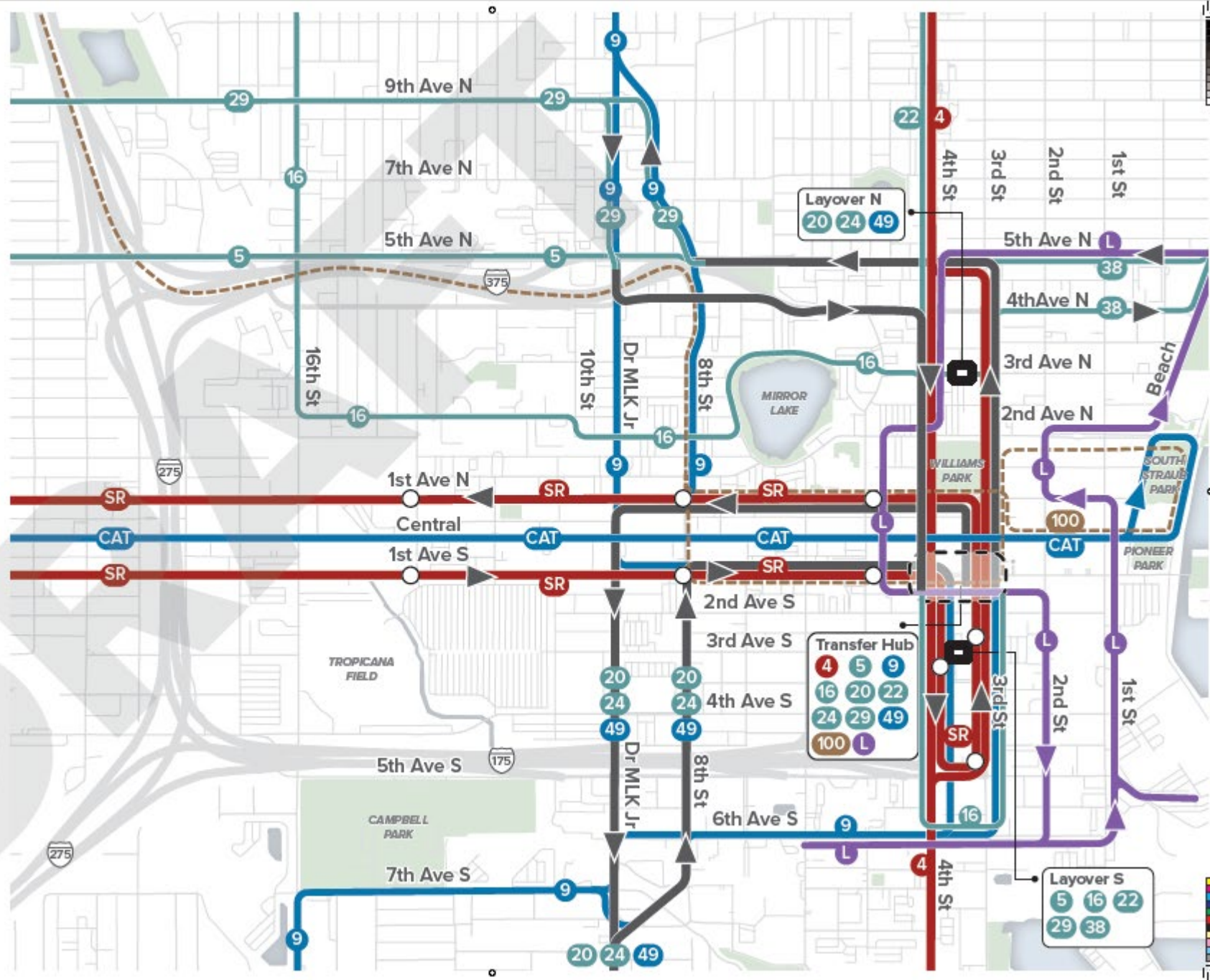




Downtown St Petersburg, FL Draft Final Network

At the middle of the day, the bus comes every...

- 59 15 mins or less
- SunRunner BRT
- 60 20 mins
- 23 30 min
- 20 60 mins
- 100 Limited service

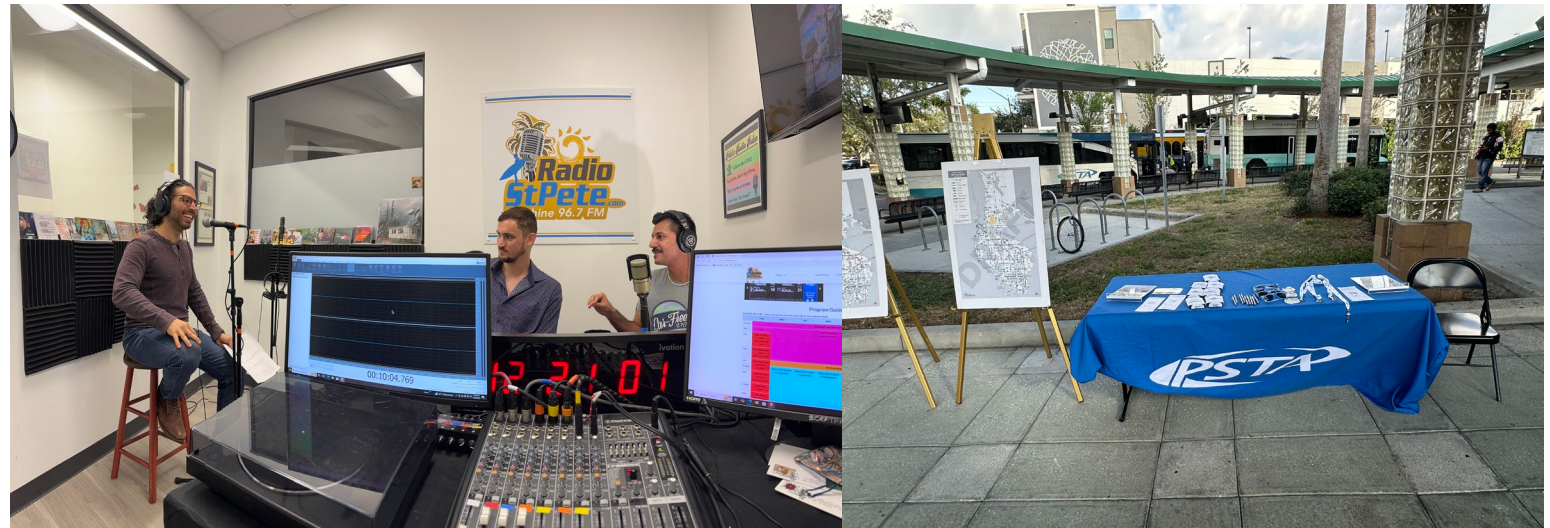


Outreach Methods

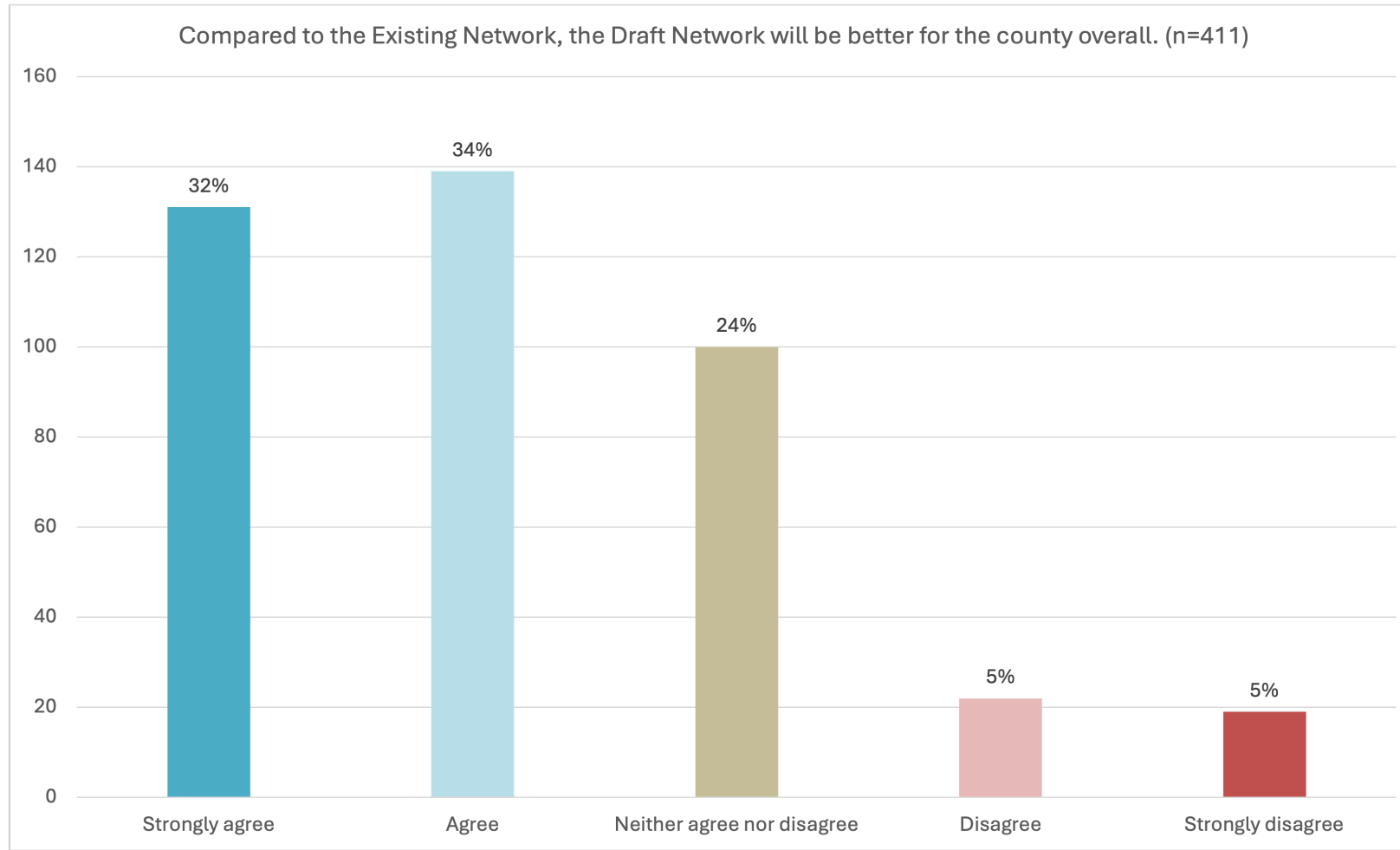
- Countywide Terminal Outreach
- Bus Ride-Alongs
- Social Media Advertisements
- Community Presentations
- Tabling Events
- Transit App Banner
- Email Blast to Area Stakeholders
- Rack Cards at Community Centers
- A-Frames at High Ridership Transfer Areas

In-reach Methods

- Operator Focus Groups
- Supervisor Focus Groups
- CSR Focus Groups
- Operator Lounge Displays

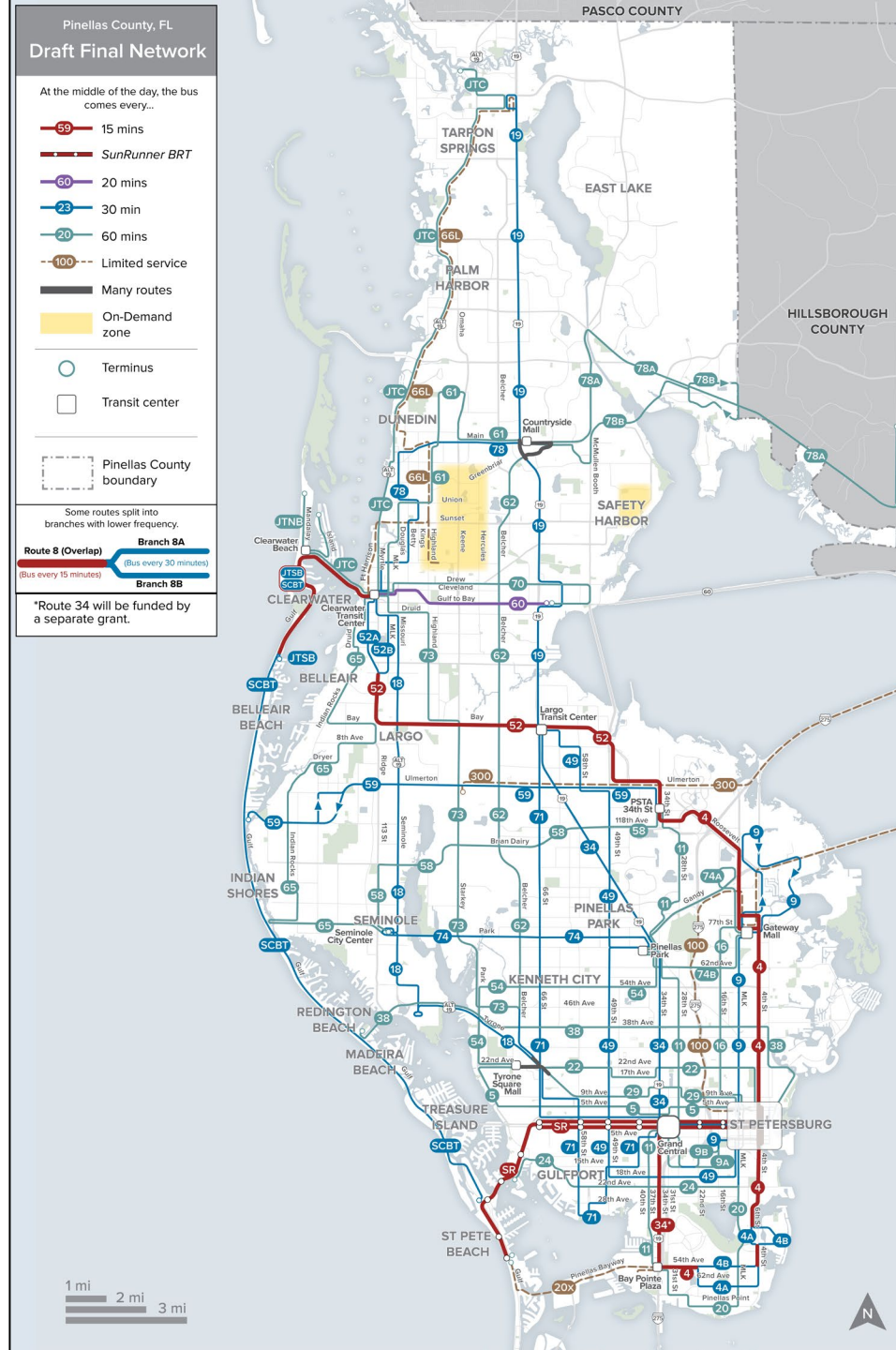


“The Draft Network will be better for the County overall”



Next Steps

- **Ongoing:** Connecting South St. Pete CRA Mobility Study
- **March 2025:**
 - Post-Hearing CCBN Modifications
 - PSTA/COSP DTSP Site Visit
 - PSTA Board Votes on CCBN
- **April 2025 to Implementation:** Public workshops/town halls with riders on how they can use the new system.
- **Fall 2025 Implementation**





Pinellas Suncoast Transit Authority

3.06.2025 HLUT meeting

Presentation for HLUT meeting

Residential Code Update 2024-2025

Planning and Development Services

3-6-2025



- In 2007, City-Wide rezoning created the Neighborhood Traditional (NT) and Neighborhood Suburban (NS) Single Family Zoning Districts, with design standards based on these districts
- In 2017, Council adopted amendments including many changes to the design standards and adoption of a Floor Area Ratio (FAR) limit for new homes in the traditional neighborhoods to address concerns about scale and compatibility
- In 2019, Staff provided a report at a Committee of the Whole meeting on the FAR limit and utilization of the bonuses
- Since adoption of these amendments in 2017, there have been 1,968 new homes constructed with 356 new homes utilizing FAR bonus options in the traditional neighborhoods

Background

The proposed 2024-2025 Residential LDR update is intended to:

- Evaluate the FAR bonuses for potential changes and provide feedback from stakeholders
- Address several items presented at Council committee meetings such as fencing materials and design standards.
- Include refinements to code language related to residential standards to provide clarity and consistency for items identified by both staff and stakeholders

Potential Code Changes

Modifications and additions to FAR bonuses in NT zoning districts,

Modifications to building design regulation,

Modifications to fence regulations,

Addition of sidewalk payment in lieu option,

Additional language for screening of ancillary equipment in flood zones,

Additional language for elevating existing structures in flood zones,

Code clean-up (consistent code language, add definitions, roof height measurements, remove or modify sections of the code to be in compliance with state statutes).

Proposed Code Changes

Concerns were expressed regarding the size and bulk of new homes being built, particularly in the traditional neighborhoods, and their consistency with the surrounding neighborhood and development pattern. Many new homes have 2nd stories built close to or at the minimum required setbacks, creating a box-like, bulky appearance. Research indicated significant increases for new construction.

In 2017 the city adopted development standards to limit the size and bulk of new homes to be proportionate with the lot size by establishing a maximum Floor Area Ratio (FAR). FAR Bonuses were established to permit larger homes if the home incorporates design elements beneficial to the character of the neighborhood such as providing greater second floor setbacks in the front, side, or rear.

A maximum building coverage standard was also established.

FAR is considered any enclosed space above the required design flood elevation line, including enclosed garage space, but excludes that portion of the enclosed space that is below the required design flood elevation and up to 500 sq. ft. of the floor area of any detached accessory dwelling and 200 sq. ft. for each enclosed parking space located in the rear 1/3 of the lot.

Creation of FAR limits in 2017 for traditional neighborhoods

Front facade articulation: front facades (excluding the porch) which feature offsets of at least six feet in depth for a minimum of one third of the front façade,

Current: 0.06 bonus additional foot, maximum 0.10.

Requested Action: 0.10 bonus.

Problem Statement: Minimum articulation of 6-feet is required resulting in the maximum bonus applied.

Modify Existing Bonus



Planting Larger Trees Bonus: 0.01 per tree 0.02 bonus max

Problem Statement: Correct typo from spread of eight inches - ten inches to eight feet - ten feet.

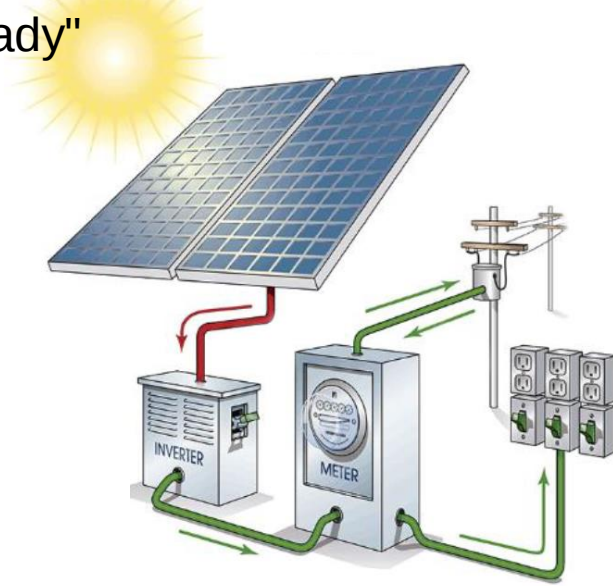


Solar Ready Bonus

Current: 0.02 bonus

Requested Action: 0.01 for installing AMP electric panel and conduit

Problem Statement: Bonus is vague and provides no base line for evaluation of a new home being "solar ready"



Modify Existing Bonuses

Problem Statement: new homes (three homes on the left, built 2017) are taller than the older home, and porches are only required to be elevated 12-inches (the one on the right built 1913).



Requested Action: Elevate front porch an additional six-inches totaling a minimum of 18-inches above existing grade with a maximum building height to beginning of roof line of 22-feet and maximum building height to top of roof peak of 30-feet: 0.03 bonus.

Older homes across the street illustrate this new bonus. (Built 1915 (left) and 1925)



New FAR Bonus

Requested Action: Quality materials used throughout all structures:

Solid wood siding, columns, balustrades, trim, awnings and brackets; brick; stone; wrought iron: 0.05.

Brick or stone veneer, hardi board and brickface: 0.03.



New FAR Bonus

Problem Statement: new 2-story homes built to maximize buildable area of lot (Built in 2016)



Requested Action: Minimum 20-foot separation between the rear of the principal residence and detached accessory structure or 20-foot separation on the second floor creating an opening between the front portion of the residence and the rear portion of the residence: 0.05 bonus.

Older home built across the alley illustrate this new bonus. (Built 1925)



New FAR Bonus

Requested Action:

Preservation of existing Grand tree located on private property during construction of a new principal structure: 0.02 bonus per tree, maximum 0.04 bonus.

Solar installation: 0.01 bonus per Kilowatt installed, maximum 0.03 bonus.

Electric car charging station: 0.01 bonus



Existing Grand Tree (in front of colonial)

New FAR bonuses

- **Setbacks for existing structures in flood zones.**

Problem Statement: For existing structures located in a Special Flood Hazard Area adhering to required setbacks creates conflict when elevating the structure to meet current FEMA flood elevation.

Requested Action: For properties located in a Special Flood Hazard Area, encroachments into normally prescribed setbacks may be allowed in order to accommodate an existing single-family home being elevated to meet the required FEMA design flood elevation provided:

- (a) Any additions to the existing building footprint, stairways or elevated decks must meet the normally prescribed setbacks; and
- (b) The Interior Side Yard setback shall be a minimum of three feet.

- **Energy Platforms in Special Flood Hazard Areas:**

Problem Statement: Wooden platforms required for access to energy meters on new homes in special flood hazard areas typically encroach into the required side yard setbacks.

Requested Action: Add allowable encroachments for wooden platforms for energy meter for properties located in a flood zone.

Regulatory Changes



Single Bay Garage Doors visible from public right-of-way (excluding alleys)

Problem Statement: Double bay garage doors, typically 16-feet wide, visible from a street detract from the architectural quality and attractiveness of single-family residences. Single bay doors are effective in providing breaks that enhance the visual interest of single-family residences and are currently required for garage doors facing a non-primary side street.

Requested Action: Require single bay doors on all garages facing a street. This is not applicable to garages facing alleys.

Regulatory Changes

- **Repetitive Design Regulations:**
Problem Statement: Repetitive design regulations do not account for new homes proposed with different number of stories.
Requested Action: Include text to state that variation is not required for new homes with a different number of habitable stories.
Problem Statement: Repetitive design regulations do not account for new homes designed with varied heights and widths that contribute to the variation between new homes.
Requested Action: Add fifth variation to repetitive design criteria for new homes with varied front façade heights and front façade widths.
- **Blank Façade width in rear one-third of lot:**
Problem Statement: The current code requirement for no blank facades greater than 16-feet in width has created challenges for developers.
Requested Action: Provide language that allows blank facades up to 20-feet in width on rear and interior side facades located in the rear one-third of the lot provided it is not visible from a right-of-way.

Regulatory Changes

- **Accessory Dwelling Units (ADUs) on NS zoned lots on a corner or with alley access:**
Problem Statement: Existing lot requirements for ADU's in the suburban zoning districts restrict otherwise feasible development on key parcels intended to be included as ADU eligible parcels
Requested Action: Allow ADUs on lots in NS districts located on an alley with at 4,500 sq. ft. of lot area and on corner lots that meet the minim lot area requirement.
- **Side Setback Waiver Requests for Docks:**
Problem Statement: Existing language requires property owners within 200-ft along both sides of the waterway to be notified of a dock permit side setback waiver request allowing unaffected property owners to object to the request.
Requested Action: Revise the language so that only the property owners within 200-ft, measured along the waterway, on the side of the setback waiver request are notified.
- **ADA Compliance for walkways to curb for new homes:**
Problem Statement: Compliance with code requirements to provide paved connections between public sidewalks and the curb creates conflict when the existing grade prevents compliance with ADA minimum standards.
Requested Action: Provide an exception to this requirement when existing grades prevent compliance with ADA minimum slope requirements.

Regulatory Changes

Currently no option for a payment in lieu to install a sidewalk, property owners must request a variance.

The POD may allow a payment-in-lieu of construction of a sidewalk where the subject property would have the only sidewalk within 200-feet of the property on the streets which the property abuts, that such sidewalk would not form a part of an existing or future route leading to a school or public park, that the absence of a sidewalk would not create an imminent pedestrian hazard and where there may be unique conditions-such as topography or unusually large trees. The payment shall be made prior to issuance of the building permit. The fee will be based on the cost of the sidewalk construction as determined by the POD.

Sidewalk fund and appeal process will also be created.

Regulatory Change



Metal Fences

PSI – May 9, 2019

Follow-up from August 30, 2018
and April 12, 2018



Fence Materials In Residential Neighborhoods

Issue Statement: Code requires that fences be constructed of standard fence materials such as stockade, board-on-board, shadowbox, tongue-and-groove, picket, split rail and chain link.

Request was received to permit corrugated metal fencing.

Proposed changes: Metal shall have an exterior finish that is not shiny or reflective. The use of metal roofing or metal siding materials is prohibited.



Design standards for fences and walls on lots with over 150-feet of street frontage

PSI: October 27, 2022

Front Yards -
All other streets

- 4 feet for a fence or wall of any style
- 5 feet for a hedge
- 6 feet for a decorative fence or wall which is landscaped and which is on a property with more than 150 lineal feet of street frontage



Current Code



Fence Regulations

1. RESIDENTIAL USES (Including mixed-uses with a residential component; excludes requirements for waterfront yards - see below)				
	Front Yards - Major Streets, except Neighborhood Collectors	Front Yards - All other streets	Side Yards, Street Side Yards, and Rear Yards	Street Side - Abutting Neighbor's Front Yard
Maximum Height	- 4 feet for a fence or wall of any style - 6 feet for a decorative fence or wall with the top 2 feet being open, which is landscaped - 6 feet for a hedge	- 4 feet for a fence or wall of any style - 5 feet for a hedge - 6 feet for a decorative fence or wall with the top 2 feet being open, which is landscaped and which is on a property with more than 150 lineal feet of street frontage	- 6 feet for a fence or wall of any style - 10 feet for a hedge	- 4 feet for a fence or wall of any style - 5 feet for a hedge

Proposed Code

Community engagement meetings were held on May 15 and June 26, 2024. Details regarding these meetings were distributed to neighborhood associations throughout the city and advertised on the official city website.

Comments received during these meetings generally included:

- Expanding **FAR Bonus M** to include preservation of existing shade trees as a qualification obtaining the respective FAR bonus and otherwise increasing incentives for preserving established and/or protected trees.
- Creating a new FAR Bonus for increasing the elevations of a foundation wall, and changing **FAR Bonus E**, to state that height shall be measured from the top of the foundation allowing for taller foundation walls consistent with traditional architectural styles typically utilizing foundation walls of 18-inches or more.
- Increasing the required porch width required to utilize **FAR Bonus A** or removing this bonus altogether.
- Discussion regarding the relationship between FAR regulations and Local/National Historic Districts, suggested support for further reducing the base FAR permitted to maintain consistency in the scale of home sizes within these districts. Additional suggestions also included permitted FAR bonuses only for additions to existing historic homes to further encourage preservation.

Stakeholder Meetings and Discussion

Additional comments received during these meetings generally included:

- Attendees generally supported code changes that would restrict the use of “non-traditional” fencing materials in residential districts.
- Many comments indicated interest and support for a “payment in lieu” option for sidewalks required in instances of new construction in residential districts.
- Many residents expressed concerns about code changes that would permit domestic equipment to be stored within front yards for extended periods of time.

Stakeholder Meetings and Discussion

Additional comments and suggestions were provided by the Tampa Bay Builders Association (TBBA) including:

- Fenestration and transparency requirements should be reduced when appropriate to fit within the architectural style; lots located on corners should have reduced transparency requirements as well.
- Expand the available list of architectural styles that qualify for ***FAR Bonus L*** to include additional architectural styles which represents a more exhaustive list of various architectural styles seen throughout the City.
- Amend the repetitive design requirement to permit repeating architectural styles if containing different elements.
- Increase ***FAR Bonus A*** to include second story balconies over a porch.
- Allow an exemption to the required front porch minimums when consistent with a recognized architectural style.
- Strong support for a payment in lieu program for required sidewalks.

Additional comments and suggestions were provided by the Tampa Bay Builders Association (TBBA) including:

- Increase the allowable encroachment permitted for elevated ancillary equipment and related platforms located within a flood zone.
- Portions of stairs/stoop below the design flood elevation (DFE) should be exempt from the front yard setback for stoops
- Removing requirement for appropriate fenestration within the rear of the house when not visible from a street right-of-way.
- Amend the verbiage restricting repetitive design standards to allow similar architectural styles with different elements.
- Decrease existing lot requirements to permit accessory dwelling units on corner lots within the NS zoning districts.
- Reduce the increased interior side setback for accessory dwelling units within NS zoning districts to the district standard.

Tampa Bay Builder Association

Comments from Housing Land Use and Transportation (HLUT) Committee :

Staff presented initial findings from public stakeholder sessions and meetings with preliminary considerations for amendments at the HLUT Committee meeting on September 12, 2024. Feedback from HLUT Committee members included the following:

- General support for proposed code amendments including restrictions on non-traditional fencing materials, preservation of existing specimen trees, and creation of a payment in lieu program for required sidewalks in residential districts.
- Interest in additional requirements or bonuses that further regulate the physical massing of residential structures.
- Supportive of proposed amendments that reduce restrictions on accessory dwelling units within the NS zoning districts.

Comments from Development Review Commission (DRC) Workshop:

Staff presented initial findings from public stakeholder sessions and meetings, and HLUT Committee meeting on September 12, 2024. Feedback from DRC workshop included the following:

- Reduction of building heights compresses structures. Taller ceiling heights being more desirable in the current housing market.
- General opposition towards increasing the articulation of the exterior facades of houses due to increased complexity and cost.
- Incentives for utilizing higher quality building material such as wood framed windows.
- Arborist report to be utilized for confirmation that an existing specimen tree is able to be preserved on the site prior.
- Definition of Bay Window, dimensional regulations should be used over a minimum requirement for glass, concern that a minimum of 50% glass coverage for bay windows was too high.
- Sidewalk payment in lieu, provide cost/payment structure.
- Changes to the fence code, support restrictions to non-traditional fencing materials and some members agreed amending allowances for parcels exceeding 150' of street frontage to allow 4' solid fence or wall with the additional 2' required to be opaque.

DRC Meeting 10.02.2024

Thoughts? Suggestions?

Submit Public Comments:

Corey Malyszka, Zoning Official, corey.malyszka@stpete.org

Scot Bolyard, Deputy Zoning Official, scot.bolyard@stpete.org

**VISIT THE 2024-2025 RESIDENTIAL LAND DEVELOPMENT
REGULATIONS WEBPAGE FOR UPDATES USING THE QR CODE BELOW
OF WEB LINK**



<https://bit.ly/44M8nFs>

Potential Changes

THANK YOU



Planning & Development Services Department

1 Fourth Street North, St. Petersburg, FL 33701

727-893-7471 / Fax: 727-892-5557 / www.stpete.org/LDR

Proposed Code Changes

Residential LDR Update 2025

Updated February 28, 2025

SECTION 16.20.010. - NEIGHBORHOOD TRADITIONAL SINGLE-FAMILY DISTRICTS ("NT")

16.20.010.4.3. Neighborhood Traditional Single-Family-3 (NT-3).

The NT-3 district reflects the character of several traditions. Lot widths are larger, ranging between 60 and 65 feet. These areas are typically adjacent to large public parks utilized for numerous City-wide events generating large crowds, high volumes of traffic and other disruptions not typical for most neighborhoods. The architectural legacy and alley network are similar to NT-2 areas. The development pattern typically features greater front and side yard building setbacks than the NT-2 district. ~~The NT-3 district generally allows the same uses as NT-1 and NT-2, with the exception that accessory dwelling units, such as garage apartments, are not permitted.~~

16.20.010.5. Maximum development potential.

Development potential is different within each district in order to respect the character of the neighborhoods. Achieving maximum development potential will depend upon market forces, such as minimum desirable unit size, and development standards, such as minimum lot size, parking requirements, height restrictions, floor area ratios, maximum building and impervious surface ratios, and building setbacks.

To maintain community character and provide for desirable redevelopment and infill housing, homes shall be built using FARs as set forth herein. Various design standards may be used to increase the FAR and maintain the compatibility of new and modified homes with the existing neighborhood character. Therefore a maximum FAR is established and FAR bonuses may be permitted if the home incorporates design elements as set forth herein which are intended to be beneficial to the character of the neighborhood and reduce the appearance of mass and bulk from the public view.

Minimum Lot Size, Maximum Density and Maximum Intensity

		NT-1	NT-2	NT-3	NT-4
Minimum Lot Width	Residential	45 ft.	50 ft.	60 ft.	45 ft.
	Nonresidential	180 ft.	200 ft.	240 ft.	180 ft.
Minimum Lot Area (square feet)	Residential	4,500	5,800	7,620	5,800
	Nonresidential	22,860	25,400	30,480	22,860
Maximum Residential Density (units per acre)		15 (1 principal unit and 1 accessory unit per lot) ⁽¹⁾	15 (1 principal unit and 1 accessory unit per lot) ⁽¹⁾	7 (1 principal unit and 1 accessory unit per lot) ⁽¹⁾	15 (1 principal unit and 1 accessory unit per lot) ⁽¹⁾
Maximum Residential Intensity (floor area ratio) ⁽²⁾⁽³⁾		0.50	0.40	0.40	0.50
Maximum Nonresidential Intensity (floor area ratio)		0.50	0.50	0.40	0.85
Maximum Residential Building Coverage (includes all enclosed structures) except where the primary structure is one story then a 0.60 building coverage is allowed		0.55	0.55	0.55	0.55
Maximum Impervious Surface (site area ratio)	Residential	0.65	0.65	0.65	0.65
	Nonresidential	0.55	0.55	0.55	0.55

(1) Refer to use specific development standards for regulations regarding development of accessory dwelling and accessory living space.

(2) Residential floor area ratio exemption. The FAR includes any enclosed space above the required design flood elevation line, including enclosed garage space, but excludes that portion of the enclosed space that is below the required design flood elevation and up to 500 sf of the floor area of any accessory dwelling unit located in the rear one-third of the property.

(3) Residential floor area ratio bonus. An FAR bonus of up to 0.20 shall be granted when structures incorporate design elements set forth herein. The following options may be utilized in any combination, however, the maximum FAR bonus is 0.20.

a. One story covered front porch with a separate roof structure with a minimum width of 60 percent of the front façade: 0.08 bonus. No bonus is allowed if there is a second story deck, porch or roof structure.

b. Elevate front porch an additional six-inches totaling a minimum of 18-inches above existing grade with a maximum building height to beginning of roof line of 22-feet and maximum building height to top of roof peak of 30-feet: 0.03 bonus.

c.b. Additional second story front setbacks: .01 bonus for every 1 foot of additional front setback of the entire façade, and .005 bonus for every 1 foot of additional front setback of at least one third of the façade but which is less than the entire façade, no bonus is allowed unless the setback is at least six feet, maximum 0.10 bonus. No bonus is allowed if there is a second story deck, porch or roof structure.

d.e. Additional second story side setbacks: .01 bonus for every one foot of additional side setback of the entire façade, maximum 0.05 bonus per side.

e.d. Total residential floor area of the second story does not exceed 75 percent of the first story (excludes garage sf): 0.05 bonus.

f. Minimum 20-foot separation between the rear of the principal structure and detached accessory structure or 20-foot separation on the second floor creating an opening between the front portion of the principal structure and the rear portion of the principal structure: 0.05 bonus.

g.e. Reduction of the height of both the peak and roofline of a two-story building from the maximum allowed height: 0.02 bonus per foot.

h.f. The entire peak of the primary roof structure of the front façade is parallel to the front property line: bonus 0.02, or if the entire peak of the primary roof structure of the front façade is parallel to the front property line and the roof has dormer(s) which are equal to at least 20 percent of the width of the front façade: 0.04 bonus.

i.g. Side façade articulation: side façades which feature offsets of at least two feet in depth that are at least twelve feet in length that divide the building design and are in the front two thirds of the side façade: 0.02 bonus per side, maximum 0.04.

j.h. Front façade articulation: front façades (excluding the porch) which feature offsets of at least six feet in depth for a minimum of one third of the front façade: ~~0.06 bonus for each additional foot, maximum 0.10 bonus.~~

k.i. All windows have true or simulated divided light muntins on interior and exterior surfaces: 0.03 bonus.

l.j. One story—principal structure: 0.15 bonus.

m.k. One story—all structures: 0.20 bonus.

n.l. Style, materials and detailing consistent with an architectural style in St. Petersburg's Design Guidelines for Historic Properties: 0.10 bonus.

o.m. Planting of larger shade trees between the front façade and the curb—four inches min caliper measured six inches above grade, spread eight ~~inches~~ feet to—ten ~~inches~~ feet, height 14 feet to 16 feet, 100 gallon container grown: 0.01 bonus per tree, maximum 0.02 bonus.

p. Preservation of existing Grand tree located on private property during construction of a new principal structure: 0.02 bonus per tree, maximum 0.04 bonus.

q.n. LEED or Florida Green Building: 0.05 bonus.

r.o. Solar ready: ~~0.02 bonus.~~ 0.01 bonus for installing 200 AMP electric panel and conduit running to roof for future solar installation.

s. Solar installation: 0.01 bonus per Kilowatt installed, maximum 0.03 bonus.

t. Electric car charging station: 0.01 bonus

u. Quality materials used throughout all structures:

Solid wood siding, columns, balustrades, trim, awnings and brackets; brick; stone; wrought iron: 0.05.

Brick or stone veneer, hardi board and brickface: 0.03.

Refer to technical standards regarding measurement of lot dimensions, calculation of maximum residential density, nonresidential floor area and impervious surface.

For mixed use developments, refer to additional regulations within the use specific development standards section for mixed uses (currently section 16.50.200).

(Code 1992, § 16.20.010.5; Ord. No. 876-G, § 2, 2-21-2008; Ord. No. 166-H, § 3, 5-21-2015; Ord. No. 203-H, § 9, 11-23-2015; Ord. No. 287-H, § 1, 7-20-2017; Ord. No. 509-H, § 2, 7-14-2022; Ord. No. 540-H, § 2, 3-23-2023)

16.20.010.6. Building envelope: Maximum height and minimum setbacks.

Building Height	Beginning of Roofline	Top of Roof Peak
Primary building	24 ft.	36 ft.
Accessory building	20 ft.	30 ft.
Refer to technical standards regarding measurement of building height and height encroachments.		



Minimum Building Setbacks

Building Setbacks	NT-1 and 2			NT-3		NT-4	
	If building height beginning of roof line is less than or equal up to 18 ft.	If building height beginning of roof line is + greater than 18 ft. up to 24 ft.	If building height beginning of roof line is greater than is over 24 ft.	If building height beginning of roof line is less than or equal is up to 24 ft.	If building height beginning of roof line is over greater than 24 ft.	If building height beginning of roof line is up to 24 ft.	If building height beginning of roof line is over greater than 24 ft.

Front yard	Stoop	15 ft. or M	15 ft. or M	35 ft.	20 ft. or M	40 ft.	9 ft. or M	28 ft.
	Open Porch ⁽¹⁾	18 ft. or M	18 ft. or M	35 ft.	23 ft. or M	40 ft.	12 ft. or M	28 ft.
	Building	25 ft. or M	25 ft. or M	35 ft.	30 ft. or M	40 ft.	18 ft. or M	28 ft.
Interior side yard	For lots greater than 60 ft. in width	6 ft. or M	6 ft. or M	12 ft.	7.5 ft. or M	16 ft.	5 ft. or M	10 ft.
	For lots equal to or less than 60 ft. in width	10 percent of lot width ⁽²⁾ or M	6 ft. or M	12 ft.	7.5 ft. or M	16 ft.	5 ft. or M	10 ft.
Street side yard		12 ft. or M	12 ft. or M	16 ft.	15 ft. or M	22 ft.	eight ft. or M	15 ft.
Rear yard, with alley	For alleys equal to or greater than 16 ft. in width	6 ft. or M	6 ft. or M	20 ft.	6 ft. or M	20 ft.	5 ft. or M	20 ft.
	For alleys less than 16 ft. in width	10 ft., or 22 ft. including the width of the alley, whichever is less, or M	10 ft., or 22 ft. including the width of the alley, whichever is less, or M	20 ft.	10 ft., or 22 ft. including the width of the alley, whichever is less, or M	20 ft.	8 ft., or 22 ft. including the width of the alley, whichever is less, or M	20 ft.
Rear yard, no alley		10 ft. or M	10 ft. or M	30 ft.	10 ft. or M	30 ft.	10 ft. or M	30 ft.
Waterfront yard		20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft. ft.	20 ft.

Notes:

- (1) Open porches are limited to a one story covered porch with or without a second story uncovered porch; two story covered porches shall meet the principal structure setback.
- (2) For properties that are 50 feet or less in width, the minimum side yard building setback shall be five feet.

M (minor encroachment): Minor encroachments into normally prescribed setbacks may be allowed in order to accommodate an addition to align with the side of the existing structure, provided:

- (a) The total floor area of the encroaching portion of an addition shall not exceed 50 square feet;
- (b) No portion of the encroachment shall exceed 24 feet in height;
- (c) In no case shall any encroaching structure be closer to a property line than four feet.

(3) For properties located in a Special Flood Hazard Area, encroachments into normally prescribed setbacks may be allowed in order to accommodate an existing single-family home being elevated to meet the required FEMA design flood elevation provided:

(a) Any additions to the existing building footprint, stairways or elevated decks must meet the normally prescribed setbacks; and

(b) The Interior Side Yard setback shall be a minimum of three feet.

Refer to the dimensional regulations and lot characteristics and height, maximum allowable and encroachments sections (currently 16.60.010 and 020) for yard types and setback encroachments.

Enclosing porches in the front yard setback is regulated by the general development standards.

The larger of the minimum building separation distances required by the Florida Building Code or the fire prevention code or the minimum building setback established for the interior side yard setback shall apply.

Building setbacks are based on the overall height of the various sections of a proposed building. As the building height increases, so does the minimum required setback.



Minimum Building Setbacks for SE Uses

Building Setbacks SE Uses	NT-1 and 2	NT-3	NT-4
All yards (including waterfront)	35 ft.	35 ft.	35 ft.
Refer to technical standards for yard types.			

(Code 1992, § 16.20.010.6; Ord. No. 876-G, § 2, 2-21-2008; Ord. No. 893-G, § 2, 9-4-2008; Ord. No. 287-H, § 2, 7-20-2017)

16.20.010.10. Setbacks and FAR consistent with established neighborhood patterns.

There are building setback and FAR characteristics of existing neighborhoods related to front yard setbacks, FAR, and alignment of buildings along the block face. Minimum yard setback and FAR characteristics of neighborhoods may differ from the requirements of this district. The POD may approve, without a variance, residential development that meets these setback and FAR characteristics. Approval shall be based on the following:

1. Front yard setbacks will be based on predominant building setbacks established in the block face on both sides of the street in which the development is proposed for properties within the same zoning district with the same lot orientation. [OPTION 1]
1. ~~Front yard setbacks will be based on predominant building setbacks established in the block in which the development is proposed.~~ To qualify for a reduced front yard setback at least 50-percent of the structures in the block face on both sides of the street in which the development is proposed must have a front yard setback that is less than current requirements and the reduced front yard setback that may be approved shall be the average of those numbers. [OPTION 2]
2. FAR will be based on predominant building FAR established in the block and on the block face on both sides of the street in which the development is proposed based on the property appraisers records.
3. Predominant shall mean ~~equal to or greater than 50-percent.~~ the median that is within the range of numbers, if there is more than one median of numbers, the average between the medians shall be used.
4. These are administrative approvals appealable only by the property owner.

16.20.010.11. Building and site design.

The following design criteria allow the property owner and design professional to choose their preferred architectural style, building form, scale and massing, while creating a framework for good urban design practices which create a positive experience for the pedestrian.

Site layout and orientation. The City is committed to creating and preserving a network of linkages for pedestrians. Consequently, pedestrian and vehicle connections between public rights-of-way and private property are subject to a hierarchy of transportation, which begins with the pedestrian.

Building layout and orientation.

1. For nonresidential uses, all service areas, parking, retention ponds and loading docks shall be located behind the front façade line of the principal structure. Dumpsters shall be located in an enclosure that is finished with material that is consistent with the architecture of the principal structure and include opaque gates (chain link with slats is prohibited). The enclosure shall be located behind the front façade line of the principal structure.
2. All mechanical equipment and utility functions (e.g. electrical conduits, meters and HVAC equipment) shall be located behind the front façade line of the principal structure. Mechanical equipment that is visible from the primary street and elevated above grade shall be screened with a material that is compatible with the architecture of the principal structure. Mechanical equipment that is visible from the primary street and is located at grade shall be screened with a material that is compatible with the architecture of the principal structure, landscaping or a 6-foot-tall decorative fence or wall.
3. Accessory structures (including sheds) shall be located behind the front façade of the principal structure.

Vehicle connections and parking.

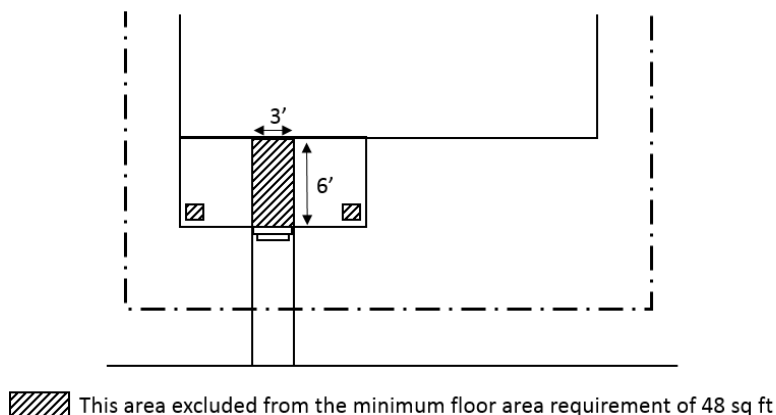
1. The following vehicle connection regulations are required for properties located within NT-2, NT-3 or NT-4 and are recommended for properties located within NT-1. Access for new garages and driveways shall be designed to take advantage of the first available alternative in the following prioritized list:
 - a. Driveways shall be accessed off of alley and garage doors shall face the alley;
 - b. Where no alley exists, one curb-cut driveway shall be permitted and driveways, and garage doors shall face the side street or rear of the property and shall be restricted to the rear one-third of the lot;
 - c. Where access via the rear third of the lot is not possible and ~~for~~ the alley is unable to be traversed with a vehicle due to physical obstructions or barriers, one curb-cut driveway shall be permitted and driveways, and garage doors shall be permitted within the front two-thirds of the lot facing the side street;

- d. In the absence of an alley and a side street, ~~a one single lane width~~ curb cut and driveway shall be allowed which shall be located to the side of the principal structure. Required parking shall be allowed only behind the front façade line of the principal structure, including the porch, if any.
2. When a driveway is allowed in the front yard, not more than one curb cut shall be allowed for each property except as follows:
 - a. Where the property is abutting a major street identified on the Future Major Streets Map within the Comprehensive Plan; and
 - b. Where in accordance with the access requirements of this section, the only available access point is from the major street; and
 - c. Where a circular driveway and second curb cut is necessary to permit vehicles to enter and exit the major street in a forward motion. Pursuant to this section, a second curb cut shall only be approved for the purpose of improved traffic safety and shall not be approved for other ancillary uses, such as access to accessory parking spaces or the maneuvering of domestic equipment.

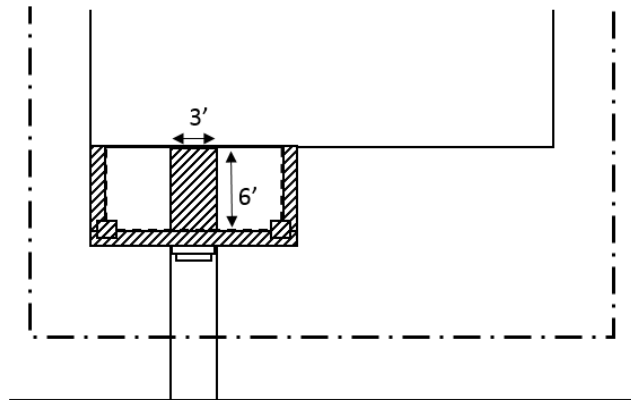
Porches and pedestrian connections.

1. Principal entries to a structure shall be connected to the public sidewalk and the curb of the ~~primary~~ street with a sidewalk except when the structure faces a major street which does not allow on-street parking in front of the property. The connection between the public sidewalk and the curb is not required where the existing grades prevent compliance with ADA minimum slope requirements.
2. Where a driveway exists in the legal front yard, the required sidewalk from the principal entry may be connected to the driveway in lieu of the connection to the street.
3. Principal entries shall include a porch, portico or stoop, with a minimum usable depth of six feet (measured from the front façade of the structure to the interior side of the railing or, if there is no railing, the furthest edge of the floor) and 48 square feet of total floor area, excluding a three-foot wide walkway to the primary entrance and the floor area of any column. Where a railing exists, only the floor area within the interior side of the railing shall count towards the minimum floor area. A porch may be exempt from the minimum size requirements if consistent with the architectural style.
4. Existing public sidewalks shall be repaired to City standards. Where no public sidewalk exists, a public sidewalk shall be constructed in accordance with the requirements of the subdivision section.

**Porch Dimension Requirement:
Example without Railing**



**Porch Dimension Requirement:
Example with Railing**

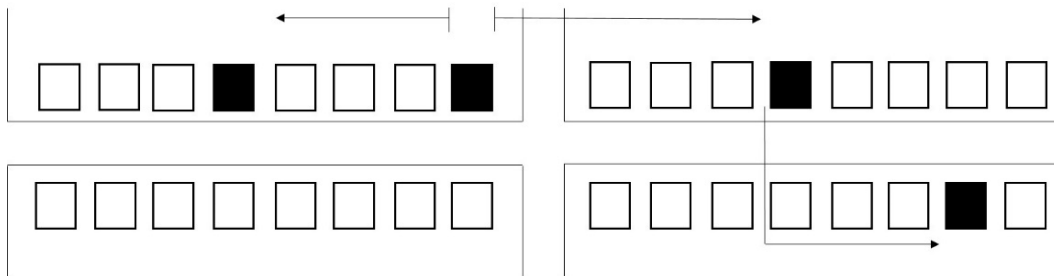


 This area excluded from the minimum floor area requirement of 48 sq ft

Building and architectural design standards. All buildings should present an inviting, human scale façade to the streets, internal drives, parking areas and surrounding neighborhoods. The architectural elements of a building should give it character, richness and visual interest and shall be consistent with the chosen architectural style.

Building style.

1. New construction shall utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies. See architectural and building design section, currently Section 16.40.020.
2. Design of homes on the within the same block face on either side of the street or within an adjacent block face on either side of the street shall be varied, such that a substantially similar design will not be replicated. There shall be a minimum separation of three parcels in every direction before a substantially similar design can be repeated. Variation is not required for homes with a different number of habitable stories. Variation shall include at least three of the following five elements: 1) architectural style, 2) roof form (principal or porch), 3) materials, 4) architectural details (doors, windows, columns, and porches), 5) front façade height and front façade width.



3. Renovations, additions and accessory structures shall 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.

Building form.

1. The front porch shall be elevated at least 12 inches above the abutting finished grade level as measured abutting the porch at the front entry and include a minimum of two risers. For Certified Affordable/Workforce Housing, the required minimum elevation shall be 8-inches, and the pedestrian

walkway at the entrance may be graded to allow zero step entrance in accordance with the City Visitability ordinance, provided that all other areas of the porch meet the 8-inch minimum above the abutting finished grade.

2. The front façade of a building shall create a width-to-height ratio of no more than 1:1. Buildings that exceed the width-to-height ratio of 1:1 shall feature architectural fenestration creating a bay system that divides the building design into a maximum ratio of 1:1. This may be done through pilasters, arcades, building line and roof line off-sets, materials and other appropriate architectural features.

Wall composition and transparency. Wall composition standards ensure that ground-level storefronts and multifamily and single-family residential buildings offer attractive features to the pedestrian. Wall composition standards also mitigate blank walls and ensure that all sides of a building have visual interest. Transparency enhances visual connections between activities inside and outside buildings, thereby improving pedestrian safety. The following criteria shall not apply to accessory structures.

1. Doors, windows and other appropriate fenestration, architectural details, and features shall be incorporated into all sides of a building. There shall be no blank façades, except that garages located at the rear one-third of the lot may have blank façades but not on the street side. No portion of a front façade, street side façade or interior side façade located in the front two-thirds of the lot shall contain a blank area greater than 16 feet in width. No portion of an interior side façade located in the rear one-third of the lot or a rear façade on a corner lot shall contain a blank area greater than 20 feet in width.
2. At least 30 percent of primary and secondary street façades shall consist of fenestration or architectural details and features. At least 20 percent of the front two-thirds of interior side façades shall consist of fenestration or architectural details and features. At least ten percent of the rear façade on corner lots and through lots shall consist of fenestration or architectural details and features. At least 50 percent of the required fenestration shall be transparent (i.e., window glass). For Certified Affordable/Workforce Housing, the primary and secondary street façades minimum shall be 20 percent and the interior side yard façade minimum shall be 15 percent.

Refer to Section 16.90.020 for the definition of fenestration and architectural details.

For yards on through-lots see the dimensional regulations and lot characteristics section.

3. Structures which are situated on corner lots, through lots, or, by the nature of the site layout have a façade which is clearly visible from rights-of-way, shall be designed with full architectural treatment on all sides visible from rights-of-way. Full architectural treatment shall include roof design, wall materials, trim, and door and window openings. While it is recognized that buildings have primary and secondary façades, the construction materials and detailing should be similar throughout. Windows on the street side façades shall be evenly distributed in a consistent pattern, unless a different proportion is permitted or required by an identifiable architectural style. No portion of any façade visible from a right-of-way shall contain a blank area greater than 16 feet in width.
4. Window sashes and glass shall be square or vertical, unless a different proportion is permitted or required by an identifiable architectural style.
5. ~~Windows shall not be flush-mounted.~~ Windows recessed less than three inches shall feature architectural trim including a header, sill and side trim or decorative shutters. Windows recessed three inches or more shall feature a window sill. Trim including a header, sill and side trim are-is not required if not consistent with the architectural style, i.e. Modern or Mediterranean Revival.
6. Where the required design elevation is equal to or greater than 48 inches above finished grade, an articulated base is required to delineate the first floor level. The base may consist of a different material or decorative band, depending on the architectural style.

Roofs. Rooflines add visual interest to the streetscape and establish a sense of continuity between adjacent buildings. When used properly, rooflines can help distinguish between residential and commercial land uses, reduce the mass of large structures, emphasize entrances, and provide shade and shelter for pedestrians.

1. Buildings shall provide a pitched roof or a flat roof with a decorative parapet wall compatible with the architectural style of the building.

Garages. Garage standards maintain and enhance the attractiveness of the streetscape and are influenced by a hierarchy of transportation, which begins with the pedestrian. The requirements relating to garage doors do not apply to garage doors facing alleys.

1. Garage doors facing the primary street:
 - a. Shall be located at least ten feet behind the front façade line of the principal structure. In the NT-1, NT-2 and NT-4 districts, this distance shall be measured from the front of the front porch, if any.
 - ~~b. Shall be one bay or two single bay garage doors. Double garage bay doors are prohibited.~~
 - ~~b.c.~~ Shall not exceed 40 percent of the linear frontage of the façade of the principal structure and shall have decorative garage doors. Decorative garage doors shall include raised panels with decorative hardware and/or glazing, or other designs approved by the POD which serve to visually break up a blank door.
2. Garage doors facing a non-primary side street, ~~where adjoining side yard abuts another property's front yard:~~
 - a. Shall be one or two single bay garage doors. Double garage bay doors are prohibited.
 - b. Shall not exceed 40 percent of the linear frontage of the façade of the principal structure.
 - c. Shall be decorative garage doors or feature at least one of the following enhancements: an arbor system surrounding the garage doors, or a projecting balcony, cupola, or other decorative element above the garage to lessen the impact of the vehicular orientation of the house. The decorative feature proposed by the applicant shall be compatible with the principal structure and must be approved by the POD. This decision may only be appealed by the property owner.

Building materials. Building material standards protect neighboring properties by holding the building's value longer, thereby creating a greater resale value and stabilizing the value of neighboring properties.

1. Building materials shall be appropriate to the selected architectural style and shall be consistent throughout the structure except for one story covered patios, pergolas, sunrooms or screen enclosures located at least ten feet behind the front façade of the principal structure. If multiple materials are used in a building façade, the visually heavier materials shall be located below the lighter materials, e.g. brick or stone shall be located below stucco or siding materials, unless they are used as architectural features. Conversion of an existing covered patio, screen enclosure with solid roof, or sunroom to enclosed habitable space is exempt from matching the roof style of the principal structure.

Accessory structures and ancillary equipment and carports. Accessory structures shall reinforce the pedestrian character of the City. Above-ground utility and service features, accessory storage structures, and carports shall be located and designed to reduce their visual impact upon the streetscape. See use specific standards for accessory structures.

1. Detached accessory structures, such as garages and garage apartments, shall be consistent with the architectural style, materials, and color of the principal structure. For multi-story accessory buildings, there shall be no blank facades on the second story and no portion of an exterior wall on any floor may contain a blank area greater than ~~1620~~-feet in width.

SECTION 16.20.015. NEIGHBORHOOD TRADITIONAL MIXED RESIDENTIAL DISTRICTS ("NTM")

16.20.015.3. - Introduction to the NTM-1 district.

The standards for the NTM-1 district are intended to allow for renovations and redevelopment within the traditional neighborhoods, while respecting the existing development pattern and unique character of these areas.

This district will allow for a variety of building typologies with a maximum of 4-units per building. These building typologies, commonly referred to as "Missing Middle" housing types, reinforce urban, walkable

neighborhoods with a combination of single-family and multi-family residential units located near daily destinations. These units provide attainable life-cycle housing to a diverse group of residents including first-time homeowners, families, couples, retirees, adults with disabilities, and car-free households.

This district will allow density up to 30-units per acre, not to exceed four dwelling units per building. Accessory dwelling units, such as garage apartments, are allowed, subject to compliance with density standards, building setbacks, parking and other applicable requirements. The design guidelines are intended to ensure compatibility with the existing character and pattern of these neighborhoods by requiring compatible building design and driveways, garages, and utility uses are limited to the rear of the property.

16.20.015.7. Entrances.

The number and location of entrances can have a consequential impact on the compatibility of multi-family housing with surrounding single-family housing. These standards are intended to reinforce the residential character of the surrounding neighborhoods.

TABLE 16.20.015.7: Entrances^{1,2}

Accessory Dwelling Unit ("ADU")	Per ADU standards
Detached House	1 entrance facing the primary street
Duplex	1 entrance minimum, 2 entrances maximum, facing the primary street; on corner lots, each unit entrance shall face a different street, except where entrances are provided from within an interior vestibule or hallway.
Triplex and Fourplex	1 entrance minimum, 2 entrances maximum, facing the primary street; on corner lots, each unit entrance shall face a different street, except where entrances are provided from within an interior vestibule or hallway.
Bungalow Court	Each main entrance shall face the shared court, except cottages abutting the primary street shall have their main entrance facing the primary street.
¹ <u>Any additional buildings that are located behind the front building are not required to have entrances facing a street. If an existing building is expanded to accommodate additional dwelling units and is on a corner lot it shall be permitted to have two entrances facing the primary street and two entrances facing the non-primary street.</u> ² Pedestrian connections shall link each exterior entrance to the public rights-of-way, private open space, and parking areas.	

16.20.015.8. Building and site design.

The following design criteria allow the property owner and design professional to choose their preferred architectural style, building form, scale and massing, while creating a framework for good urban design practices.

Site layout and orientation. The City is committed to creating and preserving a network of linkages for pedestrians.

Local and national historic districts.

1. Where a property is individually listed or located within a historic district in the National Register of Historic Places or St. Petersburg Register of Historic Places, the addition of dwelling units shall be allowed when adaptively established within the existing principal structure or within an addition or accessory building that is designed subordinate to the principal structure.

Building layout and orientation.

1. For nonresidential uses, all service areas and loading docks shall be located behind the front façade line of the principal structure. For residential uses with three or more units, a 3-foot by 3-foot paved pad shall be provided adjacent to the alley for placement of a solid waste container. Dumpsters shall be located in an enclosure that is finished with material that is consistent with the architecture of the principal structure and include opaque gates (chain link with slats is prohibited). The enclosure shall be located behind the front façade line of the principal structure.
2. All mechanical equipment and utility functions (e.g. electrical conduits, meters and HVAC equipment) shall be located behind the front façade line of the principal structure. Mechanical equipment that is visible from the primary street and elevated above grade shall be screened with a material that is compatible or consistent with the architecture of the principal structure. Mechanical equipment that is visible from the primary street and is located at grade shall be screened with a material that is compatible with the architecture of the principal structure, landscaping or a 6-foot-tall decorative fence or wall.
3. Accessory structures (including sheds) shall be located behind the front façade line of the principal structure.

Landscaping. For up to four units on a property, refer to landscaping regulations for the development and redevelopment of new one- and two-unit residential properties (currently section 16.40.060.2.1.1). For non-residential and projects exceeding four units, refer to the landscape regulations for development and redevelopment of non-residential and multi-family property (currently Section 16.40.060.2.1.3).

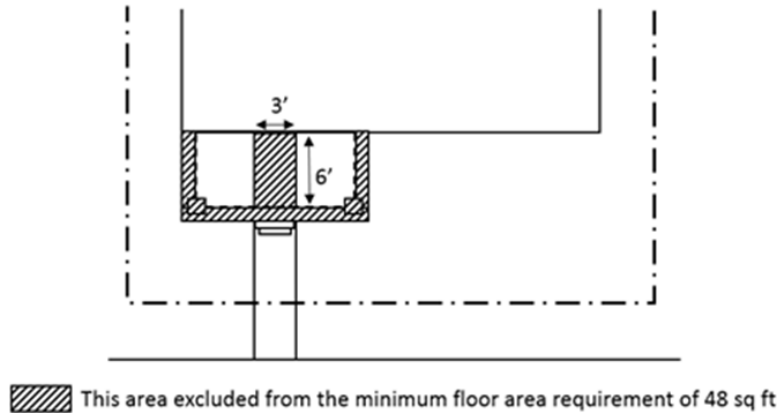
Vehicle connections and parking.

1. All parking shall be accessed from a public alley. For residential uses with three or more units, the alley shall be paved. If an existing alley is unpaved, the applicant shall be responsible for paving the alley behind the property to the nearest street.
2. Garage doors shall face the alley.
3. All parking spaces shall be located behind the plane of the front building face.
4. Required parking shall comply with 16.10.020.1, but in no case shall there be less than one parking space per unit.
5. Notwithstanding the foregoing, non-conforming front or side street driveways and parking may remain when additional units are added to a building or if existing buildings are retained on site, provided that all parking and driveways meet the design standards of 16.40.090, parking spaces be separated from the sidewalk and screened with a fence and a minimum 3-foot landscape buffer, and any additional parking be accessed from a public alley. Further, where an existing driveway is providing access to a single-family garage, the driveway may remain regardless of the number of units added to the site, provided any parking for the additional units is accessed from the alley.

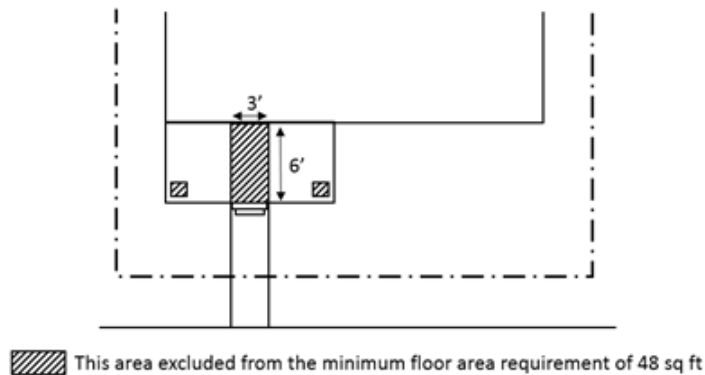
Porches and pedestrian connections.

1. Principal entries shall include a porch, with a minimum usable depth of 6-feet (measured from the front façade line of the structure to the interior side of the railing or, if there is no railing, the furthest edge of the floor) and 48 square feet of total floor area, excluding a three-foot wide walkway to the primary entrance and the floor area of any column. Where a railing exists, only the floor area within the interior side of the railing shall count towards the minimum floor area. A porch may be exempt from the minimum size requirements if consistent with the architectural style.
2. Existing public sidewalks shall be repaired to City standards. Where no public sidewalk exists, a public sidewalk shall be constructed in accordance with the requirements of the subdivision section.

**Porch Dimension Requirement:
Example with Railing**



**Porch Dimension Requirement:
Example without Railing**



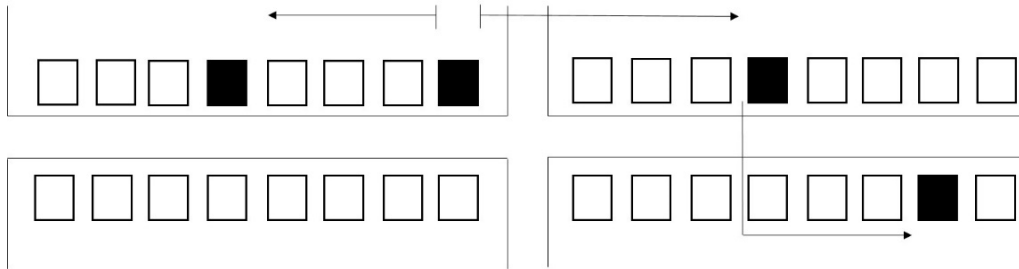
Building and architectural design standards. All buildings should present an inviting, human scale façade to the streets, internal drives, parking areas and surrounding neighborhoods. The architectural elements of a building should give it character, richness and visual interest.

Building style.

1. New construction shall utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies. See the Architecture and Building Design Section.
2. Design of buildings within the on the same block face on either side of the street or within an adjacent block face on either side of the street shall be varied, such that a substantially similar design will not be replicated. Bungalow courts are exempt from this non-repeat standard. Other creative layouts involving multiple buildings on a single parcel may be approved at the discretion of the POD.

There shall be a minimum separation of three parcels in every direction before a substantially similar design can be repeated. Variation is not required for homes with a different number of habitable stories. Variation shall include at least three of the following five elements: 1) architectural style, 2) roof form (principal or porch), 3) materials, 4) architectural details (doors, windows, columns, and porches), 5) front façade height and front façade width.

Non-Repeating Façades



3. Renovations, additions and accessory structures shall 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.

Building form.

1. The front porch shall be elevated at least 12 inches above the abutting finished grade level as measured abutting the porch at the front entry and include a minimum of two risers.
2. The front façade of a building shall create a width-to-height ratio of no more than 1:1. Buildings that exceed the width-to-height ratio of 1:1 shall feature architectural fenestration creating a bay system that divides the building design into a maximum ratio of 1:1. This may be done through pilasters, arcades, building line and roof line off-sets, materials and other appropriate architectural features.

Wall composition and transparency. Wall composition standards ensure that ground-level storefronts and multifamily and single-family residential buildings offer attractive features to the pedestrian. Wall composition standards also mitigate blank walls and ensure that all sides of a building have visual interest. Transparency enhances visual connections between activities inside and outside buildings, thereby improving pedestrian safety. The following criteria shall not apply to accessory structures.

1. Doors, windows and other appropriate fenestration, architectural details and features shall be incorporated into all sides of a building. There shall be no blank façades, except that garages located at the rear one-third of the lot may have blank façades but not on the street side. No portion of a front façade, street side façade or interior side façade located in the front two-thirds of the lot shall contain a blank area greater than 16 feet in width. No portion of an interior side façade located in the rear one-third of the lot or a rear façade on a corner lot shall contain a blank area greater than 20 feet in width.
2. At least 30 percent of primary and secondary street façades shall consist of fenestration or architectural details and features. At least 20 percent of the front two-thirds of interior side façades shall consist of fenestration or architectural details and features. At least ten percent of the rear façade on corner lots and through lots shall consist of fenestration or architectural details and features. At least 50 percent of the required fenestration shall be transparent (i.e., window glass). For yards on through-lots see the Dimensional Regulations and Lot Characteristics Section.
3. Structures which are situated on corner lots, through lots, or, by the nature of the site layout have a façade which is clearly visible from rights-of-way, shall be designed with full architectural treatment on all sides visible from rights-of-way. Full architectural treatment shall include roof design, wall materials, trim, and door and window openings. While it is recognized that buildings have primary and secondary façades, the construction materials and detailing should be similar throughout. Windows on the street side façades shall be evenly distributed in a consistent pattern, unless a different proportion is permitted or required by an identifiable architectural style.

Refer to Section 16.90.020 for the definition of fenestration and architectural details.

4. Window sashes and glass shall be square or vertical, unless a different proportion is permitted or required by an identifiable architectural style.
5. ~~Windows shall not be flush-mounted.~~ Windows recessed less than three inches shall feature architectural trim including a header, sill and side trim or decorative shutters. Windows recessed three

inches or more shall feature a window sill. Trim including a header, sill and side trim are~~is~~ not required if not consistent with the architectural style, i.e. Modern or Mediterranean Revival.

6. Where the required design elevation is equal to or greater than 48 inches above finished grade, an articulated base is required to delineate the first-floor level. The base may consist of a different material or decorative band, depending on the architectural style.

DRAFT

SECTION 16.20.020. - NEIGHBORHOOD SUBURBAN SINGLE-FAMILY DISTRICTS (NS)

16.20.020.7. Building envelope: Maximum height and minimum setbacks.

Maximum Building Height (All NS Districts)

Building Height	Beginning of Roofline	Top of Roof Peak
Primary building	24 ft.	36 ft.
Accessory building	20 ft.	30 ft.
Refer to technical standards regarding measurement of building height.		



Maximum Building Height, Minimum Building Setbacks

Building Setbacks		NS-1			NS-2			NS-E	
		If building height beginning of roof line is less than or equal is up to 24 ft.	If beginning of roof line is greater than 24 ft. up to 28 ft.	If building height beginning of roof line is over greater than 24 28 ft.	If building height beginning of roof line is less than or equal is up to 24 ft.	If beginning of roof line is greater than 24 ft. up to 28 ft.	If building height beginning of roof line is over greater than 24 28 ft.	If building height beginning of roof line is less than or equal is up to 24 ft.	If beginning of roof line is over greater than 24 ft.
Front Yard	Stoop	17 ft. or M	20 ft. or M	35 ft.	22 ft. or M	25 ft. or M	40 ft.	27 ft. or M	45 ft.
	Open Porch ⁽¹⁾	20 ft. or M	23 ft. or M	35 ft.	25 ft. or M	30 ft. or M	40 ft.	30 ft. or M	45 ft.
	Building	25 ft. or M	30 ft. or M	35 ft.	30 ft. or M	35 ft. or M	40 ft.	35 ft. or M	45 ft.
Interior Side Yard		7.5 ft. or M	10 ft. or M	15 ft.	7.5 ft. or M	10 ft. or M	15 ft.	15 ft. or M	25 ft.
Street Side Yard		12 ft. or M	15 ft. or M	20 ft.	15 ft. or M	20 ft. or M	25 ft.	20 ft. or M	30 ft.
Rear Yard	Principal	20 ft. or M	25 ft. or M	30 ft.	20 ft. or M	25 ft. or M	30 ft.	30 ft. or M	40 ft.
	Accessory	10 ft. or M	20 ft. or M	30 ft.	10 ft. or M	20 ft. or M	30 ft.	20 ft. or M	40 ft.
Waterfront Yard		15 ft.	20 ft.	20 ft.	15 ft.	20 ft.	20 ft.	20 ft.	20 ft.

Notes:

(1)Open porch shall be limited to a one story covered porch with or without a second story uncovered porch; a two story covered porch shall meet the principal structure setback.

M (minor encroachment). Minor encroachments into the normally prescribed setbacks may be allowed so that an addition may align with the side of the existing structure, provided:

- (a) The total floor area of the encroaching portion of an addition shall not exceed 50 square feet;
- (b) No portion of the encroachment shall exceed 24 feet in height;
- (c) In no case shall any setback be less than four feet.

For properties located in a Special Flood Hazard Area, encroachments into normally prescribed setbacks may be allowed in order to accommodate an existing single-family home being elevated to meet the required FEMA design flood elevation provided:

(a) Any additions to the existing building footprint, stairways or elevated decks must meet the normally prescribed setbacks

(b) The Interior Side Yard setback shall be a minimum of three feet.

(c) The Front Yard Stoop setback is permitted at 15-feet.

Refer to the dimensional regulations and lot characteristics and height, maximum allowable and encroachments sections (currently 16.60.010 and 020) for yard types and stoop and setback encroachments.

Enclosing porches in the front yard setback is regulated by the general development standards.

Building setbacks are based on the overall height of the various sections of a proposed building. As the building height increases, so does the minimum required setback.



Minimum Building Setbacks for SE Uses

Building Setbacks SE Uses	NS-1	NS-2	NS-E
All yards, including waterfront	35 ft.	35 ft.	35 ft.
Refer to technical standards for yard types.			

(Code 1992, § 16.20.020.7; Ord. No. 876-G, § 3, 2-21-2008; Ord. No. 893-G, § 3, 9-4-2008; Ord. No. 287-H, § 7, 7-20-2017)

16.20.020.11. Setbacks and FAR consistent with established neighborhood patterns.

There are building setback and FAR characteristics of existing neighborhoods related to front yard setbacks, FAR, and alignment of buildings along the block face. Minimum yard setback and FAR characteristics of neighborhoods may differ from the requirements of this district. The POD may approve, without a variance, residential development that meets these setback characteristics. Approval shall be based on the following:

1. Front yard setbacks will be based on predominant building setbacks established in the block face on both sides of the street in which the development is proposed for properties within the same zoning district with the same lot orientation. [OPTION 1]
1. ~~Front yard setbacks will be based on predominant building setbacks established in the block in which the development is proposed. To qualify for a reduced front yard setback at least 50-percent of the structures in the block face on both sides of the street in which the development is proposed must have a front yard setback that is less than current requirements and the reduced front yard setback that may be approved shall be the average of those numbers.~~ [OPTION 2]
2. FAR will be based on predominant building FAR established in the block and on the block face on both sides of the street in which the development is proposed based on the property appraisers records.
3. Predominant shall mean ~~equal to or greater than 50-percent.~~ the median that is within the range of numbers, if there is more than one median of numbers, the average between the medians shall be used.
4. These are administrative approvals appealable only by the property owner.

(Code 1992, § 16.20.020.11; Ord. No. 876-G, § 3, 2-21-2008; Ord. No. 100-H, § 1, 12-19-2013; Ord. No. 246-H, § 5, 10-20-2016; Ord. No. 287-H, § 8, 7-20-2017)

16.20.020.12. Building and site design.

The following design criteria allow the property owner and design professional to choose their preferred architectural style, building form, scale and massing, while creating a framework for good urban design practices which create a positive experience for the pedestrian.

Site layout and orientation. The City is committed to creating and preserving a network of linkages for pedestrians. Consequently, pedestrian and vehicle connections between public rights-of-way and private property are subject to a hierarchy of transportation, which begins with the pedestrian.

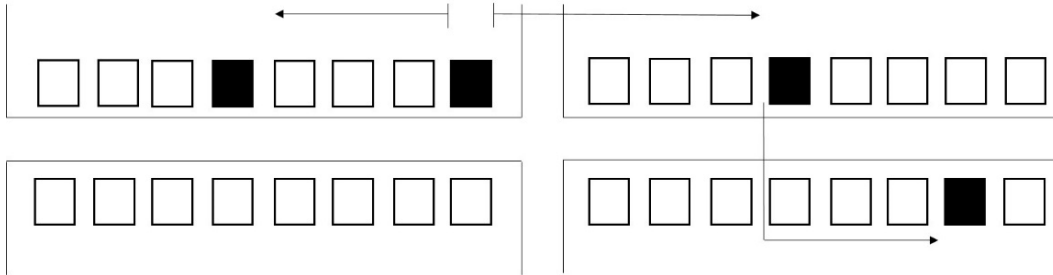
Building layout and orientation.

1. For nonresidential uses, all service areas, parking, retention ponds and loading docks shall be located behind the front façade line of the principal structure. Dumpsters shall be located in an enclosure that is finished with material that is consistent with the architecture of the principal structure and include opaque gates (chain link with slats is prohibited). The enclosure shall be located behind the front façade line of the principal structure.
2. All mechanical equipment and utility functions (for 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 primary street and elevated above grade shall be screened with a material that is compatible or consistent with the architecture of the principal structure. Mechanical equipment that is visible from the primary street and is located at grade shall be screened with a material that is compatible with the architecture of the principal structure, landscaping or a 6-foot-tall decorative fence or wall.
3. Accessory structures, not including ~~a~~ attached garages, shall be located behind the front façade line of the principal structure.

Building and architectural design standards. All buildings should present an inviting, human scale façade to the streets, internal drives, parking areas and surrounding neighborhoods. The architectural elements of a building should give it character, richness and visual interest and shall be consistent with the chosen architectural style.

Building style.

1. New construction shall utilize an identifiable architectural style, which is recognized by design professionals as having a basis in academic architectural design philosophies. See architectural and building design section, currently Section 16.40.020.
2. Design of homes ~~on the~~ within the same block face on either side of the street or within an adjacent block face on either side of the street shall be varied, such that a substantially similar design will not be replicated. There shall be a minimum separation of three parcels in every direction before a substantially similar design can be repeated. Variation is not required for homes with a different number of habitable stories. Variation shall include at least three of the following five elements: 1) architectural style, 2) roof form (principal or porch), 3) materials, 4) architectural details (doors, windows, columns, and porches), 5) front façade height and front façade width.



3. Renovations, additions and accessory structures shall 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.

Wall composition. Wall composition standards ensure that ground-level storefronts and multifamily and single-family residential buildings offer attractive features to the pedestrian. Wall composition standards also mitigate blank walls and ensure that all sides of a building have visual interest. Providing for transparency enhances visual connections between activities inside and outside buildings thereby improving pedestrian safety. The following criteria shall not apply to accessory structures.

1. Doors, windows and other appropriate fenestration, architectural details and features shall be incorporated into all sides of a building. With the exception of garages up to 15-feet in height located at the rear one-third of the lot there shall be no blank façades. No portion of a front façade, street side façade or interior side façade located in the front two-thirds of the lot shall contain a blank area greater than 16 feet in width. No portion of an interior side façade located in the rear one-third of the lot or a rear façade on a corner lot shall contain a blank area greater than 20 feet in width.
2. Structures which are situated on corner lots, through lots, or by the nature of the site layout have a façade which is clearly visible from rights-of-way shall be designed with full architectural treatment on all sides visible from rights-of-way. Full architectural treatment shall include roof design, wall materials, trim, and door and window openings. While it is recognized that buildings have primary and secondary façades, the construction materials and detailing should be similar throughout. Windows on the street side façades shall be evenly distributed in a consistent pattern, unless a different proportion is permitted or required by an identifiable architectural style. No portion of any façade visible from a right-of-way shall contain a blank area greater than 16 feet in width.

Refer to Section 16.90.020 for the definition of fenestration and architectural details.

For yards on through-lots see the dimensional regulations and lot characteristics section.

4. Where the required design elevation is equal to or greater than 48 inches above finished grade, an articulated base is required to delineate the first floor level. The base may consist of a different material or decorative band, depending on the architectural style.
5. Windows on the street side façades shall be evenly distributed in a consistent pattern. Windows recessed less than three inches shall feature architectural trim including a header, sill and side trim or decorative shutters. Windows recessed three inches or more shall feature a window sill. Trim including

a header, sill and side trim are not required if not consistent with the architectural style, i.e. Modern or Mediterranean Revival.

Roofs. Rooflines add visual interest to the streetscape and establish a sense of continuity between adjacent buildings. When used properly, rooflines can help distinguish between residential and commercial land uses, reduce the mass of large structures, emphasize entrances, and provide shade and shelter for pedestrians.

1. Buildings shall provide a pitched roof or a flat roof with a decorative parapet wall compatible with the architectural style of the building.

Garages. Garage standards maintain and enhance the attractiveness of the streetscape and are influenced by a hierarchy of transportation, which begins with the pedestrian.

1. Where alley access exists, alley access is highly encouraged.
2. Garage doors shall comprise no more than 60 percent of the linear frontage of the façade of the principal structure. When garage doors comprise more than 40 percent of the linear frontage of the façade, the principal structure shall feature a projecting an entryway a porch connected to the principal entry that ~~shall have a minimum projectsed depth a minimum~~ of five feet in front of the front façade line.
3. Where garages, including detached garages, which project past the front or street side façade of the principal structure and have garage doors that face a the primary street, the garage entry shall feature at least one of the following enhancements: decorative garage doors, an arbor system surrounding the garage doors, a projecting balcony, cupola or other decorative element above the garage to lessen the impact of the vehicular orientation of the house. The decorative feature proposed by the applicant shall be compatible with the principal structure and must be approved by the POD. This decision may only be appealed by the property owner.

Building materials. Building material standards protect neighboring properties by holding the building's value longer, thereby creating a greater resale value and stabilizing the value of neighboring properties.

1. Building materials shall be appropriate to the selected architectural style and shall be consistent throughout the structure except for one story covered patios, pergolas, sunrooms or screen enclosures located at least ten feet behind the front façade of the principal structure. If multiple materials are used in a building façade, the visually heavier materials shall be located below the lighter materials, e.g. brick or stone shall be located below stucco or siding materials, unless they are used as architectural features. Conversion of an existing covered patio, screen enclosure with solid roof, or sunroom to enclosed habitable space is exempt from matching the roof style of the principal structure.

Accessory structures and ancillary equipment and carports. Accessory structures shall reinforce the pedestrian character of the City. Above-ground utility and service features, accessory storage structures, and carports shall be located and designed to reduce their visual impact upon the streetscape. See use specific standards for accessory structures.

1. Detached accessory structures, such as garages and garage apartments, shall be consistent with the architectural style, materials, and color of the principal structure. For multi-story accessory buildings, there shall be no blank facades on the second story and no portion of an exterior wall on any floor may contain a blank area greater than ~~4620~~-feet in width.

SECTION 16.30.030. ARTIST ENCLAVE

16.30.030.5.2. - Land use restrictions.

A. The AEOD is an overlay district and shall overlay all other zoning districts within its boundaries. Any uses permitted in the zoning district shall be permitted subject to all provisions applicable to the zoning district.

B. When located in an NT-1 or NT-2 zoning district, an AEOD home business use shall be an accessory use to any single or multi-family dwelling units where a residence is considered the principal use. The residence shall be occupied by the proprietor, or an assistant, of the AEOD home business use. In NT-1 or NT-2 zoning districts:

1. General office and neighborhood-scale retail uses.

a. Shall be by scheduled appointment only.

~~b. Shall be limited to no more than four appointments per day.~~

c. Appointments are prohibited between the hours of 7:00 p.m. and 9:00 a.m., except as may be allowed during district-wide special events.

2. Instruction and tutoring uses.

~~a. Classes shall be held not more than two days a week for a period not to exceed three hours per day.~~

b. Classes are purely incidental to the uses of the property.

~~c. Not more than four students are permitted to attend each class.~~

16.30.030.6.1. - Maximum number of assistants, hired or non-hired.

When an AEOD is located in an NT-1 or NT-2 zoning district, ~~one~~ two assistants who ~~is~~ are not a ~~residents~~ of the dwelling unit shall be permitted to be at the property. The number of assistants is not restricted in any other AEODs.

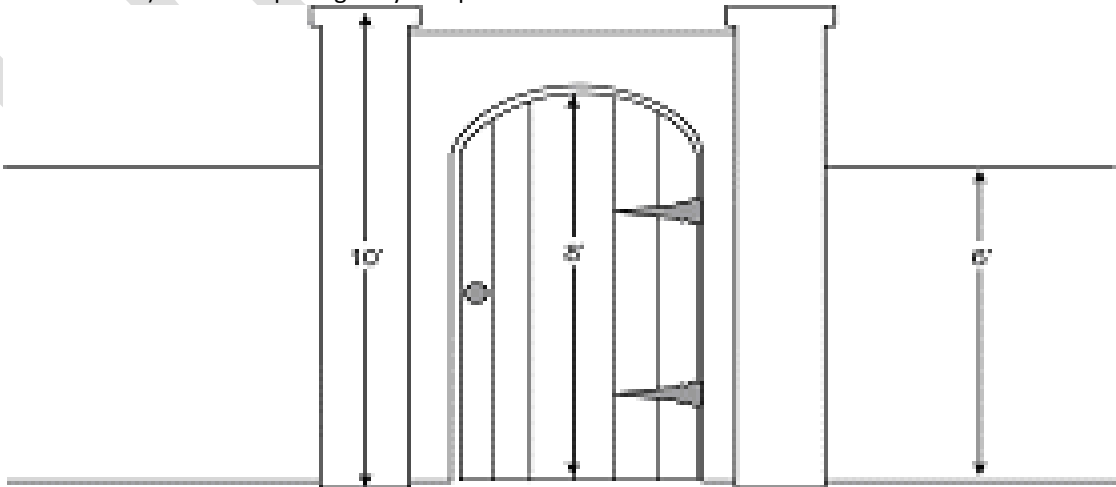
SECTION 16.40.040. - FENCE, WALL AND HEDGE REGULATIONS

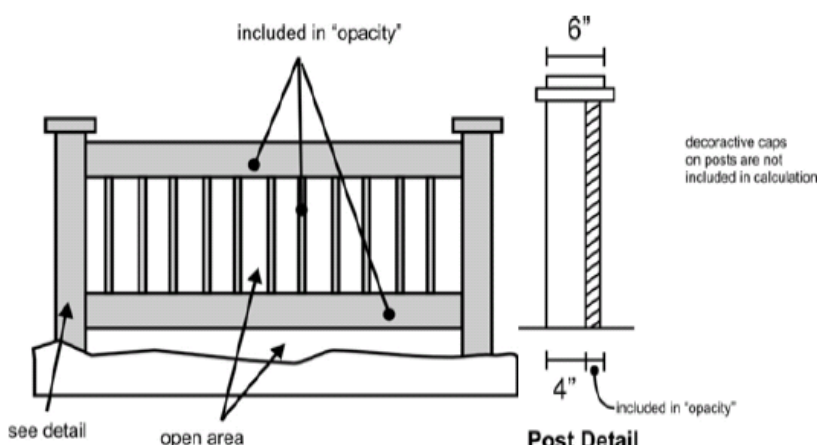
16.40.040.3. – Charts

The following charts provide specific regulations and design and other guidelines.

1. RESIDENTIAL USES (Including mixed-uses with a residential component; excludes requirements for waterfront yards - see below)				
	Front Yards - Major Streets, except Neighborhood Collectors	Front Yards - All other streets	Side Yards, Street Side Yards, and Rear Yards	Street Side - Abutting Neighbor's Front Yard
Maximum Height	- 4 feet for a fence or wall of any style - 6 feet for a decorative fence or wall <u>with the top 2 feet being open,</u> which is landscaped - 6 feet for a hedge	- 4 feet for a fence or wall of any style - 5 feet for a hedge - 6 feet for a decorative fence or wall <u>with the top 2 feet being open,</u> which is landscaped and which is on a property with more than 150 lineal feet of street frontage	- 6 feet for a fence or wall of any style - 10 feet for a hedge	- 4 feet for a fence or wall of any style - 5 feet for a hedge
The diagram at right is intended to provide an illustrative view of the foregoing regulations as applied to rectangular lots platted in the traditional block pattern of the City. For non-rectangular lots or for lots with irregular lot lines, property owners are advised to contact the City to verify interpretation of the ordinance as	Min 2-ft setback from sidewalk for 6-ft high fence or wall. NON-MAJOR STREET Property Line (typ.) CORNER LOT ON A MAJOR STREET CORNER LOT ON A NON-MAJOR STREET INTERIOR LOT ON A MAJOR STREET INTERIOR LOT ON A NON-MAJOR STREET ALLEY MAJOR STREET NON-MAJOR STREET 45 ft See 16.40.160 "Visibility at Intersections" for 36-inch height restrictions. INTERIOR SIDE YARDS, STREET SIDE YARDS, AND REAR YARDS 6-ft maximum height for a fence or wall of any style 10-ft maximum height for a hedge, within 5 ft of property line FRONT YARD ON A NON-MAJOR STREET 4-ft maximum height for a fence or wall of any style 5-ft maximum height for a hedge, within 5 ft of property line 6-ft maximum height for a decorative fence or wall which is landscaped and which is on a property with more than 150 lineal feet of street frontage FRONT YARD ON A MAJOR STREET 4-ft maximum height for a fence or wall of any style 5-ft maximum height for a hedge, within 5 ft of property line 6-ft maximum height for a decorative fence or wall which is landscaped STREET SIDE YARD ABUTTING NEIGHBOR'S FRONT YARD 4-ft maximum height for a fence or wall of any style 5-ft maximum height for a hedge, within 5 ft of property line			

applied to a specific property.	
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5. DESIGN AND OTHER RELATED REGULATIONS	
A. EXEMPTIONS	Fences, walls and hedges on certain properties of the Pinellas County School Board shall be regulated as set forth in an interlocal agreement between the City and the School Board, as may be amended from time to time.
B. ALLOWANCES FOR ADDITIONAL HEIGHT	1. Fences or walls for which a greater height is necessary because of 1) an association with uses that require high fences to protect public safety, such as, but not limited to, driving ranges, utility substations, baseball fields, athletic fields, and swimming pools or 2) a requirement of a state or federal agency, may be allowed subject to a height limit which may be imposed by the POD. Approval of height in excess of that allowed by this Code will be based upon precedent established by previous City approvals, standardized specifications, required security measures, and trajectories for driving ranges and athletic fields. Such fences or walls need not comply with the Design Standards of this section, but shall comply with all landscaping requirements.
	2. One (1) additional foot of height is allowed for fence or wall columns which are a maximum of two (2) feet in width and spaced at least six (6) feet apart measured center to center.
	3. Two (2) additional feet of height is allowed for a decorative open arched gate which does not exceed 25 feet in width for a vehicular gate or eight (8) feet in width for a pedestrian gate.
	4. Four (4) additional feet of height is allowed to accommodate solid arch structures over gates (as shown below) and other passageways for pedestrians and vehicles.  Additional Height for Gates/Arches

	5. Two (2) additional feet of height is allowed for decorative lanterns, urns, planters, or sculptural elements above the maximum height allowed for the fence or wall component (e.g. wall, column, or arch) upon which such decorative feature is located.
	6. Maximum height may vary by up to six (6) inches to allow for grade changes, clearance under fences for maintenance, footers, other obstacles customary to the use intended to be fenced, and reasonable human error.
	7. Up to two sections of fence or wall, not to exceed eight (8) feet in width each, may be allowed two (2) additional feet in height within any side (non-street) or rear yard for lattice, planter boxes, or selective screening of adjoining uses.
	8. Fences, walls, or hedges along the side yard of a residential use which abuts a non-residential use may be six (6) feet in height to within five (5) feet of the front property line.
	9. Fences or walls for single-family uses which abut Interstate 275 may be eight (8) feet in height.
C. DESIGN STANDARDS	1. All fences and walls shall comply with the architectural, design, and landscaping requirements of this code.
	2. All fences and walls shall be installed with the finished side facing towards the exterior or adjoining properties and rights-of-way (excluding alleys). For fences and walls between adjoining properties, this requirement may be waived by the POD upon approval by the adjoining property owners, whose written approval shall be signed or acknowledged before a notary.
	3. Barbed wire is prohibited at 1) any residential use; 2) any mixed-use having a residential component; 3) any residentially-zoned property (regardless of its developed use); 4) any property zoned DC or CCT-2; and 5) on any property within ten feet of any property zoned or developed with a residential use. Barbed wire shall be oriented toward the interior of the property and included in the overall fence height measurement. Barbed wire is prohibited on any fence within a yard along a major street.
	4. On all properties (excluding properties with industrial, single-family, and duplex uses), fences and walls visible from any street (not including alleys) shall be decorative or shall be vinyl-coated chain-link (including stands, poles, and rails). Vinyl-coated chain-link fences and opaque fences or walls more than four feet in height, which abut a street (not including alleys), shall be setback a minimum of two feet from the property line and shall be landscaped in accordance with the section regulating landscaping and irrigation. 
	5. All fences except chain-link fences shall have upper and lower rails between posts. A chain-link fence shall have a top rail.
	6. Fences and walls shall comply with the design requirements established for the zoning district.

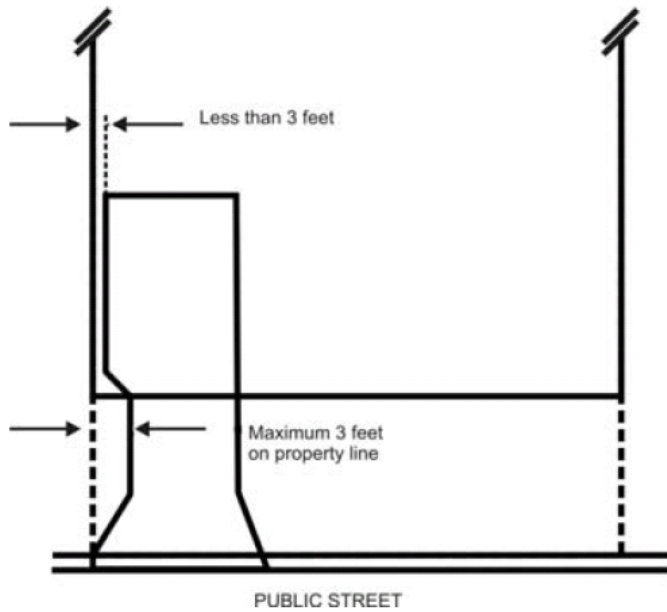
	7. Fences and walls shall be consistent in style and design within any property (e.g. same design in front yard or rear yard), and for yards abutting streets (e.g. same or compatible design and style for both front and street side yards for corner lots). Fences and walls shall be comprised of no more than three materials for panels, posts, rails, columns, and other elements within all yards of any property. Fences and walls in side, rear, and waterfront yards may be comprised of a different material(s) than that used in the front yard.
	8. Fences and walls shall be designed and installed as follows. a. Fences shall be designed in accordance with industry standard forms such as: stockade, board-on-board, shadowbox, tongue-and-groove, picket, split rail and chain link. An alternative form may be approved where the POD finds that the proposed form complies with the intent of the provisions of this section and that the form requested is at least the equivalent to the industry standard in quality, strength, effectiveness, fire resistance, durability and safety. b. The term <i>building materials</i> shall mean industry standard materials normally manufactured for, used and recognized as fencing materials such as: wrought iron, aluminum or other decorative metals suitable for the construction of fences, masonry, concrete, stone, galvanized and vinyl-coated chain link, wood planks or pickets, and vinyl or composite manufactured specifically as fencing materials. <u>Metal shall have an exterior finish that is not shiny or reflective. The use of metal roofing or metal siding materials is prohibited.</u> An alternative material may be approved where the POD finds that the proposed material complies with the intent of the provisions of this section and that the material requested is at least the equivalent of the industry standard in quality, strength, effectiveness, fire resistance, durability and safety.
	9. Fences and walls greater than 100 feet in length shall be articulated by columns or other visual breaks measuring at least two feet in width and spaced no more than 24 feet apart. Landscaping shall be provided in accordance with the landscaping and irrigation section. This design standard shall apply for any portion of a qualifying fence or wall facing a right-of-way (excluding alleys.)
	10. The attachment of fabric, shade cloth or other material to a chain link or similar open fence is prohibited except as provided herein. Fabric, shade cloth or other material is not a permitted method for required screening of outdoor storage areas. Fabric, shade cloth or other material may be installed to create a wind barrier for athletic courts or similar situations subject to the following conditions: a. Professional installation is required by a licensed contractor; b. The proposed material shall be designed to withstand wind resistance with commercial grade seams and attached at grommets designed in a manner consistent with building regulations.
	11. Except as otherwise provided in this subsection. It shall be unlawful for any person to construct, maintain, place, install or allow or cause to be constructed, maintained, placed or installed on or about any structure or property any fence, barrier, partition, obstruction or similar structure that is electrically charged or connected with any electrical source in such a manner as to transmit an electrical charge to persons, animals or things which come in contact therewith. <u>Low voltage</u> Electrically charged fencing may be used for security purposes is allowed on any industrial zoned property that is not zoned exclusively for single family or multi family residential use (districts exclusively zoned single and multi family; <u>except within the following single-family and multi-family residential districts: NT, NS, NTM, NSM and NPUD;</u> subject to the following conditions that a nonelectric fence or wall must completely enclose the outside perimeter of the fence and shall be 2-feet higher than the perimeter nonelectric fence or wall.
	a. Only low voltage electrical fencing shall be used with a maximum of 12 volts, primary voltage;
	b. Electrically charged fencing shall be installed in accordance with recognized and accepted standards for electric fence energizers as determined by the most recent published edition of the International Electrotechnical Commission Standards;
	c. Electrically charged fencing shall comply with the height requirements of this section;

	d. Electrically charged fencing shall be completely surrounded by a non-electrical fence or wall. The surrounding non-electrical fence or wall shall be separated from the electrically charged fence by at least three inches;
	e. Electrically charged fencing shall be identified as such with a sign, no larger than one square foot in area, and shall be placed on all sides of the property where the electrically charged fence is located with at least one sign per every 60 linear feet or portion thereof;
	f. Where adjacent to a public sidewalk or right-of-way, electrically charged fencing, and the surrounding non-electrical fence or wall, shall comply with the following setback and landscaping provisions. The buffering requirements are based on the type of surrounding non-electrical fence or wall. Landscaping shall be installed on the exterior side of the fence or wall.
	12. Gates and fencing for docks on non-contiguous water lots, and docks on contiguous upland property that are located across a right-of-way or City owned easement from the principal use, shall be open and consist of decorative materials such as wrought iron, aluminum or other decorative metals suitable for the construction of fences, masonry, concrete, stone, and vinyl or composite manufactured specifically as fencing materials. Any fencing projecting beyond the width of the dock as measured at the seawall (the walkway) shall be limited [to] 5 feet in height and 3 feet in width on each side of the walkway. Replacement of a dock or the existing gate or fencing, the replacement of a majority of the pilings, any expansion of the deck area or the addition of a boat lift(s) shall require gates and fences to be brought into compliance. This shall not apply to commercial marinas or properties in the IC/CRD land use category.

16.40.090.3.3. Development standards for private one- and two-family properties.

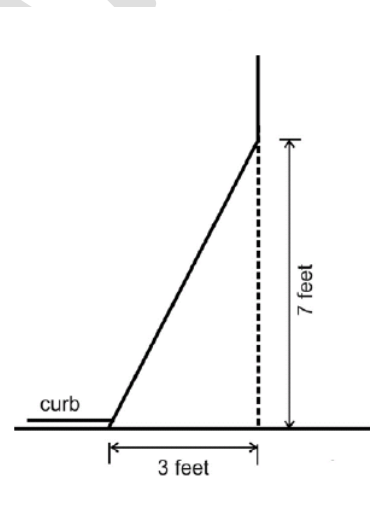
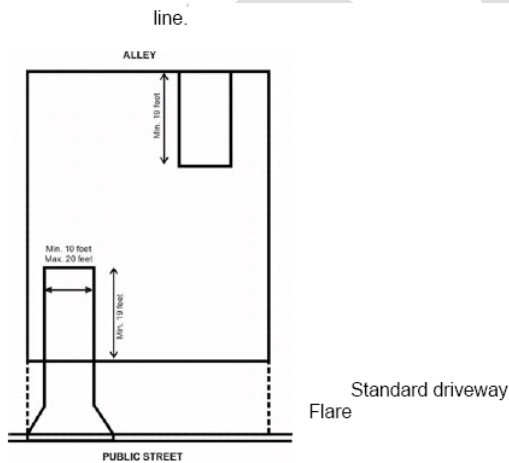
Parking.

1. *Location.* Required parking spaces shall be located on the same lot as the use.
2. *Driveways.* Driveways shall be designed in a manner that minimizes disruption of pedestrian corridors and the streetscape. Driveway locations shall be provided as required in the zoning district, except that no such driveways shall be allowed when a one- or two-family residential property abuts an alley and is located in a DC district.
3. *Variances.* Where unique conditions related to existing buildings, dimensional aspects of platted lots, or a lack of available space preclude strict compliance with these requirements, the POD may adjust the minimum requirements in accordance with the standards of review for the granting of a variance.
4. *Visibility triangle.* The visibility triangle is an area which has certain restrictions to allow for safe visibility when operating a motor vehicle or bicycle or for pedestrian movement. Driveways may encroach into the visibility triangle within the public right-of-way; however, driveways shall not encroach into the visibility triangle within the boundary of the private property.
5. *Setbacks.* Portions of a driveway located in the right-of-way shall meet a minimum setback of two feet in traditional zoning districts and three feet in suburban zoning districts from the extended interior and streetside property line.

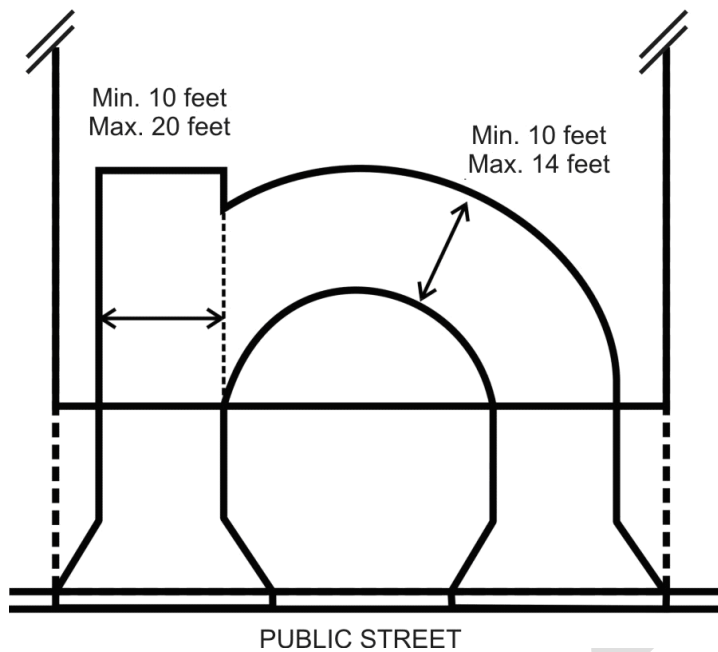


6. *Dimensions.* Parking spaces shall be located completely on private property to prevent vehicles from overhanging into and obstructing the public right-of-way. Parking spaces shall be a minimum of 9 feet in width and 18 feet in length and completely on private property.

a. *Standard driveway.* Driveways shall measure no less than ten feet in width and no more than 20 feet in width, no more than 20 feet as the driveway crosses the property line and no more than 26 feet at the curb, which includes a three-foot by seven-foot triangular flare. The required minimum length for the portion of the driveway on the private property is 19 feet, measured from the property line.

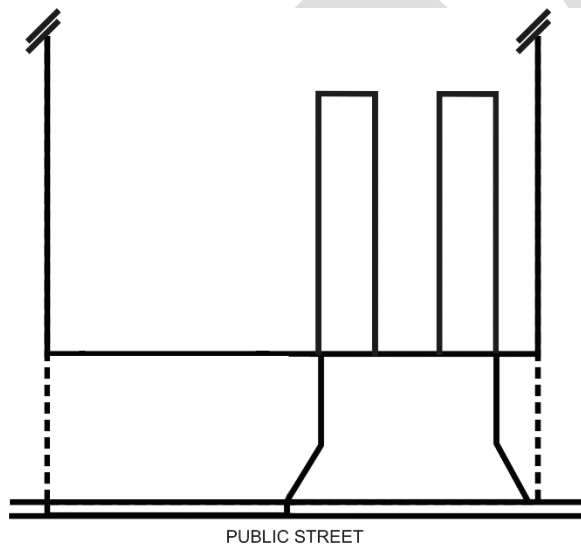


b. *Circular driveway.* The circular portion of a driveway shall measure no less than ten feet in width and no more than 14 feet in width, no more than 14 feet as the driveway crosses the property line and no more than 20 feet at the curb, which includes a three-foot by seven-foot triangular flare. Circular driveways are not allowed on lots less than 60 feet wide.

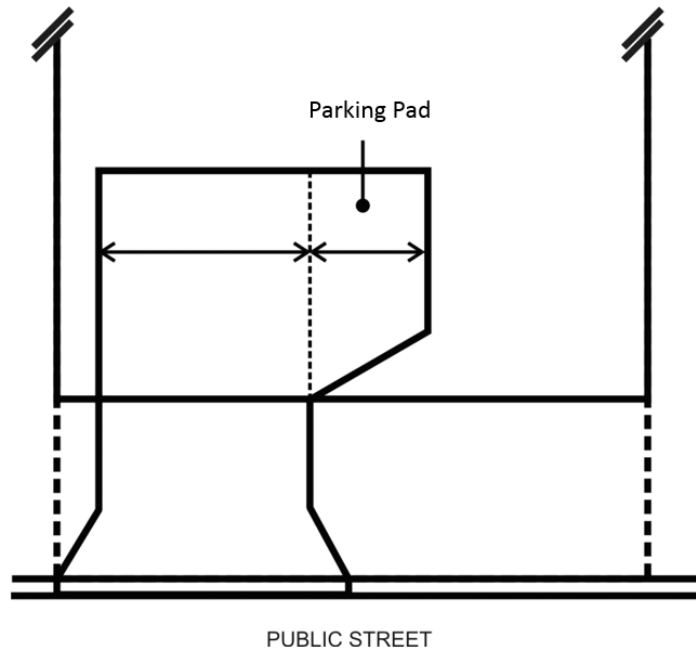


Circular Driveway

- c. *Ribbon driveway.* Ribbon driveways are an acceptable alternative to standard driveways, reducing the overall impervious surface coverage. Ribbon driveways are subject to the same maximum dimensional standards as standard driveways. Individual "ribbons" are only permitted within the property (not the right-of-way) and shall measure between 1½ and 2½ feet in width.



- d. *Accessory parking pad.* An accessory parking pad no wider than ten feet and not exceeding 400 square feet in area may be installed contiguous to a legally recognized driveway, subject to the condition that the parking surface area is located wholly within the property and no closer than three feet to the interior or street side property lines. See zoning district criteria for specific dimensions for parking pads.



e. *Zoning specific criteria.*

1. When a property is located within a traditional zoning district, any new, reconstructed or reconfigured driveway shall be no wider than 20 feet within the property boundaries, 12 feet as the driveway crosses the property line and 16 feet at the curb, which includes a two-foot by seven-foot triangular flare. Circular driveways within the front or street side yards are prohibited, except as otherwise allowed by the building design standards of the zoning district. Where a circular driveway is permitted, the circular portion of the driveway shall measure no less than ten feet in width and no more than 12 feet in width, no more than 12 feet as the driveway crosses the property line and no more than 16 feet at the curb, which includes a two-foot by seven-foot triangular flare.

2. When property is located within a suburban zoning district, one driveway (inclusive of one portion of a circular driveway that extends to the curb) shall be no wider than 20 feet within the property boundaries, 20 feet as the driveway crosses the property line and 26 feet at the curb. All additional driveways (inclusive of one portion of a circular driveway that extends to the curb) shall be no wider than 14 feet within the property boundaries, 14 feet as the driveway crosses the property line and 20 feet at the curb. See also dimension requirements for circular driveways.

7. *Sidewalks located within adjoining right-of-way.*

In traditional districts, where a driveway intersects a sidewalk located within the right-of-way, the portion of the sidewalk that crosses the driveway shall have a consistent finish and color as the abutting sidewalk and be visually delineated with expansion joints.

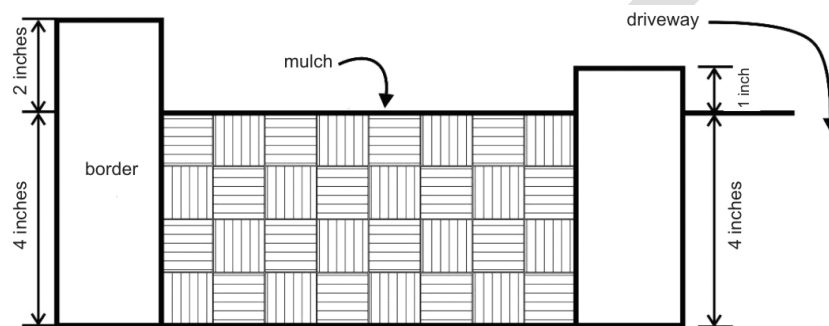
In suburban districts, where a driveway intersects a sidewalk located within the right-of-way, the portion of the sidewalk that crosses the driveway shall be visually delineated with a change in color or material or with expansion joints. The abutting property owner shall be responsible for maintaining the sidewalk in good condition and repair with no cracks or voids larger than one inch.

In a National Register Historic District, if the existing sidewalk is hexagon block, the sidewalk and the portion of the sidewalk that crosses the driveway shall remain hexagon block except where an existing driveway is replaced and the portion of the sidewalk that crosses the driveway is not hexagon block provided the new driveway is delineated by control joints.

8. *Impervious surface coverage.* The maximum impervious surface ratio is limited to those areas within the boundary of the private property and does not include the public right-of-way. For interior lots, no more than 45 percent of the land area between the front property line and front building setback line may be paved or covered with impervious surface materials. For corner lots, no more than 25 percent of the land area between the front and street side property lines and front and street side building setback lines may be paved or covered with impervious surface materials. Impervious surface materials include the surface materials identified in subsection 9 of this section.

9. *Surface materials.* The portion of the driveway located within the right-of-way shall be constructed of asphalt or concrete material, brick or decorative pavers. The portion of the driveway and all required parking spaces located within the property boundaries shall be constructed of asphalt or concrete material, brick or decorative pavers, grid pavers, crushed stone, rock, gravel or other materials approved by the POD. Crushed shell is prohibited. The abutting property owner shall be responsible for maintaining the surface in good condition and repair with no cracks or voids larger than one inch.

For accessory parking pads, organic mulch is also an approved surface material and is subject to the following minimum technical standards. Mulch shall be at least four inches deep. The parking pad shall be bordered with a solid border at least four inches below the surface and extending at least two inches above the surface of the mulch on all sides except the driveway side, where it shall extend at least one inch above the mulch surface.



Mulch Parking Pad

(Code 1992, § 16.40.090.3.3; Ord. No. 893-G, § 36(16.40.090.3.3.3), 9-4-2008; Ord. No. 985-G, §§ 49, 50, 7-15-2010; Ord. No. 1029-G, § 33, 9-8-2011; Ord. No. 287-H, § 14, 7-20-2017)

16.40.090.3.5. Parking garages.

1. *Design standards.* The following requirements shall apply to parking garages:

k. ~~Electric vehicle (EV) parking spaces. For residential use parking spaces, a minimum of fifteen percent (15%) shall be EV Ready (install electric panel with a dedicated branch circuit and a continuous raceway from the panel to the future EV parking spot) and two percent (2%) shall be EVSE Ready (electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt charging outlet). For all other uses, a minimum of twenty percent (20%) shall be EV Ready and two percent (2%) shall be EVSE-Installed (Level 2 EV charging station)~~

SECTION 16.40.140. - SUBDIVISIONS

16.40.140.2.4. Lot line adjustments and lot splits.

- A. *Procedure.* For procedures, see applications and procedures section.
- B. *Definition.* The term "lot line adjustment" means the adjustment of the platted lot line(s) between two or more abutting platted lots of record which changes the size of the buildable lots. The term 'lot split' means the creation of one or more lots from a platted lot of record which changes the number of buildable lots.
- C. *Standards for review.* In reviewing an application, the POD, Development Review Commission, or City Council, shall consider the following criteria:
1. Easements for public utilities including stormwater drainage shall be provided as required. The applicant shall pay any costs of utility adjustments, extensions, relocations, and connections.
 2. Any unpaid outstanding liens and assessments owed to the City shall be satisfied as a condition of lot line adjustment or lot split.
 3. Consistency with the established neighborhood pattern shall be maintained, including lot dimensions, utility and parking functions, alley access, and sanitation services. New lot lines shall comply with the subdivision requirements when practical and shall be formed of one straight line.
 4. All lots must be owned by the same entity or have the written consent of the property owner.
 5. Lot line adjustments and lot splits shall not create more than two additional buildable lots.
 6. For lot line adjustments, all lots shall meet the minimum lot size of the zoning district, unless one or more of the original lots do not meet the minimum lot size, then no lot having less area than the smallest of the lots included in the application shall be created.
 7. For lot splits, no variance to the minimum lot area requirements of the zoning district is allowed.
- D. *Replatting.* Replatting is required if the lot line adjustment or lot split results in the property that is the subject of the application being divided, and including any abutting property and lots in common ownership, or which are part of a unified plan of development, into a total of three or more lots.

16.40.140.4.2. Sidewalks.

- A. Sidewalks are required on both sides of all major arterial and collector streets, as identified on the Future Major Streets Map and on properties located within the following zoning districts: NT, CRT, CCT, IT, DC, RC and IC/CRD. Sidewalks shall only be required on the north and west sides of all other streets. Sidewalk widths shall be not less than the following:

Along arterial and collector streets	6 ft.
Along other streets in residential and industrial zones	4 ft.*
Along other streets, in commercial and office zones	5 ft.*
Pedestrian crosswalks	4 ft.
Downtown Center (DC) zoning districts	at least 10 ft.;
	Landscape features and street furniture may encroach up to two feet for no more than 50% of the linear frontage of a parcel.
* All sidewalks abutting curbs shall be six (6) feet.	

- B. For new development or redevelopment within a two-mile radius of the property line of any existing or planned public school, the property owner or developer shall construct sidewalks along the street contiguous to the property being developed that directly serves the public school facility, in support of F.S. § 1013.36 and the Pinellas County Metropolitan Planning Organization 2025 Long Range Transportation Plan.

C. ~~The engineering director may recommend variances from this section on the basis of unique conditions and may set specific alignment criteria for sidewalks within rights-of-way in relation to~~

The POD may allow a payment-in-lieu of construction of a sidewalk where the subject property would have the only sidewalk within 200-feet of the property on the streets which the property abuts, that such sidewalk would not form a part of an existing or future route leading to a school or public park, that the absence of a sidewalk would not create an imminent pedestrian hazard and where there may be unique conditions-such as topography or unusually large trees. The payment shall be made prior to issuance of the building permit. The fee will be based on the cost of the sidewalk construction as determined by the POD.

D. Sidewalk design and installation, when required, shall be approved by the engineering director prior to the issuance of a certificate of occupancy for any development with the exception of residential developments of ten dwelling units or more where up to 50 percent of the dwelling units may receive a certificate of occupancy prior to sidewalk installation, with the remaining dwelling units receiving a certificate of occupancy after sidewalk installation.

SECTION 16.40.060. LANDSCAPING AND IRRIGATION; TREE PROTECTION¹

16.40.060.2. Landscaping and irrigation.

16.40.060.2.1. Landscaping.

Existing Florida-native plant material shall be given priority for preservation in the development and redevelopment of a property and existing healthy native trees and palms and other vegetation should be protected and preserved, and integrated into landscape plans.

(Ord. No. 195-H, § 1, 9-17-2015)

16.40.060.2.1.1. Development and redevelopment of new one- and two-unit residential properties.

New one- and two-unit residential properties shall meet the following landscape requirements prior to issuance of the certificate of occupancy:

1. A minimum of two shade trees shall be located on the lot. The POD may allow one understory tree to be substituted for one shade tree where there are site constraints such as, but not limited to, existing above ground or underground utilities or the presence of tree canopy from adjacent properties that limit the available shade tree planting area. Palm trees shall not be substituted for shade trees.
2. A minimum of ten shrubs, accent plants or ornamental grasses a minimum of 18 inches in height, shall be located in the front yard.
3. Existing protected vegetation shall be eligible to meet this requirement.
4. Each property shall have an irrigation system for all landscaped areas.
5. All required yards not abutting streets shall be maintained as permeable landscaped vegetative green space with the exception of driveways, walks, patios and similar paved areas and non-organic mulch areas.
6. When the property exceeds the minimum lot size requirements of the zoning district, the tree requirements herein shall be increased proportionally based on the size of the property or portion thereof in excess of the minimum. For example, the minimum lot size in NT-~~4~~ 2 is currently 5,800 square feet and requires two approved trees. If the property is 11,600 square feet, this would be equivalent to two lots of minimum lot size and therefore four approved trees would be required.
7. Variances. The approval of any variance shall be conditioned on installation and maintenance of the greatest amount of required landscaping determined to be reasonable.

16.40.060.2.1.2. Additional requirements for new and existing one- and two-unit residential properties.

- A. *Required permeable green space for yards abutting streets.* Required front yards and required side yards abutting streets shall be maintained as permeable landscaped vegetative green space with the exception of driveways, walks, patios, porches and similar paved areas ~~and non-organic mulch areas~~, which areas combined shall not exceed 25 percent of the required front and street side yard areas for corner lots and 45 percent of the required front yard area for inside lots. Facilities constructed to achieve compliance with ADA requirements shall be exempt from this surface calculation. Yards abutting streets which do not conform to

the provisions herein and which existed as of August 25, 1977, are grandfathered and exempt from this subsection.

- B. *Ground cover, private property.* Permeable portions of private property including required yards shall be maintained with an herbaceous layer of sod or ground cover plant material. Installation of St. Augustine sod turf at a property with a new structure which receives construction permits is limited to a maximum of 50 percent of the permeable area of the lot.
- C. *Ground cover, rights-of-way.* Permeable portions within the adjoining rights-of-way shall be maintained in accordance with an approved streetscape plan or, where an approved streetscape plan does not exist, with an herbaceous layer of sod or ground cover plant material. Where landscaping material is used in the right-of-way within four feet of the curb or road edge and there is no approved landscape plan, the landscaping materials, excluding sod, shall not exceed 24 inches in height above the top of the adjacent curb, or if there is no curb, the road bed, provided that the landscaping material does not result in a hazard or impairment to public vehicular or pedestrian traffic or violate the visibility at intersection section.
- D. *Mulch.* Organic mulch is a beneficial addition to landscaping in many situations including providing a surface covering under shrubs, or where ground cover material is maturing. The intention of these regulations is to allow mulch within a landscape design while not allowing an entire yard to only be covered with mulch. The use of cypress mulch is discouraged.
 - 1. *Installation standards.* Where used in lieu of sod or ground cover plant material, mulch shall be placed to a minimum depth of three inches. The top level of the mulch shall not exceed the height of the immediately adjacent ground surface. Mulch shall not be placed directly against a plant stem or tree trunk. Non-organic mulch including rubber, decorative gravel or crushed stone shall be allowed only in planting areas (e.g., in gardens or hedge areas).
 - 2. *Limits on installation on one- and two-unit residential properties.*
 - a. Organic mulch may be used without limit underneath ground cover, accent plants, shrubs and trees, provided the ground cover, accent plants, shrubs and trees or a combination thereof are planted and maintained at a cumulative ratio of at least one shrub or tree, planted within the mulch per each ten square feet of organic mulched area;
 - b. No more than 50 percent of the required front and street side yards may be covered only with mulch and no landscaping; mulch can be used without limit in the buildable area, and interior and rear side yards.
 - c. Where a mulch parking surface has been permitted pursuant to the parking and loading design section, a separation consisting of an herbaceous layer of sod or ground cover of not less than eight feet in width shall be provided between the parking area and any adjacent mulch area allowed pursuant to this section.
 - 3. *Limits on installation in rights-of-way.* Organic mulch may be used in permeable areas of the right-of-way to keep moisture in the soil while other forms of approved ground cover plant material are maturing. Mulch is prohibited within four feet of the curb or road edge if there is no curb. Mulch in the right-of-way must be contained within borders sufficient to prevent flotation of mulch into the roadway. With the exception of permitted driveway or sidewalk materials, the use of shell, rock or other similar hardened non-organic mulch in the right-of-way is prohibited.
- E. *Irrigation, existing one- and two-unit residential properties.* A permanent irrigation system is not required for existing one- and two-unit residential properties; however, where one is installed, it shall be designed to avoid runoff, overspray or other similar conditions where water flows onto or over adjacent property, non-irrigated areas, walkways, roadways or structures. Irrigation systems shall be maintained so there are no broken irrigation heads or leaks. Automatic sprinkler systems shall install a rain sensor device or switch which will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred.
- F. *Vegetation, existing one- and two-unit residential properties.* Any one- or two-unit residential property that meets or exceeds the tree and/or shrub standards set forth in the previous section for new one or two unit residential properties, shall maintain the minimum standards for the property. This does not mean that existing one- or two-unit residential properties that do not meet the requirements set forth in the previous

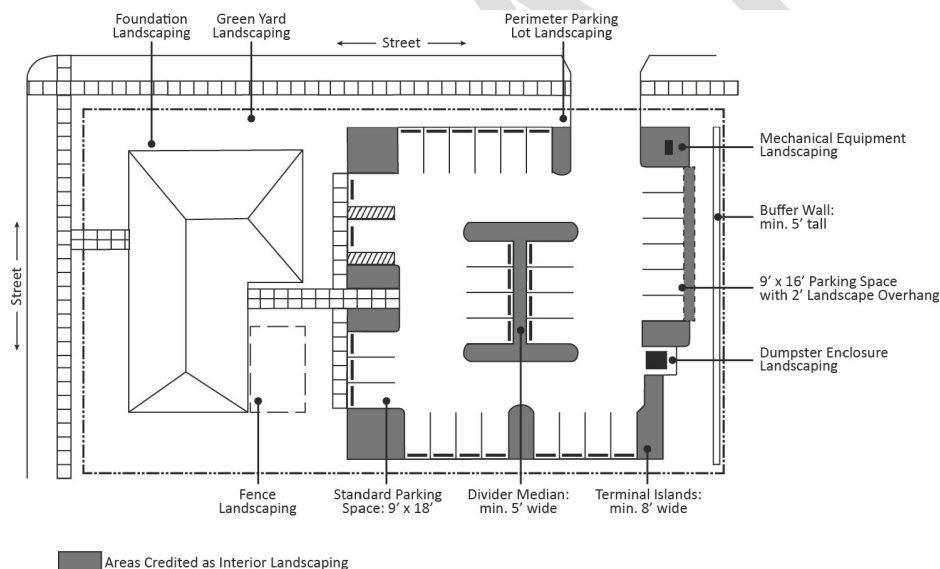
section for new one- or two-unit residential properties are required to install vegetation to meet those requirements.

- G. *Landscaping adjacent to mechanical equipment on site.* Mechanical equipment, (e.g. backflow preventers, utility cabinets, air conditioners, etc.) visible from streets, excluding alleys, shall be landscaped with a continuous hedge comprised of shrubs planted no more than 30 inches on center or a decorative fence or architectural feature ~~if the location is inadequate for landscape (e.g. too small, insufficient light)~~. Landscaping shall be installed no less than three feet from the equipment to allow for access, maintenance and required air flow.
- H. *Landscaping adjacent to fences, walls, or dumpster enclosures.* The exterior of any opaque fence or wall which exceeds 150 linear feet in length, visible from any street (not alley) shall be landscaped with a minimum of one shrub for every three linear feet and one under-story tree for every 25 linear feet.
- I. Decorative objects, including, but not limited to, rocks and planter beds, shall not be located within four feet of the curb of the street or where there is no curb, the road edge.

16.40.060.2.1.3. Development and redevelopment of non-residential and multi-family property.

- D. *Minimum landscape requirements.*

Minimum Landscape Requirements



*This diagram is intended to provide an illustrative view of these regulations. Property owners are advised to contact the City to verify interpretation of the City Codes as applied to a specific property.

1. *Green yard, exterior.* Green yards shall be provided in all yards abutting streets. Except for surface parking lots, if the required ~~front yard (setback)~~ is smaller than the required green yard, the required green yard shall be the depth of the required front yard. For sites with irregular frontage, the POD may allow the green yard to vary in width, but it shall extend for the entire frontage and provide the equivalent square feet of green yard along the same frontage. Green yards shall be landscaped as follows:

Site location/ zoning	Required green yard depth for all abutting streets (not alleys)	Minimum required tree landscaping (per linear ft. of property frontage)
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DC-C, DC-1, DC-2, DC-3, DC-P, CCT-1, CCT-2, CRT-1, CRT-2, <u>IT, NTM</u>	5 ft.	1 shade tree per 35 linear ft. or fraction above half thereof
EC	20 ft. on major streets, 10 ft. on other streets.	1 shade tree and 1 understory tree per 30 linear ft. or fraction above half thereof
All other districts	10 ft.	2 shade trees per 50 linear ft. or fraction above half thereof

2. *Green yard, interior.* Interior green yards, when not abutting vehicular use areas, shall be provided along all interior property lines and property lines abutting alleys. The minimum width of all interior green yards shall be five feet unless the required side or rear yard is smaller, in which case the required green yard shall be the depth of the required interior side or rear yard. A minimum of one shade tree per 50 linear feet or fraction above half thereof is required. Under-story trees may be substituted for shade trees on a 1½ for one basis. The POD may allow the interior green yards to vary in width if additional green yards are expanded to provide the equivalent square footage of green yards on the site.
3. *Foundation landscaping.*
 - a. A minimum of one foundation plant is required for each three linear feet, and one under-story tree is required for each 30 linear feet (or portion thereof), of the exterior building perimeter. Foundation plantings may be comprised of shrubs, accent plants, ornamental grasses, and ground cover in any combination; provided that no less than 50 percent of the total required materials are shrubs, accent plants and/or ornamental grasses.

When calculating the minimum number of required plants, the linear distance of openings for overhead or loading area doors, motor vehicle bays or entrances to the building, or the perimeter of attached or detached canopies shall be excluded. Foundation plants may be planted in groupings so long as the minimum number of required plants is provided. The foundation landscaping shall be required on all building sides except those sides facing an alley. Foundation landscaping shall abut the building (while allowing the necessary space for growth) and shall be used or installed in such a manner so as to screen mechanical equipment attached to or adjacent to the building, provide direction to and enhance entrances and walkways, and provide visual breaks along monotonous building façades.
 - b. Properties located within the CRT, CCT, IT, NTM, and DC-1, D-2, and DC-3 districts. The base of buildings, or portions of buildings, not visible from the street, excluding alleys, are not required to have foundation landscaping. Where reduced building setbacks along streets physically prevent the installation of foundation landscaping, it shall not be required.
4. *Vehicular use landscaping/screening requirements.* Vehicular use areas shall meet the following additional requirements:
 - a. *Perimeter parking lot landscaping.* A minimum of one shade tree per 35 linear feet (or portion thereof) shall be planted around the perimeter of vehicular use areas. A continuous hedge comprised of shrubs planted not more than 30 inches on center shall be planted around the perimeter of the vehicular use area. The pervious area for perimeter parking lot landscaping shall be at least five feet in width, measured from the inside of the curb, sidewalk or other paved surface abutting the pervious area. Additional landscaping is not required for the perimeter parts of the vehicular use area adjacent to the building.
 - (1) *Properties located within the CRT, CCT, IT, NTM, and DC-1, DC-2, and DC-3 districts.* Parking lots or portions of parking lots not visible from the street, excluding alleys, are not required to install perimeter landscaping. Where a parking space is designed perpendicular to the street, excluding alleys, such that the front of the space allows the headlights to shine onto the street, a minimum

three-foot high solid masonry wall or decorative fence shall be erected to prohibit headlights from shining onto the streets.

b. *Interior parking lot landscaping.* Interior parking lot landscaping shall be provided as follows:

- (1) *Required square footage of landscape area.* For all vehicular use areas with more than ten parking spaces, a minimum of ten percent of the vehicular use area shall be devoted to interior landscaping. In calculating this percentage, the area shall include both pervious and impervious portions of the vehicular use area. Terminal and interior islands and divider medians shall be used to comply with required interior parking lot landscaping. For redevelopment of properties in the CRT, CCT, IT, NTM, and DC-1, DC-2, and DC-3 zoning districts, the POD may reduce the required landscape down to 5% where existing site constraints (e.g. insufficient permeable area) make compliance impracticable or where such reduction will allow preservation of existing Protected and/or Grand trees.
- (2) *Terminal islands.* Each row of parking spaces shall end with terminal islands to separate parking from adjacent drive lanes. Each terminal island shall measure at least eight feet in width by 18 feet in length, measured from the inside of the curb. The POD may reduce the required width by up to three feet (minimum width five feet) where existing site constraints (e.g. small site) make compliance impracticable or where such reduction will allow preservation of existing Protected and/or Grand trees. Within terminal islands, one shade tree shall be required for every 150 square feet (or fraction above one half thereof), with a minimum of one shade tree required per terminal island. Terminal islands shall be landscaped with shrubs, accent plants, ornamental grasses and ground cover, excluding sod, which is planted to provide 100 percent coverage within two years. Landscaping in islands adjacent to parking spaces shall be set back a minimum of two feet behind the back of the curb to provide for pedestrian access to parked vehicles.
 - (a) *Properties located within the CRT, CCT, IT, NTM, and DC-1, DC-2 and DC-3 districts.* Parking lots or portions of parking lots not visible from the streets excluding alleys, shall not be required to install terminal islands.
- (3) *Interior islands.* Each interior island shall measure at least eight feet in width by 18 feet in length, measured from the inside of the curb. The POD may reduce the required width by up to three feet (minimum width five feet) where existing site constraints (e.g. small site) make compliance impracticable or where such reduction will allow preservation of existing Protected and/or Grand trees. Interior islands less than five feet in width, measured from the inside of the curb, shall not be credited towards interior landscaping unless a variance is granted. Within interior islands, one shade tree shall be required for every 150 square feet (or fraction above one half thereof), with a minimum of one shade tree required per interior island. Landscaping in islands adjacent to parking spaces shall be set back a minimum of two feet behind the back of the curb to provide for pedestrian access to parked vehicles.
- (4) *Divider medians.* Landscaped divider medians shall form a continuous landscaped strip between abutting rows of parking areas or access drives. The minimum width of a divider median shall be five feet, measured from the inside of the curb. One shade tree or two under-story trees shall be required for each 30 linear feet of divider median (or fraction above one half thereof). Shrubs shall be planted in divider medians which separate parking areas from access drives to form a continuous hedge the full length of the divider median.
- (5) *Tree species diversity.* It is important to provide a mix of tree species on larger sites. When the required number of trees is: less than ten, one or more species shall be provided; less than 20 trees, two or more species shall be provided; more than 20 trees, three or more species shall be provided.
- (6) *Tree placement.* Trees shall not be located adjacent to free-standing sign faces or below wall sign faces where the tree will create a visual obstruction at the time of planting or in the future. Shade trees shall not be located below overhead utility lines where the tree will contact the line at the time of planting or in the future. Shade trees shall not be located over underground utility lines. Clustering of perimeter trees is permitted to prevent the obstruction of sign faces and conflicts with overhead or underground utility lines. The POD may allow required shade trees to be substituted with native palms and/or understory trees on a three per one basis to prevent

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- such conflicts. Where site constraints limit planting of required trees, larger trees at least four-inch minimum dbh, may be substituted for required trees on a two for one basis.
- c. *Curbing.* Nonmountable concrete curbing shall be provided within all parking areas to prevent vehicles from encroaching onto and overhanging required plantings, sidewalks, rights-of-way or adjacent property. Wheel stops may be substituted at the closed end of parking stalls where they abut required plantings or sidewalks.
- (1) Curbing may be placed within the parking space up to two feet from the closed end of the parking stall. When curbing is utilized, the two-foot-wide strip may be landscaped when abutting green space.
- (a) Landscaping shall be low-growing to accommodate the vehicular overhang.
- (b) The landscaped area within the parking space counts toward parking lot interior landscaping requirements and toward any overall site landscaping requirements. However, the landscaped area does not count toward green yard, perimeter landscaping or divider median requirements.
- (2) Wheel stops shall be located up to two feet from the closed end of the parking stall. Wheel stops shall have a minimum height of six inches above finished grade of the parking area and shall be properly anchored and maintained in good condition.
- d. *Screening abutting residential uses.* Where vehicular use areas abut a one- or two-unit residential property, a minimum five-foot high solid masonry wall or decorative fence shall be installed in such a manner so as to screen the vehicular use area from the adjacent one- or two-unit residential property. Where this wall or fence requirement is applied to properties with existing mature shade trees, the wall or fence may be truncated and supplemented with trees and shrubs to achieve such screening.
- e. *Low Impact Development Landscaping Plan.* A Low Impact Development (LID) Landscaping Plan may be approved by the POD as part of a stormwater management plan in lieu of some of the requirements of this subsection for the area in which it is implemented.
5. *Landscaping adjacent to fences, walls, or dumpster enclosures.* The exterior of any opaque fence, wall, or dumpster enclosure visible from any street shall be landscaped with a minimum of one shrub for every three linear feet and one under-story tree for every 25 linear feet.
6. *Landscaping adjacent to mechanical equipment on site.* Mechanical equipment, (e.g. backflow preventers, utility cabinets, air conditioners, etc.) visible from streets, excluding alleys, shall be landscaped with a continuous hedge comprised of shrubs planted no more than 30 inches on center or a decorative fence or architectural feature ~~if the location is inadequate for landscaping (too small, insufficient light)~~. Landscaping shall be installed no less than three feet from the equipment to allow for access, maintenance and required air flow.
7. *Landscaping within the adjoining rights-of-way.*
- a. Landscaping within the adjoining rights-of-way shall be provided in accordance with an approved streetscape plan or, where an approved streetscape plan does not exist, plantings shall be comprised of low growing shrubs, accent plants, ornamental grasses, ground cover or sod in any combination. Where landscaping material is used in the right-of-way within four feet of the curb or road edge and there is no approved landscape plan, the plantings, excluding sod, shall not exceed 24 inches in height above the top of the adjacent curb, or if there is no curb, the road bed, provided that the landscape material does not result in a hazard or impairment to vehicular or pedestrian traffic.
- b. Properties located within the CRT, CCT, ~~IT, NTM~~, and DC-1, DC-2, and DC-3 districts. Within these districts, landscaping shall be provided in accordance with an approved streetscape plan or, where an approved streetscape plan does not exist, in accordance with the following: One shade tree per 30 linear feet. Where there is insufficient permeable area to support tree growth, trees should be planted in tree pits or planting strips. The POD may substitute shade trees with understory trees or native palms on a three per one basis if shade trees are not site appropriate.
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Ground cover plantings shall be comprised of shrubs, accent plants, ornamental grasses, ground cover or sod in any combination provided that no less than 25 percent of the total landscape area is planted with low growing shrubs, accent plants, ornamental grasses or ground cover.

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16.40.060.2.1.6. Landscape specifications.

A. Unless otherwise specified, all landscape materials shall meet the following specifications:								
TREES: PALMS								
All required palm trees shall measure a minimum height of eight feet of clear trunk. Palm trees identified with an * may be substituted on a one for one basis with shade tree planting requirements, except for one and two-unit residential properties . Palm trees identified with a + may be substituted on a three for one basis with shade tree planting requirements. No more than 50% of required shade trees may be substituted for palms in vehicular use areas. All palm trees shall be credited on a one for one basis towards understory tree planting requirements. All palms trees shall be rated Florida Grade No. 1 and selected from the following list.								
Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Bismarck Palm*	<i>Bismarckia nobilis</i>		X				X	
Cabbage Palm+	<i>Sabal palmetto</i>	X	X			X	X	
Date Palm, Medjool*	<i>Phoenix dactylifera</i>							
Date Palm, Pygmy	<i>Phoenix roebelenii</i>							
Date Palm, Silver	<i>Phoenix sylvestris</i>							
Fan Palm, Ribbon	<i>Livistona decipiens</i>		X				X	
Foxtail Palm	<i>Wodyetia bifurcata</i>		X				X	
Paurotis Palm	<i>Acoelorrhaphe wrightii</i>	X	X				X	
Pindo Palm	<i>Butia odorata</i>			X			X	
Royal Palm, Cuba*	<i>Roystonea regia</i>			X			X	
Royal Palm, Florida*	<i>Roystonea elata</i>	X		X			X	
Thatch Palm, Florida	<i>Thrinax radiata</i>	X	X			X		
Triangle Palm	<i>Neodypsis decaryi</i>		X				X	
Windmill Palm	<i>Trachycarpus fortunei</i>			X		X		
Other palm trees identified as Florida Friendly by the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department will be considered.								

- B. *Plant selection criteria*. The species of required landscape materials shall be site appropriate and shall be selected based on the existing and neighboring vegetative communities, sun exposure, soil types, proposed function of the materials, cold tolerance, water use, fertilizer needs, existence of utilities or overhead power lines, and aesthetics.

- C. *Unprotected trees.* Due to their status as non-native species or invasive species, any unprotected or prohibited trees may be removed from private property and the abutting right-of-way without a permit unless they are part of an approved landscape plan, or otherwise required by this section, and shall not be used to meet the vegetation required by this section:

UNPROTECTED TREES		
Common	Scientific	Place of Origin
Avocado	<i>Persea americana</i>	Central America
<u>Camphor</u>	<u><i>Cinnamomum camphora</i></u>	<u>Eastern Asia</u>
Cherry laurel	<i>Prunus caroliniana</i>	North America
Citrus	All species.	Eastern Asia
Ear	<i>Enterolobium cyclocarpum</i>	Central America
Eucalyptus	<i>Eucalyptus</i> spp. except silver dollar variety	Australia
Ficus ¹	<i>Ficus</i> spp.	South America
Italian cypress	<i>Cupressus sempervirens</i>	South Europe
Jacaranda ¹	<i>Jacaranda acutifolia</i>	Brazil
Jerusalem thorn	<i>Parkinsonia aculeata</i>	Central America
Kapok ¹	<i>Ceiba pentandra</i>	South America
Loquat	<i>Eriobotrya japonica</i>	China
Mango	<i>Mangifera indica</i>	India
Monkey puzzle tree	<i>Araucaria araucana</i>	Australia
Norfolk Island pine	<i>Araucaria excelsa</i>	Norfolk Island
Orchid Tree	<i>Bauhinia</i> spp., except <i>Bauhinia variegata</i>	Eastern Asia (India, China)
Royal Poinciana ¹	<i>Delonix regia</i>	Madagascar
Silk oak	<i>Grevillia robusta</i>	Australia
Toog	<i>Bischofia javanica</i>	Tropical Asia, Pacific Islands
Woman's tongue	<i>Albizia</i> spp.	Tropical Asia, Northern Australia

16.40.060.3. Maintenance of trees and vegetation.

16.40.060.3.1. Maintenance of trees and vegetation for all properties within the City.

- A. The owner of record of the property and occupant of the property are responsible for the maintenance of trees and vegetation on the property and in abutting rights-of-way. Vegetation shall comply with all codes including visibility at intersections and requirements for hedges. Where support staking of vegetation is provided at the time of installation, the staking system shall be installed properly, avoid harming the vegetation, and be removed no later than one year after installation to prevent damage to the vegetation, unless such staking is necessary for permanent support of the plant.

- B. Vegetation shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. All plant materials shall be maintained free from physical damage or injury arising from lack of water, chemical exposure, insects, disease, blight or other cause. Exceptions regarding damage due to lack of water shall be made when water consumption is limited by emergency orders or declarations by state or local agencies.
- C. Except for those tree species listed as unprotected or prohibited, it shall be unlawful for any person to damage, top, poison or in any manner injure or cause to be injured any tree regardless of condition.
1. Trees shall be trimmed or pruned in such a manner so as to not alter their natural form, growth habit or character and shall not be pruned into "unnatural" shapes, including but not limited to, circles, ovals, or squares.
 2. Not more than one-quarter of the tree canopy shall be trimmed or pruned in any year unless it is dead.
- D. Sod (including turf and turfgrass) or other herbaceous growth other than ground cover species shall be maintained at a maximum overall height of ten inches or less; ground cover plant material shall be maintained at an overall height not to exceed 24 inches. Property designated as a preservation area shall not be required to meet these standards. Property owners who employ Florida-Friendly Landscaping™ or wildlife habitat management principles such that their private property or adjacent right-of-way does not meet these criteria shall have a management plan and demonstrate active, ongoing maintenance. ~~Management plans~~ Maintenance shall ~~be plans designed by a landscape architect, plans which~~ employ accepted Florida-friendly management practices, ~~and plans approved by the University of Florida Institute of Food and Agricultural Science (IFAS).~~ Examples of activities addressed in maintenance plans include routine pruning, mowing, edging, weeding, fertilizing, pest control, irrigation system adjustments, seeding and replanting. Florida-friendly management plans shall also address these principles:
- 1) Vegetation plan and design;
 - 2) Analyze and amend the soil;
 - 3) Limit sod to active use areas;
 - 4) Select appropriate plant species;
 - 5) Irrigate efficiently;
 - 6) Use mulch; and
 - 7) Maintain the landscape appropriately.
- Wildlife habitat areas shall consist of native and introduced plant species designed, planted and maintained to provide food source, cover, roosting and nesting habitat for specific species.
- E. Vegetation which is a hazard to public safety is prohibited in the right-of-way. Hazardous vegetation with pronounced thorns (such as Spanish bayonet, century plant, bougainvillea, and lime trees) shall not be closer than two feet to a sidewalk or walkway. Hedges are prohibited in the right-of-way except as allowed by the fences, walls and hedges section.

SECTION 16.50.010. ACCESSORY DWELLING

16.50.010.1. Applicability.

16.50.010.5.1. Lot requirements.

- A. Establishment of a new accessory dwelling unit shall only be allowed if:
1. In all NT districts ~~t~~he lot area shall be at least 4,500 square feet ~~in all NT districts.~~

2. ~~In all NS districts t~~The lot area shall be at least 10,000 square feet ~~in all NS districts~~, or the lot is located on an alley and has at least 4,500 square feet, or the lot is located on a corner and the lot conforms to the district minimum lot area ~~and width~~ standard.
 3. If the accessory dwelling unit is detached and the legal front and rear of the lot are consistent with the front and rear yards of lots on the same block face. An attached accessory dwelling unit shall not be permitted where lots have been refaced such that the legal front yards face a different direction than the rest of the lots in the block or where refacing has eliminated alley access for a lot.
- B. A lot containing an accessory dwelling unit shall not be subdivided to separate the accessory dwelling unit from the principal use, unless such division can meet all applicable standards of the zoning district and land development regulations.
- (Code 1992, § 16.50.010.5.1; Ord. No. 876-G, § 24, 2-21-2008; Ord. No. 287-H, § 19, 7-20-2017; Ord. No. 375-H, § 6, 9-5-2019; Ord. No. 509-H, § 4, 7-14-2022)

16.50.010.5.2. Building and site requirements.

Accessory dwelling units shall be subject to the following design standards:

1. The gross floor area of any accessory dwelling unit shall not exceed 800 square feet and all areas under roof may not exceed 67 percent of the floor area of the principal dwelling unit. For detached accessory dwelling units, this limit shall apply to the combined square footages of the accessory dwelling unit and any accessory living space within the same building, including any areas used for storage, bathrooms, or shared laundry facilities (excluding up to 200 square feet of gross floor area per required parking space for any a maximum of three enclosed parking spaces).
2. Detached accessory dwelling units in the NS districts shall comply with a minimum side yard setback of ten feet except when located off an alley the side yard setback shall be 7.5 feet.
3. The portion of the building containing an accessory dwelling unit may be attached to the side or rear of the principal structure and shall comply with the setbacks of the zoning district.
4. Sides of buildings containing second floor porches, or unenclosed staircases which face the interior side yard of an adjacent property shall comply with the minimum setback of the zoning district or ten feet, whichever is greater. This requirement shall not apply to completely enclosed staircases.
5. A paved walkway at least two feet in width shall connect the main entrance of the accessory dwelling unit with the off-street parking spaces.
6. The building containing an accessory dwelling unit shall comply with the architectural standards for the zoning district and be compatible with the style of the building containing the principal use, including finishes, roof pitch, and paint scheme.
7. Where an attached garage on the front façade of a structure is converted to an accessory dwelling unit, the following standards shall apply:
 - a. The garage door shall be removed and the enclosure must be architecturally compatible with the style of the building including finishes and color scheme and comply with building design criteria of the zoning district.
 - b. There shall be a 3-foot wide green yard provided between the exterior wall and any remaining pavement.
 - c. Required on-site parking spaces must be provided and be located entirely on the property.

SECTION 16.50.020. - ACCESSORY STRUCTURES AND ANCILLARY EQUIPMENT

16.50.020.4. Development standards.

16.50.020.4.1. Accessory storage and gardening structures and carports.

At any use in neighborhood districts and at single family dwelling units in any district, one accessory storage structure (a pre-constructed shed), one carport, and one gardening hoop house, cold frame, greenhouse or vertical vegetable structure shall be allowed which are exempt from design requirements as set forth herein. Any other such structures are allowed in the buildable area provided that they comply with the design requirements and setbacks for the zoning district.

1. General requirements.
 - a. *Anchoring.* The structure shall be properly anchored to resist wind and other forces.
 - b. *Utility easements.* If a structure is secured to the ground by a foundation and not capable of being moved intact, no portion of the structure shall encroach into a utility easement.
 - c. *Right-of-way and access easements.* No structure shall encroach into a right-of-way or private access easement.
 - d. *Use restrictions.* The structure shall only be utilized for storage and shall not be used for operation of mechanical equipment.
2. *Through lots.* On a through lot which meets the width, depth and area requirements for a lot in that zoning district, if one front yard is determined to be a rear yard pursuant to the dimensional regulations, and lot characteristics section (currently section 16.60.010) and has a solid, not less than five-foot high, decorative wall or fence, the exempt accessory storage structure shall be setback at least ten feet from that property line.
3. *Design standards for accessory storage and gardening structures.*
 - a. An accessory storage **and gardening** structure 100 square feet or less and less than ten feet in height is exempt from the requirement to utilize the architectural style and construction materials of the existing principal structure. See allowable encroachment and setback section.
 - b. An accessory storage **and gardening** structure located within the rear one-third of a property, 200 square feet or less in gross floor area, ten feet or less in overall height to the top of roof peak, and screened by a solid masonry wall or decorative wood or vinyl fence measuring six feet or more in height is exempt from the requirement to utilize the architectural style and construction materials of the existing principal structure.
 - c. All other accessory storage structures shall comply with the design and setback requirements of the zoning district.
4. *Code compliance.* All accessory structures shall comply with the Florida Building Code and St. Petersburg Fire Code (e.g. building separation and egress), including the requirement to install a backflow preventor when adding irrigation connected to the potable water system.
5. a. A carport for a single family residential use is exempt from the requirement to utilize the architectural style and construction materials of the existing principal structure if it is: open on three sides, located within the rear one-third of the property, located behind the principal structure, meets the side yard setbacks for the principal structure (if on the streetside it must be hidden by another structure from view from the street), not greater than 440 square feet in area, not greater than 12 feet in height at the beginning of the roofline, and not greater than 15 feet in height at the peak of the roof.

- b. All other carports shall utilize the architectural style and construction materials of the existing principal structure.

16.50.020.4.2. Ancillary equipment.

- A. For the purposes of this section, "ancillary equipment" means:
 1. Standard equipment such as air conditioning compressors, central heating equipment, swimming pool and spa pumps and filters, lawn irrigation pumps, propane tanks, and similar equipment listed in the setbacks, allowable encroachments section; and
 2. Renewable energy devices and other sustainable development technologies including, but not limited to, solar photovoltaic (pv) panels, solar hot water, solar pool heaters, tankless water heaters, geothermal heat pumps, gray-water systems and rainwater harvesting devices, such as rain barrels and cisterns.
- B. *Development standards within traditional and suburban zoning districts.* Ancillary equipment in traditional and suburban zoning districts shall comply with the following:
 1. Setbacks shall comply with those listed in the Setbacks, Allowable Encroachments Section;
 2. The base of ground-mounted equipment shall not exceed one foot above ground level or, in flood zones, one foot above the minimum base design flood elevation required by City Code for flood protection; If the base of ground-mounted equipment exceeds one foot above the ground level or base design flood elevation then it shall be located at the rear of the structure or on top of the roof.
 3. Existing equipment that was lawfully installed in a nonconforming location shall be permitted to be replaced with equipment of a reasonably equivalent or lower industry rating or performance standard.
 4. The sides of any new or replacement equipment facing or visible from a street, excluding alleys, and elevated above grade shall be screened with material that is compatible with the architecture of the principal structure. The sides of any new or replacement equipment facing or visible from a street, excluding alleys, and located at-grade shall be screened with material that is compatible with the architecture of the principal structure, landscaping of screened or a six-foot-tall decorative fence or wall. landscaped as required in the landscaping and irrigation section, except that equipment installed above the first floor.
- C. *Development standards within all other districts.* In all other zoning districts, ancillary equipment shall comply with the following:
 1. Where a nonresidential use abuts another nonresidential use, no setback shall be required.
 2. Where a nonresidential use abuts a residential use or zoning district, ancillary equipment shall be subject to a setback equal to one-half of the setback required for the principal building.
 3. ~~All ancillary equipment shall be shielded from view from the adjacent properties and streets, excluding alleys, by a solid enclosure such as a fence or wall. Fences and walls shall be subject to the height restrictions and design standards of the zoning district. The sides of any new or replacement equipment facing or visible from a street, excluding alleys, visible from adjacent properties and elevated above grade shall be screened with material that is compatible with the architecture of the principal structure. The sides of any new or replacement equipment facing or visible from a street, excluding alleys, and located at grade shall be screened with material that is compatible with the architecture of the principal structure, landscaped or screened or a six-foot-tall decorative fence or wall.~~

SECTION 16.50.180. HOME OCCUPATION

16.50.180.1. Applicability.

This section shall apply to home occupations. As defined in F.S. 559.995? or

A business is considered a home-based business if it operates, in whole or in part, from a residential property and meets the following criteria:

(a) The employees of the business who work at the residential dwelling must also reside in the residential dwelling, except that up to a total of two employees or independent contractors who do not reside at the residential dwelling may work at the business. The business may have additional remote employees that do not work at the residential dwelling.

(b) Parking related to the business activities of the home-based business complies with Section 16.40.90 and the need for parking generated by the business may not be greater in volume than would normally be expected at a similar residence where no business is conducted. Vehicles and trailers used in connection with the business must be parked in legal parking spaces that are not located within the right-of-way, on or over a sidewalk, or on any unimproved surfaces at the residence.

(c) As viewed from the street, the use of the residential property is consistent with the uses of the residential areas that surround the property. External modifications made to a residential dwelling to accommodate a home-based business must conform to the residential character and architectural aesthetics of the neighborhood. The home-based business may not conduct retail transactions at a structure other than the residential dwelling; however, incidental business uses and activities may be conducted at the residential property.

(d) The activities of the home-based business are secondary to the property's use as a residential dwelling.

(e) The business activities comply with any relevant state regulations with respect to signage and equipment or processes that create noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors. Any local regulations on a business with respect to noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors may not be more stringent than those that apply to a residence where no business is conducted.

(f) All business activities comply with any relevant state, and federal regulations with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids. Any local regulations on a business with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids may not be more stringent than those that apply to a residence where no business is conducted.

16.50.180.2. Purpose and intent.

~~Technological advances allow many types of business to be conducted outside of a traditional business setting. The purpose of this section is to recognize the trend toward the establishment of home-based businesses and offices and establish standards for approval of these uses.~~

16.50.180.3. Establishment.

~~Home occupation is a business which is an accessory use to a single or multifamily dwelling unit where a residence is the principal use of the property and which has obtained a business tax receipt.~~

16.50.180.4. Use restrictions.

- A. ~~Areas used for home occupations shall be contained within fully enclosed principal or accessory buildings. No outdoor areas shall be used for a home occupation.~~ As viewed from the street, the use of the residential property is consistent with the uses of the residential areas that surround the property. External

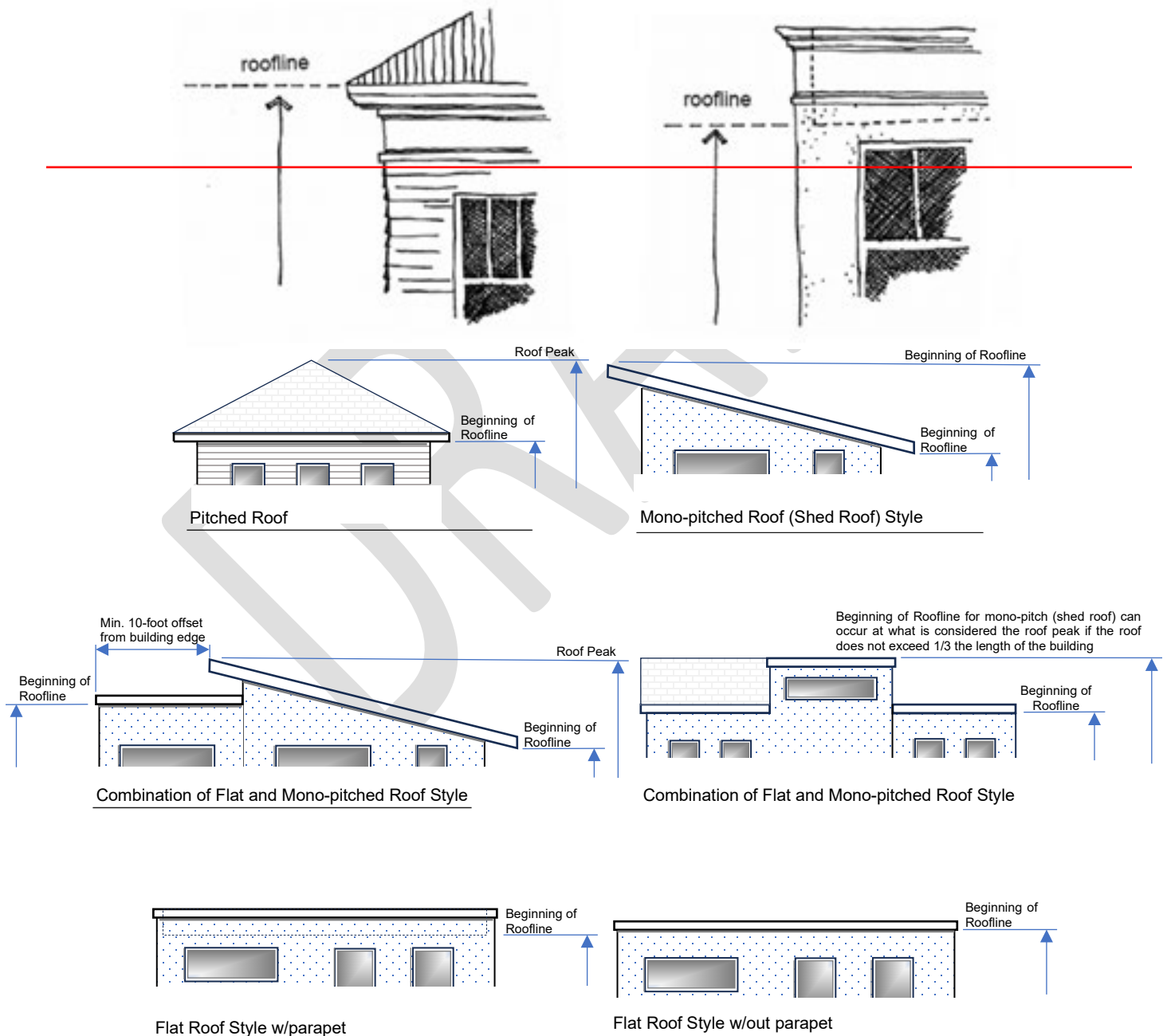
modifications made to a residential dwelling to accommodate a home-based business must conform to the residential character and architectural aesthetics of the neighborhood. The home-based business may not conduct retail transactions at a structure other than the residential dwelling; however, incidental business uses and activities may be conducted at the residential property.

- B. Areas within principal structures dedicated to home occupations shall not exceed more than 50 percent of the gross floor area of the dwelling unit. This standard shall not apply to a home occupation within a detached accessory building, which may occupy the entire structure. All business activities shall comply with any relevant local, state, and federal regulations with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids.
- C. Home occupations shall not be permitted to occupy or prevent access to areas of buildings necessary to provide the required number of off-street parking spaces without an approved site plan for replacement of those spaces on the property. Parking related to the business activities of the home-based business shall comply with the minimum parking requirements of this Chapter and the need for parking generated by the business may not be greater in volume than would normally be expected at a similar residence where no business is conducted. Vehicles and trailers used in connection with the business must be parked in legal parking spaces that are not located within the right-of-way, on or over a sidewalk, or on any unimproved surfaces at the residence. Vehicles shall comply with the restrictions for the parking of domestic and commercial equipment in residential zoning districts.
- D. ~~No customers or clients shall be allowed to come to the property except where the home occupation provides individual educational instruction (e.g., music teachers).~~ by appointment only, unless a parking plan is approved by the POD demonstrating compliance with the minimum parking requirements.
- E. Display of merchandise shall be prohibited.
- F. Home occupations shall not create any noise not usual to a residential district between the hours of 7:00 p.m. and 9:00 a.m. The use of power tools is prohibited between the hours of 7:00 p.m. and 9:00 a.m. Doors and windows of the principal or accessory structure shall be closed when such noise is created or power tools are in use. Home occupations shall not create any odors not usual in a residential district, nor shall they create odors that are usual in a residential district to a greater degree than is usual.
- G. ~~One~~ Two ~~employees that is~~ are ~~not a residents~~ of the dwelling unit shall be permitted to be at the property. Employees that perform services or work off site (e.g., landscaping, painting, etc.), shall not come to the property for any reason, including but not limited to, assembling to receive work assignments, obtain supplies, deliver paperwork, collect paychecks.
- H. Shipping, receiving, storage, processing, fabrication, manufacturing, and distribution are prohibited.
- I. ~~No more than one business vehicle shall be permitted to park on the property, regardless of the number of home occupations approved for the property. Vehicles shall comply with the restrictions for the parking of domestic and commercial equipment in residential zoning districts.~~
- J. ~~Food preparation uses in a detached building shall execute and record in the public records a document approved by the City Attorney which prohibits the use of the detached building as a dwelling unit and provides assurances that the stove or other cooking facilities shall be removed upon expiration of the business tax receipt. Failure to provide proof of such removal upon expiration of the business tax receipt shall be a violation of this section. Such detached building shall not be larger than 300 square feet. Toilets, tubs and shower facilities are prohibited in detached buildings.~~

SECTION 16.60.010. - DIMENSIONAL REGULATIONS AND LOT CHARACTERISTICS

16.60.010.6. Height measurement.

- A. Outside of special flood hazard areas, building height shall be measured from the mean elevation of the existing grade to the beginning of the roofline or roof peak, as determined within the individual zoning districts.
- B. Within special flood hazard areas, building height shall be measured from the required design flood elevation line to the beginning of the roofline or roof peak, as determined within the individual zoning districts.
- C. Pitched roofs shall be measured at the point farthest from the side of the building and flat roofs with decorative parapets will be measured at the lowest point of the parapet wall. [Refer to the images below that illustrate how building height is measured depending on the roof style.](#)



- D. For structures other than buildings, height shall be measured from the mean elevation of the existing grade to the highest point of the structure above the existing grade.
- E. For all properties subject to the Albert Whitted Airport overlay regulations, the building height shall be measured from the mean sea level elevation datum unless specified otherwise.
- F. Exemptions to the maximum height requirements are outlined in the height, maximum allowable and encroachments section.

SECTION 16.60.050. SETBACKS, ALLOWABLE ENCROACHMENTS

16.60.050.2. Allowable encroachments and setbacks.

Required building setbacks that are less than what is required by this section shall supersede setbacks established by this section ~~when there is a conflict~~. No structure shall encroach in or over any easement where the structure would interfere with the use of the easement for its intended purpose. The encroachment for eaves shall be permitted in addition to the encroachment for a structure/improvement, unless the term "leading edge" is used. In which case, leading edge shall be interpreted to include the eave. Encroachments are not allowed in connection with zero lot line structures. Encroachments for a structure or other improvement taller than 12 inches above grade is prohibited within the view triangles of waterfront yards (see technical standards section), except that fences within the view triangle are subject to height limits established elsewhere in these regulations.

Structure/ Improvement-Ancillary Equipment, refer to Section 16.50.020.4.2. (C) for development standards for zoning districts not listed in this chart	F=Front S=Side S=Side SS=Streetside SS=Street side R=Rear R=Rear W=Waterfront	Traditional Zoning Districts-NT, NTM, CRT, CCT, IT zoning districts	Suburban Zoning Districts-NS, NSM, NMH, NPUD, CRS, CCS, IS, P zoning districts
Ancillary equipment, commercial, (see accessory structures section for additional requirements).	S, R	No closer to property line than 5 ft.	No closer to property line than 5 ft.
	SS	No closer to property line than 10 ft.	No closer to property line than 10 ft.
Ancillary equipment, residential, (see accessory structures section for additional requirements).	S, R	No closer to property line than 3 ft.	No closer to property line than 3 ft.
	SS	No more than 4 ft. from setback line	No more than 4 ft. from setback line
<u>Structure/Improvement</u>	<u>F=Front S=Side SS=Street side R=Rear W=Waterfront</u>	<u>NT, NTM, CRT, CCT, IT, DC, EC, IC zoning districts</u>	<u>NS, NSM, NMH, NPUD, CRS, CCS, IS, P, RC zoning districts</u>
Arbor (with a minimum of 50% open roof structure, up to 80 SF in area and no more than 12 ft. in height)	F, S, SS, R	To property line	To property line
Awnings	All	No more than 3 ft. from setback line, but no closer to property line or seawall than 2 ft.	No more than 3 ft. from setback line, but no closer to property line or seawall than 2 ft.
Balcony (open on three sides)	All	Leading edge no more than 3 ft. from setback line	Leading edge no more than 3 ft. from setback line

Barbeque, <u>grill or kitchen</u> , outdoor (up to 10 ft. in height), <u>This includes permanently installed equipment, fixtures, sinks, cabinets and counters.</u>	S, R	To property line <u>No closer to property line than 5 ft.</u>	To property line <u>No closer to property line than 5 ft.</u>
	SS, W	No more than 5 ft. from setback line	No more than 5 ft. from setback line
Bay window (without a footer), <u>elevated a minimum of 12-inches above the finished floor of the main floor.</u>	All	No more than 3 ft. from setback line	No more than 3 ft. from setback line
Canopy, <u>commercial</u> vehicular use (drive-through, freestanding, or attached)	F, SS	No encroachment permitted	Leading edge no closer to property line than 10 ft.
Carports, commercial <u>use</u> (open all sides)	F	Leading edge no closer to property line than 10 ft.	Leading edge no closer to property line than 10 ft.
	S, SS, R	Leading edge no closer to property line than 5 ft.	Leading edge no closer to property line than 5 ft.
Carports, residential <u>use</u> (open on a minimum of two sides)	F, SS	No encroachment permitted	Leading edge no more than 5 ft. from setback line
	S, R	Leading edge no closer to property line than 3 ft.	Leading edge no closer to property line than 3 ft.
Chimney	All	No more than 2 ft. from setback line, no closer to property line or seawall than 4 ft.	No more than 2 ft. from setback line, no closer to property line or seawall than 4 ft.
Decks, patios, porches and screen enclosures:			
Decks and patios, uncovered (up to 12 inches above existing grade or the top of an existing seawall) <u>(open on a minimum of three sides, excluding support columns)</u>	S, R	To property line	To property line
	SS	No closer to property line than 5 ft.	No closer to property line than 5 ft.
	W	No closer to property line or seawall than 5 ft. (Note: Federal and state regulations may be more restrictive.)	No closer to property line or seawall than 5 ft. (Note: Federal and state regulations may be more restrictive.)
Decks and patios, uncovered (more than 12 inches and less than 30 inches above existing grade or the top of an existing seawall) <u>(open on a minimum of three sides, excluding support columns)</u>	S, R	No closer to property line than 5 ft.	No closer to property line than 5 ft.
	SS	No closer to property line than 8 ft.	No closer to property line than 8 ft.
	W	No closer to property line or seawall than eight ft. (Note: Federal and state regulations may be more restrictive.)	No closer to property line or seawall than eight ft. (Note: Federal and state regulations may be more restrictive.)
Patios, covered <u>(or shade sails in lieu of solid roof) Pergola, maximum 50% covered,</u> (no more than 12 inches above existing grade or the top of an existing seawall) <u>(open on a minimum of</u>	SS, R	No closer to property line than 7.5 <u>5</u> ft.	No closer to property line than 7.5 ft.
	W	No closer to property line or seawall than 10 ft.	No closer to property line or seawall than 10 ft.

<u>three sides, excluding support columns)</u>			
Porch, open (less than 30 inches above existing grade or the top of an existing seawall) <u>(open on a minimum of three sides, excluding support columns)</u>	F, SS	Leading edge no more than 5 ft. from setback line	Leading edge no more than 5 ft. from setback line
	R	No encroachment permitted	Leading edge no more than 10 ft. from setback line
	W	Leading edge no more than 5 ft. from setback line	No encroachment permitted
Screen enclosure, patio (solid roof) <u>(no more than 12 inches above existing grade or the top of an existing seawall) (open on a minimum of three sides, excluding support columns)</u>	S, SS, R	No closer to property line than 7.5 5 ft.	No closer to property line than 7.5 ft.
	W	No closer to the property line or seawall than 10 ft.	No closer to the property line or seawall than 10 ft.
Screen enclosure (screen roof) <u>(no more than 12 inches above existing grade or the top of an existing seawall) (open on a minimum of three sides, excluding support structure)</u>	S, SS, R	No closer to property line or seawall than 5 ft.	No closer to property line or seawall than 5 ft.
	W	No closer to the property line or seawall than 10 ft.	No closer to the property line or seawall than 10 ft.
Dumpster enclosure	S, SS, R	No closer to property line than 5 ft.	No closer to property line than 5 ft.
Eaves	All	No more than 3 ft. from setback line, but no closer to property line or seawall than 2 ft.	No more than 3 ft. from setback line, but no closer to property line or seawall than 2 ft.
Fences	All	To property line or seawall as prescribed by fence and wall regulations	To property line or seawall as prescribed by fence and wall regulations
Flag poles (up to 35 ft. in height)	All	To property line or seawall	To property line or seawall
Flags, wall-mounted	All	No more than 4 ft. from setback line, but no closer to property line or seawall than 2 ft.	No more than 4 ft. from setback line, but no closer to property line or seawall than 2 ft.
Garages, residential front-loading	F	No encroachment permitted	No more than 5 ft. from setback line
	S	No encroachment permitted	No more than 2 ft. from setback line
	SS	No encroachment permitted	No more than 3 ft. from setback line
Garages, residential side-loading or facing an alley	F	No encroachment permitted	No more than eight ft. from setback line
	S	No more than 2 ft. from setback line	No more than 2 ft. from setback line
	SS	No more than 5 ft. from setback line	No more than 5 ft. from setback line

	<u>R</u>	<u>No encroachment permitted</u>	<u>10 ft., or 22 ft. including the width of the alley, whichever is less.</u>
Gardening Hoop House, Cold Frame, Greenhouse, Vertical vegetable structure, raised garden bed (only one may encroach into the setback. The maximum size is limited to 100 s.f. in area and 10 ft. in height)	S, SS, R	No closer to property line than 5 ft.	No closer to property line than 5 ft.
Lawn ornaments (including fountains and other yard ornaments)	F, S, SS, R, W	No closer to property line or seawall than 3 ft.	No closer to property line or seawall than 3 ft.
Lighting, landscape (up to 3 ft. in height)	All	To property line or seawall	To property line or seawall
Lighting, site	All	To property line or seawall	To property line or seawall
Mailboxes (if permitted by the Code)	F, SS	To property line	To property line
Play equipment, residential (up to eight ft. in height)	S, SS, R, W	To property line or seawall	To property line or seawall
Play equipment, residential (more than eight ft. in height)	S, SS, R, W	No closer to property line or seawall than 5 ft.	No closer to property line or seawall than 5 ft.
Pool, above ground (<u>greater than 12 inches above existing grade</u>)	S, SS, R	No closer to property line than 5 ft.	No closer to property line than 5 ft.
	W	No closer to property line or seawall than 8 ft.	No closer to property line or seawall than 8 ft.
Pool, in-ground (<u>up to 12 inches above existing grade</u>) pools adjacent to seawalls shall require additional engineering to avoid conflict with existing, underground tie-backs.))	S, SS, R, W	No closer to property line or seawall than 5 ft.	No closer to property line or seawall than 5 ft.
Ramp for citizens with impairments	All	To property line or seawall	To property line or seawall
Retaining (return) wall	F, S, SS, R	To the property line: The overall height shall be no greater than 18 inches from the existing grade abutting both sides of the wall	To the property line: The overall height shall be no greater than 18 inches from the existing grade abutting both sides of the wall
	W	To the property line or seawall: The overall height shall be no greater than the top of the existing seawall. (Note: Federal and state regulations may be more restrictive.)	To the property line or seawall: The overall height shall be no greater than the top of the existing seawall. (Note: Federal and state regulations may be more restrictive.)

Shed (only one <u>pre-constructed</u> shed may encroach into the setback. The maximum size is limited to 100 <u>sq. ft.</u> in area and 10 ft. in height)	F	No encroachment allowed, except as noted in the use-specific development standards for accessory structures and no part of the shed shall be located in front of the front façade line of the principal structure	No encroachment allowed, except as noted in the use-specific development standards for accessory structures
	R	Anywhere within rear 20 ft. of lot <u>To property line</u>	Anywhere within rear 20 ft. of lot <u>To property line</u>
	SS	No more than 5 ft. from setback line, within the rear 20 ft. of lot not allowed	No more than 5 ft. from setback line, within the rear 20 ft. of lot NS-1 only—see district regulations
	S	No closer to property line than 3 ft., except in the rear yard within the rear 20 ft. of lot to <u>property line</u>	No closer to property line than 3 ft., except in the rear yard within the rear 20 ft. of lot to <u>property line</u>
	W	No encroachment allowed	No encroachment allowed
Sidewalks (up to 6 ft. in width)	All	To property line or seawall	To property line or seawall
Spa	S, SS, R, W	No closer to property line or seawall than 5 ft.	No closer to property line or seawall than 5 ft.
Steps, stairs (steps, stairs shall not exceed 3 ft. in height above grade.)	F, R, W	No more than 6 ft. from setback line but no closer to property line or seawall than 4 ft.	No more than 6 ft. from setback line but no closer to property line or seawall than 4 ft.
	S, SS	No more than 4 ft. from setback line but no closer to property line than 4 ft.	No more than 4 ft. from setback line but no closer to property line than 4 ft.
Stoop (up to 3 ft. by 6 ft. in area)	All	No more than 3 ft. from setback line but no closer to property line or seawall than 4 ft.	No more than 3 ft. from setback line but no closer to property line or seawall than 4 ft.
Walls	F, S, SS, R, W	To property line or seawall as prescribed by fence and wall regulations	To property line or seawall as prescribed by fence and wall regulations
<u>Wooden platform for energy meter in a flood zone</u>	<u>S</u>	<u>No closer to property line than 3 ft. for platforms up to 4 ft. above grade, or no closer to property line than 3.5 ft. for platforms up to 5 ft. above grade</u>	<u>No closer to property line than 3 ft. for platforms up to 4 ft. above grade, or no closer to property line than 3.5 ft. for platforms up to 5 ft. above grade</u>

16.70.010.5. Rehearing.

An applicant, appellant or registered opponent following a quasi-judicial decision of the City Council or a quasi-judicial decision of a commission that is not appealable to the City Council may request a rehearing.

- A. The City Council or commission shall not rehear an application unless:
1. There has been faulty notification to the applicant, appellant or registered opponent.
 2. New evidence is discovered by the applicant, appellant or registered opponent after the hearing which would likely change the result if a new hearing is granted and which could not have been discovered before the hearing by due diligence; or
 3. There is a substantial change of circumstance.
- B. If either of these conditions is alleged to exist, then a request for rehearing may be made by the original applicant, appellant, registered opponent or the City staff within ten days of the original decision by filing a written request for rehearing with the POD.
1. If a request for rehearing is based on newly discovered evidence, documents supporting that evidence shall be served with the application.
 2. A request for rehearing shall be heard at the next regularly scheduled meeting following the receipt of the request and, based upon the information before it, City Council or the Commission shall issue an order denying or granting a rehearing.
 3. If a request for rehearing is granted, the application shall be scheduled for a public hearing after the required fee, if any, has been paid and notification has been made as required for the first hearing by the person requesting the rehearing.
 4. If a request for rehearing is timely filed, such filing tolls the time in which to seek judicial review of the decision until an order is rendered denying the request for rehearing. If a request for a rehearing is granted, the time in which to seek judicial review shall begin when an order is entered at the rehearing on the application.

(Code 1992, § 16.70.010.5)

16.70.030.1.2. - Dock permit.

E. Side setback-waivers. The POD shall have the power to grant waivers to the side setback requirements. The applicant shall send a notice of intent to file a dock permit application with a plan clearly depicting the dock and lift improvements with detailed measurements to the projected property line to all owners of platted water lots and contiguous platted upland lots within 200 feet measured along the side of the waterway where the side setback waiver is requested by regular mail (with certificate of mailing provided to the POD) 30 days prior to filing of such application. The applicant shall also provide a notarized letter of support from the owner of the abutting lot on the side where a side setback waiver is being requested. If no objections are received by the POD, the POD may administratively approve the request. Requests for variances shall be reviewed by the commission designated in the Decisions and Appeals Table.

16.90.020.3. Definitions.

For the purposes of this chapter, the following terms and words shall be interpreted or defined as follows. Unless the context clearly indicates otherwise, terms not defined herein shall be interpreted in the following manner:

- (1) By reference to the relevant provisions of the Community Planning Act, if specifically defined therein, or in other relevant and appropriate state statutes or rules;
- (2) According to the relevant provisions of the Code, the rules for interpretation of this Comprehensive Plan, or in other relevant City ordinances relating to Land Development Regulations;
- (3) By reference to generally accepted engineering, planning, or otherwise professional terminology if technical; and
- (4) Otherwise according to common usage. Except as otherwise noted, all other words shall have the meaning normally attributed to them.

The term "shall," "must," or "will" is mandatory.

The term "should" or "may" is discretionary or permissive and not mandatory.

The present tense includes the future tense.

The particular shall control the general.

The singular number includes the plural; and the plural, the singular.

A term in the masculine gender can include the feminine and neuter and vice versa.

The term "includes" shall not limit a term to the specific examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.

The term "State" means the State of Florida.

The term "county" means Pinellas County.

The term "City" means the City of St. Petersburg, Florida.

The terms "Community Planning and Preservation Commission," "Development Review Commission," and other similar terms mean the respective commissions of the City. The use of the term "city council" or "council" means the St. Petersburg City Council. The use of the term "economic development services department" means the development services director and the employees of the department and shall include any successor department charged with administering this chapter.

The terms "adjacent," "abut(ing)," and "adjoin(ing)" shall have the same meaning unless the context clearly contemplates otherwise.

If there is any difference of meaning or implication between the text of the land development code and the Comprehensive Plan, the development services department may prepare a written interpretation and/or a proposed amendment to this chapter.

Any reference to an agency or official includes any designee of the agency or official.

Any reference to a specific code, section, subsection, article, chapter, etc. of the City, County, State, United States, or any other governmental entity, or to an official publication which establishes standards to be followed or best practices, shall mean and include, "as amended."

All descriptive headings of goals, objectives, or other sections in the Comprehensive Plan are inserted for convenience of reference only and shall not affect the construction or interpretation thereof.

This chapter includes graphics, illustrations and pictures along with text. The purpose of the graphics, illustrations and pictures is to explain the meaning of the text. They are included for convenience. In the event of an inconsistency between a graphic, illustration or picture and the text, the text controls.

Acceptance of completed application means an application has been reviewed for completeness and found to have the adequate information necessary to continue the review of the application and all required fees have been paid.

Accessory. See Matrix: Use Permissions and Parking Requirements.

Accessory dwelling unit. See Matrix: Use Permissions and Parking Requirements.

Accessory dwelling unit, artist in residence. See Matrix: Use Permissions and Parking Requirements.

Accessory dwelling unit, owner/manager. See Matrix: Use Permissions and Parking Requirements.

Accessory living space. See Matrix: Use Permissions and Parking Requirements.

Activity center means areas in the City which are designated as such in the Comprehensive Plan. Generally, these areas are suitable for higher intensity uses because of accessibility, location and availability of infrastructure.

Adaptive reuse. See Matrix: Use Permissions and Parking Requirements.

Addition to an existing building means any walled and roofed expansion to the exterior walls of a building to which the addition is connected by a common loadbearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent loadbearing walls is new construction.

Administrative official means the POD.

Adult day care center means a place that provides care for five or more adults, unrelated to the operator, on a daily or less frequent basis, but not as a place of residence.

Adult use, adult use establishment or adult use business. See Matrix: Use Permissions and Parking Requirements.

Adverse environmental impact means any change in the physical or biological conditions of the natural environment within or adjacent to the area that results in a detrimental effect upon flora, fauna, air, water, minerals or other natural characteristic of the area.

Advertising. See general development standards, signage.

Airport. See Matrix: Use Permissions and Parking Requirements.

Alley means a right-of-way providing a secondary means of vehicular access and service to abutting property. Alleys are not designed or maintained for pedestrian or bicycle use.

Alteration means changes to the exterior appearance of a designated landmark, landmark site, or property located within a designated thematic grouping or historic district, such as, but not limited to changing the appearance, form, or materials of windows, doors, porches, or rooflines or the demolition or relocation of existing structures or any ground disturbance to an archaeological site.

Ancillary equipment. See Use Specific Development Standards.

Ancillary nonresidential use means off-street parking, drainage retention areas and open space buffer areas for adjacent, contiguous, nonresidential uses.

Applicant means the owner of record of a property or the authorized agent of the owner.

Application means written requests for review and/or approval of a matter regulated by this chapter.

Archaeological monitoring means the observation, after the start of construction, to determine if archaeological resources exist in an area or, when such resources are known to exist, the observation, recording and incidental recovery of site features and materials to preserve a record of the affected portion of the site. Only a professional archaeologist who meets the professional qualification standards set forth in the Secretary of the Interior's Standards for Archaeology and Historic Preservation (36 CFR pt. 61) or individuals certified by the Florida Department of State, Bureau of Archaeological Research, Archaeological Resource Management (ARM) Training shall monitor construction activities for archaeological resources.

Archaeological resources means artifacts or features below the ground surface that indicate the past use of a location by people.

Archaeological Resources Management Plan means the plan titled City of St. Petersburg Archaeological Resources Management Plan prepared for the Planning Department of the City of St. Petersburg, Florida by Piper Archaeological Research Inc. in May, 1991, as amended.

Archaeological site means a property or location which has yielded or may yield information on the City's history or prehistory designated pursuant to the requirements in the historic and archaeological preservation overlay section. Archaeological sites may be found within archaeological sensitivity zones, historic sites, historic districts, and on any private or public property. Archaeological sites are evidenced by the presence of archaeological resources.

Archaeological testing means the limited subsurface excavation or remote sensing of a proposed disturbance (or a portion thereof) to determine the potential, type, or extent of the archaeological site. Testing may include augering and establishing archaeological excavation units and can include the screening of excavated material for artifact recovery.

Architectural detail means the architectural features, patterns, or ornamentation that provide visual interest at a pedestrian scale, including pedestrian-scale lighting, medallions, columns, kickplates, tilework, planters, ~~or~~ balconies, trim, molding, brackets, quoins, columns, chimney, louver-attic vent, shutters and niche. Changes in material or changes in the plane of the building façade. Other architectural details or features maybe permitted if they are consistent with the architectural style. Any detail or feature shall be carried throughout the exterior of the building.

Art means any of the following activities:

- (1) Visual arts, including craft (woodworking/ceramics/metalwork/textiles); 2-D (drawing/painting/printmaking/photography); 3-D (sculpture/mixed media); multi-media.
- (2) Performing arts, including dance (choreographer/performer), music (composition/instrumental/vocal), performance art, or theater arts (acting/directing/playwriting/design/lighting/costuming).
- (3) Media arts, including computer/multimedia/new media, film/video, photographer, design.
- (4) Literary arts, including poetry, fiction and nonfiction.
- (5) Examples of uses that constitute "art" include: antiques (restoration and sale of antiques and collectibles); art needlework; art studio, including painting and sculpturing; basket weaving; boutiques; candle making; cartoon and animation; ceramics; costume designing; dance and drama studio; fine arts gallery; glass (the hand production of glass crystal), art novelties and the assembly of stained art glass; musical instruments; photography studio; picture mounting and framing; pottery manufacturing; shoe and footwear, provided all manufacturing is done by

hand; silk screen processing; textile weaving, provided hand looms only; toys, manufacturing of by hand; woodcarving; writing, professional studio; block printing; jewelry manufacturing; and metal engraving.

Artist loft means the work space of an artist located in a building that was designed as a warehouse, industrial building, or a storefront, and that includes residential space used only by the artist utilizing the work space.

Art gallery means a place where works produced by an artist or artists are displayed or sold.

Artisan means one who is skilled in an applied art; a craftsman.

Artist live/work studio means a building designed or constructed as a dwelling unit that includes work space for the creation, display and sale of art, and the remainder is used for living purposes.

Art studio means the work space of an artist in which art is created.

Artwork. See general development standards, signage.

Assisted living facility. See Matrix: Use Permissions and Parking Requirements.

Asymmetrical means building proportions in which the roof, walls, entryways and other elements of the front façade are not balanced on each side of an axis lying in the middle of the façade. (See Symmetrical.)

Automatic irrigation system means a mechanically or electronically timed vegetation watering system, capable of operating valve stations to set the days, starting time and length of time of a water application.

Balcony means an elevated platform projecting from the wall of a building and enclosed by a railing or parapet.

Bank. See Matrix: Use Permissions and Parking Requirements.

Banner. See general development standards, signage.

Bay window means a window or windows projection from the exterior wall of a building creating a bay with a minimum of 50-percent glazing of the surface area.

Beacon. See general development standards, signage.

Bed and breakfast (B and B). See Matrix: Use Permissions and Parking Requirements.

Behind the principal building means to be located between any portion of the principal building and the rear lot line or an alley, or any location where the principal building lies between the structure or regulated matter and with a street (other than an alley).

Big box building means any building where all sides of the building exceed 100 feet and which typically does not have windows on two or more sides, including but not limited to movie theatres, grocery stores, large retailers (e.g., Walmart, Target).

Birthing center. See Matrix: Use Permissions and Parking Requirements.

Block means a group of lots existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers and having an assigned number, letter or other name through which it may be identified.

Blood plasma center. See Matrix: Use Permissions and Parking Requirements.

Boat means any manmade item which floats and is designed to be propelled by oars, paddles, sail, motorized power or by any other means.

Boathouse means any structure, designed to accommodate the storage of a boat on or above the water which is partially or totally enclosed with walls. Roofed structures without any walls are not boathouses.

Brewery. See Matrix: Use Permissions and Parking Requirements.

Buildable lot means a parcel of land which meets the requirements of this chapter and for which a development permit may be granted.

Building means any structure consisting of walls and a roof, built of permanent construction that is impervious to the elements, and built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

Building envelope means the exterior dimensions of a building that comprise its visible form and mass, including its height, width, depth, and shape.

Building expansion means any enlargement or extension of a building that provides additional gross floor area. An enlargement or extension of a building into an existing carport, pedestrian covered walkway, off-street parking and loading area, courtyard, or similar structure or area which changes the use of that area is considered a building expansion.

Building form means the overall shape and axis of a building. The axis of a building is either symmetrical and/or asymmetrical. The shape can emphasize certain directional characteristics either horizontal, vertical, or square/box.

CPTED stands for Crime Prevention Through Environmental Design and means a strategy which refers to the proper design and effective use of the physical environment to modify human behavior to reduce the incidents and fear of crime.

CPTED plan means a written plan which addresses a specific area and problem, is developed by the City's CPTED team and approved by the Police Chief, Fire Chief, POD and the Mayor.

CPTED plan right-of-way closure Area means that portion of the area addressed by a CPTED plan which includes all blocks abutting a right-of-way which will be temporarily closed pursuant to a CPTED plan.

Canopy means the leafy portion of a tree.

Cantilevered means a horizontal projection from a building, such as a step, balcony, beam or canopy, that is without external bracing and appears to be self-supporting.

Capital improvement means physical assets constructed or purchased to provide, improve, or replace a public facility; generally large scale, high in cost, nonrecurring, and which may require multi-year financing.

Car wash and detailing. See Matrix: Use Permissions and Parking Requirements.

Catering, food service contractor. See Matrix: Use Permissions and Parking Requirements.

Cemetery. See Matrix: Use Permissions and Parking Requirements.

Cemetery, accessory to house of worship. See Matrix: Use Permissions and Parking Requirements.

Certificate of appropriateness or COA means, with respect to historic and archaeological preservation, a certificate issued for any exterior alteration to a designated local landmark or property in a local historic district for the purpose of protecting the integrity and character of the local landmark or historic district.

Certificate to dig means a written document permitting certain ground disturbing activities that may involve the discovery of as yet unknown or known archaeological sites within a sensitivity zone as identified on the Archaeological Sensitivity Zones Map included in the Archaeological Resources Management Plan, as amended.

Certified affordable/workforce housing means any single-family home designated through the City's affordable/workforce housing program.

Certified local government means a government meeting the requirements of the National Historic Preservation Act Amendments of 1980 (P.L. 96-515) and the implementing regulations of the U.S. Department of the Interior and the State of Florida.

Child care facility. See Matrix: Use Permissions and Parking Requirements.

Childrens day care center. See child care facility.

Chimney means an architectural feature connected to a fireplace with a flue that extends above the roof line.

Church. See house of worship.

City issued ballot means a ballot on a form that has been approved for use by the POD. Acceptable City issued ballots shall include photocopies of original approved ballot forms if the vote itself and the required signature are original ink and properly received by the POD in accordance with this Code.

Club, community service and fraternal. See Matrix: Use Permissions and Parking Requirements.

Club, other. See Matrix: Use Permissions and Parking Requirements.

Commercial equipment means any vehicle and/or equipment not contained within the definition of "domestic equipment" which is designed or used for a commercial or industrial function, or which contains exterior commercial advertising.

Commercial garden and greenhouse. See Matrix: Use Permissions and Parking Requirements.

Commercial recreation, indoor or outdoor. See Matrix: Use Permissions and Parking Requirements.

Commercial zoning or zoned commercial means any of the following zoned districts as described in this chapter: All CCT, CCS, IS, IT, DC, RC, EC, IC districts. In addition, the term includes any property on which a lawful grandfathered or nonconforming principal commercial use exists as allowed by this chapter.

Community residential home. See Matrix: Use Permissions and Parking Requirements.

Compatibility means, when applied to structures, sensitivity of a building design to the existing character of a neighborhood, surrounding blocks, or historic or special area. This is measured by how the design of a building or project relates to the design elements of the surrounding natural/physical and manmade environment. Compatibility measures include but are not limited to the following: building relationship to the street (such as height, façade details, landscaping, activities), the rhythm of spacing between buildings, the use of building materials which match in dimension, color, pattern and finish/texture, and building scale and mass.

Comprehensive plan or plan means the Comprehensive Plan of the City adopted pursuant to F.S. ch. 163.

Concurrency means the provision of the necessary public facilities and services required to maintain the adopted level of service standards at the time the impacts of development occur.

Concurrency management system means the procedures and process that the City will utilize to ensure that development orders and permits are not issued unless the necessary facilities are available concurrent with the impacts of development.

Concurrency monitoring system means the data collection, processing, and analysis performed by the City to determine impacts on the established levels of service for potable water, sanitary sewer, drainage, solid waste, and recreation and open space.

Consumption on-premises means an establishment that sells alcoholic beverages only for consumption on the licensed premises of the establishment.

Construction establishment. See Matrix: Use Permissions and Parking Requirements.

Contributing resource means a building, landscape feature, site, structure, object or archaeological resource that adds to the historic importance, architectural qualities, historic associations, or archaeological significance for which a local landmark is significant because:

- (1) It was present during the period of significance of the district, and possesses historic integrity reflecting its character at that time;
- (2) It is capable of yielding important information about the period; or
- (3) It independently meets the National Register of Historic Places criteria for evaluation set forth in 36 CFR 60.4, and as the same may be amended;
- (4) It possesses historic integrity, reflecting its character at that time; or it is capable of providing important information about the period.

Convenience store with or without fuel pumps. See Matrix: Use Permissions and Parking Requirements.

Cooking facility means a kitchen or other designed food preparation area in a structure that is equipped with a range/oven. An area may be presumed to be intended for use as a cooking facility if it includes a refrigerator or sink and has a 220 volt electrical outlet or natural gas hookup which is not being actively used for water heaters or clothes dryers.

Cornice means a decorative feature, found under the eaves of a roof, or projecting ornamental molding along the top of a building or a wall in classical architecture, the uppermost projecting section of an entablature.

Countywide planning authority (CPA) means the board of county commissioners.

Crematorium. See Matrix: Use Permissions and Parking Requirements.

Crematory. See funeral home.

Cross-access easement means an easement that allows vehicles to enter a lot or parcel from an abutting lot or parcel or private street.

Current replacement value means the greater of the current assessed value of a structure, as indicated on the most recent tax rolls of the Pinellas County Property Appraiser, or 50 percent of the reasonable current market value, as determined by an MAI appraisal acceptable to the City when such an MAI appraisal is available. Use of an MAI appraisal of such structure shall be at the option of and paid for by the property owner or authorized agent.

Date stamp means a record of receipt of a document or item by the City and shall include, but not be limited to, a physically or digitally produced stamp or seal upon the document or item itself or inclusion in a filing or record for which metadata is recorded.

Daylight hours means the time between one-half hour before sunrise and one-half hour after sunset.

Deck means a structure consisting of a floor that is raised above the finished grade of the lot, typically, the structure is elevated on piers and constructed of wood or simulated wood materials. The pier construction eliminates the need for changes to the existing grade. Typical placement is adjacent to the side, rear or waterfront yard of a house and provides secondary access into the structure. When placed along these secondary elevations, the architectural style is typically utilitarian in nature, containing minimal (if any) design features relating to the main structure. When visible from a street, the design elements of the deck are typically consistent with those of the abutting structure.

Decorative or decorative detailing means a special treatment or application such as texture or color used in building materials, walls, concrete finishes, or other building elements in order to provide ornamentation, but which is not required for the operation of the essential systems and components of a building.

Defined architectural style means a building having an architectural style or features of one or more styles defined in this chapter.

Demolition means the act of razing, dismantling or removing a structure, or portion thereof to the ground level.

Density. See technical standards section.

Design elements means the features of a building that include architectural style and façade details (cornices, arches, quoins, etc.), the rhythm and proportion of windows, porches, doors, and vertical and horizontal features, and building form, scale, color, and materials and finish.

Designation means the process by which a building, structure, site, object, multiple property or local historic district is formally recognized by the City as a historically, architecturally and/or archaeologically significant local landmark.

Development has the meaning set forth in F.S. ch. 163, part II.

Development (drainage and surface water management) means the construction or installation of a structure, impervious surface, drainage facility or part thereof on a site not previously developed.

Development order or *order* means any order granting, denying or granting with conditions an application for a development permit.

Development permit or *permit* means any building permit, zoning permit, subdivision approval, certification, special exception, variance, or any other official action of the City having the effect of permitting the development of the land.

Diameter at breast height (dbh) means the diameter in inches of a tree, measured at 4½ feet above the existing grade.

District means the Southwest Florida Water Management District.

Dock means a structure located on or abutting a parcel of property that extends into the water and is used as a place to which a boat can be moored, a landing place or promenade or a place for the loading or unloading of materials. The term includes structures attached to a dock that are only suitable for the mooring or storage of boats (e.g., boat lifts), and includes piers and marinas, as those terms are commonly used. Such a structure may be partially or totally roofed and/or partially enclosed on any side with a railing system as authorized in this chapter.

Dock-related structure means davits, mooring pilings, dolphins and tie poles, as those terms are commonly used and other accessory structures consistent with the use of a dock.

Domestic equipment means, in connection with allowable parking on a residential lot or on a street in a residential district, accessory equipment not designed, used or intended to be used for commercial purposes. "Domestic equipment" is limited to the following types of equipment: all portable structures built or designed to be carried on a chassis and operated or transported whether or not self-propelled, including, but not limited to motor homes, mobile homes, campers, travel trailers, recreational vehicles, tent trailers, pop-out campers, pick-up campers, houseboats, boats, boat trailers, barbeque grills (or any other kind of grill) on trailers, and utility trailers. The term "domestic equipment" does not include self-propelled vehicles designed and licensed for use on the public roadways of 20 feet or less in overall length and seven feet or less in overall height.

Doorway means an opening into a building designed for persons to walk through that normally contains a door and which may or may not abut a stoop, porch, or entryway.

Dormer means a vertically set window on a sloping roof, including the roofed structure housing such a window.

Dormitory. See Matrix: Use Permissions and Parking Requirements.

Drip line means an imaginary, perpendicular line that extends downward from the outermost tips of the tree branches to the ground.

Drive-through facility or use with a drive-through. See Matrix: Use Permissions and Parking Requirements.

Drought tolerant vegetation means established plants that survive on natural rainfall with occasional irrigation during dry periods and includes Bahia turf.

Drug store or pharmacy. See Matrix: Use Permissions and Parking Requirements.

Dwelling unit means living space for a family with cooking, bathroom and sleeping facilities.

Dwelling, child foster home means a family care facility, regulated or required to be licensed or regulated by the State of Florida Department of Children and Family Services (CFS), which provides, in a single-family home setting, care and supervision pursuant to state licensing for persons not requiring a special treatment program and under 18 years of age and which is not occupied solely by persons related to each other by blood, adoption or marriage and living together as a family.

Dwelling, multifamily. See Matrix: Use Permissions and Parking Requirements.

Dwelling, single-family. See Matrix: Use Permissions and Parking Requirements.

Dwelling, live work. See Matrix: Use Permissions and Parking Requirements.

Easement means any area of land dedicated for public or private utilities, drainage, sanitation or other specified uses having limitations, the title to which remains in the name of the property owner, subject to the right of use designated in the document or activity creating the right.

Edible plant means any fruits or vegetables, or other plant products intended for ingestion.

Emitter means a device which is used to control the application of irrigation water. This term is primarily used to refer to the low flow rate devices used in micro irrigation systems.

Entryway means a door or similar building entry.

Establishment means any portion of a site or premises where a use or activities or operations related to a use are conducted.

Facade means the face or elevation of a building.

Family day care home. See Matrix: Use Permissions and Parking Requirements.

Fenestration means the design and placement of windows, doors and other exterior openings in a building which includes trim, shutters and other architectural details and features.

Financial feasibility means that sufficient revenues are currently available or will be available from committed funding sources for the first three years, or will be available from committed or planned funding sources for years four and five, of a five-year capital improvement schedule for financing capital improvements, such as ad valorem taxes, bonds, state and federal funds, tax revenues, impact fees, developer contributions, which are adequate to fund the projected costs of capital improvements identified in the Comprehensive Plan necessary to ensure that adopted level-of-service standards are achieved and maintained within the period covered by the five-year schedule of capital improvements. The requirement that level of service standards be achieved and maintained shall not apply if the proportionate-share process set forth in the concurrency management section and in F.S. § 163.3180(12) and (16), is used.

Flag. See general development standards, signage.

Floating structure means a barge-like structure, with or without accommodations, that is not used as a means of transportation on water but which serves purposes or provides services typically associated with a structure upon or improvements located upon real property such as but not limited to use as a residence, place of business, office, hotel, motel, restaurant, lounge, retail or wholesale store, clubhouse, helicopter pad, meeting facility, or a storage or parking facility. Incidental movement or the capability of movement upon water does not preclude a structure from classification as a floating structure. Registration of the structure as a vessel in accordance with F.S. ch. 327 does not preclude a structure from classification as a floating structure.

Floor Area Ratio (FAR). See technical standards section.

Floor plate means the floor area of a floor, usually the bottom or first floor.

Florida-friendly means quality landscapes that conserve water, protect the environment, are adaptable to local conditions and which are drought tolerant. The principles of Florida-friendly design include planning and design, appropriate choice of plants, soil analysis which may include the use of solid waste compost, efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance.

Food means any raw, cooked, or processed edible substance, ice, beverage or ingredients used or intended for use in whole or in part for human consumption.

Footcandle means a unit of illuminance equal to one lm/ft² or 10.76 lx.

Front façade line means the exterior wall of the enclosed habitable space closest to the front yard.

Front parking means off-street parking areas that are located between the principal building and the street, or in the front yard.

Front yard. See technical standards section.

Full cutoff fixture means a luminaire that does not emit any light, either directly or by reflection or diffusion, above a horizontal plane running through the lowest part of the fixture.

Funeral home. See Matrix: Use Permissions and Parking Requirements.

Gardening cold frame means an unheated, uncooled outdoor structure consisting of a wooden or concrete frame and a transparent top, built low to the ground, in which seedlings and plants are cultivated and given protection from adverse weather.

Gardening hoop house means an unheated, uncooled outdoor structure made of PVC piping or other material covered with translucent plastic, constructed in a half-round or "hoop" shape, in which seedlings and plants are cultivated and given protection from adverse weather.

Gas or fueling station. See Matrix: Use Permissions and Parking Requirements.

General zoning district means any zoning district of the City, excluding overlay districts.

Glare means light emitting from a luminaire that interferes with visibility.

Glazing. See transparency.

Golf course and country club. See Matrix: Use Permissions and Parking Requirements.

Government building and use. See Matrix: Use Permissions and Parking Requirements.

Grand tree shall mean any protected tree which is 30 inches dbh or larger. Grand trees do not include laurel oaks (*Quercus lurifolia*). Grand trees shall be considered to be a "specimen" tree as that term is used in Florida Statutes.

Grandfathered use. See nonconforming and grandfathered situations section.

Green building means a whole systems approach to the design, construction, and operation of buildings that helps mitigate the environmental, economic, and social impacts of buildings. Green building practices recognize the relationship between natural and built environments and seek to minimize the use of energy, water, and other natural resources and provide a healthy, productive indoor environment.

Green yard means a primarily pervious area within a required front yard or a required side or rear yard which may be landscaped or covered with vegetation.

Green space means the entire parcel less the building footprint, driveways, vehicular use areas, hardscapes such as decks, pools, patios, and other impervious areas. Water features are included in the calculation of green space area.

Gross floor area means the sum of the gross horizontal areas of all the floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including any portion of the building designed for parking or the movement of vehicles unless specifically required by the zoning district.

Ground cover means herbaceous vegetation other than turfgrass with a typically horizontal growth form and which normally reaches at maturity an average maximum height of approximately 24 inches.

Ground disturbing activity means any excavation, filling, digging, removal of vegetation and/or trees, or any other activity that may alter or reveal an archaeological site and may include, but is not limited to, excavating soil for the placement or removal of pilings, posts, footers, power poles, fence posts, large trees or plants, septic tanks, in ground water features, ponds, swimming pools, hot tubs, water and sewer lines, drainage ditches, and the extensive grading of virgin soil.

Health club. See Matrix: Use Permissions and Parking Requirements.

Height, building. See technical standards section.

Heliport, accessory. See Matrix: Use Permissions and Parking Requirements.

Herbaceous vegetation means low growing vegetation without woody stems which includes grasses, ground covers, vines, vegetables, wildflowers and annuals.

Hobby means an accessory use of a dwelling unit for an activity that is for personal enjoyment, amusement, or recreation, provided that the articles produced or constructed are not sold, either on or off the premises.

Home occupation. See use specific development standards.

Hospital. See Matrix: Use Permissions and Parking Requirements.

Hotel. See Matrix: Use Permissions and Parking Requirements.

House of worship. See Matrix: Use Permissions and Parking Requirements.

Hydroponic system means the cultivation of plants in a nutrient-rich water solution, rather than in soil, and under controlled conditions of light, temperature and humidity.

Hydrozone means a designated area of plants with similar water needs.

Impervious surface means a surface that has been compacted or covered with a layer of material so that it is resistant to or prevents infiltration by stormwater. It includes, but is not limited to, roofed areas, pools, and surfaces such as compacted sand, limerock, or clay, as well as conventionally surfaced streets, sidewalks, parking lots, pavers, and other similar surfaces. For purposes of calculating the ISR, 50 percent of the surface area of decks shall be included as impervious surface.

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

Incidental to means, with respect to uses that sell alcohol, that less than 50 percent of the gross sales of the licensed establishment shall be from the sale of alcoholic beverages.

Indoor urban vehicle sales. See Matrix: Use Permissions and Parking Requirements.

Interior to a block means locations within a block that are generally screened from visibility of a street right-of-way by principal buildings.

Irrigation system means a permanent watering system designed to transport and distribute water to plants as a supplement to natural rainfall. Irrigation systems may include, but shall not be limited to, drip irrigation, micro-irrigation, rain barrels, hose bibs, and rain water catchment systems such as rain barrels and cisterns.

Irrigation zone means a control valve circuit containing emitters and/or sprinklers with consistent application rates.

Joint or multiple use with filling or service station means the sale of gasoline and oil in connection with another permitted or permissible use.

Kennel. See Matrix: Use Permissions and Parking Requirements.

Kickplate means the panel or skirting below a storefront window.

L-shaped building means a building consisting of a plan (top) view in the shape of an "L."

Laboratories and research and development. See Matrix: Use Permissions and Parking Requirements.

Lamp means the component of a luminaire that produces the actual light.

Land development regulations or land development code means this chapter.

Landscape feature means any improvement or vegetation on a site. Examples of landscape features include, but are not limited to, outbuildings, walls, courtyards, fences, fountains, ponds, shrubbery, trees, sidewalks, curbs, planters, plantings, gates, private streets or vehicular use areas, and exterior lighting.

Landscape permit means a permit obtained from the City prior to the landscaping of any development or redevelopment project as required by this chapter.

Landscaping means, for the purposes of the historic and archaeological preservation section:

- (1) The removal of any tree (except Brazilian Pepper, Australian Pine, and Malaleuca) from a property designated as a local landmark, landmark site, or located in a designated thematic grouping or historic district except as provided in subsection (2) of this section;
- (2) The removal or installation of any tree (including Brazilian Pepper, Australian Pine, and Malaleuca) on a designated archaeological site.

LEED(tm) Green Building Rating System means the most recent version of the Leadership in Energy and Environmental Design (LEED(tm)) Commercial Green Building Rating System, or other related LEED(tm) Rating System, approved by the USGBC. The rating system is based on points that are awarded for sustainability techniques.

Level of service (LOS) means an indicator of the extent or degree of service provided by, or proposed to be provided by, a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility.

Library. See Matrix: Use Permissions and Parking Requirements.

Light manufacturing/assembly. See Matrix: Use Permissions and Parking Requirements.

Light trespass means light from an artificial light source that is illuminating an adjoining or nearby property.

Lighting fixture means the assembly that houses the lamp or lamps and can include all or some of the following parts: housing, a mounting bracket or pole socket, a lamp holder, ballast, a reflector or mirror, and/or a refractor or lens.

Lighting, pedestrian-scale, means lighting that is designed to accent architectural façade features or to provide pathway lighting. The following are examples of pedestrian scale lighting:

- (1) Bollards. Bollards are luminaires that are mounted in the ground and having the form of a short thick post, generally with optical components mounted near the top.
- (2) A full cutoff fixture that is mounted on a small pole or an exterior wall. A "small pole" means a decorative metal pole that does not exceed ten feet in height.
- (3) Accent lighting. Accent lighting is lighting that is designed to emphasize the shape, texture, finish, or color of a portion of an exterior wall or an architectural feature.

Liner building means a building with a minimum depth that allows an active use to occupy the space and whose primary function is to conceal a parking garage, a surface parking lot or other non-active uses from view of the public rights-of-way.

Local historic district means a geographically defined area designated pursuant to the requirements in the historic and archaeological preservation overlay section.

Local historic preservation office means the POD.

Local landmark means a building, structure, object, archaeological site, or local historic district or multiple property landmark designated pursuant to the requirements in the historic and archaeological preservation overlay section. A "local landmark" may include the location of significant archaeological features or of a historical event and shall include hexagon block sidewalk preservation areas designated under this chapter. The designation ordinance shall include a geographic description of the area included in the designation.

Lot includes tract or parcel and means the least fractional part of subdivided lands having limited fixed boundaries, and an assigned number, letter or other name through which it may be identified. A lot has frontage on an improved public street (not including an alley) or on an officially approved private street. For zoning purposes, a lot may consist of:

- (1) A combination of complete lots of record.
- (2) A combination of complete lots of record and portions of lots of record.
- (3) Portions of lots of record that are of sufficient size to meet the requirements of this chapter for the district in which they are located.
- (4) Single lots of record.
- (5) Parcels of land defined by metes and bounds descriptions where such parcels are in conformity with this chapter and other portions of the Code.

A lot includes submerged land if the owner of the abutting upland demonstrates ownership of the submerged lands.

Lot depth. See technical standards section.

Lot of record means a parcel of land defined by reference to a plat recorded in the Official Records of Pinellas County or, prior to the creation of Pinellas, Hillsborough County, Florida.

Lot type. See technical standards section.

Lot width. See technical standards section.

Low impact development landscaping plan. A low impact development (LID) landscaping plan is an ecologically based stormwater management approach favoring soft engineering to manage rainfall on site through a vegetated treatment network. The LID landscaping plan may include bioretention swales and rain gardens but shall include identification of plant zones

Lumen (lm) means a unit of luminous flux that is determined from the radiant power as in luminous flux. Photometrically, it is the luminous flux emitted within a unit solid angle (one sr) by a point source having a uniform luminous intensity of one cd.

Luminaire means a complete lighting system, including a lamp or lamps and a fixture.

Lux (lx) means a unit of illuminance equal to one lumen per square meter (lm/m²).

Major disturbance means a ground disturbing activity that occurs on a commercial property or a three or more unit residential property, which requires penetration into the ground of more than three inches, and encompasses an area of 250 or more square feet.

Major street. See definition of street.

Major streets map means the future major streets map in the Comprehensive Plan.

Manufacturing, light assembly and processing. See Matrix: Use Permissions and Parking Requirements.

Manufacturing, heavy. See Matrix: Use Permissions and Parking Requirements.

Marina. See Matrix: Use Permissions and Parking Requirements.

Mass transit center. See Matrix: Use Permissions and Parking Requirements.

Meeting hall and other community assembly facility. See Matrix: Use Permissions and Parking Requirements.

Micro-irrigation means the frequent application of small quantities of water directly on or below the soil surface, usually as streams or sprays through emitters placed along the water delivery pipes (laterals). Micro irrigation encompasses a number of methods, including drip, bubbler, and trickle systems with a maximum flow rate per emitter of 30 gallons per hour or less.

Microbrewery. See Matrix: Use Permissions and Parking Requirements.

Minor disturbance means a ground disturbing activity that occurs on a commercial property or a three or more unit residential property, which requires penetration into the ground of more than three inches, and encompasses an area between 100 and 250 square feet.

Missing middle housing encompasses a range of smaller, multi-unit or clustered housing types (such as shotgun, skinny, duplex, triplex, fourplex, courtyard apartment, bungalow court, townhouse, multiplex, and live/work units), which are compatible in scale and design with single-family homes, and are designed to encourage walking, biking, and transit use.

Mixed-use building means a building that includes commercial uses on the ground floor and office uses occupying the second floors or above (LBCS Structure 2400), or a building that has offices or commercial uses on the ground floor and dwelling units on the floors above the ground floor (LBCS Structure 2300).

Mobile home. See Matrix: Use Permissions and Parking Requirements.

Month or monthly means 30 consecutive calendar days or one calendar month, whichever is less.

Mortuary. See definition of funeral home.

Motel. See Matrix: Use Permissions and Parking Requirements.

Motor vehicle or vehicle has the meaning set forth in F.S. § 320.01.

Mulch means non-living, organic or synthetic materials customarily used in landscape design to retard erosion and retain moisture.

Multi-jurisdictional transportation facility means a transportation facility within the City and within the jurisdiction of an adjacent local government agency where development projects are subject to transportation concurrency requirements in accordance with the Land Development Regulations of the City and the adjacent local government agency.

Multi-tenant center means that the principal use of the property consists of three or more uses of a diversified nature, all within a self-contained and contiguous area, providing its own parking in such self-contained and contiguous area.

Multiple property landmark means a group of local landmarks or an application for a group of local landmarks related by common theme and period of time, not geographical area. Multiple property landmarks do not form a contiguous district or cohesive cluster and are also known as a "thematic grouping."

Museum. See Matrix: Use Permissions and Parking Requirements.

National Register of Historic Places means the list of historic properties significant in American history, architecture, archaeology, engineering and culture, maintained by the U.S. Secretary of the Interior, as established by the National Historic Preservation act of 1966, as amended.

Native vegetation means plant species which have existed in a region or habitat independent of outside (typically human) influences such as transplantation or hybridization.

Neighborhood plan means a plan prepared for a neighborhood having defined boundaries. A neighborhood plan is typically prepared by residents with technical assistance by the City and by others. An "accepted neighborhood plan" is a neighborhood plan which the City Council has accepted by resolution.

Neighborhood scale retail. See Matrix: Use Permissions and Parking Requirements.

Net land area means the total land area within the property boundaries of the subject parcel, but not including submerged land or previously dedicated public road rights-of-way.

Nonconforming use. See nonconforming and grandfathered situations section.

Non-contributing resource means a building, landscape feature, site, structure, object or archaeological resource that does not add to the historic architectural qualities, historic associations, or archaeological values for which a landmark or district is significant because:

1. It was not present during the period of significance of the district;
2. Due to alterations, disturbances, additions or other changes, it no longer possesses historic integrity reflecting its character at that time, or is incapable of yielding important information about the period.

Nongovernmental educational facilities. See definition of schools.

Non-ground disturbing activity means any activity that will not impact an archaeological site. Examples may include, but are not limited to, slab on grade construction, driveway placement, shed installation, sprinkler irrigation systems, on grade patios, above ground pools, landscaping (shrubbery, seedlings, or plugs) except as identified as ground disturbing activity, placement of fill soil, placement of underground conduit two inches in diameter or less, and building on an existing foundation.

Nursery. See Matrix: Use Permissions and Parking Requirements.

Nursing home. See Matrix: Use Permissions and Parking Requirements.

Object shall mean those structures that are primarily artistic in nature or are relatively small in scale and simply constructed. Although an object may be movable, by nature or design, it shall be associated with a specific setting or environment. Objects should be located in a setting appropriate to their significant historic use, roles, or character. Small objects not designed for a specific location are normally not eligible for local landmark status. Such works include transportable sculpture, furniture, and other decorative arts that, unlike a fixed outdoor sculpture, do not possess association with a specific place. Objects relocated to a museum are not eligible for local landmark status.

Office. See Matrix: Use Permissions and Parking Requirements.

Ordinary repair and maintenance means work on a local landmark or a property located in a local historic district, that is otherwise permitted by law, and does not alter the exterior appearance of the structure, does not disturb the contents of an archaeological site, and does not alter elements significant to its architectural, historical or archaeological integrity, including, but not limited to the replacement of windows, siding, or roof, with the same material and style as exists presently (any change in material or style would require a COA or the use of the original materials or style). Ordinary repair and maintenance in a hexagon block sidewalk preservation area shall mean sidewalk repair or replacement that is consistent with the established pattern and width presently existing within the designated area.

Outdoor lighting means the nighttime illumination of an outside area or object by any fixed luminaire. Vehicle lights and flashlights are not included in this definition.

Outdoor performing arts venue. See Matrix: Use Permissions and Parking Requirements.

Outdoor sales. See Matrix: Use Permissions and Parking Requirements.

Outdoor storage. See Matrix: Use Permissions and Parking Requirements.

Overlay district means a zoning district that provides standards which add to or replace some of the standards of one of the general zoning districts.

Overspray means water that is delivered beyond the landscaped area, making pavements, walks, structures, or other impervious areas wet.

Owner of record or property owner shall have the same meaning as the definition of "owner" in Section 1-2. For the purposes of notices or balloting required by this chapter, owner of record or property owner means the person having legal responsibility for the payment of taxes on said property as shown by the Official Records of Pinellas County. If the ownership is held by a trust, then notice is required to be provided to the trustee(s).

Package sales means an establishment that sells alcoholic beverages to the general public only for consumption off the licensed premises of the establishment, excluding manufacturers, distributors, and importers of alcoholic beverages as those uses are governed by state bureau of licensing and records licensing and permitting requirements.

Paramedical Tattooing means cosmetic tattoos or micropigmentation which help to camouflage scars, burns, birthmarks, and other skin imperfections resulting from surgeries, injuries, or a medical condition, including tattoo removal and shall not include tattooing for the sole purpose of body decoration or art.

Parapet means a low, solid, protective wall or railing along the edge of a roof.

Park, active and passive. See Matrix: Use Permissions and Parking Requirements.

Parking, accessory to commercial use. See Matrix: Use Permissions and Parking Requirements.

Parking, structured. See Matrix: Use Permissions and Parking Requirements.

Parking, surface. See Matrix: Use Permissions and Parking Requirements.

Parking area means the same as 'vehicular use area' unless the context clearly contemplates otherwise.

Parking garage means any structure used for parking or storing motor vehicles. A parking garage may be single or multi-story, and may be open, partially enclosed, or enclosed.

Patio means an at-grade outdoor area or courtyard which is paved with a semi-pervious or impervious surface material and typically located adjacent on the side, rear or waterfront yard of a building. Where there are varying grades, the structure may require fill and excavation that may result in grade changes.

Patio, Covered means a patio or deck that is covered by a solid roof.

Pedestrian path means an outdoor improvement which is designed primarily for the transport of pedestrians and/or bicyclists (similar to sidewalks).

Pediment means a triangular piece of wall above the entablature and enclosed by cornices.

Pennant/streamer. See general development standards, signage.

Performing arts venue. See Matrix: Use Permissions and Parking Requirements.

Pergola means a perforated roof structure consisting of cross beams and support columns with a minimum of 50% open to the sky.

Person. See section 1-2.

Pet care, indoor. See Matrix: Use Permissions and Parking Requirements.

Pet care, indoor and outdoor. See Matrix: Use Permissions and Parking Requirements.

Pier means a vertical support for an arch or lintel in construction.

Plat means a map or delineated representation of the subdivision of lands, including submerged lands as defined in this section, being a complete, exact representation of the subdivision and other information in compliance with the requirements of all applicable sections of the chapter and F.S. ch. 177, and may include the term "replat," or "revised plat."

POD. See section 1-2.

Porch means a structure that extends along the outside of a building consisting of a floor that is typically raised above the finished horizontal elevation of the lot. The porch is unenclosed except for a balustrade and the flooring and may be roofed or open to the sky. Porches may be located within any yard; however, when located within the front or side yard, the porch typically provides a primary access into the structure. When providing primary access, the design elements of the porch are typically consistent with those of the attached structure and include the finish materials of any exterior surface, stem wall materials and/or foundation skirting.

Porch front means a roofed structure attached to the front of a building. A front porch is unenclosed except for a roof, balustrade, and the flooring.

Porch, front raised means a front porch consisting of floor that is raised above the finished horizontal elevation of the lot.

Porte cochere means a covered entrance porch through which vehicles can drive.

Portico means a covered and usually projecting entrance porch supported by classical columns and crowned with a pediment, forming the centerpiece of the front façade of the building.

Predeveloped condition means a site, which is the subject of a drainage and surface water management plan, as it existed immediately prior to the development or redevelopment.

Premises means a lot or parcel, or a lot or parcel and the structures and improvements thereon.

Primary street means a street that is predominately bordered by front lot lines and which the front façade of a structure would normally face.

Principal building or *principal structure* means a building or structure or, where the context so indicates, a group of buildings or structures, in which the principal use of a lot or parcel is conducted. This shall include any buildings which are attached to the principal structure by a covered structure.

Principal dwelling means a dwelling unit that constitutes the principal building or principal structure on a lot or parcel.

Principal entry means, for nonresidential or mixed-use buildings, an entry into a building that is open to customers, employees, and other users of a building during normal business hours. A loading area does not constitute the "principal entry" for a building. For residential uses or buildings, the "principal entry" means an entry that is designed as the principal means of ingress to the front of the building and contains a door.

Principal use means the primary or main use of land or structures, as distinguished from a secondary or accessory use.

Probation/parole correction office. See Matrix: Use Permissions and Parking Requirements.

Protected tree shall mean any shade tree which is four inches or larger diameter at breast height (dbh) and any understory tree which is eight inches or larger in diameter at breast height (dbh) and which is not identified in this section as an unprotected or prohibited tree.

Protective barrier means, with respect to preservation areas, a physical structure limiting access to a protected area, composed of wooden or other suitable materials which ensure compliance with the intent of this chapter related to preservation areas.

Public facilities and services means those facilities and services included in the Comprehensive Plan and for which level of service standards have been adopted.

Publishing and printing. See Matrix: Use Permissions and Parking Requirements.

Public park means a tract of land which is owned or controlled by the City and which is designated as a park as set forth in the Charter.

Public/semi-public uses means those uses listed under the preservation, recreation/open space, institutional, and transportation/utility future land use plan categories.

Pushcart vending means retail sales from an approved pushcart vending unit.

Rain sensor device means a low voltage electrical or mechanical component placed in the circuitry of an automatic lawn irrigation system which is designed to measure rainfall and override the irrigation cycle of the irrigation system when a pre-determined amount of rainfall has occurred.

Rear parking means an off-street parking area that is located between the principal building and the rear lot line or an alley, or that is located interior to a block.

Rear yard. See technical standards section.

Recreation use, accessory to residential use. See Matrix: Use Permissions and Parking Requirements.

Recreation use, public. See Matrix: Use Permissions and Parking Requirements.

Recycling center. See Matrix: Use Permissions and Parking Requirements.

Redevelopment (landscaping and irrigation). See landscaping and irrigation section.

Redevelopment (drainage and surface water management) means the construction, installation, replacement, reconstruction, alteration or other material change of a structure, impervious surface, drainage facility or part thereof on a site previously developed which is required to obtain any development order or permit and which equals or exceeds a cumulative total of 3,000 square feet or 25 percent of the remaining pervious area of the site.

The square footage of any redevelopment which is done to achieve compliance with the (federal) Americans with Disabilities Act of 1992 (ADA) shall not be added to increase the cumulative total under this definition. For the purposes of this definition, "cumulative" shall mean all redevelopment of a site which commences after April 7, 1994, shall be combined in determining whether the thresholds herein have been reached. The term "redevelopment" does not include the conversion of impervious surface to pervious surface nor shall it include the replacement, reconstruction or alteration of an existing sidewalk or other existing walkway in a publicly owned park.

Remove or removal means, with regard to trees, the actual removal of a tree by digging up or cutting down, destroying, causing to be destroyed or the effective removal through damage.

Required design flood elevation line means the base flood elevation line plus the locally adopted minimum required freeboard standard.

Residential district or residential zoning district means any NT, NS, NMH, NPUD, CRT or CRS zoning district.

Residential equivalent use means a residential-like accommodation other than a dwelling unit, including, but not limited to, a group home, nursing home and comparable assisted living facility. No such use is required or eligible to employ the residential equivalent standards for density/intensity for any household that qualifies as a dwelling unit. This use shall not include any type of use authorized by F.S. ch. 419, community residential homes, which is entitled to be treated as a dwelling unit.

Residential property line means the property line of a lot where a residential use exists.

Residential uses means, for the purpose of these regulations, single-family, child foster home, community residential home, garage apartment, duplex, multifamily, town house, boarding and rooming house, domiciliary and retirement home, and nursing home, which are available for occupancy on no less than a monthly basis, or for less than a monthly basis three or fewer times in any consecutive 365-day period. A use which meets the definition of "transient accommodation use" is not considered a residential use for the purposes of this chapter.

Restaurant and bar, accessory outdoor area. See Matrix: Use Permissions and Parking Requirements.

Restaurant and bar, brewpub. See Matrix: Use Permissions and Parking Requirements.

Restaurant and bar, indoor. See Matrix: Use Permissions and Parking Requirements.

Restaurant and bar, indoor and outdoor. See Matrix: Use Permissions and Parking Requirements.

Retail sales and service. See Matrix: Use Permissions and Parking Requirements.

Retaining wall means a structure with one side typically backfilled to create level grades in areas where varying grades exist.

Rhythm means the regular or harmonious recurrence of building lines, shapes, forms, or color. This relates to design element proportions and patterns. For example, roof lines; window shape, proportion, and lines; building setbacks; vertical or horizontal elements (such as columns); location of entrances and porches; and design elements at the grade/first level floor elevation.

Roadside vending markets. See use specific development standards.

Roof pitch means the slope of a roof as determined by degrees or the vertical rise in inches for every horizontal 12 inch length (called the "run"). Pitch is expressed with the rise mentioned first and the run mentioned second. For instance, a roof with a four-inch rise for every horizontal foot has a 4:12 pitch.

Pitch, low means having a pitch less than 30 degrees (less than 8:12 pitch).

Pitch, medium means having a pitch from 30 degrees (7:12 pitch) to 45 degrees (12:12 pitch).

Pitch, high or steep means having a pitch exceeding 45 degrees (more than 12:12 pitch).

Roof, cross-gable means a gable that is perpendicular to the main axis or ridge of a roof.

Roof, double-pitched means a roof with two or more visible different pitches.

Roof, front-gabled means a roof that has its gable ends oriented to the front and rear façades of the building.

Roof, gabled means a roof sloping downward in two parts from a central ridge. The gable is the part of an outside wall in the shape of a triangle between the sloping roofs.

Roof, hipped means a roof with four uniformly pitched or sloping sides.

Roof line means, for the purpose of height measurement, on a sloped roof the lowest point or edge of the roof at its farthest point from a side wall measured perpendicular to the wall, or on a flat roof, the highest point of the roofing materials.

Roof, mansard means a roof with two slopes on each of its four sides; one part very steep and curved, often with dormers.

Roof, pyramidal means a roof with four identical sides rising to a central peak.

Roof, side-gabled means a roof that has its gable ends perpendicular to the front façade.

Roof, ziggurat means a roof having a parapet or structural form of a stepped pyramid consisting of rectangular units of diminishing size approaching the top. This form is derived from the temple structures of ancient near Eastern and Pre-Columbian American civilizations.

Salvage yard. See Matrix: Use Permissions and Parking Requirements.

Sash means window framework that may be fixed or moveable. If moveable, it may slide, as in a double-hung window; or it may pivot, as in a casement window.

Satellite antennae means any parabolic or spherical antenna which receives television or other signals from orbiting satellites or other devices.

Scale means the proportional size (height and width) of a building relative to the adjacent buildings and surrounding blocks.

School. See Matrix: Use Permissions and Parking Requirements.

Screen Room, screen roof means a structure with the walls and roof consisting of screens or similar material.

Screen Room, solid roof means a structure that consists of a solid roof with screened in walls.

Seawall means any manmade structure, wall or encroachment made to break the force of waves and to protect the shore from erosion. For the purposes of this article the term "seawall" includes but not be limited to retaining walls, revetment and bulkheads.

Secondary street means streets not predominately bordered by front lot lines.

Sensitivity zone means a geographical area which has or may reasonably be expected to yield information on local history or prehistory based upon broad prehistoric or historic settlement patterns and existing archaeological knowledge as identified on the Archaeological Sensitivity Zones Map (Sensitivity Level 1 and Level 2) within the Archaeological Resources Management Plan, as amended.

Services means establishments that provide service functions.

Service establishment. See Matrix: Use Permissions and Parking Requirements.

Service, fleet based. See Matrix: Use Permissions and Parking Requirements.

Service, office. See Matrix: Use Permissions and Parking Requirements.

Service, personal. See Matrix: Use Permissions and Parking Requirements.

Shade tree means a species of tree whose natural form is a broad canopy.

Shade sail means a fabric or similar material that is stretched between several anchor points.

Shingle means a thin piece of material used in an overlapping row to cover a roof or exterior wall.

Shopping center means any building, or group of buildings on the same lot and generally under common ownership and management, in which the principal use is retail sales, and which is partitioned into separate units.

Shrubs means self-supporting, woody, non-deciduous plant species which are cultivated and selected to provide a physical and visual barrier, and which normally grow to a height of two feet to nine feet, including hedges.

Side parking means off-street parking areas that are located between the principal building and a side lot line, or in a side yard, but not in the front yard.

Side yard. See technical standards section.

Sidewalk means a paved area which is intended for use by pedestrians.

Sidewalk retail display means sidewalk sales, inventory reduction or liquidation sales, distressed merchandise sales, and seasonal merchandise sales that are clearly accessory to, or a promotion of, the use located in the abutting building.

Signature tree shall mean any non-native tree which because of the size, prevalence and history in our community warrants recognition and protection. A signature tree shall be any of the following species of trees which is eight inches dbh or larger: Royal Poinciana (*Delonix regia*), Jacaranda (*Jacaranda acutifolia*), or any of the following species of trees which is 30 inches dbh or larger: Kapok (*Ceiba pentandra*), Banyan (*Ficus Urostigma*).

Signs. See general development standards, signage.

Single-family zoning district means any NT, NS, NMH or NPUD district.

Site means any tract, lot or parcel or combination of lots or parcels of land where development or redevelopment of a principle or special exception use can occur. The term "site" shall not include public rights-of-way.

Site improvement means any physical improvement that changes the existing condition of a developed or undeveloped site. The term "site improvements" includes, but are not limited to, buildings, structures, parking and vehicular use areas, retention areas, site grading, landscaping and irrigation, signage, and other such improvements.

Social service agency, food center. See Matrix: Use Permissions and Parking Requirements.

Social service agency, long-term housing. See Matrix: Use Permissions and Parking Requirements.

Social service agency, personal care services/drop-in center. See Matrix: Use Permissions and Parking Requirements.

Social service agency, short-term/emergency housing. See Matrix: Use Permissions and Parking Requirements.

Social service agency, supply pantry. See Matrix: Use Permissions and Parking Requirements.

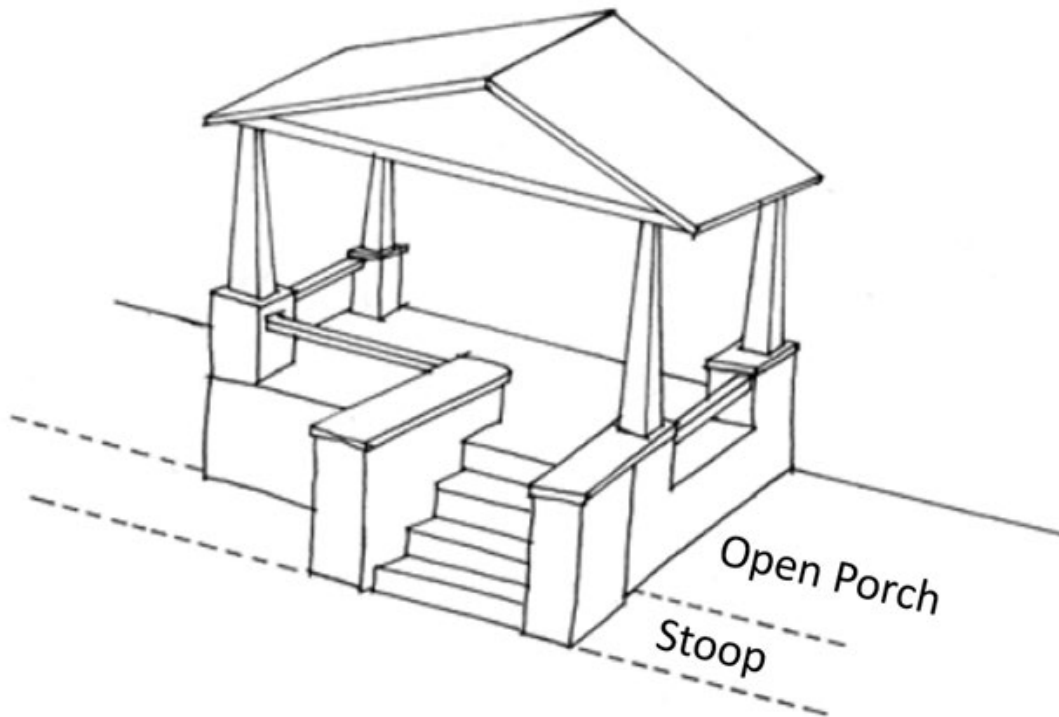
Specimen tree shall mean any shade tree which is 12 inches dbh or larger.

Sponsoring agency means an agency or unit of government, a profit or nonprofit agency, or any other person or organization that intends to establish or operate a community residential home.

St. Petersburg Register of Historic Places means the list of local landmarks and archaeological sites that have met the criteria for significance and have been designated by the pursuant to the provisions in the historic and archaeological preservation overlay section.

Stacking means any method by which stationary motor vehicles may queue or wait in a designated area to enter a parking garage such that disruption to pedestrian and vehicular traffic is minimized.

Stoop means the elevated landing and stairs, leading to the main entrance of a house. The stoop shall correspond directly to the building entry.



Storage, self/mini warehouse. See Matrix: Use Permissions and Parking Requirements.

Strategic intermodal system (SIS) means the transportation system made up of statewide and regionally significant facilities and services including the state's largest and most significant commercial service airports, spaceports, deepwater seaports, freight rail terminals, passenger rail and intercity bus terminals, rail corridors, waterways and highways.

Street means any public accessway such as a street, road, lane, highway, avenue, boulevard, alley, parkway, viaduct, circle, court, terrace, place or cul-de-sac, and also includes all of the land lying between the right-of-way lines as delineated on a plat showing such streets, whether improved or unimproved, but shall not include those access ways such as easements and rights-of-way intended solely for limited utility purposes, such as for electric power lines, gas lines, telephone lines, water lines, drainage and sanitary sewers, and private easements for ingress and egress.

(1) *Major street.* Major streets shall be located as designated on the future major streets Map. The term "major street" includes the following:

a. *Freeway/expressway.* A highway which permits no access except at authorized and controlled points, thereby providing for maximum traffic flow through elimination of service to abutting properties.

b. *Arterial.* A heavily traveled street used primarily as a main traffic artery. It primarily serves through traffic and provides access to abutting properties as a secondary function.

c. *Collector.* A street that carries traffic from local streets to arterial streets, including the principal entrance streets of residential developments and streets for circulation within such development.

(2) *Commercial service street.* A street serving commercial, industrial or public service areas.

(3) *Local street.* A very low level, direct access street that provides access to individual properties and connects to the collector street system.

(4) *Cul-de-sac street.* A street terminated by a turnaround.

- (5) *T-turnaround*. A street terminated with a perpendicular portion of pavement to allow a vehicle to turn around.
- (6) *Marginal access street*. A minor street that is adjacent to and has limited access to a major street and further provides access to abutting properties and protection from through traffic.

Street line means the right-of-way line of a street.

Structure means anything, excluding paving, constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground including but not limited to, buildings, towers, smokestacks, construction cranes, utility poles, walls, screened enclosures, fences, advertising signs, billboards, poster panels, swimming pools, decks, arbors, overhead transmission lines, and exterior mechanical equipment such as air conditioning compressors, fuel tanks, fans and pumps.

Stucco means a material, usually composed of cement, sand, and lime, applied to a surface to form a hard, uniform covering that may be either smooth or textured. Also, a fine plaster used in decoration and ornamentation of interior walls.

Studio. See Matrix: Use Permissions and Parking Requirements.

Subdivision means the platting of real property into lots, parcels, tracts, tiers, blocks, sites, units or any other division of land, and includes the dedication of new streets and alleys.

Submerged land means the land area situated below the mean high water line of a standing body of water, including an ocean, estuary, lake, pond, river or stream. For the purpose of this definition, drainage retention areas to be created as a function of development and wetlands are not considered submerged land. For purposes of the docks section, "submerged land" means lands below the ordinary high water mark of fresh waters and below the mean high water line of salt waters extending waterward to the outer jurisdiction of the City.

Substantial construction means that all required permits for exterior work have been issued and continue to be valid.

Sunroom means a glassed enclosed room, which may have a glass roof.

Sustainable development means development and construction practices designed to use natural resources in a manner that does not eliminate, degrade, or diminish their usefulness for future generations.

Symmetrical means building proportions in which the roof, walls, entryways and other elements of the front façade on either side of an axis lying in the middle of the façade.

Top or topping means the removal of any portion of one or more major vertical tree branches or the removal of a majority of the tree's leaf canopy.

Tower means a vertical element that projects at least three feet from the façade, extends from the ground level to a point above the eave or cornice line, and has an exterior wall surface that matches a wall surface used on the front façade.

Towing and freight trucking. See Matrix: Use Permissions and Parking Requirements.

Transfer of development rights (TDRs) means the transfer of the right to build density or intensity from a certain type of property to a property where such transfer is permitted.

Transparency means glass or other transparent or translucent materials that are installed on the exterior façade.

Transportation regional incentive program (TRIP) means a state funding program created to improve regionally significant transportation facilities in regional transportation areas.

Transient means a person having the right to occupy a hotel, motel or other transient accommodation unit for a term less than monthly.

Transient accommodation unit means a room or rooms, or other living quarters, within a transient accommodations use which is designed to be occupied as a single unit by one or more persons.

Transient accommodation uses means a building containing one or more transient accommodation units, one or more of which is occupied by one or more persons, or offered or advertised as being available for such occupancy, when the right of occupancy is for a term less than monthly, such right of occupancy being available more than three times in any consecutive 365-day period. The determination that a property is being used as a transient accommodation use is made without regard to the form of ownership of the property or unit, or whether the occupant has a direct or an indirect ownership interest in the property or unit; and without regard to whether the right of occupancy arises from a rental agreement, other agreement, or the payment of consideration. The term "transient accommodation uses" includes but is not limited to hotels, motels, recreational vehicle parks, tourist lodging facilities, resort condominiums, resort dwellings, vacation resorts, and dwelling units occupied or available for occupancy on an interval ownership or "time share" basis, when any of the above are made available for occupancy more than three times in any consecutive 365-day period and the right of occupancy is for a term less than monthly.

The term "transient accommodation uses" does not include any of the following uses if such use otherwise complies with the applicable requirements of the City and is licensed by the State of Florida, if such licensing is required by law: bed and breakfast homes, community residential homes, nursing homes, rehabilitation facilities for persons with drug, alcohol, or physical impairments, respite care facilities for persons with terminal illnesses and their families, short-term/emergency housing or long term housing where allowed by this chapter, and child foster homes. The term "transient accommodation uses" does not include a guest house dwelling, when one or both of the sleeping rooms are located as a permitted accessory use within and incidental to the primary residential structure and the primary residential structure is owned by a natural person and occupied by the owner. A use which is otherwise a residential use is not considered a "transient accommodations use" solely because it is occupied by members of the owner's family, a housekeeper or caretaker, or guests who reside on the premises without paying rent or other consideration for such occupancy. The term "transient accommodation uses" does not prohibit the owner of a residential dwelling unit from occupying the dwelling unit as infrequently as the owner may desire.

Tree means any self-supporting, woody plant species which normally grows to a minimum height of 15 feet with a mature crown spread of 15 feet or greater and having a trunk which can be maintained with over five feet of clear wood.

Tree survey means an aerial photograph or drawing to scale (one inch equals 200 feet or smaller ratio) which provides the following information:

- (1) Location of all trees.
- (2) Common names of all trees.
- (3) Diameter breast height of each tree.

Trellis means a latticework of wood or other material, used primarily to support ornamental vegetation.

Turf or turfgrass means continuous plant coverage consisting of an herbaceous species in the family *Gramineae* or a hybridized version thereof which is suited to growth in Pinellas County.

Understory tree means a species of tree which in Pinellas County grows to a typical mature height of less than 30 feet and whose natural form is a narrow or oval shape as opposed to a broad canopy.

Unified plan of development shall have the same meaning as set forth in F.S. 380.0651(4). **DEMA TO LOOK AT**

Uniformity ratio means the ratio of average lux of illumination on the design area to the lux at the point of minimum illumination on the area. Maximum to minimum uniformity ratio is the ratio of the maximum lux value at any point on the design area to the point of lowest lux value.

Uplighting means any luminaire that directly or indirectly projects light above a horizontal plane passing through its lowest point.

USGBC means United States Green Building Council.

Utility, accessory. See Matrix: Use Permissions and Parking Requirements.

Utility, plant and storage. See Matrix: Use Permissions and Parking Requirements.

Utility substation, utility storage tanks. See Matrix: Use Permissions and Parking Requirements.

Value-added product means a crop that is altered from the harvesting stage of production to the retail sale stage with the addition of ingredients that preserve or enhance the flavor of the crop. The primary ingredients of a value-added product are crops grown and harvested on-site, and the secondary ingredients are often not grown on-site. Secondary ingredients include, but are not limited to, brine, vinegar, oil, pectin, sugar, honey, salt, spices, herbs and garlic. For example, pickles are a value-added product wherein the primary ingredient (cucumbers) are grown and harvested on-site and secondary ingredients (vinegar, salt and dill) may or may not be produced on-site.

Vegetation means plant growth other than trees including but not limited to sod, ground cover, vines, hedges and shrubs.

Vehicular use areas means all areas used for the circulation, parking, display, or parking and display of any and all types of vehicles, boats or heavy construction equipment, whether self-propelled or not, and all land upon which vehicles traverse, including parking lot driveways. The term "vehicular use areas" includes, but is not limited to, areas used to accommodate drive-through service. Driveways and parking spaces serving single-family and duplex uses shall be an exception to this definition.

Vertical element means architectural features of a façade that have longer vertical lengths than horizontal lengths.

Vertical vegetable structure means a structure designed to support edible plants.

Vertically oriented means having a height equal to or exceeding at least one and one-half times the width.

Walkway means the horizontal ground surface extending from a right-of-way to an entryway.

Warehouse. See Matrix: Use Permissions and Parking Requirements.

Waters or waterways means all waters or bodies of water including but not limited to rivers, lakes, streams, springs, bays, bayous, harbors and canals, which include fresh, brackish, saline, tidal or surface waters that display an alternate rising and falling of water which is caused by the gravitational attraction of the sun and moon.

Wholesale establishments. See Matrix: Use Permissions and Parking Requirements.

Wing wall means an extension of a wall that projects out beyond the building to which it is attached.

Wireless communication antennae (WCA). See Matrix: Use Permissions and Parking Requirements.

Wireless communication support facility (WCSF). See Matrix: Use Permissions and Parking Requirements.

Work means, with respect to docks, any project, activity, alteration, construction, maintenance, repair, placement or replacement of or with respect to any dock, dock related structure, or floating structure.

Xeriscape means quality landscapes that conserve water and protect the environment and are adaptable to local conditions and which are drought tolerant. The principles of xeriscape include planning and design, appropriate choice of plants, soil analysis which may include the use of solid waste compost, efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance.

Yards. See technical standards section.

(Code 1992, § 16.90.020.3; Ord. No. 876-G, §§ 31, 33, 2-21-2008; Ord. No. 893-G, § 17, 9-4-2008; Ord. No. 985-G, § 125, 7-15-2010; Ord. No. 1029-G, § 60, 61, 9-8-2011; Ord. No. 100-H, §§ 1, 5, 12-19-2013; Ord. No. 141-H, §§ 2, 3, 11-24-2014; Ord. No. 147-H, § 2, 12-4-2014; Ord. No. 166-H, §§ 23, 24, 5-21-2015; Ord. No. 157-H, §§ 2, 3, 9-17-2015; Ord. No. 194-H, § 2, 9-17-2015; Ord. No. 195-H, §§ 4, 5, 9-17-2015; Ord. No. 203-H, § 24, 11-23-2015; Ord. No. 214-H, § 5, 3-3-2016; Ord. No. 287-H, §§ 32—34, 7-20-2017; Ord. No. 360-H, § 7, 2-21-2019; Ord. No. 375-H, § 7, 9-5-2019; Ord. No. 396-H, § 15, 11-14-2019; Ord. No. 397-H, § 1, 11-7-2019; Ord. No. 448-H, §§ 11, 12, 2-11-2021; Ord. No. 457-H, § 2, 6-10-2021; Ord. No. 540-H, § 9, 3-23-2023)

16.70.070.1.3. Sidewalk Payment in Lieu.

A. *Applicability.* Any person requesting a sidewalk payment in lieu shall apply to the POD.

B. *Application.* An application for a sidewalk payment in lieu shall include the following information in addition to the information that the POD may generally require for a planning and zoning decision application:

1. *A site plan of the subject property.* The number of copies required shall be established by the POD:

a. *All site plans shall include information required by the POD.*

(1) *Location of existing trees, utilities and other above ground facilities in the area where the sidewalk is generally to be installed.*

(2) *Spot elevations in the area where the sidewalk is generally to be installed may be required by the POD.*

2. *A written description of the existing site conditions and circumstances which make it difficult to install a sidewalk.*

C. *Procedure.*

1. *Administrative approval.* Where unique conditions to the site or surrounding conditions preclude strict compliance with the land development regulations, the POD may approve a payment in lieu of installing a sidewalk.

D. *Standards for review.* In addition to the standards of review for a zoning and planning decision generally, a decision shall comply with the following factors:

1. *Where on the basis of unique site conditions or specific alignment criteria for sidewalks within rights-of-way in relation to unique conditions such as topography or unusually large trees.*

E. *Appeals.* A decision of the POD granting, granting with conditions of denying the payment in lieu may be appealed to the commission designated in the Decisions and Appeals Table.

16.70.015. DECISIONS AND APPEALS TABLE

The following table summarizes decisions and appeals routes regarding many zoning permits, planning and zoning decisions, subdivision decisions, historic preservation, and supplemental procedures. Refer to the City Code section listed for a detailed description of the procedure. The text of the relevant City Code section shall be determinative of the procedure required. Not all decision and appeal rights are outlined herein.

Decisions and Appeals

Process Type	City Code Section	POD Decision	Commission Decision	City Council Decision
Articles 16.01. through 16.60.				
Development Agreements	16.05.	Advisory to CPPC	CPPC (advisory to City Council)	Final
Overlay District Regulations, Albert Whitted Airport, <i>Airport Obstruction Permit</i>	16.70.030.1.16	Final (appealable to DRC)	DRC (Final)	Not applicable
Overlay District, Adaptive Reuse of Historic Buildings, <i>Minor</i>	16.30.020.3.	Final (appealable to CPPC)	CPPC (appealable to City Council)	Final
Overlay District, Adaptive Reuse of Historic Buildings, <i>Major</i>	16.30.020.3.	Advisory to CPPC	CPPC (appealable to City Council)	Final
Overlay District Regulations, Large Tract Planned Development	16.30.090.	Advisory to DRC	DRC (appealable to City Council)	Final
Overlay District, Storefront Conservation Corridor	16.30.095.4.	Advisory to CPPC	CPPC (advisory to City Council)	Final
Variances, <i>Storefront Conservation Corridor Overlay</i>	16.30.095.12.	Advisory to DRC	DRC (Final)	Not applicable
Community Residential Home, <i>One to Six Residents</i>	16.50.90.	Final (appealable to DRC)	DRC (appealable to City Council)	Final
Community Residential Home, <i>Seven to Fourteen Residents</i>	16.50.100.	Final (appealable to DRC)	DRC (appealable to City Council)	Final

Community Residential Home, <i>More than Fourteen Residents</i>	16.50.110.	Final (appealable to DRC)	DRC (appealable to City Council)	Final
Wireless Communication Antennae & Support Structures, <i>No Variance</i>	16.50.480.	Final (appealable to DRC)	DRC (appealable to City Council)	Final
Wireless Communication Antennae & Support Structures, <i>Variance Required</i>	16.50.480.	Advisory to DRC	DRC (appealable to City Council)	Final
Change of Grandfathered Use to Different Grandfathered Use of Equal or Lesser Intensity	16.60.030. 7.2.C	Final (appealable to DRC)	DRC (appealable to City Council)	Final
Uses Not Listed	16.60.040.2	Final (appealable to CPPC)	CPPC (Final)	not applicable
Extensions and Duration of Approvals, Under These Land Development Regulations (<i>not including Certificates of Appropriateness</i>)	16.70.010.9.	Final (appealable to DRC)	DRC (Final)	not applicable
Extensions and Duration of Approvals, Under These Land Development Regulations (<i>involving Certificates of Appropriateness</i>)	16.70.010.9.	Final (Appealable to CPPC)	CPPC (Final)	not applicable
Extensions and Duration of Approvals, <i>Previous Code; Modifications</i>	16.70.010.10.	Final (appealable to City Council)	not applicable	Final
Zoning Permits, Generally (Section 16.70.030.)				
Adult Use Permits, Appeals and Variances	16.70.030.1.1.	Advisory to City Council	not applicable	Final

Dock Permits	16.70.030.1.2.	Final (appealable to DRC)	DRC (Final)	not applicable
Dock Permit Appeals and Variances	16.70.030.1.2.	Advisory to DRC	DRC (Final)	not applicable
Dog Dining Permits	16.70.030.1.3.	Final (appealable to DRC)	DRC (Final)	not applicable
Landscape Permits	16.70.030.1.4.	Final (appealable to DRC)	DRC (Final)	not applicable
Pushcart Vending Permits	16.70.030.1.5.	Final (appealable to DRC)	DRC (Final)	not applicable
Roadside Vending Market Permits	16.70.030.1.6.	Final (appealable to DRC)	DRC (Final)	not applicable
Sidewalk Café Permits	16.70.030.1.7.	Final (appealable to DRC)	DRC (Final)	not applicable
Sidewalk Retail Display Permits	16.70.030.1.8.	Final (appealable to DRC)	DRC (Final)	not applicable
Sign Permits	16.70.030.1.9.	Final (appealable to DRC)	DRC (Final)	not applicable
Temporary Parking Lot Permits	16.70.030.1.10.	Final (appealable to DRC)	DRC (Final)	not applicable
Temporary Use Permits	16.70.030.1.11.	Final (appealable to DRC)	DRC (Final)	not applicable
Tree Removal Permits	16.70.030.1.12.	Final (appealable to DRC)	DRC (Final)	not applicable

Community Garden Permit	16.70.030.1.13.	Final (appealable to DRC)	DRC (Final)	not applicable
<u>Sidewalk Payment in Lieu</u>	<u>16.70.070.1.3.</u>	<u>Final</u> <u>(appealable</u> <u>to DRC)</u>	<u>DRC</u> <u>(Final)</u>	<u>not</u> <u>applicable</u>
Planning & Zoning Decisions (Section 16.70.040.)				
Conceptual Plan Approval	16.70.040.1.G.	Advisory to DRC	DRC (appealable to City Council)	Final
Modifications of Previously Approved Site Plan Review or Special Exception Decisions, <i>Minor</i>	16.70.040.1.H.	Final (appealable to DRC)	DRC (appealable to City Council)	Final
Modifications of Previously Approved Site Plan Review or Special Exception Decisions, <i>All other types</i>	16.70.040.1.H.	Advisory to DRC	DRC (appealable to City Council)	Final
Amendments to Future Land Use Map or Official Zoning Map	16.70.040.1.1. D.1.	Advisory to CPPC	CPPC (advisory to City Council)	Final
Amendments to Text of the Comprehensive Plan	16.70.040.1.1. D.2.	Advisory to CPPC	CPPC (advisory to City Council)	Final
Amendments to the Land Development Regulations, not including certain historic and archaeological preservation matters	16.70.040.1.1. D.3.	Advisory to DRC	DRC (advisory to City Council)	Final
Amendments to the Land Development Regulations related to historic and archaeological preservation	16.70.040.1.1. D.3.	Advisory to CPPC	CPPC (advisory to City Council)	Final

Bonus Approval, <i>Streamline (DC Zoning)</i>	16.70.040.1.2.	Final (appealable to DRC)	DRC (appealable to City Council)	Final
Bonus Approval, <i>Public Hearing (DC Zoning)</i>	16.70.040.1.3.	Advisory to DRC	DRC (appealable to City Council)	Final
Site Plan Review, related to a Certificate of Appropriateness Application	16.70.040.1.4.	Advisory to CPPC	CPPC (appealable to City Council)	Final
Site Plan Review	16.70.040.1.4	Advisory to DRC	DRC (appealable to City Council)	Final
Special Exceptions, related to a Certificate of Appropriateness Application	6.70.040.1.5.	Advisory to CPPC	CPPC (appealable to City Council)	Final
Variances, Generally <i>(streamline decisions)</i>	16.70.040.1.6.	Final (appealable to DRC)	DRC (Final)	not applicable
Variances, Generally <i>(public hearing decisions)</i>	16.70.040.1.6.	Advisory to DRC	DRC (Final)	not applicable
Variances, <i>Adult Use Regulations</i>	16.70.040.1.7.	Advisory to City Council	not applicable	Final
Variances, <i>Related to a Certificate of Appropriateness Application</i>	16.80.010.1.C.	Advisory to CPPC	CPPC (appealable to City Council)	Final
Exemptions, Demolition in Certain Zoning Districts	16.70.040.1.9.	Final (appealable to DRC)	DRC (Final)	not applicable
Variance, <i>Design Standards</i>	16.70.040.1.10.	Final (appealable to DRC)	DRC (Final)	not applicable

Variance, <i>Drainage & Surface Water Management</i>	16.70.040.1.11.	Final (appealable to DRC)	DRC (Final)	not applicable
Variance, <i>Floodplain Management</i>	16.70.040.1.12.	Advisory to DRC	DRC (appealable to City Council)	Final
Reinstatement of Abandoned Grandfathered Uses <i>Up to 3 abandoned dwelling units</i>	16.70.040.1.14.	Final (appealable to DRC)	DRC (Final)	not applicable
Reinstatement of Abandoned Grandfathered Uses <i>More than 3 abandoned dwelling units or any nonresidential use</i>	16.70.040.1.14.	Advisory to DRC	DRC (Final)	not applicable
Redevelopment of Grandfathered Uses, related to a Certificate of Appropriateness Application	16.70.040.1.15	Advisory to CPPC	CPPC (Final)	Not Applicable
Transfer of Development Rights, <i>Environmental</i>	16.70.040.1.16.	Advisory to DRC	DRC (Final)	not applicable
Transfer of Development Rights, <i>Historic</i>	16.70.040.1.17.	Final (appealable to CPPC)	CPPC (appealable to City Council)	Final
Workforce Housing Density Bonus	16.70.040.1.19.	Final (appealable to DRC)	DRC (Final)	not applicable
Target Employment Center (TEC) Overlay FAR Bonus	16.70.040.1.20	Final (Appealable to DRC)	DRC (Final)	Not applicable
Subdivision Decisions (Section 16.70.050.)				
Vacating Public Right-of-way (or associated air or subsurface rights)	16.70.050.1.1.	Advisory to DRC	DRC (advisory to City Council)	Final
Vacating Public Easements (or associated air or subsurface rights)	16.70.050.1.1.	Advisory to Mayor	Mayor (Final)	not applicable

Lot Refacing <i>No variances</i>	16.70.050.1.2.	Final (appealable to DRC)	DRC (Final)	not applicable
Lot Refacing <i>If variances required</i>	16.70.050.1.2.	Advisory to DRC	DRC (Final)	not applicable
Lot Line Adjustment <i>No variances</i>	16.70.050.1.3.	Final (appealable to DRC)	DRC (Final)	not applicable
Lot Line Adjustment <i>If variances required</i>	16.70.050.1.3.	Advisory to DRC	DRC (Final)	not applicable
Street Name Change/Co-naming	16.70.050.1.4.	Advisory to CPPC	CPPC (advisory to City Council)	Final
Street Closing, <i>Temporary</i> (Seven days or less)	16.70.050.1.5.	Final (appealable to DRC)	DRC (Final)	not applicable
Street Closing, <i>Temporary</i> (More than Seven days)	16.70.050.1.5.	Advisory to DRC	DRC (appealable to City Council)	Final
Street Closing, <i>Temporary</i> (CPTED)	16.70.050.1.5.	Final (appealable to DRC)	DRC (appealable to City Council)	Final
Street Closing, <i>Permanent</i>	16.70.050.1.6.	Advisory to DRC	DRC (appealable to City Council)	Final
Plat, <i>Preliminary</i>	16.70.050.1.7.	Final (appealable to DRC)	DRC (appealable to City Council)	Final
Plat, <i>Final</i>	16.70.050.1.8.	Advisory to City Council	not applicable	Final
Historic Preservation (Section 16.70.060.)				

Historic Designation of Property	16.70.060.2.	Advisory to CPPC	CPPC (advisory to City Council)	Final
Certificate of Appropriateness (COA) of Historically Designated Property	16.70.060.3.	Refer to the COA Approval Matrix (appealable to City Council)		Final
Ad Valorem Tax Exemption for Historically Designated Property, <i>Preconstruction Application</i>	16.70.060.4.	Refer to the COA Approval Matrix (appealable to City Council)		Final
Ad Valorem Tax Exemption for Historically Designated Property, <i>Review of Completed Work</i>	16.70.060.4.	Advisory to City Council	not applicable	Final
Supplemental Procedures (Section 16.70.070.)				
Property Card Interpretation	16.70.070.1.1.	Final (appealable to DRC)	DRC (Final)	not applicable
Zoning, Rebuild/Buildable Lot Letter	16.70.070.1.2.	Final (appealable to DRC)	DRC (Final)	not applicable

- 1) Any DRC decision may be part of an appeal to the City Council as an accessory issue associated with a principal application (site plan review or special exception), where the principal application is appealable to the City Council.
- 2) Any final decision of the City may be subject to judicial review in the manner provided by law.

(Ord. No. 100-H, § 29, 12-19-2013; Ord. No. 246-H, § 26, 10-20-2016; Ord. No. 278-H, § 2, 5-18-2017; Ord. No. 319-H, § 3, 2-15-2018; Ord. No. 350-H, § 2, 11-15-2018; Ord. No. 363-H, § 2, 4-18-2019; Ord. No. 435-H, § 3, 7-23-2020; Ord. No. 749-L, § 1, 12-16-2021)



LDR 2024-05 – RESIDENTIAL LAND DEVELOPMENT REGULATIONS (LDRs) CODE UPDATE

February 2025

	SECTION NO.	SECTION TITLE	COMPLEXITY	DESCRIPTION
1.	16.20.010.4.3	Neighborhood Traditional Single-Family Districts Neighborhood Traditional Single-Family-3 (NT-3).	Clarification	Problem Statement: Summary of NT-3 includes statement that garage apartments are not permitted when the code has been changed to allow ADUs in NT-3 districts. Requested Action: Remove the text stating that garage apartments are not permitted.
2.	16.20.010.5	Neighborhood Traditional Single-Family Districts Maximum development potential – FAR Front Porch Elevation Bonus	Regulatory Change	Problem Statement: Existing front porch elevation requirement of 12-inches is not consistent with the configuration of many historic homes throughout the City. Requested Action: Provide a 0.03 FAR bonus when front porch is elevated an additional six-inches totaling a minimum of 18-inches above existing grade.
3.	16.20.010.5	Neighborhood Traditional Single-Family Districts Maximum development potential – FAR Separation Bonus	Regulatory Change	Problem Statement: New single-family residences are typically built to maximize the entirety of the buildable area of the lot creating a large two-story box structure. Requested Action: Add FAR bonus for providing minimum 20-ft separation between principal and accessory structures, as well as between second floor portions of the principal structure.
4.	16.20.010.5	Neighborhood Traditional Single-Family Districts Maximum development potential – FAR Front Façade Articulation Bonus	Clarification	Problem Statement: FAR Bonus H provides a 0.06 bonus for each additional foot of front façade articulation with a 0.10 max bonus. It requires a minimum articulation of 6-feet resulting in the maximum bonus applied when the minimum articulation is provided. Therefore, the 0.06 bonus for each foot is not necessary as the maximum 0.10 bonus is granted when the minimum articulation is provided. Requested Action: Remove the existing bonus for each foot as it is not utilized.
5.	16.20.010.5	Neighborhood Traditional Single-Family Districts Maximum development potential – FAR Larger Shade Tree Bonus	Clarification	Problem Statement: FAR bonus for planting of larger shade tree indicates the spread shall be a minimum of 8-10 inches at time of planting when it should be 8-10 feet. Requested Action: Revise code language to reflect that an 8-10 foot spread is required to obtain FAR bonus for planting larger shade tree.
6.	16.20.010.5	Neighborhood Traditional Single-Family Districts Maximum development potential – FAR Preservation of Existing Trees Bonus	Regulatory Change	Problem Statement: Preservation of existing onsite Grand trees is not currently incentivized. Requested Action: Create a new FAR bonus for preservation of existing Grand trees with a 0.02 bonus for each tree, maximum 0.04 bonus.
7.	16.20.010.5	Neighborhood Traditional Single-Family Districts Maximum development potential – FAR Solar Ready Bonus	Regulatory Change	Problem Statement: Currently FAR bonus for Solar Ready is vague and provides no base line for evaluation of a new home being "solar ready" Requested Action: Add quantifiable standard that a new home provides a minimum 200 AMP electric panel and conduit running to roof for future solar installation. FAR bonus reduced from 0.02 to 0.01 bonus due to additional FAR bonuses for solar installation and electric vehicle charging being added.
8.	16.20.010.5	Neighborhood Traditional Single-Family Districts Maximum development potential – FAR Solar Installation Bonus	Regulatory Change	Problem Statement: Solar installation is not currently incentivized with an FAR bonus. Requested Action: Provide a 0.01 FAR bonus per Kilowatt installed up to a maximum bonus of 0.03.
9.	16.20.010.5	Neighborhood Traditional Single-Family Districts Maximum development potential – FAR Electric Vehicle Charging Bonus	Regulatory Change	Problem Statement: Residential Electric Vehicle charging stations are not current incentive with an FAR bonus. Requested Action: Provide a 0.01 FAR bonus for residential EV charging capability.
10.	16.20.010.6	Neighborhood Traditional Single-Family Districts Building Envelope: Maximum height and minimum setbacks	Clarification	Problem Statement: Clarify maximum building height language in terms of where measurement is applied to for setback purposes to be consistent with current practices. Requested Action: Revise language in Minimum Building Setbacks table to clarify that height is measured to the beginning of roofline when determining setbacks.
11.	16.20.010.6	Neighborhood Traditional Single-Family Districts Building Envelope: Maximum height and minimum setbacks	Consistency	Problem Statement: Minor encroachments aligning with the side of an existing structure are permitted within interior side yard setbacks for all zoning districts up to 24-feet in height except for NT-1 and NT-2 for lots less than 60-feet in width. Requested Action: Add minor encroachment allowance to interior side yard setback for lots less than 60-feet in width zoned NT-1 and NT-2.
12.	16.20.010.6	Neighborhood Traditional Single-Family Districts Building Envelope: Maximum height and minimum setbacks	Regulatory Change	Problem Statement: For existing structures located in a Special Flood Hazard Area adhering to required setbacks creates conflict when elevating the structure to meet current FEMA flood elevation. Requested Action: Provide a minor encroachment option to allow an existing single-family home to be elevated to meet FEMA flood elevation when specific criteria is met.
13.	16.20.010.10			Problem Statement: Administrative approval for reduced front yard setbacks and FAR only references predominant building setbacks in the block which the development is proposed.

		Neighborhood Traditional Single-Family Districts Setbacks and FAR consistent with established neighborhood patterns	Regulatory Change	Requested Action: Provide text to clarify administrative front setback and FAR approvals will be determined by predominant setbacks established in the block face on either side of the street development is proposed.
14.	16.20.010.10	Neighborhood Traditional Single-Family Districts Setbacks and FAR consistent with established neighborhood patterns	Clarification	Problem Statement: The current definition of “predominant” does not provide a specified setback to be administered.
				Requested Action: Revise text to defined “predominant” as the midpoint between the two most common set of numbers that are within the range of numbers.
15.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and site design: Building and site design	Clarification	Problem Statement: Parking is not expressly referenced to being included with loading docks and other service areas.
				Requested Action: Include “parking” in the required uses to be located behind the front façade line of the principle structure for all non-residential uses.
16.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site design: Building and site design	Regulatory Change	Problem Statement: Requirements for screening of mechanical equipment and utility functions are not differentiated for equipment that is elevated above grade.
				Requested Action: Indicate specified screening requirement for both elevated, and at-grade, mechanical equipment and utility functions.
17.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site design: Vehicle connections and parking	Clarification	Problem Statement: It is currently stated that driveways shall “face the alley” where the intention of this section is to require driveway access to be located off the alley in NT-2 and NT-3 districts.
				Requested Action: Clarify that driveways shall be accessed off an alley when available.
18.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site design: Vehicle connections and parking	Regulatory Change	Problem Statement: On parcels with no alley access the code only permits garages facing the side street and references a maximum of one “curb cut.”
				Requested Action: Allow for garages on parcels with no alley access to face the rear of the property, and include clarifying text changing “curb cut” to “driveway”
19.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site design: Porches and pedestrian connections	Clarification	Problem Statement: Currently, porches are required to connect from the principal entry to the curb of the “primary” street.
				Requested Action: Amend this text to remove “primary” from principal entry connections to the curb.
20.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site design: Porches and pedestrian connections	Regulatory Change	Problem Statement: Compliance with code requirements to provide paved connections between public sidewalks and the curb creates conflict when the existing grade prevents compliance with ADA minimum standards.
				Requested Action: Provide an exception to this requirement when it has been shown that the existing grades prevent compliance with ADA minimum slope requirements.
21.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site design: Porches and pedestrian connections	Regulatory Change	Problem Statement: Required front porches for principal structures are contradictory to some acceptable architectural styles permitted within the traditional zoning districts.
				Requested Action: Provide an exemption from the minimum size requirements for front porches when doing so is consistent with the proposed architectural style.
22.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site Design: Building Style	Clarification	Problem Statement: Not clear that repetitive design requirement applies to homes within the same block
				Requested Action: Add “within the same block” to repetitive design regulations
23.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site Design: Building Style	Clarification	Problem Statement: Repetitive design regulations not clear on required differences for architectural details.
				Requested Action: Add the word "and" to clarify that all listed architectural details (doors, windows, columns, and porches) are required to be different.
24.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site Design: Building Style	Clarification	Problem Statement: Repetitive design regulations do not account for new homes proposed with different number of stories.
				Requested Action: Include text to state that variation is not required for new homes with a different number of habitable stories.
25.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site Design: Building Style	Regulatory Change	Problem Statement: Repetitive design regulations do not account for new homes designed with varied heights and widths that contribute to the variation between new homes.
				Requested Action: Add fifth variation to repetitive design criteria for new homes varied front façade heights and front façade widths.
26.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site Design: Building Form	Regulatory Change	Problem Statement: The front porch should have a minimum of two steps leading up to the porch to maintain consistency with required elevation.
				Requested Action: Add language requiring that the front porch shall include at least two risers leading up to the porch
27.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site Design: Wall Composition and transparency	Regulatory Change	Problem Statement: The current code requirement that requires no blank facades greater than 16-feet in width has created challenges for developers.
				Requested Action: Provide language that allows blank facades up to 20-feet in width on rear and interior side facades located in the rear one-third of the lot provided it is not visible from a right-of-way.

28.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site Design: Wall Composition and transparency	Clarification	Problem Statement: Currently no reference to the definition of “fenestration” is provided.
				Requested Action: Include a reference to Section 16.90.020 for the definition of fenestration and architectural details.
29.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site Design: Wall Composition and transparency	Regulatory Change	Problem Statement: Code currently prohibits flush mounted windows which is not practical. Provisions currently exist requiring architectural trim or shutters for windows recessed less than three inches.
				Requested Action: Remove language prohibiting flush mounted windows.
30.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site Design: Garages	Regulatory Change	Problem Statement: Double bay garage doors, typically 16-feet wide, visible from a street detract from the architectural quality and attractiveness of single-family residences. Single bay doors are effective in providing breaks that enhance the visual interest of single-family residences and are currently required for garage doors facing a non-primary side street.
				Requested Action: Require single bay doors on all garages facing a street. This is not applicable to garages facing alleys.
31.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site Design: Garages	Clarification	Problem Statement: Language for garage doors facing a non-primary side street is unclear.
				Requested Action: Remove the reference to adjoining side yards abutting another property’s front yard.
32.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site Design: Building Materials	Regulatory Change	Problem Statement: Exception to the requirement for consistent building materials on one-story covered patios, screen enclosures or sunrooms located at least 10-feet behind the front façade is too limited.
				Requested Action: Allow for pergolas and sunrooms to be exempt from this requirement when meeting the necessary criteria.
33.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site Design: Building Materials	Regulatory Change	Problem Statement: Code requires matching roof style when converting an existing covered patio, screen enclosure with solid roof or sunroom to enclosed habitable space which is typically impractical when the existing nonhabitable space has a flat roof.
				Requested Action: Allow existing covered patios, screen enclosures with solid roof or sunrooms to be converted to enclosed habitable space without matching the roof style of the principal structure.
34.	16.20.010.11	Neighborhood Traditional Single-Family Districts Building and Site Design: Accessory structures and ancillary equipment and carports	Regulatory Change	Problem Statement: The current code requirement that requires no blank facades greater than 16-feet in width has created challenges for developers.
				Requested Action: Provide text that allows for multi-story accessory buildings to contain a blank area up to 20-feet in width
35.	16.20.015	Neighborhood Traditional Mixed Residential Districts Introduction to the NTM-1 district	Clarification	Problem Statement: Introduction to the NTM zoning district does include a reference to structures in this zoning districts being permitted up to 4-units per building.
				Requested Action: Add text to state that building typologies within the NTM-1 zoning district have a maximum of 4-units per building.
36.	16.20.015.7	Neighborhood Traditional Mixed Residential Districts Entrances	Clarification	Problem Statement: Current text relating to the number and location of primary entrances is confusing to readers.
				Requested Action: Provide clarifying language for additional buildings located behind the front structure and for expansions to existing buildings.
37.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts Building and Site Design: Building layout orientation	Regulatory Change	Problem Statement: Requirements for screening of mechanical equipment and utility functions are not differentiated for equipment that is elevated above grade.
				Requested Action: Indicate specified screening requirement for both elevated, and at-grade, mechanical equipment and utility functions.
38.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts Building and Site Design: Landscaping	Regulatory Change	Problem Statement: Currently, no landscaping regulations are included non-residential developments and project exceeding 4-units.
				Requested Action: Amend text to instruct non-residential and projects exceeding 4-units to adhere to the landscape regulations included within Section 16.40.060.2.1.3
39.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts Building and Site Design: Porches and pedestrian connections	Regulatory Change	Problem Statement: Required front porches for principal structures are contradictory to some acceptable architectural styles permitted within the traditional zoning districts.
				Requested Action: Provide an exemption from the minimum size requirements for front porches when doing so is consistent with the proposed architectural style.
40.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts Building and Site Design: Building Style	Clarification	Problem Statement: Not clear that repetitive design requirement applies to homes within the same block
				Requested Action: Add “within the same block” to repetitive design regulations
41.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts Building and Site Design: Building Style	Clarification	Problem Statement: Repetitive design regulations not clear on required differences for architectural details
				Requested Action: Add the word "and" to clarify that all listed architectural details (doors, windows, columns, and porches) are required to be different.
42.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts Building and Site Design: Building Style	Regulatory Change	Problem Statement: Repetitive design regulations not clear on the determination of substantially similar architectural styles.
				Requested Action: Include text to state that substantially similar architectural styles do not include homes with different number of stories.
43.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts	Regulatory Change	Problem Statement: Repetitive design regulations do not account for new homes designed with varied heights and widths that contribute to the variation between new homes.

		Building and Site Design: Building Style		Requested Action: Add fifth variation to repetitive design criteria for new homes varied front façade heights and front façade widths.
44.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts Building and Site Design: Building Form	Regulatory Change	Problem Statement: The front porch should have a minimum of two steps leading up to the porch to maintain consistency with required elevation.
				Requested Action: Add language requiring that the front porch shall include at least two risers leading up to the porch
45.	16.20.015.8	Neighborhood Traditional Single-Family Districts Building and Site Design: Wall Composition and Transparency	Clarification	Problem Statement: Currently no reference to the definition of “fenestration” is provided.
				Requested Action: Include a reference to Section 16.90.020 for the definition of fenestration and architectural details.
46.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts Building and Site Design: Wall Composition and Transparency	Regulatory Change	Problem Statement: Code currently prohibits flush mounted windows which is not practical. Provisions currently exist requiring architectural trim or shutters for windows recessed less than three inches.
				Requested Action: Remove language prohibiting flush mounted windows.
47.	16.20.020.7	Neighborhood Suburban Single-Family Districts Building envelope: Maximum height and minimum setbacks	Regulatory Change	Problem Statement: Clarify maximum building height language in terms of where measurement is applied to for setback purposes to be consistent with current practices
				Requested Action: Revise language in Minimum Building Setbacks table to clarify that height is measured to the beginning of roofline when determining setbacks.
48.	16.20.020.7	Neighborhood Suburban Single-Family Districts Building envelope: Maximum height and minimum setbacks	Regulatory Change	Problem Statement: FEMA requirements for elevating new homes in Special Flood Hazard Areas creates conflicts with building height to beginning of roofline and setbacks when the new home is designed with a garage on the ground floor with habitable floors directly above resulting in significant increases in required setbacks for minimal increases in building height to beginning of roofline.
				Requested Action: Add an additional layer of increased setbacks based on increased building height to beginning of roofline to accommodate minimal increases in building height to beginning of roofline.
49.	16.20.020.7	Neighborhood Suburban Single-Family Districts Building envelope: Maximum height and minimum setbacks	Regulatory Change	Problem Statement: For existing structures located in a Special Flood Hazard Area adhering to required setbacks creates conflict when elevating the structure to meet current FEMA flood elevation.
				Requested Action: Provide a minor encroachment option to allow an existing single-family home to be elevated to meet FEMA flood elevation when specific criteria is met.
50.	16.20.020.11	Neighborhood Suburban Single-Family Districts Setbacks and FAR consistent with established neighborhood patterns	Regulatory Change	Problem Statement: Administrative approval for reduced front yard setbacks and FAR only references predominant building setbacks in the block which the development is proposed.
				Requested Action: Provide text to clarify administrative front setback and FAR approvals will be determined by predominant setbacks established in the block face on either side of the street development is proposed.
51.	16.20.020.11	Neighborhood Suburban Single-Family Districts Setbacks and FAR consistent with established neighborhood patterns	Clarification	Problem Statement: The current definition of “predominant” does not provide a specified setback to be administered.
				Requested Action: Revise text to defined “predominant” as the midpoint between the two most common set of numbers that are within the range of numbers.
52.	16.20.020.12	Neighborhood Suburban Single-Family Districts Building and site design: Site layout and orientation	Regulatory Change	Problem Statement: Requirements for screening of mechanical equipment and utility functions are not differentiated for equipment that is elevated above grade.
				Requested Action: Indicate specified screening requirement for both elevated, and at-grade, mechanical equipment and utility functions.
53.	16.20.020.12	Neighborhood Suburban Single-Family Districts Building and site design: Site layout and orientation	Regulatory Change	Problem Statement: The current text allows all garages to be in front of the front facade line of the principal structure.
				Requested Action: Amend text to only allow attached garages to encroach in front of the front façade line of the principal structure.
54.	16.20.020.12	Neighborhood Suburban Single-Family Districts Building Style	Clarification	Problem Statement: Not clear that repetitive design requirement applies to homes within the same block
				Requested Action: Add “within the same block” to repetitive design regulations
55.	16.20.020.12	Neighborhood Suburban Single-Family Districts Building Style	Clarification	Problem Statement: Repetitive design regulations not clear on required differences for architectural details
				Requested Action: Add the word "and" to clarify that all listed architectural details (doors, windows, columns, and porches) are required to be different.
56.	16.20.020.12	Neighborhood Suburban Single-Family Districts Building Style	Regulatory Change	Problem Statement: Repetitive design regulations not clear on the determination of substantially similar architectural styles.
				Requested Action: Include text to state that substantially similar architectural styles do not include homes with different number of stories.
57.	16.20.020.12	Neighborhood Suburban Single-Family Districts Building and Site Design: Building Style	Regulatory Change	Problem Statement: Repetitive design regulations do not account for new homes designed with varied heights and widths that contribute to the variation between new homes.
				Requested Action: Add fifth variation to repetitive design criteria for new homes varied front façade heights and front façade widths.
58.	16.20.020.12	Neighborhood Suburban Single-Family Districts Wall Composition	Regulatory Change	Problem Statement: The current code requirement that requires no blank facades greater than 16-feet in width has created challenges for developers.
				Requested Action: Provide language that allows blank facades up to 20-feet in width on rear and interior side facades located in the rear one-third of the lot.

59.	16.20.020.12	Neighborhood Suburban Single-Family Districts Wall Composition	Clarification	Problem Statement: Currently no reference to the definition of “fenestration” is provided.
				Requested Action: Include a reference to Section 16.90.020 for the definition of fenestration and architectural details.
60.	16.20.020.12	Neighborhood Suburban Single-Family Districts Wall Composition	Regulatory Change	Problem Statement: Window trim for structures in NS districts have not been held to the same architectural standards as window trim on structures in NT districts.
				Requested Action: Add the same requirements for window trim consistent with the architectural style of the structure as required for NT zoned properties.
61.	16.20.020.12	Neighborhood Suburban Single-Family Districts Garages	Regulatory Change	Problem Statement: Existing text requiring a projecting entryway for homes with garages that comprise more than 40% of linear frontage of the façade does not clearly state that the projecting entryway be provided on the front facade.
				Requested Action: Change text to require a porch connected to the principal entry with a minimum projection of 5-feet in front of the front façade line of the principal structure.
62.	16.20.020.12	Neighborhood Suburban Single-Family Districts Garages	Clarification	Problem Statement: Requirements for decorative elements on garages does not account for structures facing the streetside and does not expressly state that detached garages are included.
				Requested Action: Add text to include structures facing the streetside and to included detached garages.
63.	16.20.020.12	Neighborhood Suburban Single-Family Districts Building materials	Regulatory Change	Problem Statement: Exception to the requirement for consistent building materials on one-story covered patios or screen enclosures located at least 10-feet behind the front façade is too limited.
				Requested Action: Allow for pergolas and sunrooms to be exempt from this requirement when meeting the necessary criteria.
64.	16.20.020.12	Neighborhood Suburban Single-Family Districts Building materials	Regulatory Change	Requested Action: Requests to convert existing covered patios and solid roofed screen enclosures to living space have restricted desired development and resulted in a high volume of design variances.
				Problem Statement: Add text to allow the conversion of an existing covered patio, or similar, to be exempt from matching the roof style of the principal structure.
65.	16.20.020.12	Neighborhood Suburban Single-Family Districts Building materials	Regulatory Change	Problem Statement: The current code requirement that requires no blank facades greater than 16-feet in width has created challenges for developers.
				Requested Action: Provide text that allows for multi-story accessory buildings to contain a blank area up to 20-feet in width
66.	16.30.030	Artist Enclave	Regulatory Change	Problem Statement: Current Artist Enclave land use restrictions within NT-1 and NT-2 zoning district have been too restrictive.
				Requested Action: Update text to remove limits on number of appointments and instructional classes permitted, number of students allowed in each class, and to allow increase the number of assistants permitted at the property from one to two.
67.	16.40.040.3	Fence, Wall, and Hedge Regulations Design standards	Regulatory Change	Problem Statement: An increase in fences utilizing non-traditional and reflective materials has been generally responded to negatively by community stakeholder groups.
				Requested Action: Provide text that states for fencing materials “metal shall have an exterior finish that is not shiny or reflective. The use of metal roofing or siding materials is prohibited.”
68.	16.40.040.3	Fence, Wall, and Hedge Regulations Design standards	Consistency	Problem Statement: Amendments needed to comply with HB535 Low-voltage alarm system projects.
				Requested Action: Update electrically charged fencing requirements to be complaint with state regulations by requiring a nonelectric fence or wall to completely enclose the outside perimeter of the fence at a height 2-feet higher than the perimeter of the electric fence or wall.
69.	16.40.090.3.3	Development standards for private one- and two-family properties Sidewalks located within adjoining right-of-way	Regulatory Change	Problem Statement: Additional requirements are needed for properties within National Registered Districts where hexagon block sidewalks are present.
				Requested Action: Include additional criteria to be met for properties replacing or resurfacing a driveway that intersects through existing hexagon block sidewalks when located within a National Registered
70.	16.40.090.3.5	Parking Garages Design Standards	Consistency	Problem Statement: SB1084 preempts the regulation of electric vehicle charging stations and prohibits local government from enforcing such regulations.
				Requested Action: Remove existing minimum EV parking space requirements to be compliant with SB1084
71.	16.40.140.4.2	Subdivisions Sidewalks	Regulatory Change	Problem Statement: Required development of sidewalks where inconsistent with surrounding development pattern has resulted in a high volume of requested variances.
				Requested Action: Include language to provide a payment in lieu option for sidewalks to be granted by the POD when specific criteria is met.
72.	16.40.060.2.1.1	Landscaping and irrigation; tree protection Development and redevelopment of new one- and two- unit residential properties	Regulatory Change	Problem Statement: The use of palm trees as shade trees does not meet the intent of the land development regulations but is not stated within the code.
				Requested Action: Include text to state “Palm trees shall not be substituted for shade trees”
73.	16.40.060.2.1.1	Landscaping and irrigation; tree protection	Clarification	Problem Statement: An incorrect reference to the NT-2 minimum lot area is made.
				Requested Action: Rectify the error.

		Development and redevelopment of new one- and two- unit residential properties		
74.	16.40.060.2.1.2	Landscaping and irrigation; tree protection Additional Requirements for new and existing one- and two- unit residential properties: Mulch	Regulatory Change	Problem Statement: Limits to mulch are provided for the front and streetside yard, but not for interior and rear yards or within the buildable area.
				Requested Action: Include text that states mulch can be used without limit in the buildable area, and within interior and rear side yards.
75.	16.40.060.2.1.2	Landscaping and irrigation; tree protection Additional Requirements for new and existing one- and two- unit residential properties: Mulch	Regulatory Change	Problem Statement: Limits on installation of mulch in rights-of-way is contradictory in regards to proximity to a curb.
				Requested Action: Remove text that prohibits mulch within four feet of the curb or road edge if there is no curb.
76.	16.40.060.2.1.2	Landscaping and irrigation; tree protection Additional Requirements for new and existing one- and two- unit residential properties: Landscaping adjacent to mechanical equipment on side	Regulatory Change	Problem Statement: Reference to the location being inadequate for landscaping in nonproductive to the intent of this regulation.
				Requested Action: Remove unnecessary text in this section.
77.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property Minimum Landscape Requirements	Regulatory Change	Problem Statement: Current text exclusively refers to green yards in front yard.
				Requested Action: Revise text to include all setbacks rather than front yard setbacks only.
78.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property Minimum Landscape Requirements: Green yard, exterior	Regulatory Change	Problem Statement: IT and NTM zoning districts are not included in the appropriate line of the provided chart.
				Requested Action: Include the IT and NTM zoning districts in the green yard landscaping chart to provide 1 shade tree per 35 linear ft. or fraction above half thereof.
79.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property Minimum Landscape Requirements: Foundation Landscaping	Regulatory Change	Problem Statement: IT and NTM zoning districts are not included in the applicable section providing regulations for foundation landscaping.
				Requested Action: Include the IT and NTM zoning district in the applicable foundation landscaping section.
80.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property Minimum Landscape Requirements: Vehicular use landscaping	Regulatory Change	Problem Statement: IT and NTM zoning districts are not included in the applicable section providing regulations for vehicular use landscaping and screening requirements .
				Requested Action: Include the IT and NTM zoning district in the applicable vehicular use landscaping and screening requirements sections.
81.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property Minimum Landscape Requirements: Landscaping adjacent to mechanical equipment on site	Regulatory Change	Problem Statement: Reference to the location being inadequate for landscaping in nonproductive to the intent of this regulation.
				Requested Action: Remove unnecessary text in this section.
82.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property Minimum Landscape Requirements: Landscaping within adjoining right-of-way	Regulatory Change	Problem Statement: IT and NTM zoning districts are not included in the applicable section providing regulations for landscaping within the adjoining rights-of-way
				Requested Action: Include the IT and NTM zoning district in the applicable landscaping within the adjoining rights-of-way section.
83.	16.40.060.2.1.6	Landscaping and Irrigation; Tree Protection Landscape Specifications: Trees, Palm	Regulatory Change	Problem Statement: Substituting palm trees with shade tree planting requirements is permitted within all districts, resulting in a further reduction shade trees in residential districts than anticipated.
				Requested Action: Exclude single-family districts from being permitted to substitute required shade trees with palm trees.
84.	16.40.060.2.1.6	Landscaping and Irrigation; Tree Protection Landscape Specifications: Unprotected Trees	Regulatory Change	Problem Statement: Per UF/IFAS Camphor trees are an invasive species.
				Requested Action: Include the Camphor (Cinnamomum Camphora) to the existing list of unprotected trees.
85.	16.40.060.3.1	Landscaping and Irrigation; Tree Protection Maintenance of trees and vegetation for all properties within the City	Regulatory Change	Problem Statement: Existing text requires landscape management plans to be designed by a landscape architect and approved by the UF Institute of Food and Agricultural Science (IFAS), this requirement has proven to be unfeasible in many scenarios.
				Requested Action: Remove the requirement for management plans to be designed by a landscape architect with approval from the UF IFAS.
86.	16.50.010.5.1	Accessory Dwelling Lot Requirements	Regulatory Change	Problem Statement: Existing lot requirements for ADU's in the suburban zoning districts restrict otherwise feasible development on key parcels intended to be included as ADU eligible parcels.
				Requested Action: Allow ADUs on lots in NS districts located on an alley with at 4,500 sq. ft. of lot area and on corner lots that meet the minim lot area requirement.
87.	16.50.010.5.2	Accessory Dwelling Building and site requirements	Regulatory Change	Problem Statement: Maximum area for ADU's is not referenced as “gross” floor area resulting in interpretation conflict.

				Requested Action: Amend text to specifically state that maximum area is based on the gross floor area.
88.	16.50.010.5.2	Accessory Dwelling <i>Building and site requirements</i>	Regulatory Change	Problem Statement: Current regulations allow all enclosed parking spaces to be excluded from maximum floor area, resulting in the potential for excessively sized structures.
				Requested Action: Allow for a maximum of 200 square feet of gross floor area per required parking space to be excluded from the maximum floor are permitted, up to a maximum of three parking spaces.
89.	16.50.010.5.2	Accessory Dwelling <i>Building and site requirements</i>	Regulatory Change	Problem Statement: The existing side yard setback for ADU's in suburban zoning districts is 10-feet, resulting in further limitations on development potential.
				Requested Action: Allow ADUs to have a 7.5-ft side setback when the property is located off an alley.
90.	16.50.020.4.1	Accessory Structures and Ancillary Equipment <i>Accessory storage and gardening structures and carports</i>	Clarification	Problem Statement: Gardening structures are not specifically referenced in relation to design exemptions for accessory structures.
				Requested Action: Include gardening structures in the existing design exemptions for accessory structures.
91.	16.50.020.4.2	Ancillary Equipment <i>Development standards within traditional and suburban zoning districts</i>	Regulatory Change	Problem Statement: Currently, ancillary equipment is required to be one foot above the minimum base flood elevation, which is below the minimum design flood elevation.
				Requested Action: Require ancillary equipment to be consistent with the design flood elevation.
92.	16.50.020.4.2	Ancillary Equipment <i>Development standards within traditional and suburban zoning districts</i>	Clarification	Problem Statement: Currently, screening and landscaping requirements for ancillary equipment for traditional and suburban districts is located in the landscaping and irrigation section of the code.
				Requested Action: Provide the screening and landscaping requirements for ancillary equipment within traditional and suburban districts within the ancillary equipment section of the code.
93.	16.50.020.4.2	Ancillary Equipment <i>Development standards within all other districts</i>	Clarification	Problem Statement: Screening requirements for ancillary equipment do not specify that materials shall be architecturally compatible and does not require fences to be a specific height when used for screening.
				Requested Action: Require fences used for screening of ancillary equipment to be 6-feet in height, and require other materials proposed for screening to be architecturally compatible.
94.	16.50.180.1	Home Occupancy	Consistency	Problem Statement: Updated state regulations regarding home occupations have resulted in necessary amendments to the City code.
				Requested Action: Make necessary updates to remain consistent with state regulations.
95.	16.60.010.6	Height Measurement	Clarification	Problem Statement: Measurement of height is confusing for nonstandard roof configurations.
				Requested Action: Provide a series of examples to illustrating how the height is calculated for alternative roof configurations.
96.	16.60.050.2	Setbacks, Allowable Encroachments <i>Allowable encroachments and setbacks</i>	Regulatory Change	Problem Statement: Several existing encroachments require additional details and/or constitute changes to the intensity of permitted encroachment.
				Requested Action: Make the necessary amendments to structure/improvement details and additional chart details.
97.	16.60.050.2	Setbacks, Allowable Encroachments <i>Allowable encroachments and setbacks</i>	Regulatory Change	Problem Statement: Garage setbacks for properties zoned NS are located on an alley are required to meet a 20-ft rear setback if connected to the principal structure and 10-ft rear setback when detached with no allowable encroachments permitted. Allowing garages located off an alley to encroach into the rear setback will encourage more garages in NS districts to face the alley or be in the rear portion of the lot.
				Requested Action: Add a Rear Yard allowable setback encroachment for garages that are side-loaded or face an alley within NS districts.
99.	16.60.050.2	Setbacks, Allowable Encroachments <i>Allowable encroachments and setbacks</i>	Clarification	Problem Statement: Current language for shed setback encroachment in the rear 20-ft of lots is confusing and inconsistent. One pre-constructed shed, limited to 100 sq. ft. in size and 10-ft in height, is permitted within the rear 20-ft of interior lots with a zero-foot setback on all sides.
				Requested Action: Revise text to clearly state that the shed can have zero-foot setbacks on all sides in the rear 20-ft of the lot.
100.	16.60.050.2	Setbacks, Allowable Encroachments <i>Allowable encroachments and setbacks</i>	Regulatory Change	Problem Statement: Wooden platforms required for energy meters on new homes in flood zones typically encroach into the required side yard setback. Staff has been utilizing the stoop encroachment and steps, stairs encroachment to allow the platform in the side setback when it is no more than 3-ft above grade with a minimum 4-ft side setback. Generally, the wooden platforms exceed this requirement and a variance is needed to allow the platform within the side setback.
				Requested Action: Add allowable encroachments for wooden platforms for energy meter for properties located in a flood zone.
101.	16.70.030.1.2	Zoning Permits <i>Dock Permit</i>	Regulatory Change	Problem Statement: Existing language requires property owners within 200-ft along both sides of the waterway to be notified of a dock permit side setback waiver request allowing unaffected property owners to object to the request..
				Requested Action: Revise the language so that only the property owners within 200-ft, measured along the waterway, on the side of the setback waiver request are notified.
102.	16.90.020.3	Definitions	Regulatory Change	Problem Statement: Currently, no definition is provided for “bay window.”

				Requested Action: include the following definition for bay window: a window or windows projections from the exterior of a building creating a bay and contains a minimum of 50% glass on the surface of the projecting bay.
103.	16.90.020.3	Definitions	Regulatory Change	Problem Statement: Currently, no definition is provided for “covered patio.”
				Requested Action: include the following definition for covered patio: a patio or deck that is covered by a solid roof.
104.	16.90.020.3	Definitions	Regulatory Change	Problem Statement: Currently, no definition is provided for “pergola.”
				Requested Action: include the following definition for pergola: a perforated roof structure consisting of cross beams and support columns with a minimum of 50% open to the sky.
105.	16.90.020.3	Definitions	Regulatory Change	Problem Statement: Currently, no definition is provided for “screen roof screen room.”
				Requested Action: include the following definition for screen roof screen room: a structure with the walls and roof consisting of screen or similar materials
106.	16.90.020.3	Definitions	Regulatory Change	Problem Statement: Currently, no definition is provided for “solid roof screen room.”
				Requested Action: include the following definition for solid roof screen room: a structure that consists of a solid roof with screened in walls.
107.	16.90.020.3	Definitions	Regulatory Change	Problem Statement: Currently, no definition is provided for “shade sail.”
				Requested Action: include the following definition for shade sail: a fabric or similar material that is stretched between several anchor points.
108.	16.90.020.3	Definitions	Regulatory Change	Problem Statement: Currently, no definition is provided for “sunroom.”
				Requested Action: include the following definition for sunroom: a glass enclosed room, may have a glass roof.

DRC workshop comments

Residential LDR Updates – DRC Workshop

October 3, 2024

Five members of the commission were present during the workshop including Commissioners Reed, Stowe, Clemmons, Vatileot, and Reali. Topics discussed included the following:

FAR Bonuses:

- Commissioner Clemmons expressed concern regarding the basis of Far Bonus E, suggesting that reduction of building heights compresses structures resulting in decreased desirability from an interior perspective. Drawing reference to taller ceiling heights being more desirable in the current housing market.
- Commissioner Clemmons discussed his general opposition towards increasing the articulation of the exterior facades of houses due to increased complexity and cost.
- Commissioner Clemmons discussed interest in seeing incentives for utilizing higher quality building material such as wood framed windows.
- Commissioner Vatileot suggested an arborist report to be utilized for confirmation that an existing specimen tree is able to be preserved on the site prior to obtaining FAR bonus to ensure construction of the house will not jeopardize the health of the tree.

Bay Windows:

- Several members of the commission discussed the proposed definition for bay windows, suggesting preference to dimensional regulations over a minimum requirement for glass.
- Commissioner Clemmons expressed concern that a minimum of 50% glass coverage for bay windows was too high.

Sidewalk payment in lieu:

- Commissioner Reali questioned potential conflicts with the comprehensive plan.
- Commissioner Reali and Stowe provided comments that indicated support of preserving the existing sidewalk requirements.
- All members of the commission suggested they would like to see the proposed cost/payment structure before providing support.

Fencing:

- Generally, the Commission supported restrictions to untraditional fencing materials.
- Support was expressed by some members of the Commission to amend allowances for parcels exceeding 150' of street frontage to allow 4' solid fence or wall with the additional 2' required to be opaque.

Materials from 9.12.2024 HLUT meeting

Stakeholder Meeting 5.15.24

Residential LDR Updates - Stakeholder Meeting

May 15, 2024

Four members of the public were in attendance, including representatives from the Euclid St. Paul Neighborhood Association and the Greater Grovemont Neighborhood Association, as well as a resident of the North Kenwood area. Following the presentation, comments included:

FAR Bonuses:

- Attendees indicated they are supportive of existing larger shade trees that will be preserved on site qualifying for FAR Bonus M for planting larger shade trees.

Artificial Turf:

- One attendee specified their support for increasing installation of artificial turf, reasoning included allergies, less maintenance, reduced insects in yard, and aesthetics.
- Other attendees mentioned difficulty maintaining traditional turfgrass within their yards but did not directly indicate their stance on existing artificial turf regulations.

Bay Windows:

- There weren't any substantive comments received from attendees for bay windows.

Trees:

- Attendees were generally in support of taking extra measures to protect established trees through FAR bonus structure included incentivizing the protection of trees.

Sidewalks - Payment in lieu:

- Lack of connectivity in sidewalks was discussed in reference to specific neighborhood areas, interest in payment in lieu option that would fund a sidewalk master plan to meet specific needs elsewhere was evident.

Fencing:

- Attendees generally supported restrictions on "non-traditional" materials being used for perimeter fences.
- The representatives from Euclid St. Paul indicated they did not support the existing regulations that permit 6-foot-tall fences in the front yards of properties located along major streets. Two attendees stated their support for this existing section of the code.
- An attendee indicated that they would like to see uniformity of fence materials along the front of a block face when the fences are 6-feet tall.



RESIDENTIAL LDR UPDATE

Empath Hospice, 3050 1st Avenue South
May 15, 2024, at 5:30 p.m.

	NAME	ZIP (residence)	ADDRESS (optional)	PHONE (optional)	EMAIL (optional)
1	John Smith	33701	1 - 4 th Street North	(727) 555-1234	John.Smith@stpete.org
2	MARY GARET	33714	5010 Queen St. N		mdgarst@gmail.com
3	Eric Brazil	33705	1234 10 th St N		majesticmisgivings@gmail.com
4	Kathleen Cook	33713	23713 th Ave N		Kathleen.Cook@gmail.com
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RESIDENTIAL LDR UPDATE

Empath Hospice, 3050 1st Avenue South
May 15, 2024, at 5:30 p.m.

	NAME	ZIP (residence)	ADDRESS (optional)	PHONE (optional)	EMAIL (optional)
1	John Smith	33701	1 - 4 th Street North	(727) 555-1234	John.Smith@stpete.org
2	Liz Palmer	33714	1721 49 th Ave N	727-244-0180	Greater Graveyard Council
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Stakeholder Meeting 6.26.24

Residential LDR updates – Stakeholder Meeting

June 26, 2024

Several attendees identified as members of the development/architectural community. Residents and community association members of north Kenwood, Historic Kenwood, Historic Old Northeast and Palmetto Park were also present. One attendee stated an affiliation with St. Pete Rising and Preserve the 'Burg.

FAR Bonuses:

- In depth conversation was made regarding FAR in Local historic districts and surrounding non-designated neighborhood; comments were made indicating that a reduced FAR overall in these neighborhoods are favorable to some. (Historic Kenwood)
- Interest in further restricting FAR in Local and National historic districts was stated. One suggestion provided involved homes within historic districts being permitted FAR bonus for additions only and restricting FAR if choosing to demolish a historic resource.
- A recommendation was made to add an FAR Bonus for increased elevation of the foundation wall when a foundation wall with a height of 36-inches or more is provided.
- Change to FAR Bonus E was recommended that the height be measured from the top of the foundation to allow for taller foundation walls consistent with traditional architectural styles which feature foundation walls typically 18-inches or more in height.

Artificial Turf:

- Brief conversation regarding artificial turf being considered an impervious surface material following questions made by an attendee.
- Several members of the public in attendance were unaware of the level of maintenance associated with artificial turf that allows for any ongoing water filtration and the impacts resulting from a lack of maintenance.

Bay Windows:

- In response to one comment made by an attendee suggesting removal of the bay window allowable encroachment, another attendee reinforced the use of bay windows as being historically accurate and favorable in creating side articulation.

Fencing:

- Generally, opinions indicated that sheet metal panels used for fencing were unfavorable aesthetically and raised safety concerns in relation to instances of high winds.

Sidewalks – Payment in Lieu:

- No substantive comments were made for this topic.

Domestic Equipment Parking:

- Attendees of the meeting expressed concerns regarding properties being able to park equipment within front yards indefinitely. Specifically referencing the visual impact made to the residential character of neighborhood streets.
- Additional comments expressed concerns about the ability to park utility trailers within front yards may lead to excess material or equipment to accumulate nearby as a result.



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RESIDENTIAL LDR UPDATE

Empath Hospice, 3050 1st Avenue South

May 15, 2024, at 5:30 p.m.

	NAME	ZIP (residence)	ADDRESS (optional)	PHONE (optional)	EMAIL (optional)
1	John Smith	33701	1 - 4 th Street North	(727) 555-1234	John.Smith@stpete.org
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3	Max McCann	33712	2648 3rd Ave S	773.354,5331	maxolivermccann@gmail
4	Jennifer Smith	33743	2624 Burlington Ave N	352 409 5925	jennifer.vessels@gmail.com
5	Derek Kilborn			727.893.1872	derek.kilborn@stpete.org
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RESIDENTIAL LDR UPDATE

Empath Hospice, 3050 1st Avenue South
May 15, 2024, at 5:30 p.m.

	NAME	ZIP (residence)	ADDRESS (optional)	PHONE (optional)	EMAIL (optional)
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4	JOE REED	33704	905 16th Ave NE		JOEREED@TASCASH1.NET
5	Alec Squire	33713	2624 Burlington Ave N	727-6560237	BooneArch@gmail.com
6	Mary Leto	33713	233 31st N	727-824	
7	John Burke	33709	212 13TH ST NE	727-437-9080	john.burke@architect@gmail.com
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From: [Mark Carman](#)
To: [Corey D. Malyszka](#)
Subject: Zoning Workshop (June 26th) Feedback
Date: Sunday, July 14, 2024 2:01:53 PM
Attachments: [FAR KenWood.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Corey,

Thank you for taking the time to host the workshop on June 26th.

It was the first of it's kind I have attended and I was not aware that your job required late nights like that. Sorry for my ignorance, and thank you and the others for your time.

I compiled a few thoughts based on my notes.

Current FAR:

During the meeting, there was a discussion on how the current FAR of 0.40 was calculated. I was interested in this calculation because honestly the discussion of FAR bonuses (while important) seems small compared to the current FAR.

For example, I live in Historic Kenwood, in a landmark district (NT-2, if memory serves).

I checked the houses on 8th Ave N between 34th street and 30th (See attached). The existing homes have a FAR of, on average, 0.18.

I imagine the motivation of allowing a larger FAR, was to encourage larger, more expensive homes in neighborhoods, but the current situation is St Pete seems to be doing a good job attracting a higher demographic, and particularly in the preservation district, we should really be having a conversation about this FAR being to high, before bonuses.

That being said..

Current Bonuses

Wider Porch Bonus – Recommend Removal

A front porch is already required in the NT zone and affording a higher FAR to construct a larger living area based on building a larger porch is counter productive.

Historic Architectural Style Bonus - Recommend Removal

There is a shortage of data to define “Historical” and would be difficult for city staff to evaluate. Maybe there could be a process similar to our COA, that could evaluate the proposed designs for historical merit? Maybe a post construction inspection to ensure the final building actually contained the elements?

Tree Bonus - Recommend Removal. Seems odd to reward a builder with a larger home that

will exist for unknown years based on a plant's lifespan.

Roof Peak Parallel and Window Style Bonus- To my limited understanding of architectural design, this seems like something that the zoning district design guild lines would/should include.

Misc other topics

Corrugated Metal Fencing - This was very interesting. I was not aware of this as a possible new trend. I would think we could clarify the language to define any panel segmented fence to be based on pickets (Vertical or Horizontal) with panel sections not to exceed 10ft. The materials used to construct a picket can be wood (natural, water sealed, or stained), Synthetic (vinyl, PVC, etc), or metal (powder coated steel, aluminum, etc).

Proposal to allow full-time parking of accessory items (boats, jetskis, utility trailers, Rvs, etc) in the front of the home on driveway and paring pad.

The current zoning only allows only short-term parking of these items. Changes would allow full- time storage. I would hope we could keep the current zoning rules on that.

Thanks Again,

Mark Carman

3127 8th Ave N

Sheet1

House	Street	Living SF	Lot Sq Ft	Width	Depth	Current FAR
	3127 8 th Ave N	936	6050	50	121	0.1547107438
	3121 8 th Ave N	1396	6050	50	121	0.2307438017
	3135 8 th Ave N	1121	6050	50	121	0.1852892562
	3145 8 th Ave N	1050	6050	50	121	0.173553719
	3151 8 th Ave N	840	6050	50	121	0.1388429752
	3163 8 th Ave N	1266	6050	50	121	0.2092561983
	3201 8 th Ave N	1165	6050	50	121	0.1925619835
	3211 8 th Ave N	1085	6050	50	121	0.179338843
	3221 8 th Ave N	1008	6050	50	121	0.1666115702
	3225 8 th Ave N	1008	6050	50	121	0.1666115702
	3235 8 th Ave N	1572	6050	50	121	0.2598347107
	3243 8 th Ave N	1473	6050	50	121	0.2434710744
	3301 8 th Ave N	978	6050	50	121	0.1616528926
	3309 8 th Ave N	2140	6050	50	121	0.3537190083
	3321 8 th Ave N	1032	6050	50	121	0.1705785124
	3327 8 th Ave N	992	6050	50	121	0.1639669421
	3333 8 th Ave N	778	6050	50	121	0.1285950413
	3115 8 th Ave N	1180	6592	64	103	0.1790048544
	3101 8 th Ave N	1075	6695	65	103	0.1605675878
	3049 8 th Ave N	1207	6292	52	121	0.1918308964
	3045 8 th Ave N	1254	6292	52	121	0.1993006993
	3035 8 th Ave N	1220	6292	52	121	0.1938970121
	3029 8 th Ave N	1310	6292	52	121	0.20820089
	3021 8 th Ave N	1160	6292	52	121	0.1843610935
	3005 8 th Ave N	528	6292	52	121	0.0839160839
	800 30 th ST N	1438	6292	52	121	0.2285441831

0.1888062363

.40 FAR

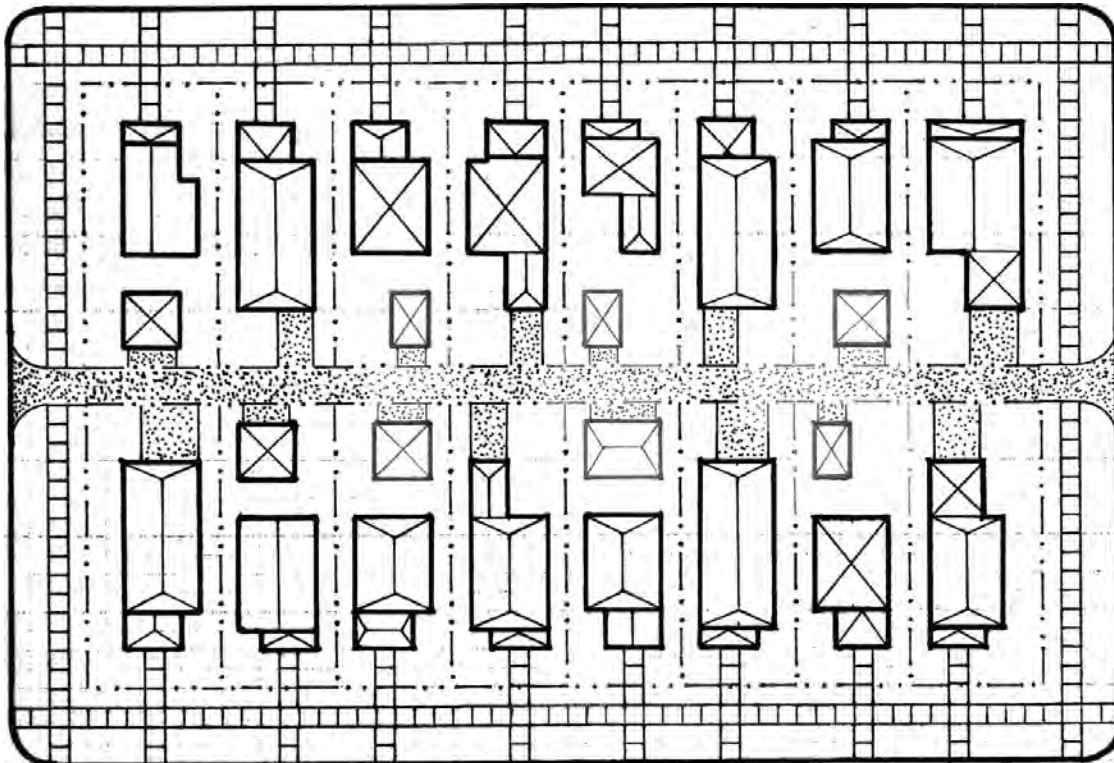
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NT and NS zoning districts, fencing,
parking enforcement and landscape
regulations

**SECTION 16.20.010. NEIGHBORHOOD TRADITIONAL SINGLE-FAMILY DISTRICTS
("NT")**



Typical Houses in a Neighborhood Traditional District



Typical Block in a Neighborhood Traditional District

Common features of these districts include:

Narrow rectangular lots facing the avenue.

Houses built toward the front of the lot with reduced setbacks.

Front porches and primary entrances facing the avenue.

Sidewalk connections leading to the public sidewalk and the street.

Vehicular access from the rear alley instead of driveways in front yards.

Recognized architectural styles with consistent and appropriate materials.

Sections:

16.20.010.1. History and composition of traditional neighborhoods.

Generally, the traditional neighborhoods of the City were platted between the incorporation of the City and the mid-1920's, before multi-car households became common and when most people walked or rode public transportation. As such, these neighborhoods feature streets and buildings oriented to the needs of pedestrians rather than to the needs of cars.

Lots in traditional neighborhoods are narrow compared to lots in suburban neighborhoods. Traditional lot widths typically range between 45 and 60 feet. Widths in excess of 60 feet exist in certain areas, but are relatively rare. Sidewalks are provided along all sides of blocks and on both sides of the street.

The homes in traditional neighborhoods were typically constructed prior to 1950 and exhibit architecture of the early 20th Century. Buildings typically feature vertically-oriented architecture and were constructed close to the street. Front doors face the street and are enhanced with architecturally appropriate features. Front porches or stoops are common and add emphasis and visual interest to the primary entrance. Side and rear yard setbacks are minimal. Building heights typically do not exceed 24 feet. Buildings include a variety of roof designs such as gable, hip, and gambrel. The upper portions of taller buildings typically taper or step back from the property lines.

Alleyways are the primary means of providing areas for utilities and access to off-street parking to the rear of the properties. Driveways and garages in front yards are not typical in most traditional neighborhoods.

While traditional neighborhoods are primarily characterized by single-family residential structures, house sizes and types are varied. Small apartment buildings and ancillary dwelling units, such as garage apartments, are sprinkled throughout many of these areas. The diverse housing opportunities allow for persons in different stages of life and at different income levels to enjoy the same neighborhood. Residents can remain in the same neighborhood throughout their lives, even though an individual's housing needs and preferences may change (lifecycle housing). There are also several remaining corner stores located within the heart of some traditional neighborhoods. Historically, these small stores provided basic goods and services to residents within walking distance.

(Code 1992, § 16.20.010.1; Ord. No. 876-G, § 2, 2-21-2008)

16.20.010.2. Purpose and intent.

The purpose of the NT district regulations is to protect the traditional single-family character of these neighborhoods, while permitting rehabilitation, improvement and redevelopment in a manner that is consistent with the scale of the neighborhood. The standards for each of the NT districts are intended to reflect and reinforce their unique character. Street standards are intended to preserve the alley system as a mechanism to provide limited access for parking and utility functions in the rear of the site.

(Code 1992, § 16.20.010.2; Ord. No. 876-G, § 2, 2-21-2008)

16.20.010.3. Permitted uses.

Uses in these districts shall be allowed as provided in the Matrix: Use Permissions and Parking Requirements.

16.20.010.3.1. Preservation of single-family character.

NT districts are primarily single-family in character. While some NT districts allow accessory units or limited neighborhood-scale mixed uses, the character and context along the street should reinforce the pattern of a traditional single-family neighborhood. Generally, duplex and multifamily buildings are prohibited. Some multifamily uses are existing and grandfathered.

16.20.010.3.2. Grandfathered units. (See use matrix.)

Multifamily units were built in many traditional neighborhoods to accommodate the winter tourist industry in the first half of the 20th Century. These units provide a diversity of housing stock which enriches the neighborhood and provides lifecycle housing. Renovation and revitalization of these units can create a highly desirable amenity within the neighborhood and is an ideal way of providing workforce-housing units. Restoration of these resources is desirable over replacement. Special approval may be required to redevelop these uses as established by the process in the application and procedures section. Replacement construction should be consistent with the development pattern and architectural context of the neighborhood.

(Code 1992, § 16.20.010.3; Ord. No. 876-G, § 2, 2-21-2008)

16.20.010.4. Introduction to NT districts.

The NT districts are the NT-1, NT-2, NT-3 and NT-4 districts. The standards for the NT districts are intended to allow for redevelopment of the traditional neighborhoods with modern amenities, while respecting the existing development pattern and unique character of these areas.

(Code 1992, § 16.20.010.4; Ord. No. 876-G, § 2, 2-21-2008)

16.20.010.4.1. Neighborhood Traditional Single-Family-1 (NT-1).

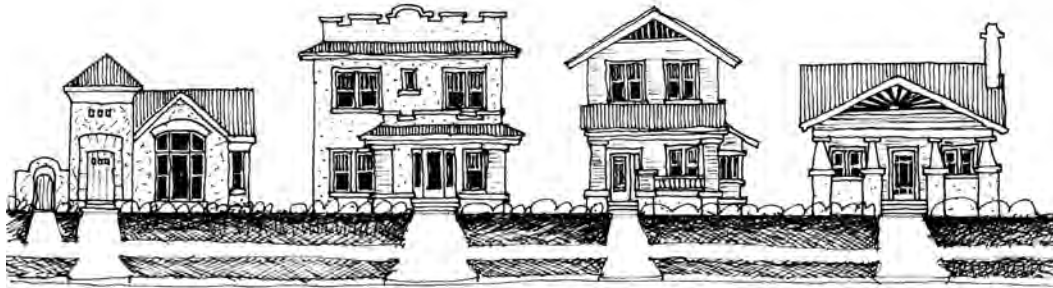
In the NT-1 district, single-family homes are the primary intended use. Accessory dwelling units, such as garage apartments, are allowed, subject to compliance with standards regulating minimum lot size, building setbacks, parking and other applicable requirements. The design guidelines are intended to ensure compatibility with the existing character and pattern of these neighborhoods by requiring compatible building design and limiting the locations of driveways to certain areas of the property.



Typical Single-Family Homes within the NT-1 District

16.20.010.4.2. Neighborhood Traditional Single-Family-2 (NT-2).

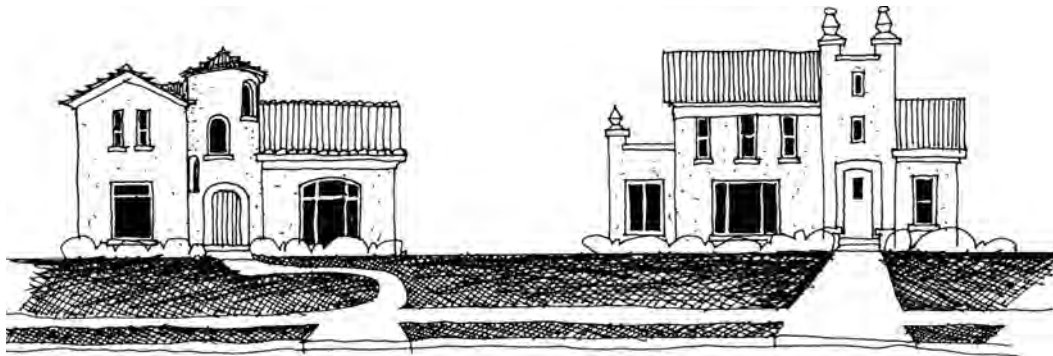
The NT-2 district generally includes neighborhoods already developed by the end of the 1920s. These areas typically exhibit a higher degree of architectural legacy and have a well-developed network of alleys. Allowable uses and standards are similar to the NT-1 district. Site layout and architectural detailing is emphasized to preserve and reinforce the existing development pattern. Driveways, garages, and utility uses are limited to the rear of the property.



Typical Single-Family Homes within the NT-2 District

16.20.010.4.3. Neighborhood Traditional Single-Family-3(NT-3).

The NT-3 district reflects the character of several traditions. Lot widths are larger, ranging between 60 and 65 feet. These areas are typically adjacent to large public parks utilized for numerous City-wide events generating large crowds, high volumes of traffic and other disruptions not typical for most neighborhoods. The architectural legacy and alley network are similar to NT-2 areas. The development pattern typically features greater front and side yard building setbacks than the NT-2 district. The NT-3 district generally allows the same uses as NT-1 and NT-2, with the exception that accessory dwelling units, such as garage apartments, are not permitted.



Typical Single-Family Homes within the NT-3 District

16.20.010.4.4. Neighborhood Traditional Mixed Use (NT-4).

The NT-4 district recognizes the small pockets of traditional mixed-use development in certain areas. Historically, these were neighborhood-scale corner stores and restaurants on the first floor with apartments above. These uses typically exist at the intersections of busier residential streets or around public parks. Storefronts are close to the street with loading and parking areas to the rear. The design of the buildings is compatible with the scale and architecture of the surrounding neighborhood and signage is minimal.



Typical Row of Mixed Uses within the NT-4 District

(Code 1992, § 16.20.010.4; Ord. No. 876-G, § 2, 2-21-2008)

16.20.010.5. Maximum development potential.

Development potential is different within each district in order to respect the character of the neighborhoods. Achieving maximum development potential will depend upon market forces, such as minimum desirable unit size, and development standards, such as minimum lot size, parking requirements, height restrictions, floor area ratios, maximum building and impervious surface ratios, and building setbacks.

To maintain community character and provide for desirable redevelopment and infill housing, homes shall be built using FARs as set forth herein. Various design standards may be used to increase the FAR and maintain the compatibility of new and modified homes with the existing neighborhood character. Therefore a maximum FAR is established and FAR bonuses may be permitted if the home incorporates design elements as set forth herein which are intended to be beneficial to the character of the neighborhood and reduce the appearance of mass and bulk from the public view.

Minimum Lot Size, Maximum Density and Maximum Intensity

		NT-1	NT-2	NT-3	NT-4
Minimum Lot Width	Residential	45 ft.	50 ft.	60 ft.	45 ft.
	Nonresidential	180 ft.	200 ft.	240 ft.	180 ft.
Minimum Lot Area (square feet)	Residential	4,500	5,800	7,620	5,800
	Nonresidential	22,860	25,400	30,480	22,860
Maximum Residential Density (units per acre)		15 (1 principal unit and 1 accessory unit per lot) ⁽¹⁾	15 (1 principal unit and 1 accessory unit per lot) ⁽¹⁾	7 (1 principal unit and 1 accessory unit per lot) ⁽¹⁾	15 (1 principal unit and 1 accessory unit per lot) ⁽¹⁾
Maximum Residential Intensity (floor area ratio) ⁽²⁾⁽³⁾		0.50	0.40	0.40	0.50
Maximum Nonresidential Intensity (floor area ratio)		0.50	0.50	0.40	0.85
Maximum Residential Building Coverage (includes all enclosed structures) except where the primary structure is one story then a 0.60 building coverage is allowed		0.55	0.55	0.55	0.55

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(Supp. No. 49)

Maximum Impervious Surface (site area ratio)	Residential	0.65	0.65	0.65	0.65
	Nonresidential	0.55	0.55	0.55	0.55

(1) Refer to use specific development standards for regulations regarding development of accessory dwelling and accessory living space.

(2) Residential floor area ratio exemption. The FAR includes any enclosed space above the required design flood elevation line, including enclosed garage space, but excludes that portion of the enclosed space that is below the required design flood elevation and up to 500 sf of the floor area of any accessory dwelling unit located in the rear one-third of the property.

(3) Residential floor area ratio bonus. An FAR bonus of up to 0.20 shall be granted when structures incorporate design elements set forth herein. The following options may be utilized in any combination, however, the maximum FAR bonus is 0.20.

a. One story covered front porch with a separate roof structure with a minimum width of 60 percent of the front façade: 0.08 bonus. No bonus is allowed if there is a second story deck, porch or roof structure.

b. Additional second story front setbacks: .01 bonus for every 1 foot of additional front setback of the entire façade, and .005 bonus for every 1 foot of additional front setback of at least one third of the façade but which is less than the entire façade, no bonus is allowed unless the setback is at least six feet, maximum 0.10 bonus. No bonus is allowed if there is a second story deck, porch or roof structure.

c. Additional second story side setbacks: .01 bonus for every one foot of additional side setback of the entire façade, maximum 0.05 bonus per side.

d. Total residential floor area of the second story does not exceed 75 percent of the first story (excludes garage sf): 0.05 bonus.

e. Reduction of the height of both the peak and roofline of a two story building from the maximum allowed height: 0.02 bonus per foot, maximum 0.06.

f. The entire peak of the primary roof structure of the front façade is parallel to the front property line: bonus 0.02, or if the entire peak of the primary roof structure of the front façade is parallel to the front property line and the roof has dormer(s) which are equal to at least 20 percent of the width of the front façade: 0.04 bonus.

g. Side façade articulation: side façades which feature offsets of at least two feet in depth that are at least twelve feet in length that divide the building design and are in the front two thirds of the side façade: 0.02 bonus per side, maximum 0.04.

h. Front façade articulation: front façades (excluding the porch) which feature offsets of at least six feet in depth for a minimum of one third of the front façade, 0.06 bonus for each additional foot, maximum 0.10.

i. All windows have true or simulated divided light muntins on interior and exterior surfaces: 0.03 bonus.

j. One story—principal structure: 0.15 bonus.

k. One story—all structures: 0.20 bonus.

l. Style, materials and detailing consistent with an architectural style in St. Petersburg's Design Guidelines for Historic Properties: 0.10 bonus

m. Planting of larger shade trees between the front façade and the curb—four inches min caliper measured six inches above grade, spread eight inches—ten inches, height 14 feet to 16 feet, 100 gallon container grown: 0.01 bonus per tree, maximum 0.02 bonus.

n. LEED or Florida Green Building: 0.05 bonus.

o. Solar ready: 0.02 bonus.

Refer to technical standards regarding measurement of lot dimensions, calculation of maximum residential density, nonresidential floor area and impervious surface.

For mixed use developments, refer to additional regulations within the use specific development standards section for mixed uses (currently section 16.50.200).

(Code 1992, § 16.20.010.5; Ord. No. 876-G, § 2, 2-21-2008; Ord. No. 166-H, § 3, 5-21-2015; Ord. No. 203-H, § 9, 11-23-2015; Ord. No. 287-H, § 1, 7-20-2017; Ord. No. 509-H, § 2, 7-14-2022; Ord. No. 540-H, § 2, 3-23-2023)

16.20.010.6. Building envelope: Maximum height and minimum setbacks.

Building Height	Beginning of Roofline	Top of Roof Peak
Primary building	24 ft.	36 ft.
Accessory building	20 ft.	30 ft.
Refer to technical standards regarding measurement of building height and height encroachments.		



Minimum Building Setbacks

Building Setbacks		NT-1 and 2			NT-3		NT-4	
		If building height is up to 18 ft.	If building height is +18 ft. to 24 ft.	If building height is over 24 ft.	If building height is up to 24 ft.	If building height is over 24 ft.	If building height is up to 24 ft.	If building height is over 24 ft.
Front yard	Stoop	15 ft. or M	15 ft. or M	35 ft.	20 ft. or M	40 ft.	9 ft. or M	28 ft.
	Open Porch	18 ft. or M	18 ft. or M	35 ft.	23 ft. or M	40 ft.	12 ft. or M	28 ft.

	Building	25 ft. or M	25 ft. or M	35 ft.	30 ft. or M	40 ft.	18 ft. or M	28 ft.
Interior side yard	For lots greater than 60 ft. in width	6 ft. or M	6 ft. or M	12 ft.	7.5 ft. or M	16 ft.	5 ft. or M	10 ft.
	For lots equal to or less than 60 ft. in width	10 percent of lot width ⁽²⁾	6 ft. or M	12 ft.	7.5 ft. or M	16 ft.	5 ft. or M	10 ft.
Street side yard		12 ft. or M	12 ft. or M	16 ft.	15 ft. or M	22 ft.	eight ft. or M	15 ft.
Rear yard, with alley	For alleys equal to or greater than 16 ft. in width	6 ft. or M	6 ft. or M	20 ft.	6 ft. or M	20 ft.	5 ft. or M	20 ft.
	For alleys less than 16 ft. in width	10 ft., or 22 ft. including the width of the alley, whichever is less, or M	10 ft., or 22 ft. including the width of the alley, whichever is less, or M	20 ft.	10 ft., or 22 ft. including the width of the alley, whichever is less, or M	20 ft.	8 ft., or 22 ft. including the width of the alley, whichever is less, or M	20 ft.
Rear yard, no alley		10 ft. or M	10 ft. or M	30 ft.	10 ft. or M	30 ft.	10 ft. or M	30 ft.
Waterfront yard		20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft. ft.	20 ft.

Notes:

- (1) Open porches are limited to a one story covered porch with or without a second story uncovered porch; two story covered porches shall meet the principal structure setback.
- (2) For properties that are 50 feet or less in width, the minimum side yard building setback shall be five feet.

M (minor encroachment): Minor encroachments into normally prescribed setbacks may be allowed in order to accommodate an addition to align with the side of the existing structure, provided:

- (a) The total floor area of the encroaching portion of an addition shall not exceed 50 square feet;
- (b) No portion of the encroachment shall exceed 24 feet in height;

(c) In no case shall any encroaching structure be closer to a property line than four feet.

Refer to the dimensional regulations and lot characteristics and height, maximum allowable and encroachments sections (currently 16.60.010 and 020) for yard types and setback encroachments.

Enclosing porches in the front yard setback is regulated by the general development standards.

The larger of the minimum building separation distances required by the Florida Building Code or the fire prevention code or the minimum building setback established for the interior side yard setback shall apply.;rol;

Building setbacks are based on the overall height of the various sections of a proposed building. As the building height increases, so does the minimum required setback.



Minimum Building Setbacks for SE Uses

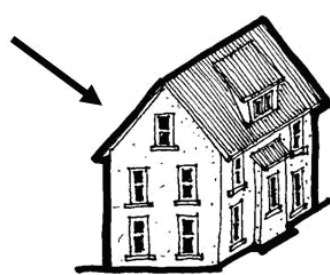
Building Setbacks SE Uses	NT-1 and 2	NT-3	NT-4
All yards (including waterfront)	35 ft.	35 ft.	35 ft.
Refer to technical standards for yard types.			

(Code 1992, § 16.20.010.6; Ord. No. 876-G, § 2, 2-21-2008; Ord. No. 893-G, § 2, 9-4-2008; Ord. No. 287-H, § 2, 7-20-2017)

16.20.010.7. Roof lines and slopes.

Required building setbacks increase above 24 feet in height except for towers, turrets, and dormers as provided herein. At 24 feet or below, a cornice line shall be provided and the roofline shall begin. The roof slope shall not exceed 45 degrees (12:12 pitch). The roof peak shall not exceed the maximum height of 36 feet. If a sloped roof is not characteristic of the design style, the wall shall be accentuated with a cornice line at or below 24 feet in height.

**PORTIONS
OF BUILD-
INGS ABOVE
24 FEET
MUST BE
CONTAINED
WITHIN A
ROOF**



SLOPED ROOFED STRUCTURES



**PORTIONS
OF BUILD-
INGS ABOVE
24 FEET
MUST MEET
ADDITIONAL
SETBACKS**

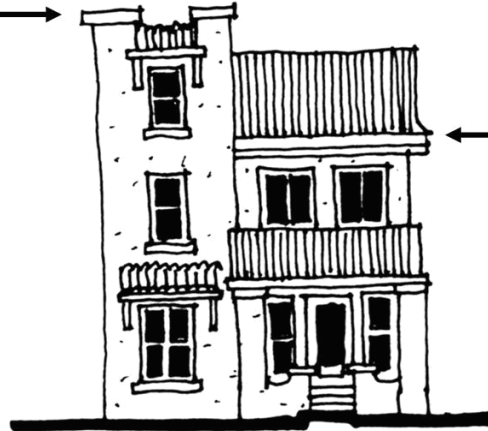
FLAT ROOFED STRUCTURES

(Code 1992, § 16.20.010.7; Ord. No. 876-G, § 2, 2-21-2008; Ord. No. 287-H, § 3, 7-20-2017)

16.20.010.8. Towers and turrets.

Many architectural styles feature towers and turrets. A tower or a turret may exceed the roof slope, provided no horizontal wall dimension exceeds 16 feet and for a tower or turret with a non-straight (or rounded) wall, this dimension shall be calculated using the smallest rectangle which will enclose the wall.

**TOWER
HEIGHT TO
36 FEET**



**EAVE
HEIGHT
MAXIMUM 24
FEET**



(Code 1992, § 16.20.010.8; Ord. No. 876-G, § 2, 2-21-2008; Ord. No. 985-G, § 19, 7-15-2010)

16.20.010.9. Dormers.

Many architectural styles feature dormers. A dormer may exceed the roof slope above 24 feet, provided the width of the dormer wall or the total width of the dormer walls, if more than one dormer, shall not exceed 50 percent of the roof width, or 16 feet of width, whichever is less. Dormers shall be compatible with the chosen architectural style.



(Code 1992, § 16.20.010.9; Ord. No. 876-G, § 2, 2-21-2008)

16.20.010.10. Setbacks and FAR consistent with established neighborhood patterns.

There are building setback and FAR characteristics of existing neighborhoods related to front yard setbacks, FAR, and alignment of buildings along the block face. Minimum yard setback and FAR characteristics of neighborhoods may differ from the requirements of this district. The POD may approve, without a variance, residential development that meets these setback and FAR characteristics. Approval shall be based on the following:

1. Front yard setbacks will be based on predominant building setbacks established in the block in which the development is proposed.
2. FAR will be based on predominant building FAR established in the block in which the development is proposed based on the property appraisers records.
3. Predominant shall mean equal to or greater than 50 percent.
4. These are administrative approvals appealable only by the property owner.

(Code 1992, § 16.20.010.10; Ord. No. 876-G, § 2, 2-21-2008; Ord. No. 287-H, § 4, 7-20-2017)

16.20.010.11. Building and site design.

The following design criteria allow the property owner and design professional to choose their preferred architectural style, building form, scale and massing, while creating a framework for good urban design practices which create a positive experience for the pedestrian.

Site layout and orientation. The City is committed to creating and preserving a network of linkages for pedestrians. Consequently, pedestrian and vehicle connections between public rights-of-way and private property are subject to a hierarchy of transportation, which begins with the pedestrian.

Building layout and orientation.

1. For nonresidential uses, all service areas and loading docks shall be located behind the front façade line of the principal structure.
2. All mechanical equipment and utility functions (e.g. electrical conduits, meters and HVAC equipment) shall be located behind the front façade line of the principal structure. Mechanical equipment that is visible from the primary street shall be screened with a material that is compatible with the architecture of the principal structure.

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3. Accessory structures (including sheds) shall be located behind the front façade of the principal structure.

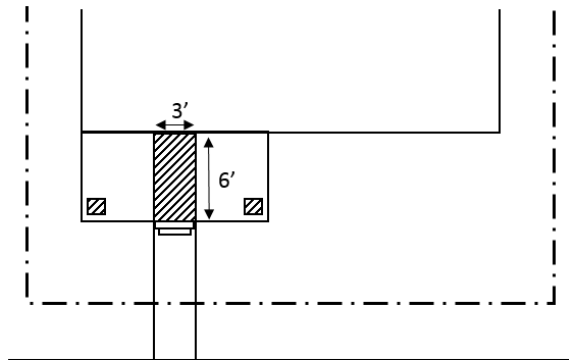
Vehicle connections and parking.

1. The following vehicle connection regulations are required for properties located within NT-2, NT-3 or NT-4 and are recommended for properties located within NT-1. Access for new garages and driveways shall be designed to take advantage of the first available alternative in the following prioritized list:
 - a. Driveways and garage doors shall face the alley;
 - b. Where no alley exists, driveways and garage doors shall face the side street and shall be restricted to the rear one-third of the lot;
 - c. Where access via the rear third of the lot is not possible and/or the alley is unable to be traversed with a vehicle due to physical obstructions or barriers, driveways and garage doors shall be permitted within the front two-thirds of the lot facing the side street;
 - d. In the absence of an alley and a side street, a single lane width curb cut and driveway shall be allowed which shall be located to the side of the principal structure. Required parking shall be allowed only behind the front façade line of the principal structure, including the porch, if any.
2. When a driveway is allowed in the front yard, not more than one curb cut shall be allowed for each property except as follows:
 - a. Where the property is abutting a major street identified on the Future Major Streets Map within the Comprehensive Plan; and
 - b. Where in accordance with the access requirements of this section, the only available access point is from the major street; and
 - c. Where a circular driveway and second curb cut is necessary to permit vehicles to enter and exit the major street in a forward motion. Pursuant to this section, a second curb cut shall only be approved for the purpose of improved traffic safety and shall not be approved for other ancillary uses, such as access to accessory parking spaces or the maneuvering of domestic equipment.

Porches and pedestrian connections.

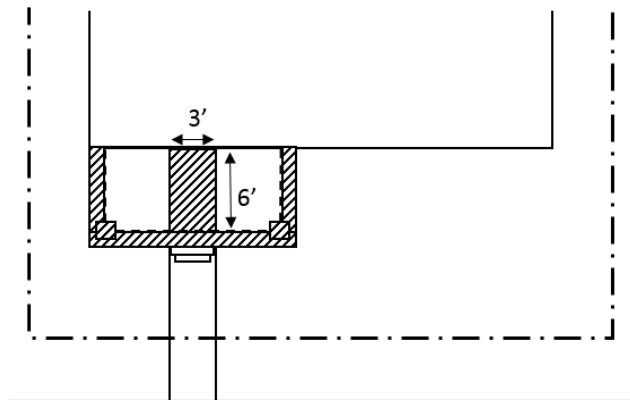
1. Principal entries to a structure shall be connected to the public sidewalk and the curb of the primary street with a sidewalk except when the structure faces a major street which does not allow on-street parking in front of the property.
2. Where a driveway exists in the legal front yard, the required sidewalk from the principal entry may be connected to the driveway in lieu of the connection to the street.
3. Principal entries shall include a porch, portico or stoop, with a minimum usable depth of six feet (measured from the front façade of the structure to the interior side of the railing or, if there is no railing, the furthest edge of the floor) and 48 square feet of total floor area, excluding a three-foot wide walkway to the primary entrance and the floor area of any column. Where a railing exists, only the floor area within the interior side of the railing shall count towards the minimum floor area.
4. Existing public sidewalks shall be repaired to City standards. Where no public sidewalk exists, a public sidewalk shall be constructed in accordance with the requirements of the subdivision section.

**Porch Dimension Requirement:
Example without Railing**



 This area excluded from the minimum floor area requirement of 48 sq ft

**Porch Dimension Requirement:
Example with Railing**



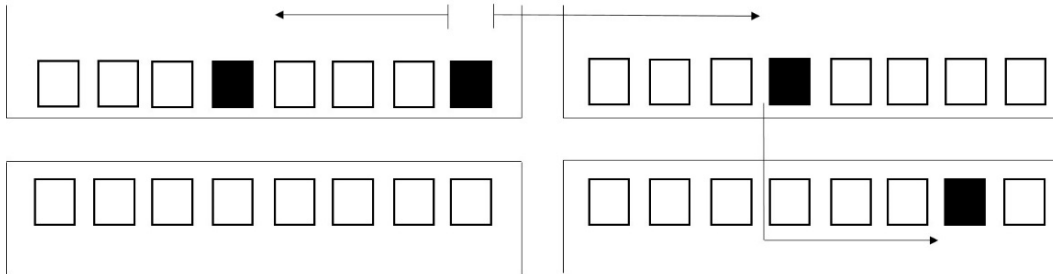
 This area excluded from the minimum floor area requirement of 48 sq ft

Building and architectural design standards. All buildings should present an inviting, human scale façade to the streets, internal drives, parking areas and surrounding neighborhoods. The architectural elements of a building should give it character, richness and visual interest.

Building style.

1. New construction shall utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies. See architectural and building design section, currently Section 16.40.020.
2. Design of homes on the same block face on either side of the street or within an adjacent block face on either side of the street shall be varied, such that a substantially similar design will not be replicated. There shall be a minimum separation of three parcels in every direction before a substantially similar design can be repeated. Variation shall include at least three of the following elements: architectural

style, roof form (principal or porch), materials, architectural details (doors, windows, columns, porches).



3. Renovations, additions and accessory structures shall 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.

Building form.

1. The front porch shall be elevated at least 12 inches above the abutting finished grade level as measured abutting the porch at the front entry. For Certified Affordable/Workforce Housing, the required minimum elevation shall be 8-inches, and the pedestrian walkway at the entrance may be graded to allow zero step entrance in accordance with the City Visitability ordinance, provided that all other areas of the porch meet the 8-inch minimum above the abutting finished grade.
2. The front façade of a building shall create a width-to-height ratio of no more than 1:1. Buildings that exceed the width-to-height ratio of 1:1 shall feature architectural fenestration creating a bay system that divides the building design into a maximum ratio of 1:1. This may be done through pilasters, arcades, building line and roof line off-sets, materials and other appropriate architectural features.

Wall composition and transparency. Wall composition standards ensure that ground-level storefronts and multifamily and single-family residential buildings offer attractive features to the pedestrian. Wall composition standards also mitigate blank walls and ensure that all sides of a building have visual interest. Transparency enhances visual connections between activities inside and outside buildings, thereby improving pedestrian safety. The following criteria shall not apply to accessory structures.

1. Doors, windows and other appropriate fenestration, architectural details, and features shall be incorporated into all sides of a building. There shall be no blank façades, except that garages located at the rear one-third of the lot may have blank façades but not on the street side. No portion of a façade shall contain a blank area greater than 16 feet in width.
2. At least 30 percent of primary and secondary street façades shall consist of fenestration or architectural details and features. At least 20 percent of the front two-thirds of interior side façades shall consist of fenestration or architectural details and features. At least ten percent of the rear façade on corner lots and through lots shall consist of fenestration or architectural details and features. At least 50 percent of the required fenestration shall be transparent (i.e., window glass). For Certified Affordable/Workforce Housing, the primary and secondary street façades minimum shall be 20 percent and the interior side yard façade minimum shall be 15 percent.

For yards on through-lots see the dimensional regulations and lot characteristics section.

3. Structures which are situated on corner lots, through lots, or, by the nature of the site layout have a façade which is clearly visible from rights-of-way, shall be designed with full architectural treatment on

all sides visible from rights-of-way. Full architectural treatment shall include roof design, wall materials, trim, and door and window openings. While it is recognized that buildings have primary and secondary façades, the construction materials and detailing should be similar throughout. Windows on the street side façades shall be evenly distributed in a consistent pattern, unless a different proportion is permitted or required by an identifiable architectural.

4. Window sashes and glass shall be square or vertical, unless a different proportion is permitted or required by an identifiable architectural style.
5. Windows shall not be flush mounted. Windows recessed less than three inches shall feature architectural trim including a header, sill and side trim or decorative shutters. Windows recessed three inches or more shall feature a window sill. Trim is not required if not consistent with the architectural style, i.e. Modern or Mediterranean Revival.
6. Where the required design elevation is equal to or greater than 48 inches above finished grade, an articulated base is required to delineate the first floor level. The base may consist of a different material or decorative band, depending on the architectural style.

Roofs. Rooflines add visual interest to the streetscape and establish a sense of continuity between adjacent buildings. When used properly, rooflines can help distinguish between residential and commercial land uses, reduce the mass of large structures, emphasize entrances, and provide shade and shelter for pedestrians.

1. Buildings shall provide a pitched roof or a flat roof with a decorative parapet wall compatible with the architectural style of the building.

Garages. Garage standards maintain and enhance the attractiveness of the streetscape and are influenced by a hierarchy of transportation, which begins with the pedestrian. The requirements relating to garage doors do not apply to garage doors facing alleys.

1. Garage doors facing the primary street:
 - a. Shall be located at least ten feet behind the front façade line of the principal structure. In the NT-1, NT-2 and NT-4 districts, this distance shall be measured from the front of the front porch, if any.
 - b. Shall not exceed 40 percent of the linear frontage of the façade of the principal structure and shall have decorative garage doors. Decorative garage doors shall include raised panels with decorative hardware and/or glazing, or other designs approved by the POD which serve to visually break up a blank door.
2. Garage doors facing a non-primary side street, where adjoining side yard abuts another property's front yard:
 - a. Shall be one or two single bay garage doors. Double garage bay doors are prohibited.
 - b. Shall not exceed 40 percent of the linear frontage of the façade of the principal structure.
 - c. Shall be decorative garage doors or feature at least one of the following enhancements: an arbor system surrounding the garage doors, or a projecting balcony, cupola, or other decorative element above the garage to lessen the impact of the vehicular orientation of the house. The decorative feature proposed by the applicant shall be compatible with the principal structure and must be approved by the POD. This decision may only be appealed by the property owner.

Building materials. Building material standards protect neighboring properties by holding the building's value longer, thereby creating a greater resale value and stabilizing the value of neighboring properties.

1. Building materials shall be appropriate to the selected architectural style and shall be consistent throughout the structure except for one story covered patios or screen enclosures located at least ten

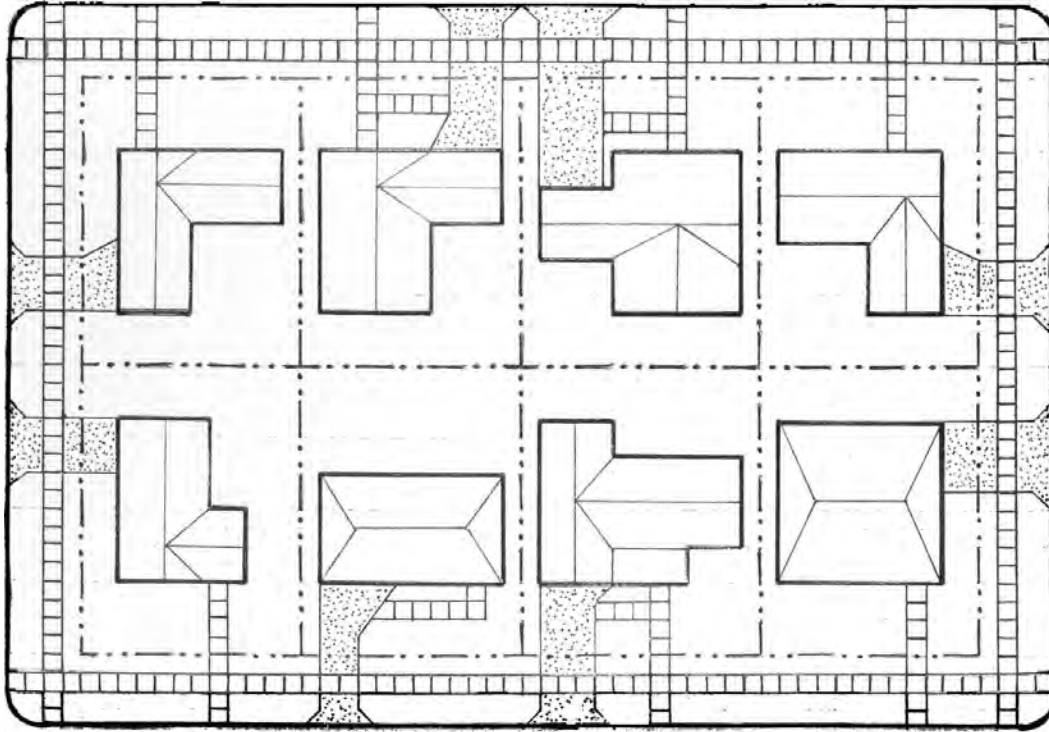
feet behind the front façade of the principal structure. If multiple materials are used in a building façade, the visually heavier materials shall be located below the lighter materials, e.g. brick or stone shall be located below stucco or siding materials, unless they are used as architectural features.

Accessory structures and ancillary equipment and carports. Accessory structures shall reinforce the pedestrian character of the City. Above-ground utility and service features, accessory storage structures, and carports shall be located and designed to reduce their visual impact upon the streetscape. See use specific standards for accessory structures.

1. Detached accessory structures, such as garages and garage apartments, shall be consistent with the architectural style, materials, and color of the principal structure. For multi-story accessory buildings, no portion of an exterior wall on any floor may contain a blank area greater than 16-feet in width except as allowed herein for garages.

(Code 1992, § 16.20.010.11; Ord. No. 876-G, § 2, 2-21-2008; Ord. No. 1029-G, § 15, 9-8-2011; Ord. No. 287-H, § 5, 7-20-2017; Ord. No. 375-H, § 4, 9-5-2019)

SECTION 16.20.020. NEIGHBORHOOD SUBURBAN SINGLE-FAMILY DISTRICTS (NS)



Typical Block in a Neighborhood Suburban District

16.20.020.1. History and composition of suburban neighborhoods.

The neighborhood suburban (NS) districts are reserved for single-family residential neighborhoods of the suburban style. Suburban neighborhood characteristics include single-use development, horizontally oriented architecture, relatively large lots and frontages, and wide residential streets and buildings that respond to the needs of automobile travel. The majority of homes within these neighborhoods were constructed following World War II through the present and are primarily designed to meet the needs and lifestyle of families with children. The homes are similar in size and character but reflect a variety of architectural styles from the latter half of the 20th Century. Typically, lots are a minimum of 60 feet wide with the majority of lots having a minimum width of 75 feet. Buildings are set back from the property line to allow gracious front yards and landscaping opportunities. Parking and garages are typically accessed from the street creating driveways in the front yard as a common feature. Pedestrian sidewalks may or may not exist within the rights-of-way. Recent trends suggest that renovation, additions, and improvement of these residential areas will continue.

(Code 1992, § 16.20.020.1; Ord. No. 876-G, § 3, 2-21-2008)

16.20.020.2. Purpose and intent.

The regulations of the NS districts protect the single-family character of these neighborhoods, while permitting rehabilitation, improvement and redevelopment in keeping with the scale of the neighborhood. The standards for each of the districts are intended to reflect and reinforce their unique character. Conventional street standards apply in order to provide easy vehicular access. Architectural and building design regulations permit front-facing garages, but lot design restricts excess driveway pavement.

(Code 1992, § 16.20.020.2; Ord. No. 876-G, § 3, 2-21-2008)

16.20.020.3. Permitted uses.

Uses in these districts shall be allowed as provided in the Matrix: Use Permissions and Parking Requirements.

(Code 1992, § 16.20.020.3; Ord. No. 876-G, § 3, 2-21-2008)

16.20.020.4. Preservation of single-family character.

NS districts are primarily single-family in character. Generally, multifamily uses are prohibited. Some multifamily uses are existing and grandfathered.

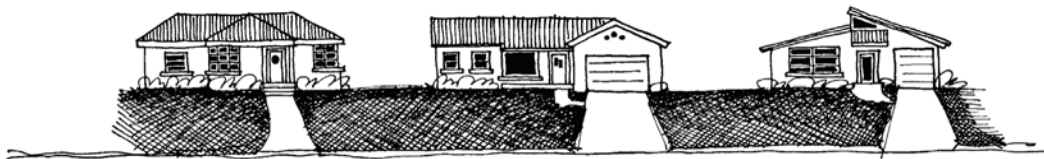
(Code 1992, § 16.20.020.4; Ord. No. 876-G, § 3, 2-21-2008)

16.20.020.5. Introduction to NS districts.

The NS districts are the NS-1, NS-2, and NS-E districts. The standards for the NS districts are intended to allow for additions and improvements, while respecting the existing development pattern and the character of the neighborhoods.

16.20.020.5.1. Neighborhood Suburban-1 (NS-1).

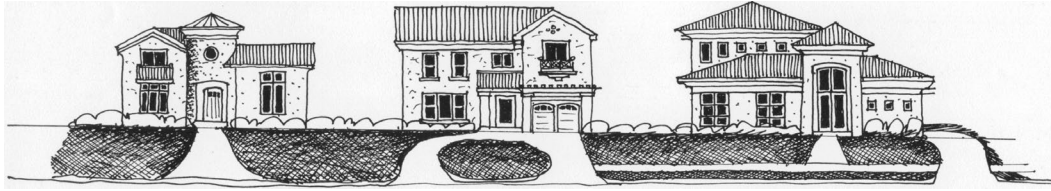
In the NS-1 district, single-family homes are the principal use. Driveways and garages are allowed in the front yard according to specific design criteria.



Typical Single-Family Homes Within the NS-1 District

16.20.020.5.2. Neighborhood Suburban-2 (NS-2).

In the NS-2 district, single-family homes are the principal use. Additional design requirements apply which will ensure that new development is compatible with the higher level of architectural legacy and the established character of these areas.



Typical Single-Family Homes Within the NS-2 District

16.20.020.5.3. Neighborhood Suburban Estate (NS-E).

The NS-E district is the least dense of the NS districts. Single-family homes are the principal use; however, accessory dwelling units are allowed on the same lot as the principal residence with a maximum density of two units per acre. These homes generally exhibit an exceptionally high level of architecture and are on some of the largest single-family lots in the City.



Typical Single-Family Homes Within the NS-E District

(Code 1992, § 16.20.020.5; Ord. No. 876-G, § 3, 2-21-2008)

16.20.020.6. Maximum development potential.

Development potential is slightly different within each district to respect the character of the neighborhoods. Achieving maximum development potential will depend upon market forces, such as minimum desirable unit size, and development standards, such as minimum lot size, parking requirements, height restrictions, floor area ratios, maximum building and impervious surface ratios, and building setbacks.

To maintain community character and provide for desirable redevelopment and infill housing, homes shall be built using FARs as set forth herein. Various design standards may be used to increase the FAR and maintain the compatibility of new and modified homes with the existing neighborhood character. Therefore a maximum FAR is established and FAR bonuses may be permitted if the home incorporates design elements as set forth herein which are intended to be beneficial to the character of the neighborhood and reduce the appearance of mass and bulk from the public view.

Minimum Lot Size, Maximum Density and Maximum Intensity

		NS-1	NS-2	NS-E
Minimum lot width	Residential	75 ft.	100 ft.	200 ft.
	Nonresidential	150 ft.	200 ft.	200 ft.
Minimum lot area	Residential	5,800 sq. ft.	8,700 sq. ft.	1.0 acre
	Nonresidential	1.0 acre	1.0 acre	2.0 acres
Maximum residential density (units per acre)		7.5 1-principal unit and 1 accessory	5 1-principal unit and 1 accessory	2 1-principal unit and 1 accessory

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	unit per lot (see note 1)	unit per lot (see note 1)	unit per lot (see note 1)
Maximum Residential Intensity (floor area ratio) ⁽²⁾	N/A	N/A	N/A
Maximum nonresidential intensity (floor area ratio)	0.35	0.30	0.20
Maximum Residential Building Coverage (includes all enclosed structures) except where the primary structure is one story then a 0.60 building coverage is allowed	0.55	0.55	0.55
Maximum impervious surface (site area ratio)	0.60	0.60	0.40

- (1) Refer to use specific development standards for regulations regarding development of accessory dwelling and accessory living space.
- (2) Floor Area Ratio limits for residential uses are not applicable in any Neighborhood Suburban (NS) single-family zoning districts.
- (3) Refer to technical standards regarding measurement of lot dimensions, calculation of maximum residential density, nonresidential floor area and impervious surface.
- (4) For mixed use developments, refer to additional regulations within the use specific development standards section for mixed uses (currently section 16.50.200).

(Code 1992, § 16.20.020.6; Ord. No. 876-G, § 3, 2-21-2008; Ord. No. 166-H, § 3, 5-21-2015; Ord. No. 203-H, § 10, 11-23-2015; Ord. No. 287-H, § 6, 7-20-2017; Ord. No. 540-H, § 4, 3-23-2023)

16.20.020.7. Building envelope: Maximum height and minimum setbacks.

Maximum Building Height (All NS Districts)

Building Height	Beginning of Roofline	Top of Roof Peak
Primary building	24 ft.	36 ft.
Accessory building	20 ft.	30 ft.
Refer to technical standards regarding measurement of building height.		



Maximum Building Height, Minimum Building Setbacks

Building Setbacks		NS-1		NS-2		NS-E	
		If building height is up to 24 ft.	If building height is over 24 ft.	If building height is up to 24 ft.	If building height is over 24 ft.	If building height is up to 24 ft.	If building height is over 24 ft.
Front Yard	Stoop	17 ft. or M	35 ft.	22 ft. or M	40 ft.	27 ft. or M	45 ft.
	Open Porch ⁽¹⁾	20 ft. or M	35 ft.	25 ft. or M	40 ft.	30 ft. or M	45 ft.
	Building	25 ft. or M	35 ft.	30 ft. or M	40 ft.	35 ft. or M	45 ft.
Interior Side Yard		7.5 ft. or M	15 ft.	7.5 ft. or M	15 ft.	15 ft. or M	25 ft.
Street Side Yard		12 ft. or M	20 ft.	15 ft. or M	25 ft.	20 ft. or M	30 ft.
Rear Yard	Principal	20 ft. or M	30 ft.	20 ft. or M	30 ft.	30 ft. or M	40 ft.
	Accessory	10 ft. or M	30 ft.	10 ft. or M	30 ft.	20 ft. or M	40 ft.
Waterfront Yard		15 ft.	20 ft.	15 ft.	20 ft.	20 ft.	20 ft.

Notes:

(1)Open porch shall be limited to a one story covered porch with or without a second story uncovered porch; a two story covered porch shall meet the principal structure setback.

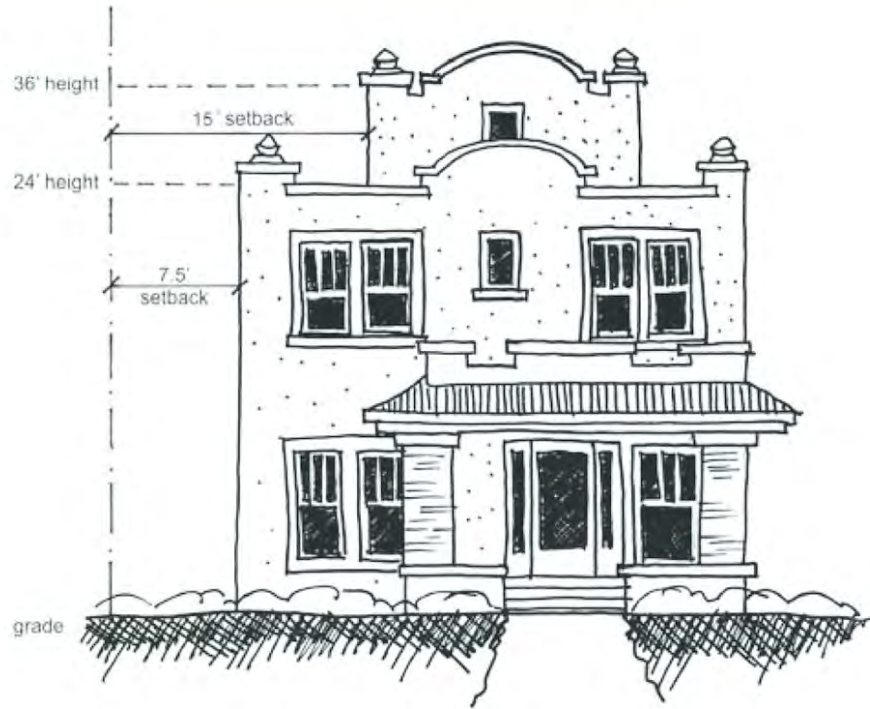
M (minor encroachment). Minor encroachments into the normally prescribed setbacks may be allowed so that an addition may align with the side of the existing structure, provided:

- (a) The total floor area of the encroaching portion of an addition shall not exceed 50 square feet;
- (b) No portion of the encroachment shall exceed 24 feet in height;
- (c) In no case shall any setback be less than four feet.

Refer to the dimensional regulations and lot characteristics and height, maximum allowable and encroachments sections (currently 16.60.010 and 020) for yard types and stoop and setback encroachments.

Enclosing porches in the front yard setback is regulated by the general development standards.

Building setbacks are based on the overall height of the various sections of a proposed building. As the building height increases, so does the minimum required setback.

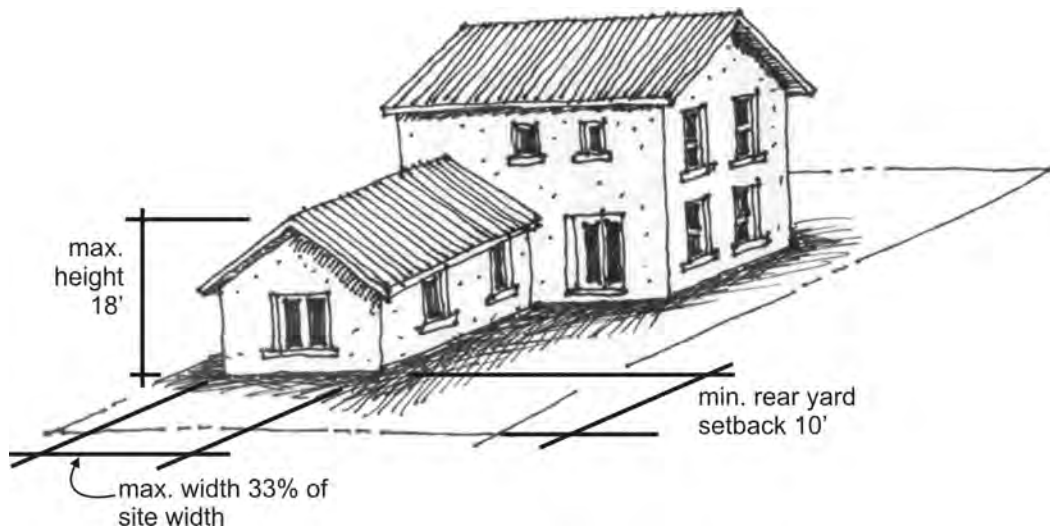


Minimum Building Setbacks for SE Uses

Building Setbacks SE Uses	NS-1	NS-2	NS-E
All yards, including waterfront	35 ft.	35 ft.	35 ft.
Refer to technical standards for yard types.			

(Code 1992, § 16.20.020.7; Ord. No. 876-G, § 3, 2-21-2008; Ord. No. 893-G, § 3, 9-4-2008; Ord. No. 287-H, § 7, 7-20-2017)

16.20.020.7.1. Additions within a lawful rear yard.



The ability to make renovations, additions and improvements to single-family houses that exist within the NS-1 district is constrained by the fact that a significant number of these houses were originally built close to the rear yard building setback line. In response to more recent trends in construction and family composition, the criteria contained within this subsection have been designed to accommodate growth while preserving and protecting the single-family character of the surrounding properties and neighborhood. Additions to single-family houses that are consistent with the following criteria are allowed and shall not require variance to the minimum rear yard building setback:

1. The single-family house shall have received a development order before September 10, 2007;
2. The single-family house shall be located within the NS-1 district;
3. Additions within the waterfront yard are not allowed under this section and remain subject to the standard building setback requirements;
4. The maximum building height of the addition shall be limited to 18 feet as measured from the established grade to the peak of the roof;
5. The addition shall be at least ten feet from the property line; and
6. The maximum width of the addition, measured to the exterior of the walls or supporting structures, shall not exceed 33 percent of the identified lot width.

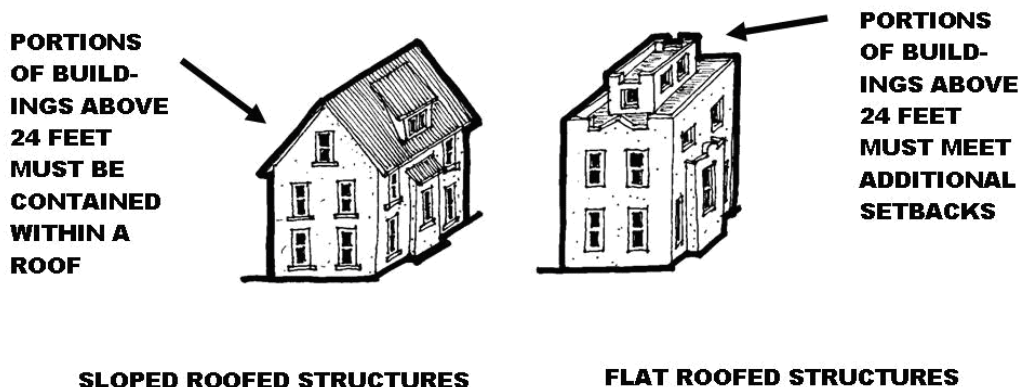
(Code 1992, § 16.00.000.7.1; Ord. No. 876-G, § 3, 2-21-2008)

16.20.020.7.2. Reserved.

Editor's note(s)—Ord. No. 166-H, § 4, repealed § 16.20.020.7.2 which pertained to accessory storage sheds on waterfront lots and derived from Ord. No. 893-G, § 5, adopted Sept. 4, 2008, and Ord. No. 100-H, § 1, adopted Dec. 19, 2013.

16.20.020.8. Roof lines and slopes.

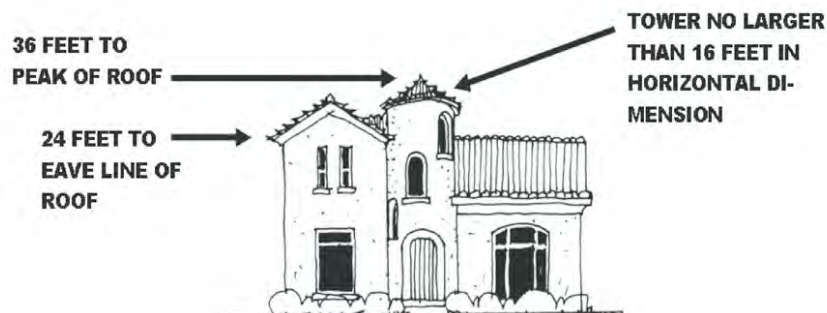
Required building setbacks increase above 24 feet in height except for towers, turrets and dormers as provided herein. At 24 feet or below, a cornice line shall be provided and the roofline shall begin. The roof slope shall not exceed 45 degrees (12:12 pitch). The roof peak shall not exceed the maximum height of 36 feet. If a sloped roof is not characteristic of the design style, the wall plane shall be accentuated with a cornice line at or below 24 feet in height. Any portion of a wall exceeding 24 feet in height shall be set back at least twice the normally required side yard setback from the side property line.



(Code 1992, § 16.20.020.8; Ord. No. 876-G, § 3, 2-21-2008)

16.20.020.9. Towers and turrets.

Many architectural styles feature towers and turrets. A tower or turret may exceed the roof slope, provided no horizontal wall dimension exceeds 16 feet and for a tower or turret with a non-straight (rounded) wall, this dimension shall be calculated using the smallest rectangle which will enclose the wall.



(Code 1992, § 16.20.020.9; Ord. No. 876-G, § 3, 2-21-2008; Ord. No. 985-G, § 20, 7-15-2010)

16.20.020.10. Dormers.

Many architectural styles feature dormers. Dormers may exceed the roof slope above 24 feet, provided the width of the dormer wall or the total width of the dormer walls, if more than one dormer, shall not exceed 50

percent of the roof width, or 16 feet of length, whichever is less. Dormers shall be compatible with the chosen architectural style.



(Code 1992, § 16.20.020.10; Ord. No. 876-G, § 3, 2-21-2008)

16.20.020.11. Setbacks and FAR consistent with established neighborhood patterns.

There are building setback and FAR characteristics of existing neighborhoods related to front yard setbacks, FAR, and alignment of buildings along the block face. Minimum yard setback and FAR characteristics of neighborhoods may differ from the requirements of this district. The POD may approve, without a variance, residential development that meets these setback characteristics. Approval shall be based on the following:

1. Front setbacks will be based on predominant building setbacks established in the block in which the development is proposed.
2. FAR will be based on predominant building FAR established in the block in which the development is proposed based on the property appraisers records.
3. Predominant shall mean equal to or greater than 50 percent.
4. These are administrative approvals appealable only by the property owner.

(Code 1992, § 16.20.020.11; Ord. No. 876-G, § 3, 2-21-2008; Ord. No. 100-H, § 1, 12-19-2013; Ord. No. 246-H, § 5, 10-20-2016; Ord. No. 287-H, § 8, 7-20-2017)

16.20.020.12. Building and site design.

The following design criteria allow the property owner and design professional to choose their preferred architectural style, building form, scale and massing, while creating a framework for good urban design practices which create a positive experience for the pedestrian.

Site layout and orientation. The City is committed to creating and preserving a network of linkages for pedestrians. Consequently, pedestrian and vehicle connections between public rights-of-way and private property are subject to a hierarchy of transportation, which begins with the pedestrian.

Building layout and orientation.

1. For nonresidential uses, all service areas and loading docks shall be located behind the front façade line of the principal structure.
2. All mechanical equipment and utility functions (for e.g. electrical conduits, meters, HVAC equipment) shall be located behind the front façade line of the principal structure. Mechanical equipment that is

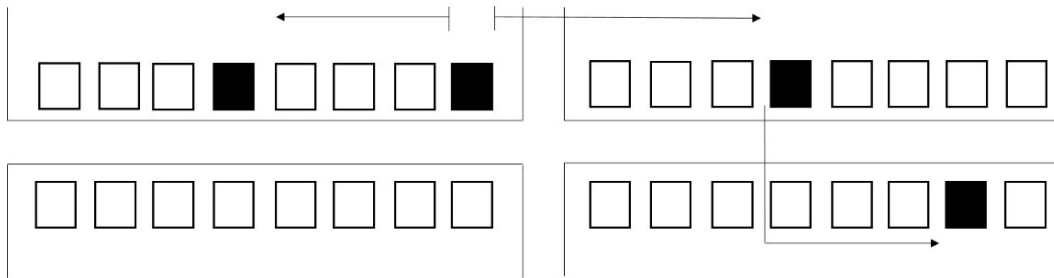
visible from the primary street shall be screened with a material that is compatible with the architecture of the principal structure.

3. Accessory structures, not including a garage, shall be located behind the front façade line of the principal structure.

Building and architectural design standards. All buildings should present an inviting, human scale façade to the streets, internal drives, parking areas and surrounding neighborhoods. The architectural elements of a building should give it character, richness and visual interest and shall be consistent with the chosen architectural style.

Building style.

1. New construction shall utilize an identifiable architectural style, which is recognized by design professionals as having a basis in academic architectural design philosophies. See architectural and building design section, currently Section 16.40.020.
2. Design of homes located within on the same block face on either side of the street or within on an adjacent block face on either side of the street shall be varied, such that a substantially similar design will not be replicated. There shall be a minimum separation of three parcels in every direction before a substantially similar design can be repeated. Variation shall include at least three of the following elements: architectural style, roof form (principal or porch), materials, architectural details (doors, windows, columns, porches).



3. Renovations, additions and accessory structures shall 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.

Wall composition. Wall composition standards ensure that ground-level storefronts and multifamily and single-family residential buildings offer attractive features to the pedestrian. Wall composition standards also mitigate blank walls and ensure that all sides of a building have visual interest. Providing for transparency enhances visual connections between activities inside and outside buildings thereby improving pedestrian safety. The following criteria shall not apply to accessory structures.

1. Doors, windows and other appropriate fenestration, architectural details and features shall be incorporated into all sides of a building. With the exception of garages up to 15-feet in height located at the rear one-third of the lot there shall be no blank façades. No portion of a façade on any story shall contain a blank area greater than 16 feet in width.
2. Structures which are situated on corner lots, through lots, or by the nature of the site layout have a façade which is clearly visible from rights-of-way shall be designed with full architectural treatment on all sides visible from rights-of-way. Full architectural treatment shall include roof design, wall materials, trim, and door and window openings. While it is recognized that buildings have primary and secondary façades, the construction materials and detailing should be similar throughout.

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3. Where the required design elevation is equal to or greater than 48 inches above finished grade, an articulated base is required to delineate the first floor level. The base may consist of a different material or decorative band, depending on the architectural style.
 4. Windows on the street side façades shall be evenly distributed in a consistent pattern.

Roofs. Rooflines add visual interest to the streetscape and establish a sense of continuity between adjacent buildings. When used properly, rooflines can help distinguish between residential and commercial land uses, reduce the mass of large structures, emphasize entrances, and provide shade and shelter for pedestrians.

1. Buildings shall provide a pitched roof or a flat roof with a decorative parapet wall compatible with the architectural style of the building.

Garages. Garage standards maintain and enhance the attractiveness of the streetscape and are influenced by a hierarchy of transportation, which begins with the pedestrian.

1. Where alley access exists, alley access is highly encouraged.
2. Garage doors shall comprise no more than 60 percent of the linear frontage of the façade of the principal structure. When garage doors comprise more than 40 percent of the linear frontage of the façade, the principal structure shall feature a projecting entryway that shall have a minimum projected depth of five feet.
3. Where garages which project past the front façade of the principal structure and have garage doors that face the primary street, the garage entry shall feature at least one of the following enhancements: decorative garage doors, an arbor system surrounding the garage doors, a projecting balcony, cupola or other decorative element above the garage to lessen the impact of the vehicular orientation of the house. The decorative feature proposed by the applicant shall be compatible with the principal structure and must be approved by the POD. This decision may only be appealed by the property owner.

Building materials. Building material standards protect neighboring properties by holding the building's value longer, thereby creating a greater resale value and stabilizing the value of neighboring properties.

1. Building materials shall be appropriate to the selected architectural style and shall be consistent throughout the structure except for one story covered patios or screen enclosures located at least ten feet behind the front façade of the principal structure. If multiple materials are used in a building façade, the visually heavier materials shall be located below the lighter materials, e.g. brick or stone shall be located below stucco or siding materials, unless they are used as architectural features.

Accessory structures and ancillary equipment and carports. Accessory structures shall reinforce the pedestrian character of the City. Above-ground utility and service features, accessory storage structures, and carports shall be located and designed to reduce their visual impact upon the streetscape. See use specific standards for accessory structures.

1. Detached accessory structures, such as garages and garage apartments, shall be consistent with the architectural style, materials, and color of the principal structure. For multi-story accessory buildings, no portion of an exterior wall on any floor may contain a blank area greater than 16-feet in width.

(Code 1992, § 16.20.020.12; Ord. No. 876-G, § 3, 2-21-2008; Ord. No. 1029-G, § 16, 9-8-2011; Ord. No. 287-H, § 9, 7-20-2017)

SECTION 16.40.040. FENCE, WALL AND HEDGE REGULATIONS

Sections:

16.40.040.1. Compliance.

All fences, walls and hedges shall comply with the following requirements which relate to height, location and design.

(Code 1992, § 16.40.040.1)

16.40.040.2. Definitions.

As used in this section:

Decorative as applied to walls means that a wall is masonry with a stucco finish; has a finish of natural materials, such as brick, stone, or glass block; or has a finish which is accepted for use in the industry and approved by the POD.

Decorative as applied to fences means that a fence is made of PVC fence material, wrought iron, or aluminum pickets, or is a painted or stained shadow-box or board-on-board type fence.

Hedge means a continuous arrangement of three or more shrubs which are planted and maintained to create an open space less than two feet wide by six feet high between each shrub.

Open means and includes all fence and wall sections which have opacity of 25 percent or less, excluding vertical support posts.

Section is a segment of fence including vertical pickets, any horizontal rails, and one supporting post, except that a post with horizontal dimensions of four inches by four inches or less shall be excluded from the calculations to determine opacity. For a post having dimensions greater than four inches on a side, that part of the dimension greater than four inches shall be included in the calculations to determine opacity.

(Code 1992, § 16.40.040.2)

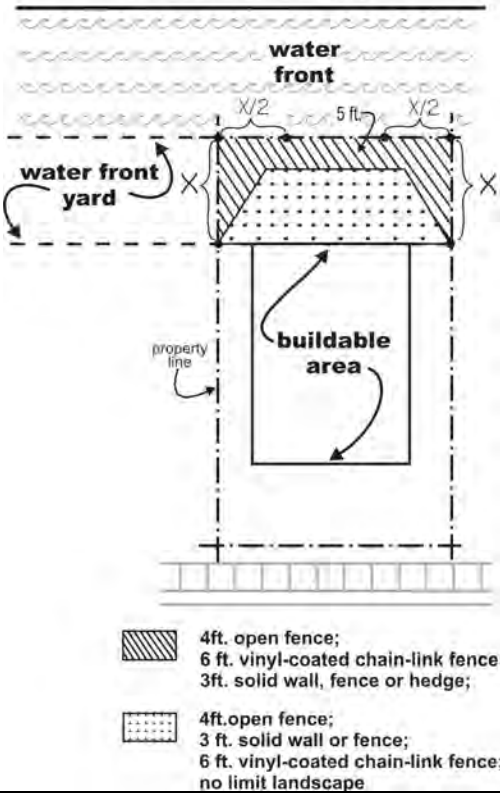
16.40.040.3. Charts.

The following charts provide specific regulations and design and other guidelines.

1. RESIDENTIAL USES (Including mixed-uses with a residential component; excludes requirements for waterfront yards - see below)				
	Front Yards - Major Streets, except Neighborhood Collectors	Front Yards - All other streets	Side Yards, Street Side Yards, and Rear Yards	Street Side - Abutting Neighbor's Front Yard
Maximum Height	- 4 feet for a fence or wall of any style - 6 feet for a decorative fence or wall which is landscaped - 6 feet for a hedge	- 4 feet for a fence or wall of any style - 5 feet for a hedge - 6 feet for a decorative fence or wall which is landscaped and which is on a property with more than 150 lineal feet of street frontage	- 6 feet for a fence or wall of any style - 10 feet for a hedge	- 4 feet for a fence or wall of any style - 5 feet for a hedge
The diagram at right is intended to provide an illustrative view of the foregoing regulations as applied to rectangular lots platted in the traditional block pattern of the City. For non-rectangular lots or for lots with irregular lot lines, property owners are advised to contact the City to verify interpretation of the ordinance as applied to a specific property.	Min 2-ft setback from sidewalk for 6-ft high fence or wall. NON-MAJOR STREET Property Line (typ.) CORNER LOT ON A MAJOR STREET CORNER LOT ON A NON-MAJOR STREET INTERIOR LOT ON A MAJOR STREET ALLEY INTERIOR LOT ON A NON-MAJOR STREET CORNER LOT ON A MAJOR STREET INTERIOR LOT ON A NON-MAJOR STREET CORNER LOT ON A NON-MAJOR STREET MAJOR STREET NON-MAJOR STREET 45 ft See 16.40.160 "Visibility at Intersections" for 36-inch height restrictions. INTERIOR SIDE YARDS, STREET SIDE YARDS, AND REAR YARDS 6-ft maximum height for a fence or wall of any style 10-ft maximum height for a hedge, within 5 ft of property line FRONT YARD ON A NON-MAJOR STREET 4-ft maximum height for a fence or wall of any style 5-ft maximum height for a hedge, within 5 ft of property line 6-ft maximum height for a decorative fence or wall which is landscaped and which is on a property with more than 150 lineal feet of street frontage FRONT YARD ON A MAJOR STREET 4-ft maximum height for a fence or wall of any style 5-ft maximum height for a hedge, within 5 ft of property line 6-ft maximum height for a decorative fence or wall which is landscaped STREET SIDE YARD ABUTTING NEIGHBOR'S FRONT YARD 4-ft maximum height for a fence or wall of any style 5-ft maximum height for a hedge, within 5 ft of property line			

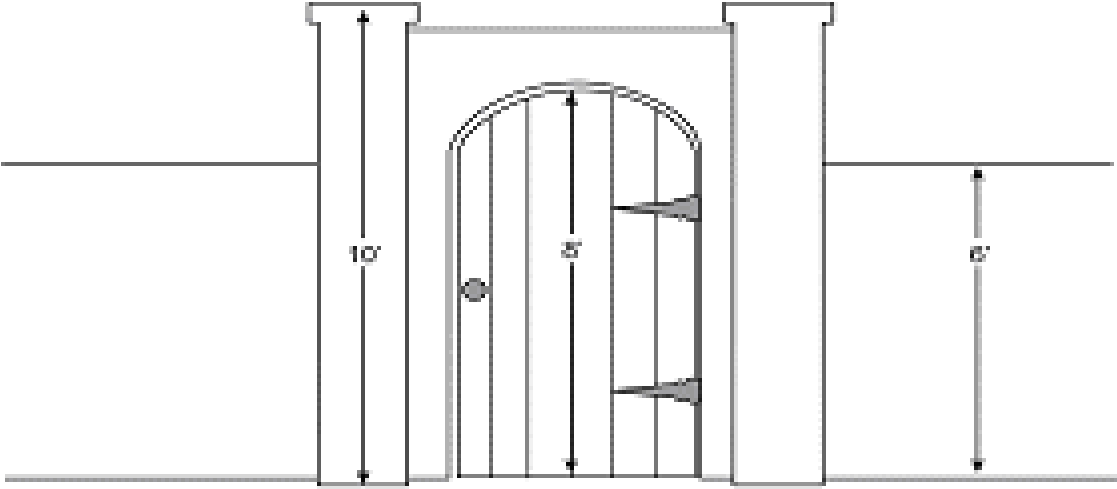
2. *Waterfront yards (all uses).*

2. WATERFRONT YARDS (All uses)

Maximum Height	a. - 3 feet for a solid fence or wall of any style and any landscape materials except protected trees - 4 feet for an open fence - 5 feet for a decorative open fence for a dock on a non-contiguous water lot, with a maximum gate height of 6 feet, and maximum arch structure height over the gate of 7.5 feet - 6 feet for a vinyl-coated chain-link fence b. In part of the waterfront yard there shall be no limit on the height of landscape materials or number of trees (see 5.E.2, below)	For IC/CRD-zoned properties - 10 feet for an open fence	For commercial marinas - 6 feet for an open fence
The diagram at right is intended to provide an illustrative view of the foregoing regulations as applied to rectangular lots platted in the traditional block pattern of the City. For non-rectangular lots or for lots with irregular lot lines, property owners are advised to contact the City to verify interpretation of the ordinance as applied to a specific property. The crosshatched area shown in the key is intended to illustrate subsection a. above. The dotted area shown in the key is intended to illustrate subsection b. above. 'X' is the setback set forth in the zoning district.	Fence/Hedge Regulations Waterfront Yards (excluding IC/CRD zoned properties and Commercial Marinas)  4ft. open fence; 6 ft. vinyl-coated chain-link fence; 3ft. solid wall, fence or hedge; 4ft.open fence; 3 ft. solid wall or fence; 6 ft. vinyl-coated chain-link fence; no limit landscape		

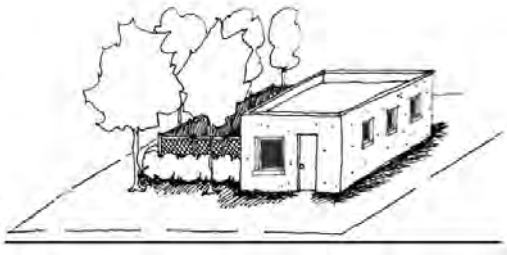
3. Other Uses				
	Front Yards - Major Streets	Front Yards - All other streets	Side Yards, Street Side Yards, and Rear Yards	Street Side - Abutting Neighbor's Front Yard
Maximum Height	- 4 feet for a fence or wall of any style without landscaping - 6 feet for a fence or wall of any style landscaped in accordance with the Code - 6 feet for a hedge	- 4 feet for fence or wall of any style without landscaping - 6 feet for a fence or wall of any style landscaped in accordance with the Code - 6 feet for a hedge	- 8 feet for a fence or wall of any style or a hedge in the side and rear yards - 6 feet for a fence or wall of any style without landscaping in street side yards - 8 feet for a fence or wall landscaped in accordance with the Code in street side yards - 8 feet for a hedge in street side yards	- 4 feet for fence or wall of any style without landscaping - 6 feet for a fence or wall of any style landscaped in accordance with the Code - 6 feet for a hedge

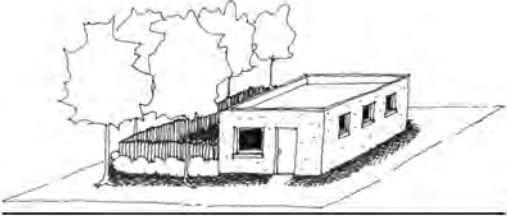
4. Industrial Uses (Properties zoned IT and IS)				
	Front Yards - Major Streets	Front Yards - All other streets	Side Yards, Street Side Yards, and Rear Yards	Street Side - Abutting Neighbor's Front Yard
Maximum Height IT-zoned properties may be exempt from the requirement to install landscaping pursuant to the IT district regulations.	- 4 feet for fence or wall of any style without landscaping - 10 feet for a fence or wall of any style landscaped in accordance with the Code* - 10 feet for a hedge	- 4 feet for fence or wall of any style without landscaping - 10 feet for a fence or wall of any style landscaped in accordance with the Code* - 10 feet for a hedge	- 10 feet for a fence or wall of any style or a hedge in the side and rear yards - 6 feet for fence or wall of any style without landscaping in street side yards - 10 feet for a fence or wall of any style landscaped in accordance with the Code in street side yards* - 10 feet for a hedge in street side yards	- 4 feet for fence or wall of any style without landscaping - 10 feet for a fence or wall of any style landscaped in accordance with the Code* - 10 feet for a hedge

5. DESIGN AND OTHER RELATED REGULATIONS	
A. EXEMPTIONS	Fences, walls and hedges on certain properties of the Pinellas County School Board shall be regulated as set forth in an interlocal agreement between the City and the School Board, as may be amended from time to time.
B. ALLOWANCES FOR ADDITIONAL HEIGHT	1. Fences or walls for which a greater height is necessary because of 1) an association with uses that require high fences to protect public safety, such as, but not limited to, driving ranges, utility substations, baseball fields, athletic fields, and swimming pools or 2) a requirement of a state or federal agency, may be allowed subject to a height limit which may be imposed by the POD. Approval of height in excess of that allowed by this Code will be based upon precedent established by previous City approvals, standardized specifications, required security measures, and trajectories for driving ranges and athletic fields. Such fences or walls need not comply with the Design Standards of this section, but shall comply with all landscaping requirements.
	2. One (1) additional foot of height is allowed for fence or wall columns which are a maximum of two (2) feet in width and spaced at least six (6) feet apart measured center to center.
	3. Two (2) additional feet of height is allowed for a decorative open arched gate which does not exceed 25 feet in width for a vehicular gate or eight (8) feet in width for a pedestrian gate.
	4. Four (4) additional feet of height is allowed to accommodate solid arch structures over gates (as shown below) and other passageways for pedestrians and vehicles. 
	Additional Height for Gates/Arches
	5. Two (2) additional feet of height is allowed for decorative lanterns, urns, planters, or sculptural elements above the maximum height allowed for the fence or wall component (e.g. wall, column, or arch) upon which such decorative feature is located.
	6. Maximum height may vary by up to six (6) inches to allow for grade changes, clearance under fences for maintenance, footers, other obstacles customary to the use intended to be fenced, and reasonable human error.

	7. Up to two sections of fence or wall, not to exceed eight (8) feet in width each, may be allowed two (2) additional feet in height within any side (non-street) or rear yard for lattice, planter boxes, or selective screening of adjoining uses.
	8. Fences, walls, or hedges along the side yard of a residential use which abuts a non-residential use may be six (6) feet in height to within five (5) feet of the front property line.
	9. Fences or walls for single-family uses which abut Interstate 275 may be eight (8) feet in height.
C. DESIGN STANDARDS	1. All fences and walls shall comply with the architectural, design, and landscaping requirements of this code.
	2. All fences and walls shall be installed with the finished side facing towards the exterior or adjoining properties and rights-of-way (excluding alleys). For fences and walls between adjoining properties, this requirement may be waived by the POD upon approval by the adjoining property owners, whose written approval shall be signed or acknowledged before a notary.
	3. Barbed wire is prohibited at 1) any residential use; 2) any mixed-use having a residential component; 3) any residentially-zoned property (regardless of its developed use); 4) any property zoned DC or CCT-2; and 5) on any property within ten feet of any property zoned or developed with a residential use. Barbed wire shall be oriented toward the interior of the property and included in the overall fence height measurement. Barbed wire is prohibited on any fence within a yard along a major street.
	4. On all properties (excluding properties with industrial, single-family, and duplex uses), fences and walls visible from any street (not including alleys) shall be decorative or shall be vinyl-coated chain-link (including stands, poles, and rails). Vinyl-coated chain-link fences and opaque fences or walls more than four feet in height, which abut a street (not including alleys), shall be setback a minimum of two feet from the property line and shall be landscaped in accordance with the section regulating landscaping and
	5. All fences except chain-link fences shall have upper and lower rails between posts. A chain-link fence shall have a top rail.
	6. Fences and walls shall comply with the design requirements established for the zoning district.
	7. Fences and walls shall be consistent in style and design within any property (e.g. same design in front yard or rear yard), and for yards abutting streets (e.g. same or compatible design and style for both front and street side yards for corner lots). Fences and walls shall be comprised of no more than three materials for panels, posts, rails, columns, and other elements within all yards of any property. Fences and walls in side, rear, and waterfront yards may be comprised of a different material(s) than that used in the front yard.
	8. Fences and walls shall be designed and installed as follows. a. Fences shall be designed in accordance with industry standard forms such as: stockade, board-on-board, shadowbox, tongue-and-groove, picket, split rail and chain link. An alternative form may be approved where the POD finds that the proposed form complies with the intent of the provisions of this section and that the form requested is at least the equivalent to the industry standard in quality, strength, effectiveness, fire resistance, durability and safety. b. The term <i>building materials</i> shall mean industry standard materials normally manufactured for, used and recognized as fencing materials such as: wrought iron, aluminum or other decorative metals suitable for the construction of fences, masonry, concrete, stone, galvanized and vinyl-coated chain link, wood planks or pickets, and vinyl or composite manufactured specifically as fencing materials. An alternative material may be approved where the POD finds that the proposed material complies with the intent of the provisions of this section and that the material requested is at least the equivalent of the industry standard in quality, strength, effectiveness, fire resistance, durability and safety.
	9. Fences and walls greater than 100 feet in length shall be articulated by columns or other visual breaks measuring at least two feet in width and spaced no more than 24 feet apart. Landscaping shall be provided in accordance with the landscaping and irrigation section. This design standard shall apply for any portion of a qualifying fence or wall facing a right-of-way (excluding alleys.)
	10. The attachment of fabric, shade cloth or other material to a chain link or similar open fence is prohibited except as provided herein. Fabric, shade cloth or other material is not a permitted method for required screening of outdoor storage areas. Fabric, shade cloth or other material may be installed to create a wind barrier for athletic courts or

	similar situations subject to the following conditions: a. Professional installation is required by a licensed contractor; b. The proposed material shall be designed to withstand wind resistance with commercial grade seams and attached at grommets designed in a manner consistent with building regulations.
	11. Except as otherwise provided in this subsection. It shall be unlawful for any person to construct, maintain, place, install or allow or cause to be constructed, maintained, placed or installed on or about any structure or property any fence, barrier, partition, obstruction or similar structure that is electrically charged or connected with any electrical source in such a manner as to transmit an electrical charge to persons, animals or things which come in contact therewith. Electrically charged fencing may be used for security purposes on any industrial zoned property subject to the following conditions:
	a. Only low-voltage electrical fencing shall be used with a maximum of 12 volts, primary voltage;
	b. Electrically charged fencing shall be installed in accordance with recognized and accepted standards for electric fence energizers as determined by the most recent published edition of the International Electrotechnical Commission Standards;
	c. Electrically charged fencing shall comply with the height requirements of this section;
	d. Electrically charged fencing shall be completely surrounded by a non-electrical fence or wall. The surrounding non-electrical fence or wall shall be separated from the electrically charged fence by at least three inches;
	e. Electrically charged fencing shall be identified as such with a sign, no larger than one square foot in area, and shall be placed on all sides of the property where the electrically charged fence is located with at least one sign per every 60 linear feet or portion thereof;
	f. Where adjacent to a public sidewalk or right-of-way, electrically charged fencing, and the surrounding non-electrical fence or wall, shall comply with the following setback and landscaping provisions. The buffering requirements are based on the type of surrounding non-electrical fence or wall. Landscaping shall be installed on the exterior side of the fence or wall.
	12. Gates and fencing for docks on non-contiguous water lots, and docks on contiguous upland property that are located across a right-of-way or City owned easement from the principal use, shall be open and consist of decorative materials such as wrought iron, aluminum or other decorative metals suitable for the construction of fences, masonry, concrete, stone, and vinyl or composite manufactured specifically as fencing materials. Any fencing projecting beyond the width of the dock as measured at the seawall (the walkway) shall be limited [to] 5 feet in height and 3 feet in width on each side of the walkway. Replacement of a dock or the existing gate or fencing, the replacement of a majority of the pilings, any expansion of the deck area or the addition of a boat lift(s) shall require gates and fences to be brought into compliance. This shall not apply to commercial marinas or properties in the IC/CRD land use category.

BUFFER REQUIREMENTS						
Type of Surrounding Non-Electrical Fence		Buffer Width Required (measured from the property line)			Landscaping Required	
		Chain Link Fence	20'		Trees: At least one shade tree per 50 linear feet (or portion thereof) measuring a minimum of 10' tall and 2.0" diameter at breast height at the time of planting; and	
						Shrubs: At least on shrub

								every 30" (measured on center) and measuring a minimum of 24" tall at the time of planting
					Solid Wood or Solid Vinyl Fence	15'		Trees: At least one shade tree per 50 linear feet (or portion thereof) measuring a minimum of 10' tall and 2.0" diameter at breast height at the time of planting; and
								Shrubs: At least on shrub every 30" (measured on center) and measuring a minimum of 24" tall at the time of planting
					Masonry Wall	10'		Palms: At least one palm tree per 20 linear feet (or portion thereof) with a

				minimum of 10' of clear trunk at the time of planting
	NOTE: Where an existing building is located within the buffer area requirement, abutting portions of the electrically charged fencing, and the surrounding non-electrical fence or wall, shall be constructed as close to the building as possible but not in the right-of-way. Portions of the electrically charged fence located within the buffer requirement, shall include at least one sign every 30 linear feet in lieu of the standard sign requirement.			
	g. Any property with electrically charged fencing shall provide safe access for emergency personnel.			

5. DESIGN AND OTHER RELATED REGULATIONS	
D. STANDARDS FOR MEASUREMENT	1. The height of a fence, wall or hedge shall be measured from 1) the existing natural grade upon which the structure to be measured sits, or 2) the finished grade at the time of subdivision platting. Measurement shall be taken from the abutting property. Where the existing grade of one lot has been modified due to FEMA regulations, measurement shall be made from the mid-point of the existing grade and the FEMA required minimum grade. Where the existing grade of two or more adjacent lots has been modified due to FEMA regulations, measurement shall be made from the new finished grade.
	2. Except as provided in Section B of this chart, the addition of any material (e.g. screening, flags, lattice, or planters) to a fence or wall which is visible above the fence or wall shall be considered part the fence or wall when measuring overall height.
E. LOCATIONAL CRITERIA	1. Hedge regulations shall only apply to hedges within five (5) feet of a property line of a residential use and within ten (10) feet of a property line for all other uses. This provision shall not include waterfront yards.
	2. In waterfront yards, a hedge shall not exceed three (3) feet in height within a primary view corridor consisting of the first five (5) feet measured from the waterfront boundary line. The primary view corridor shall additionally include portions of the waterfront yard, on each side of the waterfront yard, located as follows: From a rear corner, measure along the waterfront boundary line for a distance equal to one-half of the depth of the waterfront yard to a point. From that point, extend a straight line to a point where the waterfront setback line intersects the nearer side boundary line, and from that intersection, return to the corner. In the remainder of the waterfront yard there is no limit on the height of hedges.
	3. Fence and wall heights shall apply in all required yards. Fences and walls shall not exceed the maximum building height within the buildable area.
	4. In the DC and CCT-2 zoning districts, no fence or wall shall be installed within three (3) feet of any wall on an adjoining property if such wall has one or more windows or doors, and no fence or wall shall impede required emergency egress from a window or door on any property.
	5. For Through-Lots and other irregular lots, at least one yard shall be considered to be a rear yard for the purpose of allowing fences, walls or hedges. The yard which shall be allowed a rear yard fence, wall, or hedge shall be determined based upon the following order of factors: a) the predominant location of rear yards of other lots in the block, b) the location of the front entry into the house on the subject lot, and c) the relationship of the yard to other yards on abutting properties.
	6. No fence, wall, or hedge shall be installed so as to obstruct passage through a vehicular use area (parking lot, driveway, loading zone, etc.), sidewalk, or right-of-way located on the same property or an adjoining property and existing at the time the fence, wall or hedge is installed; provided, that this provision shall not be deemed to create an obligation on the part of a property owner to give an adjoining property owner a right of ingress-egress where none exists by express agreement or through historic usage or where such obligation has not been imposed by the City as a condition of approval of a development order.
	7. Fences and walls over four (4) feet in height which are adjacent to a sidewalk shall be setback a minimum of two (2) feet from the edge of the sidewalk, except for fences and walls within DC and CCT-2 zones.
	8. Fences, walls, and hedges shall comply with visibility at intersection and sight triangle requirements.
	9. No fence or wall shall be situated along any alley so as to obstruct the use of the alley by the public or to obstruct access to accessory structures (e.g. garages) situated adjacent to alleys.
	10. No fence or wall shall be allowed on or permitted to overhang a right-of-way.
	11. Hedges are allowed in the right-of-way so long as no portion of the hedge is within four feet of the curb, or edge of pavement if there is no curb, within one foot of the sidewalk, or higher than four feet, and the hedge complies with the Visibility at Intersections Section.

F. PERMITTED AND MAINTENANCE REQUIREMENTS	1. All walls and fences shall be maintained in a sturdy upright position, in good condition, free from mildew or rot that has substantially penetrated the depth of the fence, free from any broken parts, slats or boards, and with no parts, slats or boards missing.
	2. The owner or occupant of a property where a fence, wall or hedge is located is responsible for maintenance of both sides. Nothing in this section shall be construed to grant any right of entry to an adjoining property which is under separate ownership for the purpose of maintaining a fence, wall or hedge. Nothing in this section shall be construed as creating an obligation to maintain a fence, wall or hedge if access to an adjoining property is necessary for maintenance work and the owner or occupant of the adjoining property fails or refuses to grant a right of entry to the owner of the fence, or occupant of the property on which the fence is located, for such work at reasonable times despite a request for such right of entry.
G. REQUIRED LANDSCAPING	Where "landscaping" is required by this section, such landscaping shall be in accordance with the Landscaping and Irrigation Section.
H. GRANDFATHERED STATUS	All fences and walls which do not comply with the regulations of this section, whether lawful when erected or otherwise, shall be brought into compliance at such time as more than 50 percent of the surface area of the fence or wall within any one yard is replaced. All fences and walls constructed on or after September 30, 2007 shall comply with the regulations of this section at the time they are constructed. All existing hedges which do not comply with the regulations of this section shall not be deemed grandfathered, but shall be brought into compliance not later than September 30, 2007.

(Ord. No. 985-G, §§ 45—47, 7-15-2010; Ord. No. 1029-G, § 30, 9-8-2011; Ord. No. 123-H, § 3, 8-28-2014; Ord. No. 110-H, § 1, 10-16-2014; Ord. No. 166-H, § 5, 5-21-2015; Ord. No. 203-H, §§ 12—14, 11-23-2015; Ord. No. 287-H, §§ 11, 12, 7-20-2017)

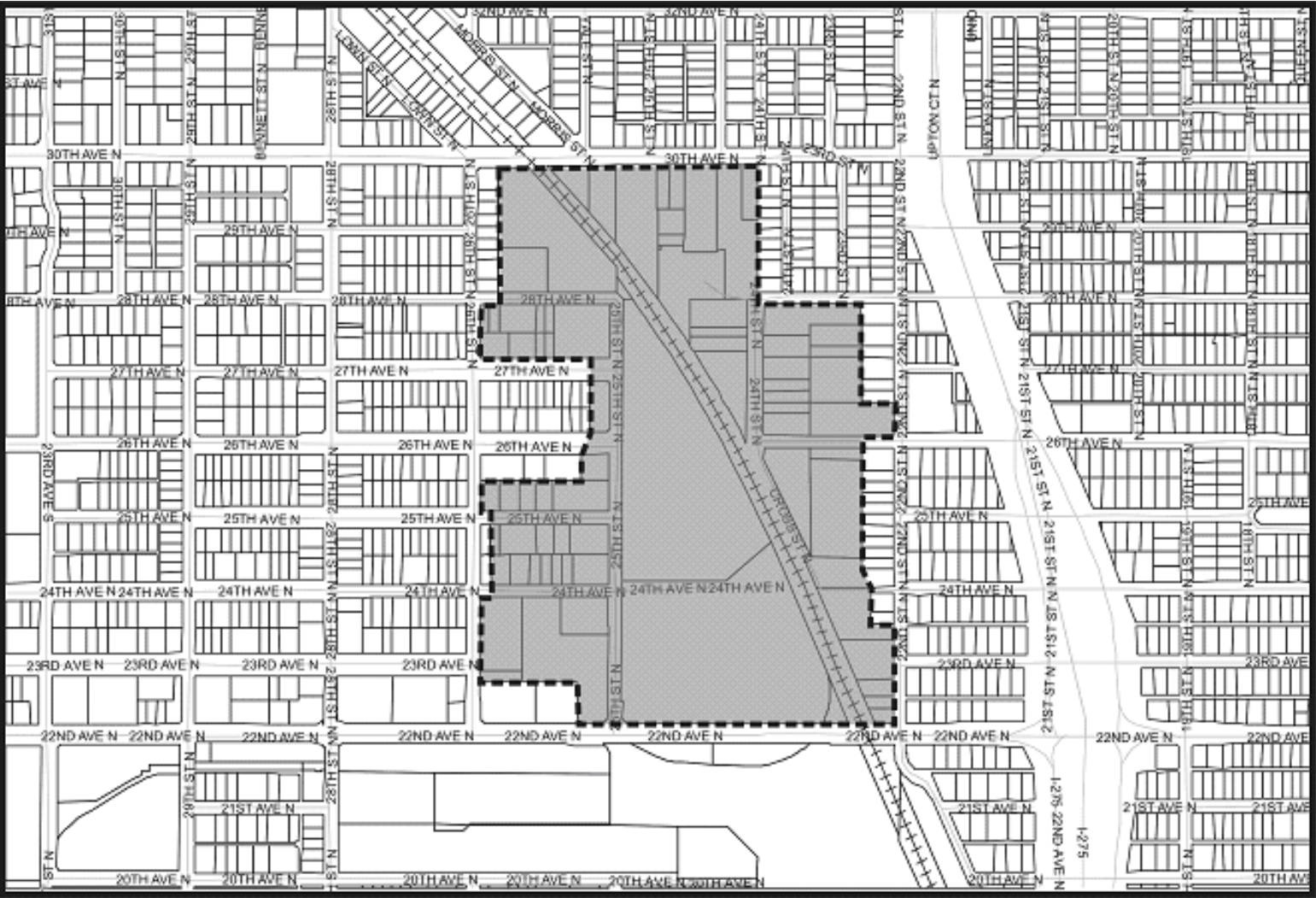


Illustration 1
IT-ZONED PROPERTIES
EXEMPT FROM LANDSCAPING REQUIREMENT

(Code 1992, § 16.40.040.3; Ord. No. 985-G, §§ 45—47, 7-15-2010)

SECTION 16.40.100. PARKING, ENFORCEMENT

Sections:

16.40.100.1. Applicability.

This section establishes regulations for approved parking areas in neighborhood zoning districts; parking, placing or storing of passenger motor vehicles, domestic equipment and commercial equipment on residentially zoned property; storage of cargo and equipment on residentially zoned property; and fines.

(Code 1992, § 16.40.100.1)

16.40.100.2. Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Apron or driveway apron means the curb cut and vehicular use surface area installed with a legal permit, maintained in compliance with City standards, located in the right-of-way and providing vehicular access from the street onto a private lot.

Cited means to receive a notice to appear that notifies the person named of the existence of an ordinance violation, identifies the amount of the fine, and directs the person named to pay the fine amount or appear in county court or before the Code Enforcement Board at a specified time and date.

Commercial means of or pertaining to an activity, work, raw material, finished good, manufacturing equipment, or services that are:

1. Intended for marketing or service to the public;
2. Supported by advertising;
3. Emphasizing tangible profit; or
4. Done or made for financial gain.

Commercial equipment means equipment which has been designed or is used for a commercial or industrial function and includes:

1. Equipment able to be licensed for use on streets, including but not limited to semi-tractor trucks, semi-trailers, step vans, box trucks, panel trucks, flat bed and stake bed trucks, tow trucks, wreckers, dump trucks, bucket trucks and car carriers;
2. Other equipment, including but not limited to front-loaders, bulldozers, cranes, trenchers, stump grinders, brush shredders, bobcats, bush-hogs, tractors, cement mixers, tar wagons/pots or street vendor carts;
3. Equipment designed or structurally altered specifically to tow, store or carry four-wheeled motor vehicles, advertising or signage (other than commercial lettering applied to the body of the main vehicle);
4. Equipment used as a platform for, or that transports, carries or stores materials or equipment, including but not limited to one or more lifts, derricks, hoists, booms, cranes, racks, fifth wheels, gas or

chemical tanks, generators, pumps, tool boxes, building materials, or yard maintenance power tools and mowers, that are visible from the exterior of the commercial equipment, and which are designed, serve or are used for a commercial or industrial purpose; or

5. Equipment that transports persons or things, including but not limited to limousines, hearses, school vans or buses, church vans or buses, trailers, and similar transportation equipment which bears lettering or advertising identifying the owner or lessee.

Conducting business means the conduct or performance by the property owner or their authorized agent of repair or maintenance to the premises, structures, landscaping, or other legal facilities located on the property which requires the active, continuous employment of a vehicle to accomplish the repair or maintenance. The term "conducting business" does not include the improper parking, placement or storage of one or more passenger vehicles for purposes of: protection of the assets; convenience; unloading household goods; or increasing available space on driveways, parking areas, the rights-of-way, or the street.

Day means the 24-hour period from 12:00 midnight to 12:00 midnight.

Domestic equipment means:

1. Equipment which is accessory to residential single household activity, designed for or modified to be used for recreational, water sport, camping, travel, or household utility applications, and not designed, used or intended to be used for commercial or industrial purposes. This definition does not include mobile homes as defined by Florida Statutes. Domestic equipment also means all portable structures built on a chassis with wheels and either self-propelled or towable by a motor vehicle, including but not limited to: motor homes, campers, travel trailers, recreational vehicles, pick-up campers, tent trailers, and pop-out campers. Domestic equipment also includes but is not limited to four wheeled motorized carts, houseboats, boats, jet skis, any trailers specifically designed to transport or carry one or more pieces of domestic equipment, and utility trailers.
2. The term "domestic equipment" does not include a passenger motor vehicle unless the passenger motor vehicle has been designed for or modified to be used as domestic equipment. A passenger motor vehicle will be considered domestic equipment for purposes of this Code if any of the following is present:
 - a) The vehicle is registered as a recreational vehicle in any state.
 - b) The vehicle has been outfitted with, has installed, or is actively operating: external air conditioning units, solar panels which are not part of the body of the vehicle or otherwise within the normal unaltered lines of a vehicle, deployed tents or awning, generators, water tanks, clothes lines, or any combination of the foregoing.

Driveway means a vehicular use surface area on the private lot immediately contiguous to the driveway apron and providing a parking and driving surface for vehicular access directly from the right-of-way apron onto the private lot.

Fully enclosed structure means a structure that was constructed under permits and received approved final permit inspections with four walls, a roof and doors that are kept closed and latched. The four walls must extend from the foundation floor to the roof of the structure. A fully enclosed structure does not include a carport or other accessory structure that allows the contents therein to be observed from outside the structure other than when viewed through a window.

Industrial means of or pertaining to the commercial production, provision or sale of goods or services.

Irreparable means the condition is incapable of being remedied, as the harm sought to be prevented has already occurred.

Legally recognized means designed, installed and maintained in accordance with standards approved by the POD, or in accordance with a previously approved site plan or otherwise legally permitted installation that has received an approved final inspection, and is located on a residential lot with an active primary residential use.

Parking area means a parking area providing an extension of the parking surface provided by the main driveway which is contiguous to the legally recognized driveway or driveway apron, confined to the private lot, designed, installed and maintained in accordance with standards approved by the POD or in accordance with a previously approved site plan or otherwise legally permitted installation that has received a City-approved final inspection.

Passenger motor vehicle includes all vehicles designed and licensed for use on the public roadways of 24 feet or less in overall length and nine feet or less in overall height, used to transport persons or property and propelled by power other than muscular power, and shall include motorcycles, mopeds and passenger motor vehicles originally designed or intended for use on the public roadways whether or not operated on the roads of the state, but shall not include vehicles propelled by muscular power such as bicycles or tricycles.

Permeable with regard to approved parking surfaces shall mean a surface made of organic mulch or other material approved by the POD that allows the absorption of storm water through the surface into the underlying soil.

Temporary or temporarily describes an event of less than four hours duration that occurs no more than one time in any seven consecutive day period.

Transient in nature means that a condition exists on a temporary, periodic, or non-permanent basis.

(Code 1992, § 16.40.100.2; Ord. No. 567-H, § 1, 1-18-2024)

16.40.100.3. Legally recognized parking areas.

- A. All passenger motor vehicles located in the required front or street side yards of residentially zoned property or on property used for residential use must be placed, stored, parked, stopped or located on a legally recognized driveway or parking area, or on a legally recognized permeable parking area.
- B. Failure to construct and continuously maintain aprons, driveways and approved parking areas in compliance with all location, dimensional and materials requirements of the code is a violation of the Code.
- C. Regardless of whether the surface materials were installed before or after the effective date of this section, failure to comply with any of the following maintenance requirements regarding aprons, driveways and parking areas is a violation of the Code.
 - 1. Surface materials must be installed to cover an area sufficient to accommodate the wheels of vehicles driving and parking on the surface.
 - 2. If the surface is concrete paver, brick, turf block or similar surface material, the pieces must be whole (unbroken) pieces installed so that edges of pieces are level with edges of the adjacent pieces.
 - 3. If the surface is asphalt or poured concrete, the surface must be maintained in good condition and repair with no cracks or voids larger than one inch.
 - 4. If the surface is loose material such as mulch, rock or gravel, the material must be homogenous, must be installed with at least a four-inch depth of material, must be free of voids in the material, and must be maintained in a manner which prevents washing out or scattering of the material into the private yard or right-of-way. Use of wood landscaping border timbers or other border material approved by the POD is required to contain the material.

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5. Where any aprons, driveways, and parking surfaces abut sidewalks, other pedestrian walkways, curbs or aprons, surfaces must be maintained so that they are level with the walking or driving surface, or in the case of a curb must be level with the highest part of the curb.
 6. Aprons, driveways and parking surfaces, with the exception of turf block surfaces, must be maintained free of any vegetation growing in, onto, or through the surface material and any border materials. The turf grass that may grow through turf block shall not exceed ten inches in height above the block surface.
- D. Legally constructed driveways and parking areas in existence prior to the effective date of this section which do not comply with the regulations of this section must be brought into full compliance with this section.
- E. Any apron originally constructed with organic mulch, rock, gravel, concrete, brick, asphalt, turf block or other material that does not comply with current requirements for right-of-way surfaces must be brought into full compliance with the current requirements when any of the following exists:
1. The components, including surfaces and border materials of the apron, have not been continuously maintained in good condition and repair.
 2. There are voids or deterioration in the surface or border materials.
 3. The components allow washing out or scattering of surface materials from the apron area into the yard or right-of-way.
 4. The dimension of the apron running parallel to the street is wider than 20 feet at any point in the right-of-way.

(Code 1992, § 16.40.100.3)

16.40.100.4. Passenger motor vehicles parked, placed, or stored on neighborhood zoned property.

- A. No person shall park, allow to be parked, place, allow to be placed, store, or allow to be stored a passenger motor vehicle on neighborhood zoned property in the required front yard or street side yard other than on a legally recognized driveway or parking area or on a legally recognized and maintained permeable parking area. The passenger motor vehicle shall not impede visibility for motorists and shall not block any portion of the public sidewalk or roadway. Parking, placement or storage of a passenger motor vehicle on any other portion of the front yard or street side yard is prohibited.
- B. Each passenger motor vehicle observed in violation of this section is a separate violation subject to a separate fine and each day that the observed violation continues to exist is a separate violation subject to a separate fine.
- C. The following circumstances will not constitute a violation of this subsection:
1. Passenger motor vehicles parked or placed within a legally constructed, fully enclosed garage or carport;
 2. Passenger motor vehicles temporarily parked on the front yard or street side yard for the purposes of conducting business. The person responsible for parking the vehicle must be legally permitted to conduct business on the property; or,
 3. Police or fire vehicles, ambulances or other government or quasi-government emergency vehicles when the persons responsible for the vehicles are conducting official business.
- D. Approval for the short term placement, storage, parking, stopping, or location of passenger vehicles in the required front and street side yard of residentially zoned property may be granted by the POD for good

cause shown and for a time period not to exceed 90 days within any consecutive 12-month period. Applications for such parking permit must be submitted in writing to the POD, and accompanied by the written consent of the owner holding title to each property contiguous to the applicant's property. For this permit to be effective, the permit must be displayed on the property and clearly visible from the street or in any other manner set forth in the permit.

(Code 1992, § 16.40.100.4)

16.40.100.5. Domestic equipment parked, placed, or stored on neighborhood zoned property.

- A. No person shall park, allow to be parked, place, allow to be placed, store, or allow to be stored more than two pieces of domestic equipment on neighborhood zoned property outside a legally constructed fully enclosed structure. Any domestic equipment parked, placed, or stored on neighborhood zoned property outside a fully enclosed structure shall not exceed 35 feet in overall length, shall not exceed eight feet in width and shall not exceed 12 feet in overall height. Whenever a piece of domestic equipment is parked, placed or stored on a trailer specifically designed to transport or carry the domestic equipment, this condition shall be counted as one piece of domestic equipment for purposes of this subsection.
- B. Domestic equipment may be parked, placed or stored inside any legally constructed fully enclosed structure which meets the regulatory requirements of the zoning district.
- C. A person may park, place or store up to two pieces of domestic equipment outside a fully enclosed structure provided all of the following conditions are met:
 - 1. The equipment is parked, placed or stored in the rear yard, in the interior side yard, or in the allowable buildable area for a principal or accessory structure; however, it shall not be parked, placed or stored in the front yard, in the street side yard, or in the buildable area to the front of the principal structure.
 - 2. When parked, placed or stored within any buildable area between the street side yard and the side of the principal structure, or within 50 feet of any street right-of-way, measured from the edge of the traveled road bed, equipment must be shielded from view from the street right-of-way by a solid six-foot high fence. Any portion of the required six-foot high shielding may also be accomplished with maintained vegetation forming a solid hedge. Any gate used to comply with this shielding requirement must also be solid, six feet high, and be kept closed whenever the equipment is not being moved through the gate. When any shielding is required, it must be located on the property where the equipment is stored, and the location, height and construction of the shielding must comply with all applicable ordinances and laws.
 - 3. When parked, placed or stored adjacent to an alley, the equipment must not impede the visibility for vehicles entering the alley from adjacent driveways.
 - 4. No equipment shall be in a waterfront yard except one boat is allowed to be placed or stored within any waterfront yard only when provisions exist to place the boat directly in the water from its location or storage place.
 - 5. Equipment cannot obstruct any door, window or other opening of a dwelling which provides light, air, entrance to or exit from a dwelling.
 - 6. Equipment must be in sound condition, good repair and free of deterioration or damage.
- D. Limited exceptions: On the following days and times, domestic equipment may be temporarily parked or placed to the front of the principal structure or outside of any required shielding on private property, provided the equipment does not impede visibility for motorists and does not block any portion of the public sidewalk or roadway:

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1. From Monday 8:00 a.m. through Thursday 4:00 p.m. for no more than four consecutive hours, and
 2. From Thursday, 4:00 p.m. until Monday 8:00 a.m.
- E. Each item of domestic equipment observed in violation of this section is a separate violation subject to a separate fine and each day that the observed violation continues to exist is a separate violation subject to a separate fine.
- F. If any piece of domestic equipment is fitted with liquefied petroleum gas or other volatile liquid containers, such containers shall meet all local, state, and federal standards. In the event that leakage is detected from such container, immediate corrective action must be taken by the property owner or equipment owner to make proper and safe repairs.

(Code 1992, § 16.40.100.5; Ord. No. 287-H, § 36, 7-20-2017)

16.40.100.6. Commercial equipment parked, placed, or stored on neighborhood zoned property.

- A. No person shall park, allow to be parked, place, allow to be placed, store, or allow to be stored any commercial equipment on a neighborhood or commercial residential traditional zoned property except as follows:
1. Temporarily parking for the purpose of loading or unloading, but only for the time it takes to load or unload.
 2. Being parked, placed or stored in a legally constructed fully enclosed structure which meets the regulatory requirements for the zoning district.
 3. Temporarily parking a commercial motor vehicle on a residential lot on a legally recognized parking area for no more than 30 minutes during the normal lunch hours of 11:00 a.m. to 2:00 p.m. weekdays Monday through Friday, not to exceed one 30-minute period per 24-hour day, and provided it is properly licensed to be driven on the public roadway, is being driven by the owner or occupant of the residential lot, is not located in the visibility triangle and does not block any portion of the public sidewalk or roadway.
 4. Temporarily parking in a legal on-street parking space when the equipment is a motor vehicle which meets all of the conditions in the following subsection, provided such parking is in compliance with all other applicable ordinances and laws.
 5. For each dwelling unit on a residential lot, one piece of commercial equipment designed as a limousine, hearse, passenger van, conversion van, pickup truck, sport utility vehicle, car or similar motor vehicle is allowed to be parked on each residential lot, provided all of the following conditions are met:
 - a. The vehicle does not display commercial identification lettering or advertising covering in excess of 50 percent of the visible surface area of the body of the vehicle as can be observed standing at ground level immediately adjacent to the vehicle;
 - b. Any visible materials or equipment carried or installed on the vehicle must be materials or equipment that are normally used for single household, non-commercial applications and purposes, and comply with codes governing domestic equipment;
 - c. The vehicle including carried or installed materials or equipment does not exceed nine feet in overall height;

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- d. The vehicle including carried or installed materials or equipment does not exceed 22 feet in overall length; and,
 - e. The vehicle is in sound condition, good repair, free of deterioration or damage, is properly licensed for use on the public roadways and is parked, placed or stored in accordance with codes governing passenger motor vehicles.
6. For each dwelling unit on a residential lot, in addition to the exception set forth above, one piece of equipment from each of the two following categories is allowed to be parked, placed or stored on the residential lot, provided the described conditions are met:
- a. Properly licensed emergency or government service passenger motor vehicle designed as a van, pickup truck, sport utility vehicle, car or motorcycle such as law enforcement, fire or municipal fleet vehicles, provided the vehicle is parked in accordance with section 16.40.100.4.
 - b. Motorized riding lawn mower provided it is used for single household residential purposes and provided it is parked, placed or stored in accordance with codes governing domestic equipment.
- B. Each item of commercial equipment observed in violation of this section is a separate violation subject to a separate fine and each day that the violation continues to exist is a separate violation subject to a separate fine.

(Code 1992, § 16.40.100.6; Ord. No. 876-G, § 36, 2-21-2008; Ord. No. 567-H, § 2, 1-18-2024)

16.40.100.7. Cargo or equipment storage on neighborhood zoned property.

All exterior storage of cargo equipment or other material, including but not limited to junk, rubbish, vegetation cuttings, and construction debris, placed or stored on any self propelled vehicle designed and licensed for use on the public roadways or on a trailer shall be contained entirely within the body panels of the vehicle or trailer or covered with a substantial tarpaulin or other shielding material which meets industry standards, such that the cargo, equipment or other stored material is completely shielded from view at all times when such vehicle or trailer is located on residentially zoned property or on the public right-of-way adjacent to residentially zoned property.

(Code 1992, § 16.40.100.7)

16.40.100.8. Violations and fines.

- A. The amount of the fine for violations of this section is as follows:

For the first violation of this section	\$100.00
For the second violation within a year of a first violation	175.00
For a third violation within a year of a previous violation	250.00
For a fourth and all subsequent violations within a year of a previous violation	500.00

- B. A violation of this section is transient in nature and irreparable. The owner of the property, the person in possession or control of the property, the owner of the passenger motor vehicle or domestic or commercial equipment, and the person in possession or control of the passenger motor vehicle or domestic commercial equipment may be cited immediately upon observation of the violation. The passenger motor vehicle or domestic commercial equipment shall be permanently removed from the front yard or street side yard within 24 hours of being cited.

(Code 1992, § 16.40.100.8)

SECTION 16.40.060. LANDSCAPING AND IRRIGATION; TREE PROTECTION¹

Sections:

16.40.060.1. Purpose and incentives.

16.40.060.1.1. Purpose.

The purpose of this section is to improve the appearance, environment, character and value of the total urban area within the City by protecting, promoting and maintaining a healthy, diverse and mature canopy of native and naturalized hardwood and evergreen tree species and by requiring the installation and maintenance of vegetation in a manner which conserves water.

Implementation of these requirements reduces water consumption, stormwater runoff, impervious surface area, 'heat island' effects, paved surfaces, vehicular use areas and the visual impact of large building masses; increases the urban canopy, improves environmental and water quality, provides a more pedestrian friendly environment, and enhances the overall aesthetic appearance and value of the City, thereby promoting the public health, safety and general welfare. Water conservation shall be achieved by the selection of appropriate plant materials, the removal of nuisance and invasive vegetation, the use of water-efficient landscaping and irrigation systems, the use of low impact development landscape designs and appropriate maintenance.

It is also the intention of this section to encourage the design and use of plant materials which reduce watering requirements, for example, with less St. Augustine sod and with more planting beds of drought tolerant plant materials. To that end, this section provides incentives for increasing the use of drought tolerant sod or planting beds and decreasing the use of St. Augustine sod.

(Code 1992, § 16.40.060.1; Ord. No. 934-G, § 1(16.40.60.1.1), 7-23-2009; Ord. No. 195-H, § 1, 9-17-2015)

16.40.060.1.2. Interpretations and definitions.

For the purposes of this section only:

Landscaping, landscape and landscape materials shall include any kind of vegetation and shall be used interchangeably unless the context clearly contemplates otherwise.

Multifamily is defined in the Use Permissions and Parking Matrix.

Non-residential shall mean any use other than multifamily and one- and two-unit residential properties.

Streetscape plan shall mean a plan approved by the POD for the right-of-way of an area of the City.

All landscape materials shall comply with the visibility at intersection requirements.

(Ord. No. 195-H, § 1, 9-17-2015)

¹Editor's note(s)—Ord. No. 195-H, § 1, adopted Sept. 17, 2015, changed the title of § 16.40.060 from "Landscape and Irrigation" to "Landscape and Irrigation; Tree Protection."

Editor's note(s)—Ord. No. 195-H, § 1, adopted Sept. 17, 2015, renumbered the former § 16.40.060.1.2 as § 16.40.060.1.3 and enacted a new § 16.40.060.1.2 as set out herein. The historical notation has been retained with the amended provisions for reference purposes.

16.40.060.1.3. Ground cover incentives.

- A. Non-residential, multifamily and residential construction permit applications are eligible for a partial refund of the permit fees if the landscaping as installed does not include any St. Augustine sod.
 - 1. For new one- and two-unit residential construction, the City will refund \$150.00 of the permit fee paid.
 - 2. For non-residential and multifamily construction, the City will refund \$300.00 of the permit fee paid.
 - 3. The determination of the eligibility for the refund shall be made upon the final inspection by the City.
- B. Non-residential and multifamily construction permit applications are eligible for a waiver of the following landscape requirements if the landscape plan does not include any St. Augustine sod. A condition of the permit approval shall be that St. Augustine sod shall not be planted, or allowed to grow, on the permitted property.
 - 1. For non-residential or multifamily construction, one required interior landscape island shall be waived.

(Ord. No. 934-G, § 1(16.40.60.1.2), 7-23-2009; Ord. No. 195-H, § 1, 9-17-2015)

Note(s)—See the editor's note to § 16.40.060.1.2.

16.40.060.2. Landscaping and irrigation.

16.40.060.2.1. Landscaping.

Existing Florida-native plant material shall be given priority for preservation in the development and redevelopment of a property and existing healthy native trees and palms and other vegetation should be protected and preserved, and integrated into landscape plans.

(Ord. No. 195-H, § 1, 9-17-2015)

16.40.060.2.1.1. Development and redevelopment of new one- and two-unit residential properties.

New one- and two-unit residential properties shall meet the following landscape requirements prior to issuance of the certificate of occupancy:

- 1. A minimum of two shade trees shall be located on the lot. The POD may allow one understory tree to be substituted for one shade tree where there are site constraints such as, but not limited to, existing above ground or underground utilities or the presence of tree canopy from adjacent properties that limit the available shade tree planting area.
- 2. A minimum of ten shrubs, accent plants or ornamental grasses a minimum of 18 inches in height, shall be located in the front yard.
- 3. Existing protected vegetation shall be eligible to meet this requirement.
- 4. Each property shall have an irrigation system for all landscaped areas.

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5. All required yards not abutting streets shall be maintained as permeable landscaped vegetative green space with the exception of driveways, walks, patios and similar paved areas and non-organic mulch areas.
 6. When the property exceeds the minimum lot size requirements of the zoning district, the tree requirements herein shall be increased proportionally based on the size of the property or portion thereof in excess of the minimum. For example, the minimum lot size in NT-1 is currently 5,800 square feet and requires two approved trees. If the property is 11,600 square feet, this would be equivalent to two lots of minimum lot size and therefore four approved trees would be required.
 7. Variances. The approval of any variance shall be conditioned on installation and maintenance of the greatest amount of required landscaping determined to be reasonable.

(Code 1992, § 16.40.060.2.1.3; Ord. No. 149-H, § 2, 12-18-2014; Ord. No. 195-H, § 1, 9-17-2015)

Editor's note(s)—Ord. No. 195-H, § 1, adopted Sept. 17, 2015, renumbered the former § 16.40.060.2.1.3 as § 16.40.060.2.1.1 as set out herein. The historical notation has been retained with the amended provisions for reference purposes.

16.40.060.2.1.2. Additional requirements for new and existing one- and two-unit residential properties.

- A. *Required permeable green space for yards abutting streets.* Required front yards and required side yards abutting streets shall be maintained as permeable landscaped vegetative green space with the exception of driveways, walks, patios and similar paved areas and non-organic mulch areas, which areas combined shall not exceed 25 percent of the required yard area for corner lots and 45 percent of the required yard area for inside lots. Facilities constructed to achieve compliance with ADA requirements shall be exempt from this surface calculation. Yards abutting streets which do not conform to the provisions herein and which existed as of August 25, 1977, are grandfathered and exempt from this subsection.
- B. *Ground cover, private property.* Permeable portions of private property including required yards shall be maintained with an herbaceous layer of sod or ground cover plant material. Installation of St. Augustine sod turf at a property with a new structure which receives construction permits is limited to a maximum of 50 percent of the permeable area of the lot.
- C. *Ground cover, rights-of-way.* Permeable portions within the adjoining rights-of-way shall be maintained in accordance with an approved streetscape plan or, where an approved streetscape plan does not exist, with an herbaceous layer of sod or ground cover plant material. Where landscaping material is used in the right-of-way within four feet of the curb or road edge and there is no approved landscape plan, the landscaping materials, excluding sod, shall not exceed 24 inches in height above the top of the adjacent curb, or if there is no curb, the road bed, provided that the landscaping material does not result in a hazard or impairment to public vehicular or pedestrian traffic or violate the visibility at intersection section.
- D. *Mulch.* Organic mulch is a beneficial addition to landscaping in many situations including providing a surface covering under shrubs, or where ground cover material is maturing. The intention of these regulations is to allow mulch within a landscape design while not allowing an entire yard to only be covered with mulch. The use of cypress mulch is discouraged.
 1. *Installation standards.* Where used in lieu of sod or ground cover plant material, mulch shall be placed to a minimum depth of three inches. The top level of the mulch shall not exceed the height of the immediately adjacent ground surface. Mulch shall not be placed directly against a plant stem or tree trunk. Non-organic mulch including rubber, decorative gravel or crushed stone shall be allowed only in planting areas (e.g., in gardens or hedge areas).

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2. *Limits on installation on one- and two-unit residential properties.*
 - a. Organic mulch may be used without limit underneath shrubs and trees, provided the shrubs and trees or a combination thereof are planted and maintained at a cumulative ratio of at least one shrub or tree, planted within the mulch per each ten square feet of organic mulched area;
 - b. No more than 50 percent of the required front and street side yard may be covered with mulch;
 - c. Where a mulch parking surface has been permitted pursuant to the parking and loading design section, a separation consisting of an herbaceous layer of sod or ground cover of not less than eight feet in width shall be provided between the parking area and any adjacent mulch area allowed pursuant to this section.
 3. *Limits on installation in rights-of-way.* Organic mulch may be used in permeable areas of the right-of-way to keep moisture in the soil while other forms of approved ground cover plant material are maturing. Mulch is prohibited within four feet of the curb or road edge if there is no curb. Mulch in the right-of-way must be contained within borders sufficient to prevent flotation of mulch into the roadway. With the exception of permitted driveway or sidewalk materials, the use of shell, rock or other similar hardened non-organic mulch in the right-of-way is prohibited.
 - E. *Irrigation, existing one- and two-unit residential properties.* A permanent irrigation system is not required for existing one- and two-unit residential properties; however, where one is installed, it shall be designed to avoid runoff, overspray or other similar conditions where water flows onto or over adjacent property, non-irrigated areas, walkways, roadways or structures. Irrigation systems shall be maintained so there are no broken irrigation heads or leaks. Automatic sprinkler systems shall install a rain sensor device or switch which will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred.
 - F. *Vegetation, existing one- and two-unit residential properties.* Any one- or two-unit residential property that meets or exceeds the tree and/or shrub standards set forth in the previous section for new one or two unit residential properties, shall maintain the minimum standards for the property. This does not mean that existing one- or two-unit residential properties that do not meet the requirements set forth in the previous section for new one- or two-unit residential properties are required to install vegetation to meet those requirements.
 - G. *Landscaping adjacent to mechanical equipment on site.* Mechanical equipment, (e.g. backflow preventers, utility cabinets, air conditioners, etc.) visible from streets, excluding alleys, shall be landscaped with a continuous hedge comprised of shrubs planted no more than 30 inches on center or a decorative fence or architectural feature if the location is inadequate for landscape (e.g. too small, insufficient light). Landscaping shall be installed no less than three feet from the equipment to allow for access, maintenance and required air flow.
 - H. *Landscaping adjacent to fences, walls, or dumpster enclosures.* The exterior of any opaque fence or wall which exceeds 150 linear feet in length, visible from any street (not alley) shall be landscaped with a minimum of one shrub for every three linear feet and one under-story tree for every 25 linear feet.
 - I. Decorative objects, including, but not limited to, rocks and planter beds, shall not be located within four feet of the curb of the street or where there is no curb, the road edge.

(Code 1992, § 16.40.060.2.1.4; Ord. No. 893-G, § 44(16.40.060.2.1.4), 9-4-2008; Ord. No. 9347-G, § 3, 7-23-2009; Ord. No. 149-H, § 3, 12-18-2014; Ord. No. 195-H, § 1, 9-17-2015; Ord. No. 287-H, § 13, 7-20-2017)

Editor's note(s)—Ord. No. 195-H, § 1, adopted Sept. 17, 2015, renumbered the former § 16.40.060.2.1.4 as § 16.40.060.2.1.2 as set out herein. The historical notation has been retained with the amended provisions for reference purposes.

16.40.060.2.1.3. Development and redevelopment of non-residential and multi-family property.

A. *Applicability.* The following requirements shall apply to all development and redevelopment of non-residential and multi-family properties:

1. *Development* means for the purposes of this section, the construction of a new building or any new parking area.
2. *Redevelopment* means for the purposes of this section, any proposed construction which:
 - a. Requires Development Review Commission, Community Planning and Preservation Commission, or Community Redevelopment Agency review and approval;
 - b. Requires additional parking;
 - c. Seeks to expand the gross floor area of an existing building by more than 15 percent; or
 - d. Requires a building permit based on the value for interior or exterior work or a combination thereof, equal to or exceeding the percentage shown in the following table (the term "appraised value" means the total value for ad valorem tax purposes according to the Property Appraiser of Pinellas County, Florida):

Total redevelopment cost of project as a percentage of total appraised value	Total appraised value of land and structure
50 percent	Less than \$50,000.00
45 percent	\$50,000.00 to \$99,999.00
40 percent	\$100,000.00 to \$149,999.00
35 percent	\$150,000.00 to \$199,999.00
30 percent	\$200,000.00 to \$249,999.00
25 percent	\$250,000.00 or more

2. Existing properties which do not have an approved landscape plan and which perform exterior (building, site, or a combination thereof) work that requires a permit from the City, but which do not meet the definition of "development" or "redevelopment" shall provide landscaping which is at least ten percent of the value of the permitted work. These landscape materials shall meet one or more of the landscape specifications in this section. A landscape permit is required.

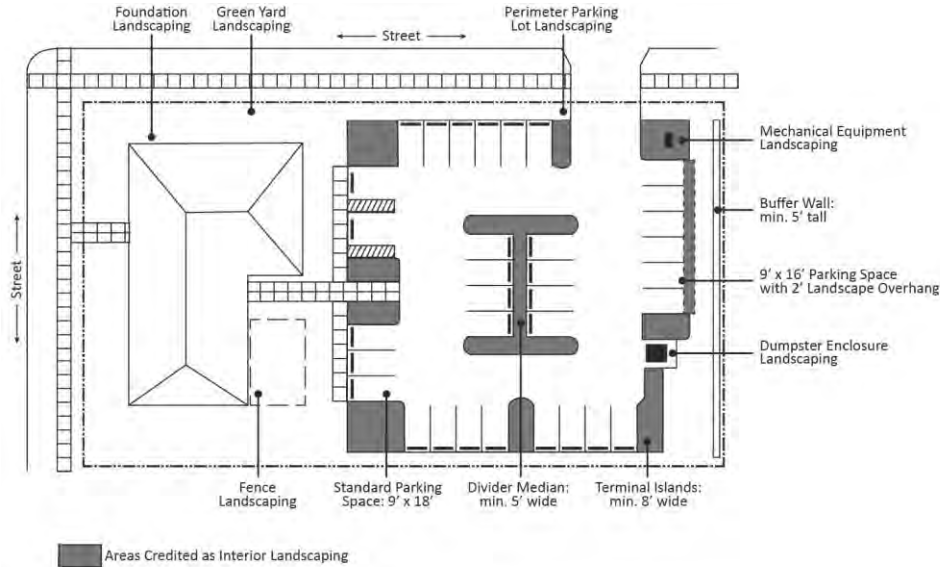
B. *Landscape permit required.* A landscape permit is required for the alteration, installation or replacement of any landscape required by this section. For the purposes of this section, alteration means any modification to existing landscaping which was required as part of a previously approved landscape plan or is necessary to meet the minimum standards of the Code. A permit is not required to replace dead landscaping materials with like materials unless a tree removal permit is required.

1. A landscape plan shall be submitted in accordance with this section.
2. An irrigation plan showing the use of an automatic low-volume irrigation system designed specifically for the proposed landscape installation shall also be provided. This plan shall include a site plan using a readable and defined scale, illustrating the proposed irrigation zones and delineating micro-irrigation zones and areas utilizing irrigation techniques other than micro-irrigation.

C. *Installation of landscape materials.* Installation of landscape materials shall be in accordance with the approved landscape plan and shall be installed in a sound, workmanlike manner and in accordance with ANSI A300 Standards.

D. *Minimum landscape requirements.*

Minimum Landscape Requirements



*This diagram is intended to provide an illustrative view of these regulations. Property owners are advised to contact the City to verify interpretation of the City Codes as applied to a specific property.

1. *Green yard, exterior.* Green yards shall be provided in all yards abutting streets. Except for surface parking lots, if the required front yard (setback) is smaller than the required green yard, the required green yard shall be the depth of the required front yard. For sites with irregular frontage, the POD may allow the green yard to vary in width, but it shall extend for the entire frontage and provide the equivalent square feet of green yard along the same frontage. Green yards shall be landscaped as follows:

Site location/ zoning	Required green yard depth for all abutting streets (not alleys)	Minimum required tree landscaping (per linear ft. of property frontage)
DC-C, DC-1, DC-2, DC-3, DC-P, CCT-1, CCT-2, CRT-1, CRT-2	5 ft.	1 shade tree per 35 linear ft. or fraction above half thereof
EC	20 ft. on major streets, 10 ft. on other streets.	1 shade tree and 1 understory tree per 30 linear ft. or fraction above half thereof
All other districts	10 ft.	2 shade trees per 50 linear ft. or fraction above half thereof

2. *Green yard, interior.* Interior green yards, when not abutting vehicular use areas, shall be provided along all interior property lines and property lines abutting alleys. The minimum width of all interior green yards shall be five feet unless the required side or rear yard is smaller, in which case the required green yard shall be the depth of the required interior side or rear yard. A minimum of one shade tree per 50 linear feet or fraction above half thereof is required. Under-story trees may be substituted for shade trees on a 1½ for one basis. The POD may allow the interior green yards to vary in width if

additional green yards are expanded to provide the equivalent square footage of green yards on the site.

3. *Foundation landscaping.*

- a. A minimum of one foundation plant is required for each three linear feet, and one under-story tree is required for each 30 linear feet (or portion thereof), of the exterior building perimeter. Foundation plantings may be comprised of shrubs, accent plants, ornamental grasses, and ground cover in any combination; provided that no less than 50 percent of the total required materials are shrubs, accent plants and/or ornamental grasses.

When calculating the minimum number of required plants, the linear distance of openings for overhead or loading area doors, motor vehicle bays or entrances to the building, or the perimeter of attached or detached canopies shall be excluded. Foundation plants may be planted in groupings so long as the minimum number of required plants is provided. The foundation landscaping shall be required on all building sides except those sides facing an alley. Foundation landscaping shall abut the building (while allowing the necessary space for growth) and shall be used or installed in such a manner so as to screen mechanical equipment attached to or adjacent to the building, provide direction to and enhance entrances and walkways, and provide visual breaks along monotonous building façades.

- b. Properties located within the CRT, CCT and DC-1, D-2, and DC-3 districts. The base of buildings, or portions of buildings, not visible from the street, excluding alleys, are not required to have foundation landscaping. Where reduced building setbacks along streets physically prevent the installation of foundation landscaping, it shall not be required.

4. *Vehicular use landscaping/screening requirements.* Vehicular use areas shall meet the following additional requirements:

- a. *Perimeter parking lot landscaping.* A minimum of one shade tree per 35 linear feet (or portion thereof) shall be planted around the perimeter of vehicular use areas. A continuous hedge comprised of shrubs planted not more than 30 inches on center shall be planted around the perimeter of the vehicular use area. The pervious area for perimeter parking lot landscaping shall be at least five feet in width, measured from the inside of the curb, sidewalk or other paved surface abutting the pervious area. Additional landscaping is not required for the perimeter parts of the vehicular use area adjacent to the building.

- (1) *Properties located within the CRT, CCT, and DC-1, DC-2, and DC-3 districts.* Parking lots or portions of parking lots not visible from the street, excluding alleys, are not required to install perimeter landscaping. Where a parking space is designed perpendicular to the street, excluding alleys, such that the front of the space allows the headlights to shine onto the street, a minimum three-foot high solid masonry wall or decorative fence shall be erected to prohibit headlights from shining onto the streets.

- b. *Interior parking lot landscaping.* Interior parking lot landscaping shall be provided as follows:

- (1) *Required square footage of landscape area.* For all vehicular use areas with more than ten parking spaces, a minimum of ten percent of the vehicular use area shall be devoted to interior landscaping. In calculating this percentage, the area shall include both pervious and impervious portions of the vehicular use area. Terminal and interior islands and divider medians shall be used to comply with required interior parking lot landscaping. For redevelopment of properties in the CRT, CCT, DC1, DC-2, and DC-3 zoning districts, the POD may reduce the required landscape down to 5% where existing site constraints (e.g. insufficient permeable area) make compliance impracticable or where such reduction will allow preservation of existing Protected and/or Grand trees.

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- (2) *Terminal islands.* Each row of parking spaces shall end with terminal islands to separate parking from adjacent drive lanes. Each terminal island shall measure at least eight feet in width by 18 feet in length, measured from the inside of the curb. The POD may reduce the required width by up to three feet (minimum width five feet) where existing site constraints (e.g. small site) make compliance impracticable or where such reduction will allow preservation of existing Protected and/or Grand trees. Within terminal islands, one shade tree shall be required for every 150 square feet (or fraction above one half thereof), with a minimum of one shade tree required per terminal island. Terminal islands shall be landscaped with shrubs, accent plants, ornamental grasses and ground cover, excluding sod, which is planted to provide 100 percent coverage within two years. Landscaping in islands adjacent to parking spaces shall be set back a minimum of two feet behind the back of the curb to provide for pedestrian access to parked vehicles.
- (a) *Properties located within the CRT, CCT and D-1, DC-2 and DC-3 districts.* Parking lots or portions of parking lots not visible from the streets excluding alleys, shall not be required to install terminal islands.
- (3) *Interior islands.* Each interior island shall measure at least eight feet in width by 18 feet in length, measured from the inside of the curb. The POD may reduce the required width by up to three feet (minimum width five feet) where existing site constraints (e.g. small site) make compliance impracticable or where such reduction will allow preservation of existing Protected and/or Grand trees. Interior islands less than five feet in width, measured from the inside of the curb, shall not be credited towards interior landscaping unless a variance is granted. Within interior islands, one shade tree shall be required for every 150 square feet (or fraction above one half thereof), with a minimum of one shade tree required per interior island. Landscaping in islands adjacent to parking spaces shall be set back a minimum of two feet behind the back of the curb to provide for pedestrian access to parked vehicles.
- (4) *Divider medians.* Landscaped divider medians shall form a continuous landscaped strip between abutting rows of parking areas or access drives. The minimum width of a divider median shall be five feet, measured from the inside of the curb. One shade tree or two under-story trees shall be required for each 30 linear feet of divider median (or fraction above one half thereof). Shrubs shall be planted in divider medians which separate parking areas from access drives to form a continuous hedge the full length of the divider median.
- (5) *Tree species diversity.* It is important to provide a mix of tree species on larger sites. When the required number of trees is: less than ten, one or more species shall be provided; less than 20 trees, two or more species shall be provided; more than 20 trees, three or more species shall be provided.
- (6) *Tree placement.* Trees shall not be located adjacent to free-standing sign faces or below wall sign faces where the tree will create a visual obstruction at the time of planting or in the future. Shade trees shall not be located below overhead utility lines where the tree will contact the line at the time of planting or in the future. Shade trees shall not be located over underground utility lines. Clustering of perimeter trees is permitted to prevent the obstruction of sign faces and conflicts with overhead or underground utility lines. The POD may allow required shade trees to be substituted with native palms and/or understory trees on a three per one basis to prevent such conflicts. Where site constraints limit planting of required trees, larger trees at least four-inch minimum dbh, may be substituted for required trees on a two for one basis.
- c. *Curbing.* Nonmountable concrete curbing shall be provided within all parking areas to prevent vehicles from encroaching onto and overhanging required plantings, sidewalks, rights-of-way or

adjacent property. Wheel stops may be substituted at the closed end of parking stalls where they abut required plantings or sidewalks.

- (1) Curbing may be placed within the parking space up to two feet from the closed end of the parking stall. When curbing is utilized, the two-foot-wide strip may be landscaped when abutting green space.
 - (a) Landscaping shall be low-growing to accommodate the vehicular overhang.
 - (b) The landscaped area within the parking space counts toward parking lot interior landscaping requirements and toward any overall site landscaping requirements. However, the landscaped area does not count toward green yard, perimeter landscaping or divider median requirements.
 - (2) Wheel stops shall be located up to two feet from the closed end of the parking stall. Wheel stops shall have a minimum height of six inches above finished grade of the parking area and shall be properly anchored and maintained in good condition.
- d. *Screening abutting residential uses.* Where vehicular use areas abut a one- or two-unit residential property, a minimum five-foot high solid masonry wall or decorative fence shall be installed in such a manner so as to screen the vehicular use area from the adjacent one- or two-unit residential property. Where this wall or fence requirement is applied to properties with existing mature shade trees, the wall or fence may be truncated and supplemented with trees and shrubs to achieve such screening.
- e. *Low Impact Development Landscaping Plan.* A Low Impact Development (LID) Landscaping Plan may be approved by the POD as part of a stormwater management plan in lieu of some of the requirements of this subsection for the area in which it is implemented.
5. *Landscaping adjacent to fences, walls, or dumpster enclosures.* The exterior of any opaque fence, wall, or dumpster enclosure visible from any street shall be landscaped with a minimum of one shrub for every three linear feet and one under-story tree for every 25 linear feet.
6. *Landscaping adjacent to mechanical equipment on site.* Mechanical equipment, (e.g. backflow preventers, utility cabinets, air conditioners, etc.) visible from streets, excluding alleys, shall be landscaped with a continuous hedge comprised of shrubs planted no more than 30 inches on center or a decorative fence or architectural feature if the location is inadequate for landscaping (too small, insufficient light). Landscaping shall be installed no less than three feet from the equipment to allow for access, maintenance and required air flow.
7. *Landscaping within the adjoining rights-of-way.*
 - a. Landscaping within the adjoining rights-of-way shall be provided in accordance with an approved streetscape plan or, where an approved streetscape plan does not exist, plantings shall be comprised of low growing shrubs, accent plants, ornamental grasses, ground cover or sod in any combination. Where landscaping material is used in the right-of-way within four feet of the curb or road edge and there is no approved landscape plan, the plantings, excluding sod, shall not exceed 24 inches in height above the top of the adjacent curb, or if there is no curb, the road bed, provided that the landscape material does not result in a hazard or impairment to vehicular or pedestrian traffic.
 - b. Properties located within the CRT, CCT, and DC-1, DC-2, and DC-3 districts. Within these districts, landscaping shall be provided in accordance with an approved streetscape plan or, where an approved streetscape plan does not exist, in accordance with the following: One shade tree per 30 linear feet. Where there is insufficient permeable area to support tree growth, trees should be planted in tree pits or planting strips. The POD may substitute shade trees with understory trees

or native palms on a three per one basis if shade trees are not site appropriate. Ground cover plantings shall be comprised of shrubs, accent plants, ornamental grasses, ground cover or sod in any combination provided that no less than 25 percent of the total landscape area is planted with low growing shrubs, accent plants, ornamental grasses or ground cover.

8. *Protection of existing specimen trees.*

- a. A percentage of Specimen trees existing on a site, other than properties located within CCT-2, CRT-2 and all DC districts, shall be preserved. The POD may reduce the required percentage by up to 25 percent to allow preservation of one or more Grand trees that are equal to or greater than the required total inches reduced. Existing Specimen trees may be used to satisfy the requirements for planting additional trees as follows: trees 18 inches dbh shall equal one required tree, trees 19 inches—26 inches dbh shall equal two required trees, trees 27 inches—36 inches dbh shall equal three required trees; trees over 36 inches dbh shall equal five required trees. The number of existing specimen trees to be preserved on a site shall be determined as follows:

Total Inches (dbh) of existing specimen trees on site	Minimum percent of inches of existing specimen trees to be preserved
50 or less	50 percent
51—100	40 percent
101—150	30 percent
Greater than 150	25 percent

- b. Existing trees which will remain on the property and which are identified on the landscape plan may satisfy some or all of the required landscaping provided that the trees meet the quantity, applicable species and size requirements. Trees determined to be in decline may not be used to satisfy required landscaping and the POD may require the removal of any tree determined to constitute a safety hazard.
- c. Existing trees to be preserved shall be protected from construction-related impacts by placement of suitable protective barriers, constructed to specifications issued by the POD, which shall remain in place until such time as the removal of the protective barrier is authorized by the POD. It is unlawful for any person to place solvents, material, construction machinery, or temporary or permanent soil deposits within six feet of the trunk or within two-thirds of the drip line, whichever is greater, of any tree identified on the landscape plan which is to remain on the site. No attachments or wires shall be attached to any protected tree. Barricade details shall be shown on the landscape plan and installed prior to the commencement of construction.
- d. Whenever a change of elevation takes place that raises or lowers the ground level elevation at or within the drip line of any existing tree, a method to preserve the existing ground elevation within the drip line shall be utilized. Such methods include but are not limited to tree wells, dry wells, retaining walls and terracing. The method of protection shall be shown on the landscape plan and is subject to approval by the POD. In addition to any other penalties, the direct or indirect destruction of existing trees by failure to comply with appropriate protection during construction shall be a violation of this section. Existing trees which are required to remain on site and are seriously damaged as a result of construction activities during development or work shall be replaced on a 2:1 ratio based on the number of inches at dbh.
9. *Protection of existing native plant communities.*
- a. For vehicular use areas, where healthy, native vegetation exists on a site prior to its development, in part or in whole, the POD may adjust the requirements of this section to allow

credit for such plant material (excluding any sick, topped or damaged trees, or any trees included on the unprotected and prohibited species tree lists) provided that the POD finds such an adjustment is in keeping with and will preserve the intent of this section and provides the equivalent or greater amount of plants or inches dbh of trees.

- b. Native vegetation shall be preserved using the largest contiguous and compact area reasonable. Preserved areas shall be included in the following calculations.
 - (1) For residential and residential mixed-use developments within the coastal high hazard zone greater than 2½ acres and for residential and residential mixed-use developments outside of the coastal high hazard zone greater than 20 acres, not less than 25 percent of the native vegetation shall be preserved.
 - (2) All other types of new development subject to special exception or site plan review shall preserve a portion of the native vegetation. For new development less than five acres, not less than ten percent of the native vegetation shall be preserved. For new development five or more acres, not less than 15 percent of the native vegetation shall be preserved.

(Code 1992, § 16.40.060.2.1.1; Ord. No. 876-G, § 19, 2-21-2008; Ord. No. 893-G, §§ 35, 44(16.40.060.2.1.1), 9-4-2008; Ord. No. 1029-G, § 31, 9-8-2011; Ord. No. 100-H, § 1, 12-19-2013; Ord. No. 195-H, §§ 1, 6, 9-17-2015)

Editor's note(s)—Ord. No. 195-H, § 1, adopted Sept. 17, 2015, renumbered the former § 16.40.060.2.1.1 as § 16.40.060.2.1.3 as set out herein. The historical notation has been retained with the amended provisions for reference purposes.

16.40.060.2.1.4. Additional requirements for new and existing nonresidential and multifamily properties; ground cover, mulch.

- A. Permeable portions of property including required yards shall be maintained with an herbaceous layer of sod or ground cover plant material. Installation of St. Augustine sod at a property with a new structure which receives construction permits is limited to a maximum of ten percent of the permeable area of the property.
- B. Mulch. New and existing nonresidential and multifamily properties shall comply with the same mulch requirements established above for new and existing one- and two-unit residential properties.

(Code 1992, § 16.40.060.2.1.2; Ord. No. 934-G, § 2, 7-23-2009; Ord. No. 195-H, § 1, 9-17-2015)

Editor's note(s)—Ord. No. 195-H, § 1, adopted Sept. 17, 2015, renumbered the former § 16.40.060.2.1.2 as § 16.40.060.2.1.4 as set out herein. The historical notation has been retained with the amended provisions for reference purposes.

16.40.060.2.1.5. Utilities and utility easements.

No person shall plant a tree or shrub in a utility easement. Any vegetation planted in a utility easement shall be herbaceous vegetation and shall not interfere with the use of the easement for utility purposes which includes the maintenance and replacement of underground utilities.

(Code 1992, § 16.40.060.2.1.5; Ord. No. 195-H, § 1, 9-17-2015)

16.40.060.2.1.6. Landscape specifications.

- A. Unless otherwise specified, all landscape materials shall meet the following specifications:

TREES: SHADE								
All required shade trees shall measure a minimum of ten ft. in height and two inches diameter at breast height (dbh) at the time of planting. All shade trees shall be rated Florida Grade No. 1 and selected from the following list.								
Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Cypress, Bald	<i>Taxodium distichum</i>	X	X	X		X	X	X
Elm, Chinese (Drake)	<i>Ulmus parvifolia</i>			X		X		
Elm, florida	<i>Ulmus Americana, var. spp. floridana</i>	X		X		X	X	
Elm, Winged	<i>Ulmus Alata</i>	X	X				X	
Loblolly Bay	<i>Gordonia lasianthus</i>	X		X				X
Magnolia, Southern*	<i>Magnolia grandiflora</i>	X	X				X	X
Magnolia, Sweetbay*	<i>Magnolia virginiana</i>	X		X				X
Maple, Florida	<i>Acer saccharum, "Floridanum"</i>	X		X			X	
Maple, Red	<i>Acer rubrum</i>	X		X				X
Mulberry, Red*	<i>Morus rubra</i>	X	X				X	
Oak, Live	<i>Quercus virginiana</i>	X	X			X	X	
Pine, Long-Leaf	<i>Pinus palustris</i>	X	X			X		
Pine, Slash	<i>Pinus elliotii</i>	X	X			X		
Sugarberry*	<i>Celtis laevigata</i>	X	X				X	
Sweetgum*	<i>Liquidambar styraciflua</i>	X	X				X	
Sycamore	<i>Platanus occidentalis</i>	X	X				X	X
*Tree produces berries or seed pods, which make it an unsuitable choice for locations near parking or sidewalk spaces. Other shade trees identified as Florida Friendly by the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department will be considered (http://fyn.ifas.ufl.edu/pdf/FYN_Plant_Selection_Guide_v090110.pdf).								

TREES: UNDERSTORY								
All required understory trees shall measure a minimum of eight ft. in height and 1.5 inches diameter at breast height (dbh) at the time of planting. All understory trees shall be rated Florida Grade No. 1 and selected from the following list.								
Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Bay, Red	<i>Persea borbonia</i>	X		X		X		
Bay, Silk	<i>Persea humilis</i>	X	X			X		
Bay, Swamp	<i>Persea palustris</i>	X		X			X	
Buttonwood, Green	<i>Conocarpus erectus</i>	X	X				X	
Buttonwood, Silver	<i>Conocarpus erectus "sericeus"</i>	X	X				X	

Cedar, Southern Red	<i>Juniperus virginiana</i>	X	X			X		
Crape Myrtle,	<i>Lagerstroemia indica</i> and any disease resistant varieties		X			X	X	
Hawthorn, Summer	<i>Crataegus flava</i>	X		X			X	
Holly, American	<i>Ilex opaca</i>	X		X		X		
Holly, Dahoon	<i>Ilex cassine</i>	X		X			X	X
Holly, East Palatka	<i>Ilex attenuata</i> "East Palatka"	X	X			X	X	
Holly, Weeping Yaupon	<i>Ilex vomitoria</i> "Pendula"	X		X			X	
Holly, Yaupon	<i>Ilex vomitoria</i>	X		X		X		
Ligustrum	<i>Ligustrum japonicum</i>		X			X		
Magnolia	<i>Magnolia grandiflora</i> , and other dwarf varieties that have a maximum height of fifteen feet			X			X	X
Oak, Sand Live	<i>Quercus virginiana</i> "Geminata"	X	X			X		
Plum, Flatwoods	<i>Prunus umbellata</i>	X		X			X	
Plum, Pigeon	<i>Coccoloba diversifolia</i>	X	X			X		
Plum, Saffron	<i>Bumelia celastrina</i>	X		X			X	
Podocarpus (tree form)	<i>Podocarpus macrophyllus</i>			X			X	
Seagrape (tree form)	<i>Coccoloba uvifera</i>	X	X			X		
Sweet Acacia	<i>Acacia farnesiana</i>	X	X			X		
Wild Olive	<i>Cordia boissieri</i>		X				X	
Other understory trees identified as Florida Friendly by the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department will be considered.								

TREES: PALMS								
All required palm trees shall measure a minimum height of eight feet of clear trunk. Palm trees identified with an * may be substituted on a one for one basis with shade tree planting requirements. Palm trees identified with a + may be substituted on a three for one basis with shade tree planting requirements. No more than 50% of required shade trees may be substituted for palms in vehicular use areas. All palm trees shall be credited on a one for one basis towards understory tree planting requirements. All palms trees shall be rated Florida Grade No. 1 and selected from the following list.								
Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Bismarck Palm*	<i>Bismarckia nobilis</i>		X				X	
Cabbage Palm+	<i>Sabal palmetto</i>	X	X			X	X	

Date Palm, Medjool*	<i>Phoenix dactylifera</i>							
Date Palm, Pygmy	<i>Phoenix roebelenii</i>							
Date Palm, Silver	<i>Phoenix sylvestris</i>							
Fan Palm, Ribbon	<i>Livistona decipiens</i>		X				X	
Foxtail Palm	<i>Wodyetia bifurcata</i>		X				X	
Paurotis Palm	<i>Acoelorrhaphe wrightii</i>	X	X				X	
Pindo Palm	<i>Butia odorata</i>			X			X	
Royal Palm, Cuba*	<i>Roystonea regia</i>			X			X	
Royal Palm, Florida*	<i>Roystonea elata</i>	X		X			X	
Thatch Palm, Florida	<i>Thrinax radiata</i>	X	X			X		
Triangle Palm	<i>Neodypsis decaryi</i>		X				X	
Windmill Palm	<i>Trachycarpus fortunei</i>			X		X		
Other palm trees identified as Florida Friendly by the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department will be considered.								

SHRUBS								
All required shrubs shall measure a minimum of 24 inches in height at the time of planting. Shrubs required to create a hedge shall be planted not more than 30 inches on center. Shrubs shall be rated Florida Grade No. 1 and selected from the following list.								
Common	Scientific	Native	Light requirements			Water requirements		
			<i>sun</i>	<i>mix</i>	<i>shade</i>	<i>low</i>	<i>med</i>	<i>high</i>
Anise, Yellow	<i>Illicium parviflorum</i>	X		X			X	
Buttonwood, Green	<i>Conocarpus erectus</i>	X	X			X		
Buttonwood, Silver	<i>Conocarpus erectus</i> 'sericeus'	X	X			X		
Cocoplum, Redtip	<i>Chrysobalanus icaco</i>	X		X		X		
Firebush	<i>Hamelia patens</i>	X		X		X	X	
Gallberry	<i>Ilex glabra</i>	X		X			X	
Hibiscus	<i>Hibiscus rosa-sinensis</i>		X				X	
Holly, Dwarf Yaupon	<i>Ilex vomitoria</i> "Schilling Dwarf" Dwarf cultivars or varieties	X		X		X		
Ixora	<i>Ixora coccinea</i>		X				X	
Podocarpus	<i>Podocarpus macrophyllus</i>			X		X	X	
Privet, Florida	<i>Forestiera segregata</i>	X	X			X		
Seagrape	<i>Coccoloba uvifera</i>	X	X			X		

Simpson Stopper	<i>Myrcianthes fragrans</i>	X		X			X	
Viburnum, Awabuki	<i>Viburnum odoratissimum</i> "Awabuki"			X			X	
Viburnum, Sandankwa	<i>Viburnum suspensum</i>			X		X	X	
Viburnum, Sweet	<i>Viburnum odoratissimum</i>			X			X	
Viburnum, Walters	<i>Viburnum obovatum</i>	X		X		X	X	
Other shrubs identified as Florida Friendly by the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department will be considered.								

ACCENT (AND MASSING) PLANTS								
All required foundation plants and accent plants shall be a minimum of one gallon nursery specification at the time of planting. Plants shall be rated Florida Grade No. 1 and selected from the following list.								
Common	Scientific	Native	Light requirements			Water requirements		
			sun	mix	shade	low	med	high
Allamanda	<i>Allamanda cathartica</i>		X			X		
Allamanda	<i>Allamanda neriifolia</i>		X			X		
American Beautyberry	<i>Callicarpa americana</i> spp.	X		X			X	
Azalea, Florida Flame	<i>Rhododendron austrinum</i>	X			X		X	
Azalea, Pinxter or Piedmont	<i>Rhododendron canescens</i>	X			X		X	
Florida Bamboo, clumping varieties only	<i>Bambusa</i> spp.		X	X			X	
Azalea	<i>Rhododendron</i> spp.				X		X	
Bird of Paradise	<i>Strelitzia reginae</i>		X				X	
Bougainvillea	<i>Bougainvillea glabra</i>		X			X		
Butterfly Weed	<i>Asclepias tuberosa</i>	X	X			X		
Cardboard Plant	<i>Zamia furfuracea</i>			X		X		
Cast-Iron Plant	<i>Aspidistra elatior</i>				X	X		
Christmasberry	<i>Lycium carolinianum</i>	X		X		X		
Coontie	<i>Zamia floridana</i>	X		X		X		
Copperleaf	<i>Acalypha wilkesiana</i>		X				X	
Crinum Lily	<i>Crinum</i> spp.		X				X	
Croton	<i>Codiaeum variegatum</i>			X			X	
Firespike	<i>Odontonema cuspidata</i>		X			X	X	
Ginger, Shell	<i>Alpinia zerumbet</i>			X			X	X
Golden Dewdrop	<i>Duranta erecta</i>			X			X	
Hawthorn, Indian, disease resistant cvs.	<i>Raphiolepis</i> spp.		X	X			X	

Hibiscus, Red	<i>Hibiscus coccineus</i>	X		X				X
Iris, African	<i>Dietes spp.</i>		X			X		
Lady Palm	<i>Rhapis excelsa</i>				X	X	X	
Mimosa, Sunshine	<i>Mimosa strigillosa</i>	X	X			X	X	
Milkweed, Scarlet	<i>Asclepias curassavica</i>		X			X		
Needle Palm	<i>Rhapidophyllum hystrix</i>	X			X		X	
Philodendron	<i>Philodendron spp.</i>			X		X	X	
Plumbago	<i>Plumbago auriculata</i>		X				X	
Palmetto, Saw	<i>Serenoa repens</i>	X		X		X		
Shrimp Plant	<i>Justicia brandegeana</i>			X			X	
Snowberry	<i>Chiococca alba</i>	X	X				X	
Snow Bush	<i>Breynia disticha</i>			X		X	X	
Thryallis	<i>Galphimia gracilis</i>		X				X	
Turks-Cap	<i>Malvaviscus arboreus</i>		X			X		
Varnish Leaf	<i>Dodonaea viscosa</i>	X		X		X		
White Indigoberry	<i>Randia aculeata</i>	X		X		X		
Wild Coffee	<i>Psychotria nervosa</i>	X		X	X	X	X	
Yellow Necklace Pod	<i>Sophora tomentosa</i> "Truncata"	X	X			X		
Other accent plants identified as Florida Friendly by the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department will be considered.								

ORNAMENTAL GRASSES								
All required foundation plants and ornamental grasses shall be a minimum of one gallon nursery specification at the time of planting. Plants shall be rated Florida Grade No. 1 and selected from the following list.								
Common	Scientific	Native	Light requirements			Water requirements		
			<i>sun</i>	<i>mix</i>	<i>shade</i>	<i>low</i>	<i>med</i>	<i>high</i>
Fakahatchee Grass	<i>Tripsacum dactyloids</i>	X		X		X	X	
Fakahatchee Grass, Dwarf	<i>Tripsacum floridanum</i>	X		X		X	X	
Gulf Muhly Grass	<i>Muhlenbergia capillaris</i>	X	X			X		
Sand Cordgrass	<i>Spartina bakeri</i>	X	X			X	X	X
Salt Marsh Cordgrass	<i>Spartina patens</i>	X	X			X	X	X
Other ornamental grasses identified as "Florida Friendly" by the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department will be considered.								

GROUND COVER				
All required foundation plants and ornamental grasses shall be a minimum of one gallon nursery specification at the time of planting. Plants shall be rated Florida Grade No. 1 and selected from the following list.				
Common	Scientific	Native	Light requirements	Water requirements

			<i>sun</i>	<i>mix</i>	<i>shade</i>	<i>low</i>	<i>med</i>	<i>high</i>
Aztec Grass	<i>Ophiopogon spp.</i>			X		X		
Beach Sunflower	<i>Helianthus debilis</i>	X	X			X		
Beach Morning Glory	<i>Ipomoea imperati</i>	X	X			X		
Blue Daze	<i>Evolvulus glomerata</i>		X				X	
Coral Honeysuckle	<i>Lonicera sempervirens</i>	X		X		X	X	
Jasmine, Asiatic (Minima) and other low growing varieties	<i>Trachelospernum asiaticum</i>			X		X	X	
Jasmine, Downy	<i>Jasminum multiflorum</i>			X		X	X	
Juniper, Parson	<i>Juniperus davurica</i>		X			X	X	
Juniper, Shore	<i>Juniperus conferta</i>		X			X	X	
Lantana, Trailing	<i>Lantana montevidensis</i>		X			X		
Liriope, Evergreen Giant	Liriope "Evergreen Giant"			X		X		
Mimosa, Sunshine	<i>Mimosa strigillosa</i>	X	X			X	X	
Porterweed	<i>Strachytarpheta jamaicensis</i>	X	X				X	X
Railroad Vine	<i>Ipomoea pescaprae</i>	X	X			X		
Sage, Tropical	<i>Salvia coccinea</i>	X	X			X	X	
Sea Oxeye Daisy	<i>Borrichia frutescens</i>	X	X				X	
Sea Purslane	<i>Sesuvium portulacastrum</i>	X	X			X		
Twinflower	<i>Dyschoriste oblongifolia</i>	X	X			X		
Other foundation plants identified as Florida Friendly by the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department will be considered.								

- B. *Plant selection criteria.* The species of required landscape materials shall be site appropriate and shall be selected based on the existing and neighboring vegetative communities, sun exposure, soil types, proposed function of the materials, cold tolerance, water use, fertilizer needs, existence of utilities or overhead power lines, and aesthetics.
- C. *Unprotected trees.* Due to their status as non-native species or invasive species, any unprotected or prohibited trees may be removed from private property and the abutting right-of-way without a permit unless they are part of an approved landscape plan, or otherwise required by this section, and shall not be used to meet the vegetation required by this section:

UNPROTECTED TREES		
Common	Scientific	Place of Origin
Avocado	<i>Persea americana</i>	Central America
Cherry laurel	<i>Prunus caroliniana</i>	North America
Citrus	All species.	Eastern Asia

Ear	<i>Enterolobium cyclocarpum</i>	Central America
Eucalyptus	<i>Eucalyptus</i> spp. except silver dollar variety	Australia
Ficus ¹	<i>Ficus</i> spp.	South America
Italian cypress	<i>Cupressus sempervirens</i>	South Europe
Jacaranda ¹	<i>Jacaranda acutifolia</i>	Brazil
Jerusalem thorn	<i>Parkinsonia aculeata</i>	Central America
Kapok ¹	<i>Ceiba pentandra</i>	South America
Loquat	<i>Eriobotrya japonica</i>	China
Mango	<i>Mangifera indica</i>	India
Monkey puzzle tree	<i>Araucaria araucana</i>	Australia
Norfolk Island pine	<i>Araucaria excelsa</i>	Norfolk Island
Orchid Tree	<i>Bauhinia</i> spp., except <i>Bauhinia variegata</i>	Eastern Asia (India, China)
Royal Poinciana ¹	<i>Delonix regia</i>	Madagascar
Silk oak	<i>Grevillia robusta</i>	Australia
Toog	<i>Bischofia javanica</i>	Tropical Asia, Pacific Islands
Woman's tongue	<i>Albizia</i> spp.	Tropical Asia, Northern Australia

¹ Note: Jacaranda and Royal Poinciana Trees over eight inches DBH and Banyan and Kapok over 30 inches DBH are signature trees and therefore may be required to obtain a permit before removing.

- D. **Prohibited trees.** It is unlawful to plant or cause to be planted, or to sell or offer for sale, within the City limits the following exotic and nuisance plant species. Any development or redevelopment which is required to obtain a landscaping permit or file a landscape plan shall remove all prohibited trees on the property and abutting right-of-way and shall include a plan to prevent re-growth prior to approval of a certificate of occupancy.

PROHIBITED TREES		
Common	Scientific	Place of Origin
Acacia, earleaf	<i>Acacia auriculiformis</i>	Australia, New Guinea, Indonesia
Australian pines, all	<i>Casuarina</i> spp.	South Pacific, SE Asia (Australia)
Brazilian pepper	<i>Schnius terebinthifolius</i>	Brazil, Argentina, Paraguay
Carrotwood	<i>Cupaniopsis anacardioides</i>	Australia
Chinaberry	<i>Melia azederach</i>	Asia
Chinese tallow	<i>Triadica sebifera</i>	China, Japan
Lead tree	<i>Leucaena leucocephala</i>	Central America
Punk	<i>Melaleuca quinquenervia</i>	Australia, New Guinea, Solomon Isle
Strangler fig	<i>Ficus aurea</i>	North America

(Code 1992, § 16.40.060.2.1.6; Ord. No. 195-H, § 1, 9-17-2015)

16.40.060.2.1.7. Variances from required landscaping; appeals.

- A. Where unique conditions related to existing buildings, dimensional aspects of platted lots, or a lack of available space or water to support the required landscape materials preclude strict compliance with this section, or to provide for the preservation of protected or grand trees, the POD may adjust the requirements of this section as follows:

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1. Relocation of required landscape materials or landscape areas to other parts of the property or the abutting right-of-way;
 2. If it is not reasonably possible to comply with the planting requirements of this section, the POD may approve a payment in lieu of planting which shall be utilized to provide additional landscaping on public property or right-of-way. Such payment in lieu shall be \$500.00 per tree and \$150.00 per shrub or other vegetation and shall be placed in the environmental enhancement fund.
- B. Requests for variances shall be reviewed by the Development Review Commission (DRC).
- C. Variances from the "protection of existing native plant communities section" hereof for sites which cannot accommodate both the native vegetation requirement and the development or redevelopment shall only be granted with the condition that the following mitigation be performed. Mitigation on-site shall recreate a native plant community in all three strata (ground cover, under-story and trees), utilizing plant materials at least twice as large as normally required (to more quickly recreate the lost mature vegetation). Mitigation may be off-site if the mitigation enhances or enlarges existing large tract wildlife areas as shown on the biological resources map. No variance from this subsection shall be allowed.
- D. Decisions of the POD to approve or deny a landscape plan may be appealed by the property owner to the DRC, whose decision shall be deemed a final decision of the City.

(Code 1992, § 16.40.060.2.1.7; Ord. No. 195-H, § 1, 9-17-2015)

16.40.060.2.2. Irrigation.

- A. *Irrigation design and layout.* Irrigation systems are required for the development and redevelopment of non-residential and multifamily properties. Irrigation systems shall comply with the following requirements:
1. Irrigation systems shall be water efficient irrigation systems designed to provide no more than the minimum amount of water required by any specific landscape material to ensure survival of that material. Irrigation system piping shall be underground. Such systems shall utilize a combination of sprinkler mechanisms and zones to accommodate the individual irrigation requirements of each type of landscape material, including trees, shrubs, ornamentals and sod areas.
 2. Irrigation systems shall be designed to provide 100 percent coverage and to prevent overspray, runoff, low land drainage and other conditions where water flows onto or over adjacent property, non-irrigation areas, water features and impervious areas.
 3. Irrigation systems shall be operated by an automatic irrigation controller or timer which has sufficient programming flexibility to respond to the needs of the irrigation devices being used and is capable of irrigating high requirement areas on a different schedule from low water requirement areas (provided that separate zones exist), has program flexibility (to allow repeat cycles and multiple program capability) and battery backup (to retain programs).
 4. The design of the irrigation system shall include sprinkler heads and devices appropriate for the landscape material to be irrigated. Sprays and rotors shall not be on the same control value circuit and shall have matching application rates within each zone. Sprinkler spacing shall not exceed 55 percent of the sprinkling diameter of coverage.
 5. Irrigation systems shall be designed with low trajectory heads, micro irrigation or low-volume water distributing devices in order to prevent overspray onto impervious areas. Micro irrigation systems shall not be used to irrigate sod areas. Sprinkler heads in and adjacent to lawn areas shall be designed to be flush with the ground surface when not in use.

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6. Irrigation systems shall be designed to place high water demand areas, such as lawns, on separate zones from those areas with reduced water requirements.
 7. A rain sensor device or switch shall be installed to regulate the controller's operation that will override the irrigation cycle of the sprinkler system when one-half to three-quarter inch of rainfall has occurred on any day.
 8. Irrigation application rates and controller duration times for each zone shall be calculated and noted on the irrigation plans.
 9. A permanent irrigation system shall not be required for areas within an approved low impact design landscape plans.
- B. *Irrigation system maintenance.* The irrigation system shall be maintained and managed to ensure water efficiency and prevent wasteful practices. This shall include, but not be limited to resetting the automatic controller according to the season, flushing the filters, testing the rain sensor device and replacing malfunctioning sensors, monitoring adjusting, and repairing irrigation equipment such that the efficiency of the system is maintained, repairing broken irrigation heads and leaks.

(Code 1992, § 16.40.060.2.2; Ord. No. 195-H, § 1, 9-17-2015)

16.40.060.3. Maintenance of trees and vegetation.

16.40.060.3.1. Maintenance of trees and vegetation for all properties within the City.

- A. The owner of record of the property and occupant of the property are responsible for the maintenance of trees and vegetation on the property and in abutting rights-of-way. Vegetation shall comply with all codes including visibility at intersections and requirements for hedges. Where support staking of vegetation is provided at the time of installation, the staking system shall be installed properly, avoid harming the vegetation, and be removed no later than one year after installation to prevent damage to the vegetation, unless such staking is necessary for permanent support of the plant.
- B. Vegetation shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. All plant materials shall be maintained free from physical damage or injury arising from lack of water, chemical exposure, insects, disease, blight or other cause. Exceptions regarding damage due to lack of water shall be made when water consumption is limited by emergency orders or declarations by state or local agencies.
- C. Except for those tree species listed as unprotected or prohibited, it shall be unlawful for any person to damage, top, poison or in any manner injure or cause to be injured any tree regardless of condition.
 1. Trees shall be trimmed or pruned in such a manner so as to not alter their natural form, growth habit or character and shall not be pruned into "unnatural" shapes, including but not limited to, circles, ovals, or squares.
 2. Not more than one-quarter of the tree canopy shall be trimmed or pruned in any year unless it is dead.
- D. Sod (including turf and turfgrass) or other herbaceous growth other than ground cover species shall be maintained at a maximum overall height of ten inches or less; ground cover plant material shall be maintained at an overall height not to exceed 24 inches. Property designated as a preservation area shall not be required to meet these standards. Property owners who employ Florida-Friendly Landscaping™ or wildlife habitat management principles such that their private property or adjacent right-of-way does not meet these criteria shall have a management plan and demonstrate active, ongoing maintenance. Management plans shall be plans designed by a landscape architect, plans which employ accepted Florida-friendly management

practices, and plans approved by the University of Florida Institute of Food and Agricultural Science (IFAS). Examples of activities addressed in maintenance plans include routine pruning, mowing, edging, weeding, fertilizing, pest control, irrigation system adjustments, seeding and replanting. Florida-friendly management plans shall also address these principles:

- 1) Vegetation plan and design;
- 2) Analyze and amend the soil;
- 3) Limit sod to active use areas;
- 4) Select appropriate plant species;
- 5) Irrigate efficiently;
- 6) Use mulch; and
- 7) Maintain the landscape appropriately.

Wildlife habitat areas shall consist of native and introduced plant species designed, planted and maintained to provide food source, cover, roosting and nesting habitat for specific species.

- E. Vegetation which is a hazard to public safety is prohibited in the right-of-way. Hazardous vegetation with pronounced thorns (such as Spanish bayonet, century plant, bougainvillea, and lime trees) shall not be closer than two feet to a sidewalk or walkway. Hedges are prohibited in the right-of-way except as allowed by the fences, walls and hedges section.
- F. Vegetation adjacent to public sidewalks and public streets shall not encroach onto the sidewalk or street surface except that sod and ground cover should be kept trimmed to the edge of the sidewalk or street surface but may encroach up to six inches. The branches of trees and shrubs which grow above sidewalks shall provide a minimum of eight feet of vertical clearance and above streets and alleys, a minimum of 14 feet of vertical clearance.
- G. It is unlawful for the owner or occupant of property to permit to remain on any property, including the abutting rights-of-way, any tree or tree branch that is in such diseased or dead condition so as to be in danger of falling upon any right-of-way or the property of another.
- H. It shall be unlawful to dispose, deposit, drop, or place grass clippings, tree trimmings and other vegetative material in the right-of-way or on the property of another or upon any street or alley or into waters within the City or directly or indirectly into the municipal storm sewer system. This section shall not be construed to prohibit the use of mulching lawn equipment. A violation of this section is transient in nature and irreparable. Any person in violation of this section may be cited immediately upon observation of the violation.
 - 1) Each property owner or occupant of property where activities that violate this subsection occur may be cited for each violation of this subsection.
 - 2) Any person who maintains or removes yard vegetation on behalf of any other person for compensation (e.g. lawn care and lawn maintenance companies, including any and all supervisors and employees) shall be subject to a fine of \$500.00 for each violation of this subsection.
- I. It shall be unlawful for any owner or occupant of property, including the abutting right-of-way, to allow to exist upon the property or abutting right-of-way vegetation or trees which violate this section.
- J. Unless approved by the POD, rights-of-way shall be maintained at a level and even grade.
- K. The removal of vegetation or trees required by this section and the failure to replace required vegetation or trees when such vegetation or tree dies or is removed, shall be unlawful. Replacement vegetation or trees shall meet the size and grade requirements of this section.

(Code 1992, § 16.40.060.3.1; Ord. No. 163-H, § 1, 5-7-2015; Ord. No. 195-H, § 1, 9-17-2015; Ord. No. 448-H, § 3, 2-11-2021)

16.40.060.3.2. Clearance of lots in preservation areas.

No person shall clear, disturb or remove any vegetation or dead or living plant life located within any preservation area without a permit issued by the POD for such work.

(Code 1992, § 16.40.060.3.2)

16.40.060.4. Lot clearing.

16.40.060.4.1. Notice of violation; definitions.

- A. If the POD finds and determines that vegetation that violates the maintenance standards in this section exists on a parcel of property, that a hive of bees, wasps, yellow jackets or other stinging insects exists upon a parcel of property in violation of chapter 4, or that some other violation of the City Code exists for which the Code specifically authorizes the City to perform lot clearing activities, and if the POD determines that the City should correct the violation in order to protect public health and safety if the owner(s) do not cause the violation to be corrected timely, the POD shall notify the owner(s) of record of the property in writing and demand that such owner(s) cause the violation to be remedied.
- (1) The notice shall be given by first class mail, addressed to the owner(s) of record of the property as their name(s) and address are shown upon the records of the County Property Appraiser. Service of the notice shall be deemed complete and sufficient when so addressed and deposited in the United States mail with proper postage prepaid. Notice shall also be posted upon the property on which the violation exists. Notice may be served by hand delivery to the owner(s) of record of the property in lieu of mailing.
 - (2) As used in this section, a "repeat violation" is a violation which is alleged to occur on property which was the site of the same violation within the preceding 12 months, at a time when the property was under the same ownership, and the preceding violation was not corrected by the owner but required the City to take corrective action.
- B. The notice shall be substantially in the following form:

NOTICE OF VIOLATION (OR, NOTICE OF REPEAT VIOLATION)

Date _____

I inspected your property (describe property) on or about (date) and found the following conditions (describe conditions) that are a violation of Section(s) [insert applicable City Code section numbers], [of the] City Code. You are hereby notified that you must correct these violations by (date). If you fail to either correct the above-stated City Code violations by that date or to file an appeal as described below, you will have given implied consent for the City, or its designee, to go onto your property, including into fenced yards, to cut, trim, and clear vegetation and/or to apply pesticides and/or remove insect hives to correct the violations of the City Code. To properly perform this maintenance, the City may also remove articles of junk, rubbish or garbage stored out-of-doors on the property in violation of City Code when the removal of that junk, rubbish, or garbage is reasonably necessary to correct the violation. The cost of this work, advertising costs, administrative costs and other expenses will be imposed as a special assessment lien on the property described. You can appeal the finding that there is a violation by filing a written appeal to the City Clerk within _____ days of the date of this notice.

City of St. Petersburg

By: _____
POD

(Code 1992, § 16.40.060.4.1; Ord. No. 892-G, § 2(16.40.060.1), 9-4-2008; Ord. No. 945-G, § 1(16.40.060.4.1), 9-3-2009; Ord. No. 13-H, § 2, 1-12-2012)

16.40.060.4.2. Appeals.

- A. Within ten calendar days after the date service of the notice, the owner or the designated agent of the owner may file an appeal to show that the violation alleged in the notice does not exist. However, if the violation is a repeat violation, the time in which to file an appeal shall be five calendar days from the date of receipt of the notice by the owner or designated agent of the owner. The appeal shall be in writing and must be filed with the City Clerk.
- B. The appeal shall be heard by a hearing officer. The hearing shall be conducted at a reasonable time and place, following notice of the hearing to the appellant. If the alleged violation is a repeat violation, the hearing shall be conducted not more than ten calendar days from the date of filing of the appeal. The hearing shall be informal and the strict rules of evidence shall not be applicable, but the minimal requirements of due process shall be observed. The objective of the hearing shall be to render a decision which is fair and just under the circumstances. At the hearing, the POD and the owner or the designated agent of the owner may introduce such evidence as is deemed necessary. The decision of the hearing officer shall be final and the owner shall be deemed to have exhausted all administrative remedies.

(Code 1992, § 16.40.060.4.2; Ord. No. 892-G, § 2(16.40.060.2), 9-4-2008; Ord. No. 945-G, § 1(16.40.060.4.2), 9-3-2009; Ord. No. 100-H, § 11, 12-19-2013; Ord. No. 177-H, § 3, 6-11-2015)

16.40.060.4.3. Authority of City to remedy prohibited condition by lot clearance.

If the violations of City Code are not corrected by the property owner by the date stated in the notice of violation and no appeal has been made or, if made, a hearing has been held and has concluded adversely to the owner and the violation is not corrected within five days following the date of the hearing, the POD shall have authority to cause the violation to be corrected. By receiving the notice of violation in section 16.40.060.4.1 and failing to correct the violation or file an appeal (or to correct the violation within five days of an unsuccessful appeal), the property owner shall have given implied consent for the City, or its designee, to go onto the owner's property, including into fenced yards, to correct the violation(s). The POD shall have authority to cause the cutting and removal of vegetation, the application of pesticides to active hives of bees, wasps, yellow jackets or other stinging insects and/or the removal of such hives, and/or other appropriate lot clearing action as specifically provided by the City Code, including the removal of any and all junk, rubbish, or garbage on the property, when such work is necessary to correct the violation. The costs of such work, as well as such administrative and other costs as are necessary to correct the violation, shall be charged against the property as a special assessment lien as provided in this section.

(Code 1992, § 16.40.060.4.3; Ord. No. 13-H, § 3, 1-12-2012; Ord. No. 177-H, § 4, 6-11-2015)

16.40.060.4.4. Assessment and lien for costs of lot clearance.

- A. *Preliminary assessment roll.* After causing the violation to be corrected, the POD shall determine the costs incurred by the City in correcting the violation, including all administrative and other costs as are necessary to correct the violation (administrative costs shall include the lien recording and releasing fee set forth in Chapter 12), and shall determine the proportionate costs that each property should bear if violations on more than one property were corrected. The POD shall cause a preliminary assessment roll to be prepared

containing a complete list of the properties and of properties abutting street right-of-way upon which violations were corrected, setting opposite each property the cost of doing said work, which shall be submitted to City Council.

- B. *Public hearing.* The City Council shall hold a public hearing on the preliminary assessment roll after publication of notice. One notice shall be published in a daily newspaper of general circulation at least five days prior to the public hearing. Notice shall be mailed to each owner listed on the preliminary assessment roll by first class mail and shall be deemed complete and sufficient when mailed. The notice shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

You are hereby notified that the City of St. Petersburg, Florida, has corrected the following violations [insert applicable City Code section numbers], of the City Code on properties in the City of St. Petersburg and has determined the amount to be assessed against each of said properties to defray the cost thereof. A list of said properties upon which violations were corrected and the amount to be assessed against each of said properties is on file and open for inspection in the office of the City Clerk of the City of St. Petersburg, Florida.

You are further notified that the City Council of the City of St. Petersburg will hold a public hearing on the _____ day of _____, at _____ m., or as soon thereafter as it may be held, in the Council Chambers at the City Hall in the City of St. Petersburg, Florida, for the purpose of hearing any and all objections that any affected party may wish to offer as to why said assessments should not be made final.

- C. *Approval of preliminary assessment roll.* The City Council shall meet on the date and at the place specified in the notice and hear any and all objections that any person affected by said proposed assessment wishes to offer as to why said assessments should not be made final and shall correct any and all mistakes or errors appearing upon said preliminary assessment roll. The City Council shall then confirm the preliminary assessment roll, as submitted or as corrected, and the assessment roll shall then be final.
- D. *Amounts assessed to constitute lien.* When the preliminary assessment roll is confirmed by the City Council and made final, the amounts assessed against the respective properties shall, from the date of said confirmation, be and constitute a special assessment lien against the respective properties superior in dignity to all other liens and encumbrances of whatever kind and character save and except ad valorem taxes levied and assessed by the state, county or City and shall be of equal dignity with such taxes and shall remain a special assessment lien against the properties until paid. Upon confirmation of the assessment roll by the City Council, the POD shall immediately cause the assessment roll to be filed in the office of the City Clerk, and it shall be kept there for public inspection during business hours. The POD may file and record, in the office of the clerk of the circuit court, notice of the special assessment liens against the said properties, showing thereon the amount and nature of the lien and a legal description of the property.
- E. *Interest on special assessment liens.* The principal amount of all special assessment liens under this section which remains unpaid after 30 days from the date of confirmation of the special assessment by council shall bear interest at the rate of eight percent per annum from the date of confirmation through the period of time which is one year after the date of confirmation. Interest at 12 percent, rather than at eight percent, shall be charged on the principal amount for the period of time beginning one year from the date of confirmation of the special assessment by council until the principal and interest are paid in full. All interest shall also constitute a lien against the property assessed of equal dignity to the principal amount of the lien.
- F. *Records of liens and interest due.* The POD shall keep complete records relating to the amount payable for the liens and interest and may from time to time send a statement of the principal and interest due upon such liens to the record owners of the property upon which the liens exist.
- G. *Enforcement of liens.* At any time after the expiration of 30 days from the date of confirmation of the assessment roll, the liens may be foreclosed by the City in the manner provided by Florida Statutes for the foreclosure of mortgages on real property (currently F.S. ch. 702) or as otherwise permitted by law.

(Code 1992, § 16.40.060.4.4; Ord. No. 13-H, § 3, 1-12-2012; Ord. No. 53-H, § 4, 11-1-2012; Ord. No. 246-H, § 8, 10-20-2016; Ord. No. 420-H, § 3, 3-12-2020)

16.40.060.4.5. Action to abate cumulative to other penalties, remedies.

Any action taken in regard to the disposal, abatement or removal of a violation of the maintenance standards shall be considered cumulative and in addition to penalties and to other remedies provided elsewhere by ordinance or law.

(Code 1992, § 16.40.060.4.5)

16.40.060.5. Tree protection.²

16.40.060.5.1. Mangroves.

The City finds that mangroves, including red mangroves, black mangroves and white mangroves, are an essential component of the estuarine food chain, supporting the commercial and recreational fisheries of Tampa Bay. The State of Florida currently prohibits the City from regulation in this area; however, that prohibition could change in the future. Therefore, if at any time there is no preemptive state legislation regarding mangroves, then the trimming or cutting of mangroves is hereby prohibited.

(Code 1992, § 16.40.150.1; Ord. No. 195-H, § 2, 9-17-2015)

Editor's note(s)—Ord. No. 195-H, § 2, adopted Sept. 17, 2015, renumbered §§ 16.40.150.1—16.40.150.2.4 as § 16.40.060.5.1 and §§ 16.40.060.5.3—16.40.060.5.6 as set out herein. The historical notation has been retained with the amended provisions for reference purposes.

16.40.060.5.2. Definitions.

The definitions of Grand trees, Protected trees, Signature trees, and Specimen trees are set forth in the definition section of these land development regulations (currently section 16.90.020.3).

(Ord. No. 195-H, § 2, 9-17-2015)

16.40.060.5.3. Tree removal and trimming permits for Grand, Protected and Signature trees.

- A. A permit is required for the removal of any Grand, Protected or Signature tree.
- B. A permit is required for the removal of any native palm which has four feet or more of clear trunk as measured from the base of the lowest green frond to the ground.
- C. A permit is required to trim any branch eight inches or greater in diameter of any Grand tree as measured at the branch collar.
- D. The applicant shall submit to the POD an application in such form as required by the POD and pay the fee established by City Council. All fees and other monies received as a result of this section shall be paid to the City's environmental enhancement fund.

²State law reference(s)—Mangrove trimming and preservation act, F.S. § 403.9321 et seq.

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- E. If a tree has been removed from a property without the issuance of a required tree removal permit, no development permits shall be issued until a tree restoration plan has been submitted to and approved by the POD. A tree restoration plan shall specify the type, specification and location of trees to be planted on the property.
 - F. For one- and two-unit residential properties, for each tree removed which makes the property under the minimum required tree standard, one shade tree shall be planted on the property from which the tree was removed. If it is not reasonably possible to comply with the planting requirements of this section, the POD may approve a payment in lieu of planting which shall be utilized to provide additional landscaping on public property or right-of-way. Such payment in lieu shall be \$500.00 per tree and shall be placed in the environmental enhancement fund.
 - G. In emergencies such as hurricane, windstorm, flood, freeze or other disaster, the requirements of these regulations may be waived by the POD upon a finding that such waiver is necessary so that public or private work to restore order in the City will not be impeded.
 - H. A tree removal permit is not required to remove unprotected or prohibited trees.

(Code 1992, § 16.40.150.2.1; Ord. No. 882-G, § 1, 8-10-2008; Ord. No. 893-G, § 40, 9-4-2008; Ord. No. 149-H, § 1, 12-18-2014; Ord. No. 195-H, § 2, 9-17-2015)

Note(s)—See the editor's note to § 16.40.060.5.1.

16.40.060.5.4. Factors for evaluation of a tree removal or trimming permit application.

- A. After an application is filed to remove a tree and all applicable requirements are complied with, a permit shall be issued if one or more of the following criteria is met:
 - 1. *Removal of Grand trees.* A Grand tree may be removed if:
 - a. The Grand tree presents a safety hazard to public or private property due to proximity to an existing structure. The applicant may provide a written report bearing the signature of a licensed engineer to support the application; or
 - b. The Grand tree is diseased, injured, or in declining condition with no reasonable assurance of regaining vigor, and the applicant provides a written report bearing the signature of a certified arborist; or
 - c. The Grand tree is located in an area where a structure or improvement will be placed, or which serves as an access point to a site, according to an approved plan and the applicant provides a written report bearing the signature of a licensed architect, licensed landscape architect, or licensed engineer providing a determination that the proposed structure, improvement, or access point cannot be reasonably redesigned to preserve the Grand tree.
 - 2. *Removal of other trees.* A tree which is required to obtain a permit may be removed if:
 - a. The tree is located in an area where a structure or improvements will be placed according to an approved plan;
 - b. The tree is located in an area which serves as the access point for a structure or improvement according to an approved plan, or is located in an area which presents an imminent hazard to an existing or proposed structure;
 - c. The tree is diseased, injured, or in declining condition with no reasonable assurance of regaining vigor; or

-
- d. The tree is within a site which has the minimum number of trees required by this section and removal of the tree will allow the site to be used in a manner which is consistent and compatible with properties of the same use and similar size in the abutting blocks of the same zoning district.
 - e. The removal of the tree is reasonably necessary to allow solar access for the efficient operation of solar dependant technologies including solar collection and solar hot water systems. The applicant shall provide supporting documentation from a solar collection and solar hot water system installer, or other credible source, such as a government agency with expertise in solar dependent technologies or licensed architect, licensed landscape architect or licensed engineer, confirming there is no reasonable alternative location for the equipment or reasonable option to trim the trees.
 - f. In addition to the above criteria for tree removal applications, where a property exceeds the minimum lot size in the zoning district in which it is located (whether vacant or occupied by a structure or use) the minimum number of trees required to remain on site shall be equivalent to the number of minimum lots, or portions thereof, which could be created from the property. For example, the minimum lot size in NT-1 is 5,800 square feet and requires two trees. If the property is 11,600 square feet, this would be equivalent to two lots of minimum lot size and therefore four trees would be required.
- 3. Decisions of the POD to approve or deny a permit may be appealed by the property owner to the DRC, whose decision shall be deemed a final decision of the City.
- B. After an application is filed to trim a Grand tree and all applicable requirements are complied with, a permit shall be issued if one or more of the following criteria are met:
- 1. The limb, or limbs, proposed for removal is diseased, injured, in declining condition, creates a danger of damaging an existing structure or improvement, creates an unsafe line of sight on a right-of-way or other vehicular use area, or creates a hazardous situation; or
 - 2. Removal of a specific limb, or limbs, is necessary to promote the general public health, safety or welfare or the health of the tree.
 - 3. Trimming permits for Grand trees shall be subject to the condition that all related work be done in a manner consistent with ANSI A300 standards The POD may allow variations from these standards if the variation reduces the amount of trimming otherwise required pursuant to ANSI A300 standards and will not adversely affect the health of the tree being trimmed or the public health safety or welfare.

(Code 1992, § 16.40.150.2.2; Ord. No. 1029-G, § 40, 9-8-2011; Ord. No. 149-H, § 1, 12-18-2014; Ord. No. 195-H, § 2, 9-17-2015)

Note(s)—See the editor's note to § 16.40.060.5.1.

16.40.060.5.5. Application of section to tree removal companies; construction companies; tree removal; permits.

All provisions of this section shall apply to all persons, including but not limited to any person who removes, cuts down, irreparably damages, poisons, destroys or causes to be destroyed any trees on behalf of any other person, including all tree removal companies, construction companies or persons in the business of removing trees or construction. It shall be unlawful for any person to remove or cause to be removed any tree, unless a valid permit therefore is in effect; such removal shall constitute a violation of this section and shall subject the person violating this section to all penalties provided in this section for such violation, both civil and criminal.

(Code 1992, § 16.40.150.2.3; Ord. No. 195-H, § 2, 9-17-2015)

Note(s)—See the editor's note to § 16.40.060.5.1.

16.40.060.5.6. Penalties.

Any person who violates any provision of this section shall be subject to the following penalties:

1. The penalty for each conviction of a violation shall be a fine of \$500.00.
2. Any person who removes or causes to be removed a tree without first obtaining the required permit may be issued an after-the-fact permit. An after-the-fact permit shall be issued if the applicant can demonstrate that the factors for removal would have been met at the time the tree was removed. All requirements for replacement trees shall apply to property issued an after-the-fact permit. The fee for an after-the-fact permit shall be established by City Council. If the applicant cannot demonstrate that the criteria for removal would have been met, then no after-the-fact permit shall be issued and the person shall be in violation of this section. If another violation of this section occurs by a person previously issued an after-the-fact permit or on a site on which an after-the-fact permit was issued within five years of the date of the second violation, a second after-the-fact permit shall not be issued.
3. Replacement trees shall be required as mitigation when there are insufficient trees on the site to meet the requirements of this chapter. The number and size of the replacement trees will be not less than the number of trees necessary to meet the requirements of this chapter and shall be equivalent to the total estimated inches in dbh of the largest illegally removed tree.
4. In lieu of replanting trees, the total value of those trees illegally removed or damaged, as computed using the Trunk Formula Method established by the Council of Tree and Landscape Appraisers, may be paid to the City. Any such payment shall be paid to the City's environmental enhancement fund.
5. A combination of money and tree replacement of total value equal or greater than the minimum penalty may be allowed.

(Code 1992, § 16.40.150.2.4; Ord. No. 882-G, § 2, 8-10-2008; Ord. No. 149-H, § 1, 12-18-2014; Ord. No. 195-H, § 2, 9-17-2015)

Note(s)—See the editor's note to § 16.40.060.5.1.

16.40.060.5.7. Relocation of existing trees.

The relocation of existing trees is not required but is an alternative to clearing/removal.

1. Tree removal permit. A tree removal permit is required for tree relocation. The tree removal permit fee may be waived if ANSI standards are implemented to ensure a reasonable chance of survival. A tree relocation plan prepared by a certified arborist or licensed landscape architect shall be submitted with the tree removal application and the plan shall identify appropriate relocation measures which may include but are not limited to provision of adequate water before, during and after relocation, pruning of limbs, root pruning well in advance of relocation, protection of root mass, trunk, branches, and foliage during relocation, relocation to an appropriate planting location, preparation of the new planting pit, and maintenance after completion of the relocation.
2. Value. Relocated trees transplanted onto the same site will be counted as existing trees of the same size when determining compliance with minimum tree requirements.
3. If any relocated tree which has been used to determine compliance with the minimum tree requirements does not survive, the tree shall be replaced within 90 days with a like number of trees.

(Ord. No. 195-H, § 2, 9-17-2015)

Residential Code Update 2024

Planning and Development Services

2024



- In 2007, City-Wide rezoning created the Neighborhood Traditional (NT) and Neighborhood Suburban (NS) Single Family Zoning Districts, with design standards based on these districts
- In 2017, Council adopted amendments including many changes to the design standards and adoption of a Floor Area Ratio (FAR) limit for new homes in the traditional neighborhoods to address concerns about scale and compatibility
- In 2019, Staff provided a report at a Committee of the Whole meeting on the FAR limit and utilization of the bonuses
- Since adoption of these amendments in 2017, there have been 1,968 new homes constructed with 356 new homes utilizing FAR bonus options in the traditional neighborhoods

Background

The proposed 2024 Residential LDR update is intended to:

- Evaluate the FAR bonuses for potential changes and provide feedback from stakeholders
- Address several items presented at Council committee meetings such as fencing materials and design standards, domestic equipment, and artificial turf
- Include refinements to code language related to residential standards to provide clarity and consistency for items identified by both staff and stakeholders

Potential Code Changes

Modifications to FAR bonuses in NT zoning districts

Modifications to building design regulation

Artificial Turf

Fence regulations

Sidewalk payment in lieu option

Screening of ancillary equipment in the flood zone

Exemption to where domestic equipment can be parked

Code clean-up (Add bay window definition, roof height measurements for setbacks)

Any additional changes?

Potential Code Changes

Concerns were expressed regarding the size and bulk of new homes being built, particularly in the traditional neighborhoods, and their consistency with the surrounding neighborhood and development pattern. Many new homes have 2nd stories built close to or at the minimum required setbacks, creating a box-like, bulky appearance. Research indicated significant increases for new construction.

In 2017 the city adopted development standards to limit the size and bulk of new homes to be proportionate with the lot size by establishing a maximum Floor Area Ratio (FAR). FAR Bonuses were established to permit larger homes if the home incorporates design elements beneficial to the character of the neighborhood such as providing greater second floor setbacks in the front, side, or rear.

A maximum building coverage standard was also established.

FAR is considered any enclosed space above the required design flood elevation line, including enclosed garage space, but excludes that portion of the enclosed space that is below the required design flood elevation and up to 500 sq. ft. of the floor area of any detached accessory dwelling and 300 sq. ft. for each enclosed parking space located in the rear 1/3 of the lot.

Creation of FAR limits in 2017 for traditional neighborhoods

Application Year	Count
17	20
18	28
19	41
20	83
21	74
22	79
23	71
Total	396

Homes Built with FAR Bonuses 2017-2023

Planning and Development Services
City of St. Petersburg

Application Year	Count
17	20
18	28
19	41
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Application Year

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17 20

18 28

19 41

20 83

21 74

22 79

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Total 396

Map showing the distribution of homes built with FAR Bonuses in St. Petersburg, Florida, from 2017 to 2023. The map displays the city grid with streets labeled, including Gandy Blvd, Tyrone Blvd, and various numbered streets. The homes are represented by colored dots corresponding to the application year, as detailed in the legend table. A compass rose is located in the bottom right corner.

Date: April 2024

Planning and Development Services
City of St. Petersburg

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21	74
22	79
23	71
Total	396

Application Year

Count

17 20

18 28

19 41

20 83

21 74

22 79

23 71

Total 396

Map showing the distribution of homes built with FAR Bonuses in St. Petersburg, Florida, from 2017 to 2023. The map displays the city grid with streets labeled, including Gandy Blvd, Tyrone Blvd, and various numbered streets. The homes are represented by colored dots corresponding to the application year, as detailed in the legend table. A compass rose is located in the bottom right corner.

Date: April 2024

Planning and Development Services
City of St. Petersburg

Homes Built with FAR Bonuses 2017-2023

Application Year	Count
17	20
18	28
19	41
20	83
21	74
22	79
23	71
Total	396

Application Year

Count

17 20

18 28

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Total 396

Map showing the distribution of homes built with FAR Bonuses by application year (2017-2023) in St. Petersburg, Florida. The map displays the city grid with streets labeled (e.g., Gandy Blvd, Tyrone Blvd, 1st St N, 4th St S, 30th Ave N, 34th St N, 38th Ave N, 40th Ave NE, 42nd St N, 44th St N, 46th St N, 48th St N, 50th St N, 52nd St N, 54th Ave N, 56th Ave N, 58th Ave N, 60th Ave N, 62nd Ave N, 64th Ave N, 66th Ave N, 68th Ave N, 70th Ave N, 72nd Ave N, 74th Ave N, 76th Ave N, 78th Ave N, 80th Ave N, 82nd Ave N, 84th Ave N, 86th Ave N, 88th Ave N, 90th Ave N, 92nd Ave N, 94th Ave N, 96th Ave N, 98th Ave N, 100th Ave N, 102nd Ave N, 104th Ave N, 106th Ave N, 108th Ave N, 110th Ave N, 112th Ave N, 114th Ave N, 116th Ave N, 118th Ave N, 120th Ave N, 122nd Ave N, 124th Ave N, 126th Ave N, 128th Ave N, 130th Ave N, 132nd Ave N, 134th Ave N, 136th Ave N, 138th Ave N, 140th Ave N, 142nd Ave N, 144th Ave N, 146th Ave N, 148th Ave N, 150th Ave N, 152nd Ave N, 154th Ave N, 156th Ave N, 158th Ave N, 160th Ave N, 162nd Ave N, 164th Ave N, 166th Ave N, 168th Ave N, 170th Ave N, 172nd Ave N, 174th Ave N, 176th Ave N, 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Homes Built with FAR Bonuses 2017-2023

One story covered front porch with a separate roof structure with a minimum width of 60% of the front façade: 0.08 bonus. No bonus is allowed if there is a second story deck, porch or roof structure. Utilized 228 times; 57.6%.



Bonus A



Bonus A

Additional second story front setbacks: .01 bonus for every 1 foot of additional front setback of the entire facade, and .005 bonus for every 1 foot of additional front setback of at least one third of the facade but which is less than the entire facade, no bonus is allowed unless the setback is at least six feet, maximum 0.10 bonus. No bonus is allowed if there is a second story deck, porch or roof structure. Utilized 29 times; 7.3%.



Bonus B



Bonus B

Additional second story side setbacks: .01 bonus for every 1 foot of additional side setback of the entire façade, maximum 0.05 bonus per side. Utilized 19 times; 4.8%.



Bonus C



Bonus C

Total residential floor area of the second story does not exceed 75% of the first story (excludes garage sf): 0.05 bonus. Utilized 33 times; 8.3%.

Bonus D





Bonus D

Reduction of the height of both the peak and roofline of a two-story building from the maximum allowed height: 0.02 bonus per foot, maximum 0.06. Utilized 134 times; 33.9%.



Bonus E



Bonus E

The entire peak of the primary roof structure of the front façade is parallel to the front property line: bonus 0.02, or if the entire peak of the primary roof structure of the front façade is parallel to the front property line and the roof has dormer(s) which are equal to at least 20% of the width of the front façade: 0.04 bonus. Utilized 26 times; 6.6%.



BP21-06000825

Bonus F

Side façade articulation: side facades which feature offsets of at least two feet in depth that are at least twelve feet in length that divide the building design and are in the front two thirds of the side facade: 0.02 bonus per side, maximum 0.04. Utilized 15 times; 3.8%.



Bonus G



Bonus G

Front facade articulation:
front facades (excluding the porch) which feature offsets of at least six feet in depth for a minimum of one third of the front façade, 0.06 bonus for each additional foot, maximum 0.10. Utilized 18 times; 4.6%.



Bonus H

All windows have true or simulated divided light muntins on interior and exterior surfaces: 0.03 bonus
Utilized 70 times; 17.7%.



Bonus I



Bonus I

J. One story - principal structure:
0.15 bonus. Utilized 24 times; 6.1%.

K. One story - all structures: 0.20
bonus. Utilized 6 times; 1.5%.



Bonuses J and K

Style, materials and detailing consistent with an Architectural Style in St. Petersburg's Design Guidelines for Historic Properties: 0.10 bonus.
Utilized 75 times; 19%.



Architectural Style: Mediterranean Revival

Bonus L



Bonus L

Planting larger trees: 0.01 per tree 0.02 bonus max.
Utilized 55 times; 13.9%.



Bonus M

N. LEED or Green Building 0.05 bonus:
Utilized 4 times; 1%.



O. Solar Ready 0.02 bonus:
Utilized 27 times; 6.8%.



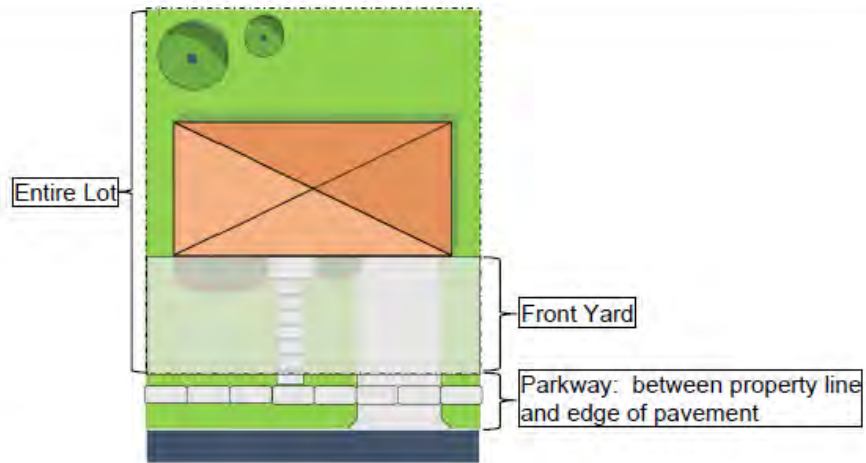
Bonuses N and O

HLUT

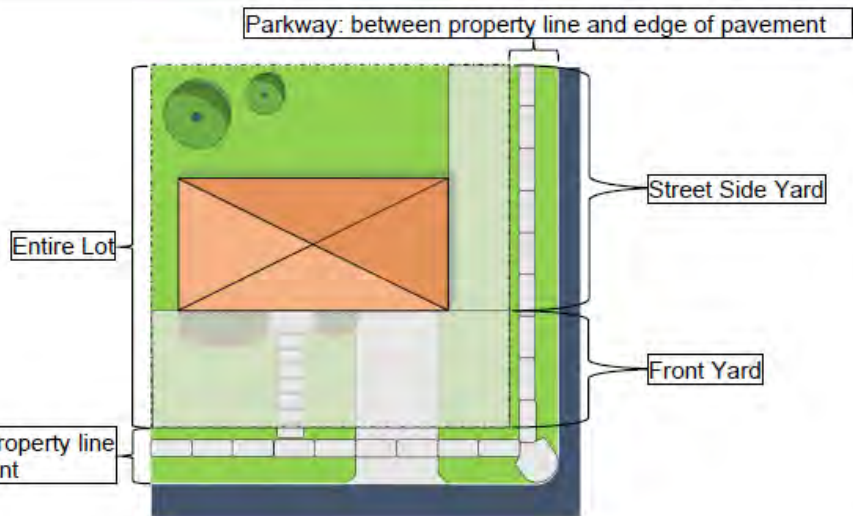
May 11, 2023

Permeable green space for yards
abutting streets





Interior Lot



Corner Lot

Use of artificial turf is permitted, but installation is limited.

Two code provisions limit the location of where it can be placed and limit the amount that may be used:

Impervious Service Ratio (ISR): because artificial turf does not allow rainwater to freely flow into the ground and will clog over time, it is considered to be an impervious surface, similar to pavement, shell, pavers and buildings.

Vegetative green space:

Required front and street side yards shall be maintained as permeable landscaped vegetative green space with the exception of driveways, walks, patios and similar paved areas and non-organic mulch areas, which areas combined shall not exceed 25 percent of the required yard area for corner lots and 45 percent of the required yard area for inside lots.

Required yards not abutting streets shall also be maintained as permeable landscaped vegetative green space with the exception of driveways, walks, patios and similar paved areas and non-organic mulch areas.

Prohibited locations:

In the parkway (between the property line and the edge of the pavement of the street(s)). This area must be maintained with sod or ground cover plant material.

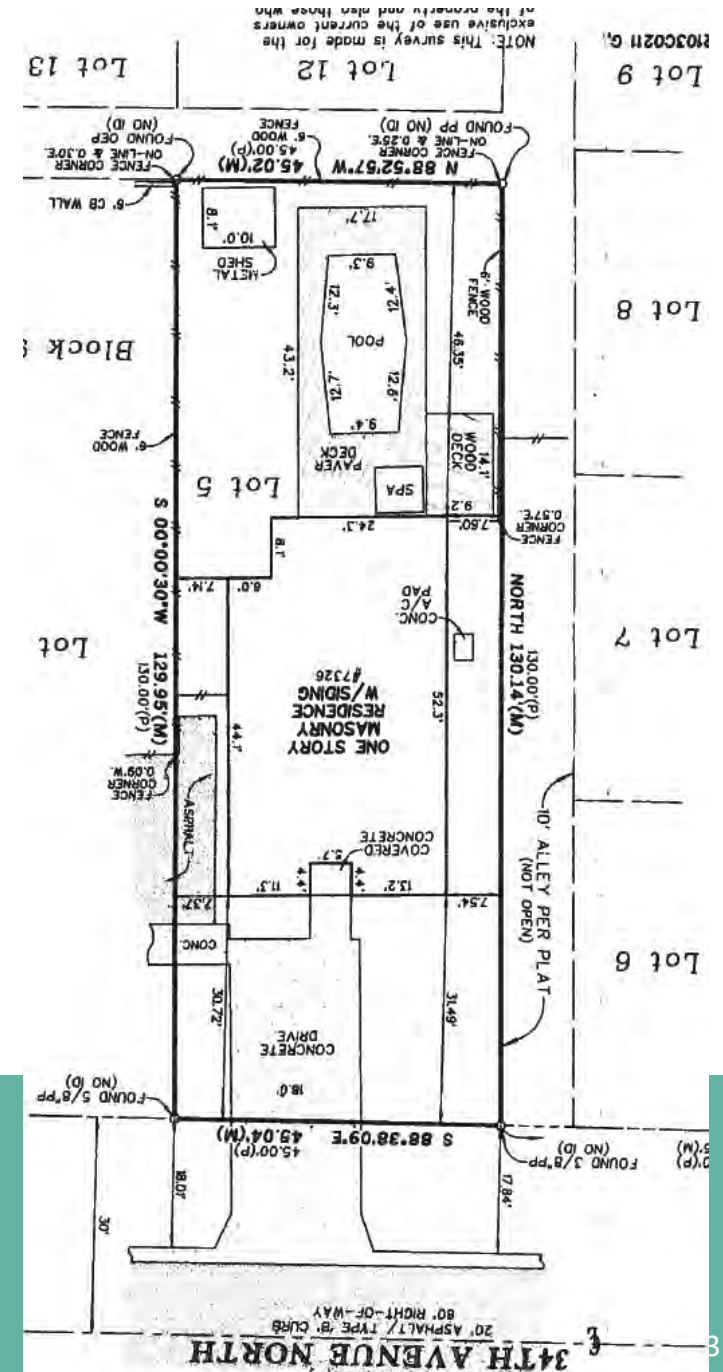
Artificial Turf

Codes Citations –

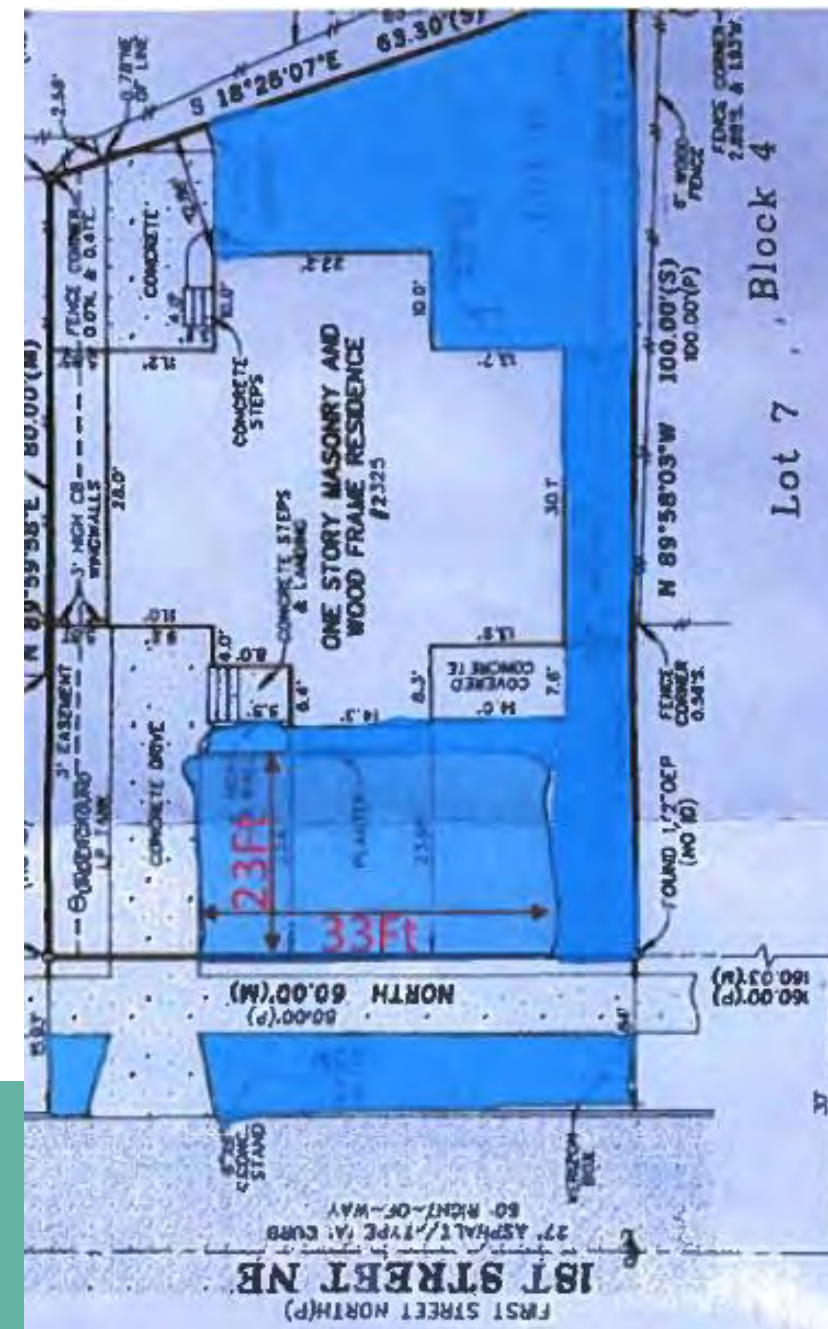
- Past two years: 12 citations for the installation of artificial turf,
- 8 of which included installation on both the property and the abutting right-of-way

Variance Requests:

- Past two years , 2 cases
- After the fact variance to allow artificial turf in the front yard to remain



7326 34th Ave N –
 After the fact variance request to ISR to allow artificial turf in
 front yard to remain. Artificial turf was installed in both the street
 and alley rights-of-way; request was denied



2325 1st St NE –
After the fact variance request to allow artificial turf in front
yard to remain; request was denied

Research and Stakeholder Feedback:

Stetson Law

- Memo from Stetson Law to Agency on Bay Management, Tampa Bay Regional Planning Council dated April 18, 2023; and
- Artificial Turf Model Ordinance Assessment presentation

Bayway Isles

- Email from Travis Jarman dated January 23, 2023
- University of Florida IFAS Extension Memo – Synthetic Turfgrass and the Nine Principles of Florida Friendly Landscaping

Tampa Bay Builders Association(TBBA)

- Email from Edward Briggs dated March 30, 2023
- Synthetic Grass Overview Presentation



Metal Fences

PSI – May 9, 2019

Follow-up from August 30, 2018
and April 12, 2018



Fence Materials In Residential Neighborhoods

Issue Statement: Code requires that fences be constructed of standard fence materials such as stockade, board-on-board, shadowbox, tongue-and-groove, picket, split rail and chain link.

- Alternatives may be approved by staff if the proposed form complies with the intent of the provisions of this section and that the form requested is at least the equivalent to the industry standard in quality, strength, effectiveness, fire resistance, durability and safety.
- Staff received a request for corrugated metal fencing in a residential neighborhood - 2016

**Installed
horizontally
with wooden
posts.**







Corrugated metal installed vertically with PVC columns.













Jul 26, 2018 1:26:33 PM
Saint Petersburg



Jul 18, 2018 2:52:19 PM
Saint Petersburg

















DISCUSSION

Should we change our design standards?

Materials when visible from the abutting streets?

Materials if not visible from street(s)?

Require framing?

Require finishing?

Only allow if compatible with design of the house?



Design standards for fences and walls on lots with over 150-feet of street frontage

PSI: October 27, 2022

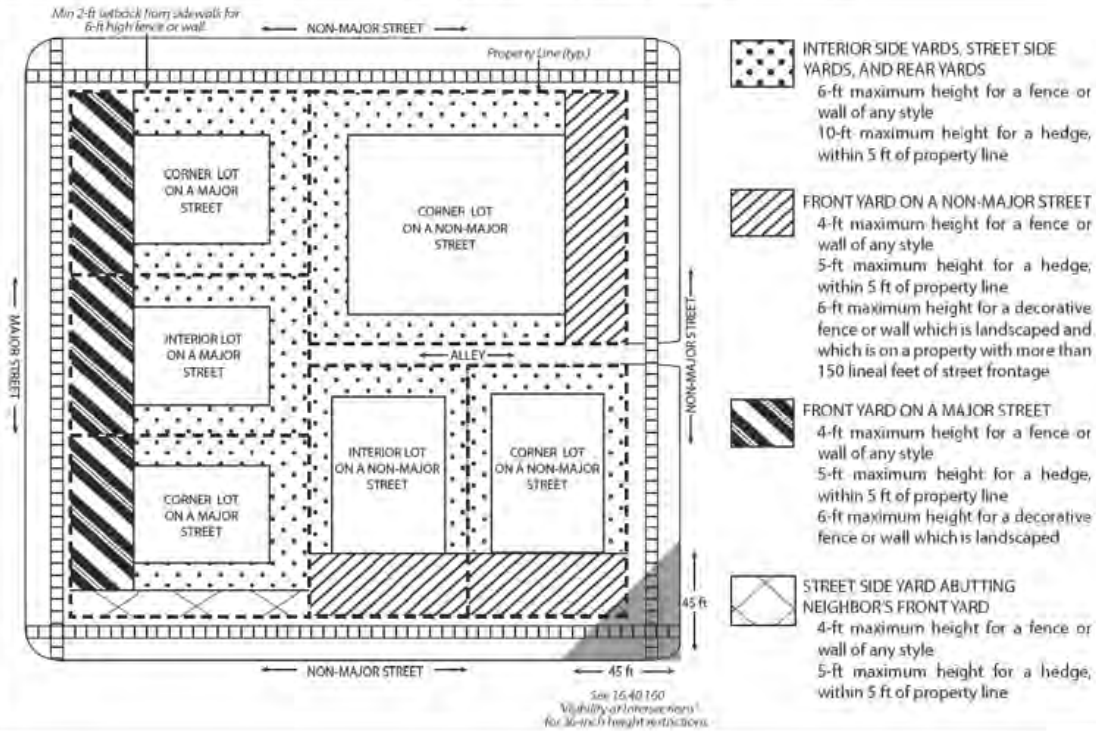
16.40.040.3. Charts.

The following charts provide specific regulations and design and other guidelines.

1. RESIDENTIAL USES (Including mixed-uses with a residential component; excludes requirements for waterfront yards - see below)

	Front Yards - Major Streets, except Neighborhood Collectors	Front Yards - All other streets	Side Yards, Street Side Yards, and Rear Yards	Street Side - Abutting Neighbor's Front Yard
Maximum Height	- 4 feet for a fence or wall of any style - 6 feet for a decorative fence or wall which is landscaped - 6 feet for a hedge	- 4 feet for a fence or wall of any style - 5 feet for a hedge - 6 feet for a decorative fence or wall which is landscaped and which is on a property with more than 150 lineal feet of street frontage	- 6 feet for a fence or wall of any style - 10 feet for a hedge	- 4 feet for a fence or wall of any style - 5 feet for a hedge

The diagram at right is intended to provide an illustrative view of the foregoing regulations as applied to rectangular lots platted in the traditional block pattern of the City. For non-rectangular lots or for lots with irregular lot lines, property owners are advised to contact the City to verify interpretation of the ordinance as applied to a specific property.



Fence Regulations

Background

Front Yards -

All other streets

- 4 feet for a fence or wall of any style
- 5 feet for a hedge
- 6 feet for a decorative fence or wall which is landscaped and which is on a property with more than 150 lineal feet of street frontage

Background

Decorative as applied to walls means that a wall is masonry with a stucco finish; has a finish of natural material, such as brick, stone, or glass block; or has a finish which is accepted for use in the industry and approved by the POD.

Decorative as applied to fences means that a fence is made of PVC fence material, wrought iron or aluminum pickets, or is a painted or stained shade-box or board-on-board fence.

Landscaping adjacent to fences, walls, or dumpster enclosures. The exterior of any opaque fence or wall which exceeds 150 linear feet in length, visible from any street (not alley) shall be landscaped with a minimum of one shrub for every three linear feet and one under-story tree for every 25 linear feet.

Open means and includes all fence and wall sections which have an opacity of 25 percent or less; excluding vertical support posts. Vertical support posts that are greater than 4 inches on a side will be included in the calculation to determine opacity.



● LOT WIDTH 150 FT. OR MORE
 TOTAL: *435

* Does not include churches, schools, city or county owned properties

Boca Ciega Bay
 Indian Bay
 Pinellas Point
 Lake Maggiore
 St. Pete River
 Albert Whitted Airport
 Tampa Bay
 Coquina Key
 Shell Isle
 Chain Acres
 View
 Roosevelt Blvd
 Gandy Blvd
 16th St N
 14th Ave N
 13th Ave N
 11th Ave N
 10th Ave N
 9th Ave N
 8th Ave N
 7th Ave N
 6th Ave N
 5th Ave N
 4th Ave N
 3rd Ave N
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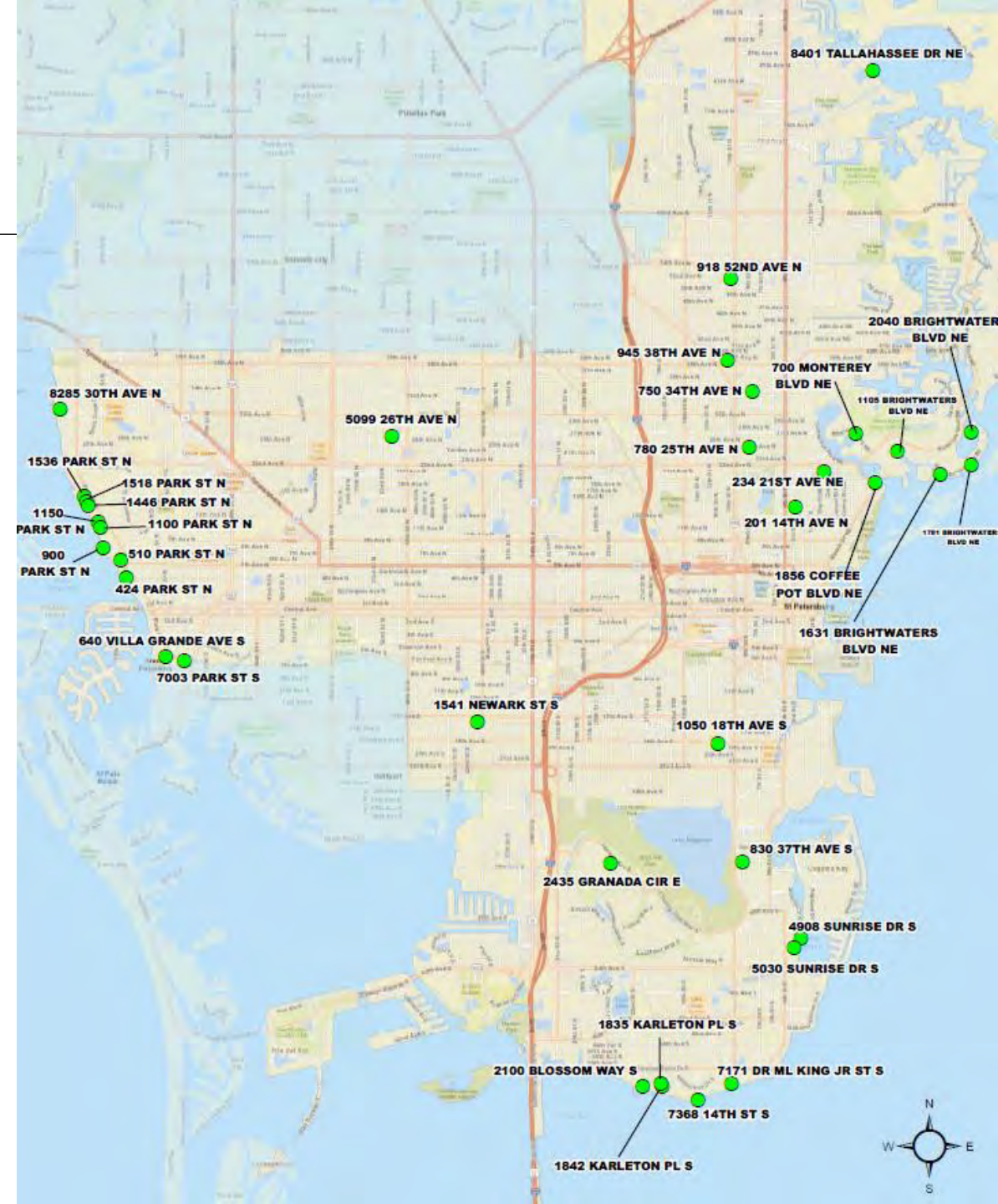
LOT WIDTH 150 FT. OR MORE
TOTAL: 337

* Does not include churches, schools, city or county owned properties

Map of Pinellas County, Florida, showing the locations of properties with a lot width of 150 feet or more. The map includes major roads, water bodies, and a legend indicating 337 total properties. A scale bar shows 0 to 2 miles.

Background

**35 single-family with walls or fences
(10% of the properties within the city that have
a lot width of 150-feet or greater have a fence
or wall in the front yard)**



Background

4 feet tall or less - opaque



Background

4-6 ft tall - opaque



Background

**4-6 ft tall – open, with
no landscaping**



Background

**4-6 ft tall – open, with
landscaping**



Background

**6 ft tall – open, with
landscaping abutting Tampa Bay**



Background

Total number of fences or walls equal to or greater than 150 feet: 35

Fences or walls under 4-feet in height

Open: 3

Opaque: 0

Fences or walls 4-feet in height

Open: 10

Opaque: 7

Fences or walls greater than 4-feet in height

Open: 10, with landscaping 7

Opaque: 5, with landscaping 2

Decorative as applied to walls means that a wall is masonry with a stucco finish; has a finish of natural material, such as brick, stone, or glass block; or has a finish which is accepted for use in the industry and approved by the POD.

Decorative as applied to fences means that a fence is made of PVC fence material, wrought iron or aluminum pickets, or is a painted or stained shade-box or board-on-board fence.

Landscaping adjacent to fences, walls, or dumpster enclosures. The exterior of any opaque fence or wall which exceeds 150 linear feet in length, visible from any street (not alley) shall be landscaped with a minimum of one shrub for every three linear feet and one under-story tree for every 25 linear feet.

Open means and includes all fence and wall sections which have an opacity of 25 percent or less; excluding vertical support posts. Vertical support posts that are greater than 4 inches on a side will be included in the calculation to determine opacity.

Fence Regulations Cont.

Decorative as applied to fences: should metal fencing, decorative metal panels, corrugated metal or the alike be allowed?

Open: should 6-foot-tall fences in the front yard for properties that are located on a major street or have 150-feet or more linear feet of frontage be open?

Fence Regulations Cont.

Currently no definition in Code for a Bay Window

Staff recommends – bay window is elevated a minimum of 12-inches above the finished floor of the first floor and contains a minimum of 50-percent glass on the total exterior surface areas).

Bay Window

Currently no option for a payment in lieu to install a sidewalk, property owners must request a variance.

Staff recommendation: The engineering director may recommend variances or payment in lieu from this section on the basis of unique conditions and may set specific alignment criteria for sidewalks within rights-of-way in relation to unique conditions such as topography or unusually large trees. In lieu of constructing a sidewalk, a payment of x dollars per linear foot or square foot may be made into a newly created Sidewalk Fund that will provide for the construction and maintenance of new or existing sidewalks.

Payment in Lieu – Sidewalk Installation

Potential Amendments to Chapter 16 related to Domestic Equipment

PSI May 30, 2024

Domestic equipment means:

1. Equipment which is accessory to residential single household activity, designed for or modified to be used for recreational, water sport, camping, travel, or household utility applications, and not designed, used or intended to be used for commercial or industrial purposes. This definition does not include mobile homes as defined by Florida Statutes. Domestic equipment also means all portable structures built on a chassis with wheels and either self-propelled or towable by a motor vehicle, including but not limited to: motor homes, campers, travel trailers, recreational vehicles, pick-up campers, tent trailers, and pop-out campers. Domestic equipment also includes but is not limited to four wheeled motorized carts, houseboats, boats, jet skis, any trailers specifically designed to transport or carry one or more pieces of domestic equipment, and utility trailers.
2. The term "domestic equipment" does not include a passenger motor vehicle unless the passenger motor vehicle has been designed for or modified to be used as domestic equipment. A passenger motor vehicle will be considered domestic equipment for purposes of this Code if any of the following is present:
 - a) The vehicle is registered as a recreational vehicle in any state.
 - b) The vehicle has been outfitted with, has installed, or is actively operating: external air conditioning units, solar panels which are not part of the body of the vehicle or otherwise within the normal unaltered lines of a vehicle, deployed tents or awning, generators, water tanks, clothes lines, or any combination of the foregoing.

Domestic equipment

Request: Create an exemption for residences on corner lots or with no alley access

- D. Limited exceptions:
 - 1. On the following days and times, domestic equipment may be temporarily parked or placed to the front of the principal structure or outside of any required shielding on private property, provided the equipment ~~does not impede visibility for motorists~~ is not located in any required visibility triangle and does not block any portion of the public sidewalk or roadway:
 - 1.a. From Monday 8:00 a.m. through Thursday 4:00 p.m. for no more than four consecutive hours, and
 - 2.b. From Thursday, 4:00 p.m. until Monday 8:00 a.m.
 - 2. For properties which are on corner lots or have no rear or side alley access one piece of domestic equipment which is 9 feet or less in height and 20 feet or less in length may be parked on a legally recognized parking area to the front of the principal structure or outside of any required shielding on private property, provided the equipment is not located in any required visibility triangle and does not block any portion of the public sidewalk or roadway. Any utility trailer which is not fully enclosed or flatbed trailer must be empty of all storage or equipment to be legally parked pursuant to this exemption.

Domestic equipment continued

This is two pieces of domestic equipment. Both are under the size limits, but only one could be parked and it would have to be on the actual driveway portion, not the grass.



This boat would be allowed under the new rules.



Allowed.

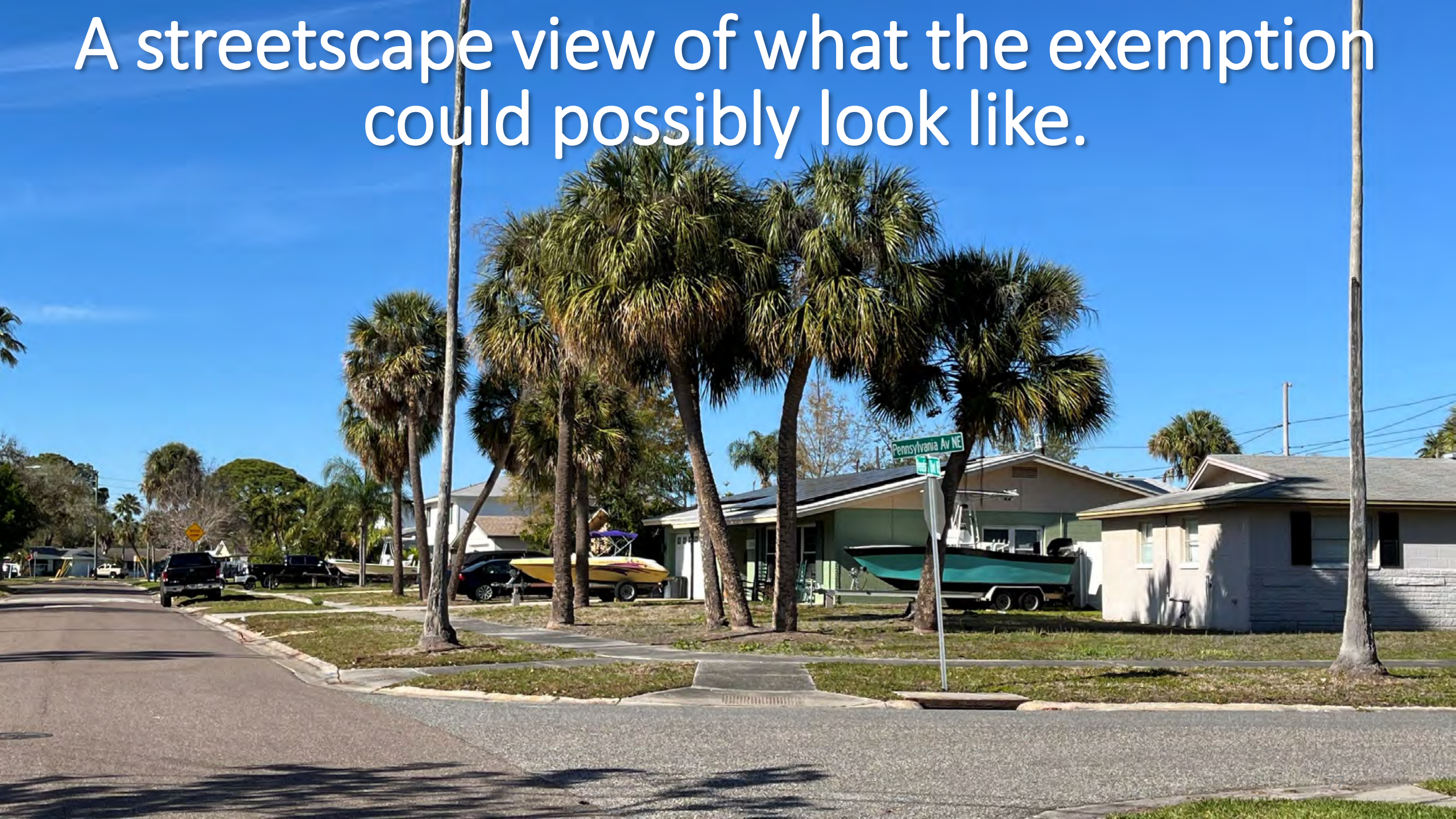


Allowed, but would need to be moved to an approved parking area.



Domestic equipment continued

A streetscape view of what the exemption could possibly look like.



Community engagement meetings were held on May 15 and June 26, 2024. Details regarding these meetings were distributed to neighborhood associations throughout the city and advertised on the official city website.

Comments received during these meetings generally included:

- Expanding **FAR Bonus M** to include preservation of existing shade trees as a qualification obtaining the respective FAR bonus and otherwise increasing incentives for preserving established and/or protected trees.
- Creating a new FAR Bonus for increasing the elevations of a foundation wall, and changing **FAR Bonus E**, to state that height shall be measured from the top of the foundation allowing for taller foundation walls consistent with traditional architectural styles typically utilizing foundation walls of 18-inches or more.
- Increasing the required porch width required to utilize **FAR Bonus A** or removing this bonus altogether.
- Discussion regarding the relationship between FAR regulations and Local/National Historic Districts, suggested support for further reducing the base FAR permitted to maintain consistency in the scale of home sizes within these districts. Additional suggestions also included permitted FAR bonuses only for additions to existing historic homes to further encourage preservation.

Stakeholder Meetings and Discussion

Additional comments received during these meetings generally included:

- Attendees generally supported code changes that would restrict the use of “non-traditional” fencing materials in residential districts.
- Many comments indicated interest and support for a “payment in lieu” option for sidewalks required in instances of new construction in residential districts.
- Many residents expressed concerns about code changes that would permit domestic equipment to be stored within front yards for extended periods of time.

Stakeholder Meetings and Discussion

Additional comments and suggestions were provided by the Tampa Bay Builders Association (TBBA) including:

- Fenestration and transparency requirements should be reduced when appropriate to fit within the architectural style; lots located on corners should have reduced transparency requirements as well.
- Expand the available list of architectural styles that qualify for ***FAR Bonus L*** to include additional architectural styles which represents a more exhaustive list of various architectural styles seen throughout the City.
- Amend the repetitive design requirement to permit repeating architectural styles if containing different elements.
- Increase ***FAR Bonus A*** to include second story balconies over a porch.
- Allow an exemption to the required front porch minimums when consistent with a recognized architectural style.
- Strong support for a payment in lieu program for required sidewalks.

Additional comments and suggestions were provided by the Tampa Bay Builders Association (TBBA) including:

- Increase the allowable encroachment permitted for elevated ancillary equipment and related platforms located within a flood zone.
- Portions of stairs/stoop below the design flood elevation (DFE) should be exempt from the front yard setback for stoops
- Removing requirement for appropriate fenestration within the rear of the house when not visible from a street right-of-way.
- Amend the verbiage restricting repetitive design standards to allow similar architectural styles with different elements.
- Decrease existing lot requirements to permit accessory dwelling units on corner lots within the NS zoning districts.
- Reduce the increased interior side setback for accessory dwelling units within NS zoning districts to the district standard.

Tampa Bay Builder Association

Thoughts? Suggestions?

Submit Public Comments:

Corey Malyszka, Zoning Official, corey.malyszka@stpete.org

Scot Bolyard, Deputy Zoning Official, scot.bolyard@stpete.org

Braydon Evans, Planner II, braydon.evans@stpete.org

**VISIT THE 2024 RESIDENTIAL LAND DEVELOPMENT REGULATIONS
WEBPAGE FOR UPDATES USING THE QR CODE BELOW OF WEB LINK**



<https://bit.ly/44M8nFs>

Potential Changes

THANK YOU



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