



City of Tarpon Springs, Florida

Planning and Zoning Board
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<http://www.ctsfl.us/agenda.htm>

**PLANNING AND ZONING BOARD AGENDA
MONDAY, FEBRUARY 23, 2026
6:30 PM - CITY HALL AUDITORIUM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. REFLECTION**
- 5. WORKSHOP SESSION: LAND DEVELOPMENT CODE AMENDMENTS DISCUSSION**
 - a. Stormwater Management Land Development Code
 - b. Land Development Codes Based on Land Development Codes and "Quick Fixes"
- 6. BOARD AND STAFF COMMENTS**
- 7. ADJOURNMENT**

CITY OF TARPON SPRINGS

STORMWATER TECHNICAL MANUAL

NOVEMBER 2022

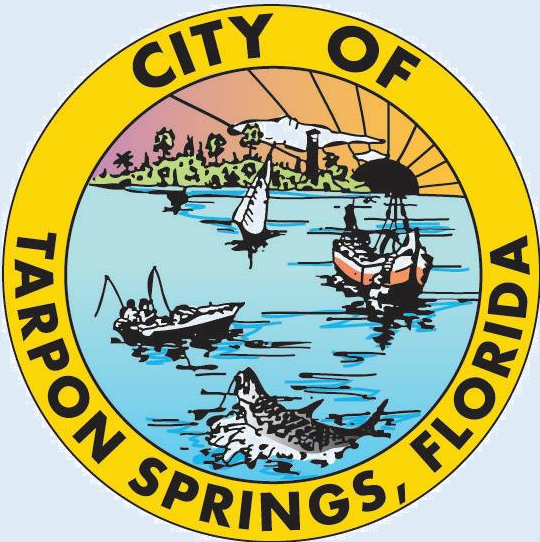




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1. INTRODUCTION

1.1. Purpose

This manual is a guide to assist Engineers in the design of stormwater management and conveyance systems in the City of Tarpon Springs, hereinafter referred to as the City. In general, these standards are a combination of requirements set by the Southwest Florida Water Management District (SWFWMD), the Federal Emergency Management Agency (FEMA), the Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) Program, Florida Department of Transportation (FDOT), and requirements set by the City Public Works Department. This manual does not propose to itemize the requirements of SWFWMD, FEMA, NPDES or FDOT, but to highlight and detail the requirements of the City. Where design standards of applicable regulatory agencies vary, the more restrictive or higher standard will apply. The Engineer of Record (Engineer) must be familiar with the current design requirements of applicable State and Federal regulatory agencies. The appropriate State stormwater permit (or exemption) and other applicable regulatory agency permits are required prior to final approval by the City.

The Engineer shall note that the City requires provisions for stormwater management for all development and redevelopment. These provisions, particularly for redevelopment or development within Volume Sensitive Basins, may exceed State requirements.

1.2. General

All development must meet the City's Land Development Code (LDC). The Engineer shall note the following:

- Any work within existing or proposed public right-of-way or public easements will require City approval; examples of such drainage improvements include, but are not limited to, driveway culverts, and changes or connections to City stormwater management systems or infrastructure.
- Redevelopment of a site may require that stormwater management is brought into compliance for the entire site in accordance with the regulations herein. Refer to the LDC.
- City LDC lists exemptions for stormwater management requirements; however, project exemptions may vary between the City and other agencies. The more restrictive criteria will apply.
- In accordance with LDC, provide Equivalent Stormwater Unit (ESU) calculations. The resulting calculation in ESUs or portions of ESUs is then multiplied by the current ESU rate in accordance with the City LDC. The ESU for any property is based on its impervious area in square feet (ft^2) divided by 1,945. Refer to Section 2.6.3 for green infrastructure methods to lower a site's ESU through conservation of open space or use of semi-impervious surfaces.

$$\text{Eqn. 1-1 Site Equivalent Stormwater Unit (ESU)} = \frac{\text{Proposed impervious area (ft}^2\text{)}}{1,945 \text{ (ft}^2\text{)}}$$



- An approved Operation & Maintenance plan for any proposed stormwater management system(s) must be included in the proposed plan set. Refer to Submittal Checklists included as Appendix B.

1.3. Glossary

The following definitions shall apply within this manual unless the context clearly indicates or requires a different meaning.

As-Builts or Record Drawings means plans certified by a Florida-registered professional that accurately represent the constructed condition of a project, including identifying any substantial deviations from the permitted design. See subparagraph 62-330.310(4)(a)1, F.A.C.

Attenuation is to limit stormwater flow to reduce downstream impacts. (See also Detention).

Backwater is the increase in upstream water surface level resulting from an obstruction to flow.

Best Management Practice (BMP) refers to Stormwater Best Management Practices, which are devices, practices, or methods that are used to manage stormwater runoff by controlling peak runoff rate, improving water quality, and managing runoff volume.

Canal or Channel means a man-made trench, the bottom of which is normally covered by water, with the upper edges of its two sides normally above water.

City is the City of Tarpon Springs.

Control Structure is a structure that allows the gradual release of water under controlled conditions.

Conveyance is the transport of stormwater via pipe and/or open channel system(s).

Cover refers to the soil cover above a buried pipe.

Culvert is an enclosed structure or pipe which conveys stormwater discharge under roadways, driveways, and other similar obstructions.

Depressional Storage is the capacity of a watershed, catchment, or drainage basin to retain water in small puddles and depressions.

Design Storm is an adopted amount, intensity, duration, distribution, and frequency of rainfall used as the basis of design criteria and specifications.

Design High Water (DHW) is the peak water surface elevation of a surface water body (e.g., detention or retention facility) which is determined according to the flow conditions of a specified design storm(s).

Detention is the collection and temporary storage of stormwater with subsequent gradual release.

Detention Area is a stormwater management facility designed to capture and limit stormwater flow (by



releasing it at a reduced rate) in order to reduce downstream impacts or improve its quality.

Directly Connected Impervious Areas The area covered by a building, impermeable pavement, and/or other impervious surfaces, which drains directly into the conveyance system without first flowing across sufficient permeable vegetated land area to allow for infiltration of runoff.

Discharge means to allow or cause water to flow to receiving waters or offsite properties.

Drainage basin means a subdivision of a watershed. See also **Open Basin** and **Volume Sensitive Basin**.

Drawdown is lowering the level of surface water, groundwater or the potentiometric surface as a result of changes in outflow in the system.

Dry Detention is the temporary storage of stormwater in a normally dry basin with subsequent gradual release of the stormwater.

Equivalent Stormwater Unit (ESU) is the established City average impervious area for a residential home and equals 1,945 square feet.

Embankment is man-made fill, constructed of soil, rock or other material, which is supported by banks or side slopes.

Engineer of Record (Engineer) refers to the Florida Registered Professional Engineer in responsible charge of a project, that signs and seals project plans and documents.

Erosion is the general process whereby soils move via flowing surface water or wind.

Erosion and Sedimentation Control Plan is a plan to control onsite soil that may ordinarily be moved by flowing surface water, wind, or movement of vehicles. The erosion control plan may consist of a separate and distinct plan or details and notes on the site plan as appropriate for the location and proposed activity.

FDEP is the Florida Department of Environmental Protection.

FEMA is the Federal Emergency Management Agency.

Flood Elevation is the stage or elevation that surface waters are expected to reach at the peak of any given storm event.

Flood Insurance Rate Map (FIRM) is an official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zone applicable to the community.

Flood Zone is a special flood hazard area depicted on the FIRM.

Floodplain means land area subject to inundation by flood waters from a river, watercourse, or lake. Floodplain boundaries are delineated according to their estimated frequency of flooding.

Floodway is the conveyance portion of a water course and its adjacent floodplain areas that must be



reserved in order to discharge the 100-year flood without increasing flood heights by a specified amount.

Freeboard is a vertical distance between the elevation of the design highwater or hydraulic grade line and the inside top of bank, ground level or edge of pavement, as applicable.

Grading is the action or process of changing the elevation contours of a specified site.

Grading Plan is a plan to accurately show the proposed change in elevations of a specific site.

Green Infrastructure or Low Impact Development (LID) is an approach to stormwater management that strives to mimic a site's natural hydrology after development.

Groundwater means water beneath the surface of the ground.

Hydraulic Grade Line is the line showing the pressure head, or piezometric head as an elevation above a datum at any point in a pipe.

Impaired water means a water body or water body segment that does not meet its applicable water quality standards as set forth in Chapters 62-302 and 62-4, F.A.C., as determined by the methodology in Part IV of Chapter 62-303, F.A.C., due in whole or in part to discharges of pollutants from point or nonpoint sources.

Impervious area is a land surface that does not allow, or minimally allows, the penetration of water, such as building roofs, non-porous concrete, and asphalt pavements, and some fine grained or compacted soils. **Semi-impervious** land surfaces, such as gravel or turf block, are discussed in Section 2.6.3.

Infiltration is the movement of water through the ground surface and into the soil zone.

Low Impact Development (LID) refer to **Green Infrastructure** definition.

National Pollutant Discharge Elimination System (NPDES) is the Federal program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits, and imposing and enforcing re-treatment requirements pursuant to the Clean Water Act.

Open Drainage Basin is any drainage basin not meeting the definition of a Volume Sensitive Basin.

Outfall is the location where stormwater flows out of a given system, either to an existing public conveyance system or a receiving water.

Outlet is the opening by which stormwater discharges from a drainage system or SMF.

Peak Discharge is the maximum instantaneous flow from a given storm event for a specific location, or the maximum instantaneous outflow from a stormwater management facility during a given storm event.

Percolation is the ability of water to pass through a porous medium, in most cases, the soil.

Pervious areas are land surfaces that are, under standard conditions, permeable to stormwater runoff and



surface water.

Positive Outfall is a direct connection to a receiving water or an existing public conveyance system.

Public Stormwater Management Systems are drainage systems located on or draining water from public rights-of-way or easements.

Receiving Waters are any water bodies or watercourses into which surface waters ultimately flow either naturally, in man-made ditches, or in a closed conduit system.

Florida Registered Professional Engineer means a professional registered or licensed by and in the State of Florida and practicing under Chapter 471, 472, 481, or 492, F.S.

Retention area is a stormwater management facility designed to prevent the discharge of a given volume of stormwater runoff into surface waters in the State by complete onsite storage.

Retention volume is the volume of stormwater retained onsite through storage, infiltration, or reuse for a given storm event.

Seasonal High Water Level (SHWL) means the elevation to which the ground and surface waters are expected to rise due to a normal wet season.

Sediment is fine particulate material in suspension, whether mineral or organic, that has settled in a water body or has been deposited by flowing water, wind, or other sources.

Sheet flow is the uniform overland flow of water in a thin layer over a sloping surface.

Seepage means the slow movement or oozing of “water” or other fluid through small openings, cracks or pores including the movement of water in soils. Seepage depends on several factors, including permeability of the soil and the pressure gradient.

Spread is the width of gutter flow, measured laterally from the face of the curb.

Stockpiling is the act of creating a stockpile, which is a pile of soil often created or placed during construction and intended for later use.

Storm Frequency is the statistical, long-term average number of years within which a particular storm event of specified magnitude can be expected to be equaled or exceeded (e.g., 25-year/24-hour storm).

Storm Sewer System is a closed conduit system underground that collects and conveys surface water discharge and stormwater runoff to receiving waters.

Stormwater means the flow of water that results from, and that occurs immediately following, a rainfall event.

Stormwater management facility (SMF) is a structural Best Management Practice (BMP) designed to provide detention, retention and/or treatment for stormwater.

Stormwater management system means a surface water management system that is designed and



constructed to control and convey drainage discharges.

Swale means a man-made trench that contains contiguous areas of standing or flowing water only following a rainfall event and is planted or vegetated suitable for soil stabilization, stormwater treatment, and nutrient uptake.

Southwest Florida Water Management District (SWFWMD) is one of five water management districts organized by the State to oversee the management of surface and subsurface water resources in the State of Florida. SWFWMD is the local district for the City.

Tailwater is the receiving water elevation (or pressure) at the final discharge point of the stormwater management system.

Time of Concentration is the time required for water to flow from the most hydrologically distant point of a drainage basin to the measurement or collection point.

Top of Bank is the highest elevation on the side slope of a pond.

Volume Sensitive Basins are basin areas where the receiving waters do not have positive outfall for storm events less than or equal to the 25-year/24-hour event, and areas which do not directly discharge into a well-defined conveyance system (i.e., ditch, storm sewer, etc.).

Watershed means the land area that contributes to the flow of water into a receiving body of water.

Weir is a notch of regular form through which water flows with a free, unconfined surface. A weir typically controls surface water or SMF discharge.

Wet detention means the collection and temporary storage of stormwater in a permanently wet SMF.

Wetlands are areas inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soils.

Wetland delineation establishes the existence (location) and physical limits (size) of a wetland for purposes of Federal, State, and local regulations.



2. GENERAL DEVELOPMENT REQUIREMENTS

All projects are subject to the provisions of the requirements of this section, as applicable.

2.1. Grading

2.1.1. Grading Requirements

Unless restrained by an approved retaining wall, terracing or other accepted stabilizing method, the maximum tie-down slope adjacent to public right-of-way or adjacent lots for any fill shall be 1:4 unless otherwise approved by the Public Works Director or his/her designee.

2.1.2. Residential Lot Grading

An individual Lot Grading Plan is required unless it is located within a subdivision with an approved master lot grading plan. The Lot Grading Plan must adhere to the following:

- (a) A Florida licensed Professional Surveyor and Mapper must provide topographical survey information. The Lot Grading Plan should note the name of the Professional Surveyor and Mapper (PLS or PSM), the date of the survey and the referenced horizontal and vertical datums.
- (b) Provide proposed finished floor elevation. Refer to Tarpon LDC for floor elevation requirements.
- (c) Indicate proposed lot grading type "A", "B", or "C." (See Typical Federal Housing Administration Housing and Urban Development (FHA-HUD) Lot Grading Exhibit, included in Appendix A).
- (d) A Florida Registered Professional Engineer, Civil discipline, must sign and seal the plan.
- (e) Show proposed elevations at all lot corners and other significant locations:
 - (1) Grade break points.
 - (2) 50-foot intervals, extending 25 feet minimum beyond all property lines.
 - (3) Adjacent street elevations at the high point, low point and back of sidewalk, and at intersection centerlines.
 - (4) 25-foot interval grid of surveyed elevations for properties within all Volume Sensitive Basins.
 - (5) Perimeter swales and conveyances (spot elevations) to demonstrate adequate positive drainage (1.0% minimum slope, maximum swale side slopes of 2:1).
- (f) Provide cross-sections of the property and improvements, showing relationship of swales,



foundation, finished floor slab and 25 feet beyond property lines.

- (g) Label existing FEMA Flood Zone limits. Indicate the 100-year Flood Elevation, if applicable, and the FEMA Community Panel Numbers. Identify any floodplain encroachments and compensating storage, if applicable.
- (h) Include wetland delineation boundaries.
- (i) Label existing trees and proposed landscaping.
- (j) Delineate existing and proposed ground cover, including limits of asphalt, concrete, sod, etc.
- (k) Include existing public utilities and any existing/proposed drainage and utility easements.
- (l) Demonstrate adequate capacity to convey offsite drainage through lot.
- (m) Show all proposed structures and existing structures that are to remain, including yard drains. Include structure types, sizes, invert elevations and point of connection/discharge. Show roof drainage direction and proposed gutter locations.
- (n) Show proposed sediment control barriers and siltation protection.
- (o) Include the following notes on the Lot Grading Plan as applicable:
 - (1) "Public drainage easements shall not contain improvements (permanent or temporary) that may obstruct access or drainage flows, including but not limited to sidewalks, driveways, impervious surfaces, patios, decks, pools, air conditioners, structures, utility sheds, chicken coops, poles, fences, sprinkler systems, trees, shrubs, hedges, and landscaping plants other than grass, except for the landscaping of stormwater detention and retention ponds as required by the LDC."
 - (2) "Rear and side yard swales shall be maintained by the lot owner according to the approved lot grading plan."

2.2. Site Planning

2.2.1. Drainage Patterns not to Change to the Detriment of Neighboring Properties

Stockpiling material, grading, excavating, and other construction activities affecting drainage shall not change the surface drainage patterns to the detriment of neighboring properties or public rights-of-way.

By common law, an upstream property owner has an easement over lands of a lower owner for surface waters to flow or escape from their land by natural ways and routes. An upper property owner may not, without liability, change the point of discharge of surface waters, nor concentrate them in ditches, nor divert in one direction waters which would have escaped in another direction,



nor discharge them at a higher velocity, nor add to their pollution and cause a downstream property adverse impact. Likewise, the lower owner may not, without liability, obstruct natural flow of surface waters onto his land, either by excluding it or causing backwater on his neighbor. In disputes between private property owners, it is the right of the injured private party to seek an injunction because of a private nuisance created when the drainage was altered.

2.2.2. Construction Phasing

Construct detention areas prior to installing storm sewers. All detention area construction shall meet the requirements set forth in Section 3.0.

2.3. Public Easement Requirements

Easements may be required over private property to ensure continued City access to public stormwater management systems. Table 2-1 lists general easement requirements.

Table 2-1. Easement Widths

Easement Type	Easement Width ¹
Minimum public drainage easement	15 ft
Pipe or drainage structure	(Structure width) + (Twice Trench Depth)
Ditch Systems < 15 ft wide (Access to one bank only)	Ditch width at top of bank + 10 ft
Ditch Systems > 15 ft wide (Access to both banks)	Ditch width at top of bank + 20 ft

¹Round calculated easement widths to the next highest five (5) foot increment.

2.4. Protection of City Stormwater Management Systems

2.4.1. Structures in Public Drainage Easements

Public drainage easements shall not contain improvements (permanent or temporary) that may obstruct access or drainage flows, including but not limited to sidewalks, driveways, impervious surfaces, patios, decks, pools, air conditioners, structures, utility sheds, chicken coops, poles, fences, sprinkler systems, trees, shrubs, hedges, and landscaping plants other than grass, except for the landscaping of stormwater detention and retention ponds as required by the LDC.

2.5. Development within Flood Prone and Restricted Areas

2.5.1. Development in Existing Low Lots

Any fill proposed in existing low lots, which lie at elevations lower than the street and receive runoff from the road, must be reviewed and approved by the Director of Public Works or his/her designee. The Engineer of Record must be able to demonstrate no adverse offsite drainage impacts. Floodplain impacts may require mitigation.



2.5.2. Volume Sensitive Basins

The City maintains a GIS layer of "Volume Sensitive Basins" on its website. The City periodically updates this data layer based on best available information. The City's GIS Portal can be accessed here:

<https://gis.ctsfl.us/portal/home/gallery.html?view=grid&sortOrder=asc&sortField=title>

- Single Family Residential and Single Lot Duplex Development – Fill may be placed for specific circumstances, such as providing a raised drain field or meeting the required finished floor elevation. Equivalent onsite storage may be required for any proposed fill. The City may impose special considerations upon the planned development of this property during the permitting procedure. Note that the use of fill is prohibited for structural support of buildings in Velocity Zones per Code of Federal Regulations, Title 44, 60.3 (e)(6).
- All Other Development – Additional attenuation requirements apply, refer to Section 3.1.2. Fill may be placed for specific circumstances, such as providing a raised drain field or meeting the required finished floor elevation. Equivalent onsite storage may be required for any proposed fill. The City may impose special considerations upon the planned development of this property during the permitting procedure. Note that the use of fill is prohibited for structural support of buildings in Velocity Zones per Code of Federal Regulations, Title 44, 60.3 (e)(6).

2.5.3. Coastal

Coastal areas are vulnerable to sea level rise. In accordance with Florida Statute 161.551, any "State-financed constructor," which includes public entities that commission or manage a construction project within a "coastal building zone," must conduct a sea level impact project (SLIP) study. The coastal building zone is defined in Florida Statute 161.54.

Coastal development should use applicable tidal tailwater condition, refer to Section 5.1.4.

2.6. Green Infrastructure Credits

Green infrastructure or Low Impact Development (LID) is an approach to stormwater management that strives to mimic a site's natural hydrology after development. The terms "low impact development" and "green infrastructure" are used interchangeably. LID principles complement, and sometimes replace, traditional stormwater management systems that move stormwater offsite with curbs, pipes, ditches and ponds.

Green infrastructure management approaches and technologies promote infiltration, filtration, evaporation, and reuse of stormwater runoff close to its source to maintain or restore natural hydrologic processes.



2.6.1. Green Infrastructure Options

Green infrastructure options for a project site vary based on existing site conditions and the type of proposed development. Stormwater management green infrastructure or LID practices may include any of the following:

- Conservation and Preservation – Minimize development footprint, specifically overall and directly connected impervious areas, to retain natural habitat, open space and existing depressional storage. This might include narrower streets, multi-level buildings and buffer areas that promote stormwater infiltration and use of wetlands for stormwater management.
- Pervious Pavement – Incorporate semi-pervious surfaces into overall paving and hardscape design.
- Runoff Volume Capture – Infiltrate additional runoff from site, beyond permitting requirements. This may be accomplished through construction of SMFs that exceed minimum requirements or additional retention best management practices (BMPs) in combination with a traditional SMF. Retention BMPs include retaining natural landscape depressions and constructing new rain gardens, bio-swales or bio-filtration systems, stormwater bumpits, stormwater tree trenches, stormwater planters, and infiltration trenches.

The toolbox of LID-integrated management practices, including structural and nonstructural designs, is most effective when applied in a treatment train, or series of complementary stormwater management practices and techniques. Typically, LID practices will not completely replace conventional stormwater management practices but can be used to complement these practices and to ensure that the entire stormwater management system meets City objectives. There are several good online resources for green stormwater infrastructure information:

- University of Florida Institute of Food and Agricultural Sciences (UF IFAS) Stormwater – <https://programs.ifas.ufl.edu/shed/resources/stormwater/>
- FDEP Green Stormwater Infrastructure – <https://gsi.floridadep.gov/>

2.6.2. Green Infrastructure Maintenance

As noted in Section 1.2, an approved Operation & Maintenance Plan must be provided in the plans set submitted for any stormwater management system. Green stormwater infrastructure often contains living elements. An Operation & Maintenance Plan should be part of initial project planning to consider how to keep those living elements alive and flourishing. Bioswales, rain gardens, and many other green stormwater infrastructure features require special considerations such as periodic soil replacement, inspection to remove blockages and to ensure there is adequate vegetation, and generally should not be treated with pesticides or fertilizers. The included Operation & Maintenance Plan must address these considerations.

2.6.3. Green Infrastructure ESU Reduction

LID practices are optional but can help reduce the City's stormwater management utility fee by



reducing the project Equivalent Stormwater Unit (ESU). The overall site design must still meet the stormwater regulations of the City of Tarpon Springs Stormwater Technical Manual. The minimum ESU for any property is 1.0 regardless of LID practices employed, or the volume retained, to support City stormwater infrastructure for public roads that service the property.

2.6.3.1. Conservation and Preservation

Minimizing the development footprint naturally reduces the amount of impervious proposed on a site. The ESU for any property is based on its impervious area in square feet divided by 1,945 per City LDC. Therefore, preservation of open space directly correlates to a lower ESU.

2.6.3.2. Pervious Pavement

Pervious pavements may include pervious pavers, gravel, shell, stone, turf block, crushed concrete and milled asphalt. The effectiveness of these types of BMPs is directly related to the porosity of the system, underlying soils, and degree of compaction. The use of subgrade for vehicular traffic may also reduce the ability of a pervious pavement to infiltrate runoff. Depending on these factors, the Rational Coefficient can be reduced from the standard 0.95 used for asphalt, as shown in Table 3-1.

2.6.3.3. Runoff Volume Capture

Runoff volume capture via conventional ponds or green infrastructure BMPs, such as rain gardens and bioswales, may be eligible for ESU credit provided that the volume retained exceeds State and City permitted requirements. The engineer must analyze the total retention volume provided versus retention volume required for the design storm event.

Runoff Volume Capture Calculations for Open Basin Projects (25-yr, 24-hr Design Storm)

Open basin SMF design requires attenuation of peak discharge rates rather than volumetric retention. Treatment volume retention may still be required to meet City and SWFWMD regulations. When considering retention ESU credits for open basin SMFs, the engineer must calculate the pre-development volumetric discharge for the 25-yr, 24-hr storm event. Retention of any volume that exceeds required site treatment requirements is eligible for credit, based on the calculated runoff volume from 1,945 square feet for the 25-yr, 24-hr storm event.

$$\text{Eqn. 2-1 Runoff volume for (1) ESU for 25-yr storm} = \frac{(P-.2S)^2}{(P+.8S)} \times \left(\frac{1 \text{ ft}}{12 \text{ in}}\right) \times 1,945 \text{ ft}^2 = 1,420 \text{ CF}$$

where $P = 25\text{-yr, 24-hr SWFWMD rainfall} = 9.0 \text{ inches}$
 $CN = \text{Curve number for impervious surfaces} = 98$
 $S = (1000/CN) - 10 = 0.204$

$$\text{Eqn. 2-2 ESU Credit (Open)} = \frac{25\text{-yr Runoff vol. retained (CF)} - \text{Treatment retention required (CF)}}{1,420 \text{ CF}}$$

The ESU credit for open basins does not include any treatment volume that is required by City or SWFWMD regulations to meet water quality requirements.



Runoff Volume Capture Calculations for Volume Sensitive Basin Projects (100-yr Design Storm)

SMF design for Volume Sensitive Basins requires retention of the net increase in the runoff volume for the 100-year, 24-hour storm event. Retention of additional volume is eligible for credit.

$$\text{Eqn. 2-3 Runoff volume for (1) ESU for 100-yr storm} = \frac{(P-.2S)^2}{(P+.8S)} \times \left(\frac{1 \text{ ft}}{12 \text{ in}}\right) \times 1,945 \text{ ft}^2 = 1,906 \text{ CF}$$

where $P = 100\text{-yr, 24-hr SWFWMD rainfall} = 12.0 \text{ inches}$
 $CN = \text{Curve number for impervious surfaces} = 98$
 $S = (1000/CN) - 10 = 0.204$

$$\text{Eqn. 2-4 ESU Credit (Vol. Sens.)} = \frac{100\text{-yr Runoff vol. retained (CF)} - 100\text{-yr retention required (CF)}}{1,906 \text{ CF}}$$

The ESU credit for Volume Sensitive Basins does not include any retention volume that is required by City or SWFWMD regulations to meet pre/post 100-year volumetric discharge requirements.

Adjusted ESU Calculation

Once the appropriate ESU credit has been established, this credit is subtracted from the standard ESU. The standard ESU calculation is provided in Section 1.2, Equation 1-1. Each site has a minimum ESU of 1.0.

$$\text{Eqn. 2-5 Adjusted ESU} = (\text{Standard ESU}) - (\text{ESU Credit})$$

2.6.3.4. Example #1: Pervious Pavement ESU Reductions

Consider a project that proposes a new 10,000 square foot parking lot on a parcel with existing Type A soils and a SHW elevation of six feet below ground surface. The parking lot may be constructed partially or completely with asphalt or pervious pavement. The following table demonstrates how the impervious area runoff coefficient and ESU will vary accordingly.

Table 2-2. Example #1: Pervious Pavement ESU Reductions

Option	Impervious Area (ft ²)		Impervious Area Weighted Runoff Coefficient (Cw) Asphalt = 0.95 Pervious Pavement = 0.45	ESU ¹ = $\frac{\text{Impervious ft}^2 \times \frac{Cw}{0.95}}{1,945 \text{ ft}^2}$	ESU Reduction
	Asphalt	Pervious Pavement			
1	10,000		0.95	5.14	0
2	5,000	5,000	0.70	3.73	1.41
3		10,000	0.45	2.32	2.82

¹Minimum ESU for any property is 1.0.



2.6.3.5. Example #2: Runoff Volume Capture ESU Reduction for Open Basin

Consider a 3-acre project site within an open basin, currently undeveloped, with Type A soils. A project proposes to construct 1.6 acres of impervious area (buildings, driveways, etc.) and a 0.4-acre dry retention pond. Additionally, five planter boxes are planned within the parking area, each of which will capture and infiltrate 0.05 ac-ft of runoff in the 25-year, 24-hour event.

Table 2-3. Example #2: Runoff Volume Calculations

Condition	Cover	CN	Area (ac)	Weighted CN	S	Rainfall, P (in)	Runoff (in)	Runoff (ac-ft)
PRE	Grass	39	3.0	39.00	15.64	9.00	1.60	0.40
POST	Grass	39	1.0	78.60	2.72	9.00	6.40	1.60
	Asphalt	98	1.6					
	Pond	100	0.4					

$$\text{Required Treatment Volume (dry retention)} = 3.0 \text{ ac} \times 0.5 \text{ in} \times \frac{1 \text{ ft}}{12 \text{ in}} = 0.125 \text{ ac-ft}$$

Modeling data shows that the following infiltration occurs for the 25-yr, 24-hr storm event:

$$\text{Dry Pond Infiltration} = 0.8 \text{ ac-ft}$$

$$\text{Planter Box Infiltration} = 0.05 \text{ ac-ft} \times 5 \text{ planter boxes} = 0.25 \text{ ac-ft}$$

$$\text{Total on-site retention} = 0.8 \text{ ac-ft} + 0.25 \text{ ac-ft} = 1.05 \text{ ac-ft}$$

$$\text{Using Eqn. 2-2, ESU Credit} = \frac{(1.05 \text{ ac-ft retention} - 0.125 \text{ ac-ft treatment}) \times \frac{43,560 \text{ ft}^2}{1 \text{ ac}}}{1,420 \text{ CF}} = 28.4$$

$$\text{Using Eqn. 1-1, Site ESU} = \frac{1.6 \text{ ac impervious} \times \frac{43,560 \text{ ft}^2}{1 \text{ ac}}}{1,945 \text{ ft}^2} = 35.8$$

$$\text{Using Eqn. 2-5, Adjusted ESU} = 35.8 - 28.4 = 7.4$$



3. STORMWATER MANAGEMENT FACILITY DESIGN

3.1. Attenuation Requirements

Attenuation requirements vary for projects in open versus volume sensitive basins; see Sections 3.1.1 and 3.1.2. Stormwater design calculations can be performed using the Rational Method, for sites 10 acres or less, or the Natural Resources Conservation Service Curve Number Method using the 24-Hour Type II Florida Modified rainfall event.

The Rational Method calculates the rate of runoff (Q) based on the coefficient of runoff (C), the average intensity of rainfall (I) and drainage basin area (A) using the formula $Q = CIA$. Design storms are to be obtained from the Florida Department of Transportation Zone VI Rainfall Intensity Curves. Recommended runoff coefficients are listed in Table 3-1.

Table 3-1. Rational Method Runoff Coefficients

Land Use	Rational Method Runoff Coefficient ¹
Ponds, lakes and detention areas (wet or dry)	1.00
Buildings, paved areas, and other impervious areas	0.95
Pervious pavement, gravel, shell, stone, turf block ²	0.45 – 0.95
Wooded Areas	0.10 – 0.30
Single Family Residential (Lots < ½ ac.)	0.35 – 0.70
Single Family Residential (Lots ≥ ½ ac.)	0.30 – 0.65
M.F.R.: Townhomes, Condominiums Apartments	0.45 – 0.80
Commercial and Industrial	0.50 – 0.95
Undeveloped pervious open space areas	0.15 – 0.40

¹Twenty percent shall be added to the runoff coefficient for storm frequencies > 25 years.

²Runoff coefficient varies based on underlying soil type and degree of compaction. Engineered surfaces that are constructed with a gravel base to facilitate runoff infiltration will be more pervious.

3.1.1. Open Basins

The stormwater management plan for projects in open drainage basins shall be designed to accommodate the attenuation of the 25-year frequency, 24-hour duration storm event. Positive drainage outfall shall be provided. Sheet flow shall not constitute a positive outfall.

3.1.2. Volume Sensitive Basins

Drainage basins are designated as “Volume Sensitive Basins” if there is limited or no positive drainage outfall for storm events less than or equal to the 25-year/24-hour event, or if a basin does not directly discharge into a well-defined conveyance system (i.e., ditch, storm sewer, etc.). The City maintains an online GIS layer of Volume Sensitive Basins, as noted in Section 2.5.2. For a project or portion of a project within a Volume Sensitive Basin, the required retention volume shall be the net increase in the runoff volume for the 100-year, 24-hour storm event.

3.2. Water Quality Requirements



3.2.1. Treatment Volume

Required water quality treatment volume shall be equivalent to one inch of depth over the contributing project area for wet detention and one-half inch for dry retention. The FDEP requires additional treatment for projects discharging to impaired water bodies. Nutrient removal calculations, when required for SWFWMD permitting, shall be provided to the City.

Baffles or other appropriate devices for control of floating material must be provided, with applicable flow calculations. Refer to Section 3.3.5.

3.2.2. Drawdown

Treatment volume drawdown must meet SWFWMD criteria. A safety factor of two shall be applied to the infiltration rate for systems that utilize percolation for treatment volume recovery. Drawdown calculations shall be provided to the City.

3.3. General Design Standards

Wet stormwater management facilities (SMFs) shall meet SWFWMD depth and design requirements to ensure beneficial flora and fauna is maintained for mosquito control, and to preclude extensive growth of cattails or similar bottom-rooted emergent vegetation over its central area. The water table shall not be manipulated so as to endanger natural vegetation beneficial to water quality.

3.3.1. Percolation and Soils Investigations/Geotechnical data

At least one soil boring showing the soil profile and the seasonal high water level (SHWL) shall be provided with the site plan. The soil boring shall be located within the footprint of the proposed detention area. Multiple borings may be required based on the site configuration and size.

If the site design intends to utilize infiltration, a Double Ring Infiltration or other recognized testing method is required to determine the percolation rate within the footprint of the proposed pond bottom or vault bottom. Percolation tests should be performed at the proposed pond bottom elevation and not in filled ground unless the soil has been thoroughly and mechanically compacted or allowed to settle for a period of six months or more.

Results of all percolation and soils investigations shall be certified by a Florida Registered Professional Engineer.

3.3.2. Freeboard

One foot of freeboard between the design high water (DHW) and the top of bank elevation is recommended. Minimum allowable freeboard is six inches. The DHW elevation shall be established in consideration of adjacent properties and facilities. If the DHW is above adjacent surrounding grade a seepage analysis must be provided to the City.



3.3.3. Pond Grading

SMFs (detention and retention) shall have grass sodded slopes graded to a maximum slope of 1:4 unless otherwise approved by the Director of Public Works or his/her designee. Steeper slopes may require shielding in accordance with Section 3.3.4(b).

Dry ponds shall have bottom elevations one foot above the SHWL unless otherwise approved by the Director of Public Works or his/her designee. The final six inches of grading for dry pond bottoms shall not occur until after the upstream conveyance system has been constructed and cleaned in accordance with project specifications. This must be noted in the construction plans. Only sand grown sod shall be used to stabilize SMF side slopes. Sand grown sod or hydroseeding may be used on pond bottoms.

3.3.4. Shielding

Shielding of wet detention facilities and vertical headwalls is required in accordance with the City LDC. Exemptions to shielding requirements apply if the pond is established as an amenity to the surrounding development and meets one of the following criteria:

- (a) Pond is located near the interior of the development; or
- (b) Pond includes a minimum 15-foot maintenance berm with maximum 1:4 side slopes from the maintenance berm elevation to six feet below the normal water level.

3.3.5. Control Structures

3.3.5.1. Control Structure Details

Control structures should be drawn to scale and included with the construction plans submitted to the City.

3.3.5.2. Skimmer Flow Calculations

The flow area behind the skimmer should be at least three times the weir area, otherwise, provide skimmer flow calculations to ensure adequate capacity.

3.4. Design Standards Public Right-of-Way Work and Subdivisions

3.4.1. Maintenance Berm Requirements (Public / Subdivision Projects)

Provide a minimum 15-foot unobstructed maintenance berm with a maximum slope of 1:10.

3.4.2. Pond Walls (Public / Subdivision Projects)

The City does not permit vertical walls unless otherwise approved by the Director of Public Works or his/her designee.



3.5. Design Standards for Other Private Site Development

3.5.1. Maintenance Berm Requirements (Commercial / Other Private Projects)

Stormwater management detention and retention area top of bank shall be at least five feet from the property line. A minimum two-foot flat section shall be provided between the top of bank elevation and the property line.

3.5.2. Pond Walls (Commercial / Other Private Projects)

Ponds with vertical retaining walls must be protected in accordance with the City LDC. Infiltration calculations must account for the presence of walls.



4. FLOODPLAIN AND FLOODWAYS

4.1. Floodplain Compensation

Development within FEMA flood zones must provide compensation for any loss in the 100-year floodplain storage capacity. The two approaches below are acceptable methods to demonstrate that the floodplain will not be adversely impacted.

(a) “Cup-for-cup” Compensation

For any fill placed within the floodplain, demonstrate that an equal amount of floodplain storage volume is created by excavation below the 100-year flood elevation and above the SHWL elevation; compensation must equal impacts at equivalent elevations.

(b) “No Rise” Flood Routing

Use the project pre-development and post-development stormwater routing models to demonstrate that any loss in the floodplain storage capacity does not cause an increase greater than 0.05 foot in the 100-year flood stages upstream and downstream of the project area. A No-Rise Certificate is required to be completed by engineer and submitted to the City Floodplain Coordinator for approval and records retention.

The limits of the floodplain are shown in the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs). The Engineer should use best available information to establish floodplain elevations and limits. If a more current watershed study is available, the floodplain limits from the watershed study shall be used.

4.2. Floodways

FEMA regulated floodways through a proposed development shall be within designated public easements or public rights-of-way and comply with FEMA regulations. Bridge embankments shall not encroach into FEMA designated floodways.

As required per City Land Development Code (LDC), no development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

4.3. Floodplain Permit

Any development activity exempt from Florida Building Code, which is within or partially within a flood hazard area, will require application for a floodplain development permit or approval in accordance with City LDC.



5. CONVEYANCE DESIGN

5.1. General Conveyance

5.1.1. Design Frequency

Table 5-1. Design Frequency for Conveyance Systems

Structure Type		Frequency
Offsite Canals		50-year
Offsite Cross Drains		25-year
Roadside Ditches	Arterial & Collector	10-year
	Local/Residential	3-year
Roadside Storm Sewer	Arterial & Collector	5-year
	Local/Residential	3-year

5.1.2. Minimum Time of Concentration

The minimum Time of Concentration is 10 minutes; however, do not default to the minimum 10 minutes for the existing condition.

5.1.3. Runoff Calculations

The Rational Method is appropriate for sites less than 10 acres in size. Storm sewer tabulations will be provided for storm sewer systems designed using the Rational Method. Recommended runoff coefficients are listed in Table 3-1.

For sites larger than 10 acres, other methodology may be used.

5.1.4. Design Tailwater

All conveyance systems shall take into consideration the tailwater of the receiving waters or outfall. Modeled design stage elevations may be available from the City or SWFWMD. In the absence of site-specific data, the Engineer shall demonstrate that the assumed design tailwater conditions are appropriate.

At tidal outfalls, the City requires a minimum tailwater elevation of 3.0 feet North American Vertical Datum of 1988 (NAVD 88) in accordance with Pinellas County criteria. Applicants may propose to utilize alternative tailwater elevations due to site specific constraints but should consider current and future conditions at the receiving waters.



5.2. Work in the Public Right-of-Way and Subdivisions

5.2.1. Culvert and Storm Sewer Design Criteria

Table 5-2. Design Criteria for Culverts and Storm Sewer

Parameter	Criteria
Maximum Culvert Length Without Access	Per FDOT Standards
Minimum Pipe Size	15-inch (or elliptical equivalent)
Minimum Physical Velocity	2.5 fps (flowing full)
Acceptable Pipe Materials ¹	Reinforced concrete pipe
Maximum Allowable Velocities	Per FDOT Standards
Recommended Minimum Cover for Storm Sewer at Roadways and Driveways, Measured from Top of Pipe to Bottom of Roadway Base	12 inches
Minimum Separation Between Proposed Storm Sewer and Other Utilities	12 inches per the FAC
Maximum Hydraulic Grade Line for Stormwater Collection Systems	(1) If minor losses are included: No higher than the edge of pavement at the inlet throat (2) If minor losses are not included: One foot below the edge of pavement at the inlet throat
Allowable Spread for Local Roads ²	Spread analysis is not required for on-grade inlets spaced 300 feet or less. For sag inlets and further spacing, spread depth must not exceed the roadway crown.
Allowable Spread for Collector and Arterial Roads ²	Per FDOT Standards
End Treatments	(1) A headwall, MES or FES is required for all inlet and outlet pipes. (2) Headwalls shall be reinforced concrete. (3) All outlets shall have an apron to prevent erosion. (4) Riprap is not allowed in City ditches due to maintenance concerns.
Inlet Type	Curb inlets that provide manhole access are recommended. Refer to City Standard Details or FDOT Type 2 and Type 4 inlets.

¹Unless otherwise approved by the Director of Public Works or his/her designee

²This includes spread analysis for the addition of turn lanes.



5.2.2. Open Channel Design Criteria

The City must approve any deviations from the design criteria shown in Table 5-3.

Table 5-3. Design Criteria for Open Channels

Parameter	Criteria
Maximum Side Slope	1:4
Minimum Bottom Width	3 feet
Minimum Longitudinal Grade	0.10%
Minimum Freeboard (Between DHW Elevation and TOB Elevation)	6 inches
Maximum Allowable Velocities	Per FDOT standards

5.2.2.1. Ditch Erosion Protection

Ditches shall be seeded or sodded or lined in accordance with the FDOT standards.

5.2.2.2. Channel Intersections

Where shallow ditches or storm sewers intersect deeper drainage ditches, erosion control shall be provided.

5.2.3. Outfalls

- (a) Pond outfalls shall be designed not to allow overland flow across City sidewalks.
- (b) Outfall pipes are to be no larger than necessary to convey the allowable capacity at the DHW.
- (c) The maximum velocity of discharge into the City storm sewer system is eight feet per second. Roof drains must be vented if a direct connection to the City storm sewer system is proposed.
- (d) All utilities in the right-of-way which may potentially conflict with the outfall pipe shall be shown with the elevations. Any apparent conflicts must be resolved and approved by the City prior to working in the right-of-way.
- (e) Where flow velocities from pipes discharging to open channels exceed permissible velocities or the soil conditions in the receiving channel, suitable energy dissipating structures shall be installed to prevent erosion.



5.2.4. Roadway Design Criteria for Drainage

Table 5-4. Roadway Design Criteria for Drainage

Parameter	Criteria
Roadway Longitudinal Slope for Curb and Gutter Sections	0.30%
Minimum Roadway Cross Slope ¹	2.0%

¹Public streets shall not be designed with an inverted crown per the City LDC.

5.2.4.1. Concrete Curb, Gutter, and Sidewalks

Stormwater shall not be transported across major street intersections.

Valley gutters to convey water across and/or through an intersection are prohibited except in rare instances where hardship can be demonstrated.

5.2.4.2. Seeding, Sodding and Mulch

The unpaved areas from the curb or edge of pavement to the right-of-way shall be sodded or seeded. No mulch is allowed in the public right-of-way.

5.2.4.3. Roadway Restoration

Areas disturbed by construction shall be restored to existing elevations and current or better condition. Brick and granite curb shall be replaced in kind. Refer to City standard details.



6. CONSTRUCTION

6.1. Erosion and Sedimentation Control

Erosion and Sedimentation Control measures shall be designed in accordance with the most current FDEP Erosion and Sediment Control Designer and Reviewer Manual.

Required NPDES permits shall be provided to the City prior to beginning construction. No clearing, grading, excavating, filling, or other disturbing of the natural terrain will be permitted until City approved erosion and sediment control measures have been installed, except those operations needed to implement these measures. All erosion and sediment control measures shall be continuously monitored and maintained during the construction phase of the development.

The contractor/developer shall provide an Erosion and Sedimentation Control Plan for any site with disturbed land area greater than 1,000 square feet, which should be site-specific to address project issues and site conditions. It shall also include, but not be limited to:

- (a) Internal grading to route all stormwater runoff through the designed drainage system.
- (b) Temporary (sedimentation fences, silt screens, etc.) controls placed along the perimeter of the property to filter the flow of runoff.
- (c) The final grading of any retention or detention area shall not be completed until the development has been completed.
- (d) Soil tracking prevention devices shall be provided at all areas of ingress and egress to minimize sediment transport onto the public streets. Should any tracking occur, it must be immediately removed by the contractor.

6.2. Functional Stormwater System During Construction (Temporary Drainage)

During all phases of construction, all stormwater entering, leaving, or flowing through construction sites shall be controlled in a manner consistent with the approved stormwater plan and shall not adversely affect adjacent properties. Temporary stormwater discharges must meet State turbidity requirements per NPDES requirements. Any dewatering permits required shall be provided to the City.

6.3. Stockpiles

Any temporary or permanent stockpiles of earth, soil, or other earth products must be approved by the City and comply with the following requirements:

- a. No stockpile shall be placed within 10 feet of an adjacent property line unless otherwise approved by the City.
- b. All sites shall have an erosion control plan in effect that includes BMP(s) to contain stockpiled



material until such time as the stockpile is removed and the site is permanently vegetated.



7. POST CONSTRUCTION

7.1. As-Built Documentation

Upon completion of work, one set of "As-Built" plans or record drawings, signed and sealed by a Florida Registered Professional Engineer, shall be submitted. The engineer shall inspect the system including all system components and sign/seal a statement as to their proper construction and compliant operational condition on the date of inspection.



Appendix A. Typical FHA-HUG Lot Grading Exhibit

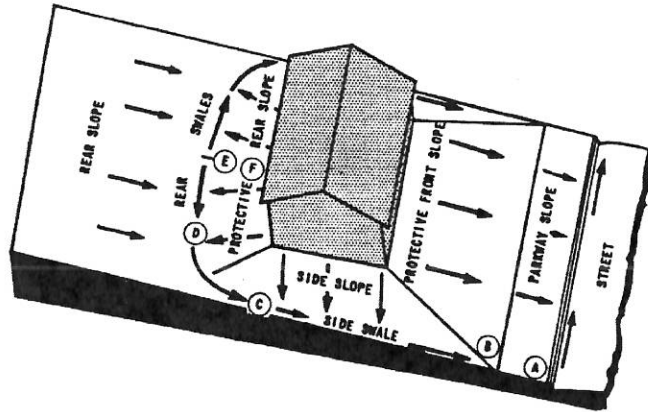
TYPICAL FHA-HUD LOT GRADING

TYPE "A" LOT GRADING

ALL DRAINAGE TO STREET

Rear yard swales behind the house carry surface water from rear yard to side yard swales (1% minimum) which carry it to street for disposal through the street gutters and the public storm drainage system.

- A Curb-top on lot line extension at highest lot corner.
- A-B Parkway slope
- B-C Side yard swale
- C-D Swale turn with 10' radius
- D-E Rear swale
- E-F Protective rear slope up from high point of swales

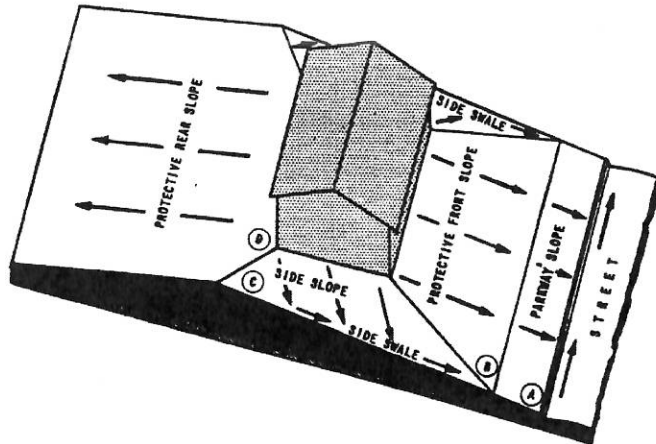


TYPE "B" LOT GRADING

DRAINAGE BOTH TO STREET & TO REAR LOT LINE

Only side swales are needed to drain both to the street and to the rear lot line. They should extend back of the line of the rear building wall; then splash blocks from rear roof downspouts should be placed to direct roof water to the side swales for drainage directly to the abutting street. Thus the amount of water carried on the rear slope to easements or other properties is kept as small as possible. This reduces erosion and disposal problems.

- A Curb-top on lot line extension at highest lot corner
- A-B Parkway slope
- B-C Side swale
- C-D Protective side slope at extension of rear wall

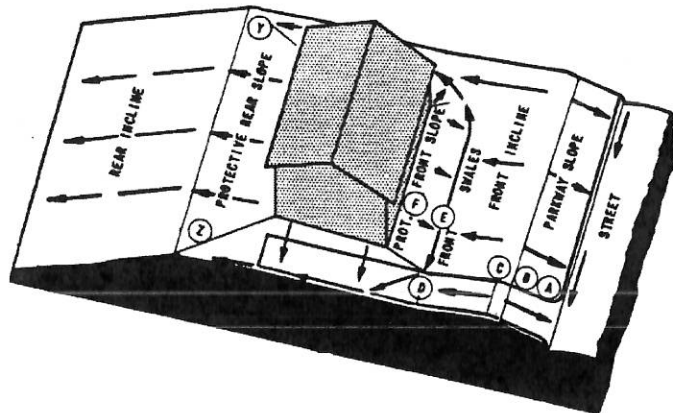


TYPE "C" LOT GRADING

ALL DRAINAGE TO REAR LOT LINE

Front swales are essential to carry surface water from the front yard to side-yard swales which carry it to the rear for disposal in easements or across other properties. Proper cross-section of the street gutter, curb and parkway strip are essential to stop street water from flowing onto the lot.

- A Curb-top at high side of driveway near low lot corner
- A-B Parkway slope
- B Driveway grade change from upgrade drive in street to downgrade drive on lot
- C-D Driveway downgrade point out from front of building
- D-E Front swale
- E-F Protective front slope from highpoint of swales





Appendix B. Submittal Checklist

CITY OF TARPON SPRINGS
PROPOSED DEVELOPMENT APPLICATION/SUBMITTAL REQUIREMENTS
DRAINAGE CHECKLIST

- Pg 1** **List 1 – Residential Single Family Development Submittal Requirements**
Pg 2 **List 2 – Commercial Site Construction Plan Review/Submittal Requirements**
Pg 4 **List 3 – Subdivision Construction Plan Review/Submittal Requirements**

List 1 – Residential Single Family Development Submittal Requirements:

- 1) Application and related documents, including:
 - a) Owner information and/or Agent Authorization
 - b) Proof of property Ownership/Control (copy of Recorded Deed)
 - c) Property address and legal description
 - d) Existing/proposed utility service connection locations
- 2) Two copies of the Lot Grading Plan signed and sealed by a professional engineer licensed in the State of Florida
- 3) Current Aerial Map with the proposed lot highlighted
- 4) Geotechnical Certification of proper pad compaction (where filling of lot pad is proposed)
- 5) Any other information required to show compliance with City Land Development Code.

Lot Grading Plan Requirements

The Lot Grading Plan should meet the criteria listed in Section 2.1.2 of the Stormwater Technical Manual.

List 2 – Commercial Site Construction Plan Review/Submittal Requirements:

- 1) Application and related documents, including:
 - a) Owner information and/or Agent Authorization
 - b) Proof of property Ownership/Control (copy of Recorded Deed)
 - c) Property parcel number and legal description
 - d) Stormwater management system Ownership and Maintenance (O&M) entity, and description of proposed O&M procedures to be utilized to ensure adequate function of the proposed system.
 - e) Project boundary/topographic survey showing existing: site dimensions, datum, adjacent roadways and all onsite easements (and those of adjacent abutting parcels), trees, wetlands and site topography/grades (one-foot contours) extending a minimum 25 ft. beyond the project boundary.
 - f) Existing/proposed utility service connection locations
- 2) Two signed and sealed copies of the project Grading/Drainage Plans
- 3) Signed and sealed Drainage Calculations
- 4) Signed and sealed Geotechnical Report
- 5) Copy of other required regulatory permits, including but not limited to: SWFWMD, FDOT, FDEP, Pinellas County and USCOE.
- 6) Any other information required by the City Engineer to demonstrate compliance with City Land Development Code.

Commercial Site Grading/Drainage Plan Requirements

The grading/drainage plans, at a minimum, are to be signed and sealed by a Florida registered professional engineer and include:

- 1) Existing/proposed building locations, set-backs and buffer requirements
- 2) Existing grades (1 ft. contours, extending a minimum of 25 ft. offsite)
- 3) Existing edge of pavement, centerline and sidewalk elevations on adjacent roadways
- 4) Existing wetland lines and buffer limits, including wetland hydroperiods
- 5) Proposed features including building and pavement areas/type, with dimensions and square footages of each use
- 6) Proposed grades: including building finished floors (with proposed ground elevation outside buildings), parking areas/driveways/sidewalks and accessible route finished grades meeting ADA requirements
- 7) Stormwater management system details/dimensions/sections, including ponds/lakes, stormwater vaults, swales/ditches and onsite storm sewer
- 8) Show proposed pond bottom, normal water, design high water and top of bank elevations on Grading and Drainage Plans and related pond sections
- 9) Proposed pond control structure and skimmer details
- 10) Existing/proposed drainage easements
- 11) Offsite improvements, if needed
- 12) Project Flood Certification and 100-year flood elevation with any resulting flood plain encroachment/mitigation areas
- 13) Demonstrate conveyance of existing offsite drainage through/around project or include/comeingle with onsite flow calculations (if needed).
- 14) Roof drainage direction and proposed gutter locations
- 15) Ancillary uses (porte-cochere, pool or parking decks, etc.) grading and drainage flow direction
- 16) Proposed limits of work with sediment control barriers and erosion control measures outlined
- 17) Proposed Landscaping (including all proposed ground cover/sod) and irrigation plans

- 18) Boring locations
- 19) Show all areas within City, County or FDOT right of ways disturbed by construction and not otherwise planted, to be sodded.
- 20) Approved Operation & Maintenance Plan for proposed stormwater management system

Commercial Site Drainage Calculation Requirements:

The signed and sealed drainage calculations, at a minimum, are to be in a comprehensive report, which includes:

- 1) Project narrative discussing project size, location, and use, including: whether located in an open or closed drainage basin; FDEP WBID identification and/or known impairments; existing onsite soils; whether environmental areas and/or flood prone areas exist onsite and/or identify proposed impacts and mitigation.
- 2) Existing conditions drainage basin map, which includes existing contours, basin divides, flow paths/directions, and all existing onsite and offsite tributary basins, with areas labelled
- 3) Proposed conditions drainage basin map, which includes proposed drainage improvements, basin divides, flow directions, and all onsite and offsite tributary drainage basins, with areas labelled
- 4) Identify any/all existing onsite wetland or basin surface storage areas and quantify/compute any storage/attenuation provided by said depressional storage
- 5) Existing/proposed times of concentration calculations
- 6) Existing/proposed basin Curve Number and/or Rational Coefficient determinations
- 7) Demonstrate that the project stormwater management system and discharge meet City Development Standards, Stormwater Management Regulations and the construction standards of the Southwest Florida Water Management District (SWFWMD) and the Florida Department of Transportation (FDOT) and/or Pinellas County, where applicable
- 8) Proposed pond normal water elevation and related groundwater and/or downstream wetland seasonal high determination and documentation
- 9) If using infiltration/percolation provide supporting geotechnical documentation for assumptions used in calculations
- 10) Storm sewer tabulations and any required ditch/swale conveyance calculations
- 11) Wetland hydration calculations, if onsite depressional wetland is used for drainage purposes
- 12) Tailwater determinations used and back-up documentation

List 3 – Subdivision Construction Plan Review/Submittal Requirements:

- 1) Application and related documents, including:
 - a) Owner information and/or Agent Authorization
 - b) Proof of property Ownership/Control (copy of Recorded Deed)
 - c) Property parcel number and legal description
 - d) Stormwater management system Ownership and Maintenance (O&M) entity, and description of proposed O&M procedures to be utilized to ensure adequate function of the proposed system
 - e) Current aerial identifying project limits
 - f) Project boundary/topographic survey showing existing: site dimensions, datum, adjacent roadways and all onsite easements (and those of adjacent abutting parcels), trees, wetlands and site topography/grades (one-foot contours) extending a minimum of 25 ft. beyond project boundary.
 - g) Project utility and drainage master plans showing overall improvements and proposed phasing
- 2) Two signed and sealed copies of the project lot grading/drainage plans, roadway plan/profiles, pond sections and grading/drainage details
- 3) Signed and sealed drainage calculations/report
- 4) Signed and sealed geotechnical report
- 5) Copy of other required regulatory permits, including but not limited to: SWFWMD, FDOT, FDEP, Pinellas County and USCOE.
- 6) Any other information required by the City Engineer to demonstrate compliance with City Land Development Code.

Subdivision Grading/Drainage Plan Requirements:

The grading/drainage plans, at a minimum, are to be signed and sealed by a Florida registered professional engineer and include:

- 1) Proposed/typical pad locations, set-backs and buffer requirements
- 2) Existing grades (1 ft. contours, extending a minimum of 25 ft. offsite)
- 3) Existing centerline and sidewalk elevations on adjacent roadway/s
- 4) Existing wetland lines and buffer limits, including wetland hydroperiods
- 5) Typical lot development setbacks/buffers/easements
- 6) Typical roadway sections, including pavement and sidewalk widths and slopes meeting ADA requirements
- 7) Proposed lot and pad grades demonstrating positive drainage and intended lot grading/drainage scheme (min. yard and swale slopes of 1.0% minimum, maximum swale side slopes of 2h:1v)
- 8) Proposed roadway grading (profile grade and typical sections) with high/low points shown/labeled on grading plans
- 9) Stormwater management system details/dimensions/sections including ponds/lakes, swales/ditches, and roadway storm sewer.
- 10) Show proposed pond bottom, normal water, design high water and top of bank elevations on Grading and Drainage Plans and related pond sections
- 11) Show pond sections identifying proposed bottom, normal water, design high water, maximum side slopes, minimum berm width and top of bank elevations
- 12) Proposed pond control structure and skimmer details
- 13) Existing/proposed drainage easements
- 14) Offsite improvements, if needed
- 15) Project Flood Certification and 100-year flood elevation
- 16) Demonstrate conveyance of existing offsite drainage through/around project or include/comingle with onsite flow calculations (if needed).

- 17) Proposed gutter locations on those homes where roof runoff would discharge to offsite butting areas
- 18) Amenities site (such as club house or pocket park) and details demonstrating adequate parking and drainage facilities design to meet City regulatory requirements
- 19) Proposed limits of work with sediment control barriers and erosion control measures outlined
- 20) Proposed Landscaping/Irrigation plans detailing any/all plantings, entry feature/guard house, project sign, fence or wall locations and required easements
- 21) Boring locations
- 22) Show all areas within City, County or FDOT right of ways disturbed and not otherwise planted, to be sodded
- 23) Approved Operation & Maintenance Plan for proposed stormwater management system

Subdivision Drainage Calculation Requirements:

The signed and sealed drainage calculations, at a minimum, are to be in a comprehensive report, which includes:

- 1) Project narrative discussing project size, location, phasing and uses, including: whether in an open or closed drainage basin, FDEP WBID identification and/or known impairments, existing onsite soils, whether environmental areas and/or flood prone areas exist onsite
- 2) Existing conditions drainage basin map which includes existing contours, basin divides, flow paths/directions, and all existing onsite and offsite tributary basins with areas labelled
- 3) Proposed conditions drainage basin map which includes, proposed drainage improvements, basin divides, flow directions, and all onsite and offsite tributary drainage basins with areas labelled
- 4) Identify any/all existing onsite basin surface storage areas or wetlands and quantify/compute any storage/attenuation provided by said depressional storage
- 5) Existing/proposed times of concentration calculations
- 6) Existing/proposed basin Curve Number and/or Rational Coefficient determinations
- 7) Demonstrate that the project stormwater management system and discharge meet City Development Standards, Stormwater Management Regulations and the construction standards of the Southwest Florida Water Management District (SWFWMD) and the Florida Department of Transportation (FDOT) and/or Pinellas County, where applicable
- 8) Proposed pond normal water elevation and related groundwater and/or wetland seasonal high determination and documentation.
- 9) If using infiltration/percolation provide supporting geotechnical documentation for assumptions used in calculations
- 10) Storm sewer tabulations and any required ditch/swale conveyance calculations
- 11) Tailwater determinations used and back-up documentation
- 12) Wetland hydration calculations, if onsite depressional wetland is used for drainage purposes.

ARTICLE VI. STORMWATER MANAGEMENT¹

§ 20-70. FINDINGS AND AUTHORITY.

- (a) *The stormwater management system.* The city presently owns and operates a stormwater management system which has been developed over a number of years to serve the purpose of collecting, retaining, detaining, treating and disposing of storm and other surface waters. A number of studies have been conducted by the city and other entities, and such studies have indicated that the present system is inadequate to control and manage stormwater run-off within the city. Such studies have additionally determined that it will be necessary and essential to construct improvements and extensions to the system to ensure that the collection, retention, detention, treating and disposal of stormwater within the city to accomplish in order to protect the health, safety and welfare of the citizens of the city as well as the quality of surface water within and adjacent to the city and to protect the receiving waters adjacent to the city from further degradation and to improve the quality of stormwater runoff entering these bodies of water.
- (b) *Authority.* The city is authorized by the provisions of F.S. Ch. 166 and § 403.0893, and the Florida Constitution to plan, construct, operate and maintain stormwater management systems and to issue revenue bonds and other debt if needed to finance in whole or part the cost of such system and to establish just and equitable rates, fees and charges for the services and facilities provided by the system.
- (c) *Findings and determinations.* It is hereby found, determined and declared as follows:
 - (1) Those elements of the system for the collection, retention, detention, treatment and disposal of storm and surface water are of benefit and provide services to all property within the city. The treatment of stormwater runoff being discharged into the bodies of water within and adjacent to the city that enters the stormwater management system is of benefit to all property owners within the city. Water discharged into the streets which finds its way into the stormwater management system or adjacent bodies of water is partially treated and improved by the street sweeping program which is an integral part of the city's stormwater management system and all developed properties not retaining all stormwater onsite and which waters ultimately find their way to a street or to an adjacent body of water contribute to the flooding and pollution problem which is intended to be addressed by the management of the street sweeping program and the construction of other capital features of the stormwater management system.
 - (2) The cost of operating and maintaining the city stormwater management system and financing necessary repairs, replacements, improvements and extension thereof should, to the extent practicable, be allocated in relationship to the user impacts, benefits enjoyed and services received therefrom.
 - (3) Development of land modifies the run-off response from rainfall. Changes made to the land result in an increased rate of stormwater run-off, an increased volume of run-off and an increase in the pollution in

¹Editor's note(s)—Ord. No. 2001-27, § 1, passed 8-21-01, amended Art. VI in its entirety, in effect repealing and reenacting Art. VI to read as herein set out. The former Art. VI, §§ 20-70—20-78, pertained to similar subject matter and derived from Ord. 92-03, passed 2-4-92, and Ord. 99-38, passed 11-2-99. The former § 20-79 of Art. VI has been renumbered as § 20-81 at the direction of the city. The historical notation has been retained with the amended provisions for reference purposes.

the run-off, unless the stormwater run-off is completely contained onsite. These adverse impacts create a need for government stormwater services. Those services can be legally funded through the collection of a stormwater user fee. This user fee is to manage the impacts from the modified hydrologic response to rainfall that results from a party electing to develop his or her property. When a party elects to develop their land, a choice has been made to undertake an activity which will create a need for government services. Those services are mandatory unless the party chooses to eliminate the need for any such services by completely retaining those impacts on site. The conversion of pervious surfaces to impervious is one of the primary factors that result in the adverse hydrologic response from land development.

- (4) All developed properties within the city are presumed to contribute to the stormwater management system, unless and until the owner of such property establishes that the stormwater runoff from the owner's property is retained, treated and conveyed by a stormwater quality management facility that meets the standards of § 20-79 of this chapter.

(Ord. 2001-27, passed 8-21-01; Am. Ord. 2001-40, passed 12-18-01)

§ 20-71. DEFINITIONS.

- (a) **CITY.** The City of Tarpon Springs.
- (b) **DEVELOPED PROPERTY.** Any property which has been altered from its natural state by the addition of any improvements such as a building, structure, impervious surface or agriculture. For new construction, a property shall be considered developed pursuant to this article:
 - (1) Upon issuance of a certificate of occupancy, or upon completion of construction or final inspection if no such certificate is issued; or
 - (2) Where construction is at least 50 percent complete and construction is substantially halted for a period of three months.
- (c) **DWELLING or RESIDENTIAL UNIT.** A single unit, excluding apartment building units, providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation. Multi-unit residential structures or complexes shall be deemed to consist of multiple residential units, regardless of whether or not such are served by a single water or sewer connection.
- (d) **EQUIVALENT STORMWATER UNIT (ESU).** The statistical average impervious area for residential parcels within the city. The ESU is the basic unit for computation of stormwater utility fees and is based on an engineering study conducted within the City of Tarpon Springs. Based on the data for the city, the statistical median for a single family residential lot of measurement of impervious area is hereby determined to be 1,945 square feet.
- (e) **IMPERVIOUS AREA.** That part of any parcel of land that has been modified in a manner which results in the reduction of the land's natural ability to absorb and hold rainfall, including but not limited to any area which has been paved, filled, graveled or compacted, or covered with a structure. The term excludes uncovered areas such as lawns, landscape areas, gardens, or stormwater pond areas.
- (f) **MULTIFAMILY RESIDENTIAL PROPERTY.** A building in which two or more living units exist.
- (g) **GENERAL PROPERTY.** Developed property which is not classified as residential property. This includes but is not limited to apartment buildings, institutional and commercial properties. For the purposes of this article, an apartment is a building and accessories thereto principally used, designed, or adapted for use as occupancy by two or more households, each of which has separate living quarters and each of which is offered for rental by a landlord.

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- (h) **PARCEL.** An area of land with its appurtenances, impervious surfaces or buildings, which, because of its unity of use or commonality of ownership, may be regarded as the smallest conveyable unit of real estate.
 - (i) **RESIDENTIAL PROPERTY.** Any lot or parcel of land developed and designated exclusively for residential purposes, including single family homes, manufactured homes, mobile homes, duplexes, and condominiums (excluding apartment buildings).
 - (j) **STORMWATER.** That part of the precipitation that travels over natural, altered, or improved surfaces to the nearest stream, channel, water body or impoundment; and that which appears in surface waters.
 - (k) **STORMWATER MANAGEMENT SYSTEM.** All natural and man made elements used to convey stormwater from the first point of impact with the surface of the earth to a suitable receiving water or location internal or external to the boundaries of the city. The stormwater management system includes all pipes, channels, streams, ditches, wetlands, utility detention/retention basins, ponds, receiving waters and all other stormwater conveyance and treatment facilities.
 - (l) **STORMWATER MANAGEMENT UTILITY FEE.** A fee for the use of the city's stormwater management system, sometimes referred to in this article as "fee".
 - (m) **UNDEVELOPED PROPERTY.** Property which is not developed property, as that term is defined in this section.
- (Ord. 2001-27, passed 8-21-01; Am. Ord. 2001-40, passed 12-18-01)

§ 20-72. STORMWATER MANAGEMENT UTILITY FEE CREATED.

- (a) There is hereby created in the city a stormwater management utility fee, which shall be responsible for the city's stormwater management system;
- (b) There is hereby imposed a stormwater management utility fee against all developed property in the city, subject to appropriate credits and adjustments as provided for herein, which contributes stormwater to the city's stormwater management system. A developed property may have such fee reduced or otherwise adjusted if the stormwater run-off from the property is retained, treated and conveyed by a stormwater management facility that has been designed, constructed and is maintained properly by persons other than the city for the purpose of stormwater retention and pollution reduction as is otherwise set forth in this article.

(Ord. 2001-27, passed 8-21-01; Am. Ord. 2001-40, passed 12-18-01)

§ 20-73. STORMWATER MANAGEMENT UTILITY FEE COMPUTATION.

A stormwater management utility fee, also referred to hereinafter as "fee," is imposed on all developed property within the city for services and facilities provided by the [City's infrastructure and](#) stormwater management system. For the purpose of imposing the fee, all developed property within the city shall be divided into two rate classes: residential properties and general properties. These fees shall be computed as follows:

Residential property shall be computed as one (1.0) [equivalent stormwater unit \(ESU\)](#) per unit, [provided it is an existing lot of record and not proposed for redevelopment, or, the newly proposed total lot impervious area does not exceed 1,945 square feet. Residential lots proposed for development where the total impervious area exceeds 1,945 square feet shall calculate a new proposed ESU based on below methodology for general properties.](#)

General properties shall be analyzed to determine the amount of square feet of impervious surface area on each parcel subject to the fee and the following formula shall be used to determine the specific stormwater management utility fee for each individual parcel:

Number of ESU's = Impervious area in (square feet) divided by 1,945 square feet. The resulting calculation in ESU's or portions of ESU's is then multiplied by the ESU rate. The resulting fee shall be rounded up to the nearest \$0.01.

Since all developed properties within city limits benefit from access and related stormwater management facilities maintained by the city, the minimum ESU that shall be computed for any/all developed parcels located within the city shall be 1.0 ESU. The ~~said~~ fee for general properties shall be subject to adjustment from time to time in the event more impervious surface is added to the parcel.

(Ord. 2001-27, passed 8-21-01; Am. Ord. 2001-40, passed 12-18-01)

§ 20-74. EQUIVALENT STORMWATER UNIT (ESU) RATE.

The ESU rate shall be based on the revenue requirements for the administration, management, improvement, debt obligation, engineering, operation and maintenance of the stormwater management system. The ESU rate will be established from time to time by resolution of the Board of Commissioners and shall be reviewed for adjustment at a public meeting not less than once every three years.

(Ord. 2001-27, passed 8-21-01; Am. Ord. 2001-40, passed 12-18-01)

§ 20-75. BILLING, PAYMENT, PENALTIES AND ENFORCEMENT.

- (a) The statements for the stormwater management utility fee for all properties subject to fee shall be rendered monthly.
- (b) The collection of the stormwater management utility fee shall be pursuant to the collection and enforcement provisions set forth in this chapter for the collection and enforcement of other utility fees due the city.

The stormwater management utility fee is for services rendered to the property and the fees therefore are chargeable to the property owner. If the property is tenant-occupied by a single tenant, the property owner may request that the city bill the tenant for such fee and upon said instructions being received in writing and the tenant agreeing to be responsible for such fee, the fee will be billed to the tenant. Multi-tenant properties shall be billed only to the property owner. Residential properties controlled by homeowner associations (HOA) may request to receive one bill and pay Stormwater fees for all units within their jurisdiction upon execution of a written agreement between the city and the HOA. The property owner shall continue to be responsible for any delinquency or other charge unpaid by the tenant. In the event that the fee is being billed to the property owner and the property is tenant occupied, the city may discontinue all utility services to the property or, alternatively, the city may lien the property and no account will be opened for the property until the account is paid in full. In the event the fee is billed to the homeowner association (HOA) and the fee is unpaid, the city may discontinue all utility services to all properties.

A lien for any unpaid fee shall constitute a lien on the said property, superior to the lien of all other encumbrances on the property, except a lien for ad valorem taxes. In the event that the city shall employ an attorney for the collection of such fees, whether suit is brought or not, or shall institute legal process to collect said fee, it shall be entitled to collect a reasonable attorney's fee for the value of the attorney's services in addition to any other cost or interest due and owing from such property owner. The provisions of Article II for collection of utility charges shall apply for collection and enforcement of the stormwater management utility fee and shall be as is otherwise set forth therein and, if not specifically addressed therein, shall be the same enforcement and collection methods applicable to water and sewer services, including the termination of said services to the property. The administrative appeal and hearing procedure applicable to the discontinuance of other utility services shall be applicable to the discontinuance of such services for the nonpayment of the stormwater utility fee.

(Ord. 2001-27, passed 8-21-01; Am. Ord. 2001-40, passed 12-18-01)

§ 20-76. STORMWATER MANAGEMENT UTILITY FUND.

- (a) All stormwater drainage utility fees collected by the city shall be paid into the stormwater utility fund and accounted for separately therein. Such fund shall be used solely for the purpose of paying the cost of operation, monitoring, enforcement, improvement, administration and maintenance of the stormwater drainage facilities of the city. To the extent that the stormwater management fees collected are insufficient to operate or maintain stormwater drainage facilities, such costs may be paid from such city funds as may be determined by the City Commission, but the City Commission may order the reimbursement of such fund if additional and sufficient fees are thereafter collected.
- (b) The fees collected shall not be used for general or other governmental or proprietary purposes of the city, except to pay for the equitable share of the cost of accounting, management, administration and government thereof. Other than as described above, the fees and charges shall be used for stormwater management purposes to include but not be limited to paying the cost of planning, operation, repair, improvement, maintenance, engineering, renewal, and replacement of the stormwater management system and monitoring, regulatory enforcement, property acquisition and other costs incidental thereto.

(Ord. 2001-27, passed 8-21-01; Am. Ord. 2001-40, passed 12-18-01)

§ 20-77. FLOOD LIABILITY.

Floods from stormwater may occur which exceed the capacity of the stormwater system constructed, operated or maintained by funds made available under this article. This article shall not be construed or interpreted to mean that property subject to the fees and charges established herein will always, or at any time, be free from stormwater flooding or flood damage, or that stormwater systems capable of handling all stormwater events can be cost effectively constructed, operated or maintained. Nor shall this article create any liability on the part of, or cause of action, against the city or any official employee thereof, from any flood damage that may result from such storms or the run-off thereof. Nor does this article purport to reduce the need or the necessity for obtaining flood insurance by individual property owners.

(Ord. 2001-27, passed 8-21-01; Am. Ord. 2001-40, passed 12-18-01)

§ 20-78. ADJUSTMENT OF STORMWATER MANAGEMENT UTILITY FEE.

- (a) Any owner, tenant or occupant who has paid the rendered stormwater management utility fee who believes that the said fee is in error may, subject to the limitations set forth in this article, submit an adjustment request to the Director of Public WorksServices or such other person or persons as is designated for such purpose by the City Manager.
 - (1) Adjustment requests shall be made in writing and shall set forth in detail the grounds upon which the request for adjustment is made.
 - (2) The reviewing authority shall review the adjustment request within 90 days of the submittal of the request and shall respond in writing to the requesting fee payer, either denying or granting the request with the reason therefore stated in such response.
 - (3) The rate adjustment, if granted, will apply retroactively to the date at which the erroneous information was applied to the fee payer's fee, but will not exceed four years prior to the date of the adjustment request. The adjustment shall be in the form of a credit to the fee payer's account on which such adjustment is made.

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- (4) In the event of denial of the adjustment request, the owner, tenant or occupant making the original adjustment request may, within 30 days of the receipt of the denial, petition for review of the adjustment request to committee appointed by the City Manager for such purpose, which committee will include the Director of Finance and such other person or persons as the City Manager shall deem appropriate to equitably review the adjustment request. Such committee shall review the adjustment request in accordance with the provisions set forth in this ordinance, as well as the documented evidence provided in the original adjustment request and supplemental evidence requested by the Director of Public [WorksServices](#) or provided by the fee payer prior to the decision being made by said committee. Within 60 days of the petition, the committee shall, in writing, either grant or deny the petition. If the petition is granted, the adjustment will be applied to the fee for the requesting customer for the retroactive period identified by the committee, but not greater than four years.
 - (5) The Director of Public [WorksServices](#), upon discovering an error or oversight in the calculation of the fee may initiate an adjustment request. The request must be made in writing documenting the reasons for the adjustment. In the event that the adjustment would require the increase in fee for a fee payer, the director must provide the adjustment request to the affected fee payer 30 days prior to adjusting the fee and offer the fee payer an opportunity within the stated 30 days to provide reasons why the adjustment should not be made. An increase or decrease in the fee shall not be retroactively effective more than one year from the date of adjustment.

(Ord. 2001-27, passed 8-21-01; Am. Ord. 2001-40, passed 12-18-01)

§ 20-79. STORMWATER MANAGEMENT UTILITY FEE REDUCTION.

The established fee for developed property within the city is subject to prospective reduction as set forth in this section.

- (a) The stormwater management utility fee reduction in the form of a credit shall be allowed and calculated as is otherwise set forth in [this](#) section.
- (b) In order to encourage the improvement of the quality of stormwater run-off, a reduction in the fee is authorized for those developed properties which are served by a private stormwater quality management facility designed and constructed for the purpose of stormwater collection, storage, treatment, conveyance and stormwater pollution reduction.
- (c) A reduction in the fee is allowed for any developed property only if the stormwater run-off from the property is retained, treated and conveyed by a stormwater quality management facility that has been designed, constructed and is maintained properly for the purpose of stormwater retention and pollution reduction. If it is determined by the Director of Public [WorksServices](#) that the stormwater quality management facility has not been, nor is currently being properly maintained, as designed, the said Director of Public [WorksServices](#) may disallow any credit or other adjustment in the fee.
- (d) For applicable properties meeting the standards set forth in this section, the fee shall be reduced up to 100 percent of the said fee. All properties which have designed, built and maintained retention basins with no outflow or outlet as properly permitted and allowed pursuant to city ordinances or other administrative regulations of the city or state agencies and which have been designed and maintained to retain and treat stormwater run-off in excess of existing or predevelopment release rates and having a sufficient storage capacity constructed on the property to retain and treat stormwater based on the 100 year frequency, 24 hour duration storm event as defined by the local water management district may qualify for up to a 100 percent credit against such fee. The amount of reduction of the fee shall be equal to the percentage of onsite retention and treatment for which the stormwater quality management facility has been designed and continuously maintained by the property owner. Such calculation shall be submitted to the city by a properly qualified professional engineer and shall be

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confirmed by the city. The reduced fee will thereafter be calculated as the fee determined herein above, multiplied by the factor of the percentage of allowable reduction. Such reduction shall remain in place during times that the standards set forth in this section are maintained as to retention, treatment and conveyance of the stormwater. No said adjustment shall be retroactive and shall be effective as of the next billing cycle following approval by the Director of Public WorksServices of the adjustment.

(Ord. 2001-27, passed 8-21-01; Am. Ord. 2001-40, passed 12-18-01)

§ 20-80. RECORD KEEPING.

- (a) It shall be the duty of the City Manager or designee to keep an accurate record of all persons using the services and facilities of the stormwater management system of the city and to make changes in accordance with the rates and charges established in this article.
- (b) The City Manager or designee shall prepare a list of all units, developed parcels or other subdivisions of property within the city and determine the appropriate ESU rate for each such parcel."

(Ord. 2001-27, passed 8-21-01; Am. Ord. 2001-40, passed 12-18-01)

§ 20-81. RECLAIMED WATER SYSTEM: RATES AND CHARGES; CONDITIONS OF USE.

There is hereby established the following rates and charges for the use of the reclaimed water system:

- (a) *Monthly use fee:* Each customer of the reclaimed water system shall pay the city a monthly use fee of \$0.95 per 1,000 gallons or fraction thereof. However, the City-operated golf course shall pay \$1,000.00 per month for reclaimed water usage. Customers not located within the limits of the city shall pay the 25 percent surcharge on the rates set forth herein. Initial and final accounts will be prorated based on the number of days of service.
- (b) *Regulations:* Only potable water customers shall be permitted to utilize the reclaimed water system. The enforcement of cross-connection and water shortage regulations, and billing and collection procedures, for the reclaimed water system, shall be as established in Articles I, II, III and IV of this chapter. The City Manager is hereby authorized to promulgate such regulations deemed necessary and proper to protect the health and safety of the public, and to protect the integrity of the reclaimed water system, such as, but not limited to, regulations with respect to the scheduling of service, the apportionment of supply, and the assumption of risk by each customer of use of the system.

(Ord. 93-22, passed 8-17-93; Am. Ord. 94-27, passed 7-5-94; Am. Ord. 95-01, passed 2-7-1995; Am. Ord. 2013-22, passed 8-20-13)

Note(s)—See the editor's note to Art. VI.

§§ 20-82.—20-89. RESERVED.

ARTICLE VII. STORM SEWER SYSTEM

§ 20-90. INTENT.

This article is intended to promote the efficient, economic, and safe operation of the city's storm sewer systems, swales and ditches; to protect the health, safety, and general welfare; to prevent and abate pollution

through the regulation and control of connections and discharges of the city's storm sewer systems, swales and ditches, and, to limit the use of the city's storm sewer systems, swales and ditches to the collection, conveyance, treatment, and disposal of stormwater through appropriate regulation and enforcement.

(Ord. 93-15, passed 10-15-93)

§ 20-91. DEFINITIONS.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AUTHORIZED OFFICIAL. Any employee or agent of the city authorized by the Administrator to administer or enforce the provisions of this article.

ADMINISTRATOR. The City Manager of the City of Tarpon Springs, Florida.

DISCHARGE. Any direct or indirect entry of any solid, liquid, or gaseous matter into the storm sewer system.

DITCH. A drainage conveyance system comprised of a man-made trench or channel, the bottom of which is normally wet, with the upper edges of its two sides normally above water.

ILLICIT DISCHARGE. Any discharge into the city's storm sewers, swales or ditches which is not composed entirely of stormwater, except discharges pursuant to a NPDES permit (other than for discharges from the city's separate storm sewers), and discharges resulting from firefighting activities, water line flushing or other contributions from potable water sources, irrigation water, diverted stream flows, rising groundwater, filtered uncontaminated pumped groundwater, foundation and footing drains, water from crawl space pumps, air conditioning condensation, springs, individual residential car washings, flows from riparian habitats and wetlands, and swimming pools (not including pool backwash water).

MS4 SYSTEM (MUNICIPAL SEPARATE STORM SEWER SYSTEM). A publicly owned conveyance system designed for collecting or conveying stormwater.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES). The federal program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits, and imposing and enforcing retreatment requirements pursuant to the Clean Water Act.

PERSON. Any individual, corporation, partnership, institution, or other legal entity.

SITE OF INDUSTRIAL ACTIVITY. Any area or facility used ~~for~~ manufacturing, processing, or raw materials storage, as defined under 40 CFR Section 122.26(b)(14), as amended.

SWALE. A drainage conveyance system comprised of a man-made trench or channel which conveys runoff flows only after significant rainfall events and is typically planted or vegetated.

STORMWATER. Any stormwater runoff, including surface runoff and drainage.

STORMWATER/STORM SEWER SYSTEM. The separate system of conveyances used for collecting, storing, and transporting stormwater within the city, but excluding any facilities intended to be used in accordance with applicable law for collecting and transporting sanitary or other wastewater.

(Ord. 93-15, passed 10-15-93)

§ 20-92. INDUSTRIAL ACTIVITY.

- (a) *General prohibitions.* The discharge into the stormwater system in violation of any federal, state, water management district, county, municipal, or other law, rule, regulation, or permit is hereby prohibited.

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- (b) *Specific prohibitions.* By adoption of industrial activity stormwater regulations, or by issuance of industrial activity stormwater permits, or both, the Administrator may impose reasonable limitations as to the quality of stormwater (including, without limitation, the designation of maximum levels of pollutants) discharged into the stormwater system from sites of industrial activity.
 - (c) *Administrative orders.* The Administrator may issue an order to any person to immediately cease any discharge determined by the Administrator to be in violation of any provision of this article, or in violation of any regulation or permit issued hereunder.
 - (d) *NPDES permits.* Any person who holds a National Pollutant Discharge Elimination System (NPDES) permit shall provide a copy of such permit to the Administrator no later than 60 calendar days after the effective date hereof, or 60 days after issuance, whichever occurs last.

(Ord. 93-15, passed 10-15-93)

§ 20-93. ILLICIT DISCHARGES.

- (a) *General prohibitions.* Except as stated in subsection (c) hereof, or in accordance with a valid NPDES permit, any discharge into the stormwater system which is not entirely composed of stormwater is hereby prohibited.
- (b) *Specific prohibitions.* The discharge to the stormwater system containing any sewage, industrial waste, or other waste materials, or containing any materials in violation of federal, state, municipal, or other laws, rules, regulations, orders, or permits, is hereby prohibited. It shall be unlawful to discharge to any outlet, wetland, or to the municipal storm sewer system within the city or any other system under the jurisdiction of the city, any organic or inorganic matter which causes the water quality of the receiving water to fall below the standards as set forth in Florida Administrative Code, Chapter 62-302. In no case shall silt, sediment or soil, grass clippings, vegetative material, and/or vegetative debris either intentionally or accidentally, be washed, swept, or blown off into stormwater drains, ditches, drainage conveyances, surface waters, roadways, or curbs. Exceptions to the above prohibitions are those set forth in the definition of illicit discharge, Section 20-91.
- (c) *Authorized exceptions.* Unless the Administrator determines that such discharges are not properly managed or otherwise not acceptable, the following discharges are exempt from the general prohibition set forth under subsection (a) hereof: discharges pursuant to a NPDES permit; flows from firefighting, water pipeline flushing and other contributions from potable water sources, landscape irrigation, and lawn watering, irrigation water, diverted stream flows, rising groundwaters, direct infiltration to the stormwater system, sediment and pollutant filtered uncontaminated pumped groundwater, foundation and footing drains, water from crawl space pumps, air conditioning condensation, natural springs, individual residential car washing, flows from riparian habitats and wetlands, and dechlorinated swimming pool contributions (not including pool filter backwash water). Swimming pools must be drained to vegetated land and cannot be discharged directly to an impervious surface that connects with MS4 system. A minimum of 5 feet of clear/open space must be maintained between the end of the drain hose and the impervious surface.
- (d) *Illicit connections.* No person may maintain, use, or establish any direct or indirect connection to the City's stormwater system which results in any discharge in violation hereof. This prohibition shall be retroactive and shall apply to connections previously made, regardless of whether made under a permit, or other authorization, or whether permissible under laws or practices applicable or prevailing at the time the connection was made.
- (e) *Administrative order.* The Administrator may issue an order to any person to immediately cease any discharge, or any connection to the stormwater system, determined by the Administrator to be in violation of any provision of this article, or in violation of any regulation or permit issued hereunder.

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(Supp. No. 2026 S-60)

(f) Unlawful and Illicit Discharge Enforcement.

- (1) Evidence of an unlawful or illicit discharge shall be inspected by any authorized representative of the city qualified to perform an unlawful or illicit discharge inspection. Should evidence be present of an unlawful or illicit discharge, a Notice of Violation shall be issued and served upon the alleged violator pursuant to requirements of Chapter 2, Article VIII of the Municipal Code.
- (2) The Notice of Violation shall contain:
 - (a) The name and address of the alleged violator,
 - (b) The address when available or a description of the building, structure, or land upon which the violation(s) is/are occurring or has occurred. Should the violation(s) originate from an upstream location, the originator shall be held accountable;
 - (c) A statement specifying the nature of the violation(s);
 - (d) A description of the remedial measures necessary to restore compliance with this article and a time frame for the completion of such remedial actions,
 - (e) A statement of the penalty or penalties that shall or may be assessed against the person or entity to whom the Notice of Violation is directed;
 - (f) A statement specifying that should remedial work be required, and should the violator fail to restore compliance within the established time schedule, the work will be done by city forces or by a contractor hired by the city and the expense thereof shall be charged to the violator.
- (3) In the event that the alleged violator fails to take the remedial measures set forth in the Notice of Violation or otherwise fails to cure the violations described in the Notice of Violation within the time described in the Notice of Violation or the violator is alleged to have repeat violations, the city may seek a fine to be imposed pursuant to the Section 2-168 of Article VIII of the Municipal Code.
- (4) Notwithstanding the fine amounts provided for in Section 2-168 of Chapter 2, Article VIII of the Municipal Code, upon being properly notified that an order issued by the Code Enforcement Board has not been complied with within the time established in such order, or upon finding that a repeat violation has been committed, the Board may order the violator to pay a fine to the City pursuant to the schedule of fines in the following table until the violation is remediated and the area of concern is returned to original, pre-illicit/unlawful discharge condition.

		<u>EXTENT OF VIOLATION</u>			
		<u>VIOLATION</u>	<u>MINOR</u>	<u>MODERATE</u>	<u>MAJOR</u>
<u>VIOLATOR</u>	<u>RESIDENTIAL</u>	<u>1st Offense</u>	<u>Warning/Education</u>	<u>\$250 per day</u>	<u>\$1,000 - \$5,000 per day</u>
		<u>2nd Offense</u>	<u>\$75 per day</u>	<u>\$500 per day</u>	
		<u>3 or More</u>	<u>\$200 per day</u>	<u>\$750 per day</u>	

	<u>COMMERCIAL</u>	<u>1st Offense</u>	<u>Warning/Education</u>	<u>\$400 per day</u>	<u>\$5,000 -</u>
		<u>2nd Offense</u>	<u>\$200 per day</u>	<u>\$800 per day</u>	<u>\$10,000 per</u>
		<u>3 or More</u>	<u>\$400 per day</u>	<u>\$1,200 per day</u>	<u>day</u>
		<u>Max Accrued Violation</u>	<u>\$2,000</u>	<u>\$6,000</u>	<u>No Maximum</u>
	<u>ACTIVE CONSTRUCTION</u>	<u>1st Offense</u>	<u>NOV/Stop Work Order</u>	<u>\$800 per day</u>	<u>\$5,000 -</u>
		<u>2nd Offense</u>	<u>\$300 per day</u>	<u>\$1,600 per day</u>	<u>\$10,000 per</u>
		<u>3 or More</u>	<u>\$500 per day</u>	<u>\$2,400 per day</u>	<u>day</u>
		<u>Max Accrued Violation</u>	<u>\$2,500</u>	<u>\$12,000</u>	<u>No Maximum</u>

(a) Violator

1. Residential violators shall be considered but not limited to: homeowners, renters, visitors, homeowners performing construction or maintenance on their real property without the assistance of a licensed contractor, and persons not working in a commercial or business capacity.
2. Commercial violators shall be considered but not limited to businesses, employees performing tasks related to a commercial entity or business, persons working in a commercial or work- related capacity, landscapers with or without Best Management Practices certification.
3. Active Construction violators shall be considered but not limited to active construction site contractors and active construction site employees on residential and commercial properties.

(b) Extent of Violation

1. Minor violation shall be a release or discharge of non-toxic materials such as, but not limited to: yard debris, sand, gravel, or sediment from construction activities. A minor violation shall be a discharge or release that can be repaired, removed, or cleaned to original condition without the involvement of a certified remediation specialist. A minor violation cannot be a direct discharge into the MS4 or a direct discharge to surface waters. If a violation of a minor material is purposefully discharged directly into the MS4 or to surface waters, it automatically constitutes a moderate violation.
2. Moderate violation shall be a release or discharge of potentially harmful materials such as, but not limited to: concrete, masonry products, or uncontaminated drilling mud. A moderate violation shall be a discharge or release that may require the assistance of a certified remediation specialist, or other trained professional, but does not

cause structural damage or impair the function of the drainage system. A moderate violation cannot be a direct discharge into the MS4 or a direct discharge to surface waters. If a violation of a moderate material is purposefully discharged directly into the MS4 or to surface waters, it automatically constitutes a major violation.

3. Major violation shall be a release or discharge of toxic or health-threatening materials such as, but not limited to: sewage, paint, chemicals, or petroleum products. A major violation shall be a discharge or release that may require the assistance of a certified remediation specialist, or other trained professional. A major violation may significantly impair drainage or structures, may require removal of soil due to contamination, or replacement of pavement or structures. Willful discharges of any substance referenced in Section 20-93 of this Article directly into the MS4 or a direct discharge to surface waters shall constitute a major violation based on the negligent manner of the violation. The fine assessed for a major violation shall be determined by the Code Enforcement Board based on evidence presented at the Code Enforcement Board hearing concerning the violation and a recommendation by the City Manager or the Director of Public Works or their designee.

4. Willful discharges of any substance referenced in Section 20-93 of this Article directly into the MS4 or a direct discharge to surface waters shall constitute a moderate or major violation based on the negligent manner of the violation.

(c) Additional Assessment Costs

In addition to the fine assessed based on the extent of the violation and the type of violator, the city is entitled to recover the following:

1. Remediation Costs: actual costs incurred by the city for remediation.
2. Laboratory / Analyses Costs: any laboratory costs incurred by the city in the course of the investigation of the violation and the clean-up process.
3. Administrative Costs: an administrative fee will be added to the penalty cost for investigative costs incurred by the city. A log will be kept to accurately track the total number of hours spent on a violation by city staff as well as expenses such as cost of copies and postage.

(d) Order Constitutes Lien

Refer to § 2-168 of the Municipal Code for fines, liens and foreclosure procedures.

§ 20-94. SPILLS AND DUMPING.

- (a) *General prohibitions.* Except as set forth under § 20-93(c) hereof, or in accordance with a valid NPDES permit, any discharge to the stormwater system which is not composed entirely of stormwater is hereby prohibited.

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- (b) *Specific prohibitions.* Any discharge to the stormwater system containing any sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal, or other laws, rules, or regulations, is hereby prohibited.
 - (c) *Notification of spills.* As soon as any person has knowledge of any discharge to the stormwater system in violation of this article, such person shall immediately so notify the Administrator by telephonic communication. Furthermore, if such person is directly or indirectly responsible for such discharge, then such person shall also take immediate action to ensure the containment and removal of such discharge and shall further confirm such containment, by telephonic communication and in writing, to the Administrator within three calendar days.
 - (d) *Administrative order.* The Administrator may issue an order to any person to immediately cease any discharge, or connection to the stormwater system, determined by the Administrator to be in violation of any provision of this article, or in violation of any regulation or permit issued hereunder.

(e) *Waterway obstructions.*

(1) It shall be unlawful to obstruct the free flow of stormwater in a waterway, channel, swale ditch or in any part of the drainage system or drainage way. This applies to overland surface flow unless such flow is being collected for subsequent discharge. Where trash, garbage, construction by-products, debris, sediment, vegetation growth, or other obstructions interfere with the free flow of stormwater or creates a hazard to public health, welfare and safety, the City Public Works Director or their designee shall notify the owner of record of the property in writing. Violation must be corrected, and the property brought into compliance with City Code within the timeframe mandated by the City Public Works Director or their designee, not to exceed 20 days. Additionally, a stop work order will be issued until such time as the obstruction is removed. The owner of record must reimburse the City for any City-incurred costs associated with this removal within 30 days.

(2) The Director of Public Works or their designee may authorize a temporary restriction to be placed in a waterway or channel provided such restriction is removed by the installer upon the occurrence of hazards to upstream properties, to the public health, or upon notification from the city.

(Ord. 93-15, passed 10-15-93)

§ 20-95. INSPECTIONS AND MONITORING.

- (a) *Authority for Inspections.* Whenever necessary to make an inspection to enforce any of the provisions of this article, or regulation or permit issued hereunder, or whenever an authorized official has reasonable cause to believe there exists any condition constituting a violation of any of the provisions of this article, or regulation or permit issued hereunder, any authorized official may enter any property, building, or facility at any reasonable time to inspect the same or to perform any duty related to the enforcement of the provisions of this article or any regulations or permits issued hereunder. Provided, that if such property, building, or facility is occupied, such authorized official shall make a reasonable effort to locate the owner or other person having charge or control thereof and shall request permission to enter. Any request for permission to enter made hereunder shall state that the owner or person in control has the right to refuse entry, and that if entry is refused, the authorized official may enter to make inspection only upon issuance of a search warrant by a duly authorized judicial officer. If the owner or person in control refuses permission to enter after such request has been made, the authorized official is hereby authorized to seek assistance from any court of competent jurisdiction in order to obtain lawful entry. Routine or area-wide inspections shall be based upon such reasonable selection processes as may be necessary to carry out the purposes of this

article, including, but not limited to, random sampling and sampling in areas with evidence of stormwater contamination, non-stormwater discharges, or similar factors.

- (b) *Authority for monitoring and sampling.* Any authorized official may place on any property such devices as are necessary to conduct sampling or metering of discharges to the stormwater system. During any inspection made to enforce the provisions of this article, or regulations or permits issued hereunder, any authorized official may take any samples deemed necessary.
- (c) *Requirements for monitoring.* The Administrator may require any person engaging in any activity or owning any property, building, or facility (including but not limited to a site of industrial activity) to undertake such reasonable monitoring of any discharge to the stormwater system and to furnish periodic reports.

(Ord. 93-15, passed 10-15-93)

§ 20-96. PENALTIES.

Violation of the provisions hereof shall be deemed a second-degree misdemeanor. If a violation ~~is~~ continued, each day of such violation shall constitute a separate offense.

(Ord. 93-15, passed 10-15-93)

§ 20-97. CIVIL REMEDIES.

In addition to the penalties provided in § 20-96, the city may institute any appropriate action or proceeding, including injunctive relief, in order to prevent or abate violations hereof.

(Ord. 93-15, passed 10-15-93)

ARTICLE VIII. PLAN CONSISTENCY, CONCURRENCY MANAGEMENT, AND MOBILITY MANAGEMENT

§ 122.08 Drainage.

- (A) Sufficient available capacity to maintain the following levels of service shall be demonstrated:
 - (1) ~~Refer to the City Stormwater Technical Manual for minimum level of service requirements. 25 year frequency storm, 24 hour duration.~~
 - (2) ~~Post development runoff shall not exceed predevelopment runoff for quality and quantity. Refer to the City Stormwater Technical Manual for minimum discharge quantity/quality requirements.~~
- (B) The proposed drainage system shall comply with the development standards ~~for drainage~~ of this Code ~~and, of the City Stormwater Technical Manual~~ (including the retrofitting requirements for existing systems), and, ~~with the ambient~~ water quality and quantity standards of ~~the Southwest Florida Water Management District, and the Florida Department of Environmental Protection, and Chapter 17-25, FAC.~~
- (C) The discharge of drainage shall not further degrade the receiving surface water body.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

ARTICLE IX. DEVELOPMENT STANDARDS

§ 127.00 PARKING REQUIREMENTS.

It is the purpose of §§ 127.01 through 127.05 to establish standards which promote the orderly, efficient, and safe layout of parking areas designed to complement the use they serve.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 127.03 Design standards.

- (A) All parking lots shall be designed to meet the standards established herein.
- (B) All required parking shall be located as follows:

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- (1) Within 660 feet, measured along the most direct pedestrian route, of the main entrance of the use which it is designed to serve; and
 - (2) On land in the same ownership as the use the parking is intended to serve; and
 - (3) On land which has the same zoning classification, or a zoning classification which allows the use as Permitted or Conditional, as the use the parking is intended to serve.
 - (4) Off-street parking may be provided as an ancillary non-residential use only in the RM (Residential Multi-family) district. Such parking, regardless of the number of spaces provided may be counted toward no more than 25% of total required parking, after the application of parking credits, for the use it is intended to serve and must be located within 500 feet of the primary use it serves. Such use shall require Conditional Use Review.
- (C) As an alternative to the above, off-street parking may be approved as a part of the site plan review process provided the parking provided at alternative locations does not constitute an excess of 25% of the total required off-street parking, and the alternative location is within 750 feet of the use to be served, measured along the most direct pedestrian route.
 - (D) Parking lots shall be improved with a permanent all-weather paving material which is graded to drain stormwater in accordance with the stormwater management requirements of this Code. Turf blocks may be used as required by the landscaping requirements of this Code. Crushed shell, mulch, grass or other material ~~for non-ADA compliant parking spaces may be used if~~ approved by the City of Tarpon Springs ~~Engineering Department Director of Public Works or their designee. may be utilized as provided in Section 127.03(L) below.~~
 - (E) All paved parking spaces which serve any use other than single family or two family dwellings located in driveways shall be marked by durable painted lines.
 - (F) Directional signs and surface markings shall be provided as required for safe and effective vehicular and pedestrian traffic flow and shall be installed in accordance with the Manual of Uniform Traffic Control Devices, latest edition.
 - (G) With the exception of driveways serving single family and two-family dwellings, no off-street parking space shall be designed in a manner where a vehicle is required to back into a public right-of-way to gain egress. As an exception to this rule, uses requiring 10 or fewer spaces may back directly into a functional public alley.
 - (H) Fire lanes shall be provided in accordance with the requirements of the NFPA 1141 and Section 135.00 of this Code.
 - (I) Parking lots which serve public parks may be provided with up to 100% of the required parking in turf block, grass, or mulch. Access aisles serving such spaces must be paved, and the grass spaces must be adequately drained, marked, and maintained.
 - (J) All required off-street parking spaces shall have concrete curbs or anchored wheel stops as necessary to prevent vehicles from encroaching upon adjoining property, landscaped areas, or public rights-of-way.
 - (K) The front of a vehicle may encroach upon any interior or perimeter landscaped area when said area is at least 7 feet in width and where continuous concrete curbing is provided. Two feet of said landscaped area may be calculated as part of the required depth of abutting parking spaces.
 - (L) ~~Onsite parking which is provided in excess of that amount required by the parking schedule of this Code, offsite parking lots for required or overflow parking, parking provided as an ancillary non-residential use, and parking which is provided for any temporary use permitted by Article IV of this Code may utilize grass, mulch, crushed shell, or other acceptable material as approved by the Technical~~

~~Review Committee. Permanent parking lots constructed under this criteria must meet all other applicable requirements of the Land Development Code. (Reserved)~~

- (M) No parking space may block pedestrian travel, fire hydrants and/or standpipes, meter rooms, doorways or overhead doors (except for the garage of a private dwelling).
- (N) The minimum dimensions for all parking shall be as follows:

TABLE 127. MINIMUM PARKING DIMENSIONS			
Stall Angle	Stall Width	Stall Length	Aisle Width
45°	9.0'	18'	16' (one way)
60°	9.0'	18'	18' (one way)
72°	9.0'	18'	22' (one way)
90°	9.0'	18'	24'
Parallel	9.0'	22'	20'
Motorcycle	5.0'	10'	10'

Note: Driveways serving one or two-family dwellings or townhouses on fee simple lots shall be a minimum of 8 feet in width (16 feet for a double drive) and 20 feet in depth.

- (O) Parking spaces for disabled persons shall be provided in accordance with Chap. 553.501 *et seq.*, "Florida Americans with Disabilities Accessibility Implementation Act."
- (P) Up to twenty percent (20%) of the required parking spaces may be designated for compact cars and measure 8' x 16' provided that:
 - (1) The compact parking spaces are for the exclusive utilization of a use which exhibits low turnover and is typically occupied all day or overnight, e.g. office buildings or mid-rise condominiums.
 - (2) The compact spaces are assigned to individual employees or residents and is subject to enforcement.
 - (3) Compact car spaces are grouped within the lot and are appropriately designated by signage and pavement markings.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 94-42, passed 12-20-94; Am. Ord. 96-13, passed 10-1-96; Am. Ord. 97-22, passed 8-19-97; Am. Ord. 2003-26, passed 7-15-03; Am. Ord. 2006-05, passed 3-21-06)

§ 131.00 STREETS.

- (A) Street right-of-way requirements shall conform to the Right-of-Way Reservation and Dedication Section and Subdivision Design Section of this Code, and the Traffic Circulation Element of the Comprehensive Plan.
- (B) The construction of all collector streets shall comply with Pinellas County Standards, and the construction of all arterial streets shall comply with Florida Department of Transportation Standards.
- (C) The construction of all local streets shall comply with the following minimum criteria:
 - (1) All streets shall be of curb and gutter construction, except that the City Engineer may approve the use of swale drainage for subdivisions which serve residential lots of ½ acre or more.
 - (2) The minimum pavement width, including curb and gutter, shall be 24 feet.

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- (3) All streets shall be compacted with a stabilized subgrade, 9 inches compacted thickness with a minimum 75 pounds per square inch Florida Bearing Value. A compacted thickness of 12 inches is required for industrial streets.
 - (4) All streets shall have a base of acceptable compacted and fully primed limerock. Soil cement or other equivalent base course material shall be approved by the City Engineer. Thickness shall be 6 inches for residential streets and 8 inches for industrial streets.
 - (5) Stabilization shall extend 6 inches beyond the curb or 1 foot beyond all pavement edges where swale drainage is allowed.
 - (6) Surface thickness shall be 1 and ½ inches for residential streets and 2 inches for industrial streets.
 - (7) Pavement crown shall be ¼ inch per foot for two lane streets. Inverted crowns shall not be permitted.
 - (8) Finish pavement shall be ¼ to ½ inch higher than the lip of the curb gutter.
 - (9) Minimum pavement radius returns shall be 25 feet.
 - (10) That area from the curb to the required right-of-way line shall be sodded or seeded to FDOT specifications.
 - (11) All dead-end streets shall be provided with a minimum 70 foot diameter radius turn-around.
 - ~~(12) Minimum pavement elevation shall be 5.0 feet above mean sea level.~~
- (D) Private streets shall comply with the same minimum criteria as public streets.
- (E) Accommodations for bikeways shall be provided in accordance with the requirements of the City of Tarpon Springs Bicycle Plan.
- (F) Except as required in Section 131.00(C) hereof temporary streets shall be permitted if all of the following conditions are met:
- (1) Less than 4 dwelling units are simultaneously constructed on contiguous property.
 - (2) The right-of-way is defined as a local street.
 - (3) Such construction is not part of a larger or major operation in which a division of the operation is made for the purpose of evading Section 131.00(C) or otherwise.
 - (4) The construction of all temporary streets shall comply with the following minimum criteria:
 - (i) The pavement width shall be 20 feet.
 - (ii) All temporary streets shall have a base of compacted lime rock, crushed concrete or other suitable material. Thickness shall be 6 inches.
 - (iii) All temporary streets shall have a surface treatment of asphalt. Thickness shall be 1.5 inches.
 - (iv) Drainage swales shall be constructed on both sides of the temporary street unless an alternate plan is approved by city staff.
 - (v) The temporary street shall be constructed the entire length of the property and extend to the nearest paved right-of-way.
 - (5) No building permit shall be issued for such dwelling units unless a temporary street is constructed by the permittee within the abutting public right-of-way. Such construction shall be at the permittee's expense, prior to the issuance of a certificate of occupancy therefor being

issued, and no credit or reimbursement shall be given to the permittee, regardless of the benefits derived by other owners of property abutting such right-of-way.

- (6) Such minimum width shall be widened in the event that a vehicular turnaround is required for municipal vehicles and all other such similar service vehicles.
- (7) In no event shall the City maintain any temporary street not built in full compliance with the street construction requirements of Section 131.00(C) hereof.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-01, passed 2-2-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 2006-05, passed 3-21-06)

§ 138.00 UTILITY EASEMENTS.

- (A) Unless otherwise provided for by this Code, utility easements shall be a minimum of 15 feet in width and shall be provided where necessary to accommodate all required potable water and sanitary sewer facilities.
- (B) Unless otherwise provided for by this Code, drainage easements shall be a minimum of ~~20~~2015 feet in width. Refer to the City Stormwater Technical Manual.
- (C) Additional utility easements may be required when determined by the City Engineer or Public Utilities Director to be necessary for the continuity of utility service or maintenance.
- (D) Separation between potable water lines, non-potable water lines, and sanitary sewer lines shall be maintained as required by State and local building codes.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 141.00 STORMWATER MANAGEMENT

~~All development projects shall minimize the adverse effects of land clearance, alteration of topography and exposure of bare earth to precipitation and shall demonstrate that no adverse impact will result from said development project by providing the needed documentation to demonstrate compliance with City's development regulations as outlined below. All alterations of existing natural or manmade streams, waterways, floodways, channels, ditches, or drainage structures will also require City approval.~~

- (A) Uncontrolled stormwater runoff causes erosion, sedimentation, flooding, pollution and prevents recharge of the aquifer. Therefore, it is necessary to impose minimum standards to control stormwater runoff and conserve the ground and surface water resources of the City. The City Stormwater Technical Manual shall set the minimum standards referenced herein and shall be adopted by resolution of the Board of Commissioners, as updated from time to time.
- (B) ~~All development projects shall minimize the adverse effects of land clearance, alteration of topography and exposure of bare earth to precipitation, and, shall demonstrate that no adverse impact will result from said development project by providing the needed documentation to demonstrate compliance with the City's development regulations as outlined below. All alterations of existing natural or manmade streams, waterways, floodways, channels, ditches, or drainage structures will also require City approval.~~ The intent of ~~this Section and the City Stormwater Technical Manual~~ ~~§§ 141.00 through 141.08~~ is to allow landowners reasonable use of their property while promoting the following objectives:

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- (1) To protect the quality and quantity of all ground and surface waters, thereby limiting or reducing the pollution of water sources.
 - (2) To prevent the lowering of existing ground water table elevations to the detriment of these or other stated objectives of this Code.
 - (3) To perpetuate recharge into the ground water system.
 - (4) To prevent and reduce salt water intrusion.
 - (5) To reduce erosion, the loss of top soil and sedimentation of surface water bodies.
 - (6) To alleviate the potential for flooding.
- (C) The following development activities may potentially alter or disrupt the existing stormwater runoff and will require the approval of a stormwater management plan by the City Engineer prior to the issuance of development permits for:
- (1) The clearing and/or draining of land.
 - (2) The subdividing of land.
 - (3) The replatting of recorded subdivisions and the development of recorded or unrecorded subdivisions.
 - (4) The construction of a structure, change in the size of one or more structures, or the addition of semi-impervious or impervious surface to a parcel of land.
 - (5) The altering of the shoreline or bank of any surface water body.
 - (6) The filling of depressed areas or excavation of land.
 - (7) The lowering of the water table.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 141.01 Exemptions.

The following development activities shall be exempt from the approval of a stormwater management plan by the City Engineer:

(A) (A) — The construction of single family and duplex residences and accessory structures of with a lot coverage of 1,945 square feet or less, on a lot of record in a subdivision without stormwater management master plan, provided that:

- (1) the lot is not located within a volume sensitive basin, wetland or flood hazard area,
 - (2) a lot grading plan is submitted for review,
 - (3) the proposed development meets the General Development Requirements listed in the City Stormwater Technical Manual.
- (B) Any development within a subdivision provided the following conditions have been met:
- (1) Stormwater management plans for the subdivision were previously approved as a part of an overall master plan approving the subdivision and related outparcels, remain in effect and have not been altered, and have been completed during construction of the overall infrastructure improvements;
 - (2) The development is constructed in accordance with the master stormwater management provisions previously approved by the City; and

- (3) The development and related outparcels are constructed in accordance with the site plan approval authorizing the subdivision at the time of approval of the overall master plan.
- (C) ~~(Reserved) A residential development which has been exempted from stormwater management permitting by the SWFWMD;~~
- (D) Any maintenance activity which does not change or affect the quality, rate, volume or location of stormwater flows on the site or of stormwater runoff from the site.
- (E) Publicly owned landfills operated under state permit.
- (F) The one-time construction of any structure addition not otherwise exempt by §§ 141.00 ~~through 141.08~~ not exceeding 1,000 square feet of gross floor area on or parallel to the ground, ~~provided that~~ provided the proposed development is not located within a volume sensitive basin or a flood hazard area. ~~a w~~ritten approval from the Water Management District (SWFWMD) ~~can~~ must be obtained and submitted to the City Engineer prior to the issuance of any development permits.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 97-16, passed 6-17-97)

§ 141.02 ~~Definitions.~~ (Reserved)

~~For the purpose of §§ 141.00 through 141.08 the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

- ~~(A) BEST MANAGEMENT PRACTICE—A practice, or a combination of practices, determined by the City Engineer to be the most effective, practical means of preventing or reducing the amount of pollution generated by a project to a level compatible with Florida water quality standards as found in the Florida Administrative Code.~~
- ~~(B) DESIGN STORM—The storm frequency as outlined by the design criteria of this Code. The "design storm" shall be considered the minimum recurrence interval storm, using rainfall data and other local information applicable to the affected area, for which a stormwater management plan shall be designed.~~
- ~~(C) DETENTION—The temporary collection and storage of surface water for subsequent evapo-transpiration, percolation, and release at a rate of discharge which is less than the rate of inflow.~~
- ~~(D) DISCHARGE (STORMWATER)—The stormwater runoff which leaves a site and subsequently directly enters natural or artificial surface drainage systems, artificial subsurface drainage systems, or other property. For water quality purposes, this term shall also include all stormwater runoff which directly or indirectly enters surface waters of the State, including surface waters wholly within the site boundaries.~~
- ~~(E) DISCHARGE RATE—The amount of discharge over time.~~
- ~~(F) DRAINAGE OUTFALL—Any artificial structure used for the conveyance, storage or control of stormwater runoff.~~
- ~~(G) IMPERVIOUS SURFACE—A surface which has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.~~
- ~~(H) RETENTION—The storage of surface water for subsequent disposal by evapo-transpiration or percolation.~~
- ~~(I) RUNOFF (STORMWATER)—That portion of precipitation which is not passed into the soil by infiltration, evaporated into the atmosphere, or entrapped by small surface depressions and vegetation, and which flows over the land surface during, and for a short duration following any rainfall.~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 141.03 Stormwater retrofit.

If the additional development, redevelopment, or alteration of a site involves in excess of 30% of the existing gross floor area of a previously developed site, more than ½ acre, regardless of the gross floor area percentage, or involves the subdivision of an existing developed site to increase the number of development parcels, the entire pre-existing site conditions shall be made to conform to the requirements of §§ 141.00 and the City Stormwater Technical Manual through 141.08.

- (A) When a site is modified or altered and additional gross floor area is constructed upon existing impervious surfaces, retrofitting of the stormwater infrastructure is not necessary provided that:
1. There exists a existing stormwater management system that meets current City and SWFWMD regulatory requirements, is functioning as designed, and is capable of serving the additional gross floor area without degrading the existing level of service:
 2. The stormwater management system is inspected and certified by a Florida registered professional engineer; and
 3. The stormwater management system is in compliance with all state agency permits. (A letter from the regulating state agency may be required at the time of site plan review attesting to permit compliance.)

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 2018-12, passed 6-12-18)

§ 141.05 ~~Design criteria. (Reserved)~~

- ~~(A) The stormwater management plan shall be designed to accommodate the attenuation of the 25-year frequency storm, 24-hour duration.~~
- ~~(B) The discharge rate for the post-developed or redeveloped site shall not exceed, in terms of peak flow and total volume, that which would occur from the predeveloped site under existing conditions for the required design storm. Runoff rates and volume resulting from the project in excess of the existing amounts shall be accommodated on site.~~
- ~~(C) The treatment volume shall be equivalent to 1 inch of depth over the entire project area for wet detention and one-half (½) inch for dry retention.~~
- ~~(D) Discharges of stormwater shall comply with the ambient water quality standards of SWFWMD, FDEP, Chapter 17-25 and other applicable chapters of the Florida Administrative Code. Best management practices shall be utilized to achieve such discharge standards.~~
- ~~(E) No site alteration or stormwater management plan shall cause the siltation of wetlands, pollution of downstream wetlands, or reduce the natural retention, or filtering capabilities of wetlands. Wetlands shall only be used as an outfall after the stormwater management plan demonstrates pre-treatment measures in accordance with FDER and SWFWMD standards.~~
- ~~(F) Positive drainage outfall shall be provided. Where retention areas are designed with no positive drainage outfall, the City Engineer may require an analysis of, and design for the 100-year frequency storm. Sheetflow shall not constitute positive outfall.~~
- ~~(G) Runoff from adjacent lands which passes through the site shall be included in the stormwater management plan design.~~

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- ~~(H) Where possible, natural vegetation shall be used as a component of the stormwater management plan.~~
 - ~~(I) The water table shall not be manipulated so as to endanger natural vegetation beneficial to water quality.~~
 - ~~(J) Six inches of freeboard shall be provided for all retention/detention areas.~~
 - ~~(K) Detention areas shall be designed, where possible, to be completely dry within 3 days.~~
 - ~~(L) Detention and retention areas shall be at least 5 feet from the property line and shall have grass sodded slopes which are graded to a slope no greater than four horizontal to one vertical (4:1). Vertical headwalls shall be completely fenced to restrict access. Lakes, ponds and similar facilities shall be of sufficient permanent depth and design to maintain beneficial flora and fauna for mosquito control, and to preclude extensive growth of cattails or similar bottom-rooted emergent vegetation over the central area of the lake.~~
 - ~~(M) Roof drains and/or interceptor swales are required when the potential exists for sheetflow to occur from the roofs or other impervious areas onto adjoining properties.~~
 - ~~(N) The proposed stormwater management system shall be designed to function properly for a minimum 20-year life.~~
 - ~~(O) Off-site stormwater management facilities may be permitted for use by the City Engineer only when the design criteria of §§ 141.00 through 141.08 can be met and adequate ownership and maintenance methods can be shown to provide for their continued functioning.~~
 - ~~(P) All stormwater management facilities shall meet the construction standards of SWFWMD.~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 97-16, passed 6-17-97; Am. Ord. 99-40, 11-16-99)

§ 141.06 The Stormwater Management Plan.

Development projects not meeting the exemption requirements listed in SectionChapter 141.01 will be required to submit a Stormwater Management Plan.

- (A) The stormwater management plan shall be prepared under the direction of a Florida registered professional engineer and all drawings shall be so certified. The Stormwater Management Plan shall conform to current requirements of applicable regulatory agencies, including those requirements specified in the National Pollutant Discharge Elimination System (NPDES) permit granted by the United States Environmental Protection Agency. Refer to the City Stormwater Technical Manual.
- (B) The stormwater management plan shall contain the following minimum information unless the City Engineer deems that the context of the application clearly requires less. Refer to the City Stormwater Technical Manual for detailed specifications and methods pertaining to each item, and, for an application submittal checklist:
 - (1) Identification of the predevelopment rate of discharge from the site by field review and computation.
 - (2) The location and nature of all existing water courses, water bodies, and wetlands on or adjacent to the site.
 - (3) Grading plans and final site topography at 1 foot contours. The existing site predevelopment contours at 1 foot intervals shall also be provided, with elevations based on the North American Vertical Datum of 1988 (NAVD).

- (4) The location, elevations, slope, design including cross sections, and capacity of all proposed stormwater retention or detention facilities, control structures, culverts, lakes, canals, ditches, swales, vegetative buffers, and any other necessary facilities.
- (5) A soils map or survey of the site and geotechnical report, signed and sealed by a Florida registered professional geotechnical engineer. ~~The City Engineer may require the submission of test soil sample borings and a report for the site.~~
- (6) Seasonal high water table elevations.
- (7) Percolation tests representative of design conditions shall be performed if the stormwater management system will use swales, percolation (retention), or exfiltration (detention with filtration) designs.
- (8) An erosion and sedimentation control plan ~~that describes the type and location of control measures, the stage of development at which they will be put into place or used, and maintenance provisions in accordance with the City Stormwater Technical Manual.~~
- (9) Drainage basin or watershed boundaries and a determination of whether the project lies within an open or volume sensitive basin.
- (10) Flow paths, volumes and rates, including those for potential failures of retention/detention facilities shall be indicated throughout the proposed system, together with storage volumes, surface areas, depths, and duration, and identification of final outfall locations and rates.
- (11) Detailed hydrological analysis, calculations of flood routing, critical flows, energy dissipation, backwater curves, hydrographs, detention requirements, detailed drawings, or other relevant information as determined by the Director of Public Works or their designee. Refer to the City Stormwater Technical Manual. Computations, hydrographs, and hydraulic analyses, including total project size in acres, acreage by general type of land use, tabulations of the area and percent of impermeable surface by projected type of land use and identification of the frequency and duration of the design storm. ~~Runoff computations shall be based on the most critical situation and conform to acceptable engineering practices.~~
- (12) Areas of the site to be used or reserved for percolation, including an assessment of the impact on groundwater quality where the proposed development is near water wells or septic system drain fields.
- (13) A description of the ownership and maintenance measures to be utilized.
- (14) Identification of all drainage easements needed for access and/or maintenance of the project stormwater management facilities by the ownership and maintenance entity.
- (15)(14) Any other information required by the City Engineer to demonstrate compliance with the requirements of §§ 141.00 ~~et seq. through 141.08.~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 97-16, passed 6-17-97)

§ 141.07 Construction.

- (A) A copy of approved permits from all required regulatory agencies including the SWFWMD shall be submitted prior to the issuance of development permits.
- (B) One finalized and approved set of the stormwater management plan and design calculations sealed by the registered design professional Engineer of Record shall be submitted to the City Engineer prior to the issuance of development permits.

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- (C) The development shall include sedimentation facilities and other control measures to protect against sediment discharges during clearing and construction and to protect against erosion and sedimentation of drainage facilities during the life of the development. No grading, clearing, except brush removal for surveying, or filling shall be commenced until erosion and sedimentation measures have been applied between the disturbed area and any waterbodies, watercourses, and wetlands.
- (D) Before the issuance of a Certificate of Occupancy, the ~~registered design professional~~Engineer of Record shall certify that the stormwater management facilities were constructed in ~~substantial~~ compliance with the approved plan.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

(E) Inspections, violations and penalties.

- (1) ~~The City shall inspect a~~All developments are subject to inspection during construction to ensure not only that proper stormwater management practices are being followed but to ensure that all applicable building codes are being executed. The contractor is required to properly notify the City and, at a minimum, schedule inspections for:
- (a) erection of tree barricades and silt fence, erosion protective measures, maintenance of traffic measures; all to be scheduled prior to start of construction.
 - (b) prior to connection to any existing City facility/utility.
 - (c) upon completion of underground utility and drainage system installation, prior to backfilling.
 - (d) upon completion of pond excavation or final site grading work, prior to paving or sodding.
 - (e) any/all underground utility pressure, leakage, or other required testing.
 - (f) upon completion of construction/landscaping (final site inspections) prior to issuance of building certificate of occupancy (CO).
- (2) All inspectors shall have at a minimum a Florida Department of Environmental Protection (FDEP) erosion and sediment inspector certification and Illicit Discharge Detection and Elimination (IDDE) Training Certification or updated/renamed certifications.
- (3) At any time during the ground disturbing activities, the inspectors can call for additional reasonable controls to ensure water quality.
- (4) The City has the authority, before, during and after ground disturbing activities, to perform inspections, surveillance and monitoring procedures necessary to determine compliance with the NPDES permit conditions, including the prohibition on illicit discharge.
- (5) Whenever the City determines that activity on a property does not comply with the approved drainage plans, including those control measures which were specified to be utilized during construction activity, or that a drainage system is unlawfully obstructed, the City may cause the issuance of a stop work order and/or issuance of an electronic notice of violation to the responsible owner or his agent listed on the permit. Such order or notice shall:
- (a) Be in writing.
 - (b) List the specific provisions of this article and/or the issued permit, which have been violated.
 - (c) State that if repairs, corrections, alterations or reconstructions are not acceptably completed and approved within a reasonable period of time, specified by the Building Official or their

designee, the violation will be forwarded to the Code Enforcement Division and may be subject to penalty in accordance with Chapter 20-96 of the Municipal Code.

§ 141.08 Ownership and maintenance.

- (A) When lakes and ponds are incorporated within a subdivision as part of the stormwater management system, ownership and maintenance responsibility shall be divided among the abutting lot owners by extension of lot lines so as to include all of the area of the lake or pond; or, placed in a common area dedicated on the subdivision plat and owned/managed by an established Homeowners' Association (HOA) or Property Owners' Association (POA), provided that a flowage easements for such lake(s) or pond(s) shall be provided to the City as necessary, for emergency access purposes. Refer to the City Stormwater Technical Manual.
- (B) Stormwater management systems in developments with private facilities or common areas shall be installed and maintained in accordance with the requirements of §§ 147.00 ~~et seq. through 147.02~~ of this Code. Storm sewers, watercourses, and retention/detention facilities which pass runoff from off-site upstream areas shall be located in rights-of-way or flowage easements dedicated to the City. When said retention/detention facility is not abutting public rights of way or easements the facility discharge structures and downstream conveyance way/system which conveys flows to an abutting public right-of-way or easement must also be located within an easement that is dedicated to the City. The developer will pay all costs relative to the execution of the necessary instruments and related costs to convey the necessary rights of easement to the City. Necessary off-site construction work to safely convey stormwater from the development to a public waterway shall be performed by the developer at no cost to the City.
- (C) Swales and other drainage facilities not in common areas shall be maintained in private ownership, with appropriate drainage or flowage easements provided to a HOA, POA, or the City, as necessary.
- (D) Continuing maintenance includes, but shall not be limited to, any scarifying or sediment removal in percolation areas which is necessary to continue the specified volumes and infiltration rates.
- (E) Should the owner fail to properly maintain the system, the City shall give such owner written notice of the nature of the corrective action necessary. Failure to take such corrective action constitutes a violation of this Code and may be enforced by any legal means available.
- (F) Utility Ownership of Stormwater Facilities.
 - (1) Stormwater treatment facilities, including swales, ditches, ponds, lakes, and retention/detention ponds shall be maintained under private responsibility unless otherwise approved by City. Any such City responsibility is not implied and exceptions would require prior City approval and express consent of the City through an executed plat or other legal instrument.
 - (2) The City does not accept ownership or responsibility for any stormwater infrastructure located on private property.
 - (3) The City of Tarpon Springs owns all stormwater facilities in the public right-of-way and in easements dedicated to and accepted by the City, with exception to the treatment facilities identified in part (1) above. This City ownership is ~~an~~ an exception to the extent that private ownership is otherwise indicated as a matter of record. Unless otherwise specified, the City does not accept ownership or responsibility of infrastructure within private property or private and/or gated communities with private roads, and is not responsible for repair, maintenance or replacement of such infrastructure. Stormwater facilities owned and maintained by the City within City rights-of-way or other City controlled property typically include:
 - (a) Pipes;

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- (b) Catch basins;
 - (c) Curbs;
 - (d) Inlets; and
 - (e) Roadside swales.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 2007-16, passed 5-15-07)

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 94-42, passed 12-20-94; Am. Ord. 2010-29, passed 12-14-10)

§ 145.00 SOILS AND EROSION.

- (A) Soil characteristics, including but not limited to slope, density, depth, stoniness, drainage, and permeability shall be suitable for the intended use.
- (B) The City Engineer may require the submission of a soils map, a soils survey, or soil test borings to demonstrate that the site soils are suitable for the development proposed, including building foundations, site and facility construction, and septic tank usage.
- (C) All development activity shall be designed and constructed to prevent and control soil erosion and sedimentation. Refer to the City Stormwater Technical Manual.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 146.00 FLOODPLAIN MANAGEMENT.

All development activity within areas designated as ~~of~~ a special flood hazard according to the Federal Emergency Management Agency (FEMA) in its latest Flood Insurance Rate Map (FIRM) shall comply with the City of Tarpon Springs Flood plain Management-Damage prevention ordinance, the requirements of the FIRM ~~maps, and~~ the requirements and regulation of FEMA, and, -the City Stormwater Technical Manual.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

ARTICLE X. SUBDIVISION REGULATIONS

§ 164.05 Final Subdivision Plat Review.

- (A) Upon satisfactory completion and certification of all required improvements a final subdivision plat shall be submitted to the Planning Department.
- (B) The final subdivision plat shall be reviewed by the Technical Review Committee (TRC) for conformance with the approved site plan and compliance with F.S. Ch. 177.
- (C) Prior to approval by the Board of Commissioners, all required improvements and as-built drawings shall have been completed and certified in accordance with the requirements of this Article.

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- (D) Upon determination by the Technical Review Committee (TRC) that the final subdivision plat and required improvements are complete in conformance with the requirements of this Code, the final subdivision plat shall be sent to the Board of Commissioners for approval.
- (E) Upon approval of the final subdivision plat by the Board of Commissioners, the plat shall be forwarded along with any other related legal documents to the Pinellas County Clerk of the Circuit Court for recording.
- (F) Approval of a final subdivision plat shall constitute dedication and acceptance of all improvements, easements, and rights specified on the plat as public.
- (G) A final subdivision plat application shall conform to the following minimum specifications:
- (1) The plat shall comply with the requirements of F.S. Ch. 177 and shall be made under the direction of a registered land surveyor.
 - (2) The sheet size shall be 22" by 28" with a 3 inch margin on the left side and 1 inch margins on each remaining sides.
 - (3) Location, width, and name of all streets, water bodies, or other rights-of-way shall be provided. The mean high water line, seasonal high water line and wetland jurisdictional line shall be indicated as applicable.
 - (4) Location, width and purpose of all easements shall be provided.
 - (5) Park, open space, or other public parcels (with dimensions) shall be identified and referenced in the dedication block.
 - (6) Location, purpose, and width of all dedications shall be shown graphically and referenced in the dedication block ~~or and~~ dedicated by separate instrument in a form acceptable to the City.
 - (7) Building setback lines ~~if greater if different~~ than that required by normal zoning shall be shown.
(j) Individual lot maximum impervious surface ratio (ISR) allowed based upon approved stormwater management plan for the subdivision.
 - (8) The survey closure data for the lands to be subdivided shall be provided.
 - (9) Submission of the final plat shall include the linen, seven check prints and a computer DXF file.
 - (10) Where applicable, submittal ~~ission~~ of the final plat shall be accompanied by a declaration of covenants, conditions and restrictions which provide ~~, inter alia,~~ for the continued maintenance of common improvements and open spaces.
 - (11) An ownership and encumbrance report including all recorded easements from an attorney licensed in Florida or title company.
 - (12) Affidavit of no liens by the owner and a final lien waiver from the contractor(s) of record.
 - (13) Code enforcement, utility and special assessment liens search by the City Clerk and Collector.
- (H) All final subdivision plat applications shall include the following dedication and approval blocks:
- (1) Approval by a professional land surveyor under contract to the City.
 - (2) Certificate of ownership and dedication executed by all persons or companies having a record interest in the land to be subdivided in accordance with the title certification. All mortgagees having a record interest shall either sign the certificate of dedication or submit a separate instrument joining in and ratifying the plat and dedications. No private improvements or open space shall be dedicated to the City;

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- (3) Surveyor's Certification;
 - (4) Certificate of approval of the Board of Commissioners;
 - (5) Certificate of Approval of the Clerk of the Circuit Court;
 - (6) Notice of supremacy of record plat and possible additional restrictions in the Public Records.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 2000-28, passed 8-15-00)

ARTICLE XII. ADMINISTRATION AND ENFORCEMENT

§ 210.02 Site plan contents.

- (A) All site plans shall be prepared under the direction of a Florida Registered Engineer and sealed by same.
- (B) All submittals for site plan approval shall include a completed application form with proof of ownership and designation of agent, if applicable, and provide the following information unless otherwise determined by the Director that the context of the application clearly requires less:
 - (1) All required information shall be submitted on standard sheets (24" × 36"). Site Plan submissions requiring more than one sheet shall include match lines and consecutive numbering.
 - (2) An accurate boundary survey sealed by a Registered Surveyor containing the complete legal description, plus easements, encroachments, existing structures, and rights-of-way affecting the property shall accompany the site plan. The survey shall also include the name, location and width of existing or platted streets and street rights-of-way within or contiguous to the site. Total site area is required (upland and submerged) with the limits of any jurisdictional wetlands and MHW levels clearly identified.
 - (3) Site plans shall be prepared at a scale of one inch equals 60 feet or larger. As necessary, a smaller scale may be used for large projects. All drawings shall show the scale at which they are drawn, north arrow, vicinity map, the date they were drawn, and the date of all revisions.
 - (4) In addition to all proposed buildings and parking areas, the site plan must show all proposed utilities including sanitary sewer service, and potable water supply, including the location of proposed fire hydrants.
 - (5) The location, size, and type of all storm water management facilities with calculations signed and sealed by an engineer, which show compliance with Chapter 141.00 et. seq. and the City's Stormwater Technical Manual.
 - (6) The location, description, and terms of any proposed easements, reservations, or dedications, together with any necessary legal instruments.
 - (7) A tree survey with overlay of proposed development indicating size, type, location of trees to remain.
 - (8) Existing contours and proposed grades at one foot intervals.
 - (9) Flood zone and required first floor elevation(s).
 - (10) Complete screening details, including fences or walls and landscaping provided by size, type, spacing, location with the method of irrigation.
 - (11) A table of land use showing total area plus a breakdown of all open space (permeable surface) areas, pavement, building, etc.

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(Supp. No. 2021, S-54)

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- (12) Lot dimensions including curve data.
 - (13) Proposed setback dimensions.
 - (14) Gross floor area by type for non-residential uses.
 - (15) Gross density for residential uses and number and types of units.
 - (16) The proposed architectural elevations and floor plans with accurate dimensions.
 - (17) Proposed private and public streets with right-of-way dimensions.
 - (18) Proposed phasing plan by anticipated commencement and completion date.
 - (19) Dumpster location and screening.
 - (20) Required parking calculations (parking provided and required).
 - (21) Size and location of required loading zones.
 - (22) Required (proposed) sidewalks and internal walkways.
 - (23) Driveways and access improvements.
 - (24) Location and type of site lighting including pole height and fixture type.
 - (25) Description of the maintenance of common facilities for residential projects.
 - (26) The location, type, height, and size of proposed signs.
- (C) Construction drawings shall be submitted to the Engineering Department within one year following site plan approval.
- (Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 2000-22, passed 6-20-00)

§ 212.00 BUILDING PERMITS.

- (A) Valid building and construction permits are required prior to the commencement of any development activity.
- (B) Applications for building and construction permit shall be made through the Building Official. Construction permits shall only be issued after authorization by the City Engineer.
- (C) No application for building or construction permit shall be approved by the Building Official unless it is accompanied by, and complies with the following minimum information:
 - (1) An approved site plan or subdivision where such are required.
 - (2) The application for building permit complies with all previous stipulations of approval.
 - (3) The proposed development complies with the provisions of this Code, the City's concurrency management system, the Official Zoning Atlas designation, and the Future Land Use Map Series designations.
 - (4) A valid tree removal permit or notarized affidavit of no tree removal or no tree verification where required, and the conditions of said permit.
 - (5) The City's Flood Damage Prevention Ordinance, the requirements of FEMA, and the latest FIRM maps.

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- (6) A copy of any/all other regulatory approvals needed to construct the project, including but not limited to an approved SWFWMD permit or exemptions.
 - (7) A copy of all applicable approvals from the Pinellas County Health Department.
 - (8) All necessary variances have been obtained and a copy of the approval letter is submitted.
 - (9) A copy of a nonconforming lot of record opinion where one is required.
 - (10) Compliance with all other applicable federal, state, and local building codes is demonstrated.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)



MEMORANDUM

To: Planning & Zoning Board Members

Staff: Renea Vincent, Planning Director

P&Z Meeting: February 23, 2026, Discussion Meeting

Subject: Land Development Code Amendments (Art. I, II, & III)

BACKGROUND

The Planning and Zoning Department has started reviewing the City's Land Development Code (LDC) for potential updates. The proposed updates are intended to incorporate relevant items identified in the updated 2045 Comprehensive Plan and to address "quick fixes" that have been identified over the past few years. The "quick fix" items address repeated variance activity, gray areas of the code where interpretations may vary widely, updates for compliance with state regulations, and generally providing additional clarity throughout the code.

APPROACH TO LDC UPDATES

Staff intends to approach the LDC updates incrementally by reviewing each article in its entirety. Once the review of an article(s) is complete, they will be scheduled for review and adoption. Following the full text review of the code, staff will begin a reorganization of the code to provide a more user-friendly and logical document.

At this time, staff is seeking input from the Planning and Zoning Board on draft updates to LDC Articles I, II, and III.

ATTACHMENTS:

1. Article I: General Provisions Strike-Through/Underline (Draft)
2. Article II: District Regulations Strike-Through/Underline (Draft)
3. Article III: Supplementary District Regulations Strike-Through/Underline (Draft)

ARTICLE I. GENERAL PROVISIONS

§ 1.00 TITLE.

This Ordinance shall be entitled the "Tarpon Springs Comprehensive Zoning and Land Development Code" and may be referred to herein as the Code, the Land Development Code, or LDC.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 2.00 AUTHORITY.

This Land Development Code is enacted pursuant to the requirements and authority of F.S. 163.3202, the City Charter and the general powers for municipal corporations in F.S. Ch. 166.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 3.00 PURPOSE AND INTENT.

This Ordinance is adopted to:

- (A) Promote and protect the public health, safety, and general welfare of the residents and property owners of the City of Tarpon Springs.
- (B) Implement the adopted Comprehensive Plan through a set of specific and detailed land development provisions.
- (C) Combine various types of City regulations and laws dealing with the development of land into one comprehensive land development code.
- (D) Guide the future growth, development, and redevelopment of the City.
- (E) Maintain and improve the quality of life in the City.
- (F) Establish a development review process to ensure compliance with the Code and consistency with the Comprehensive Plan.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 4.00 RELATIONSHIP TO COMPREHENSIVE PLAN.

Land Development regulations shall be consistent with and implement the adopted Comprehensive Plan. All requests for development order approval must comply with the Land Development Code, must further the adopted Comprehensive Plan, and shall be reviewed for consistency with the goals, objectives, and policies contained within ~~the following each~~ elements of the adopted Comprehensive Plan:

- ~~(A) Future Land Use Map Series.~~
- ~~(B) Future Land Use Element.~~
- ~~(C) Historic Resources Element.~~

- ~~(D) Utilities Element and all Sub-Elements.~~
- ~~(E) Coastal Management and Conservation Element.~~
- ~~(F) Traffic Circulation Element.~~
- ~~(G) Capital Improvements Element.~~
- ~~(H) Housing Element.~~
- ~~(I) Recreation and Open Space Element.~~
- ~~(J) Intergovernmental Coordination Element.~~
- ~~(K) Plan Administration Element.~~

(Ord. 93-33, passed 10-19-93)

§ 5.00 APPLICABILITY.

§ 5.01 General Applicability.

The provisions of this Code shall apply to all development activity within the municipal boundaries of the City of Tarpon Springs, Florida. No development activity, as defined herein, shall be undertaken without prior authorization pursuant to this Code.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 5.02 General Effect.

No building, structure, or land shall hereafter be used or occupied, and no building, structure, or part thereof shall hereafter be erected, constructed, reconstructed, located, moved or structurally altered except in conformity with the regulations herein specified for the zoning district in which it is located, and in conformity with all other applicable provisions of this Code.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 5.03 Exceptions.

- (A) The provisions of this Code and any subsequent amendments shall not affect the validity of any lawfully issued and effective construction permit or site plan approval if:
- (1) The development activity authorized by the permit has commenced or authorized prior to the effective date of this Code ~~(or any subsequent amendment)~~ or application for building permit has been made and said permit is granted and does not expire. Extensions to said permit or site plan shall not be granted if there is conflict with any of the provisions of this Code; and
 - (2) The development activity continues without interruption until the development is complete. If the construction permit expires, any further development activity shall occur only in conformance with the requirements of this Code. Interruption shall be defined as a cease in construction activity for a period greater than one year or a cease of construction activity which ~~does follow~~ an approved Phasing Plan.
- (B) Any development activity that is excepted from the provisions of this Code pursuant to § 5.03 must ~~meet~~ only meet the requirements of the regulations in effect at the time the development order was

approved. If the development order expires for any reason, any further development activity shall occur only in conformance with the requirements of this Code.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 6.00 RULES OF INTERPRETATION.

§ 6.01 General Interpretation.

The interpretation and application of this Code shall be considered as the minimum requirements necessary to protect the public health, safety, and welfare; shall be liberally construed in favor of the City; and shall not be deemed to limit any other powers granted by state statute.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 6.02 Abrogation.

This Code is not intended to abrogate any existing legally enforceable easement, covenant, or restriction duly recorded in the Public Records of Pinellas County.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 6.03 Conflicts.

Where the provisions of this Code conflict with the requirements of any other regulation or provision of law, whichever imposes the more stringent provision shall prevail.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 6.04 Relationship of Specific to General.

The more specific provisions of this Code shall be followed in lieu of more general provisions that are more lenient and conflict with the more specific provisions.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 6.05 Language Interpretation.

- (A) All time requirements shall be computed by excluding the first day and including the last day; ~~except that if~~ if the last day is a Sunday or legal holiday that day shall be excluded.
- (B) The use of the plural shall include the singular, and vice versa.
- (C) Words imparting a specific gender shall apply to the masculine, the feminine and neuter.
- (D) The words "shall" ~~or "must" is~~ are mandatory; "may" ~~or "should" is~~ are permissive.
- (E) Words used in the past or present tense include the future as well.
- (F) The word "year" shall mean a calendar year, unless otherwise indicated.
- (G) The word "day" shall mean a calendar day, unless working day is indicated.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

~~§ 7.00 SEVERABILITY.~~

~~If any article, section, subsection, paragraph, sentence, clause, or phrase of this Code is for any reason held by any court of competent jurisdiction to be unconstitutional or otherwise invalid, the validity of the remaining portions of this Code shall continue in full force and effect, and the comparable provision or portion of the immediately preceding development regulations shall be in full force and effect, notwithstanding anything to the contrary contained in this Code.~~

~~(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)~~

~~§ 8.00 REPEAL OF PRIOR PROVISIONS.~~

~~Upon the effective date of this Code, Ordinance 799, Appendix A; Chapter 10; Sections 18-15, 18-16, 18-18, and 18-19; Chapter 16; Section 15-5; Chapter 14; Chapter 13, Sections 11-165 and 11-166; Section 8-1; Section 6-10; Chapter 6, Article VII and Article VIII; and Sections 3-5, 3-6, and 3-7 of the Code of Ordinances for the City of Tarpon Springs are hereby repealed, except as otherwise provided herein. In the event any portion of this Code is declared invalid, the comparable provision or portion of the immediately preceding development regulations shall be in full force and effect, notwithstanding anything to the contrary contained in this Code.~~

~~(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)~~

~~§ 9.00 EFFECTIVE DATE.~~

~~This Code shall take effect immediately upon adoption.~~

~~(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)~~

~~§ 10.00 COPY ON FILE; DISTRIBUTION.~~

~~A copy of this Code, as may be amended from time to time, shall be kept in the Planning and Zoning Department. Copies shall be made available for public sale.~~

~~(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)~~

~~(§§ 11.007.00 through 19.00 reserved)~~

Commented [AK1]: §7.00 - §8.00 can be removed. This is language that is part of the adopting ordinance and is not necessary to be repeated in the code.

ARTICLE II. DISTRICT REGULATIONS

§ 20.00 ESTABLISHMENT OF DISTRICTS.

The following zoning districts are hereby established to carry out the provisions of this Code:

Table 20.00(A) – Zoning Districts			
Category	Code	Name	LDC Section
<u>Agricultural Districts</u>	<u>A</u>	<u>Agricultural District</u>	<u>\$25.01</u>
<u>Residential Districts</u>	<u>R-100</u>	<u>Single Family Residential District</u>	<u>\$25.02</u>
	<u>R-70A</u>	<u>Single Family Residential District</u>	<u>\$25.02</u>
	<u>R-60</u>	<u>Neighborhood Conservation District</u>	<u>\$25.03</u>
	<u>R-70</u>	<u>One and Two Family Residential District</u>	<u>\$25.03</u>
	<u>CRM</u>	<u>Conditional Residential Mix District</u>	<u>\$25.04</u>
	<u>RM</u>	<u>Residential Multifamily District</u>	<u>\$25.05</u>
	<u>MHP</u>	<u>Mobile Home Park District</u>	<u>\$25.06</u>
	<u>RV</u>	<u>Recreational Vehicle Park District</u>	<u>\$25.07</u>
<u>Office Districts</u>	<u>RO</u>	<u>Residential Office District</u>	<u>\$25.08</u>
<u>Commercial Districts</u>	<u>NB</u>	<u>Neighborhood Business District</u>	<u>\$25.10</u>
	<u>GB</u>	<u>General Business District</u>	<u>\$25.11</u>
	<u>HB</u>	<u>Highway Business District</u>	<u>\$25.12</u>
	<u>IB</u>	<u>Intensive Business District</u>	<u>\$25.13</u>
	<u>WDI</u>	<u>Waterfront Development District</u>	<u>\$25.14</u>
	<u>WDI-A</u>	<u>Waterfront Commercial Fishing Development District</u>	<u>\$25.15</u>
	<u>WDI-B</u>	<u>Waterfront Commercial Fishing and Tourism Redevelopment District</u>	<u>\$25.16</u>
<u>Industrial Districts</u>	<u>WDII</u>	<u>Waterfront and Marine Industry Development District</u>	<u>\$25.17</u>
	<u>IR</u>	<u>Industrial Restricted District</u>	<u>\$25.18</u>
	<u>IH</u>	<u>Industrial Heavy District</u>	<u>\$25.19</u>
<u>Planned Development Districts</u>	<u>RPD</u>	<u>Residential Planned Development District</u>	<u>\$78.01</u>
	<u>CPD</u>	<u>Commercial Planned Development District</u>	<u>\$78.02</u>
	<u>IPD</u>	<u>Industrial Planned Development District</u>	<u>\$78.03</u>
<u>Special Purpose Districts</u>	<u>LC</u>	<u>Land Conservation District</u>	<u>\$25.20</u>
	<u>SAP</u>	<u>Special Area Plan</u>	<u>\$70.00</u>
	<u>P/SP</u>	<u>Public/Semi-Public District</u>	<u>\$25.21</u>
	<u>RR</u>	<u>Resort Residential District</u>	<u>\$25.09</u>
<u>Special Purpose Overlay Districts</u>	<u>Designated Historic Districts</u>		<u>Article VII</u>
	<u>Designated Historic Structures and Landmarks</u>		<u>Article VII</u>

~~Agricultural District~~
~~A-Agricultural District~~

Commented [AK1]: Formatted this section into a table with code section references.

Did not remove any districts, except CS and PTC districts because currently no properties have those designations and they are not applicable.

Combined R-100 and R-100A into one category (with utilize R-100A district standards).

Residential Districts

R-100 Single Family Residential District

R-100A Single Family Residential District

R-70A Single Family Residential District

R-60 Neighborhood Conservation District

R-70 One and Two Family Residential District

CRM Conditional Residential Mix District

RM Residential Multifamily District

MHP Mobile Home Park District

RV Recreational Vehicle Park District

Office District

RO Residential Office District

Commercial Districts

CS Commercial Service District

PTC Pinellas Trail Corridor District

NB Neighborhood Business District

GB General Business District

HB Highway Business District

IB Intensive Business District

WDI Waterfront Development District

WDI-A Waterfront Commercial Fishing Development District

WDI-B Waterfront Commercial Fishing and Tourism Re-Development District

Industrial Districts

WDII Waterfront and Marine Industry Development District

IR Industrial Restricted District

IH Industrial Heavy District

Planned Development Districts

RPD Residential Planned Development District

CPD Commercial Planned Development District

IPD Industrial Planned Development District

Special Purpose District

LC Land Conservation District

SAP Special Area Plan (Pursuant to Section 70.00 of this Code)

P/SP Public/Semi-Public District

~~RR Resort Residential~~

~~Special Purpose Overlay Districts (Pursuant to Article VII of this Code)~~

~~Designated Historic Districts~~

~~Designated Historic Structures and Landmarks~~

~~Archaeological Base Zone~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 97-38, passed 11-18-97; Am. Ord. 2009-13, passed 10-20-09; Am. Ord. 2010-20, passed 7-20-10)

§ 21.00 OFFICIAL ZONING ~~ATLAS MAP~~ ESTABLISHED.

- (A) There shall be a map designated as the Official Zoning ~~Atlas Map~~ which shall show the boundaries of all zoning districts within the City jurisdiction.
- (B) The Official Zoning ~~Atlas Map dated May 1, 1990 is hereby shall be~~ adopted ~~and incorporated by reference into this Code and amended by ordinance in accordance with the procedures established in this Code.~~
- (C) The Official Zoning ~~Atlas Map is composed of a series of sheets, identified by Section, Township, and Range, and~~ shall be kept on file ~~in the Office of~~ by the Planning and Zoning Department and the Office of the City Clerk and Collector.
- ~~(D) Any map amendment change shall be posted on the Official Zoning Atlas by the Office of the Planning and Zoning Department. Records shall be kept which identify the official action, the date of such action, the area involved, and the date of posting.~~
- ~~(E) No unauthorized changes shall be made to the Official Zoning Atlas. All changes, or amendments, shall be in accordance with the procedures established in this Code.~~
- ~~(F)~~(D) The ~~Office of the~~ Planning and Zoning Department shall retain copies of earlier maps or atlases for historical reference.
- ~~(G)~~(E) In the event that the Official Zoning ~~Atlas Map~~ is lost, destroyed, or damaged the Planning Director shall have a new map made. No further action or authorization is required provided no district boundaries are changed in the process.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 22.00 ~~RULES FOR~~ INTERPRETATION OF DISTRICT BOUNDARIES.

In ~~construing interpreting~~ the Official Zoning ~~Atlas Map~~ the following rules shall be applied:

- (A) A district symbol or name shown within a district shall extend or pertain throughout the whole area surrounded by the boundary line.
- (B) Boundaries indicated as approximately following the centerlines of dedicated streets, alleys, highways, easements, railroads, and the like shall be ~~construed interpreted~~ to follow such lines.
- (C) Boundaries indicated as approximately following platted lot lines, section, tract, or property lines shall be ~~construed interpreted~~ to follow such lines.
- (D) Boundaries indicated as approximately following political boundaries shall be ~~construed interpreted~~ as following such political boundaries.

- (E) Boundaries indicated as approximately following the shoreline at a body of water shall be ~~construed interpreted~~ as following such shoreline. In the event of a change to the shoreline, the boundary shall be ~~construed interpreted~~ as moving with the actual shoreline.
- (F) Boundaries indicated as following the centerlines of streams, canals, or rivers shall be ~~construed interpreted~~ as to follow such centerlines.
- (G) Boundaries indicated as entering any body of water but not continuing to intersection with other zoning boundaries or with the City limits shall be ~~construed interpreted~~ as extending in the direction in which they enter the body of water to intersection with other zoning boundaries or City limit lines.
- (H) Where physical or cultural features exist on the ground that are at variance with those shown on the Official Zoning ~~Atlas Map~~ the actual location shall govern.
- (I) Where a public road, street, or alley is officially vacated the regulations applicable to the property to which it reverted shall apply.
- (J) Where areas have been excluded or unclassified the designation shall be classified 'A Agricultural' until designated otherwise in accordance with the procedures established by this Code.
- (K) In cases where the rules fail to clarify the status of land, the Planning and Zoning Director shall interpret the Official Zoning ~~Atlas Map~~ in such a manner as to carry out the intent of this Code. Appeal from an interpretation shall be to the Board of Adjustment in accordance with the procedures established by this Code.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 23.00 APPLICATION OF DISTRICT REGULATIONS.

- ~~(A) Permitted Uses represent only those uses which are permitted by right in a given district.~~
- ~~(D)(A) Conditional Uses may be permitted in a given district by the Board of Commissioners only upon a finding that such use in a specified location will comply with the criteria established in general or in specific for such use by this Code.~~
- ~~(C)(A) Uses existing prior to the effective date of this Code shall only be expanded in accordance with the regulations and procedures established by this Code.~~
- ~~(D)(A) In the event that a particular use is not listed anywhere in this Code, then it shall be interpreted that the use in this Code having the most similar characteristics as the use in question shall apply. The purpose and intent of the district where the use with the most similar characteristics shall also be consulted in this determination.~~
- ~~(E)(A) All land and land development shall be in accordance with the City's Comprehensive Plan, and these regulations. Where these regulations differ from the City's Comprehensive Plan the more restrictive of the two shall be applied.~~

~~(Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93)~~

Commented [AK2]: Moved this to the end of the Article in a new "Permitted Land Uses" section.

§ 23.01 ~~Maximum~~ Density/~~Intensity~~ Standards.

- ~~(A) Maximum density shall be expressed in terms of number of dwelling units per gross residential acre. In determination of the maximum number of units to be allowed, any proportional fraction thereof shall be the nearest whole number.~~

(A) The maximum density permitted in nonresidential districts shall not exceed 15 units per acre. The maximum density and intensity standards for each zoning district are established by the underlying future land use (FLU) category as identified on the Comprehensive Plan Future Land Use Map (FLUM). When density and intensity standards are identified in individual zoning districts, the more restrictive standard applies.

(B) Measurement of Density/Intensity:

- (1) Residential – Measured as dwelling units per gross acre (du/ac).
- (2) Residential Equivalent – Measured as beds per dwelling unit.
- (3) Non-Residential – Measured as floor area ratio (FAR) and impervious surface ratio (ISR).
- (4) Mixed Uses - The proportional share of the applicable standards outlined above.
- (5) In determination of maximum density/intensity allowed, any proportional fraction thereof shall be rounded to the nearest whole number.
- (6) Any submerged land shall be excluded from the total land area when calculating the maximum density/intensity.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 23.02 Minimum Lot ~~Size~~ District Size and Dimensional Standards.

- (A) Where a minimum lot size or district size is given for a particular use or zone, no area of land of a lesser size may be rezoned or intensified in use except as follows:
 - (1) Such lands are contiguous to such existing zone or zoned land and will be combined to meet the minimum regulation required.
 - (2) The rezoning was initiated by the City as a part of a comprehensive rezoning.
 - (3) A waiver authorized under the Planned Development Districts-process is included.
- (B) No lot existing on the effective date of this Code of record shall be ~~thereafter~~ reduced in size, dimension, or area below the minimum requirements of this Code set out herein, except ~~by reason of a portion when~~ being acquired for public use.
- (C) New lots created ~~after the effective date of this Code~~ shall meet the minimum dimensional requirements established herein.
- (D) The resubdivision or alteration of the arrangements of dimensions or boundary locations for existing lots may be permitted provided the minimum dimensional regulations are ~~complied with~~ met and the total number of lots is not increased.
- (E) All uses shall be subject to the minimum lot size requirements specified for a given district unless other minimum requirements are specified elsewhere in this Code.
- (F) No land below the shoreline shall be credited as a part of a lot for the purposes of determining lot area, nor shall such land be part of any required yard of setbacks.
- ~~(E)~~(G) The height limitations of this Code shall not apply to poles uses for the franchised and/or transmission of electrical power, street lighting standards, and traffic control signal devices.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 23.03 Flag Lots.

- (A) No flag lot shall be created, nor shall any structure be constructed upon an existing flag lot, except in compliance with the provisions of (B)(6) below, and the requirements of the Residential Planned Development (RPD) District.
- (B) In Agricultural or Residential Districts in which a minor subdivision may be approved, or if vacant lots of record are of sufficient size to allow the erection of additional structures without the need to submit a plat, under the subdivision regulations in Article X hereof, the Technical Review Committee (TRC) may permit a flag lot under the following conditions:
 - (1) The original series of lots are of such size, shape, or location so that the lot in question does not have access to an existing public or private street.
 - (2) The remainder of the series of lots are adjoining an existing public or private street.
 - (3) The lot in question is an isolated example and will not set the precedent for a repetitive pattern.
 - (4) The lot in question can be given street numbers and designed or located in such a way that it does not become a detriment to the provision of emergency services.
 - (5) No public expenditures for the extensions of streets or utilities are required.
 - (6) The driveway will be at least 20 feet in width and shall be paved.
 - (7) The lot in question shall otherwise conform to the dimensional regulations of the district in which it is located.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 94-11, passed 4-19-94)

Commented [AK3]: Move to Art. X once finished with text edits.

~~§ 23.04 Waterfront Lots and Yards.~~

~~No land below the shoreline shall be credited as a part of a lot for the purposes of determining lot area, nor shall such land be part of any required yard or setbacks.~~

~~(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)~~

Commented [AK4]: Moved to §23.02 - relevant to that section.

~~§ 23.05 Height Limitation Exclusions.~~

~~The height limitations of this Code shall not apply to poles used for the franchised distribution and/or transmission of electrical power, street lighting standards, and traffic control signal devices.~~

~~(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 96-01, passed 2-20-96)~~

Commented [AK5]: Moved to §23.02 - relevant to that section.

~~§ 23.06~~**23.04 Open Space Reduction.**

No part of the open space required in any development may be subsequently reduced below the minimum requirement.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

~~§ 23.07 Floor Elevations.~~

~~(A) All building floor elevations for living space shall be a minimum of 1½ feet above the highest elevation of a street pavement or surface adjacent to the building. All other buildings shall have floor elevations a minimum of one foot above the highest elevation of a street pavement or surface adjacent to the building. Provided, however, that the City Manager or his designee may grant an exception to this requirement, if the site is graded to provide for adequate drainage and there are either physical constraints that create an undue hardship or other sound engineering reasons that require the waiver of the requirements of this section.~~

~~(B) No certificate of occupancy shall be issued unless a registered engineer or land surveyor certifies that the building has been constructed to the proper elevation as required under subsection (A).~~

~~(C) This section shall apply to all new structures for which building permits are applied for after September 9, 1988. It shall not apply to additions to existing structures constructed in accordance with a building permit applied for prior to September 9, 1988.~~

~~(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)~~

Commented [AK6]: Verify with Keith and Megan about this. Does BFE requirements address this. If so, we can remove these standards.

~~§ 23.08-07 Effect Of of Annexation.~~

~~If an area annexed was subject to a county land use plan and county zoning or subdivision regulations, said regulations shall remain in effect until the area is rezoned by the City to comply with its Comprehensive Plan. At the time property is annexed into the City, the future land use and zoning must be amended to the most comparable city future land use and zoning district categories to the existing Pinellas County designations, unless application is made for land use amendment and/or rezoning to different categories.~~

~~(F.S. Ch. 171) (Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)~~

~~§ 23.09 Specific Limitations of Certain Uses Under the Countywide Plan Rules of Pinellas County.~~

~~(A) Ancillary non-residential uses/transportation utility uses, as defined by the Countywide Plan Rules of Pinellas County, shall not exceed ten acres when located in the Institutional Future Land Use Map category. Any such use, alone or when added to existing contiguous like use(s), which exceeds 10 acres shall require a plan map amendment to an appropriate category which shall include such use and all contiguous like uses.~~

~~(B) Institutional and Ancillary non-residential uses, as defined by the Countywide Plan Rules of Pinellas County, shall not exceed ten acres when located in the Transportation/Utility Future Land Use Map category. Any such use, alone or when added to existing contiguous like use(s), which exceeds 10 acres shall require a plan map amendment to an appropriate category which shall include such use and all contiguous like uses.~~

~~(Ord. 2011-08, passed 9-6-11)~~

Commented [AK7]: Remove - This is contradictory to the updated Comp Plan, and should just be in the Comp Plan.

§ 24.00 NONCONFORMITIES.

§ 24.01 Intent.

Within districts established by the Code, there may exist lots, structures, and use of land or structures which were lawful prior to the adoption of this Code or amendment, but which would be prohibited, regulated, or restricted under the terms established herein. It is the intent of this Code to permit such legal nonconformities to continue until they are removed by economic or other forces, but not to encourage their survival or replacement due to their inconsistency with the provisions established herein. It is further the intent of this Code eventually to require all uses of land or structures to conform to this Code.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 24.052 General Requirements.

- (A) Normal maintenance and incidental repair of a lawful nonconformity shall be permitted, provided that such maintenance and repair does not violate any other provision of this Code or the City's building codes.
- (B) The burden of establishing that a nonconformity is lawful shall be upon the property owner.
- (C) Nonconforming structures of significant cultural or historic value may be rebuilt to their original condition if destroyed, notwithstanding the other restrictions of this section, provided the restoration is done to recreate the historical context of the original structure. Structures of significant cultural or historic value shall be either:
 - (1) Listed on the Florida Master Site File.
 - (2) Listed on the National Register of Historic Places.
 - (3) Contributing structures located in a National Register Historic District.
 - (4) Contributing structures located in a Local Historic District.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 24.02-03 Nonconforming Lots of Records.

- (A) In any district in which residential dwellings are permitted, a lot which is nonconforming in terms of the minimum requirements for lot area, ~~or~~ lot width, and/or depth~~both~~, may be constructed upon with a residential dwelling provided:
 - (1) The lot was a lot of record on the effective date of this Code.
 - (2) The lot was not created in violation of a previous zoning ordinance.
 - ~~(3) The lot was in single ownership on the effective date of this Code and is not a part of a series of vacant lots or parcels sharing continuous street frontage under unified ownership.~~
- ~~(B) If at any time the owner of such nonconforming lot owns adjoining unimproved land, then the lots or land shall be combined to meet the minimum requirements of this Code.~~
- ~~(C)~~ (B) Nonconforming lots of record shall not be further reduced by area or width.
- ~~(D)~~ (C) The other dimensional regulations of the district in which the lot is located, including but not limited to maximum residential density, minimum yards, and maximum lot coverage shall apply.
- ~~(E)~~ (D) Prior to the issuance of a building permit for a nonconforming lot, a nonconforming lot of record opinion shall be obtained from the Planning and Zoning ~~Director~~Department.

Commented [AK8]: Will also need to update Variance Section 215.02.5

~~(F) The Board of Adjustments may consider variances to the requirements of this Section in accordance with Section 215.02.5.~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 2012-09, passed 5-15-12)

§ 24.~~03-04~~ Nonconforming Structures.

- (A) No nonconforming structure may be enlarged or altered in any way which increases its nonconformity except by variance approval from the Board of Adjustment.
- (B) All additions to nonconforming structures shall meet the dimensional regulations of the district in which it is located at the time of the expansion.
- (C) If a nonconforming structure is damaged by fire, natural elements, or force beyond control of the owner, to an amount greater than 50 percent of its appraised valuation for tax purposes on the day immediately preceding such loss, said structure shall only be rebuilt to conform to the regulations of this Code and the City's Building Code.
- (D) If a nonconforming structure is moved for any reason any distance, it shall thereafter conform to the regulations of this Code.
- (E) ~~However, the~~The provisions of this section, ~~but only as such regulate nonconforming setback requirements,~~ shall not ~~be applicable~~apply to nonconforming setbacks to any preexisting nonconforming structure which has incurred damage ~~from during~~a declared state of emergency caused by a natural disaster. The current or future owners of any such structure may replace or rebuild such structure at the location ~~in which such structure has it was~~ established ~~prior thereto~~. In all other respects, such regulations imposed by Section 24 shall remain in effect.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-11, passed 5-18-93; Am. Ord. 93-33, passed 10-19-93)

§ 24.~~04-05~~ Nonconforming Uses of Land or of Structures.

- (A) No nonconforming use of land or of a structure may be enlarged, intensified, changed, increased, or extended to occupy a greater area of land or of gross floor area than that use occupied on the effective date of this Code.
- (B) If the nonconforming use of a structure or land ceases for any reason, except where governmental action impedes access to the site, for a period of more than six months ~~or for any intermittent period amounting to six months in any one year,~~ use of the structure or land shall conform to the regulations of this Code.
- (C) There may be a change in tenancy, ownership, or management of a nonconforming use provided there is no change in nature or character of such nonconforming use.
- (D) If the nonconforming use of land or of a structure is replaced by a conforming use of land or of a structure, a nonconforming use shall not ~~thereafter~~ be re-established ~~on the same site~~.
- (E) If the nonconforming use of a structure is damaged by fire, natural elements, or force beyond the control of the owner, to an amount greater than 50 percent of its appraised valuation for tax purposes on the day immediately preceding such loss, the nonconforming use may be resumed, provided that the structure must be built or rebuilt to conform to the current provisions of this Code and all other applicable codes, ordinances, laws and regulations.
- (F) The casual, temporary, or illegal use of land or structures shall not be sufficient to establish the existence of a nonconforming use.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 2005-22, passed 11-15-05)

~~§ 24.05 General Requirements.~~

- ~~(A) Normal maintenance and incidental repair of a lawful nonconformity shall be permitted, provided that such maintenance and repair does not violate any other provision of this Code or the City's building codes.~~
- ~~(D)(A) The burden of establishing that a nonconformity is lawful shall be upon the property owner.~~
- ~~(C)(A) Nonconforming structures of significant cultural or historic value may be rebuilt to their original condition if destroyed, notwithstanding the other restrictions of this section, provided the restoration is done to recreate the historical context of the original structure. Structures of significant cultural or historic value shall be either:
 - ~~(1) Listed on the Florida Master Site File.~~
 - ~~(2)(1) Listed on the National Register of Historic Places.~~
 - ~~(3)(1) Contributing structures located in a National Register Historic District.~~
 - ~~(4)(1) Contributing structures located in a Local Historic District.~~~~

~~(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)~~

§ 24.06 Nonconforming Characteristics of Use.

Characteristics of use, such as density, off-street parking and loading, landscaping, drainage, signs and other development regulations may be legally nonconforming in terms of this Code. Generally, the provisions governing specific characteristics of use and their expansion are found elsewhere in this Code.
Nonconforming characteristics of use not addressed elsewhere in this Code shall be proportionally improved towards compliance as determined through by the Technical Review Committee.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

§ 24.07 Reserved

Editor's note(s)—Ord. No. 2018-03, § 2, adopted February 6, 2018, repealed § 24.07, which pertained to prohibition on location of medical cannabis dispensaries and derived from Ord. No. 2017-10, passed 4-18-17.

§ 25.00 SCHEDULE OF DISTRICT REGULATIONS.

~~Community Assembly means the following within Sections 25 and 26 below: an establishment providing a place for persons to gather together for a common purpose in a meeting, recreational, religious or social facility.~~

~~(Am. Ord. 2009-03, passed 8-18-09)~~

Commented [AK9]: Move to Article XIV - Definitions

§ 25.01 A (Agricultural) District.

(A) The A (Agricultural District) is established to identify areas where predominantly rural and agricultural activities are normally conducted, to conserve agricultural lands and promote agricultural activity and related uses, to conserve open space and promote noncommercial recreational activities, and to protect areas from premature urban development due to the areas' rural character or a lack of available public facilities.

~~(B) Permitted Uses~~

- ~~(1) Agriculture~~
- ~~(2) Emergency Service Facilities~~
- ~~(3) Single Family Detached Dwellings~~
- ~~(4) Public Parks and Recreation Facilities~~

~~(C) Conditional Uses~~

- ~~(1) Community Assembly~~
- ~~(2) Communication Towers~~
- ~~(3) Community Residential Homes~~
- ~~(4) Excavation~~
- ~~(5) Family Care Homes~~
- ~~(6) Golf Course~~
- ~~(7) Home Occupations (Pursuant to Sections 51.00 through 51.03 of this Code)~~
- ~~(8) Kennels~~
- ~~(9) Light Utility Service~~
- ~~(10) Schools of General Education~~
- ~~(11) Schools of Special Education~~
- ~~(12) Veterinary Clinics~~

~~(D)(B) Dimensional Regulations~~

Table 25.01(A) – A – Dimensional Regulations Table									
Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Maximum Height ² (feet)	Maximum Lot Coverage
	Area ¹ (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
All Uses	30,000	200	-	30	20	25	50	35	Per FLU/ISR allowance
TABLE NOTES: 1. Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.									

Commented [AK10]: All Permitted/Conditional Uses are moved to the end of this Article in a new "Permitted Land Uses" Section in table format.

~~2. The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.~~

~~(1) Maximum Density = 1.4 dwelling units per acre~~

~~(2) Minimum Lot Area = 30,000 square feet~~

~~(3) Minimum Lot Width = 200 feet~~

~~(4) Maximum Height = 35 feet~~

~~(5) Minimum Yards:~~

~~(a) Front = 30 feet~~

~~(b) Side = 20 feet~~

~~(c) Side Street = 25 feet~~

~~(d) Rear = 50 feet~~

~~(E) Public/Semi Public, Ancillary Non Residential Uses: Shall not exceed a maximum area of three acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.~~

~~(F) Intensity Standards: Non Residential use shall not exceed a Floor Area Ratio (FAR) of .30, nor an Impervious Surface Ratio (ISR) of .60.~~

~~(G) Residential Equivalent Use: Shall not exceed an equivalent of three beds per permitted dwelling unit at 1.4 dwelling units per acre.~~

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

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 96-01, passed 2-20-96; Am. Ord. 2009-03, passed 8-18-09; Am. Ord. 2011-08, passed 9-6-11)

§ 25.02 R-100 & R-70A (Single Family Residential) Districts, ~~R-100, R-100A, R-70A~~

(A) The ~~R-100 and R-70A~~ ~~(a~~Single Family Residential) districts are established to provide for detached dwellings in a variety of districts with a full range of dimensional and density standards compatible with the established development of the area.

~~(B) Permitted Uses~~

~~(1) Community Assembly~~

~~(2) Community Gardens~~

~~(3) Emergency Service Facilities~~

~~(4) Family Care Homes (Not within 1,000 feet of a pre-existing Family Care Home)~~

~~(5) Public Parks and Recreation Facilities~~

~~(6) Schools of General Education~~

~~(7) Sewage Treatment Plants~~

~~(8) Single Family Detached Dwellings~~

(C) Conditional Uses

- (1) Agriculture (Limited to the Residential Rural, Residential Estate, Residential Suburban, Residential Low, and Residential Urban Future Land Use Map Designations)
- (2) Community Residential Homes
- (3) Congregate Care Facilities up to 20 residents (R-70A only)
- (4) Day Care Centers
- (5) Day Care Homes
- (6) Family Care Homes (Within 1,000 feet of a pre-existing Family Care Home)
- (7) Government Offices and Related Facilities
- (8) Home occupations (Pursuant to §§ 51.00 through 51.03 of this Code)
- (9) Light Utility Service
- (10) Nursing Homes
- (11) Schools of Special Education

(D) ~~R-100~~ District Dimensional Regulations

- (1) Maximum Density = Four dwelling units per acre
- (2) Minimum Lot Area = 10,000 square feet
- (3) Minimum Lot Width = 75 feet
- (4) Minimum Lot Depth = 100 feet
- (5) Maximum Height = 35 feet
- (6) Minimum Yards:
 - (a) Front = 25 feet
 - (b) Side = A minimum of ten feet with a total of 25 feet for both side yards
 - (c) Side Street = 15 feet
 - (d) Rear = 30 feet
- (7) Minimum Net Floor Area = 1,200 square feet

Commented [AK11]: Merged with R-100A and utilizing existing R-100A dimensional standards. This is in response to multiple variance requests due to inadequate lot size and large setbacks.

(E)(B) ~~R-100~~ District Dimensional Regulations

Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Maximum Height ² (feet)	Maximum Lot Coverage
	Area ¹ (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
All Uses	7,000	60	100	25	10	10	25	35	Per FLU/ISR allowance

TABLE NOTES:
 1. Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.

~~2. The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.~~

- ~~(1) Maximum Density = Five dwelling units per acre~~
- ~~(2) Minimum Lot Area = 7,000 square feet~~
- ~~(3) Minimum Lot Width = 60 feet~~
- ~~(4) Minimum Lot Depth = 100 feet~~
- ~~(5) Maximum Height = 35 feet~~
- ~~(6) Minimum Yards:~~
 - ~~(a) Front = 25 feet~~
 - ~~(b) Side = Ten feet~~
 - ~~(c) Side Street = Ten feet~~
 - ~~(d) Rear = 25 feet~~
- ~~(7) Minimum Net Floor Area = 1200 square feet~~

~~(F)(C)~~ R-70A District Dimensional Regulations

Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Maximum Height ² (feet)	Maximum Lot Coverage
	Area ¹ (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
All Uses	6,500	60	80	25	7.5	15	20	35	Per FLU/ISR allowance

TABLE NOTES:
~~1. Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.~~
~~2. The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.~~

- ~~(1) Maximum Density = Six dwelling units per acre~~
- ~~(2) Minimum Lot Area = 6,500 square feet~~
- ~~(3) Minimum Lot Width = 60 feet~~
- ~~(4) Minimum Lot Depth = 80 feet~~
- ~~(5) Maximum Height = 35 feet~~
- ~~(6) Minimum Yards:~~
 - ~~(a) Front = 25 feet~~
 - ~~(b) Side = Seven and one-half feet~~
 - ~~(c) Side Street = 15 feet~~
 - ~~(d) Rear = 20 feet~~
- ~~(7) Minimum Net Floor Area = 1,000 square feet~~

Commented [AK12]: Removed requirement for all districts (cannot regulate dwelling size).
 Ask Attorney - Is it possible to set a city minimum dwelling size of 300sqft?

~~(G) Public/Semi-Public, Ancillary Non-Residential Uses: Shall not exceed a maximum area of three acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.~~

~~(H) Intensity Standards: Non-Residential use shall not exceed a Floor Area Ratio (FAR) of .40, nor an Impervious Surface Ratio (ISR) of .65.~~

~~(I) Residential Equivalent Use Standards: Shall not exceed an equivalent of three beds per permitted dwelling units per acre (DUPA) at four DUPA in (R-100), five in DUPA (R100A), six in DUPA (R-70).~~

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

(Ord. 90-10, passed 5-1-90; Am. Ord. 91-14, passed 5-7-91; Am. Ord. 92-28, passed 12-1-92; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 94-18, passed 5-17-94; Am. Ord. 96-07, passed 5-7-96; Am. Ord. 2009-03, passed 8-18-09; Am. Ord. 2011-08, passed 9-6-11)

**§ 25.03 R-60 (Neighborhood Conservation) and R-70 (One and Two Family) Districts.
Residential Districts.**

(A) The R-60 ~~(a)N~~ighborhood ~~e~~Conservation district is created to promote the stability and redevelopment of established neighborhoods consisting primarily of platted subdivisions. The existing street and circulation system should be preserved to promote interaction among residents and with community institutions.

(B) The R-70 ~~(e)O~~ne and ~~t~~Two family residential district is established to provide for a mixture of one and two family dwellings at a medium density where the mixture is determined to be compatible with development trends in the area.

~~(C) Permitted Uses~~

~~(1) Community Assembly~~

~~(2) Emergency Service Facilities~~

~~(3) Family Care Homes (Not within 1,000 feet of a pre-existing Family Care Home)~~

~~(4) Public Parks and Recreation Facilities~~

~~(5) Schools of General Education~~

~~(6) Single Family Detached Dwellings~~

~~(7) Two Family Dwellings, Single Family Semi-Detached (R-60 only)~~

~~(D) Conditional Uses~~

~~(1) Community Residential Homes~~

~~(2) Congregate Care Facilities up to 20 residents~~

~~(3) Day Care Centers~~

~~(4) Day Care Homes~~

~~(5) Family Care Homes (Within 1,000 feet of a pre-existing Family Care Home)~~

~~(6) Home Occupations (Pursuant to Sections 51.00 through 51.03 of this Code)~~

~~(7) Light Utility Service~~

(8) Schools of Special Education

(9) Two Family Dwellings, Single Family Semi-Detached (R-70 only)

(E)(C) R-60 Dimensional Regulations

Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Maximum Height ² (feet)	Maximum Lot Coverage
	Area ¹ (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
Single Family	6,000 ³	40	-	20 (Living Area) 25 (Garage)	5	7.5	20	30	Per FLU/ISR allowance
Two Family	9,000	60	-	20 (Living Area) 25 (Garage)	7.5	10	25	30	
All Other Uses	12,000	88	-	35	15	-	25	30	

TABLE NOTES:

- Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.
- The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.
- Notwithstanding this minimum and the provision of Section 24.02 of this Code, any lot which, on the effective date of this district, was specifically delineated on a plat of record and contains at least 5,000 square feet of land area may be utilized for the construction of a single family dwelling.

(1) Minimum Lot Area:

- (a) Single Family Detached Dwellings and Family Care Homes = 6,000 square feet.
Notwithstanding this minimum and the provision of Section 24.02 of this Code, any lot which, on the effective date of this district, was specifically delineated on a plat of record and contains at least 5,000 square feet of land area may be utilized for the construction of a single family detached dwelling.
- (b) Two Family Dwellings, Congregate Care Facilities, and Community Residential Homes = 9,000 square feet
- (c) All Other Uses = 12,000 square feet

(2) Minimum Lot Width:

- (a) Single Family Detached = 40 feet
- (b) Two Family Dwellings = 60 feet
- (c) All Other Uses = 88 feet

(3) Maximum Height = 30 feet

(4) Minimum Yards:

- (a) Single Family Detached:

- (i) Front, to garage = 25 feet
- (ii) Front, to living area = 20 feet
- (iii) Side, interior = Five feet
- (iv) Side, street = Seven and one-half feet
- (v) Rear, to house = 20 feet

(b) Two Family Dwellings:

- (i) Front, to garage = 25 feet
- (ii) Front, to living area = 20 feet
- (iii) Side, interior = Seven and one-half feet
- (iv) Side, street = Ten feet
- (v) Rear, to house = 25 feet

(c) All Other Uses:

- (i) Front = 35 feet
- (ii) Side = 15 feet
- (iii) Rear = 25 feet

(F)(D) R-70 Dimensional Regulations

Table 25.03(B) – R-70 – Dimensional Regulations Table									
Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Maximum Height ² (feet)	Maximum Lot Coverage
	Area ¹ (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
Single Family	7,000	60	80	25	7.5	15	20	35	Per FLU/ISR allowance
Two Family	10,000	60	80	25	7.5	15	20	35	
All Other Uses	12,000	88	-	35	15	-	25	35	

TABLE NOTES:

1. Submerged land shall not be credited towards the minimum lot area nor shall be part of any re-quired yard or setback.
2. The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.
3. Notwithstanding this minimum and the provision of Section 24.02 of this Code, any lot which, on the effective date of this district, was specifically delineated on a plat of record and contains at least 5,000 square feet of land area may be utilized for the construction of a single family dwelling.

(1) Maximum Density = Six dwelling units per acre

(2) Minimum Lot Area:

- (a) Single Family Detached Dwellings = 7,000 square feet

Commented [AK13]: Currently, R-70 does not provide standards for uses other than single and two family uses. Added the same standards as R-60, except increased the height to 35 feet to be consistent existing allowance in this district.

- ~~(b) Two-Family Dwellings = 10,000 square feet~~
- ~~(3) Minimum Lot Width = 60 feet~~
- ~~(4) Minimum Lot Depth = 80 feet~~
- ~~(5) Maximum Height = 35 feet~~
- ~~(6) Minimum Yards:~~
 - ~~(a) Front = 25 feet~~
 - ~~(b) Side = Seven and one-half feet~~
 - ~~(c) Side Street = 15 feet~~
 - ~~(d) Rear = 20 feet~~
- ~~(7) Minimum Net Floor Area:~~
 - ~~(a) Single-Family Detached Dwellings = 1,000 square feet~~
 - ~~(b) Two-Family Dwellings = 600 square feet~~

~~(G)(E)~~ Single Family Semi-Detached Units (Two-Unit Townhome):

- (1) May be allowed under the same conditions as Two Family Dwellings in the R-60 and R-70 zoning districts.
- (2) Must meet the same setback dimensions as required for Two Family Dwellings.
- (3) Lot area for each lot must equal ½ the area required for a Two Family Dwelling.
- (4) Lot width for each lot must equal ½ the required lot width for a Two Family Dwelling.
- (5) A Single Family Semi-Detached unit may not be utilized as a duplex or Two Family Dwelling.

- ~~(H) Public/Semi-Public, Ancillary Non-Residential Uses: Shall not exceed a maximum area of three acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.~~
- ~~(I) Non-Residential Uses: Shall not exceed a Floor Area Ratio (FAR) of .40, nor an Impervious Surface Ratio (ISR) of .65.~~
- ~~(J) Residential Equivalent Uses: Shall not exceed an equivalent of three beds per permitted dwelling unit at six dwelling units per acre.~~
- ~~(K) The permitted uses, densities, and intensity standards in this district shall be limited by the parcel's designation on the future land use map.~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 91-14, passed 5-7-91; Am. Ord. 92-28, passed 12-1-92; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 96-07, passed 5-7-96; Am. Ord. 97-38, passed 11-18-97; Am. Ord. 2000-21, passed 6-20-00; Am. Ord. 2003-31, passed 9-30-03; Am. Ord. 2005-10, passed 6-21-05; Am. Ord. 2009-03, passed 8-18-09)

§ 25.04 CRM (Conditional Residential Mix) District.

- (A) The ~~CRM (e)Conditional (r)Residential (m)Mix~~ district is established to provide for a mix of residential uses where a conditional use review for compatibility with existing development trends is necessary to analyze the potential for adverse impacts in accordance with established criteria.

~~(B) Permitted Uses~~

- ~~(1) Community Assembly~~
- ~~(2) Emergency Service Facilities~~
- ~~(3) Family Care Homes (not within 1,000 feet of a pre-existing Family Care Home)~~
- ~~(4) Public Parks and Recreation Facilities~~
- ~~(5) Single Family Detached Dwellings~~

~~(C) Conditional Uses~~

- ~~(1) Boarding Homes~~
- ~~(2) Community Assembly~~
- ~~(3) Community Residential Homes~~
- ~~(4) Congregate Care Facilities~~
- ~~(5) Day Care Centers~~
- ~~(6) Day Care Homes~~
- ~~(7) Emergency Shelters, Residential Treatment Facilities, and Recovery Homes~~
- ~~(8) Family Care Homes (Within 1,000 feet of a pre-existing Family Care Home)~~
- ~~(9) Home Occupations (Pursuant to Sections 51.00 through 51.03 of this Code)~~
- ~~(10) Libraries, Museums, Galleries, Cultural Centers and similar uses~~
- ~~(11) Light Utility Service~~
- ~~(12) Lodging Facilities~~
- ~~(13) Multifamily Dwellings~~
- ~~(14) Private Clubs~~
- ~~(15) Schools of General Education~~
- ~~(16) Schools of Special Education~~
- ~~(17) Single Family Attached Dwellings~~
- ~~(18) Single Family Semi-Detached Dwellings~~
- ~~(19) Two Family Dwellings~~
- ~~(20) Community Gardens~~

~~(D)(B) Dimensional Regulations~~

Table 25.04(A) – CRM – Dimensional Regulations Table									
Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Maximum Height ² (feet)	Maximum Lot Coverage
	Area ¹ (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
Single Family Detached	7,000	60	80	25	7.5	15	20	35	Per FLU/ISR allowance

<u>Single Family Attached & Semi-Detached</u>	<u>2,000</u>	<u>20</u>	<u>100</u>	<u>15</u> (Living Area) <u>25</u> (Garage)	<u>7.5</u>	<u>7.5</u>	<u>15</u>	<u>35</u>
<u>Two Family</u>	<u>10,000</u>	<u>80</u>	<u>90</u>	<u>25</u>	<u>7.5</u>	<u>15</u>	<u>20</u>	<u>35</u>
<u>All Other Uses</u>	<u>10,000</u>	<u>80</u>	<u>90</u>	<u>25</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>45</u>

TABLE NOTES:
1. Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.
2. The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.

(1) ~~Maximum Density – As designated by the Official Zoning Atlas and as limited by the parcel's designation on the City's Future Land Use Map Series.~~

(2) ~~Minimum Lot Area:~~

- ~~(a) Single Family Detached Dwellings – 7,000 square feet~~
- ~~(b) Single Family Attached Dwellings – 2,000 square feet~~
- ~~(c) Single Family Semi-Detached Dwellings – 2,000 square feet~~
- ~~(d) Two Family Dwellings – 10,000 square feet~~
- ~~(e) Multifamily – 10,000 square feet~~

(3) ~~Minimum Lot Width:~~

- ~~(a) Single Family Detached Dwellings – 60 feet~~
- ~~(b) Single Family Attached Dwellings – 20 feet~~
- ~~(c) Single Family Semi-Detached Dwellings – 20 feet~~
- ~~(d) Two Family Dwellings – 80 feet~~
- ~~(e) Multifamily Dwellings – 80 feet~~

(4) ~~Minimum Lot Depth:~~

- ~~(a) Single Family Detached Dwellings – 80 feet~~
- ~~(b) Single Family Attached Dwellings – 100 feet~~
- ~~(c) Single Family Semi-Detached Dwellings – 100 feet~~
- ~~(d) Two Family Dwellings – 90 feet~~
- ~~(e) Multifamily Dwellings – 90 feet~~

(5) ~~Maximum Height:~~

- ~~(a) Multifamily and Nonresidential – 45 feet~~
- ~~(b) Single Family and Two Family – 35 feet~~

(6) ~~Minimum Yards:~~

~~(a) Single Family Detached Dwellings and Two Family Dwellings as provided by the R-70 District~~

~~(b) Single Family Attached Dwellings:~~

~~(i) Front = 20 feet facing a public right of way; 15 feet facing a common drive, courtyard or private parking area~~

~~(ii) Side = Seven and one-half feet~~

~~(iii) Side Street = Seven and one-half feet~~

~~(iv) Rear = 15 feet~~

~~(c) Single Family Semi-Detached Dwellings:~~

~~(i) Front = 20 feet facing a public right of way; 15 feet facing a common drive, courtyard or private parking area~~

~~(ii) Side = Seven and one-half feet~~

~~(iii) Side Street = Seven and one-half feet~~

~~(iv) Rear = 15 feet~~

~~(d) Multifamily:~~

~~(i) Front = 25 feet~~

~~(ii) Side = 20 feet~~

~~(iii) Side Street = 20 feet~~

~~(iv) Rear = 20 feet~~

~~(v) Minimum distance between buildings:~~

~~(a) Side facing side = 15 feet~~

~~(b) Front/rear facing side = 20 feet~~

~~(c) Front/rear facing front/rear = 25 feet~~

~~(d) An additional five feet is required for each story over two on the tallest building.~~

~~(7) Minimum Net Floor Area:~~

~~(a) Single Family Detached Dwellings = 1,000 square feet~~

~~(b) Single Family Attached Dwellings = 900 square feet~~

~~(c) Single Family Semi-Detached Dwellings = 1,000 square feet~~

~~(d) Two family and Multifamily Dwellings = 600 square feet~~

~~(E) Supplementary Regulations for Lodging Facilities:~~

~~(1) The use shall only be allowed in residential structures that are listed on the Florida Master Site File, the National Register of Historic Places, or a contributing structure located in a National Register or local historic district.~~

~~(2) The renovation or restoration shall preserve the historical context of the original structure and shall contribute significantly to the character and economic revitalization of the neighborhood.~~

Commented [AK14]: Changed to be similar to R-60 and increased front facing garage setback to 25 feet.

Commented [AK15]: See LDC Section 44.00 (duplicate text)

~~(3) The individual rooms that are rented shall not contain cooking facilities.~~

~~(F) Public/Semi-Public, Ancillary Non-Residential Uses: Shall not exceed a maximum area of three acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.~~

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

~~(H) Residential Equivalent Use: Shall not exceed an equivalent of three beds per the maximum permitted dwelling units per acre as set forth in the comprehensive plan and future land use map series.~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 91-14, passed 5-7-91; Am. Ord. 92-28, passed 12-1-92; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 96-07, passed 5-7-96; Am. Ord. 2003-31, passed 9-30-03; Am. Ord. 2009-03, passed 8-18-09; Am. Ord. 2016-10, passed 8-16-16)

§ 25.05 RM (Residential Multifamily) District.

(A) The RM (Residential Multifamily) District is established to provide for multifamily dwellings at a mix of densities, limited by the parcel's designation on the City's Future Land Use Map Series, and allow for other uses generally compatible with the character and intensity of multifamily dwellings.

~~(B) Permitted Uses~~

~~(1) Community Assembly~~

~~(2) Emergency Service Facilities~~

~~(3) Family Care Homes (Not within 1,000 feet of a pre-existing Family Care Home)~~

~~(4) Multifamily Dwellings~~

~~(5) Single Family Attached Dwellings~~

~~(6) Single Family Detached Dwellings~~

~~(7) Single Family Semi-Detached Dwellings~~

~~(8) Two Family Dwellings~~

~~(C) Conditional Uses~~

~~(1) Boarding Homes~~

~~(2) Community Residential Homes~~

~~(3) Congregate Care Facilities~~

~~(4) Day Care Centers~~

~~(5) Day Care Homes~~

~~(6) Emergency Shelters, Residential Treatment Facilities, and Recovery Homes~~

~~(7) Family Care Homes (Within 1,000 feet of a pre-existing Family Care Home)~~

~~(8) Home Occupations (Pursuant to Sections 51.00 through 51.03 of this Code)~~

~~(9) Hospitals~~

~~(10) Libraries, Museums, Galleries, Cultural Centers and similar uses~~

~~(11) Light Utility Service~~

- (12) Lodging Facilities
- (13) Nursing Homes
- (14) Private Clubs including Yacht Clubs
- (15) Schools of General Education
- (16) Schools of Special Education
- (17) Tourist Home

(D)(B) Dimensional Regulations

Use	Minimum Lot Standards			Minimum Yards ^{1,3} (feet)				Maximum Height ² (feet)	Maximum Lot Coverage
	Area ¹ (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
Single Family Detached	7,000	60	80	25	7.5	15	20	35	Per FLU/ISR allowance
Single Family Attached & Semi-Attached	2,000	20	100	15 (Living Area) 25 (Garage)	7.5	7.5	15	35	
Two Family	10,000	80	90	25	7.5	15	20	35	
All Other Uses	10,000	80	90	25	20	20	20	45	

TABLE NOTES:

1. Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.
2. The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.
3. A minimum 100 foot setback is required for all yards adjoining the Gulf of Mexico shoreline. The setback shall be measured from the mean high tide.

(1) As provided for by the CRM District, or;

(2) Alternative Dimensional Criteria Review

~~(a) Residential projects located within the RM Zoning District may request an alternative dimensional plan whereby the zoning dimensional criteria set out in Section 25.04 (D) (excluding height and minimum net floor area) may be modified to accommodate unique projects that do not conform to the traditional zoning dimensional criteria of those developments located within unusual or difficult project sites.~~

~~(b)(a) The alternative dimensional plan shall require a Conditional Use review for compatibility, in addition to any other site plan review process required by this Code. When uses under this Code Section are evaluated for compatibility such factors as scale, mass, intensity, location, size, height, style and aesthetics shall be taken into account. This list of factors to be considered is not exclusive and the reviewing body may consider~~

Commented [AK16]: See new Section 27.00.

~~other relevant factors in making a compatibility determination. The use, in order to be compatible, shall be found to preserve the character of the adjacent neighborhoods and/or community.~~

~~(C) Minimum Building Spacing for Multifamily~~

- ~~(1) Side Facing Side = 15 feet~~
- ~~(2) Front/Rear Facing Side = 20 feet~~
- ~~(3) Front/Rear Facing Front/Rear = 25 feet~~
- ~~(4) An additional 5 feet is required for each story over 2 on the tallest building.~~

~~(E) Supplementary Dimensional Regulations~~

- ~~(1) A minimum 100 foot setback is required for all yards adjoining the Gulf of Mexico shoreline. The setback shall be measured from the mean high tide.~~

~~(F) Supplementary Regulations of Lodging Facilities~~

- ~~(1) As provided for by the CRM District~~

~~(G) Public/Semi Public, Ancillary Non Residential Uses: Shall not exceed a maximum area of three acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.~~

~~(H) Residential Equivalent Use: Shall not exceed an equivalent of three beds per the maximum permitted dwelling units per acre as set forth in the comprehensive plan and future land use map series.~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 91-14, passed 5-7-91; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 96-07, passed 5-7-96; Am. Ord. 2009-03, passed 8-18-09; Am. Ord. 2009-13, passed 10-20-09)

§ 25.06 MHP (Mobile Home Park) District.

- (A) The MHP (Mobile Home Park) District is established to provide areas for mobile home dwellings located in mobile home parks and mobile home subdivisions.

~~(B) Permitted Uses~~

- ~~(1) Emergency Service Facilities~~
- ~~(2) Mobile Home Parks~~
- ~~(3) Mobile Home Subdivisions~~

~~(C) Conditional Uses~~

- ~~(1) Community Assembly~~
- ~~(2) Golf Courses~~
- ~~(3) Home Occupations (Pursuant to §§ 51.00 through 51.03 of this Code)~~
- ~~(4) Light Utility Service~~
- ~~(5) Recreational Vehicle Parks (Pursuant to § 25.07 of this Code and requiring an amendment to the Future Land Use Map to Residential Facilities Overlay)~~
- ~~(6) Schools of General Education~~
- ~~(7) Schools of Special Education~~

(D)(B) Dimensional Regulations

Table 25.06(A) – MHP – Dimensional Regulations Table

Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Maximum Height ² (feet)	Maximum Lot Coverage
	Area ¹ (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
All Uses ³	3,500	45	75	15	5	10	7.5	35	Per FLU/ISR allowance

TABLE NOTES:

- Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.
- The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.
- The minimum size for a new mobile home park/subdivision is 15 acres.

Commented [AK17]: Amended based on Meadows lot sizes

(1) Maximum Density = Seven dwelling units per acre

(2) Minimum Project Size = 15 acres

(3) Minimum Lot Area = 4,000 square feet

(4) Minimum Lot Width = 50 feet

(5) Minimum Lot Depth = 80 feet

(6) Maximum Height = 35 feet

(7) Minimum Yards:

(a) Front = 15 feet

(b) Side = Five feet

(c) Side Street = Ten feet

(d) Rear = Seven and one-half feet

(8) Minimum Net Floor Area = 600 square feet

(E) Minimum Perimeter Buffers

Commented [AK18]: Repetitive, see Sec. 134.06

(1) Mobile home parks and mobile home subdivisions shall be surrounded by a minimum landscaped buffer strip of 35 feet along all adjoining public rights-of-way and residential districts other than MHP or TP, and 15 feet along all remaining boundaries.

(2) Buffers shall be landscaped in accordance with the screening requirements of §§ 134.00 through 134.08 of this Code, shall be maintained in accordance with the landscaping requirements of this Code, and shall otherwise be unoccupied except for permitted utility facilities, signs, entrance ornamentation or permitted screening material.

(F)(C) Permitted Accessory Uses

(1) Permitted accessory uses in mobile home parks and mobile home/-subdivisions shall include the following:

(a) A single family residence or mobile home for a park manager or caretaker

- (b) Enclosed storage facilities and outdoor storage yards for the recreational vehicles of park residents screened in accordance with § 57.00 of this Code
- (c) Park offices, maintenance facilities, and laundry facilities
- (d) Private recreation facilities

~~(G)~~(D) Recreation Areas

- (1) ~~Not less than ten~~ A minimum of 10% percent of the gross site area shall be devoted to a combination of recreation facilities and area. Recreation facilities ~~shall be defined as~~ may include community centers, shuffleboard/pickleball courts, play areas, swimming pools and other similar active facilities. ~~The Active recreation areas shall do not be deemed to include~~ count towards any required buffers.

~~(H)~~(E) Required Improvements

- ~~(1) The development standards of this Code shall be complied with.~~
- ~~(2)~~(1) Each mobile home site shall be connected to potable water and sanitary sewer.
- ~~(3)~~(2) Each mobile home shall be placed on a foundation or tied down in accordance with the City's building codes.
- ~~(4)~~(3) Park management shall be responsible for providing internal refuse collection. Centralized park collection points shall be constructed in accordance with the requirements of §§ 139.00 through 139.04 of this Code unless individual can collection is permitted.
- ~~(5)~~(4) Street lighting in accordance with the requirements of § 163.11 of this Code shall be required.
- ~~(6)~~(5) The construction of sidewalks along all adjoining streets shall be required unless a centralized and strategically placed common walk system which is convenient to all development areas is approved at the time of Site Plan Review.

~~(I)~~(F) Existing Mobile Home Parks

- (1) Nothing contained in this section shall prohibit mobile home parks ~~or mobile home~~ subdivisions which existed on the effective date of this Code from continuing to operate.
- (2) Any expansion of an existing mobile home park or ~~of a mobile home~~ subdivision which did not have a valid site plan approval on the effective date of this Code shall comply with the requirements of this Code.
- (3) The replacement of any mobile homes in an existing mobile home park or subdivision ~~shall must~~ also comply with the minimum standards of the Pinellas County Health Department, and the minimum installation requirements of the City's building codes.

~~(J) Public/Semi Public, Ancillary Nonresidential Uses: Shall not exceed a maximum area of three acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.~~

~~(K) Intensity Standards: Nonresidential uses shall not exceed a Floor Area Ratio (FAR) of .40, nor and Impervious Surface Ratio (ISR) of .65.~~

~~(L) The permitted uses, densities, and intensity standards in this District shall be limited by the parcel's designation on the Future Land Use Map Series.~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 2009-03, passed 8-18-09)

§ 25.07 ~~RV (Recreational Vehicle Park) District (RV).~~

(A) The RV ~~(Recreational Vehicle Park) District~~ is established to provide for recreational vehicle parks and campgrounds intended for overnight and temporary occupancy on a transient or seasonal basis. RV Parks are not permitted within Residential Future Land Use Map plan categories unless a Resort Facilities Overlay is in place. A proposed RV park located in a residential plan category shall require a Future Land Use Map Series amendment to an appropriate category prior to approval.

~~(B) Permitted Uses~~

- ~~(1) Campgrounds~~
- ~~(2) Emergency Service Facilities~~
- ~~(3) Recreational Vehicle Parks~~

~~(C) Conditional Uses~~

- ~~(1) Community Assembly~~
- ~~(2) Golf Courses~~
- ~~(3) Light Utility Service~~
- ~~(4) Schools of General Education~~
- ~~(5) Schools of Special Education~~

~~(D)(B) Dimensional Regulations~~

Table 25.07(A) – RV – Dimensional Regulations Table			
<u>Use</u>	<u>Minimum Lot Standards¹</u>		<u>Minimum RV Park/ Campground Size</u> (acres)
	<u>RV Site Area²</u> (sqft)	<u>Designated Campsite</u> (sqft)	
All Uses	2,500	1,200	5
TABLE NOTES: 1. Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback. 2. Includes the parking pad and surrounding area dedicated to that site.			

- ~~(1) Maximum Density = In accordance with underlying Future Land Use Map designation~~
- ~~(2) Minimum Project Size = five acres~~
- ~~(3) Minimum Lot Area:~~
 - ~~(a) Recreational Vehicle Sites = 2,500 square feet~~
 - ~~(b) Designated Campsites = 1,200 square feet~~

~~(E)(C) Minimum Perimeter Buffers~~

(1) Recreational vehicle parks and campgrounds shall be surrounded by a minimum landscaped buffer strip of ~~35-15~~ feet along all adjoining public rights-of-way and ~~residential districts other than RV or MHP, and 15 feet along~~ all remaining boundaries.

-
- (2) Buffers shall be landscaped in accordance with the screening requirements of §§ 134.00 through 134.08 of this Code, maintained in accordance with the landscaping requirements of this Code, and shall otherwise be unoccupied except for permitted utility facilities, signs, entrance ornamentation or permitted screening material.

~~(F)~~(D) Permitted Accessory Uses

- (1) Permitted accessory uses in recreational vehicle parks and campgrounds shall include the following:
- (a) A single family residence for a park manager or caretaker
 - (b) Enclosed storage units/garages/coach houses for the exclusive use of owners/renters.
 - (c) Park offices, maintenance facilities, and laundry facilities
 - (d) Private Recreation Facilities
 - (e) Ancillary retail and food service establishments (not open to the general public)

~~(G)~~(E) Recreation Areas

- (1) ~~Not less than eight~~A minimum of 8% percent of the gross site area shall be devoted to a combination of recreation facilities and area. Recreation facilities shall be defined as may include community centers, shuffleboard/pickleball courts, play areas, swimming pools and other similar active facilities. ~~The Active recreation areas shall do not be deemed to include count towards~~ required buffers.

~~(H)~~(F) Required Improvements

- ~~(1) The development standards of this Code shall be complied with.~~
- ~~(2)~~(1) Each recreational vehicle site shall be connected to potable water and sanitary sewer.
- ~~(3)~~(2) Each campground shall be provided with sanitary facilities in accordance with the requirements of the Pinellas County Health Department.
- ~~(4)~~(3) All campground sites shall be designated on the approved site plan.
- ~~(5)~~(4) Each recreational vehicle site shall contain a stabilized vehicular parking pad composed of shell, marl, paving or other suitable material. The removal of wheels and placement of the recreational vehicle on a foundation is prohibited. Attachments to recreational vehicles shall be limited to those pop-out structures and awnings integral to the RV as originally manufactured.
- ~~(6)~~(5) The internal street network shall be private, and shall be designed and constructed as a drive aisle in accordance with the requirements of § 127.03 of this Code.
- ~~(7)~~(6) Park management shall be responsible for providing internal refuse collection. Centralized park collection points shall be constructed in accordance with the requirements of §§ 139.00 through 139.04 of this Code.

~~(H)~~(G) Existing Recreational Vehicle Parks

- (1) Nothing contained in this section shall prohibit recreational vehicle parks which existed on the effective date of this Code from continuing to operate.
- (2) Any expansion of an existing recreational vehicle park shall comply with the requirements of this Code.

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

~~(K) Public/Semi-Public, Ancillary Nonresidential Uses: Shall not exceed a maximum area of three acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 2009-03, passed 8-18-09; Am. Ord. 2010-20, passed 7-20-10)

Editor's note(s)—Ord. No. 2010-20, § 2, passed July 20, 2010, changed the title of § 25.07 from "TP Trailer Park District" to "Recreational Vehicle Park District (RV)."

§ 25.08 RO (Residential Office) District.

(A) The RO (Residential Office) District is established to provide for areas where it would be compatible for residential uses to mix with professional, business and nonprofit organization offices.

~~(B) Permitted Uses~~

~~(1) Business and Professional Offices~~

~~(2) Emergency Service Facilities~~

~~(3) Financial Institutions~~

~~(4) Personal services excluding coin laundries, dry cleaners and tattoo/body piercing. Such personal service use shall not exceed one thousand (1,000) square feet of floor area.~~

~~(5) Multifamily Dwellings~~

~~(6) Single Family Attached Dwellings~~

~~(7) Single Family Detached Dwellings~~

~~(8) Single Family Semi-Detached Dwellings~~

~~(9) Two Family Dwellings~~

~~(C) Conditional Uses~~

~~(1) Assembly Halls and Convention Centers~~

~~(2) Boarding Homes~~

~~(3) Community Assembly~~

~~(4) Community Residential Homes~~

~~(5) Congregate Care Facilities~~

~~(6) Day Care Centers~~

~~(7) Day Care Homes~~

~~(8) Emergency Shelters, Residential Treatment Facilities, and Recovery Homes~~

~~(9) Family Care Homes~~

~~(10) Funeral Homes and Mortuaries~~

~~(11) Home Occupations (Pursuant to Sections 51.00 through 51.03 of this Code)~~

~~(12) Hospitals~~

~~(13) Libraries, Museums, Galleries, Cultural Centers and similar uses~~

- (14) Light Utility Service
- (15) Lodging Facilities
- (16) Nursing Homes
- (17) Other Community Service Uses Not Specifically Listed
- (18) Post Offices
- (19) Private Clubs
- (20) Schools of General Education
- (21) Schools of Special Education
- (22) Tourist Home

(D)(B) _____ Dimensional Regulations

Table 25.08(A) – RO – Dimensional Regulations Table									
Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Maximum Height ² (feet)	Maximum Lot Coverage
	Area ¹ (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
Single Family Detached	7,000	60	80	25	7.5	15	20	35	Per FLU/ISR allowance
Single Family Attached & Semi-Attached	2,000	20	100	15 / ROW - 20	7.5	7.5	15	35	
Two Family	10,000	80	90	25	7.5	15	20	35	
Multi-Family	10,000	80	90	25	20	20	20	45	
All Other Uses	5,000	50	80	20	7.5	15	20	35	

TABLE NOTES:

1. Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.
2. The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.

(1) Residential dimensional regulations as provided for by the CRM District. Residential density shall be limited to the permitted density of the future land use map.

(2) NonResidential Uses

- (a) Minimum Lot Area = 5,000 square feet
- (b) Minimum Lot Width = 50 feet
- (c) Minimum Lot Depth = 80 feet

~~(d) Maximum Height = 35 feet~~

~~(e) Minimum Yards:~~

~~(i) Front = 20 feet~~

~~(ii) Side = Seven and one-half feet~~

~~(iii) Side Street = 15 feet~~

~~(iv) Rear = 20 feet~~

~~(f) Maximum Nonresidential Floor Area Ratio = .25~~

~~(g) Minimum Open Space = 20 percent~~

~~(h) Maximum Impervious Surface Ratio = .75~~

~~(E) Public/Semi Public, Ancillary Non-Residential Uses: Shall not exceed a maximum area of three acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.~~

~~(F) Residential Equivalent Use: Shall not exceed an equivalent of three beds per permitted dwelling unit at seven dwelling units per acre.~~

~~(G) Mixed Use: Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the total lot area.~~

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

(Ord. 90-10, passed 5-1-90; Am. Ord. 90-35, passed 9-18-90; Am. Ord. 91-14, passed 5-7-91; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 96-07, passed 5-7-96; Am. Ord. 2000-02, passed 3-7-00; Am. Ord. 2009-03, passed 8-18-09)

§ 25.09 ~~RR~~ (Resort Residential) ~~Zoning~~ District.

(A) The purpose of the ~~RR~~ (Resort Residential) ~~Zoning~~ District is to provide for a wide range of transient accommodation options in locations in close proximity to, or within areas recognized as tourist or downtown destinations. Accessory commercial uses are intended to be very limited and for the use of guests residing onsite. The purpose of these limitations is to reduce impacts associated with increased traffic and parking upon surrounding properties. More intensive commercial uses should be located in nearby or adjacent commercially zoned areas within a five minute walking distance. Resort residential projects shall be designed to integrate with surrounding properties and provide enhanced pedestrian access to nearby commercial and tourist areas. Application of the Resort Residential Zoning District shall require an appropriate Future Land Use (or Overlay) Map designation.

~~(B) Permitted Uses~~

~~(1) Bed & Breakfast Establishments (single family structures only; owner or manager occupied)~~

~~(2) Tourist Homes (subject paragraph F below)~~

~~(3) All Other Residential Uses allowed within the RM Zoning District~~

~~(4) Hotels electing the alternate densities and intensities for temporary lodging standards, subject to a developer agreement.~~

~~(5) Motels electing the alternate densities and intensities for temporary lodging standards, subject to a developer agreement.~~

Commented [AK19]: Delete - Refer to FLU allowances

~~(C)~~ Conditional Uses

- ~~(1) Condo Hotels (subject to paragraph G below)~~
- ~~(2) Hotels limited to the densities and intensities of the Future Land Use category.~~
- ~~(3) Motels limited to the densities and intensities of the Future Land Use category.~~
- ~~(4) Recreational Vehicle Parks & Subdivisions (subject to requirements and dimensional criteria established in the RV, Recreational Vehicle Zoning district and paragraph I below)~~
- ~~(5) Timeshare and Fractional Ownership Establishments (subject to paragraph H below)~~

~~(D)~~~~(B)~~ Conditional Accessory Uses (only allowed as accessory to Condo Hotels, Hotels, & Motels):

- (1) Retail Food/Eating establishments for onsite guests
- (2) Gift shops/sundries for onsite guests
- ~~(3)~~ Personal Services/Spa Facilities for onsite guests
- ~~(3)~~~~(4)~~ Accessory uses shall not exceed a FAR of 0.05 or 1,500 square feet, whichever is more restrictive.

~~(E)~~ Density and Intensity Standards

- ~~(1) Residential uses (including Tourist Homes and Bed & Breakfast establishments) shall not exceed the density established by underlying Future Land Use Category. Such units to be located within the Coastal High Hazard Area shall not exceed 5 units per acre.~~
- ~~(2) Transient Accommodations (all other uses) shall not exceed the underlying Future Land Use Category unless the alternate densities and intensities standards are elected.~~
- ~~(3) Accessory uses shall not exceed a Floor Area Ratio of .05 or 1,500 square feet, whichever is more restrictive.~~
- ~~(4) Impervious Surface Ratios shall not exceed the underlying Future Land Use Category.~~
- ~~(5) Height limitations and setbacks shall be determined by compatibility review consistent with Section 25.09 (K) for either a conditional use or developer agreement.~~

~~(F)~~~~(C)~~ Tourist Homes may be permitted in any single family detached, attached, duplex, or semi-detached unit. Such units may be occupied by the owner for any length of time. Tourist Homes shall not be subject to distance separation requirements or a minimum/maximum length of stay. **New construction of residential units within the Resort Residential Zoning district shall comply with the dimensional criteria and all other development standards of the RM, Residential Medium Zoning District.** Tourist homes shall have a minimum of one off-street parking space per bedroom.

~~(G)~~~~(D)~~ Condo Hotels shall meet all of the requirements set out in **Section 68.01** with the following exceptions:

- (1) Up to 50% of the units may be designated to be allowed for owner occupation for up to four months per calendar year. Anytime the units are not occupied by the owner they shall be available for daily, weekly, or monthly rentals. All remaining units (those not designated for up to four months owner occupancy) shall be limited to three weeks of occupancy per calendar year by the owner and shall otherwise be available for daily, weekly, or monthly rentals.

~~(H)~~~~(E)~~ Timeshares and Fractional Ownership Properties shall meet the following requirements:

Commented [AK20]: Repetitive - All standards refer to FLU or elsewhere in this section.

Commented [AK21]: See subsection (G)

- (1) Contain a front desk and lobby, internally oriented and easily accessible to members of the public or an acceptable offsite management company/facility located within a 10 mile radius of the resort property;
- (2) Have the appropriate license for a hotel or motel and all such licenses must be kept up-to-date annually;
- (3) Have sufficient signage viewable by the general public advertising such structure as a hotel, motel or resort with units available for daily, weekly or monthly rentals;
- (4) Provide a central reservation system or agency for rental of all units; and
- (5) Upon request of the city, provide access to all rental records, tax receipts or any other documents necessary to verify conformance with the provisions established herein.

~~(F)~~ Recreational Vehicle Parks. Recreational Vehicle Parks shall conform to the RV Park zoning district with the following exceptions:

- (1) Up to 1/3 of the total RV sites may be utilized for the permanent installation of "park model" recreational vehicles. Such units shall not be used for permanent living units and shall be for transient/seasonal use only.
- (2) The minimum lot size for each RV site shall be at least 4000 square feet.
- (3) Campgrounds shall not be permitted.

~~(G)~~ (G) Dimensional Regulations, ~~not otherwise specified~~: Tourist Homes, Bed & Breakfast establishments and Residential Uses shall adhere to the dimensional requirements established in the RM/~~CRM~~ zoning districts appropriate for the particular type/style of structure. For example, a tourist home that is built to appear as a single family residence must meet the setbacks and dimensional criteria for a single family house in the RM/~~CRM~~ zoning districts.

Commented [AK22]: What about hotels/motels?

Commented [AK23]: Same standards

~~(H)~~ (H) Compatibility Regulations: All uses shall be designed to appropriately buffer adjoining uses based upon the characteristics of each project and site characteristics of adjoining uses. Projects shall be designed to ensure compatibility with surrounding uses taking into account such factors as scale, mass, intensity, location, size, height, style, parking impacts, and aesthetics. This list of factors to be considered is not exclusive and the reviewing body may consider other relevant factors in making a compatibility determination. The use in order to be compatible shall be found to preserve the character of the adjacent neighborhoods.

(Ord. 2010-20, passed 7-20-10; Am. Ord. 2017-04, passed 5-2-17)

Editor's note(s)—Prior to the reenactment of § 25.09 by Ord. No. 2010-20, Ord. No. 99-20, § 2, passed 8-17-99, repealed § 25.09 in its entirety. Formerly, such section pertained to the CS Commercial Service District and derived from Ord. No. 90-10, passed 5-1-90; Ord. No. 90-35, passed 9-18-90; Ord. No. 93-31, passed 11-16-93; and Ord. No. 93-33, passed 10-19-93.

§ 25.10 NB (Neighborhood Business) District.

(A) The NB (Neighborhood Business) District is established to provide for areas where convenience shopping and personal services are oriented toward a surrounding neighborhood market.

~~(B) Permitted Uses~~

~~(1) Business and Professional Offices~~

~~(2) Community Service Uses~~

- ~~(3) Eating Establishments, Sit-Down and Taverns~~
- ~~(4) Emergency Service Facilities~~
- ~~(5) Financial Institutions~~
- ~~(6) Personal Service Establishments~~
- ~~(7) Residential over ground floor commercial/office~~
- ~~(8) Retail Food Establishments~~
- ~~(9) Retail Sales Establishments~~
- ~~(10) Shopping Centers~~
- ~~(11) Veterinary Clinics provided that no boarding facilities may be allowed except as may be required for the short term treatment of sick or injured animals and when completely enclosed within a building~~

~~(C) Conditional Uses~~

- ~~(1) Car Washes, subject to conditions set out in Paragraph J, below~~
- ~~(2) Community Assembly~~
- ~~(3) Commercial Recreation Facilities~~
- ~~(4) Community Residential Homes~~
- ~~(5) Day Care Centers~~
- ~~(6) Eating Establishments, Fast Food~~
- ~~(7) Emergency Shelters, Residential Treatment Facilities, and Recovery Homes~~
- ~~(8) Family Care Homes~~
- ~~(9) Funeral Homes or Mortuaries~~
- ~~(10) Light Printing Establishment~~
- ~~(11) Light Utility Service~~
- ~~(12) Private Clubs~~
- ~~(13) Repair Service Establishment~~
- ~~(14) Retail Nursery and Garden Supplies~~
- ~~(15) Schools of Special Education~~
- ~~(16) Self-Serve Gasoline Establishment~~
- ~~(17) Single Family Detached Dwellings~~
- ~~(18) Wholesale Trade provided the Future Land Use Map designation of the subject property allows wholesale trade as a primary use.~~

~~(D)(B) Dimensional Regulations~~

Table 25.10(A) – NB – Dimensional Regulations Table				
Use	Minimum Lot Standards	Minimum Yards¹ (feet)	Maximum Height² (feet)	Maximum

	<u>Area¹</u> <u>(sqft)</u>	<u>Width</u> <u>(feet)</u>	<u>Depth</u> <u>(feet)</u>	<u>Front</u>	<u>Side</u>	<u>Side Street</u>	<u>Rear</u>		<u>Lot Coverage</u>
<u>Single Family</u>	<u>7,000</u>	<u>60</u>	<u>80</u>	<u>25</u>	<u>7.5</u>	<u>15</u>	<u>20</u>	<u>35</u>	<u>Per FLU/ISR allowance</u>
<u>All Other Uses</u>	<u>5,000</u>	<u>50</u>	<u>80</u>	<u>10</u>	<u>0³</u>	<u>10</u>	<u>15⁴</u>	<u>25</u>	

TABLE NOTES:

1. ~~Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.~~
2. ~~The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.~~
3. ~~Minimum side yard setback of 10 feet when adjoining to a residential district.~~
4. ~~Minimum rear yard setback of 20 feet when adjoining to a residential district.~~

~~(1) Single family detached dwellings as provided by the R 70 District. Density standard shall be limited by the parcel's designation on the City's Future Land Use Map Series.~~

~~(2) All Other Uses~~

- ~~(a) Minimum Lot Area = 5,000 square feet~~
- ~~(b) Minimum Lot Width = 50 feet~~
- ~~(c) Minimum Lot Depth = 80 feet~~
- ~~(d) Maximum Height = 25 feet~~
- ~~(e) Minimum Yards:~~
 - ~~(i) Front = 10 feet~~
 - ~~(ii) Side = Zero; 10 feet when adjoining a residential district~~
 - ~~(iii) Side Street = 10 feet~~
 - ~~(iv) Rear = 15 feet; 20 feet when adjoining a residential district~~
- ~~(f) Maximum Nonresidential Floor Area Ratio = .20~~
- ~~(g) Minimum Open Space = 20%~~
- ~~(h) Maximum Impervious Surface Ratio = .80~~

~~(E)(C) The design of neighborhood oriented commerce shall include provisions for bicycle and pedestrian access.~~

~~(F) Public/Semi Public Uses: Shall not exceed a maximum area of five acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.~~

~~(G) Residential Equivalent Use: Shall not exceed three beds per permitted dwelling unit at seven dwelling units per acre.~~

~~(H) Mixed Use: Shall not exceed, in combination, the respective number of units per acre and Floor Area Ratio permitted, when allocated in their respective proportion to the total lot area.~~

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

~~(+)(D) Conditional Use Review Criteria for Car Washes~~

Commented [AK24]: Leave for now, but move to Art. IV when working on that section and apply to all car washes (need to add review standards)

-
- (1) Car Washes in the Neighborhood Business District shall only be allowed as a mixed use project with at least one other permitted use in the NB District.
 - (2) In addition to conditional use review criteria elsewhere in this code, the following conditions of approval are specifically required:
 - (a) Blowers for drying autos shall not exceed the following standards:
 - (i) 65 decibels, measured at the closest property line;
 - (ii) The Board of Commissioners shall determine the hours of operation for any blowers.
 - (b) An attendant must be onsite, or an approved alternative monitoring/security system provided.
 - (c) The site shall be gated or otherwise secured when not in operation.
 - (d) Hours of operation must be provided and approved.
 - (e) A signage plan must be provided that clearly identifies the following minimum information:
 - (i) Hours of operation;
 - (ii) Prohibition against the playing of amplified music;
 - (iii) Prohibition against loitering.
 - (3) All carwashes must install a sign that states; "NO DISCHARGE OF OIL AND/OR GREASE IS PERMITTED INTO THE WASTEWATER MANAGEMENT SYSTEM IN ACCORDANCE WITH CHAPTER 20, ARTICLE III OF THE CODE OF ORDINANCES".
 - (4) For appropriate uses, carwashes must utilize reclaimed water when available.
 - (5) Carwashes must install a water recycle/reuse system to ensure that these types of establishments operate in an efficient manner.

~~(4)(E)~~ Compatibility factors such as scale, mass, intensity, location, size, height, style, aesthetics, and noise shall be taken into account. This list of factors to be considered is not exclusive and the reviewing body may consider other relevant factors in making a compatibility determination. The use in order to be compatible shall be found to preserve the character of the adjacent neighborhoods.

(Ord. 90-10, passed 5-1-90; Am. Ord. 90-35, passed 9-18-90; Am. Ord. 91-44, passed 11-19-91; Am. Ord. 92-31, passed 12-15-92; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 95-03, passed 2-21-95; Am. Ord. 2008-20, passed 9-16-08; Am. Ord. 2009-03, passed 8-18-09)

§ 25.11 GB ~~(General Business District)~~

- (A) The GB ~~(General Business)~~ District is established to provide for the development of a centralized commercial area where specialty retail, restaurant, office and residential uses are readily available. This district is intended to encourage redevelopment of traditional shopping areas and promote cultural tourism within the National Register Historic District and Cultural Preservation District which function to serve the immediate residential neighborhoods and the community as a whole.

~~(B) Permitted Uses~~

- ~~(1) Art Galleries, Museums, Libraries (privately owned)~~
- ~~(2) Auction Houses~~

-
- ~~(3) Business and Professional Offices~~
 - ~~(4) Community Assembly~~
 - ~~(5) Commercial Recreation Facilities~~
 - ~~(6) Financial Institutions~~
 - ~~(7) Floral Designers and Florists~~
 - ~~(8) Hotels~~
 - ~~(9) Light Printing Establishments~~
 - ~~(10) Lodging Facilities (Bed and Breakfast)~~
 - ~~(11) Municipal Offices and Support Facilities~~
 - ~~(12) Personal Service Establishments~~
 - ~~(13) Repair Service Establishments~~
 - ~~(14) Restaurants (sit down, no drive through permitted)~~
 - ~~(15) Retail Food Establishments~~
 - ~~(16) Retail Sales Establishments~~
 - ~~(17) Schools of Special Education~~
 - ~~(18) Residences Over Ground Floor Commercial Uses~~
 - ~~(19) Shopping Centers~~
 - ~~(20) Sponge Packing Houses (within the Cultural and National Register Historic Preservation Districts)~~
 - ~~(21) Theatres, Indoor~~
 - ~~(22) Veterinary Clinics provided that no boarding facilities may be allowed except as may be required for the short term treatment of sick or injured animals and when completely enclosed within a building~~
 - ~~(23) Workshops for Artist, Sculptor, Photographer or Craftsperson~~
 - ~~(24) Vegetable and Produce Stands~~

~~(C) Conditional Uses:~~

- ~~(1) Bars & Taverns~~
- ~~(2) Boarding Homes~~
- ~~(3) Car Wash~~
- ~~(4) Commercial Off-street Parking~~
- ~~(5) Congregate Care Facilities~~
- ~~(6) Construction Equipment Sales/Rental (Light)~~
- ~~(7) Emergency Shelters, Residential Treatment Facilities, Recovery Homes~~
- ~~(8) Heavy Printing~~
- ~~(9) Light Utility Service~~
- ~~(10) Motels~~

- (11) Multifamily Dwellings to a maximum density of 15 units per acre
- (12) On-premise consumption of alcoholic beverages
- (13) Outside Sales, Display, or Seating
- (14) Pawn Brokers
- (15) Private Clubs
- (16) Schools of General Education
- (17) Wineries
- (18) Single Family Attached
- (19) Single Family Semi-Detached
- (20) Single Family Detached
- (21) Two Family Dwellings
- (22) Vehicle Sales and Rentals, indoor showroom only, no outside displays of merchandise or storage of materials.

(D) Prohibited Uses: Any uses not listed as permitted or conditional shall be deemed to be prohibited.

(E)(B) Dimensional Regulations:

Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Maximum Height ² (feet)	Maximum Lot Coverage
	Area ¹ (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
Single Family Detached	6,000 ³	40	60	20 (Living Area) 25 (Garage)	5	7.5	20	30	Per FLU/ISR allowance
Single Family Attached & Semi-Detached	2,000	20	100	15, or 20 (Facing ROW)	7.5	7.5	15	35	
Multi Family	10,000	80	90	25	20	20	20	45	
All Other Uses	-	-	-	0	0 ⁴	0	10	45	

TABLE NOTES:

1. Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.
2. The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.
3. Notwithstanding this minimum and the provision of 24.02 of this Code, any lot which, on the effective date of this district, was specifically delineated on a plat of record and contains at least 5,000 square feet of land area may be utilized for the construction of a single family detached dwelling.
4. Minimum 10 feet when adjoining a residential district.

(1) Minimum Distance Between Buildings (Multifamily Uses):

- (a) Side Facing Side = 15 feet
- (b) Front/Rear Facing Side = 20 feet
- (c) Front/Rear Facing Front/Rear = 25 feet
- (d) An Additional 5 feet is required for each story over 2 on the tallest building.

~~(1) Single Family Detached as provided by the R-60 District. All other residential uses as provided by the CRM District.~~

~~(2) All Other Uses:~~

- ~~(a) Maximum Height = 45 feet~~
- ~~(b) Minimum Yards:~~
 - ~~(i) Front = zero~~
 - ~~(ii) Side = zero, ten feet when adjoining a residential district~~
 - ~~(iii) Side Street = zero, but located outside of visibility triangle~~
 - ~~(iv) Rear = Ten feet.~~
- ~~(c) Maximum Non Residential Floor Area Ratio = as provided by the Comprehensive Plan~~
- ~~(d) Minimum Open Space = Ten percent~~
- ~~(e) Maximum Impervious Surface Ratio = .90~~
- ~~(f) Residential Equivalent Use: Shall not exceed 3.0 beds per permitted dwelling unit at the appropriate density in dwelling units per acre.~~
- ~~(g) Public/Semi Public Uses: Shall not exceed a maximum area of five acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.~~
- ~~(h) Mixed Use: Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the total lot area.~~
- ~~(i) Transient Accommodation Use: Shall not exceed the densities permitted by the underlying land use designation on the Future Land Use Map.~~
- ~~(j) The permitted uses, densities, and intensity standards in this district shall be limited by the parcel's designation on the future land use map.~~

~~(F) Conditional Use Review Criteria:~~

- ~~(1) In general, conditional uses in the GB District shall be evaluated for compatibility with surrounding uses and furthering the intent of the GB District.~~
- ~~(2) Residential uses are intended to facilitate mixed use and live/work opportunities in urban areas. Large residential only developments shall be discouraged in tourist oriented development areas. These areas include, but are not limited to the Sponge Docks and CRA (Community Redevelopment Area).~~

~~(G) Design Standards for Parking Lots: Off street parking areas in the GB district which are also located within the City's Community Redevelopment Area (CRA) as depicted in Attachment "A" attached to Ordinance No. 2010-32 shall adhere to the following specific design standards:~~

Commented [AK25]: 1)Repetitive language. Already addressed in the conditional use review criteria.
2)Unnecessary, the Sponge Docks and CRA are now within the FBC area and not zoned GB.

Commented [AK26]: Not applicable, no properties within the CRA are zoned GB.

- ~~(1) Alternative parking surfaces may be utilized throughout the district. All other applicable standards of the Land Development Code for the construction of parking lots shall be required.~~
- ~~(2) Actual parking to be provided shall not exceed 110 percent of the required parking after the provision of all applicable credits and reductions allowed elsewhere in this Code.~~
- ~~(3) Parking lots shall be masked from the street frontage by a streetscreen. Streetscreens shall be between 3.5 and 8 feet in height and constructed of a material matching the adjacent building facade. Streetscreens shall have openings no larger than necessary to allow automobile and pedestrian access. In addition, all streetscreens over 4 feet high should be 30 percent permeable or articulated. As an alternative, the Board of Commissioners may consider a "green" streetscreen consisting of dense hedges, ivy or similar plantings during the site plan review process.~~
- ~~(4) Alternatives to the requirements of § 127.03, Parking Lot Design and § 134.05, Parking Lot Landscaping may be considered by the Board of Commissioners during the site plan review process when an acceptable alternative can be demonstrated that achieves the intent of buffering and screening off-street parking.~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 90-30, passed 9-4-90; Am. Ord. 90-35, passed 9-18-90; Am. Ord. 91-44, passed 11-19-91; Am. Ord. 94-19, passed 5-17-94; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 94-42, passed 12-20-94; Am. Ord. 99-20, passed 8-17-99; Am. Ord. 2003-01, passed 2-18-03; Am. Ord. 2003-31, passed 9-30-03; Am. Ord. 2004-09, passed 5-4-04; Am. Ord. 2009-03, passed 8-18-09; Am. Ord. 2010-32, passed 1-11-11)

§ 25.12 HB (Highway Business) District.

(A) The HB (Highway Business) District is established to provide for predominantly retail shopping and highway oriented service areas outside the central business district.

~~(B) Permitted Uses~~

- ~~(1) Adult Entertainment Uses (Pursuant to Section 54.00 of this Code)~~
- ~~(2) Bowling Alleys~~
- ~~(3) Business and Professional Offices~~
- ~~(4) Car Wash~~
- ~~(5) Community Assembly~~
- ~~(6) Commercial Recreation Facilities~~
- ~~(7) Construction Equipment Sales/Rental (Light)~~
- ~~(8) Eating Establishments, Fast Food~~
- ~~(9) Eating Establishments, Sit Down and Taverns~~
- ~~(10) Emergency Service Facilities~~
- ~~(11) Financial Institutions~~
- ~~(12) Hotels and Motels~~
- ~~(13) Light Printing Establishments~~
- ~~(14) Light Utility Service~~

~~(15) Other Community Service Uses Not Specifically Listed~~

~~(16) Personal Service Establishments~~

~~(17) Post Offices~~

~~(18) Repair Service Establishments~~

~~(19) Retail Food Establishments~~

~~(20) Retail Nurseries and Garden Supplies~~

~~(21) Retail Sales Establishments~~

~~(22) Self-Service Gasoline Stations~~

~~(23) Service Stations~~

~~(24) Shopping Centers~~

~~(25) Theaters, Indoor~~

~~(26) Transportation Terminals~~

~~(27) Vehicle Repair (Minor and Major)~~

~~(28) Vehicle Sales and Rentals~~

~~(B) Conditional Uses~~

~~(1) Billiard Halls, Arcades and Game Rooms~~

~~(2) Communication Towers~~

~~(3) Congregate Care Facilities~~

~~(4) Construction Material Establishment (All material shall be stored indoors)~~

~~(5) Construction Service Establishments~~

~~(6) Day Care Centers~~

~~(7) Emergency Shelters, Residential Treatment Facilities, and Recovery Homes~~

~~(8) Funeral Homes or Mortuaries~~

~~(9) Heavy Utility Service~~

~~(10) Landscape Service Establishment~~

~~(11) Light Manufacturing~~

~~(12) Miniwarehouse~~

~~(13) Multifamily Dwellings~~

~~(14) Overnight Boarding of Animals subject to Section 72.00~~

~~(15) Private Clubs~~

~~(16) Rental Service Establishment~~

~~(17) School of General Education~~

~~(18) School of Special Education~~

~~(19) Theaters, Drive In~~

~~(20) Veterinary Clinics~~

~~(21) Warehouses~~

~~(22) Wholesale Trade~~

~~(C)(B)~~ Dimensional Regulations

Table 25.12(A) – HB – Dimensional Regulations Table

Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Maximum Height ² (feet)	Maximum Lot Coverage
	Area ¹ (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
Multi Family	10,000	80	90	25	20	20	20	45	
All Other Uses	10,000	80	100	30	10	15	25	70 (Hotels) 35 (All Other Uses)	

TABLE NOTES:
1. Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.
2. The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.

~~(1) Multifamily dwellings as provided by the CRM District.~~

~~(2) All Other Uses~~

~~(a) Minimum Lot Area = 10,000 square feet~~

~~(b) Minimum Lot Width = 80 feet~~

~~(c) Minimum Lot Depth = 100 feet~~

~~(d) Maximum Height:~~

~~(i) Hotels = 70 feet~~

~~(ii) All other uses = 35 feet~~

~~(e) Minimum Yards:~~

~~(i) Front = 30 feet~~

~~(ii) Side = 10 feet~~

~~(iii) Side Street = 15 feet~~

~~(iv) Rear = 25 feet~~

~~(f) Maximum Nonresidential Floor Area Ratio = .40~~

~~(g) Minimum Open Space = 15 percent~~

~~(h) Maximum Impervious Surface Ratio = .85~~

~~(i) Maximum Residential Density = 15 dwelling units per acre.~~

~~(j) Residential Equivalent Use: Shall not exceed three beds per permitted dwelling unit at 15 dwelling units per acre.~~

~~(k) Mixed Use: Shall not exceed, in combination, the respective number of units per acre and Floor Ratio Area permitted, when allocated in their respective proportion to the total lot area.~~

~~(l) Transient Accommodation Use: Shall not exceed 40 units per acre.~~

~~(m) The permitted uses, densities, and intensity standards in this District shall be limited by the parcel's designation on the Future Land Use Map Series.~~

~~(n) Outdoor Storage shall comply with Section 57.00.~~

~~(D) Public/Semi-Public Uses: Shall not exceed a maximum area of five acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment (Specifically applied to the uses listed under subsection (B)(5), (10), (14), (15), (17), and (26) and other P/SP uses.~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 90-35, passed 9-18-90; Am. Ord. 91-44, passed 11-19-91; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 94-42, passed 12-20-93; Am. Ord. 96-01, passed 2-20-96; Am. Ord. 2003-01, passed 2-18-03; Am. Ord. 2008-31, passed 1-27-09; Am. Ord. 2009-03, passed 8-18-09; Am. Ord. 2011-08, passed 9-6-11; Am. Ord. 2012-13, passed 8-7-12; Am. Ord. 2017-10, passed 4-18-17; Am. Ord. 2018-03, passed 2-6-18; Am. Ord. 2019-14, passed 7-9-19; Ord. 2025-06, passed 5-27-25)

§ 25.13 IB ~~(Intensive Business)~~ District

(A) The IB ~~(Intensive Business)~~ District is established to provide for areas of intense commercial activity involving major repair services, extensive outdoor storage, ~~or~~ the display of vehicles, heavy equipment or material, and to provide for light manufacturing where permitted by the Comprehensive Plan.

~~(B) Permitted Uses~~

~~(1) Business and Professional Offices~~

~~(2) Community Service Uses~~

~~(3) Construction Material Establishments~~

~~(4) Construction Service Establishments~~

~~(5) Emergency Service Facilities~~

~~(6) Landscape Service Establishments~~

~~(7) Light Printing Establishments~~

~~(8) Light Utility Services~~

~~(9) Mini Warehouses~~

~~(10) Personal Service Establishments~~

~~(11) Rental Service Establishments~~

~~(12) Repair Service Establishments~~

~~(13) Retail Food Establishments~~

~~(14) Retail Sales Establishments~~

- ~~(15) Shopping Centers~~
- ~~(16) Transportation Terminals~~
- ~~(17) Vehicle Repairs (Minor)~~
- ~~(18) Vehicle Sales and Rental Establishments~~
- ~~(19) Warehouses~~
- ~~(20) Wholesale Trades~~

~~(B) Conditional Uses~~

- ~~(1) Communication Towers~~
- ~~(2) Eating Establishments, Fast Food~~
- ~~(3) Eating Establishments, Sit Down and Taverns~~
- ~~(4) Heavy Printing Establishments~~
- ~~(5) Heavy Utility Service~~
- ~~(6) Industrial Workshops and Services~~
- ~~(7) Light Manufacturing~~
- ~~(8) Motor Freight Terminals~~
- ~~(9) Motor Pool Facility~~
- ~~(10) Vehicle Repair (Major)~~

~~(C)(B) Dimensional Regulations~~

Table 25.13(A) – IB – Dimensional Regulations Table

Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Maximum Height ² (feet)	Maximum Lot Coverage
	Area ¹ (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
All Uses	5,000	50	80	10	10	10	10	35	

TABLE NOTES:

1. Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.
2. The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.

- ~~(1) Minimum Lot Area = 5,000 square feet~~
- ~~(2) Minimum Lot Width = 50 feet~~
- ~~(3) Minimum Lot Depth = 80 feet~~
- ~~(4) Maximum Height = 35 feet~~
- ~~(5) Minimum Yards:~~
 - ~~(a) Front = Ten feet~~
 - ~~(b) Side = Ten feet~~

~~(c) Side Street = Ten feet~~

~~(d) Rear = Ten feet~~

~~(6) Maximum Nonresidential Floor Area Ratio = .40~~

~~(7) Minimum Open Space = 15 percent~~

~~(8) Maximum Impervious Surface Ratio = .85~~

~~(9) Industrial, Residential Use: An appropriate buffer shall be provided in and between the IB District and an adjoining Residential District.~~

~~(10) Public/Semi-Public, Retail Commercial, Personal/Business Service, Commercial/Business Service Uses: Shall not exceed a maximum area of five acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.~~

~~(11) Outdoor Storage shall comply with Section 57.00.~~

Commented [AK27]: See §134.06.

Commented [AK28]: §57.00 applicable regardless.

(Ord. 90-10, passed 5-1-90; Am. Ord. 90-35, passed 9-18-90; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 96-01, passed 2-20-96; Am. Ord. 2011-08, passed 9-6-11)

§ 25.14 WDI (Waterfront Development) District.

- (A) The WDI (Waterfront Development) District is established to provide for tourist oriented development adjacent to the Anclote River and Lake Tarpon waterfront, to provide for the economic viability of the Sponge Dock area, to provide for the redevelopment of those areas, and to provide for water dependent as well as water related activities.
- (B) Definitions. The definitions found in Article XIV of the Comprehensive Zoning and Land Development Code shall apply to Sections 25.14 through 25.15 below. The following additional definitions shall specifically apply to Section 25.14 through Section 25.15 of the Comprehensive Zoning and Land Development Code. Any word not thus defined shall be defined in accordance with its ordinary dictionary definition unless defined by customary use in the applicable profession if considered a term of art, in which case the customary definition shall apply:
- (1) *Enfronting* means to place an element along the property frontage line, as in "porches enfront the street."
 - (2) *Glazing(s)* means any material or treatment affixed to a clear window or glass door in order to block light or visibility. Glazing shall include, but not be limited to, the use of architectural films.
 - (3) *Superior Alternative* means that the alternative proposed will improve the utility, aesthetics, access to light and air, open space, safety or anything of similar benefit to the general public or residents of the site. The determination of what constitutes a Superior Alternative in any given case shall be a legislative determination within the sole discretion of the Board of Commissioners. This determination by the Board of Commissioners may not be appealed to the Board of Adjustment.

~~(B) Permitted Uses.~~

~~(1) Commercial Off-Street Parking.~~

~~(2) Eating Establishments, Sit-Down and Taverns.~~

~~(3) Emergency Service Facilities.~~

~~(4) Hotels (Convention and/or Conference Facilities require conditional use review).~~

~~(5) Outdoor cafe and restaurant seating, not on public right-of-way.~~

~~(6) Outdoor markets, not on public right-of-way.~~

~~(7) Residential over ground floor commercial.~~

~~(8) Retail Food Establishments.~~

~~(9) Retail Sales Establishments.~~

~~(10) Wet slip Marinas.~~

~~(C) Conditional Uses.~~

~~(1) Assembly Halls and Convention Centers.~~

~~(2) Business and Professional Offices.~~

~~(3) Boat Yards (Requires Industrial General Water Front [IG-WF] Land Use category).~~

~~(4) Community Assembly.~~

~~(5) Commercial Recreation Facilities.~~

~~(6) Community Service Uses.~~

~~(7) Financial Institutions.~~

~~(8) Libraries, Museums, Galleries, Cultural Centers and Similar Uses.~~

~~(9) Lodging Facilities.~~

~~(10) Off Shore Tour Vessel (Pursuant to Section 67.00).~~

~~(11) Personal Service Establishments.~~

~~(12) Single Family Dwellings.~~

~~(13) Tourist Homes (no distance separation requirements).~~

~~(14)(4) Shopping Centers.~~

~~(D)(B) Dimensional Regulations.~~

Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Maximum Height ² (feet)	Maximum Lot Coverage
	Area ¹ (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
Single Family	6,000 ³	40	=	20 (Living Area) 25 (Garage)	5	7.5	20	30	Per FLU/ISR allowance
All Other Uses	=	=	=	0 min 15 max	0 ⁴	0 min 15 max	0 ⁵	50 (Hotels) 40 (Parking Structures) 3 stories ⁶ (All Other Uses)	

TABLE NOTES:

1. ~~Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.~~
2. ~~The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.~~
3. ~~Notwithstanding this minimum and the provision of **Section 24.02** of this Code, any lot which, on the effective date of this district, was specifically delineated on a plat of record and contains at least 5,000 square feet of land area may be utilized for the construction of a single family dwelling.~~
4. ~~Minimum 10 feet when adjoining a residential district.~~
5. ~~Minimum 25 feet when adjoining a residential district.~~
6. ~~Total height cannot exceed 45 feet.~~

~~Single family dwellings as provided by the R-60 District.~~

~~All other uses:~~

~~Maximum height:~~

~~Hotels = 50'~~

~~Parking structures = 40'~~

~~All other uses = 3 stories, not to exceed 45'~~

~~Minimum Yards:~~

~~Front = 0 feet minimum, 15 feet maximum.~~

~~Side = Zero; 10 feet when adjoining a residential district.~~

~~Side Street = 0 feet minimum, 15' maximum.~~

~~Rear = Zero; 25 feet when adjoining a residential district.~~

~~Maximum Nonresidential Floor Area Ratio = Per Future Land Use Designation.~~

~~Minimum Open Space = 15%.~~

~~Maximum Impervious Surface Ratio = .85.~~

~~Residential Equivalent Use — Shall not exceed a maximum area of five (5) acres.~~

~~Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.~~

~~Mixed Use — Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the total lot area.~~

~~Transient Accommodation Use — Per Future Land Use Designation.~~

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

~~Institutional and Transportation Utility Uses shall not exceed a maximum of five acres.~~

~~(E)(C)~~ Compatibility Review.

- (1) All uses in the WD-1 District shall be evaluated for compatibility with surrounding uses and furthering the intent of the WD-1 District as it relates to promoting the tourist oriented economy.
- (2) When uses under this Code Section are evaluated for compatibility such factors as scale, mass, intensity, location, size, height, style and aesthetics shall be ~~taken into account~~ **considered**. This list of factors to be considered is not exclusive and the reviewing body may consider other

relevant factors in making a compatibility determination. ~~The use in order to~~To be compatible, ~~the use~~ shall be found to preserve the character of the adjacent neighborhoods.

~~(F)(D)~~ Design Requirements ~~(Non-Residential Site Plans); for all non-residential site plans.~~

- (1) Parking.
 - (a) Parking lots/spaces may not be located in any required front setback or within the required pedestrian promenade. Alternative parking surfaces may be utilized throughout the district. All other applicable standards of the ~~Land Development Code~~this Code for the construction of parking lots shall be required.
 - (b) Actual parking to be provided shall not exceed 110% of the required parking after the provision of all applicable credits and reductions allowed elsewhere in this Code.
 - (c) Parking lots shall be masked from the street frontage and/or water frontage by a street-screen as described in (6)(b) below.
 - (d) Where parking lot access can be provided from a side street or alley, direct access from Dodecanese Blvd and Athens Street shall be prohibited.
 - (e) Alternatives to the requirements of ~~Sections 127.03, (Parking Lot Design)~~ and ~~134.05 (Parking Lot Landscaping)~~ may be considered by the Board of Commissioners during the site plan review when a Superior Alternative can be demonstrated that achieves the intent of buffering and screening off street parking.
- (2) Sidewalks and private frontages (the area between the building and right-of-way). Pedestrian sidewalks and other pedestrian amenities may be located in any required setback or yard. Outdoor cafes, seating areas, terraces, canopies, arcades, and other similar amenities that serve to integrate the public sidewalk with the enfronting structure shall be allowed and encouraged within any required yard or setback. In addition to the standards of ~~Section 132.00~~, public sidewalks shall be a minimum of 8'. Where insufficient right-of-way exists, a pedestrian easement shall be granted to provide the required 8' ~~of sidewalk~~-width. Awnings or galleries shall be required to provide shade for pedestrians along the primary and secondary frontages of the building.
- (3) Landscaping. In addition to the landscaping requirements elsewhere in this Code, one street tree of at least 1.5" caliper or a cluster of ~~three-3~~ palm trees shall be planted for each 30' of frontage along the public right-of-way. Trees shall be of a species that, at maturity, the canopy shall not interfere with the building facade.
- (4) Elevation of buildings. In order to preserve the urban streetscape non-residential structures shall be constructed at or near street grade.
- (5) Pedestrian promenades on waterfront lots. Waterfront lots shall provide a minimum 15' pedestrian promenade along the river frontage; arcades shall be allowed over the promenade with a minimum clearance of 10'; the pedestrian promenade shall form a continuous walkway along the river frontage. Pedestrian access from the street frontage to the promenade may be interior or exterior to the building. Where placement within the 15' setback is technically or economically impracticable alternative placements of the pedestrian walkway may be considered by the Board of Commissioners during the site plan review process.
- (6) ~~All site plans and building plans shall adhere to the additional building design requirements set out below~~Building Design.
 - (a) Building wall materials may be combined on each facade only horizontally, with the heavier below the lighter.

- (b) Street-screens shall be between ~~3-53~~ and 8 feet in height and constructed of a material matching the adjacent building facade. Street-screens shall have openings no larger than necessary to allow automobile and pedestrian access. In addition, all street-screens over 4 feet high should be 30% permeable or articulated.
- (c) A building recess of 5–10 feet between the ~~second-2nd~~ and ~~third-3rd~~ story, along the primary frontage, shall be required. At least 50% of the recess shall be setback a minimum of 10'. The remainder shall not be less than 5 feet. A building recess or accent line that architecturally differentiates the 1st and 2nd story shall be required.
- (d) All openings, including porches, galleries, arcades and windows, with the exception of storefronts, shall be square or vertical in proportion.
- (e) Openings above the first story shall not exceed 50% of the total building wall area, with each facade being calculated independently.
- (f) The facades on frontages shall be detailed as storefronts with clear glass comprising no less than 70% of the sidewalk-level story. Two way visibility shall be maintained and shall not be obstructed by the use of reflective films, coatings, glazings, or window signage.
- (g) Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that porches may be no less than 2:12.
- (h) Flat roofs shall be enclosed by parapets a minimum of 42 inches high ~~(or as required to conceal mechanical equipment to the satisfaction of the TRC)~~ or sloped roofs.
- (i) Exterior finish materials on all facades shall be limited to stone, brick, wood, and/or stucco. Balconies, galleries, and arcades shall be of similar materials as the primary structure or may be made of concrete, painted wood, or metal.
- ~~(j) Buildings may have flat roofs enclosed by parapets or sloped roofs.~~

(7) Requirements Specific to Hotels:

- (a) Facade colors shall be of low reflectance, subtle, neutral, or earth tone colors, the use of high-intensity or metallic colors shall be prohibited.
- (b) The use of neon tubing, strobe lights, moving lights, and other similar lighting mechanisms shall be prohibited.
- (c) All facades visible from adjoining properties or public streets shall be designed to contribute to the overall scale of the building's features and encourage community integration by featuring characteristics similar to the front facade.
- (d) Loading docks, trash collection, parking lots, and other outdoor storage and activity areas shall be incorporated into the overall design of the building and landscaping so that the visual and acoustic impacts are fully contained.
- (e) Multiple connections shall be required between the structure and the public right-of-way.
- (f) Walking routes (other than driveways and parking aisles) shall be provided as primary pedestrian access-ways between buildings, parking lots, and public sidewalks and shall be of a material that differentiates those routes from surrounding parking lots.

~~(G)~~(E) _____ Waivers. The Board of Commissioners may consider a waiver to the maximum front setback required in this Section when a Superior Alternative is presented and compatibility review requirements of this section have been met.

(Ord. 90-10, passed 5-1-90; Am. Ord. 90-35, passed 9-18-90; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 96-07, passed 5-7-96; Am. Ord. 97-40, passed 12-16-97; Am. Ord. 2001-33, passed 12-4-01; Am. Ord. 2003-31, passed 9-30-03; Am. Ord. 2007-26, passed 7-17-07; Am. Ord. 2009-03, passed 8-18-09; Am. Ord. 2011-08, passed 9-6-11)

§ 25.15 WDI-A (Waterfront Commercial Fishing Development) District.

(A) The WDI-A (Waterfront Commercial Fishing Development) District is established to provide for development related to the commercial fishing industry and related water dependent uses.

~~(B) Permitted Uses.~~

- ~~(1) Accessory Retail Sales of Commercial Fishing Related Products.~~
- ~~(2) Commercial Fishing Establishments and Related Processing and Packing.~~
- ~~(3) Marinas.~~
- ~~(4) Warehouses, Excluding the Storage of Hazardous or Flammable Materials as Defined by Title 49 CFR, Part 171.~~
- ~~(5) Wholesale Trade.~~

(C) Conditional Uses.

- ~~(1) Boat Yards (Requires Industrial General Water Front [IG-WF] Land Use category).~~
- ~~(2) Community Assembly.~~
- ~~(3) Community Service Uses.~~
- ~~(4) Hotels and Motels.~~
- ~~(5) Light Manufacturing (Requires Commercial General or Industrial Limited Future Land Use Category)~~
- ~~(6) Off Shore Tour Vessel (Pursuant to Section 67.00).~~
- ~~(7) Personal Service Establishments.~~
- ~~(8) Residential over ground floor commercial (subject to paragraph (E) below).~~
- ~~(9) Retail Food Establishments.~~
- ~~(10) Retail Sales Establishments.~~
- ~~(11) Single Family Dwellings.~~

~~(D)(B)~~ Dimensional Regulations.

Table 25.15(A) – WDI-A – Dimensional Regulations Table									
Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Maximum Height ² (feet)	Maximum Lot Coverage
	Area ¹ (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
All Uses	5,000	30	80	10	0 ⁴	10	0 ⁵	35	Per FLU/ISR allowance

TABLE NOTES:

1. ~~Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.~~
2. ~~The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.~~
3. ~~Notwithstanding this minimum and the provision of Section 24.02 of this Code, any lot which, on the effective date of this district, was specifically delineated on a plat of record and contains at least 5,000 square feet of land area may be utilized for the construction of a single family dwelling.~~
4. ~~Minimum 10 feet when adjoining a residential district.~~
5. ~~Minimum 25 feet when adjoining a residential district.~~

~~(1) Minimum Lot Area = 5,000 square feet.~~

~~(2) Minimum Lot Width = 30 feet.~~

~~(3) Minimum Lot Depth = 80 feet.~~

~~(4) Maximum Height = 35 feet.~~

~~(5) Minimum Yards:~~

~~(a) Front = 10 feet.~~

~~(b) Side = Zero; 10 feet when adjoining a residential district.~~

~~(c) Side Street = 10 feet.~~

~~(d) Rear = Zero; 25 feet when adjoining a residential district.~~

~~(6) Maximum Nonresidential Floor Area Ratio = .40.~~

~~(7) Minimum Open Space = 15%.~~

~~(8) Maximum Impervious Surface Ratio = .85.~~

~~(9) Residential Equivalent Use—Shall not exceed a maximum area of five (5) acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.~~

~~(10) Mixed Use—Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the total lot area.~~

~~(11) Transient Accommodation Use—Shall not exceed 40 units per acre.~~

~~(12) The permitted uses, densities, and intensity standards in this district shall be limited by the parcel's designation on the future land use map.~~

~~(13) Institutional and Transportation Utility Uses shall not exceed a maximum of five acres.~~

~~(14) Outdoor storage shall comply with Section 57.00.~~

~~(E) Residential Over Ground Floor Commercial. The number of units allowed shall be based upon the future land use designation of the parcel, accounting for land area needed to support the non-residential floor area of the structure, including space used for passive storage purposes. Site Plan approval shall be required in accordance with Section 210.00 of this Code.~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 90-35, passed 9-18-80; Am. Ord. 91-27, passed 7-16-91; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 97-40, passed 12-16-97; Am. Ord. 2007-26, passed 7-17-07; Am. Ord. 2009-03, passed 8-18-09; Am. Ord. 2009-13, passed 10-20-09; Am. Ord. 2011-08, passed 9-6-11; Am. Ord. 2012-13, passed 8-7-12)

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(Supp. No. 2024 S-58)

§ 25.15.516 WDI-B (Waterfront Commercial Fishing and Tourism Redevelopment) District

(A) The WDI-B (~~Waterfront Commercial Fishing and Tourism Redevelopment~~) District is established primarily to provide for development and redevelopment related to the commercial fishing industry and related water dependent uses. Other uses are provided in order to provide complimentary development options to support retention of the commercial fishing industry. A secondary intent is to provide for water dependent uses that support other types of commercial and recreational boating uses as well as water related uses that support the local tourism industry. The primary application of this district shall be for those areas traditionally recognized as working waterfront areas adjacent to the north side of the Anclote River in the Island Ave/Island Way area and other similarly situated waterfront parcels.

~~(B) Permitted Uses:~~

- ~~(1) Accessory Retail Sales of Commercial Fishing Related Products.~~
- ~~(2) Boat sales and related uses.~~
- ~~(3) Boat Yards (Requires Industrial General (IG) or Industrial General Water Front [IG-WF] Land Use category).~~
- ~~(4) Commercial dockage for fisheries.~~
- ~~(5) Commercial Fishing Establishments and Related Processing and Packing.~~
- ~~(6) Hotels and Motels (including Condo Hotels/Motels); Convention and/or Conference Facilities require conditional use review)~~
- ~~(7) Lodging facilities (Bed & Breakfast).~~
- ~~(8) Manufacturing of boats and boat accessories (commercial and recreational) (Requires Industrial Limited (IL), Industrial General (IG) or Industrial General Water Front [IG-WF] Land Use Category).~~
- ~~(9) Onsite storage consistent with and accessory to a permitted use.~~
- ~~(10) Residential over ground floor commercial.~~
- ~~(11) Retail Food Establishments.~~
- ~~(12) Retail Sales Establishments.~~
- ~~(13) Sit-down Restaurants, no drive-through.~~
- ~~(14) Wet and dry slip marinas.~~

~~(C) Conditional Uses:~~

- ~~(1) Bars and Taverns.~~
- ~~(2) Business and professional offices.~~
- ~~(3) Community Assembly.~~
- ~~(4) Community Service Uses.~~
- ~~(5) Financial Institutions.~~
- ~~(6) Light Manufacturing (Requires appropriate Industrial Land Use Category).~~
- ~~(7) Off Shore Tour Vessel (Pursuant to Section 67.00).~~
- ~~(8) Outdoor markets (not on public rights of way).~~
- ~~(9) Personal Service Establishments.~~

~~(10) Tourist homes (no limit on spacing requirements found elsewhere in this Code).~~

~~(D)(B)~~ Dimensional Regulations:

Table 25.16(A) – WDI-B – Dimensional Regulations Table									
Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Max. Height ² (feet)	Max. Lot Coverage
	Area (sqft)	Width (feet)	Depth (feet)	Road Frontage	Water Frontage	Side	Side Street		
All Uses	-	-	-	10	15 ⁴	0 (Building) 10 (Parking)	0	50 (Hotels, Dry Slip Marinas) 40 (Parking Structures) 3 stories ⁵ (All Other Uses)	Per FLU/ISR allowance
<p>TABLE NOTES:</p> <p>1. Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.</p> <p>2. The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.</p> <p>3. Parcels requesting annexation and application of WDI-B zoning prior to January 1, 2010, shall be permitted the same maximum height allowed by Pinellas County. This special height allowance shall be limited to only those uses allowed in the Pinellas County zoning as of January 7, 2007. Those uses, and the allowable height, shall be recorded in the annexation ordinance. The height may be measured in the same manner as allowed by Pinellas County regulations. All other uses shall not exceed the prescribed height limits of this district. A site plan must be approved by January 1, 2012, for all parcels annexing and receiving the special height allowance, after which all parcels shall be subject to the height restrictions outlined in this table.</p> <p>4. Measured from the mean high water line or center of seawall.</p> <p>5. Total height cannot exceed 45 feet.</p>									

Commented [AK29]: Do we need to keep this? It is no longer applicable.

~~(1) Minimum Yards:~~

- ~~(a) Road Frontage: 10' minimum.~~
- ~~(b) Water Frontage: 15' minimum measured from the mean high water line.~~
- ~~(c) Sides: 0' for buildings, 10' for parking.~~
- ~~(d) Side Street: 10'.~~

~~(2) Height (measured from finished grade):~~

- ~~(a) Hotels, Dry Slip Marinas – 50'.~~
- ~~(b) Parking Structures – 40' maximum.~~
- ~~(c) All other uses, 3 stories, not to exceed 45'.~~
- ~~(d) Parcels within Pinellas County prior to [adoption date] and requesting annexation and application of the WDI-B zoning district prior to January 1, 2010, shall be permitted the same maximum height allowed by Pinellas County ordinances. This special height allowance shall be limited to only those uses allowed in the Pinellas County zoning as of January 1, 2007. Those uses, and the allowable height, shall be recorded in the annexation ordinance. The height may be measured in the same manner as allowed by Pinellas County development regulations. All other uses shall not exceed the prescribed height limits of this district. A site plan must be approved by January 1, 2012, for all~~

~~parcels annexing and receiving the special height allowance, after which all parcels shall be subject to the height restrictions of (2) (a, b and c) above.~~

~~(3) Maximum Non-Residential Floor Area Ratio: Shall be limited by the parcels designation on the City's Future Land Use Map series~~

~~(4) Maximum Impervious Surface Ratio: .85.~~

~~(5) Minimum Open Space: .15.~~

~~(6) Mixed Use — Shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the total lot area.~~

~~(7) Transient Accommodation Use — Shall not exceed forty (40) units per acre.~~

~~(8) The permitted uses, densities, and intensity standards in this district shall be limited by the parcel's designation on the future land use map.~~

~~(9) Institutional and Transportation/Utility uses shall not exceed five acres.~~

~~(F)(C)~~ Compatibility Review:

- (1) Except for exempt uses identified in paragraph ~~(F)(7)g~~ of this section, all new development/re-development in the WDI-B District shall be evaluated for compatibility with surrounding uses and furthering the intent of the WDI-B District as it relates to retaining the commercial fisheries industries and promoting the tourist oriented economy.
- (2) When uses under this Code Section are evaluated for compatibility such factors as scale, mass, intensity, location, size, height, style and aesthetics shall be taken into account. This list of factors to be considered is not exclusive and the reviewing body may consider other relevant factors in making a compatibility determination. ~~The use, in order to~~To be compatible, ~~the use~~ shall be found to preserve the character of the adjacent neighborhoods and/or community.

~~(F)(D)~~ Design Requirements. The following design requirements ensure a minimum of visual harmony and facilitate the placement of structures on the lot in relationship to parking and water frontages. A particular architectural style is not mandated by these regulations.

- (1) Parking:
 - (a) Parking lots/spaces shall not be located in any required water frontage setback. Alternative parking surfaces may be utilized throughout the district. All other applicable standards of the Land Development Code for the construction of parking lots shall be required.
 - (b) Actual parking to be provided shall not exceed 125% of the required parking after the provision of all applicable credits and reductions allowed elsewhere in this Code.
 - (c) Parking lots shall be masked from the street frontages and water frontages by a streetscreen as described in ~~(67)~~(b) below.
 - (d) A minimum of one bicycle rack and designated parking for scooters/motorcycles shall be provided onsite.
 - (e) Parking structures shall meet all standards of this Section.
- (2) Sidewalks and private frontages (the area between the building and street right-of-way):
 - (a) Pedestrian sidewalks and other pedestrian amenities may be located in any required setback or yard. Outdoor cafes, seating areas, terraces, canopies, arcades, and other

similar amenities that serve to integrate the public sidewalk with the enfronting structure shall be allowed and encouraged within any required yard or setback.

(3) Landscaping:

- (a) In addition to the landscaping requirements elsewhere in this Code, one tree of at least 1.5" caliper or a cluster of ~~three-3~~ palms shall be planted for ~~each~~every 30' of frontage along the public right-of-way. The tree shall be of a species that, at maturity, the canopy shall not interfere with the building facade. These required tree plantings may be counted toward the minimum tree plantings per lot as established ~~in~~ elsewhere in this code.

(4) Elevation of buildings:

- (a) Ground floor elevation for commercial uses shall not exceed 18 inches above the crown of the adjacent roadway.

(5) Pedestrian promenades on waterfront lots:

- (a) Waterfront lots (Anclote River) west of Alternate 19, shall provide a minimum 15' setback from the mean high water line or center of seawall to accommodate a pedestrian waterfront promenade. A minimum 8' public walkway (with a recorded pedestrian easement) shall be provided within the required setback. Arcades, awnings and similar structures shall be allowed over the promenade with a minimum clearance of 10'; the pedestrian promenade shall form a continuous walkway/boardwalk or similar pathway along the river frontage. Pedestrian access from the street frontage to the promenade may be interior or exterior to a building. Exterior pedestrian passages shall be a minimum of 8' in width. Where placement within the 15' setback is impracticable alternative placements of the pedestrian walkway may be considered.

(6) Exceptions to requirements for waterfront promenades may only be considered by the Board of Commissioners.

(7) All site plans and building plans shall adhere to the additional building design requirements set out below:

- (a) Building wall materials may be combined on each facade only horizontally, with the heavier below the lighter.
- (b) Streetscreens should be between ~~3-53~~ and 8 feet in height and constructed of a material matching the adjacent building facade. Streetscreens shall have openings no larger than necessary to allow automobile and pedestrian access. In addition, all streetscreens over 4 feet high should be 30% permeable or articulated.
- (c) A building recess of 5—10 feet between the ~~second-2nd~~ and ~~third-3rd~~ story, along the primary frontage, shall be required. At least 50% of the recess shall be setback a minimum of 10'. The remainder shall not be less than 5 feet. A building recess or accent line that architecturally differentiates the 1st and 2nd story shall be required.
- (d) All openings, including porches, galleries, arcades and windows, with the exception of storefronts, shall be square or vertical in proportion.
- (e) Openings above the first story shall not exceed 50% of the total building wall area, with each facade being calculated independently.
- (f) Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that porches may be no less than 2:12.

(g) Flat roofs shall be enclosed by parapets a minimum of 42 inches high, ~~(or as required to conceal mechanical equipment to the satisfaction of the TRC)~~ or by sloped roofs.

(h) Exterior finish materials on all facades shall be limited to stone, brick, wood, and/or stucco. Balconies, galleries, and arcades shall be made of concrete, painted wood, or metal. Other synthetic material which are aesthetically pleasing and mimic one of the approved exterior finishes may be considered upon recommendation of the ~~T.R.C.TRC.~~

~~(i) Buildings may have flat roofs enclosed by parapets or sloped roofs.~~

(8) Exceptions. The following uses shall be exempt from the design requirements of this section:

- (a) Commercial dockage for fisheries.
- (b) Commercial Fishing Establishments and Related Processing and Packing.
- (c) Wet slip marinas are exempt except from promenade requirements (upland accessory uses such as retail stores, bait shops and restaurants shall comply with design standards).
- (d) Boat yards.
- (e) Manufacturing of boats and boat accessories.

(Ord. 2007-34, passed 9-18-07; Am. Ord. 2009-03, passed 8-18-09; Am. Ord. 2011-08, passed 9-6-11)

§ 25.16-17 WDII (Waterfront Marine Industry Development) District.

(A) The WDII ~~(Waterfront Marine Industry Development) District~~ is established to provide for marine related industrial development adjacent to the Anclote River waterfront, and to provide for other related industrial activity and water dependent uses.

~~(B) Permitted Uses:~~

- ~~(1) Boat Yards~~
- ~~(2) Commercial Fishing Establishments and related processing and packing~~
- ~~(3) Marinas~~
- ~~(4) Marine Salvage and Construction Establishments~~

~~(C) Conditional Uses:~~

- ~~(1) Community Service Uses~~
- ~~(2) Heavy Utility Service~~
- ~~(3) Industrial Workshops and Services~~
- ~~(4) Light Manufacturing~~
- ~~(5) Off Shore Tour Vessels (Pursuant to Section 67.00)~~
- ~~(6) Seaports~~
- ~~(7) Warehouses~~
- ~~(8) Wholesale Trade~~

~~(D)(B)~~ Dimensional Regulations:

Table 25.17(A) – WDII – Dimensional Regulations Table

Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Max. Height ² (feet)	Max. Lot Coverage
	Area (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
All Uses	5,000	50	80	10	10	10	0 ³	40	Per FLU/ISR allowance

TABLE NOTES:

- Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.
- The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.
- Minimum 25 feet when adjoining a residential district.

(1) Minimum Lot Area = 5,000 square feet

(2) Minimum Lot Width = 50 feet

(3) Minimum Lot Depth = 80 feet

(4) Maximum Height = 40 feet

(5) Minimum Yards:

(a) Front = Ten feet

(b) Side = Ten feet

(c) Side Street = Ten feet

(d) Rear = Zero; 25 feet when adjoining a residential district

(6) Maximum Nonresidential Floor Area Ratio = .60

(7) Minimum Open Space = Ten percent

(8) Maximum Impervious Surface Ratio = .85

(9) Office, Retail Commercial, Personal/Business Service, and Commercial/Business Service use restrictions: Shall be allowed as accessory uses, located within the structure to which it is accessory, and not exceed 25 percent of the floor area of the principal use to which it is accessory;

(10) Buffer Standards: An appropriate buffer shall be provided in and between the WDII District and an adjoining plan classification other than Industrial or Transportation/Utility.

(11) Public/Semi-Public Use: Shall not exceed a maximum area of five acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.

Commented [AK30]: Add limitation into use table

(Ord. 90-10, passed 5-1-90; Am. Ord. 90-35, passed 9-18-90; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 97-40, passed 12-16-97)

§ 25.187 IR (Industrial Restricted) District

- (A) The IR (Industrial Restricted) District is established to provide for light industrial development, warehousing, wholesale distribution, and related intensive commercial uses.

~~(B) Permitted Uses:~~

- ~~(1) Construction Material Establishments~~
- ~~(2) Construction Service Establishments~~
- ~~(3) Industrial Workshops and Services~~
- ~~(4) Landscape Service Establishments~~
- ~~(5) Light and Heavy Printing Establishments~~
- ~~(6) Light Manufacturing~~
- ~~(7) Light Utility Service~~
- ~~(8) Miniwarehouses~~
- ~~(9) Motor Freight Terminals~~
- ~~(10) Motor Pool Facility~~
- ~~(11) Rental Service Establishments~~
- ~~(12) Research and Development~~
- ~~(13) Vehicle Repair (Minor)~~
- ~~(14) Vehicle Sales and Rental Establishments~~
- ~~(15) Warehouses~~
- ~~(16) Wholesale Trade~~

~~(C) Conditional Uses:~~

- ~~(1) Business and Professional Offices~~
- ~~(2) Communication Towers~~
- ~~(3) Community Service Uses~~
- ~~(4) Correctional Institutions~~
- ~~(5) Emergency Service Facilities~~
- ~~(6) Heavy Utility Service~~
- ~~(7) Heliports and Helistops~~
- ~~(8) Hotels and Motels (no Convention/Conference Facilities)~~
- ~~(9) Junkyards or Salvage Yards~~
- ~~(10) Retail Sales Establishments~~
- ~~(11) Transportation Terminals~~
- ~~(12) Vehicle Repair (Major)~~
- ~~(13) Manufacturing of Recreation Watercraft~~
- ~~(14) Overnight Boarding of Animals subject to Section 72.00~~
- ~~(15) Commercial Recreation Facilities~~
- ~~(16) Schools of General Education~~

(D)(B) Dimensional Regulations:

Table 25.18(A) – IR – Dimensional Regulations Table									
Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Max. Height ² (feet)	Max. Lot Coverage
	Area (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
All Uses	5,000	50	80	10	10	10	25	40	Per FLU/ISR allowance
<p>TABLE NOTES:</p> <p>4. Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.</p> <p>5. The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.</p> <p>6. Minimum 25 feet when adjoining a residential district.</p>									

- ~~(1) Minimum Lot Area = 5,000 square feet~~
- ~~(2) Minimum Lot Width = 50 feet~~
- ~~(3) Minimum Lot Depth = 80 feet~~
- ~~(4) Maximum Height = 40 feet~~
- ~~(5) Minimum Yards:~~
 - ~~(a) Front = Ten feet~~
 - ~~(b) Side = Ten feet~~
 - ~~(c) Side Street = Ten feet~~
 - ~~(d) Rear = 25 feet~~
- ~~(6) Maximum Nonresidential Floor Area Ratio = .50~~
- ~~(7) Minimum Open Space = 15 percent~~
- ~~(8) Maximum Impervious Surface Ratio = .85~~
- ~~(9) Buffer standards: An appropriate buffer shall be provided in and between the IB District and an adjoining Residential District.~~
- ~~(10) Public/Semi Public; Retail Commercial; Personal/Business Service; Commercial/Business Service; Transient Accommodation Uses; and Commercial Recreation: Shall not exceed a maximum area of five acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate Future Land Use Plan amendment and corresponding Zoning Map amendment.~~
- ~~(11) Transient Accommodation use shall not exceed 40 units per acre.~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 90-35, passed 9-18-90; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 96-01, passed 2-20-96; Am. Ord. 2004-09, passed 5-4-04; Am. Ord. 2004-24, passed 10-26-04; Am. Ord. 2008-31, passed 1-27-09; Am. Ord. 2009-03, passed 8-18-09; Am. Ord. 2011-08, passed 9-6-11; Am. Ord. 2016-10, passed 8-16-16)

§ 25.198 IH (Industrial Heavy) District

(A) The IH (Industrial Heavy) District is established to provide for areas where a broad range of industrial uses may locate and operate with minimal impacts on adjoining properties.

~~(B)~~ Permitted Uses:

- ~~(1) Construction Equipment Sales/Rental (Heavy)~~
- ~~(2) Construction Equipment Sales/Rental (Light)~~
- ~~(3) Construction Material Establishments~~
- ~~(4) Construction Service Establishments~~
- ~~(5) Emergency Service Facilities~~
- ~~(6) Heliports and Helistops~~
- ~~(7) Industrial Workshops and Services~~
- ~~(8) Landscape Service Establishments~~
- ~~(9) Light and Heavy Printing Establishments~~
- ~~(10) Light and Heavy Utility Service~~
- ~~(11) Light Manufacturing~~
- ~~(12) Motor Freight Terminals~~
- ~~(13) Motor Pool Facility~~
- ~~(14) Rental Service Establishments~~
- ~~(15) Research and Development~~
- ~~(16) Transportation Terminals~~
- ~~(17) Vehicle Repair (Major and Minor)~~
- ~~(18) Warehouses~~
- ~~(19) Wholesale Trade~~

~~(C)~~ Conditional Uses:

- ~~(1) Airports and Airfields~~
- ~~(2) Communication Towers~~
- ~~(3) Community Service Uses~~
- ~~(4) Correctional Institutions~~
- ~~(5) Heavy Manufacturing~~
- ~~(6) Junkyards or Salvage Yards~~
- ~~(7) Overnight Boarding of Animals subject to Section 72.00~~
- ~~(8) Seaports~~

~~(D)~~~~(B)~~ Dimensional Regulations:

Table 25.19(A) – IH – Dimensional Regulations Table
--

Use	Minimum Lot Standards			Minimum Yards ¹ (feet)				Max. Height ² (feet)	Max. Lot Coverage
	Area (sqft)	Width (feet)	Depth (feet)	Front	Side	Side Street	Rear		
All Uses	10,000	100	100	25	20 ³	25	20 ³	45	Per FLU/ISR allowance

TABLE NOTES:

1. Submerged land shall not be credited towards the minimum lot area nor shall be part of any required yard or setback.
2. The height limitations do not apply to poles used for electrical power, street lighting standards, or traffic control devices.
3. Minimum 75 feet when adjoining a residential district.

(1) Minimum Lot Area = 10,000 square feet

(2) Minimum Lot Width = 100 feet

(3) Minimum Lot Depth = 100 feet

(4) Maximum Height = 45 feet

(5) Minimum Yards:

(a) Front = 25 feet

(b) Side = 20 feet; 75 feet if adjoining a residential district

(c) Side Street = 25 feet

(d) Rear = 20 feet; 75 feet if adjoining a residential district

(6) Maximum Nonresidential Floor Area Ratio = .60

(7) Minimum Open Space = 15 percent

(8) Maximum Impervious Surface Ratio = .80

(9) Office, Retail Commercial, Personal/Business Service, and Commercial/Business Service: Shall be allowed as accessory uses, located within the structure to which it is accessory, and not to exceed 25 percent of the floor area of the principal use to which it is accessory.

(10) Buffer Standards: An appropriate buffer shall be provided in and between the WDII District and an adjoining plan classification other than Industrial or Transportation Utility.

(11) Public/Semi-Public Use: Shall not exceed a maximum area of five acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.

(Ord. 90-10, passed 5-1-90; Am. Ord. 90-35, passed 9-18-90; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 94-42, passed 12-20-94; Am. Ord. 96-01, passed 2-20-96; Am. Ord. 2008-31, passed 1-27-09)

§ 25.19-20 LC (Land Conservation) District.

- (A) The LC (Land Conservation) District is established to provide for areas identified by Figure 19 of the Coastal Management and Conservation Element of the Comprehensive Plan and on the Future Land Use

~~Map-by-as Preservation (P) and Recreation/Open Space (R/OS) on the Future Land Use Map Series~~ as environmentally sensitive and in need of preservation, to provide for the preservation of wetlands, or other unsuitable for development, and to provide for the public and quasi-public ownership of land.

~~(B) The permitted density, intensity, and impervious surface allowances shall be limited by the underlying future land use designation.~~

~~(B) Permitted Uses~~

~~(1) Preservation Areas and Conservation Easements Set Aside in Accordance with a Site Plan Approval or Development Agreement~~

~~(2) Transfer of Development Rights (Pursuant to §§ 148.00 through 148.03 of this Code)~~

~~(C) Conditional Uses~~

~~(1) Golf Courses, Public or Private~~

~~(2) Community Assembly~~

~~(D) The following density and intensity standards shall apply:~~

~~(1) Those properties designated as Preservation on the Future Land Use Map shall not exceed a F.A.R. of .10 or an I.S.R. of .20~~

~~(2) Those properties designated as Recreation/Open Space on the Future Land Use Map shall not exceed a F.A.R. of .25 or an I.S.R. of .45~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 91-27, passed 7-16-91; Am. Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93; Am. Ord. 2009-03, passed 8-18-09; Am. Ord. 2011-08, passed 9-6-11)

§ 25.210 P/SP (Public/Semi-Public) District.

~~(A) The P/SP (Public/Semi-Public) District shall provide for appropriate development of lands that are designated in the Comprehensive Plan as Institutional or Transportation/Utility on the Future Land Use Map as Public/Semi-Public.~~

~~(B) The permitted uses, densities, and intensity standards in this District shall be limited by the parcel's designation on the Future Land Use Map Series to the underlying future land use designation.~~

~~(C) For those properties designated as Institutional on the Future Land Use Map the following standards apply:~~

~~(1) Residential Use shall not exceed 12.5 dwelling units per acre.~~

~~(2) Residential Equivalent Use shall not exceed three beds per permitted dwelling unit at 12.5 dwelling units per acre.~~

~~(3) Nonresidential uses shall not exceed a Floor Area Ratio of .45 to .65 nor an Impervious Surface Ratio of .65 to .85.~~

~~(D) For those properties designated Transportation/Utility on the Future Land Use Map the following standards apply:~~

~~(1) No use shall exceed a Floor Area Ratio of .50 to .70 nor an Impervious Surface Ratio of .70 to .90.~~

~~(2) An appropriate buffer shall be provided within and between the T/U category and any other adjoining plan classification, other than Industrial.~~

(Ord. 93-31, passed 11-16-93; Am. Ord. 2011-08, passed 9-6-11)

~~§ 25.21 Pinellas Trail Corridor District.~~

~~(A) The PTC District is established to provide for areas located adjacent or in close proximity to the Pinellas Trail where a mixture of convenient shopping, personal services, and residential uses are grouped to encourage a high level of pedestrian and bicycle movement.~~

~~(B) Permitted Uses:~~

- ~~(1) Business and Professional Offices~~
- ~~(2) Community Service Uses~~
- ~~(3) Multifamily Dwellings~~
- ~~(4) Personal Service Establishments (subject to paragraph (M) below)~~
- ~~(5) Retail Food Establishments~~
- ~~(6) Retail Sales Establishments~~
- ~~(7) Single Family Attached Dwellings~~
- ~~(8) Single Family Detached Dwellings~~
- ~~(9) Two Family Dwellings~~

~~(C) Conditional Uses:~~

- ~~(1) Boarding Homes~~
- ~~(2) Community Assembly~~
- ~~(3) Commercial Recreation Facilities~~
- ~~(4) Community Residential Homes~~
- ~~(5) Congregate Care Facilities~~
- ~~(6) Day Care Centers~~
- ~~(7) Eating Establishments, Sit Down and Taverns~~
- ~~(8) Family Care Homes~~
- ~~(9) Financial Institutions~~
- ~~(10) Home Occupations (Pursuant to §§ 51.00 through 51.03 of this Code)~~
- ~~(11) Libraries, Museums, Galleries, Cultural Centers, and Similar Uses~~
- ~~(12) Off-Street Parking~~
- ~~(13) Schools of General Education~~
- ~~(14) Schools of Special Education~~
- ~~(15) Second Floor Residences Over Ground Floor Commercial Uses~~
- ~~(16) Sidewalk Cafes~~

~~(17) Veterinary Clinics provided that no boarding facilities may be allowed except as may be required for the short term treatment of sick or injured animals and when completely enclosed within a building~~

~~(D) Residential Dimensional Regulations:~~

~~(1) Maximum Density = Ten units/acre~~

~~(2) Minimum Lot Area~~

~~(a) Single Family Detached Dwelling = 5,000 square feet~~

~~(b) Single Family Attached Dwelling = 2,000 square feet~~

~~(c) Two Family Dwelling = 9,000 square feet~~

~~(d) Multifamily Dwelling = 10,000 square feet~~

~~(3) Minimum Lot Width~~

~~(a) Single Family Detached Dwelling = 50 square feet~~

~~(b) Single Family Attached Dwelling = 20 square feet~~

~~(c) Two Family Dwelling = 50 square feet~~

~~(d) Multifamily Dwelling = 80 square feet~~

~~(4) Minimum Lot Depth~~

~~(a) Single Family Detached Dwelling = 80 square feet~~

~~(b) Single Family Attached Dwelling = 100 square feet~~

~~(c) Two Family Dwelling = 90 square feet~~

~~(d) Multifamily Dwelling = 90 square feet~~

~~(5) Maximum Height = 30 feet~~

~~(6) Minimum Yards:~~

~~(a) Single Family Detached Dwellings and Two Family Dwellings:~~

~~(i) Front = 25 feet~~

~~(ii) Side = Seven and one half feet~~

~~(iii) Side Street = 15 feet~~

~~(iv) Rear = 20 feet~~

~~(b) Single Family Attached Dwellings:~~

~~(i) Front = 20 feet facing a public right-of-way; 15 feet facing a common drive; courtyard or private parking area~~

~~(ii) Side = Seven and one half feet~~

~~(iii) Side Street = Seven and one half feet~~

~~(iv) Rear = 20 feet~~

~~(c) Multifamily Dwellings:~~

~~(i) Front = 25 feet~~

-
- (ii) ~~Side = 15 feet~~
 - (iii) ~~Side Street = 20 feet~~
 - (iv) ~~Rear = 20 feet~~
 - (v) ~~Minimum Distance Between Buildings:~~
 - (1) ~~Side facing side = 15 feet~~
 - (2) ~~Front/rear facing side = 20 feet~~
 - (3) ~~Front/rear facing front/rear = 25 feet~~
 - (7) ~~Minimum Net Floor Area~~
 - (a) ~~Single Family Detached Dwelling = 850 square feet~~
 - (b) ~~Single Family Attached Family = 850 square feet~~
 - (c) ~~Two Family and Multifamily Dwellings = 600 square feet~~
 - (8) ~~Residential Equivalent = 3.0 bed permitted per permitted dwelling unit~~
 - (E) ~~Nonresidential Dimensional Regulations~~
 - (1) ~~Minimum Lot Area = 7,500 square feet~~
 - (2) ~~Minimum Lot Width = 50 feet~~
 - (3) ~~Minimum Lot Depth = 80 feet~~
 - (4) ~~Maximum Height = 30 feet~~
 - (5) ~~Minimum Yards:~~
 - (a) ~~Front = 20 feet~~
 - (b) ~~Side = Seven and one half feet~~
 - (c) ~~Side Street = Ten feet~~
 - (d) ~~Rear = 20 feet~~
 - (6) ~~Maximum Nonresidential Floor Area Ratio = .30~~
 - (7) ~~Minimum Open Space = 20 percent~~
 - (8) ~~Impervious Surface ratio = .70~~
 - (F) ~~Joint and Cross Access~~
 - (1) ~~Adjacent commercial properties along the PTC zoning district shall provide joint access driveways. The joint access driveway shall provide a single access to the thoroughfare for adjacent properties. The joint access driveway shall be constructed in accordance with the requirements of § 129.00, Driveways and Access Management.~~
 - (2) ~~In conjunction with a joint access driveway, a cross access easement to allow for the free flow of traffic between properties shall be required.~~
 - (3) ~~If no other access to the thoroughfare is available, the primary developing property shall be permitted a temporary driveway accessing the thoroughfare. The temporary driveway shall be constructed in accordance with the requirements of § 129.00, Driveways and Access Management. All access rights to the thoroughfares shall be dedicated to the City of Tarpon~~

~~Springs and the temporary driveway will be removed after construction of the joint access driveway.~~

- ~~(4) During development, the primary developing parcel shall construct a driveway access to the property line to make it visually obvious that the abutting properties will be tied in to provide cross-access via a joint access driveway.~~
- ~~(5) Where access to the right-of-way is available through cross-access easements with adjacent properties, developing properties shall dedicate all ingress/egress rights to the City of Tarpon Springs.~~
- ~~(G) The length of the driveways shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the thoroughfare or causing unsafe conflicts with on-site circulation. Driveway length measured from the front property line to the nearest conflict point shall not be less than 15 feet.~~
- ~~(H) The provisions of this Section shall apply to all new vehicle use areas or commercial parking lots within the PTC zoning district.
 - ~~(1) Where a new parking lot abuts a public right-of-way or private street a minimum buffer strip of eight feet wide is required. This buffer strip shall be planted with one tree every 15 feet and continuous hedge maintained at a height of three feet above grade. The required shrubbery shall be spaced at 30 inches on center. The remaining area shall be surfaced with grass, ground covers, or with at least two inches of wood chip or bark.~~
 - ~~(2) Additional landscaping requirements shall be provided in accordance with § 134.03, Parking Lot Landscaping.~~
 - ~~(3) The Planning Director shall have the authority to waive such requirements where the required landscaping encroaches into the required visibility triangle as stated in § 37.00, Required Visibility Triangles.~~~~
- ~~(I) Required parking, as stated in § 127.04, Parking Schedule, for commercial uses locating within the PTC zoning district shall be reduced by 25 percent.~~
- ~~(J) All uses, excluding Single Family and Two Family Dwellings, shall provide an area designated for bicycle and/or motorcycle parking.~~
- ~~(K) All signs shall comply with the Historic Preservation District sign regulations as stated in Article XI. However, signs within the PTC zoning district are exempt from Historic Preservation Board review. The Board of Adjustment has the authority within the Pinellas Trail Corridor District to permit up to a maximum of twice the amount of:
 - ~~(1) Sign area as allowed in § 189.01, General Regulation for Free Standing Signs.~~
 - ~~(2) Sign area as allowed in § 189.03, Wall Mounted Signs in Addition to Free Standing Signs.~~~~
- ~~(L) Mixed Use Projects shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the net land area of the property.~~
- ~~(M) Personal Service/Office Support Use shall not exceed a floor area of 3,600 square feet; and no combination of such uses in any single multi-tenant building or, in the alternative, in any group of buildings that are integral to and function as part of a unified project, shall exceed ten (10) percent of the floor area of said buildings.~~
- ~~(N) Recreation Uses in the CN, Commercial Neighborhood Future Land Use Map category are limited to indoor recreation uses only.~~

~~(C) Institutional/Transportation Utility Use (as defined by the Countywide Plan Rules of Pinellas County) shall not exceed a maximum of five acres. Any such use, alone or when added to existing contiguous like use(s), which exceeds this threshold shall require a plan map amendment which shall include such use and all contiguous uses.~~

~~(Ord. 95-19, passed 7-18-95; Am. Ord. 2009-03, passed 8-18-09; Am. Ord. 2011-08, passed 9-6-11)~~

§ 26.00 SUPPLEMENTAL REGULATIONS REGARDING COMMUNITY ASSEMBLY USES AND CHURCH OR PLACE OR WORSHIP USES.

- (A) Any submitted application for Community Assembly use filed prior to the effective date of this Ordinance shall be subject to the zoning regulations in effect prior to the effective date of this Ordinance. Any Community Assembly use legally in existence on the effective date of this Ordinance, but now in violation of its provision, shall be considered a legal non-conforming use and may be allowed limited expansion subject to the following criteria:
- (1) The expansion does not exceed 1,000 square feet or 25% of the gross square feet of the non-conforming use, whatever is greater.
- (B) RLUIPA Relief Procedures. This section implements the policy of the City for addressing possible unintended violations of the Religious Land Use and Institutionalized Persons Act of 2000, 42 U.S.C. § 2000cc et seq. RLUIPA identified during implementation of this code and related rules, policies and procedures.
- (1) A person, including a religious assembly or institution, may request relief under this section in writing by completing an RLUIPA Reasonable Relief Request form, which is available from the City's Planning and Zoning Department. The form shall contain such questions and requests for information as are necessary for evaluating the relief requested.
 - (2) The City Manager, or his or her designee, shall have the authority to consider and act on requests for reasonable relief submitted to the Planning and Zoning Division, after notice is posted as provided in subsection 8. A public hearing shall be held within 21 days of receipt by the City of the request for relief. During the public hearing the City Manager, or designee, shall solicit comment and information from the public to be taken under advisement. The City Manager shall issue a written determination no later than 45 days after the receipt by the City of the request for relief. The determination may:
 - (a) Grant the relief requested,
 - (b) Grant a portion of the request and deny a portion of the request, and/or impose conditions upon the grant of the request, or
 - (c) Deny the request in accordance with Federal law.
 - (d) Any determination denying the request for relief shall be in writing and shall state the reasons the relief was denied. All determination shall advise the requesting party that the determination may be appealed within 30 days of the date of the determination to the City Commission. The written determination shall be sent to the requesting party by certified mail, return receipt requested.
 - (e) If necessary prior to issuing a written determination, the City Manager, or designee, may request additional information from the requesting party specifying in sufficient detail what information is required. The requesting party shall have 15 days from the date the information is requested to provide the needed information. In the event a request for additional information is made to the requesting party by the City Manager, the 30 day

period to issue a written determination shall no longer be applicable, and the City Manager, or designee, shall issue a written determination within 30 days after receipt of the additional information from the requesting party.

- (3) If the requesting party fails to respond to the requested additional information within 15 days after the City Manager's, or designee's, request for additional information, the City Manager, or designee, shall issue a written notice advising the requesting party failed to timely submit the additional information and the request for relief shall be deemed abandoned and/or withdrawn and no further action by the City with regard to said reasonable relief request shall be required.
 - (4) In determining whether the reasonable relief request shall be granted or denied, the applicant shall be required to establish:
 - (a) The applicant is a claimant under RLUIPA; and
 - (b) The City has imposed a substantial burden on the religious exercise of the applicant, whether a person, religious assembly or institution, and the burden is not a result of the City furthering a compelling government interest and is not the least restrictive means of furthering that compelling government interest; or the City has imposed or implemented a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a non-religious assembly or institution.
 - (5) Within 30 days after the City Manager's, or designee's, written determination is mailed to the requesting party the requesting party may appeal the decision to the City Commission. All appeals shall contain a statement explaining the reason for the appeal. The City Commission shall, after giving public notice pursuant to subsection 8 and conducting a public hearing, make a determination no later than 60 days after an appeal has been filed to uphold, reverse or modify in whole or in part the City Manager's determination. The purpose of the public hearing is to receive comments, input and information from the public, which shall be taken under advisement by the City Commission.
 - (6) No fee shall be imposed by the City in connection with the request for reasonable relief under this section or for an appeal of a reasonable relief determination to the City Commission. The City shall have no obligation to pay a requesting party's or an appealing party's attorney fees or costs in connection with the request for an appeal.
 - (7) While an application for reasonable relief, or appeal of a determination of same, is pending before the City, the City will not enforce the subject zoning ordinance, rules, policies, and procedures against the applicant.
 - (8) The City shall display a notice in the City's public notice bulletin board and shall maintain copies available for review in the Planning and Zoning Division advising the public that a request for relief under RLUIPA has been filed or appealed to the City Commission. The date and time of the applicable public hearing shall be included in the notice.
- (C) If a use is interpreted to be a Community Assembly use as defined in Section 25.00, the requirements of Section 26.00 shall prevail over any inconsistent provisions of Land Development Code.

(Ord. 2009-03, passed 8-18-09)

§ 27.00 ALTERNATIVE DIMENSIONAL CRITERIA REVIEW.

- (A) Residential projects located within the RM Zoning District may request an alternative dimensional plan whereby the zoning dimensional criteria set out in Section 25.04 (D) (excluding height and minimum net floor area) may be modified to accommodate unique projects that do not conform to the traditional zoning dimensional criteria or those developments located within unusual or difficult project sites.

~~(A)~~(B) The alternative dimensional plan shall require a Conditional Use review for compatibility, in addition to any other site plan review process required by this Code. When uses under this Code Section projects are evaluated for compatibility such factors as scale, mass, intensity, location, size, height, style and aesthetics shall be taken into account. This list of factors to be considered is not exclusive and the reviewing body may consider other relevant factors in making a compatibility determination. The use, in order to be compatible, shall be found to preserve the character of the adjacent neighborhoods and/or community.

§ 28.00 PERMITTED LAND USES.

- (A) Land Uses shall be permitted as defined in Table 28.00(A) – Table of Uses.
- (B) Permitted Uses represent only those uses which are permitted by right in a given district.
- (C) Conditional Uses may be permitted in a given district by the Board of Commissioners only upon a finding that such use in a specified location will comply with the criteria established in general or in specific for such use by this Code.
- (D) Uses existing prior to the effective date of this Code shall only be expanded in accordance with the regulations and procedures established by this Code.
- (E) In the event that a particular use is not listed anywhere in this Code, then it shall be interpreted that the use in this Code having the most similar characteristics as the use in question shall apply. The purpose and intent of the district where the use with the most similar characteristics shall also be consulted in this determination.
- (F) All land and land development shall be in accordance with the City's Comprehensive Plan, and these regulations. Where these regulations differ from the City's Comprehensive Plan the more restrictive of the two shall be applied.

SEE EXCEL DOCUMENT FOR THE TABLE OF USES

(Ord. 93-31, passed 11-16-93; Am. Ord. 93-33, passed 10-19-93)

(§§ ~~2729.00~~ through 35.00 Reserved)

Editor's note(s)—Ord. No. 2018-03, § 2, adopted February 6, 2018, repealed §§ 27.00—27.90, which pertained to supplemental regulations for siting of medical cannabis dispensaries, and derived from Ord. No. 2017-10, passed 4-18-17.

ARTICLE III. SUPPLEMENTARY DISTRICT REGULATIONS

§ 36.00 ACCESSORY USES AND STRUCTURES.

- (A) Accessory uses and structures are permitted in all zoning districts in accordance with the requirements of this Code.
- (B) ~~An accessory use is a~~ use or structure is considered to be 'accessory' if it ~~which~~ complies with the following standards:
 - (1) Is clearly incidental to, customarily found in association with, and serves a primary use.
 - (2) Is subordinate in purpose, area, and extent to the primary use or structure served.
 - (3) Contributes to the comfort, convenience, or necessity of the primary use served.
 - (4) Is located on the same lot, tract, parcel, or property as the primary use or structure.
- (C) All accessory structures shall comply with the requirements of the City's building codes.
- (D) An accessory ~~type~~ structure ~~which shares a structural wall, is attached, or that~~ is separated by a distance of less than ~~two~~ 2 feet shall be deemed to be part of the primary structure and must comply with the setback requirements of the district in which it is located.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-15-93)

§ 36.01 ~~Storage Structures, Shelters, Bathhouses and Detached Garages~~ Accessory Structure Dimensional Standards.

~~Reduced side and rear yard setbacks are permitted for accessory structures. Storage structures, outdoor shelters, sheds, bath houses, detached garages, and similar structures shall be~~ when located in a required rear yard ~~behind the established front setback of the primary structure and~~ in accordance with the following standards:

- (A) ~~Storage~~ Structures, ~~Outdoor~~ Shelters, ~~Sheds~~, ~~Bath~~ Houses, and ~~Similar~~ Structures:
 - (1) Residential Properties:
 - (a) ~~Maximum Size = 200 square feet shall not exceed 200 square feet in a residential district or 300 square feet in a non-residential district. No such structure shall be located closer than five feet to a side lot line or five feet to a rear lot line.~~
 - (b) Side & Rear Setback = 5 feet
 - (c) Maximum Number = 2 (excluding a detached garage)
 - (2) Non-Residential Properties:
 - (a) Maximum Size = 300 square feet
 - (b) Side & Rear Setback = 5 feet
 - (c) Maximum Number = 3

(3) Structures exceeding the maximums outlined above must comply with the setback requirements of the district in which the property is located.

(4) Exemptions: Playhouses/Playsets, Sunshades, Firepits, Compost Bins/Rain Barrels, Rain Garden Beds, Storage Cabinets, Chicken Coops (per Section 4-3) and Similar Items.

(A)

(B) Detached garages may be constructed in a required rear yard, provided said structure does not exceed 20 feet in height and is no closer than five feet from the rear property line and is no closer to the side property line than a distance of seven and one-half feet or the district side yard requirement, whichever is less. The maximum size of the detached garage shall not exceed 25 percent of the required rear yard, which is as follows:

(1) Maximum Height = 20 feet

(2) Minimum Side Setback = 7.5 feet or the district side yard requirement, whichever is less.

(3) Minimum Rear Setback = 5 feet

(4) Maximum Size = 350 square feet

(B)(5) Detached garages can be up to 350 square feet in size. Up to 600 square feet may be permitted if it does not exceed 25% of the primary structure gross floor area.

Commented [AK1]: Which provision did we decide on?

Zoning-District	Required Rear Yard (Ft.)	Minimum Lot Width (Ft.)	Rear Yard Area (Sq. Ft.)	25% Limit (Sq. Ft.)
R-60 ⁺	20	40	800	200
R-70	20	60	1,200	300
R-70A	20	60	1,200	300
R-100	30	75	2,250	562.5
R-100A	25	60	1,500	375
RO	20	60	1,200	300
CRM	20	60	1,200	300
A	50	20	10,000	2,500
MHP ⁺	7.5	50	375	93.75
TP	N/A	N/A	N/A	N/A
RPD/S.F. Detached	20	75	1,500	375
RPD/Cluster (corner-only)	10	60	600	150

Commented [AK2]: Add a specific allowance for larger accessory structures in the A zoning district standards.

Commented [AK3R2]: Did we determine this wasn't really needed?

⁺The maximum size allowed shall be up to 300 square feet.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-15-93; Am. Ord. 2005-10, passed 6-21-05)

§ 36.02 Swimming Pools and Screen Enclosures.

(A) All construction shall be in accordance with the City's building codes.

(B) Prior to final inspection the pool shall be completely enclosed with an approved wall, fence, ~~cages~~screen enclosure, or other substantial structure not less than ~~four~~4 feet in height. All entryways to fenced or

enclosed pools shall be equipped with self-closing and latching gates which shall remain closed when not used or supervised by the owner.

(C) Pools and ~~pool~~ screen enclosures shall ~~abide by~~meet the following minimum setbacks:

Pools (Measured from Water's Edge)^{1, 2}	
Pool to side lot line measured from water's edge—No enclosure <u>Side Lot Line</u>	8 feet plus outside of any easement
Pool to rear lot line measured from the edge of the deck—No enclosure <u>Rear Lot Line</u>	5 feet plus outside of any easement
Screen Enclosures^{1, 2}	
Pool screen enclosure to side lot line <u>Side Lot Line</u>	<ul style="list-style-type: none"> • Screen/Solid Roof³ = 8 feet or district side yard requirement, whichever is more permissive and outside of any easement
Pool screen enclosure to rear line <u>Rear Lot Line</u>	<ul style="list-style-type: none"> • Screen Roof³ = 5 feet or outside of any easement • Solid Roof³ = May extend up to 10 feet into the district rear yard, but no closer than 15 feet to the rear lot line.
Required distance between water's edge and pool screen enclosure	3 feet
Pools on waterfront lots	See also Section 55.01, LDC
<ol style="list-style-type: none"> 1. Pools and screen enclosures may not encroach any easement. 2. See LDC Section 55.01 for waterfront properties. 3. Areas under solid roofs may not be altered to form enclosed or conditioned living space unless minimum district setbacks are met. 	

(Ord. 90-10, passed 5-1-90; Am. Ord. 92-07, passed 5-5-92; Am. Ord. 93-33, passed 10-15-93; Am. Ord. 99-13, passed 5-18-99)

§ 36.03 Fences ~~&~~, Walls, ~~and~~ Hedges.

- (A) All fences ~~and~~ walls, ~~and~~ hedges shall conform to the requirements of this Code for visibility triangles, ~~as defined in Section 37.00. All permitted fences shall be located on the property of the applicant and not within any public right-of-way.~~ For all corner lots, ~~as defined in Section 241.00(A) of this Code,~~ a fence may be constructed in the yard facing the street that is not the front yard of principal orientation for the structure, as provided for in this section.
- (B) In all residential districts no fence, wall, or hedge shall exceed ~~four~~³ feet in height when located within the ~~district's~~ required front yard setback.
- (C) In all residential districts, no fence, hedge, or wall shall exceed ~~six~~⁶ feet in height. The maximum height in agricultural, commercial and industrial districts shall be ~~eight~~⁸ feet.
 - (1) Exception: In residential districts, subdivision perimeter fences, ~~hedges~~ or walls may be a maximum of ~~eight~~⁸ feet in height.
- (D) Barbed wire shall be limited to three strands at a minimum of ~~six~~⁶ feet above the ground. Barbed wire may be used only on security fences or walls in agricultural, commercial and industrial districts, or accessory to any utility installation.
- (E) All fences shall be constructed so that the ~~side of the fence facing or viewable from the public right-of-way or an adjoining property shall be the~~ finished side of the fence in terms of materials and their

Commented [AK4]: See (G)

treatment, with all support posts and stringers to be placed facing inward toward the applicant's property. ~~This requirement may be waived by the City Manager or designee. A special permit to allow the finished side of a fence to face toward the applicant's property may be issued by the building official,~~ when both of the following conditions have been met:

- ~~(1)~~ (1) The ~~section of the~~ subject fence ~~proposed to be unfinished~~ is ~~not visible from a public right-of-way; and~~
- ~~(1)(2)~~ (2) ~~Is~~ facing a parcel with ~~an agricultural, commercial or industrial land use a nonresidential zoning designation;~~ and
- ~~(2)(3)~~ (3) ~~Notarized letters of no objection have been received from all all landowners affected adjacent property owners abutting the location of the subject fence.~~
- ~~(3)(4)~~ (4) ~~This provision shall not be subject to variance.~~

- (F) All chain link fences shall be installed with the pointed ends to the ground. No electrically charged fence shall be erected in the city.
- (G) ~~All fences and walls shall be located on the property of the applicant and No fences shall be allowed in any not within any public street right-of-way.~~
- ~~(H)~~ (H) All fences ~~and walls~~ shall be maintained in a safe condition and shall not be allowed to become dilapidated.
- ~~(H)(I)~~ (I) ~~Walls are not permitted in any easement, with the exception of historic site walls and new site walls that receive Certificate of Appropriateness approval within designated historic districts.~~

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-15-93; Am. Ord. 2003-31, passed 9-30-03; Am. Ord. 2006-05, passed 3-21-06)

§ 36.04 ACCESSORY DWELLING UNITS (ADUs).

- ~~(A) Accessory dwelling units (ADUs) are intended to provide additional housing options and increased affordable housing opportunities throughout the City.~~
- ~~(B) Accessory Dwelling Units, Residential Zoning Classifications (Accessory to Single-Family, Detached Dwellings Only): REFER TO SECTION 71.00.~~
- ~~(1) An ADU may be attached to the primary unit or be separate/detached, and must:~~
 - ~~(a) Have a separate entrance from the primary unit, and;~~
 - ~~(b) Contain sleeping quarters, a bathroom, and a full kitchen with sink, cooking unit (e.g., range, stovetop, or oven), and refrigerator.~~
 - ~~(2) The unit shall not exceed 800 square feet or 20% of the gross floor area of the primary structure, whichever is greater, in living area.~~
 - ~~(3) There shall be only one unit per parcel of ownership.~~
 - ~~(4) Either the primary or accessory dwelling shall be owner-occupied.~~
 - ~~(5) All applicable district standards pertaining to setbacks, building height, and lot coverage shall be met.~~
 - ~~(6) No separate metered utility connection for the ADU shall be permitted.~~
 - ~~(7) Mobile homes and recreational vehicles shall not be used as an ADU.~~

~~(A)(8)~~ A recorded restricted covenant outlining the above requirements have been met must be provided with the building permit application.

~~(C)~~ Accessory Dwelling Units, Industrial/Nonresidential/Mixed-Used Zoning Classifications (~~WDH, IR, IH, IPD zoning districts~~);

~~(B)(1)~~ One accessory dwelling unit (ADU) per parcel of ownership is permitted as an accessory use to an office, commercial or industrial activity, shall be allowed in the above identified industrial zoning district classifications subject to the following conditions:

~~(1)(2)~~ The unit may not exceed 1,500 square feet or 10% of the gross floor area of the primary structure, whichever is less. The unit cannot exceed the footprint of the primary structure. Where a primary structure does not exist, the ADU cannot exceed 800 square feet.

~~(2)(3)~~ The unit may only be occupied as follows:

(a) By the owner of the unit.

(b) By an owner, tenant, or employee, of a business located within the primary structure. Such occupancy may also include the family, as defined by this code, of the primary occupant.

~~(b)(4)~~ Mobile homes and recreational vehicles shall not be used as an ADU.

(Ord. 2009-13, passed 10-29-09)

§ 37.00 REQUIRED VISIBILITY TRIANGLES.

~~(A)~~ A clear vision area (the "sight visibility triangle") for all intersections and driveways. On every corner lot the triangle formed by the required right-of-way lines and a line drawn between the points along such required right-of-way lines a distance of 30 feet from the intersection of said lines shall be maintained and kept free of obstructions such that lateral vision is kept clear between a height of three (3) and eight (8) feet above grade.

~~(A)(B)~~ For intersections, the triangle shall be formed by measuring a distance of thirty (30) feet along both property lines at the intersection. (See §37.00(G) below)

~~(B)(C)~~ For driveways, the triangle shall be formed by measuring fifteen (15) feet along the intersecting lines of the edge of the driveway and fifteen (15) feet along the applicable property line from the point they intersect required right-of-way line of the adjoining streets for a distance of 15 feet. (See §37.00(G) below)

~~(D)~~ These requirements shall not apply to the trunk of a tree (but not branches or foliage), posts, columns, mailboxes, or similar structures which are less than six (6) inches in diameter.

~~(C)(E)~~ For unique circumstances, the City Manager or designee may waive the visibility triangle requirements of this section. To grant a waiver an inspection must be performed on site or at the intersection to determine that public safety is sufficiently addressed. Such unique circumstances may include one-way streets, excessive rights-of-way where widening is not expected, or other similar situations.

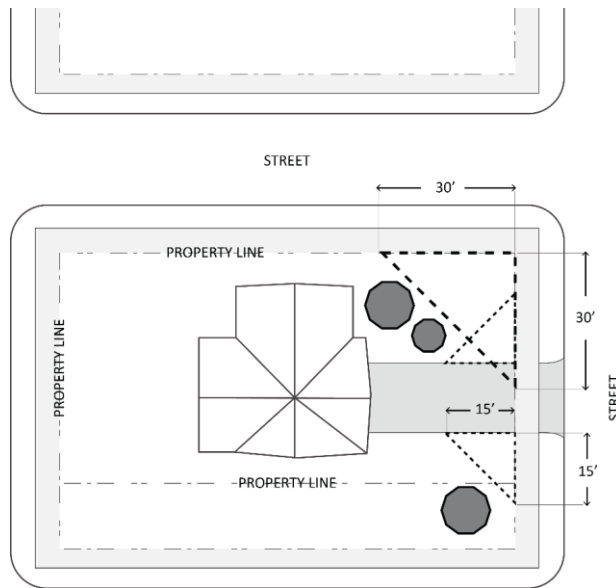
~~(D)(F)~~ Abatement of obstructions to vision at intersections; ~~appeal~~Appeal.

(1) **Notice.** Whenever the City Manager, after investigation, shall determine that any tree, shrubbery or other object planted or fixed upon any parkway right-of-way or private property in the city adjacent to a street intersection, obstructs the driving-vision of the vehicles passing over

or through ~~such the street~~ intersection, he shall ~~cause to be served upon the owner or occupant of the property abutting such parkway, or the owner of the property upon which such trees, shrubbery or other objects are planted or fixed in violation of this section~~ issue a written notice requiring ~~such the property~~ owner or occupant to remove ~~such the~~ tree, shrubbery or other object, ~~or to trim such the tree or shrubbery, or reduce the height and width of the obstruction other objects so as to comply with the provisions of this section.~~ The notice ~~provided for shall be served upon the owner or occupant of the property therein described and~~ shall require the owner ~~or occupant~~ to comply with the directions contained in ~~such the written~~ notice within 15 days ~~of the date on the notice after the service of such notice.~~ Such notice may and can be served by placing a copy of the notice at a conspicuous visible place upon location adjacent to the right-of-way the property abutting the parkway, if the offending object is thereon, or upon on the private property upon which the offending object may exist where the violation exists.

(2) Appeal. The owner of any property affected by the directions ~~of the outlined above~~ notice can, within the time specified in the notice, appeal to the City Commission, and until the City Commission shall acts upon ~~such the~~ appeal the appellant shall not be required to comply with such notice, ~~and if after the service of the notice the owner or occupant does not comply or does not have an appeal granted by the City Commission, the City Manager shall have the take necessary action taken to relieve and terminate such traffic remedy the hazard either by having such trees or shrubbery trimmed or by having it or them removed.~~

~~(2)(G)~~ Sight Visibility Triangle Measurement Example:



(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-15-93)

§ 38.00 YARD ENCROACHMENTS.

Every part of every required yard shall be open and unobstructed from ~~30~~12 inches above the final grade of a lot upward, except as provided for by the following:

- (A) ~~Structures~~ At grade improvements less than 30~~12~~ inches or less in height above final grade are not considered yard encroachments.
- (B) Cornices, awnings, eaves, gutters, or similar features which are at least ~~8~~eight feet above grade may extend ~~three~~3 feet into any required yard but not closer to any lot line than a distance of ~~2~~two feet.
- (C) Sills, leaders, belt courses and similar ornamental features may extend 12 inches into any required yard, but not over the lot line.
- (D) Open fire balconies and fire escapes may extend ~~5~~five feet into any required yard.
- (E) Bay windows, oriels, balconies, and chimneys not more than ~~10~~ten feet in width may extend ~~3~~three feet into any required front or side yard, but not closer to any side lot line than a distance of ~~5~~five feet.
- (F) Balconies and above grade decks may extend ~~10~~ten feet into any required rear yard but not closer to any rear lot line than a distance of 15 feet.
- (G) An outside stairway, unenclosed, may extend ~~four~~4 feet into any required yard, but not closer to any side lot line than a distance of ~~five~~5 feet.
- (H) Air conditioning units and other similar accessory equipment may be located in any required side or rear yard.
- (I) Unenclosed porches may extend ~~ten~~10 feet into any required front yard, but not closer than ~~ten~~10 feet to the front property line and may not be altered to form enclosed or conditioned living spaces. Porches must maintain at least ~~80~~percent openness and may not be screened. Variances are not authorized for this provision.
- (J) Except as elsewhere provided by this Code.

(Ord. 90-10, passed 5-1-90; Am. Ord. 90-52, passed 12-18-90; Am. Ord. 93-33, passed 10-15-93; Am. Ord. 2005-10, passed 6-21-05)

§ 39.00 REQUIRED ACCESS.

- (A) ~~Every structure shall be constructed on a lot adjoining a public street, alley, or with access to an approved private street.~~
- (B) ~~No private street shall be approved at a width of less than 24 feet.~~
- (C) ~~Easements for the sole purpose of providing access to new lots (not a lot of record) shall not be permitted.~~
- (D) ~~No land which is residentially~~ Residentially zoned land shall not be used as access to any land which is located in a nonresidential district, except to an existing use which that does not abut a public street, alley or approved private street.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-15-93)

Commented [AK5]: Recommend deleting section because it is repetitive.

Leave for now and change when we do the subdivision section.

Commented [AK6]: Covered in LDC Section 163.02(A)

Commented [AK7]: Covered in LDC Section 131.00(C)(2)

Commented [AK8]: We could revise Section 163.02(A) to cover this if we wanted.

§ 40.00 ~~PARKING OR STORAGE OF~~ ABANDONED VEHICLES.

- (A) ~~No abandoned~~ Abandoned vehicles shall not be parked or stored on any residentially zoned or used property other than in a completely enclosed structure.
- (B) The term "abandoned vehicle" shall be defined as a vehicle or trailer which is inoperative by virtue of its current condition or without current license plates and current registration or inspection stickers (where required by law).

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-15-93)

§ 41.00 ~~PARKING OF~~ COMMERCIAL VEHICLES IN RESIDENTIAL AREAS.

- (A) No commercial vehicle with a gross vehicle weight rating (GVWR) in excess of 12,550 pounds shall park in any residential district except when actively engaged in loading or unloading.
- (B) Commercial trailers with an overall length in excess of ~~sixteen-16~~ feet (~~16'~~) are prohibited from parking in residential districts except when actively loading or unloading. However, this prohibition does not apply to such trailer when it is kept within a completely enclosed garage structure or a side or rear yard surrounded by a ~~six-6~~ foot- (~~6'~~) high, opaque fence maintained in sound condition.
- (C) This prohibition does not apply to recreational vehicles regardless of GVWR.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-15-93; Am. Ord. 2001-08, passed 5-1-01)

§ 42.00 ~~PARKING OF~~ RECREATIONAL VEHICLES IN RESIDENTIAL AREAS.

- (A) No recreational vehicle shall overhang, encroach upon, or be parked on a sidewalk, street, or public right-of-way.
- (B) All recreational vehicles parked in the front yard shall be located on a driveway ~~or circular drive~~.
- (C) Recreational vehicles may be parked in an interior side or rear yard provided that no part of the vehicle is located closer than 2 feet to ~~the side a~~ lot line.
- ~~(D) Recreational vehicles may be parked in a rear yard.~~
- ~~(E)(D) _____ Recreational vehicles may be parked in a side street yard adjoining a side street or in the rear yard of a through lot provided the vehicle is concealed screened by a 6 foot tall opaque screening consisting of a fence or hedge not less than 6 feet in height.~~
- ~~(F)(E) _____ In all cases where a recreational vehicle is parked, the Any grass located under such a recreational vehicle shall be trimmed maintained to at the same height as the rest of the yard.~~
- ~~(G)(F) _____ All recreational vehicles shall be operable and stored in a safe condition. Under no circumstances shall the vehicle be on drums, barrels, concrete blocks, lumber, or similar devices at any time ~~devices be utilized for the storage of recreational vehicles~~.~~
- ~~(H)(G) _____ All recreational vehicles and trailers parked in a residential area under this Section shall not be classified as abandoned under § 40.00 of the Code must maintain required vehicle registration and tags.~~
- ~~(H)(H) _____ No recreational vehicle shall be used for living, sleeping, or housekeeping or storage purposes except within an approved recreational vehicle park.~~

~~(H)(I)~~ Repair of recreational vehicles parked in a residential area under this Section shall be limited to minor maintenance, and in no case shall repair be conducted as a business, for profit or in a manner which renders a vehicle inoperative.

~~(K)(L)~~ Recreational vehicle storage areas incorporated into a residential project design shall be ~~concealed~~ screened by 6 foot tall opaque ~~screening consisting of a fence or hedge no less than 6 feet in height.~~

~~(H)(K)~~ Recreational vehicles shall include but not be limited to any motorized home, travel trailer, small cargo trailer, boat, boat trailer, house boat, horse van, slide-in or pop-up camper, collapsible trailer and similar vehicles.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-15-93)

~~§ 43.00 USE OF RECREATIONAL VEHICLES OR VEHICLE TRAILERS FOR STORAGE.~~

~~(A) No recreational vehicle or vehicle trailer shall be used for the storage of goods, products or merchandise.~~

~~(B) All structures used for storage shall comply with the requirements of the City's building codes.~~

~~(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-15-93)~~

§ 43.00 RESIDENTIAL BUILDING ORIENTATION

The following standards apply to single-family attached and multifamily residential development projects in all districts:

(A) The primary entryway(s) shall be oriented towards the adjacent street to create a direct connection between the building and the public sidewalk.

(B) Parking lots are not permitted between the front building façade and the adjacent roadway. The following applies:

(1) For corner lots, this provision applies to both street frontages.

(2) For double frontage/through lots, this provision shall only apply to the portion of the lot that is intended to be the front yard.

(3) Front facing/recessed garages

(4) Multifamily setbacks/Attached

(5) This provision does not apply to alleyways.

(6) This provision does not apply to individual driveways accessed from public/private streets or an internal access drive.

(C) These provisions are not applicable to buildings and other structures set back from the street and located internal to the site where a separate building located along the primary street meets these standards.

§ 44.00 LODGING FACILITIES (BED AND BREAKFAST).

The following ~~§§~~ supplementary regulations for lodging facilities (bed and breakfast) apply:

-
- (A) The use shall only be allowed in residential structures that are listed on the Florida Master Site File, the National Register of Historic Places, or a contributing structure located in a National Register or local historic district.
 - (B) The renovation or restoration shall preserve the historical context of the original structure and shall contribute significantly to the character and economic revitalization of the neighborhood.
 - (C) The individual rooms that are rented shall not contain cooking facilities.

(Ord. 90-10, passed 5-1-90; Am. Ord. 93-33, passed 10-19-93)

(\$§ 45.00 through 50.00 reserved)