

# City of Pinellas Park

## Staff Report

File #: 19-016, Version: 1

Agenda Date: 3/14/2019

**ORDINANCE NO. 4079. AN ORDINANCE OF THE PINELLAS PARK CITY COUNCIL, AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING ARTICLE 15, ZONING, SECTION 18-1501.5 - ESTABLISHMENT OF OFFICIAL ZONING MAP; SECTION 18-1501.25 - CONFLICTING REGULATIONS; SECTION 18-1501.28 - MEASUREMENT OF FRACTIONS; SECTION 18-1501.33 - PARTIAL WAIVER OF LAND DEVELOPMENT FEES FOR EXPANSION AND RELOCATION; SECTION 18-1502.2 - DEFINITIONS; SECTION 18-1503.3 - CONFORMITY WITH APPROVED PLANS REQUIRED; SECTION 18-1503.5 - DIVISION OF LOTS/UNITY OF TITLE DOCUMENTS; SECTION 18-1503.6 - USES TO BE CONDUCTED WITHIN ENCLOSED BUILDINGS; SECTION 18-1503.8 - MEASUREMENTS OF YARD SETBACKS ON LOTS ADJACENT TO RIGHTS-OF-WAY OF INSUFFICIENT WIDTH; SECTION 18-1503.9 - PERMITTED OBSTRUCTIONS IN REQUIRED SETBACKS; SECTION 18-1504.3(G)4 - SPECIAL YARD SETBACKS TO APPLY IN ALL ZONING DISTRICTS FOR ADDITIONS TO BUILDINGS IN EXISTENCE AS OF AUGUST 14, 1997; SECTION 18-1503.13 - EXCLUSION FROM HEIGHT LIMITS; SECTION 18-1503.18 - DEVELOPMENT AGREEMENTS; SECTION 18-1504.1 - STATEMENT OF INTENT; SECTION 18-1504. - NONCONFORMITIES; SECTION 18-1504.2 - NONCONFORMING USES; SECTION 18-1504.3 - NONCONFORMING BUILDINGS; SECTION 18-1504.4. - NONCONFORMING LOTS; SECTION 18-1505 - DISTRICT REGULATIONS; SECTION 18-1505.2 - ESTABLISHMENT OF ZONING DISTRICTS; SECTION 18-1505.3 - INTERPRETATION OF USES ALLOWED IN ZONING DISTRICTS; SECTION 18-1506 - "F" FARM DISTRICT; SECTION 18-1506.1. - STATEMENT OF INTENT; SECTION 18-1506.2 - DENSITY REGULATIONS; SECTION 18-1506.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1506.4. - DIMENSIONAL AND AREA REGULATIONS; SECTION 18-1507. - "RE" SINGLE-FAMILY RESIDENTIAL ESTATE DISTRICT; SECTION 18-1507.1. - STATEMENT OF INTENT; SECTION 18-1507.2 - DENSITY REGULATIONS; SECTION 18-1507.3. - PERMITTED AND CONDITIONAL USES; SECTION 18-1508. - "RR" RURAL RESIDENTIAL DISTRICT; SECTION 18-1508.1. - STATEMENT OF INTENT; SECTION 18-1508.2 - DENSITY REGULATIONS; SECTION 18-1508.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1509 - "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT; SECTION 18-1509.1 - STATEMENT OF INTENT; SECTION 18-1509.2 - DENSITY REGULATIONS; SECTION 18-1509.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1510 - "R-2" SINGLE-FAMILY RESIDENTIAL DISTRICT; SECTION 18-1510.1 - STATEMENT OF INTENT; SECTION 18-1510.2 - DENSITY REGULATIONS; SECTION 18-1510.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1511 - "R-3" SINGLE-FAMILY RESIDENTIAL DISTRICT; SECTION 18-1511.1 - STATEMENT OF INTENT; SECTION 18-1511.2 - DENSITY REGULATIONS; SECTION 18-1511.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1512 - "R-4" DUPLEX RESIDENTIAL DISTRICT; SECTION 18-1512.1 - STATEMENT OF INTENT; SECTION 18-1512.2 - DENSITY REGULATIONS; SECTION 18-1512.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1513 - "R-5" MULTI-FAMILY RESIDENTIAL DISTRICT; SECTION 18-1513.1 - STATEMENT OF**

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**SECOND READING AND SECOND PUBLIC HEARING (QUASI-JUDICIAL)**

**(Speaker - Ben Ziskal, Planning and Development Services Director)**

NOTE: In conjunction with the Comprehensive Plan update these amendments will provide consistency in the City's Land Development Code and Zoning Map, including density and intensity standards, future land use designations, zoning districts, uses and restrictive thresholds. These updates to the Land Development Code, identify and correct any scrivener's errors and omissions in existing regulations and update the lists of permitted and conditional uses. This will also provide consistency with the Fair Housing Act and the Americans with Disabilities Act, update on-site parking requirements, recommend to move uses from conditional to permitted when in the proper district, identify and correct inconsistencies with County Ordinances, State Statutes and Federal Regulations, and make recommendations on minimum lot sizes in multi-family, commercial and industrial districts to be consistent with market realities.

*P1 on 2/28/19 Council agenda.*

**ACTION:** (Pass - Deny) Ordinance No. 4079. Second reading and second public hearing (quasi-judicial).

AN ORDINANCE OF THE PINELLAS PARK CITY COUNCIL, AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING ARTICLE 15, ZONING, SECTION 18-1501.5 - ESTABLISHMENT OF OFFICIAL ZONING MAP; SECTION 18-1501.25 - CONFLICTING REGULATIONS; SECTION 18-1501.28 - MEASUREMENT OF FRACTIONS; SECTION 18-1501.33 - PARTIAL WAIVER OF LAND DEVELOPMENT FEES FOR EXPANSION AND RELOCATION; SECTION 18-1502.2 - DEFINITIONS; SECTION 18-1503.3 - CONFORMITY WITH APPROVED PLANS REQUIRED; SECTION 18-1503.5 - DIVISION OF LOTS/UNITY OF TITLE DOCUMENTS; SECTION 18-1503.6 - USES TO BE CONDUCTED WITHIN ENCLOSED BUILDINGS; SECTION 18-1503.8 - MEASUREMENTS OF YARD SETBACKS ON LOTS ADJACENT TO RIGHTS-OF-WAY OF INSUFFICIENT WIDTH; SECTION 18-1503.9 - PERMITTED OBSTRUCTIONS IN REQUIRED SETBACKS; SECTION 18-1504.3(G)4 - SPECIAL YARD SETBACKS TO APPLY IN ALL ZONING DISTRICTS FOR ADDITIONS TO BUILDINGS IN EXISTENCE AS OF AUGUST 14, 1997; SECTION 18-1503.13 - EXCLUSION FROM HEIGHT LIMITS; SECTION 18-1503.18 - DEVELOPMENT AGREEMENTS; SECTION 18-1504.1 - STATEMENT OF INTENT; SECTION 18-1504. - NONCONFORMITIES; SECTION 18-1504.2 - NONCONFORMING USES; SECTION 18-1504.3 - NONCONFORMING BUILDINGS; SECTION 18-1504.4. - NONCONFORMING LOTS; SECTION 18-1505 - DISTRICT REGULATIONS; SECTION 18-1505.2 - ESTABLISHMENT OF ZONING DISTRICTS; SECTION 18-1505.3 - INTERPRETATION OF USES ALLOWED IN ZONING DISTRICTS; SECTION 18-1506 - "F" FARM DISTRICT; SECTION 18-1506.1. - STATEMENT OF INTENT; SECTION 18-1506.2 - DENSITY REGULATIONS; SECTION 18-1506.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1506.4. - DIMENSIONAL AND AREA REGULATIONS; SECTION 18-1507. - "RE" SINGLE-FAMILY RESIDENTIAL ESTATE DISTRICT; SECTION 18-1507.1. - STATEMENT OF INTENT; SECTION 18-1507.2 - DENSITY REGULATIONS; SECTION 18-1507.3. - PERMITTED AND CONDITIONAL USES; SECTION 18-1508. - "RR" RURAL RESIDENTIAL DISTRICT; SECTION 18-1508.1. - STATEMENT OF INTENT; SECTION 18-1508.2 - DENSITY REGULATIONS; SECTION 18-1508.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1509 - "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT; SECTION 18-1509.1 - STATEMENT OF INTENT; SECTION 18-1509.2 - DENSITY REGULATIONS; SECTION 18-1509.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1510 - "R-2" SINGLE-FAMILY RESIDENTIAL DISTRICT; SECTION 18-1510.1 - STATEMENT OF INTENT; SECTION 18-1510.2 - DENSITY REGULATIONS; SECTION 18-1510.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1511 - "R-3" SINGLE-FAMILY RESIDENTIAL DISTRICT; SECTION 18-1511.1 - STATEMENT OF INTENT; SECTION 18-1511.2 - DENSITY REGULATIONS; SECTION 18-1511.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1512 - "R-4" DUPLEX RESIDENTIAL DISTRICT; SECTION 18-1512.1 - STATEMENT OF INTENT; SECTION 18-1512.2 - DENSITY REGULATIONS; SECTION 18-1512.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1513 - "R-5" MULTI-FAMILY RESIDENTIAL DISTRICT; SECTION 18-1513.1 - STATEMENT OF

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WHEREAS, clarification of definitions, simplification of zoning district permitted use authorizations, expansion of

Ordinance No. \_\_\_\_\_

administrative exceptions, clarification of accessory use provisions, clarification of conditional use approval procedures, and elimination of scrivener's errors will simplify the use and administration of the land development codes' zoning provisions; and

**WHEREAS,** the gradual replacement of mobile homes with manufacture homes that meet HUD building code standards will enhance the safety of residents and improve the city's resiliency; and

**WHEREAS,** authorizing townhomes in appropriate zoning districts will increase housing choices for the city's residents; and

**WHEREAS,** increasing floor area ratios to be consistent with those allowed in the countywide plan will promote private investment in the development and redevelopment of underdeveloped properties in the city; and

**WHEREAS,** reduction of certain parking requirements will reduce unnecessary pavement requirements and the resulting stormwater runoff, while allowing for more efficient development of non-residential property in the city.



NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, AS FOLLOWS:

**SECTION ONE:** Article 15 of the City's Land Development Code is hereby amended as shown in Attachment A of this ordinance.

**SECTION TWO:** It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Land Development Code of the City of Pinellas Park, Florida, and the publisher of the Code may renumber, reclassify or otherwise insert this Ordinance in an appropriate place to accomplish such intention.

**SECTION THREE:** All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION FOUR:** If a Court of competent jurisdiction at any time finds any provision of this Ordinance to be unlawful, illegal, or unenforceable, the offending provision shall be deemed severable and removed from the remaining provisions of this Ordinance which shall remain in full force and intact.

**SECTION FIVE:** That this Ordinance shall be in full force and effect immediately upon its passage in the manner provided by law.

PUBLISHED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

FIRST READING THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

1<sup>ST</sup> PUBLIC HEARING THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

Ordinance No. \_\_\_\_\_

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

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Sandra L. Bradbury MAYOR

ATTEST:

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Diane M. Corna, MMC CITY CLERK

Ordinance No. \_\_\_\_\_

# ***Attachment A: Article 15 Revisions***

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**New text is show in underlined red text; existing text to be deleted is shown in red strikethrough text for each of the following sections:**

***1. Section 18-1501.5 is hereby amended as follows:***

**SECTION 18-1501. - ADMINISTRATIVE AND LEGAL PROVISIONS**

**Sec. 18-1501.5. - ESTABLISHMENT OF OFFICIAL ZONING MAP.**

The boundaries and identification of the zoning districts established by this Article are shown on the Official Zoning Map of Pinellas Park as filed in the office of the City Clerk. Such Map is hereby declared to be a part of this Article as fully as if set out herein. ~~Lands previously zoned MXD, MXD1 or MXD2 transition to the MXD District as provided herein.~~

**2. Section 18-1501.25 is hereby amended as follows:**

**Sec. 18-1501.25. - CONFLICTING REGULATIONS.**

- (A) When any provision of this Article imposes more stringent or less stringent requirements, regulations, restrictions, or limitations than are imposed or required by the provisions of any other Ordinance or law, the provisions which are more restrictive, least permissive or which impose higher standards or requirements, shall govern.
- (B) When any provision of the Land Development Code imposes more stringent requirements, regulations, restrictions, or limitations than are imposed or required by the provisions of this Article, the more recently adopted provision shall govern, pursuant to the conflict and repealer clause of the Ordinance adopting the more recent provision. When conflicting provisions are adopted concurrently, the provision which is more restrictive or which imposes higher standards or requirements, shall govern.
- (C) When the numeric and spelled-out expressions of a given standard contained within this Article are not in agreement, the stricter and least permissive of the two (2) shall prevail. For example, if a minimum yard requirement is expressed as "twenty-five (~~25~~20) feet", the text "twenty-five" shall prevail, and if a maximum height requirement is expressed as "twenty-~~five~~ (20) feet", the numeric expression "(20)" prevails.

**3. Section 18-1501.28 is hereby amended as follows:**

**Sec. 18-1501.28. - MEASUREMENT OF FRACTIONS.**

When calculating units of measurement required by this Article, any fractional unit of measurement, up to but not including one-half ( $\frac{1}{2}$  or 0.5), shall be disregarded, and fractions of one-half ( $\frac{1}{2}$  or 0.5) or more shall be calculated and regarded as the next highest whole number, unless otherwise provided for specific types of calculations in other sections of this Article. Such rounding off shall not apply to dwelling unit, ~~and~~ density, and floor area ratio (FAR) calculations.

**4. Section 18-1501.33 is hereby amended as follows:**

**Sec. 18-1501.33. - PARTIAL WAIVER OF LAND DEVELOPMENT FEES FOR EXPANSION AND RELOCATION.**

- A. The City Council shall be authorized, by Resolution duly enacted, to provide a partial waiver of City of Pinellas Park Land Development Fees of up to fifty (50) percent of the total Land Development Fees, based upon the following criteria:
  - 1. The business has been an established business with its main, or a principal location being physically situated within the City of Pinellas Park, continuously for two (2) calendar years, holding all proper licenses and permits during each of such years.
  - 2. At the time of application and during each of the preceding two (2) calendar years, the business has had a minimum of at least three (3) full-time employees on the payroll at the same time.
  - 3. The business intends to relocate to a new location within the City of Pinellas Park, or substantially enlarge its existing location, which new or substantially enlarged location the business can demonstrate is reasonably expected to either:
    - (a) Double the square footage of the existing structure used by the business; or
    - (b) Double the number of full-time employees of the business, within a period of two (2) years from the expansion or relocation, as demonstrated by a written, viable business plan submitted by the business, and the business has demonstrated a desire and made a commitment to attempt to hire new employees that live in the City of Pinellas Park, whenever possible.
- B. All applications for waiver shall be submitted on a form and with supporting documentation as may be required by the City, and submitted to the Community Development Department, where such

application shall be reviewed and which department shall make a recommendation to the City Manager. Upon a determination by the City Manager that the applicant meets the criteria of this section, and that the application is complete, the City Manager, ~~or designee~~, shall schedule an appropriate resolution for consideration by the City Council.

- C. Any resolution adopted by the City Council providing for a waiver pursuant to this section shall set forth with specificity the total dollar amount of the waiver, which can be up to a maximum of, but not to exceed, fifty (50) percent of the City of Pinellas Park Land Development Fees required of the applicant, and such Resolution shall set forth that any waiver shall only be effective as to any developmental permits and fees obtained and paid within twenty-four (24) months of the date of enactment of the resolution by City Council.

**5. Section 18-1502.2 is hereby amended as follows:**

**SECTION 18-1502. - DEFINITIONS**

**Sec. 18-1502.2. - DEFINITIONS.**

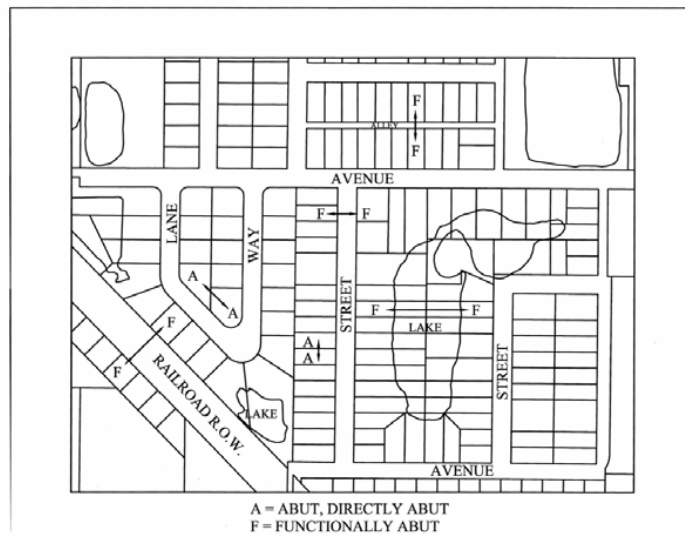
For purposes of this Article, the definitions contained in this Section shall be observed and applied as listed immediately below.

(A) Words or terms beginning with the letters "A" through "E":

**ABUT.** To physically touch or border upon; or to share a common property line; includes contiguous and adjacent.

**ABUT, FUNCTIONALLY.** Having portions of lot lines in common or separated only by a right-of-way, street, alley, or water body and located within two hundred (200) feet of each other.

**FIGURE 18-1502-1. ABUTTING AND FUNCTIONALLY ABUTTING LOTS**



**ACCESS.** The legal, safe, and adequate physical means of ingress and egress to and from a public or private street right-of-way for motor vehicles and/or pedestrians, as the context dictates.

**ACCESS DRIVE.** A paved area designed and intended to transport motor vehicles from a street right-of-way or alley to and from a lot.

**ACCESS AISLE.** The primary means of off-street vehicle circulation used by motor vehicles to access off-street parking and loading spaces, and connecting such spaces and other vehicular use areas, with other access aisles and access drives.

ACCESSORY USE, BUILDING. A use, building, or part thereof, which is customarily incidental and clearly subordinate—both in function, dimensions, and area—to the principal use or building on the same lot. This shall not apply to accessory structures in the "F" Farm District or "RE" Residential Estate District where barns are typically larger than the house.

ACRE. Forty-three thousand five hundred and sixty (43,560) square feet of land or water area.

ACRE, GROSS. One (1) acre of land including any internal right-of-way and including a proportionate share of any abutting public right-of-way.

ACRE, NET. One (1) acre of privately-owned land exclusive of any: public or private right-of-way or submerged land.

ACTIVITY CENTER. A Countywide Plan Map category under the Special Designations major classification which includes those areas of the county that are now developed or appropriate to be developed for the purpose of encouraging concentrations of employment, housing, cultural, or business development consistent with the Countywide Plan and the special area plan approved therefore. This category will be identified on the Countywide Plan Map as an overlay superimposed over the otherwise applicable category as Activity Center.

ACTIVITY CENTER, REGIONAL. A designation or overlay district providing for more intense uses of land situate to major transportation corridors that is achieved through application to the Tampa Bay Regional Planning Council consistent with the adopted Strategic Regional Policy Plan.

ADULT DAY CARE: A type of day care providing services to adults.

1. Type I. An occupied dwelling unit in which the resident caregiver receives no more than four (4) adults who are not capable of caring for themselves, away from their own homes, who are not related to such caregiver(s) by blood, marriage, or adoption, for the purpose of providing family care and training for such adults from two (2) to twelve (12) hours per day per enrolled adult. Centers for adult day care shall be licensed by the Florida Agency for Health Care Administration pursuant to F.S. pt. II, ch. 429, under which such centers are defined as Adult Day Care Homes. This term shall also be known as an Adult Day Care Home, as defined in F.S. pt. II, ch. 429, as may be amended from time to time.
2. Type II. An establishment located on the same premises as an educational institution or a church, temple, or similar religious institution, which, with or without compensation, cares for five (5) or more adults not capable of caring for themselves not related to the operator by blood, marriage, or adoption, for from two (2) to twelve (12) hours per day. This term shall not be construed to include any center under the jurisdiction of the State Board of Education or to include any nonpublic educational institution. Such centers for adults shall be licensed by the Florida Agency of Health Care Administration under F.S. pt. III, ch. 429, as may be amended from time to time, as Adult Day Care Centers.
3. Type III. An establishment located within a commercial, industrial, or mixed use zoning district and operating as a freestanding commercial establishment, which, with or without compensation, cares for five (5) or more adults not capable of caring for themselves, not related to the operator by blood, marriage, or adoption, away from the individual's own home for from two (2) to twelve (12) hours per day per enrolled adult. This term shall not be construed to include any center under the jurisdiction of the State Board of Education or to include any non-public educational institution except in regard to disabled adults. Such centers for adults shall be licensed by the Florida Agency of Health Care Administration under F.S. pt. III, ch. 429, as may be amended from time to time, as Adult Day Care Centers.

ADULT ENTERTAINMENT ESTABLISHMENTS. The following shall constitute adult entertainment establishments:

1. LIVE ADULT ENTERTAINMENT ESTABLISHMENT. Any premises on which is offered to members of the public, or any person, entertainment distinguished or characterized by an emphasis on specified anatomical areas, or specified sexual conduct, of live human male or

female performers. Such entertainment shall be designed for commercial purposes, whereby specified anatomical areas or specified sexual conduct shall be exhibited for a consideration, and such entertainment shall not include performances whose sexual aspect is presented only as an element of an expression of social or political ideas.

(a) Specified Anatomical Areas, defined.

Less than completely and opaquely covered:

- (1) Human genitals or pubic region;
- (2) Buttock;
- (3) Female breast below a point immediately above the top of the areola.
- (4) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(b) Specified Sexual Conduct, defined.

- (1) Human genitals in a state of sexual stimulation or arousal.
- (2) Acts of human masturbation, sexual intercourse or sodomy, whether actual or simulated.

2. **ADULT BOOKSTORES.** An establishment having a substantial or significant portion of its stock in trade, books, magazines, films, newspapers, photographs, paintings, drawings, or other publications or graphic media, which are distinguished or characterized by their emphasis on matters depicting, describing, or relating to specified anatomical areas or specified sexual conduct or an establishment with a segment or section devoted to the sale or display of such material.
3. **ADULT THEATRES.** Any premises used primarily for presenting films, slides or other materials distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual conduct, or specified anatomical areas or for observation by patrons of the theater.

**AFFORDABLE HOUSING.** As defined by the U.S. Department of Housing and Urban Development: In general, housing for which the occupant(s) is/are paying no more than thirty (30) percent of his or her income for gross housing costs, including utilities. The various housing assistance programs of Federal, State agencies or private sector housing finance institutions may employ variations of this general, rule of thumb definition for the administration of their housing programs. (Note: "affordable housing" is an expression of the financial ability of a person or family to pay for rental or ownership housing and generally includes debt service (interest), insurance and utility costs.)

**AGRICULTURAL USE.** Cultivation of ground, the harvesting of crops, and the rearing and management of farm or livestock animals, excluding swine; also including tillage, husbandry, farming, horticultural establishments, fish hatcheries, aviaries, and soil storage, but not including excavation or mining. Also includes those uses which are normally accessory to the conduct of an agricultural activity. Crop production, including plant nurseries; raising livestock (excluding swine), including horse stables and equestrian uses, dog kennels and animal boarding; veterinary clinics; and associated uses as permitted.

**AIRPORT (AIRCRAFT LANDING FIELD).** Any public or privately owned or operated ground facility designed to accommodate landing and take-off operations of aircraft. This term shall include heliports.

**ALCOHOLIC BEVERAGES.** Distilled spirits and all beverages greater than one-half (½) of one (1) percent alcohol by volume.

**ALLEY.** An improved or unimproved public or private right-of-way generally not exceeding twenty (20) feet in width, reserved or functioning as a secondary means of vehicular access to one (1) or more properties, usually via the rear yard, and not intended for general traffic circulation. An alley is not considered a street.

**ALTERATION.** Any physical change to a building or land including, but not limited to access, size, floor area, height, elevation and grade, projections, rearrangement or moving of parts. When used in reference to a site plan or permit application, the term shall mean any revision that proposes such a physical change to a building or land. When used in any other context, the term shall have its common meaning.

**ANCILLARY NONRESIDENTIAL USE.** Off-street parking, drainage retention areas and open space buffer areas for adjacent, contiguous, nonresidential uses.

**ANIMALS, DOMESTIC.** Household animals that are customarily kept for personal use or enjoyment, which are not exhibited to the public, nor raised for commercial purposes, and do not require separate living quarters (ex: a barn, paddock or other enclosure or outdoor accommodation). Domestic animals shall include domestic dogs, domestic cats, white mice, hamsters, birds, and similar animals, raised for the personal enjoyment of the household where kept.

**ANIMALS, FARM OR LIVESTOCK.** Animals commonly associated with farm use, or raised for commercial profit, including, but not limited to, hooved mammals such as cattle, sheep, goats, horses, and similar animals (except swine); and fowl/birds, including but not limited to, chickens, ducks, turkey, geese or exotic birds. Large scale chicken operations intended to serve more than a local market are not permitted.

**ANTENNA.** The arrangement of wires or metal rods used in the sending and receiving of electromagnetic waves. For the purposes of this Article antennas shall be deemed to be structures.

**ANTENNA, DISH.** A spherical or parabolic antenna designed to receive or transmit signals to and from satellites, or to receive or transmit fixed wireless signals other than via satellite. A fixed wireless signal is any commercial non-broadcast communication signal transmitted via wireless technology to and/or from a fixed customer location, such as to provide fixed-location telephone service or high-speed internet.

**ANTENNA HEIGHT.** The overall vertical length of the antenna and support structure above grade, or if such system is located on a building, then the overall vertical length includes the height of the building upon which the structure is mounted.

**ANTENNA, MICROWAVE.** An antenna capable of receiving and or transmitting microwave signals. Does not apply to satellite dishes. (For purposes of this Article, microwave antennas shall be deemed to be a structure).

**ANTENNA SUPPORT STRUCTURE.** Any structure, mast, pole, tripod, or tower utilized for the purpose of supporting an antenna or antennas for the purpose of transmission or reception of electromagnetic waves including but not limited to federally licensed amateur radio or citizens band radio operators.

**ANTENNA, WIRELESS COMMUNICATION.** An antenna designed for cellular and personal communication services.

**ARCHITECT.** A person who is lawfully registered and licensed to practice architecture within and by the State of Florida.

**ARCHITECT, LANDSCAPE.** A person who is lawfully registered and licensed to practice landscape architecture within and by the State of Florida.

**AREA.** (See Acre, Gross or Acre, Net)

**ART GALLERY.** An establishment specializing in and which its primary purpose is the display of art works for public viewing or sale. Accessory and incidental to the principal use of display or sale may be art studios, classrooms for art instruction or education, art restoration or storage, sale of art books, films, and supplies or other activities commonly associated with art galleries.

**ART STUDIO.** A room or rooms within a structure dedicated to the production of creative arts for exhibition or sale to the general public. Art studios may include art gallery, art restoration, or retail sale of artist supplies and paraphernalia. Art studios may be permitted in combination with live/work units.

AT-GRADE FACILITY. A Communications Facility (as defined in Section 14-203(10), Code of Ordinances) the structure of which is affixed to the ground at-grade with a portion of the structure extending vertically above grade. At-Grade Facilities may also, but not necessarily, extend vertically below grade. Utility Poles and ground-mounted equipment installed as part of a Small Cell Wireless Facility shall not be considered At-Grade Facilities.

AUTOMOBILE. Any self-propelled vehicle specifically designed for passenger transportation primarily used as a conveyance on a street or roadway, and having a gross vehicle weight of no more than eight thousand (8,000) pounds, as well as "Trucks, Light" as defined in this Section. For the purposes of administering this Land Development Code, motorcycles shall also be considered automobiles.

AUTOMOBILE DEALER -NEW CARS. The use of land and/or buildings primarily for the display and retail sale and/or long-term leasing of new automobiles. Long-term leasing shall mean the leasing of new vehicles for time periods of at least one (1) year. Includes minor and major automotive repair facilities for automobiles as an accessory use.

AUTOMOBILE DEALER-USED CARS. The use of land and/or buildings primarily for the display and retail sale of used and pre-owned automobiles. This term includes automotive repair facility (minor) as an accessory use.

AUTOMOBILE RENTAL. The use of land and/or buildings for the rental and/or short-term leasing and customer pickup and return of automobiles, light trucks, and utility trailers. Short-term leasing shall mean the leasing of vehicles for time periods less than one (1) year. This term includes automotive repair facility (minor) as an accessory use but does not include Automobile Dealer, new or used cars.

AUTOMOTIVE REPAIR (MAJOR). Repair of automotive vehicles or parts thereof, or body work, frame work, rebuilding, or reconditioning, including the removal of the head, crankcase or entire engine, painting, steam cleaning, transmission rebuilding and repair, welding, or other characteristics to an extent greater than "Automotive Repair" (Minor).

AUTOMOTIVE REPAIR (MINOR). The retail dispensing and installation of gasoline, oil, grease, coolants, and automotive accessory items such as, but not limited to, fan belts, batteries and tires, and automotive repair services such as, but not limited to, the following, where some disassembly is permitted provided there is not manufacturing, remanufacturing, or machine work performed:

- (A) Installation of automobile accessories;
- (B) Tire servicing and repair, but no recapping and regrooving;
- (C) Replacement of mufflers and tail pipes, batteries, water hoses, fan belts,
- ~~(D) Brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and blades, grease retainers, wheel bearing, mirrors, and the like;~~
- (D) Changing or flushing of oil, transmission, brake or cooling fluids;
- (E) Radiator cleaning, and flushing;
- (F) Washing, polishing, and sale of washing and polishing materials;
- (G) Greasing and lubrication;
- (H) Providing and repairing fuel pumps, water pumps, and lines;
- (I) Servicing, repair, and re-building of carburetors;
- (J) Adjusting and repairing brakes (including the turning of brake drums and rotors);
- (K) Motor adjustments not involving removal of the head or crankcase or racing the motor;
- (L) Warranty maintenance and safety inspections; and/or
- (M) Repair and installation of automotive upholstery.

Uses permitted as "Automotive Repair" (Minor) do not include major mechanical and body work, straightening of body parts, painting, welding, or other work involving glare, fumes, smoke, or odors.

BALCONY. An elevated platform that projects from the wall of a building and has a railing or similar protective feature along the projecting portion of its perimeter.

BARRIER. A functionally opaque, continuous screen consisting of plant materials, and/or fences or walls.

BAY WINDOW. A window projecting outwards from a wall of a building and maintaining a minimum of one and one-half (1½) feet between the bottom of the projection and the finished floor elevation.

BED AND BREAKFAST. A house, or portion thereof, which may provide short term lodging and meals to transient guests. It is not intended that these be apartment units, rooming or boardinghouses, or other mid to long term rental units. Short term lodging shall mean lodging for fewer than thirty (30) consecutive days in accordance with state law. These facilities shall be licensed as required by the State of Florida.

BELOW-GRADE FACILITY. A Below-Grade Facility means a Communications Facility, including manholes or access points that are entirely contained below-grade within the Public Rights-of-way. A Below -Grade Facility is a type of Wireline Facility.

BERM. A linear or curvilinear mound of soil used for screening or stormwater retention purposes, which is planted with trees, shrubs, and/or ground cover to prevent erosion and/or enhance the effectiveness of the screening.

BLIGHTED STRUCTURE: A structure exhibiting objectively determinable signs of deterioration sufficient to constitute a threat to human health, safety, and public welfare.

BOARD OF ADJUSTMENT. An official board of the City of Pinellas Park, the functions and duties of which are described in Section 18-1537.

BOTTLE CLUB. A place of business where no alcoholic beverages are sold, but where patrons may keep or bring their own alcoholic beverages for consumption on-premises, whether or not nonalcoholic mixers are provided by the Bottle Club. For purposes of this Article, "Bottle Club" shall be deemed a "Tavern or Lounge."

BROWNFIELD: Abandoned, idled, and underused industrial and commercial facilities where expansion and redevelopment is burdened by real or potential environmental contamination.

BUFFER STRIP. A strip of land that is established and reserved for landscaping, which is intended to buffer and screen one area from another.

BUILDABLE AREA. The portion of a lot upon which structures may be placed in accordance with the regulations of this Article, and specifically excluding required yards notwithstanding allowable encroachments, any conservation or preservation areas, submerged lands, easements or rights-of-way, and land required to meet pervious area or open space requirements.

BUILDING. Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind or nature.

BUILDING CODE. The Florida Building Code, inclusive of any Pinellas County Amendments, as may be amended from time to time. Generally, a set of building construction requirements developed and administered by national and local bodies to ensure that buildings meet certain minimum standards for structural integrity, safety, design, and durability.

BUILDING, COMPLETELY ENCLOSED. A structure with a roof and having the entire area under the roof totally enclosed by opaque walls with wall openings customary to commercial/industrial buildings. It shall be the intent of this term to provide indoor locations for certain uses which may be noisy, odiferous, noxious, aesthetically displeasing, or which may have similarly undesirable effects on nearby properties. By requiring such indoor locations, these undesirable effects can be reduced, mitigated, and buffered to



such a degree so as to provide neighboring properties with reasonable protection from such potentially undesirable effects.

**BUILDING MATERIAL AND HOME IMPROVEMENT ESTABLISHMENT.** A supplier of various household goods, appliances, tools, hardware, landscape materials and supplies, and materials used in the construction and maintenance of buildings. This land use is differentiated from the use "Hardware Store" in that Hardware Stores are smaller and do not have a significant stock of building materials, appliances, and landscape materials.

**BUILDING OR STRUCTURE HEIGHT.** (See height, building or structure.)

**BUILDING OFFICIAL.** The Director of the Building Development Division or designee.

**BUILDING PERMIT.** An official permit issued by the Building Official, pursuant to the Florida Building Code, for the construction, repair, alteration, or addition of a structure, any portion thereof, and/or site improvements. This term shall include engineering permits pertaining to on-site improvements such as, but not limited to, clearing, paving, grading, and drainage activity that are outside the scope of the Florida Building Code.

**BULK STORAGE.** The storage of materials or substances in large quantities, for resale to distributors, wholesalers or retailers on a regional scale, including but not limited to, chemicals, petroleum products, grains, or other materials.

**BUS SHELTER.** A small, roofed structure, usually having three (3) walls, located near a street and designed primarily for the protection and convenience of bus passengers.

**BUS TERMINAL.** Any area or building where a principal use bus stops to load and unload passengers, cargo, or luggage on a regular basis, together with accessory uses such as, but not limited to, the sale of tickets, newsstand, and retail sale of food.

**BUSINESS SERVICES.** Provision of professional support services to other businesses (i.e., printing, reproduction, computer assistance, office machine repair, and similar operations).

**CARPORT.** A roofed accessory structure, open on one (1) or more sides, intended or used for the parking and storage of automobiles or other vehicles.

**CENTERLINE.** The line midway between rights-of-way lines, or the line surveyed, designated, and platted as the centerline of a right-of-way.

**CERTIFICATE OF APPROVAL.** An administrative authorization that a petition has fulfilled the requirements of the Land Development Code relative to appropriate project approval(s).

**CERTIFICATE OF OCCUPANCY.** A form signed by the Building Official certifying that the building or structure and related on-site improvements, if applicable, and the use of said building or structure complies with all applicable requirements of this Article, the Building Code, and all other applicable laws and regulations enforced by the City.

**CHILD CARE CENTER.** A type of Day Care Center that includes child day care centers as follows:

1. Type I. An occupied dwelling unit in which the resident caregiver receives no more than four (4) children under seventeen (17) years of age, ~~or adults who are not capable of caring for themselves,~~ away from their own homes, who are not related to such caregiver(s) by blood, marriage, or adoption, for the purpose of providing family care and training for such children ~~or adults~~ from two (2) to twelve (12) hours per day per enrolled child or adult. The ages of the children and the length of time of care shall be as regulated by the Pinellas County License Board for Children's Centers and Family Day Care Homes, which shall license such center for children. ~~Centers for adult day care shall be licensed by the Florida Agency for Health Care Administration pursuant to F.S. pt. II, ch. 429, under which such centers are defined as Adult Day Care Homes.~~ This term shall also be known as a family day care home, as defined in F.S. ch. 402, ~~or an Adult Day Care Home, as defined in F.S. pt. II, ch. 429, both~~ as may be amended from time to time.

2. Type II. An establishment, including any day nursery, nursery school, kindergarten, or other facility whatsoever as further defined in the Laws of Florida, Chapter 61-2681, as may be amended from time to time, located on the same premises as an educational institution or a church, temple, or similar religious institution, which, with or without compensation, cares for five (5) or more children seventeen (17) years of age or under, not related to the operator by blood, marriage, or adoption, away from the child's own home for from two (2) to twelve (12) hours per day per child. This term shall not be construed to include any center under the jurisdiction of the State Board of Education or to include any nonpublic educational institution except in regard to children below first grade level. Such centers shall be licensed by the Pinellas County License Board for Children's Centers and Family Day Care Homes, which shall determine the maximum number of children to be cared for at such center.
3. Type III. An establishment, including any day nursery, nursery school, kindergarten, or other facility whatsoever as further defined in the F.S. ch. 402, ~~or F.S. pt. II, ch. 429 both~~ as may be amended from time to time, located within a commercial, industrial, or mixed use zoning district and operating as a freestanding commercial establishment, which, with or without compensation, cares for five (5) or more children seventeen (17) years of age or under, ~~or five (5) or more adults not capable of caring for themselves~~, not related to the operator by blood, marriage, or adoption, away from the individual's own home for from two (2) to twelve (12) hours per day per enrolled child ~~or adult~~. This term shall not be construed to include any center under the jurisdiction of the State Board of Education or to include any non-public educational institution except in regard to children below first grade level ~~or disabled adults~~. Such centers for children shall be licensed by the Pinellas County License Board for Children's Centers and Family Day Care Homes, which shall determine the maximum number of children to be cared for at such shelter. ~~Such centers for adults shall be licensed by the Florida Agency of Health Care Administration under F.S. pt. III, ch. 429, as may be amended from time to time, as Adult Day Care Centers.~~

CITY. The City of Pinellas Park.

CITY ATTORNEY. The City Attorney of the City of Pinellas Park or designee.

CITY COUNCIL. The body of elected officials of the City of Pinellas Park as established by the City Charter.

CITY ENGINEER. The City Engineer of the City of Pinellas Park or designee.

CITY MANAGER. The Chief Administrative Officer of the City of Pinellas Park or designee.

CLINIC, MEDICAL. A facility wherein professional services concerning personal health of humans are administered by medical doctors, chiropractors, osteopaths, optometrists, dentists, physician assistants, nurse practitioners or other such medical professional which may lawfully practice in the state, provided that persons treated are not lodged therein overnight.

CLINIC, VETERINARY. A facility rendering medical and surgical treatment to domestic animals primarily on an outpatient basis but having overnight accommodations in an enclosed building for no more than ten (10) convalescing animals. ~~A Veterinary Clinic in the "F" Farm zoning district may render treatment to farm or livestock animals, as provided otherwise by this Article, including outdoor pens.~~

CLUBS AND LODGES. Buildings and other facilities owned or operated for a social, educational, or recreational purpose, including auxiliaries, but not primarily for profit or to render a service which is customarily conducted as a business.

CLUSTERING. A development pattern in which individual lots, uses, or buildings are grouped together rather than spread evenly throughout a development project area, and where the remaining portion of the development project area is maintained as common open space, thus converting a project's gross density into one (1) or more localized areas of potentially much higher net density. Clustering is intended to result in one (1) or more areas of contiguous common open space that is larger and more than identifiable than would result from traditional suburban development. This is typically achieved by reducing lot sizes and removing a portion of what would have been private open space (yards) from within individual lots and centralizing it, or by subdividing the entire development project area into

individual lots but restricting the location of buildings, improvements and uses within individual lots, and reserving the remainder of the lots for common usage or preservation by easement or restrictive covenant.

**COLLEGES, UNIVERSITIES, SEMINARIES, AND OTHER INSTITUTIONS OF HIGHER EDUCATION.** An educational institution offering advanced instruction in any academic field beyond the secondary level. Does not include trade schools or business colleges.

**COMMERCIAL USE.** An activity carried out for monetary gain.

**COMMERCIAL RECREATION USE.** A private or quasi-public recreation facility designed for participant or spectator sports for a charge, including, but not limited to, marina, miniature golf, bowling alleys, movie theaters, dog race track, horse race track, jai-alai fronton, stock car race track, or sports stadium.

**COMMUNICATION TOWER.** A tower structure, whether placed on foundations, on another structure, or otherwise which is designed for use for radio, television, microwave, cellular, personal communication services, radar or any other similar communication purpose, and shall include any accessory equipment or building therefore. Communication Tower includes ground-mounted communication towers, either monopole (free-standing), guyed (anchored with guy wires) or lattice (self-supporting towers with three (3) or more sides of open-framed supports), and includes, but is not limited to, utility poles as the term is defined in Section 14-203(24), Code of Ordinances. Communication Tower shall not include amateur radio towers or antennas if licensed by the Federal Communications Commission. Communication tower shall not include satellite antennas or antennas as allowed by Section 18-1530.7, "Dish-Type Antennas."

**COMMUNITY ASSOCIATION.** A property owners' association organized to own, operate, maintain, and/or repair common facilities or areas.

**COMMUNITY FACILITY.** A building or structure owned and/or operated by a governmental agency to provide a governmental service to the public.

**COMMUNITY REDEVELOPMENT AGENCY.** An official board of the City of Pinellas Park, having the powers and responsibilities as enumerated and described in F.S. pt. III, ch. 163.

**COMMUNITY RESIDENTIAL HOME.** See, "State of Florida Licensed Facilities" defined herein.

**COMPREHENSIVE PLAN.** The City of Pinellas Park Comprehensive Plan adopted by the City Council, pursuant to Chapter 163, Part II F.S. The plan establishes the goals, objectives, and policies for the future growth and development of the City.

**CONCEPT PLAN.** See, "Site Plan, Preliminary."

**CONDITIONAL USE.** A use which because of its characteristics is not appropriate generally or without restriction throughout a particular zoning district, but would be if controlled as to number, area, location, relation to the neighborhood, or other characteristics. See Section 18-1531, "Conditional Uses."

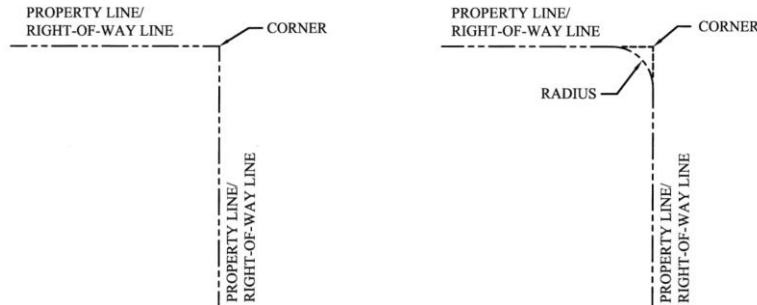
**CONDOMINIUM.** A form of ownership in which the separate owners of the individual units jointly own the development's common areas and facilities.

**CONSTRUCTION.** The placing of substantial construction materials in permanent position, fastened in a permanent manner; except that, where demolition, excavation, or removal of an existing structure has been substantially begun preparatory to new construction, such excavation, demolition, or removal shall be deemed to be construction, provided that work shall be continually carried on until the completion of the new construction involved.

**CONVENIENCE STORE.** A building used primarily for the retail sale of packaged and pre-prepared foods, beverages, beer, wine, tobacco products, household products, and sundry items. As distinguished from a supermarket and larger retailers, the convenience store carries limited lines and quantities of food and sundries intended to meet minimal and most basic daily and stop-gap needs of nearby or passing consumers, and generally does not carry fresh meats, vegetables, and other perishable items. In many, the sale of self-service gasoline is included.

CORNER. The intersection of two (2) property/right-of-way lines. Where a radius exists, the point of intersection of the extended property/right-of-way lines shall be used. The following graphics illustrate this definition:

**FIGURE 18-1502-2 CORNER LOTS**



DAY CARE CENTER. See-Includes Child Care Centers and Adult Day Care Centers as defined above.-

DECK. An unenclosed platform or slab with or without a roof.

DELICATESSENS. A retail sales establishment that sells cooked, baked, or prepared foods, ready for consumption on or off premises and such establishment has no more than six (6) seats at three (3) tables or less or six (6) seats at a bar (continuous surface functioning as a table.) This term shall include bakery shops or other specialty foods and carry-out type businesses.

DENSITY. A measure, within a given area, of the number of dwelling units per gross or net acre. For the purposes of determining development rights on a parcel of land, density shall be expressed per net acre.

DEVELOPMENT or DEVELOP. The carrying out of any building activity, the making of any material change in the use or appearance of any structure or land, or the dividing of land into two (2) or more lots.

1. The following activities or uses shall be taken for the purposes of this Article to involve "development" as defined in this Section:
  - (a) A reconstruction, alteration of the size, or material change in the external appearance of a structure or land.
  - (b) A change in the intensity of use of land, such as an increase or decrease in the number of dwelling units in a structure or on land or a material increase-change in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land.
  - (c) Alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any "coastal construction" as defined in F.S. § 161.021.
  - (d) Deposit of refuse, solid or liquid waste, or fill on a lot.
2. The following operations or uses shall not be taken for the purpose of this Article to involve "Development" as defined in this Section:
  - (a) Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of-way.
  - (b) Work by any utility and other persons engaged in the distribution or transmission of gas or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, power lines, communication lines, towers, poles, tracks, or the like.

- (c) Work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure.
  - (d) The use of any structure or land devoted to dwelling uses for any purpose customarily incidental to enjoyment of the dwelling.
  - (e) The use of any land for the purpose of growing plants, crops, trees, and other agricultural or forestry products; raising livestock; or for other agricultural purposes.
  - (f) A change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class.
  - (g) A change in the ownership or form of ownership of any land or building.
  - (h) The creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land.
3. "Development" as designated herein includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, "Development", refers to the act of developing or to the result of development. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities is not development. Reference to particular operations is not intended to limit the generality of Subsection (A) above.

**DEVELOPMENT ORDER.** Any order granting, denying, or granting with conditions an application for a development permit.

**DEVELOPMENT PERMIT.** Includes any building permit, site plan approval, conditional use, issuance of new or changed occupational licenses, or any other official action of local government having the effect of permitting the development of land. Tree removal permits and clearing and grubbing permits are not to be considered development permits.

**DISTRICT.** See "Zoning District."

**DOCK.** Any structure constructed on piling over open water or supported by flotation on the water used for fishing, boat dockage, sitting or similar noncommercial activities for the exclusive use of the resident of the contiguous upland property.

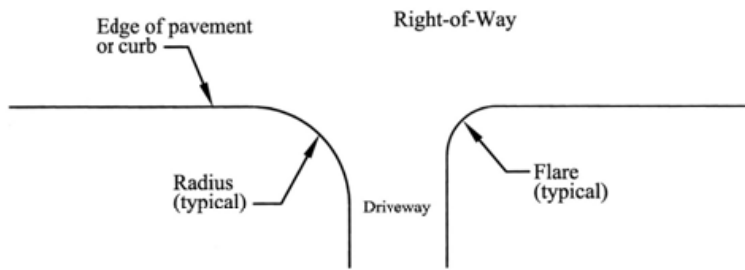
**DORMITORY.** A building used as group living quarters for a student body or religious order as an accessory use for a college, university, boarding school, orphanage, convent, monastery, or other similar institutional use. Fraternity and sorority houses shall be included within this term.

**DRIVE-IN/DRIVE-THRU BUSINESS: ALL TYPES NOT OTHERWISE LISTED.** An establishment which by design, physical facilities, service, or by parking procedures, encourages and permits customers to receive services or obtain goods while remaining in their motor vehicles. This term shall not include financial institutions, drive-thru; restaurants, drive-in/drive-thru; and, theatre, drive-in.

**DRIVEWAY.** A paved surface which provides vehicular access between a public or private street right-of-way or alley and off-street vehicular use areas. The following graphic illustrates a typical driveway. For the purposes of Article 5, Driveways, of this Land Development Code, the term driveway is limited to that area lying between a private property line and the edge of pavement within a private or public right-of-way.

**DRIVEWAY EXTENSION.** That part of a driveway that lies wholly within the bounds of private property. In single-family and duplex residential development, it is essentially the parking pad. In multi-family and commercial/industrial development, it is the vehicular access from the property line to the first intersecting parking stall or drive aisle providing access to parking stalls.

**FIGURE 18-1502-3 DRIVEWAY**



**DUMPSTERS.** Dumpsters shall mean containers for the central storage of garbage, trash or refuse, usually of two (2) to eight (8) cubic yards, but shall include open-top roll-off boxes and compactor roll-off boxes. For purposes of this Article, this term shall include the container(s) itself, the pad it rests upon, and its enclosure or screening.

**DWELLING.** A building or portion thereof containing one (1) or more dwelling units. The term does not include commercial, lodging, fraternal or institutional uses such as hotels, motels, rooming and boarding houses, dormitories, fraternity and sorority houses, and nursing homes, nor does it include recreational vehicles,.

**DWELLING, DUPLEX.** A dwelling, which is entirely surrounded by open space or yards on the same lot or abutting lots, containing only two (2) dwelling units, each of which is totally separated from the other, by a common solid wall or a solid common ceiling/floor.

**DWELLING, EFFICIENCY.** A dwelling unit consisting of not more than one (1) habitable room together with kitchen or kitchenette and sanitary facilities.

**DWELLING, MANUFACTURED HOME.** A structure fabricated on or after June 15, 1976, in an off-site manufacturing facility with each section bearing a seal certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standards Act. When permanently attached to a permanent foundation in compliance with the building Code, a manufactured home shall be considered a conventional dwelling.

**DWELLING, MOBILE HOME.** A structure fabricated prior to June 15, 1976, in an off-site manufacturing facility, transportable in one (1) or more sections, which structure is eight (8) body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. (F.S. § 320.01, as amended)

**DWELLING, MODULAR HOME:** A structure built from one or more sections that are assembled off-site, delivered to the development site, and are subject to state building code requirements. For purposes of this ordinance, modular homes or industrialized buildings are considered to be the same as site-built structures.

**DWELLING, MULTI-FAMILY.** A dwelling containing three (3) or more separate dwelling units upon one (1) lot.

**DWELLING, SINGLE-FAMILY ATTACHED.** A one-family dwelling attached by common vertical walls to another such dwelling in a group of at least three (3) where the dwelling units in such group are also located on abutting individual lots, such as townhouses.

**DWELLING, SINGLE-FAMILY DETACHED.** A principal building comprised of a single dwelling unit situated on its own lot and surrounded by open space or yards such that it is not attached to any other dwelling by any means. This term shall include manufactured home dwellings.

DWELLING UNIT. One (1) or more rooms used as independent living quarters for one (1) family only, containing sleeping, kitchen or kitchen facilities, and bathroom facilities, and functionally separated from any other dwelling units which may be in the same building or premises.

DWELLING UNIT, SECURITY GUARD OR CARETAKER. A dwelling unit provided on site for the owner, a security guard or caretaker to provide security when the business is closed. For the purpose of development, the gross square footage of the dwelling shall be counted in calculating floor area ratio and maximum lot coverage.

EASEMENT. A right given by the owner of land or property to another party for specific, limited use or restriction of that land or property, the title to which shall remain in the name of the property owner, subject to the right of use designated in the instrument by which the easement is conveyed.

EDUCATIONAL INSTITUTIONS. (ELEMENTARY, MIDDLE, AND SENIOR). A private or other nonprofit institution conducting regular academic instruction at kindergarten, elementary, middle, and/or secondary levels, operated by a nongovernmental organization.

EMPLOYMENT OFFICES, TEMPORARY LABOR. A business office or operation at which prospective employees gather for the purpose of seeking day labor or other short term temporary construction or industrial labor positions, or similar positions of employment, including daily work/daily pay positions.

EQUESTRIAN USE. Any commercial use involving horses, including the boarding, grooming, or training of horses not owned by the residents of the parcel, or the provision of riding lessons or other services involving the use of horses for compensation. The keeping of one or more horses for use by the parcel's residents is not considered an equestrian use except for purposes of Section 18-1530.23(A)1.(e) of this Article.

EXTENDED STAY HOTEL. (Also, all-suite hotel/aparthotel) A temporary lodging facility offering longer lengths of stay than temporary lodging facilities but generally less than one (1) year. Requires the same components as temporary lodging facilities such as lobby, central check-in desk etc.

(B) Words or terms beginning with the letters "F" through "K":

FABRICATION AND ASSEMBLY. The construction, typically from standardized parts, of a distinct object differing from the individual components.

FAMILY. One (1) or more persons occupying a single dwelling unit as a single housekeeping unit, provided that unless all members are related by law, blood, adoption, legal guardianship, or marriage, or are disabled as defined by federal law, no such family shall contain over four (4) persons, exclusive of domestic servants employed on the premises.

FENCE. A barrier constructed of component wood, metal, mesh, or plastic parts, which can, if necessary, be disassembled and moved. Fences utilizing masonry columns with the aforementioned components footings shall be considered "structural fences", which shall not be considered capable of disassembly.

FENCE OR WALL, SOLID. An opaque fence or wall constructed of masonry, wood, plastic vinyl, or similar material, but excluding chain link fences of any type, whether or not slatted.

FINANCIAL INSTITUTION. An establishment such as, but not limited to, banks and trust companies, savings and loan institutions, credit unions, investment companies, currency exchanges, brokers, and dealers of securities and commodities, or security and commodity exchanges. This term shall not include "Financial Institution, Drive-Thru."

FINANCIAL INSTITUTION, DRIVE-THRU. A "Financial Institution", as defined hereinabove, which provides drive-thru facilities of one (1) or more lanes that permit customers to receive services while remaining in their motor vehicles.

FLOOR AREA, GROSS. The sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of exterior walls, or from the centerline of a wall separating two (2) buildings, but not including interior parking spaces or loading spaces for automobiles.

**FLOOR AREA, LIVEABLE OR NET.** The sum of the net usable areas of the interior floors of a building measured from the interior faces of the exterior walls, excluding elevator shafts, stairwells at each floor, mechanical equipment space, attic space having headroom under seven (7) feet ten (10) inches, roofed or enclosed porches, open roof areas, parking areas, garages, enclosed loading areas, carports, open or screened porches, breezeways, and storage areas not directly accessible from within the subject building(s).

**FLOOR AREA RATIO.** A measurement of the intensity of building development on a site. A floor area ratio (FAR) is the relationship between the gross floor area on a site and the net land area. The FAR is calculated by adding the gross floor areas of all buildings on the site and dividing by the net land area. For the purposes of these regulations, the gross floor area of parking garages shall not be included in the calculation when it is accessory to a principal use on the same lot or parcel as the principal use.

**GARAGE, PRIVATE.** An accessory building or portion of a principal building used for the accessory parking and storage of automobiles by the occupants of the principal building.

**GARAGE, PARKING.** An accessory building or portion of a principal building of two (2) or more levels, used for the parking and storage of automobiles.

**GARAGE, PUBLIC PARKING.** A building of two (2) or more stories in height that has a primary use of providing parking for automobiles, excluding dead storage, to the general public.

**GRADE.** Unless otherwise specified, all use of the term "Grade" shall mean "Finished Grade."

**GRADE, EXISTING OR ORIGINAL.** The elevation of the ground surface prior to excavation, filling or grading.

**GRADE, FINISHED.** The final elevation of the ground surface after the completion of earthwork, including excavation, filling and grading. Relative to existing or proposed improvements upon the ground surface, the term refers to the finished grade upon which the improvement is, or will be, located, unless otherwise specified.

**GROSS LAND AREA.** Gross land area for the purpose of computing density/intensity shall be that total land area within the property boundaries of the subject parcel, and specifically exclusive of any submerged land or public road right-of-way.

**GROSS LEASABLE AREA (GLA).** The total gross floor area within buildings which is occupied exclusively by individual tenants and upon which the tenants pay rent.

**GUEST HOUSE.** An accessory building to a detached single-family dwelling that (a) occupies not more than one-twentieth (1/20) of the area of the lot on which it is situated; and, (b) is used exclusively for housing members of the family occupying the principal dwelling or their nonpaying guests; and, (c) complies with the property development regulations for the district in which it is located; and, (d) is not sold or rented separate from the single-family detached dwelling lot upon which situated.

**HAZARDOUS WASTE.** Shall have the same meaning as found in Title 40, Part 261 of the Code of Federal Regulations (CFR), as may be amended from time to time.

**HEIGHT, BUILDING, OR STRUCTURE.** The vertical distance of a building or structure measured from the lowest finished grade at the property line—excluding swales and ditches—to the highest point of the roof, and for non-roofed structures, to the highest point of the structure, unless otherwise provided for specific structure types or situations.

**HELIPORT.** Any public or privately owned or operated area, either at ground level or elevated on a structure, designed to accommodate the operation of helicopter(s).

**HISTORIC RESOURCES.** All areas, districts, or sites containing properties listed on the Florida Master Site File, the National Register of Historic Places, or designated by a local government as historically, architecturally, or archaeologically significant.

**HOME HEALTH CARE SERVICE AGENCIES.** A public or private organization operated for profit or not, which furnishes by special arrangement or on a visiting basis in a place of residence used as an



individual home, health, and medical services or supplies. Such agencies are considered to be commercial uses and are required to be licensed by the State of Florida as "Home Health Agencies."

HOME OCCUPATION. Any activity carried out for profit or gain by a resident conducted as an accessory use in the resident's dwelling unit or accessory structure.

HOMELESS SHELTER AND RESOURCE CENTER. A not for profit establishment that provides an array of services and support to homeless individuals and/or families including, but not limited to, temporary shelter/housing, feeding/nutrition, transportation, employment assistance, health screening, and/or referrals to other public or private resources that provide or arrange assistance to homeless persons. Any person or entity that organizes to offer any, some or all of the above listed services shall be deemed a homeless shelter and resource center, subject to all requirements of this section.

HOSPITAL. A facility licensed under F.S. ch. 395, as may be amended from time to time, as a hospital.

HOTELS AND MOTELS. A building or portion thereof, or a group of buildings, which provide(s) ten (10) or more individual rooms or suites of rooms, each having a private bathroom and accessible from a common hallway, for transient occupancy by the general public for compensation on a daily, overnight basis, together with on-premise automobile parking spaces, on-premise facilities for reservations, daily cleaning service, and on-site management at all times, whether such establishment is designated as a hotel, motel, motor inn, motor lodge, or otherwise. Hotels may include accessory uses such as a restaurant and lounge, meeting rooms, fitness center, spa, entertainment, and recreational facilities. (Also, see Temporary Lodging Use) The terms hotel or motel shall not include "Rooming and/or Boarding House."

IMPERVIOUS SURFACE. A surface that has been compacted or covered with a layer of material so that it is highly resistant to, or prevents, or significantly impedes, infiltration by stormwater. It includes roofed areas and surfaces such as compacted sand, shell, lime rock, or clay, as well as conventionally surfaced streets, sidewalks, parking lots, and other similar surfaces.

IMPERVIOUS SURFACE RATIO (ISR). A mathematical expression of the intensity of hard surfaced development on a development site or lot. The ratio is the relationship between the total impervious surface area of a site and the net land area calculated by dividing the impervious area, in square feet, by the total net land area in square feet.

INCOMPATIBLE USE. A use that is inconsistent with the established and/or planned character of an area, and does not, or cannot, exist with adjacent existing and/or planned uses without causing a detrimental impact to the use, enjoyment, or value of neighboring properties resulting from the nature and/or intensity of its development and use characteristics.

INDUSTRIAL BY-PRODUCT. See "Hazardous Waste."

INDUSTRIAL PARK. Land that is planned, developed and operated as an integrated facility for at least ten (10) individual industries, or one (1) with fewer industries but consisting of a building with fifteen thousand (15,000) square feet or more under one (1) roof or within connected walls.

INSTITUTION. A facility operated by a public or private nonprofit entity to provide services of a nonprofit nature.

INTENSITY. A measure of the physical magnitude of a development and/or the operational magnitude of a land use activity, which may be expressed in terms such as, but not limited to, density, floor area ratio, bulk, height, lot coverage, hours of operation, demand for public infrastructure and services, traffic generation, environmental impact, and other externalities.

JUNK. Material which is either worn out, scrapped, partially dismantled, non-operative, unuseable or discarded, such as but not limited to automobiles or parts thereof, building materials, machinery, metal, waste paper, rags, glassware, tinware, vehicles, boats or parts thereof.

JUNK YARD. See "salvage yard."

KENNEL. Land and/or improvements used for raising, breeding, boarding, and/or grooming more than five (5) adult domestic animals such as dogs or cats, but excluding customary farm animals or exotic species such as snakes.

(C) Words or terms beginning with the letters "L" through "O":

LABORATORIES, MEDICAL, AND DENTAL. Any establishment engaged in the testing and analysis of material for medical or dental services or for the patient on prescription of a health practitioner. This shall also include the creation, fitting and fixing of dentures, crowns, and other dental materials.

LAND USE PLAN. The Future Land Use Element of the Comprehensive Plan which establishes the goals, policies, objectives, and Land Use [Plan](#) Map within the City of Pinellas Park.

LANDSCAPED AREA. Open space upon which is established and maintained as a combination of lawns, groundcover, trees, shrubs, hedges, other vegetation, and water bodies.

LANDSCAPE SERVICE ESTABLISHMENTS. Any premises where the principal use involves the performance off the premises of horticultural services such as cemetery upkeep, landscape maintenance, landscape and tree planting, and similar operations on a given premises normally on a contract basis, or for a fee or charge.

LEGAL ACCESS. A dedicated or recorded road, land, place, alley, or easement, excluding utility or drainage easements, affording perpetual ingress and egress from a subject property to a public thoroughfare, and not less than twenty (20) feet in width.

LIGHT PRINTING ESTABLISHMENTS. Any premises where the principal use is printing, reproduction, or publishing, not involving linotype or large-scale type-setting operations on the premises. This term shall include blueprinting services and photograph developing and processing shops.

LIVE/WORK UNIT. A structure or portion of a structure that combines a commercial or manufacturing activity with a residential living space for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household.

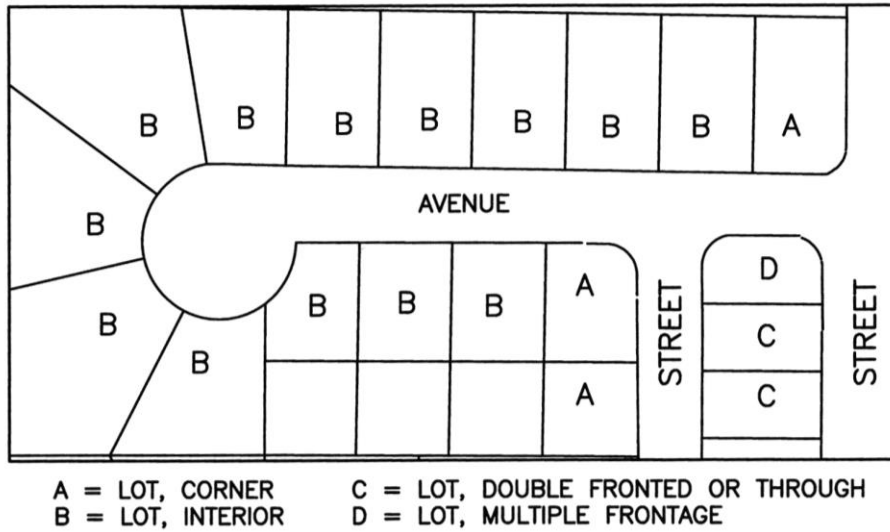
LODGE. See "Clubs and Lodges."

LOT. One (1) or more abutting lots of record under unified ownership, to be used or developed as a single unit.

LOT AREA. The total net horizontal area included within the lot lines, expressed in acres or square feet, unless otherwise stated.

LOT, CORNER. A lot bounded on two (2) adjacent sides by public or private street rights-of-way at their intersection, with an angle of intersection of less than one hundred thirty-five (135) degrees. See Figure 18-1502-4, Lot "A."

**FIGURE 18-1502-4 LOT TYPES**



**LOT COVERAGE.** That portion of the lot that is covered by buildings, structures, and other impervious surfaces. As a ratio, it is the relationship between the total impervious surface area on a site and the net acreage of the lot, calculated by dividing the square footage of the area of all impervious surfaces on the site by the square footage of the net land area. An impervious surface ratio (ISR) is the relationship between the total impervious surface area on a site and the gross land area. The ISR is calculated by dividing the square footage of the area of all impervious surfaces on the site by the square footage of the gross land area, less the area of water bodies below the mean high water line.

**LOT DEPTH.** The mean horizontal distance between the front and rear lot lines. Where there is no rear lot line (ex: corner lots), the lot line most closely opposite and parallel to the front lot line shall be utilized.

**LOT, DOUBLE FRONTAGE.** A lot, other than a corner lot, with frontage on two (2) streets that are parallel to or within forty-five (45) degrees of being parallel to each other. Same as a "through lot." See Figure 18-1502-4, Lot "C."

**LOT FRONTAGE, FRONTAGE or STREET FRONTAGE.** The distance along which a lot line is coterminous with a street.

**LOT, INTERIOR.** A lot with frontage on only one (1) street.

**LOT LINE.** The lines delineating the property boundaries of a lot. (Same as "Property Line.")

**LOT LINE, FRONT.** The lot line extended between the side lot lines across the street frontage of the lot. For the purpose of determining the front lot line on a corner lot, the front lot line shall be the lot line with the lesser dimension. In cases where the nature and development of surrounding properties, or means of ingress and access to the lot are such that the narrow part of the lot is clearly not the functional front lot line, or where both street frontages are the same dimension, the Zoning Director shall make a determination of the front lot line based on these existing conditions.

**LOT LINE, INTERIOR.** A lot line which does not abut a public or private street right-of-way. See Figure 18-1502-4, Lot "B."

**LOT LINE, REAR.** The lot line which is generally most distant from and most closely parallel to the front property line.

**LOT LINE, SIDE.** Any lot line which is neither the front nor the rear lot line.

**LOT, MULTIPLE FRONTAGE.** A lot which abuts three (3) or more public or private street rights-of-way. See Figure 18-1502-4, Lot "D."

LOW IMPACT OFFICE. An office use, typically of a non-profit or neighborhood service nature as determined by the City Manager ~~or his designee~~, requiring less than two thousand (2,000) square feet of office space with limited client visitation and proximate to commercial corridors on parcels of land greater than one-half (½) acre but less than one (1) acre of land area.

LOW INCOME. As related to the meaning of Affordable Housing when required by this Article, gross family or individual income as expressed as a percentage of the areawide median income (AMI). Extremely Low Income is less than or equal to thirty (30) percent of AMI; Very Low Income is thirty-one (31) percent to fifty (50) percent of AMI; Low Income is fifty-one (51) percent to eighty (80) percent of AMI and Moderate Income is eighty-one (81) percent to one hundred twenty (120) percent of AMI. Depending upon various housing assistance programs, income is as defined in the Code of Federal Regulations (24 CFR 5.609); annual income as reported under the Census Long Form for the most recent decennial census; or adjusted gross income as defined for purposes of reporting under Internal Revenue Service (IRS) Form 1040 series for individual federal income tax purposes.

NONCONFORMING LOT. A lot of record that was lawful prior to the adoption, revision or amendment of this Article, but which fails, by reason of such adoption, revision, or amendment, to conform to the present requirements of this Article for lot area, width, depth, and/or frontage.

LOT OF RECORD. A unit of land that is under identical ownership throughout, that is established and described as a distinct unit on a plat, deed, or other instrument as provided by law, which is validly recorded in the Office of the Clerk of the Circuit Court of Pinellas County, and which has not been further subdivided.

LOT WIDTH. The horizontal distance between side lot lines, as measured at the required front setback line.

MANUFACTURING. An establishment engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of component parts, the manufacturing of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors.

MASTER DEVELOPMENT PLAN. The proposal for the development of a planned unit development satisfying all applicable requirements of this Article, including, but not limited to, the requirements for a "Preliminary Site Plan" and those for a "Final Site Plan" as stipulated in this Article.

MEDICAL MARIJUANA DISPENSARY – An establishment/business licensed to dispense Medical Marijuana pursuant to applicable law and rules and that is engaged in the retail sale of Cannabis products and derivatives. Medical Marijuana shall have the same meaning as provided in Section 381.986(1)(f) F.S.

MEDICAL MARIJUANA TREATMENT CENTER – (MMTC) means an entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their caregivers and is registered by the Department of Health.

MINI-WAREHOUSE. Any building used exclusively for leasing storage space for household goods, business, or personal property.

MIXED-USE. Residential and nonresidential uses sharing the same lot or building, and sharing legal street access and other infrastructure.

MIXED USE BUILDING. A building incorporating residential and nonresidential uses.

MIXED USE DEVELOPMENT. A single development project under unified control incorporating residential and nonresidential uses.

-MODEL HOME. Any residential building used for demonstration or sales purposes during the construction phase of a residential development, which structure is open to the public for inspection, and not occupied as a dwelling unit.

**MOTOR FREIGHT TERMINAL.** A building or area wherein trucks, including tractor or trailer units, are parked, stored, or serviced, including the transfer, loading or unloading of goods. A terminal may include facilities for the temporary storage of loads prior to transshipment.

**MOTOR VEHICLE REPAIR.** See "Automotive Repair" facility (minor and major) defined herein.

**MULTI-FAMILY DEVELOPMENT.** Development of three (3) or more dwelling units on the same lot, including three (3) single-family attached dwelling units or two (2) or more duplexes.

**NONCONFORMING BUILDING OR STRUCTURE.** A building or structure, inclusive of accessory uses and improvements, the size, number, dimension or location of which was lawful prior to the adoption, revision or amendment of this Article, but which fails, by reason of such adoption, revision, or amendment, to conform to the present requirements of this Article.

**NONCONFORMING USE.** A use or activity which was lawful prior to the adoption, revision or amendment of this Article, but which fails, by reason of such adoption, revision, or amendment, to conform to the present requirements of this Article.

**NUISANCE.** Any activity, use, or condition that:

- (A) Has an adverse impact upon the use, enjoyment, or value of neighboring properties;
- (B) Endangers the public health, safety, or welfare; or
- (C) Is clearly offensive to human senses beyond the property boundaries of the site.

**OFFENDER HALFWAY HOUSE.** See, "State of Florida Licensed Facilities" defined herein.

**OFFICE.** A room, studio, suite, group of rooms, or building used for conducting the affairs of a business, profession, service, industry, or government, including professional offices; professional services; clinics; travel agencies; sales or manufacturer's representatives; professional, civic, social, fraternal, political, or religious organizations; labor unions; employment agencies; real estate brokers; and similar uses. Light assembly (i.e. the fitting together of manufactured parts into a complete machine or unit of a machine) is permitted; however, assembly line (i.e. an arrangement of machines, equipment, and workers in which work passes from operation to operation in direct line until the product is assembled) or general manufacturing procedures are specifically excluded. This term shall not include veterinary clinics, employment offices, temporary labor, or personal services.

**OFFICE, PROFESSIONAL.** An office for the conduct of "Professional Services" as defined herein, and specifically excluding offices for sales, telemarketing and call centers, corporate customer service, product technical assistance, contractors, shipping, retail, administrative offices, and similar activities.

**OFFICE, SHOWROOM.** A facility which combines offices with space devoted to either the display of samples of merchandise distributed by such business or the exhibition of such merchandise for sale on the premises. Light assembly (i.e. the fitting together of manufactured parts into a complete machine or unit of a machine) is permitted; however, assembly line (i.e. an arrangement of machines, equipment, and workers in which work passes from operation to operation in direct line until the product is assembled) or general manufacturing procedures are specifically excluded.

**OFF-STREET LOADING.** See "Loading Space, Off-Street."

**OFF-STREET PARKING.** See "Parking Space, Off-Street."

**OFFICIAL ZONING MAP.** An official map depicting the boundaries and identification of the zoning districts established and amended, from time to time by City Council through the provisions of law and this Article, and made a part of this Article by reference.

**OPEN SPACE.** An area of land not occupied by any building, impervious surface, or retention area which can be used by residents for active or passive recreation. Such areas shall be in excess of those required in the minimum zoning requirements for required yards, lot size, and shall be at least two hundred (200) square feet in size.

**OPEN SPACE, USABLE.** Open space located on a lot devoted exclusively to active or passive recreation for those persons residing thereon.

OUTDOOR CAFE. A restaurant, which may include Drive-in/Drive-thru facilities, containing seating in an outdoor, non-enclosed area. It is characterized by tables and chairs for the consumption of food and drink, may be shaded by awnings, canopies or umbrellas, but not having cooking or storage in the outdoor, non-enclosed area. Indoor seating may also be provided.

(D) Words or terms beginning with the letters "P" through "S":

PACKAGE STORE. Any place of business that sells or dispenses alcoholic beverages for off-premises consumption and derives fifty (50) percent or more of its gross revenue from the sale or dispensing of alcoholic beverages. Solely for purposes of this Article, "Package Store" shall not be deemed to include a "Bottle Club" or "Tavern or Lounge" but shall be deemed a "Retail Sales" establishment.

PARKING LOT. A paved area, open to the sky, used for parking more than two (2) vehicles.

PARKING SPACE. A designated space for the temporary daily or overnight parking of an operable motor vehicle, particularly an automobile.

PARKING SPACE, ACCESSIBLE. A parking space that is accessible to persons with disabilities; is reserved for disabled persons issued a disabled parking permit or license plate as provided under F.S. ch. 316 or 320, as may be amended from time to time, and meets all of the signage, dimensional, location, vertical clearance, and other requirements and specifications of Florida Building Code, Section 11-4, "Accessible Elements and Spaces: Scope and Technical Requirements", as may be amended from time to time.

PARKING SPACE, OFF-STREET. A parking space provided within the property boundaries of a lot.

PARKING GARAGE. (See Garage, Parking.)

PEDESTRIAN. An individual who travels on foot.

PEDESTRIAN ACCESS. A way or means of pedestrian ingress and egress to a property or portion thereof meeting the minimum requirements of this Article.

PERMITTED USE. A use which may be established by right in a particular zoning district, provided that it conforms to all of the requirements and regulations of that district.

PERSONAL SERVICES. Establishments where the principal use is engaged in the repair, care of, maintenance, or customizing of personal properties that are worn or carried about the person or are a physical component of the person. Personal Services shall include, but need not be limited to, barber shops, beauty shops, coin-operated laundries, dry cleaning, and other garment servicing establishments, tailors, dressmaking shops, shoe cleaning or repair establishments, and other similar places of business. This term shall not include clinics, ~~or~~ dry cleaning and laundry plants containing more than three thousand, five hundred (3,500) square feet of gross floor area, or adult entertainment establishments.

PLACE OF WORSHIP. A place of assembly for the conduct of religious services or activities and accessory uses, including but not limited to, churches, temples, mosques, convents, and monasteries.

PLANNED UNIT DEVELOPMENT. A contiguous area, that is planned and developed as a single entity under the provisions of the Planned Unit Development District.

PLANNING AND ZONING COMMISSION. An official advisory body of the City of Pinellas Park, the functions and powers of which are described in Article 15 of the Land Development Code.

PLANT NURSERY, RETAIL. A premises for the retail sale of trees, shrubs, or plants in small quantities, not in bulk, to the general public, and may include the accessory sale of garden or landscape accessories, such as mulch, fertilizer, stepping stones, soil, tools, landscape timbers, and other similar garden or landscape materials. This term shall include greenhouses and wholesale plant nurseries that include such retail sales.

PLANT NURSERY, WHOLESALE. A premises where the principal use is the growing of trees, shrubs, or plants for transplanting, for use as stocks for budding and grafting, and accessory wholesaling. This term shall include greenhouses, hydroponic farms, and general horticulture otherwise meeting the

terms of this definition, but shall not include retail plant nurseries. This term shall also include Landscape Service Establishments.

PREAPPLICATION CONFERENCE. An informal meeting between an applicant for site plan approval and appropriate City staff members to:

1. Acquaint the applicant with relevant Codes, Ordinances, and procedures.
2. Suggest improvements to the proposed preliminary site plan design or other applicattion.
3. Discuss possible public improvements and other plans which may have impact upon the proposed development.
4. Offer the applicant a preliminary opinion of compliance or non-compliance based on relevant Codes and Ordinances and upon information supplied to attendant staff.

PREMISES. A lot, or portion thereof.

PRINCIPAL STRUCTURE or PRINCIPAL BUILDING. A structure or building within which the principal use of the lot is located. There may be more than one (1) principal building on a lot if permitted by the applicable district regulations.

PRINCIPAL USE. The dominant purpose for which a land or water area, building or structure is used. There may be more than one (1) principal use on a lot if permitted by the applicable zoning district regulations.

PROFESSIONAL OFFICE. (See "Office, Professional.")

PROFESSIONAL SERVICES. A service in which attainment of knowledge in some formal discipline of science or learning, and distinguished from an exclusively manual skill, is used by its application to the affairs of others either by advising, guiding, treating, teaching, or otherwise serving their interest, health, welfare, or finances, including but not limited to, medicine, dentistry, law, engineering, architecture, insurance, finance, music, and art.

PUBLIC AGENCY. Any government, governmental agency, board, commission, authority, or body, or any other legally constituted governmental subdivision or special district.

PUBLIC EDUCATIONAL FACILITIES. This term shall include the following public schools: elementary schools, middle schools, high schools, special education facilities, alternative education facilities, and area vocational/technical schools.

PUBLIC USE. The use of any land or water area, structure, or building by any public agency for a public service or purpose.

RECORDED. Refers to the recordation of a legal instrument in the Office of the Clerk of the Circuit Court of Pinellas County, Florida, and made part of the Pinellas County Public Records.

RECREATION, COMMERCIAL. A recreation facility operated as a business and open to the public for a fee.

RECREATION/OPEN SPACE. Privately or publicly owned land that is now used, or appropriate to be used, for recreational or open space purposes, i.e. public/private open space, public/private park, golf course or similar use, public/private recreation facility, or community gardens.

RECREATIONAL VEHICLE. A vehicle-type unit primarily designed as temporary living quarters for recreational camping or travel use, but not for use as a permanent dwelling, which either have their own motive power or are mounted on or drawn by another vehicle.

RECYCLING FACILITY. A facility in which the primary activity involves processes designed to collect, separate and process for re-use any solid waste or materials that would become solid waste.

REDEVELOPMENT TRUST FUND. An account set up with funds to be used by the Community Redevelopment Agency to finance or refinance any Community Redevelopment it undertakes pursuant to the approved Community Redevelopment Plan.

**REPAIR SERVICES.** Establishments where the principal use is the repair and general service of common home appliances, such as musical instruments, sewing machines, televisions, radios, bicycles, washing machines, dryers, vacuum cleaners, power tools, electric razors, refrigerators, and lawn mowers and lawn equipment, or any premises where the principal use is taxidermy, gunsmithing, or similar uses, or interior decorating to include re-upholstering and the making of draperies, slipcovers, and other similar articles. This term shall include accessory retail sales of parts, used appliances, and light machinery. This term shall not include "Automotive Repair Facilities (minor)" and furniture and cabinet making establishments.

**RESEARCH AND DEVELOPMENT.** The act of carrying out an investigation or experimentation in the natural, physical, or social sciences aimed at the discovery and interpretation of facts, revision of accepted theories or laws in the light of new facts or practical application of such new or revised theories or laws; provided that no manufacturing or production is entailed except as an integral part of the testing activities associated directly with the Research and Development process. (This definition does not apply to those Research and Development activities carried on solely as a secondary use to a principal business).

**RESIDENTIAL CARE FACILITY.** See, "State of Florida Licensed Facilities" defined herein.

**RESIDENTIAL EQUIVALENT USE.** A residential-like accommodation other than a dwelling unit, including bed and breakfast, group home, congregate care, nursing home and comparable assisted living facilities. No such use shall be required or eligible to employ the residential equivalent standards for density/intensity for any household that qualifies as a dwelling unit. This use shall not include any type of use authorized by F.S. ch. 419, Community Residential Homes, which is entitled to be treated as a dwelling unit.

**RESTAURANT.** Any establishment ~~which~~ ~~that~~ provides food or drinks for consumption by patrons primarily on the premises (i.e.: seating provided). The term shall include outdoor cafes but shall not be deemed to include a "Restaurant, Drive-in/Drive-thru" or a "Tavern or Lounge."

**RESTAURANT, DRIVE-IN/DRIVE-THRU.** A restaurant, as defined hereinabove, which includes a pick-up or drive-thru window, or where food or drink are delivered to or consumed by patrons while remaining in their vehicles in designated off-street parking or holding areas.

**RETAIL SALES.** Establishments whose principal use is the sale of merchandise in relatively small quantities, not in bulk, for the use or consumption by the immediate purchaser, or for use as gifts.

**REZONING.** The legal process by which changes are made to the boundary or boundaries of a zoning district(s) or where one (1) zoning classification is substituted for another.

**RIGHT-OF-WAY, PRIVATE.** A street, way, or alley, permanently reserved by an easement, reservation, or other legal encumbrance, for the passage of vehicles and which is not a component of the state, county, or city-owned and maintained thoroughfare system.

**RIGHT-OF-WAY, PUBLIC.** A street, way, or alley permanently reserved by dedication or as provided by law to a governmental or quasi-governmental entity, for the passage of vehicles, drainage of stormwater, transmission of electrical power, or for the location of other public infrastructure, or public use as provided by law.

**RIGHT-OF-WAY, ULTIMATE.** The planned width of a given street or other right-of-way according to the Comprehensive Plan, and from which all required setbacks and yards are measured, otherwise described as the street line that would result from dedication of right-of-way or granting of an access easement based upon the total public or private right-of-way prescribed for any given street by these regulations or the Comprehensive Plan. Means the same as "Street Line."

**ROOMING AND BOARDING HOUSE.** A building used for the lodging, of three (3) to fifteen (15) people for compensation, with or without meals or group cooking facilities. This term shall include any lodging establishment that is not a "Hotel" as defined herein. Such use does not entail the provision of "Personal Services" as defined herein.

**SALVAGE YARDS AND JUNK YARDS.** Any property used for the outdoor storage and/or sale of junk, or useable parts extracted from junk, including but not limited to, used mechanical, electrical,



hydraulic, and similar equipment, metallic pieces and other salvageable materials, and portions of used trucks, vehicles, construction equipment, and any other similar types of equipment.

**SCHOOL BUS.** All motor vehicles, with a seating capacity of twenty-four (24) or more persons, which are regularly used for the transportation of pupils to or from "Day Care Center, Type II or III" or similar type day care facility, "Educational Institutions (elementary, middle and senior)", "Public Educational Facilities", or "Places of Worship", or to and from related activities.

**SCHOOLS OF NON-ACADEMIC CURRICULUM.** An educational facility which primarily offers instruction in dance, martial arts, diving, gymnastics, crafts, and other similar activities. This term does not include "Educational Institutions (elementary, middle, and senior)" or "Trade Schools."

**SCHOOLS, TRADE.** A school that offers preponderant instruction in the technical, commercial, or trade skills and meets state requirements for such a facility, such as real estate schools, business colleges, electronics schools, automotive and aircraft technicians schools, and similar establishments. This term does not include "Educational Institutions (elementary, middle, and senior)" or "Schools of Non-Academic Curriculum."

**SECURITY GUARD/CARETAKER DWELLING UNIT.** (See "Dwelling Unit, Security Guard or Caretaker.")

**SEMI-PUBLIC USE OR ACTIVITY.** A use of land or building that serves the general public in a manner similar to a governmentally owned and operated use, but is not owned or operated by a governmental agency. Examples include, but are not limited to, privately owned bus terminals, railroad stations, theatres, and museums.

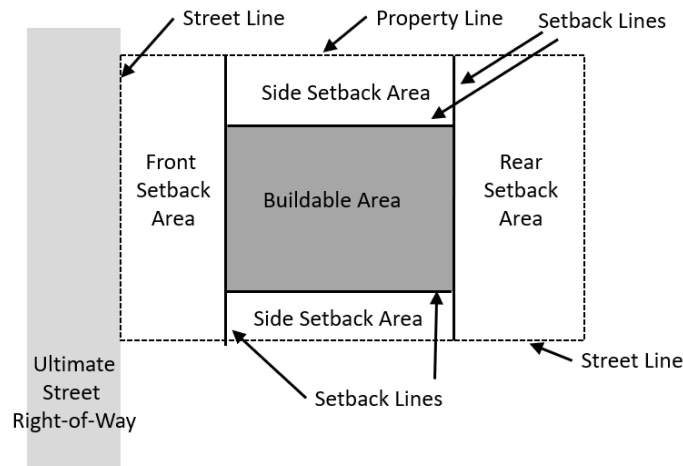
**SERVICE BAY.** A portion of an enclosed building, unless otherwise provided, capable of accommodating one (1) motor vehicle, within which repair or maintenance work takes place.

**SETBACK.** The shortest distance separation between the street line, front, side, or rear lot lines, and nearest point of any building or structure.

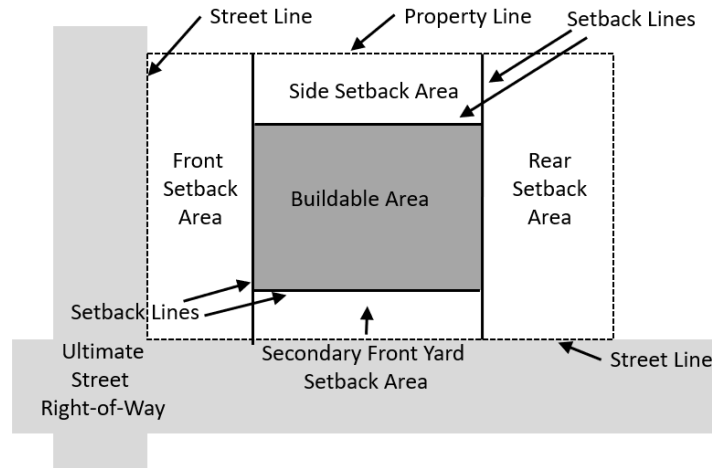
**SETBACK AREA.** The area between the buildable area and the property line or street line. This area is also referred to as the "required yard."

**SETBACK LINE.** The line or vertical plane representing the setback distance and yard depth, also described as the inner edge of any required yard. The Setback Line demarcates the vertical plane that separates a required yard from the "Buildable Area" of the lot, within which principal structures may be erected. The "Required Setback Line" is the line representing the minimum required setback distance/yard depth. All areas in between the "Setback Line" and the "Lot Line" or "Street Line", as applicable, are "Yards", as defined herein.

**FIGURE 18-1502-5 INTERIOR LOT SETBACK AREAS AND LINES**



**FIGURE 18-1502-6 CORNER LOT SETBACK AREAS AND LINES**



**SETBACK, REQUIRED.** The minimum required distance separation between the street line, side, or rear lot lines, and the nearest point of any building or structure, subject to any limited encroachments authorized in Section 18-1503.9, "Permitted Obstructions in Required Yards." Required Setbacks for principal and accessory buildings may be different within a given zoning district. A minimum setback requirement creates a minimum yard requirement, and conversely, a minimum yard depth requirement has the same effect as requiring a minimum setback. Required setback adaptations for various lot configurations are explained in Section 18-1503.7, "Yard Determinations."

**SHELTER HOME.** See, "State of Florida Licensed Facilities" defined herein.

**SHOPPING CENTER.** A group of ten (10) or more individual commercial establishments and fifty thousand (50,000) or more square feet of gross floor area planned, constructed, or managed as a total entity with customer and employee parking provided on-site, and provision for goods delivery separated from customer access.

**SIGNS, OFF-PREMISES.** See definition in Article 6 of the Land Development Code.

**SITE PLAN.** A graphic and informational representation of the specific site design solution for a development phase or entirety, meeting the specific requirements of Chapter 18, Land Development Code and other established City policies, codes or regulations.

**SITE PLAN, PRELIMINARY.** A Site Plan designed at such detail to permit the analysis of, and show the arrangement of, land uses, buildings, and other improvements on a site in relation to each other, existing site conditions, and surrounding property.

**SITE PLAN, FINAL.** A Site Plan to show the specific arrangement of buildings and other improvements on a site in relation to each other, existing site conditions and surrounding property, together with specific information on the nature and intensity of land use, primarily for a determination of compliance with the specific use, dimensional, and other regulations of Chapter 18, Land Development Code, other established City policies, codes or regulations, and the terms of any prior conditional approval of the project.

**STABLES, BOARDING.** A facility where the owner or lessee, for a fee or other form of compensation, boards (which can include keeping, feeding, grooming, exercising, and/or similar activities) and trains horses which are boarded at the facility, and/or permits the public to rent horses for riding pleasure or for riding instruction.

STATE OF FLORIDA LICENSED FACILITIES. For purposes of this Article, the following terms and definitions shall apply to facilities licensed by the State of Florida.

The following terms shall apply only to the definitions of State Licensed Facilities:

1. **COMMUNITY RESIDENTIAL HOME.** A "Dwelling" licensed by the State of Florida to serve persons with disabilities as defined by Federal Law, as well as clients of the Florida Department of Elderly Affairs, the Florida Agency for Persons with Disabilities, the Florida Department of Juvenile Justice, the Florida Department of Children and Family Services, or the Agency for Health Care Administration, where clients are not a danger to themselves or others, do not suffer from "Acute Mental Crisis", and are not actively using drugs or exhibiting drug or alcohol dependency. A Community Residential Home provides a living environment for unrelated residents who operate as the functional equivalent of a "Family", including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents. This term includes foster homes, and Adult Family Care Homes and is exclusive of all other State of Florida Licensed Facilities defined herein. The establishment of community residential homes shall be as propounded in F.S. ch. 419, as it may be amended from time to time. A Planned Residential Community means a planned unit development of a minimum of eight (8) acres and has amenities that are designed to serve residents with a developmental disability as defined in F.S. § 393.063 but that shall provide housing options for other individuals. The community shall provide choices with regard to housing arrangements, support providers, and activities. The residents' freedom of movement within and outside the community may not be restricted. For the purposes of this paragraph, the City approval must be based on criteria that include, but are not limited to, compliance with appropriate land use, zoning, and building codes. A planned residential community may contain two (2) or more community residential homes that are contiguous to each other and the City may not impose proximity limitations between homes within a planned residential community if such limitations are based solely on the types of residents anticipated to be living in the community. A planned residential community may not be located within a ten-mile radius of any other planned residential community.
2. **DOMESTIC VIOLENCE CENTER.** A facility certified by the Department of Children and Family Services as a center to receive and house persons who are victims of domestic violence pursuant to F.S. § 39.905.
3. **OFFENDER HALFWAY HOUSE.** A residential facility licensed by the State of Florida for the constant supervision of criminal offenders as part of a probation or court-ordered requirement.
4. **RESIDENTIAL CARE FACILITY.** A residential facility licensed by the State of Florida to provide any combination of nursing care, injury or illness rehabilitation, personal services, community re-entry training, aids for independent living, or counseling, but not medical services, to persons with disabilities as defined by Federal Law, as well as clients of the Florida Department of Elderly Affairs, the Florida Agency for Persons with Disabilities, the Florida Department of Children and Family Services, or the Agency for Health Care Administration, which clients are not of danger to themselves or others, are not suffering from "Acute Mental Crisis", and are not actively using drugs or exhibiting drug or alcohol dependency. Examples include facilities typically referred to as nursing homes, convalescent homes, and assisted living facilities. This term does not include hospitals licensed under F.S. ch. 395, as may be amended from time to time, or any federally operated hospital facility.
5. **SHELTER HOME.** A residential facility licensed by the State of Florida, to provide temporary, short-term care and twenty-four-hour supervision to no more than five (5) clients of the Florida Department of Children and Family Services, which are not of danger to themselves or others, are not suffering from "Acute Mental Crisis", and are not actively using drugs or exhibiting drug or alcohol dependency.
6. **RESIDENTIAL TREATMENT FACILITY.** A State-supported and licensed facility providing a comprehensive treatment program for mentally ill individuals in a community based setting.

**STORAGE, BULK.** The storage of liquids, gasses, or materials in above or below ground storage tanks or containers, in large quantities consistent with wholesale distribution or mass consumption. Within a Residential zoning district, bulk storage shall mean storage of liquids, gasses, or materials in quantities that exceed those customarily necessary for household consumption on a regular basis (ex: emergency fuel supply needed to operate a generator during power outages).

**STORAGE, OUTDOOR/OPEN.** That storage, for a period of time exceeding twenty-four (24) hours, in an unoccupied space open to the sky or otherwise not fully enclosed, of stock in trade, machinery, equipment, supplies, or any other goods used in any commercial or industrial activity, or motor vehicles or utility trailers.

**STORY.** That part of a building between the surface of a floor and the ceiling immediately above.

**STREET.** A public or private "Right-of-Way" which affords a primary means of vehicular and pedestrian access to abutting properties, whether designated as a street, road, avenue, boulevard, lane, collector, arterial, thoroughfare, highway, throughway, or however otherwise designated, except that driveways and alleys are not considered streets.

**STREET, ARTERIAL.** A route providing service which is relatively continuous and of relatively high traffic volume, long average trip length, generally higher operating speed, and high mobility importance.

**STREET, COLLECTOR.** A "Street" as identified by the Comprehensive Plan, designed to serve the City's internal traffic needs and to distribute traffic to the arterial street system. Collector streets accommodate short-to-moderate trip lengths, moderate traffic volumes, and moderate speed limits (35—45 mph), to provide access to abutting property under controlled conditions.

**STREET, EXPRESSWAY.** A limited access highway as identified by the Comprehensive Plan, designed to serve regional traffic needs.

**STREET FRONTAGE.** See "Lot Frontage" defined herein.

**STREET LINE.** The outer boundary line of the ultimate right-of-way of a public or private street.

**STREET, LOCAL.** A "Street" as identified by the Comprehensive Plan, designed primarily to provide access to abutting properties. Local streets carry slow moving traffic at low volumes.

**STRUCTURE.** Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, including but not limited to, buildings, towers, storage tanks, walls, air-conditioning units, pool pumps, heat pumps, antennas, billboards, etc; but not including cement slabs or decks at ground level or less than six (6) inches above finished grade.

**STRUCTURED PARKING.** See "Garage, Parking", defined herein.

**SUBDIVISION.** The division of a lot of record into two (2) or more lots of record.

**SUBMERGED LAND.** The area situated below the mean high water line of a standing body of water, including ocean, estuary, lake, pond, river or stream. For the purpose of this definition, drainage detention areas created as a function of development that are recorded on an approved final site plan or other authorized development order action, and wetlands, shall not be considered submerged land, and thus may be included in the computation of net land area for the purpose of determining permitted density/intensity.

**SUBSTANTIAL CHANGE/DEVIATION.** Any change to a site plan which creates a reasonable likelihood of adverse impact to any developed portion of the site or to adjacent properties.

**SWIMMING POOL.** A water-filled enclosure, permanently constructed or portable, designed for human use, and designed, maintained, or used for swimming and bathing, having a minimum depth of eighteen (18) inches either above surface or below the level of the surrounding land. This term shall include spas.

(E) Words or terms beginning with the letters "T" through "Z":

**TAVERNS AND LOUNGES.** Any place of business that sells or dispenses alcoholic beverages for consumption on-premises and derives fifty (50) percent or more of its gross revenue from the sale or dispensing of alcoholic beverages, whether for consumption off-premises or on-premises. For purposes of this Article, "Taverns and Lounges" shall include the term "Bottle Club."

**TEMPORARY LODGING UNIT.** An individual room, rooms or suite within a temporary lodging use designed to be occupied as a single unit for temporary occupancy.

**TEMPORARY LODGING USE.** A facility containing one (1) or more temporary lodging units, the occupancy of which occurs, or is offered or advertised as being available, for a term of less than one (1) month, more than three (3) times in any consecutive twelve-month period. In determining whether a property is used as a temporary lodging use, such determination shall be made without regard to the form of ownership interest in the property or unit; and without regard to whether the right of occupancy arises from a rental agreement, other agreement, or the payment for consideration. Occupancy limits stated herein are not applicable to extended stay facilities.

**TEMPORARY USES.** Any use which is not designed or intended to be permanent in nature, and unless otherwise specified in this Article, is not permitted for a period exceeding ninety (90) days. The duration of temporary uses may be extended by lawful agreement in situations deemed advisable by the City Manager.

**TOWER, RADIO, TELEVISION, OR MICROWAVE.** See definition of "Antenna" herein.

**TRUCK/TRAILER RENTAL ESTABLISHMENT.** An establishment offering, through lease or rental agreement, the use of trucks or trailers to the general public. This term does not include the rental of light trucks.

**TRUCKS, HEAVY.** All trucks other than those defined as "Light Trucks."

**TRUCKS, LIGHT.** Any vehicle designed, used or maintained for the transportation of property with a maximum length of twenty-one (21) feet and a maximum gross vehicle weight (GVW) of eight thousand (8,000) lbs., including pickups, vans and panels.

**UNIFIED CONTROL.** Having fee simple title or other legally binding control for the purposes of development, over an area of land, which gives full authority to the holder of such "unified control" to legally bind all such lands to development orders of the City.

**UNITY OF TITLE.** A recorded document stipulating that a "Lot" or lots shall be held under single ownership, shall not be eligible for further subdivision and shall not be transferred, conveyed, sold or divided in any unit other than in its entirety.

**USE.** The purpose for which land, water, or a building is designed, arranged, or intended to be occupied or utilized, or for which it is occupied or maintained. See definitions herein for specific types of uses.

**VARIANCE.** Relief from certain requirements of this Article, where such variance will not be contrary to the public interest, and where owing to conditions particular to the property and not the result of the actions of the applicant, a literal enforcement of those requirements would result in unnecessary and undue hardship. Variances do not apply and shall not be granted for the establishment or expansion of a use not specifically allowed in the applicable zoning district.

**VEHICLE, COMMERCIAL.** A vehicle used or maintained for the transportation of persons for hire, compensation, or profit, or designed, used, or maintained primarily for the transportation of property (i.e. materials), and specifically includes step-up vans, heavy trucks, trailers, semi-trailers, truck-tractors, tractor-trailers, combinations as defined in F.S. ch. 320, as may be amended from time to time, moving vans, trucks, delivery trucks, box trucks, dump trucks, service vehicles, tow trucks, utility trucks, flatbed trucks, wreckers, buses, cranes, draglines, earthmovers, bulldozers, backhoes, trenchers, or similar vehicles. The term also includes school buses (when located within a residential zoning district where the principal uses of the property is residential), a recreational vehicle converted from a commercial vehicle and any vehicles used as a platform for a derrick, hoist, cranes, compressor tank(s), ladder racks, or similar equipment or as a means of transporting or storing a commercial vehicle.

The following vehicles are specifically excluded from this definition and shall not be deemed commercial vehicles: unaltered automobiles and unaltered station wagons, passenger vans, and panel vans including those with racks, pickup trucks, including those with toppers, campers and racks, taxicabs (with or without "vehicle signage") and limos where the vehicle employed as such is a passenger car or passenger van, subject to the restrictions provided in Subsection. 18-1530.15(A)1.(b)(1), and utility trucks or flatbed trucks of a gross vehicle registered weight or no more than one (1) ton, subject to the restrictions provided in Subsection 18-1530.15(A)1.(b)(2).

**VEHICULAR USE AREA.** All land used for the circulation, parking, storage, loading and unloading, or display of any and all types of vehicles, boats, or heavy construction equipment whether self-propelled or not, and all land upon which vehicles traverse as a function of the use of a site, except that driveways and parking spaces serving single-family and duplex dwellings are excluded from this definition. A driveway extension providing vehicular access to private parking areas, loading areas or outdoor storage areas and does not abut other impervious or paved areas shall not be included in the calculation of vehicular use area for determining the required area of interior green to be provided pursuant to Section 18-1533 Landscaping Regulations.

**VISIBILITY TRIANGLE.** (See Section 18-1503.11.)

**WAREHOUSE.** A building used primarily for the storage of goods and materials; A terminating point where goods are transferred from a truck to a storage area or to other trucks, or transported by other forms of locomotion. Accessory office use not exceeding more than twenty-five (25) percent of gross floor area is included in the definition. Office use that exceeds twenty-five (25) percent shall be considered a principal use (and is calculated separately for parking requirements).

**WHOLESALE.** Establishments or places of business primarily engaged in: (1) selling goods, merchandise, and commodities in gross or bulk, primarily for purposes of resale; (2) selling such merchandise to retailers, industrial, commercial, institutional, or professional business users, or to other wholesalers; or (3) acting as agents or brokers and buying merchandise for, or selling to, such individuals or companies.

**WIRELINE FACILITY.** An aerial facility used to provide communications services or a below-grade facility. the term includes wireline backhaul facilities associated with a wireless facility and coaxial or fiber-optic cable that is between wireless structures or utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna of a wireless facility.

**YARD.** The area between a building and the property line. See Section 18-1503.7, "Yard Determinations."

**YARD, FRONT.** The area extending from a building and lines projecting from outside corners of a building to the side property lines and the property line abutting the street right-of-way in front of the building. A courtyard is not considered part of the front yard if a wall or walls enclose the portion of the courtyard facing the street with the exception of an entryway that is no greater than one-third the width of the courtyard.

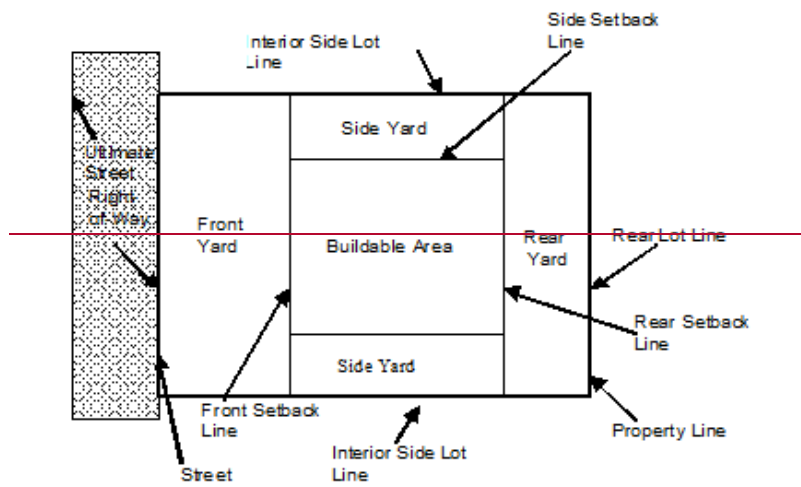
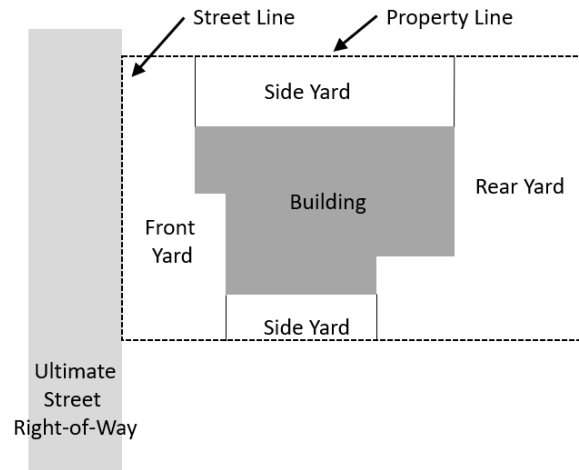
**YARD, SECONDARY FRONT.** The area the side of a building, the front yard, rear yard, and side street.

**YARD, REAR.** The area extending from a building and lines projecting from outside corners of a building to the side property lines and the property line to the rear of a building.

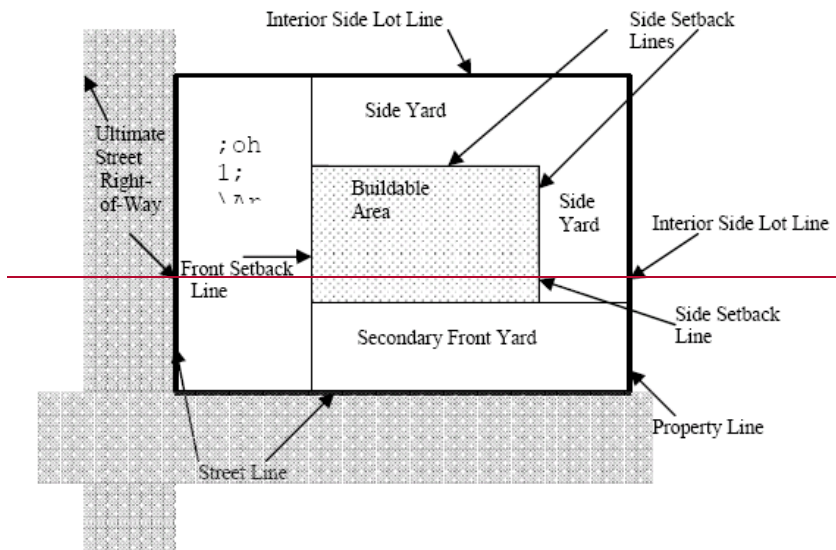
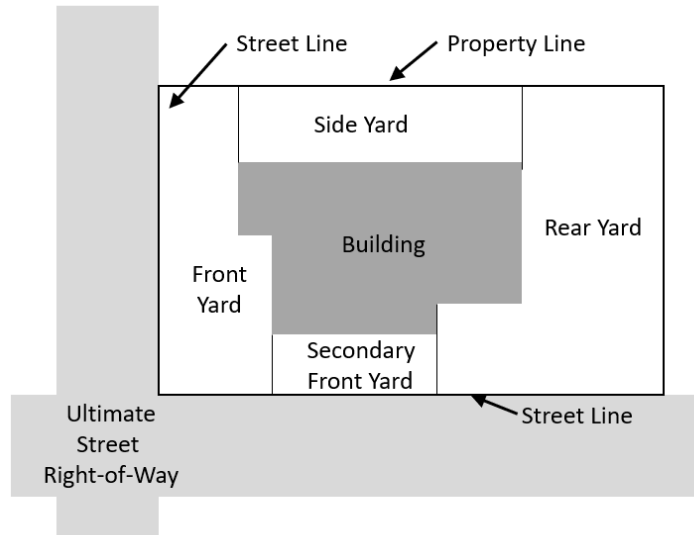
**YARD, SIDE:** The area between the side of a building, the front yard, rear yard, and the side property line.

~~**YARD.** Open space on a lot, unoccupied and unobstructed from the ground to the sky by buildings or structures except as specifically authorized herein.~~

FIGURE 18-1502-8 INTERIOR LOT ~~SETBACKS AND~~ YARDS



**FIGURE 18-1502-9 CORNER LOT ~~SETBACKS AND YARDS~~**



~~YARD, FRONT. A yard extending across the full width of the lot between side lot lines and extending from the street line inwards to the nearest point of a principal building or structure. A "Required Front Yard" extends inward from the street line to the required front setback line. (See definition of "setback").~~

~~YARD, REAR. A yard extending across the full width of a lot and lying between the rear lot line and the nearest point of a principal building or structure. A "Required Rear Yard" extends between the rear lot line and the required rear setback line.~~

~~YARD, REQUIRED. A required area of open space on a lot, unoccupied and unobstructed by buildings or structures except as specifically authorized herein. Any yard area in excess of the minimum requirement shall not be deemed a required yard.~~

~~YARD, SECONDARY FRONT. For corner lots, that yard located adjacent to a right-of-way and perpendicular, or most closely thereto, the front yard, extending inward from the secondary street line to the nearest point of a principal building or structure, and from the front setback line to the side lot line most closely opposite and parallel to the front street line. A "Required Secondary Front Yard" extends inward from the secondary street line to the required secondary front setback line.~~



~~YARD, SIDE. A yard extending between the front yard and the rear yard, and inward from a side property line to the nearest point of the foundation of a principal building or structure. A "Required Side Yard" extends inward from the side property line to the required side setback line.~~

ZERO-LOT-LINE DEVELOPMENT. A development approach in which a building is sited on one (1) or more lot lines.

ZONING DIRECTOR. The Planning and Development Services Director ~~or other~~ the designee of the City Manager who shall be responsible to administer and enforce this Article unless otherwise provided.

ZONING DISTRICT. Any of the several classifications of permitted land use promulgated herein, within which the applicable regulations of this Article apply and within which said regulations are uniform, and as may be applied geographically within the City through the Official Zoning Map.

ZONING DISTRICT, COMMERCIAL. "CN" Commercial Neighborhood, "GO" General Office, "B1" General Commercial, and "CH" Heavy Commercial districts, and any portion of a "PUD" Planned Unit Development District designated for uses permitted in the commercial zoning districts.

ZONING DISTRICT, DUPLEX. "R-4" Duplex Residential District.

ZONING DISTRICT, INDUSTRIAL. "M-1" Light Industrial and "IH" Heavy Industrial districts, and any portion of a "PUD" Planned Unit Development District designated for uses permitted in the industrial zoning districts.

ZONING DISTRICT, MIXED USE. "R-6" Multi-Family Residential/Commercial, "ROR" Residential/Office/Retail, "MXD" Mixed Use, and "TC" Town Center districts, and any portion of a "PUD" Planned Unit Development District designated for mixed use.

ZONING DISTRICT, ~~MOBILEMANUFACTURED~~ HOME. "T-1" ~~MobileManufactured~~ Home Subdivision and "T-2" ~~MobileManufactured~~ Home Park districts.

ZONING DISTRICT, MULTI-FAMILY. "R-5" Multi-Family Residential and "R-6" Multi-Family Residential/Commercial districts, and any portion of a "PUD" Planned Unit Development District designated for multiple-family dwellings.

ZONING DISTRICT, NONRESIDENTIAL. "CN" Commercial Neighborhood, "GO" General Office, "B-1" General Commercial, "CH" Heavy Commercial, "M-1" Light Industrial, and "IH" Heavy Industrial districts, and any portion of a "PUD" Planned Unit Development District designated for uses permitted in nonresidential zoning districts.

ZONING DISTRICT, PLANNED UNIT DEVELOPMENT. "PUD" Planned Unit Development District. See also definition of "Planned Unit Development."

ZONING DISTRICT, PUBLIC/SEMI-PUBLIC. "P" Public, "OS" Open Space, and "PRES" Preservation districts.

ZONING DISTRICT, RESIDENTIAL. "F" Farm, "RE" Single-family Residential Estate, "RR" Rural Residential, "R-1" Single-family Residential, "R-2" Single-family Residential, "R-3" Single-family Residential, "R-4" Duplex Residential, "R-5" Multi-Family Residential, "R-6" Multi-Family Residential/Commercial, "T-1" ~~MobileManufactured~~ Home Subdivision, and "T-2" ~~MobileManufactured~~ Home Park districts, and any residential-only portion of a "PUD" Planned Unit Development District.

ZONING DISTRICT, SINGLE-FAMILY. "F" Farm, "RE" Single-family Residential Estate, "RR" Rural Residential, "R-1" Single-family Residential, "R-2" Single-family Residential, and "R-3" Single-family Residential districts, and any portion of a "PUD" Planned Unit Development District restricted to single-family residential use.

(Ord. No. 3748, § 3, 10-28-2010; Ord. No. 3863, § 1, 10-10-2013; Ord. No. 3928, § 1, 1-22-2015; Ord. No. 3990, § 1, 9-8-2016; Ord. No. 3987, § 1, 7-14-2016; Ord. No. 4030, § 1, 8-10-2017; Ord. No. 4050, § 1, 1-25-2018)

6. Section 18-1503.3 is hereby amended as follows:

**SECTION 18-1503. - GENERAL PROVISIONS**

**Sec. 18-1503.3. - CONFORMITY WITH APPROVED PLANS REQUIRED.**

All lots shall be developed, ~~and~~ maintained, and used, when applicable to the development approval, in accordance with the approved site plan, building permit plans and any other City-approved plans.

7. Section 18-1503.5 is hereby amended as follows:

**Sec. 18-1503.5. - DIVISION OF LOTS/UNITY OF TITLE DOCUMENTS.**

- (A) No lot improved with a building or buildings shall hereafter be divided into two (2) or more lots, and no portion of any lot shall be divided or sold separately from the entirety of the lot, unless all lots and improvements thereon, following any division or sale, shall conform with all the regulations of the zoning district in which the property is located.
- (B) The City may require owners of developed lots comprising: 1) more than one (1) lot of record; or 2) one (1) lot of record large enough to be subdivided in compliance with minimum required lot area and dimensions of this Article, to execute a "Lot Line Adjustment" or "Unity of Title" document pursuant to Section 18-101.5 of the Land Development Code, which shall be recorded through the City Clerk's Office. This shall be required when the City Manager determines it to be necessary in order to ensure that the lot(s) shall not subsequently be subdivided, transferred, conveyed or sold in any manner that creates or exacerbates a violation of the provisions of this Article.
- (C) The recorded document required above shall stipulate that a lot or lots shall be held under single ownership, shall not be eligible for further subdivision and shall not be transferred, conveyed, sold or divided in any unit other than in its entirety. If a lot or lots are controlled by a Unity of Title, the City Manager may release the Unity of Title for justified cause. In any case where a waiver or variance, other than an administrative ~~variance~~exception, of any provision of Chapter 18 would be necessary prior to release of the Unity of Title, then City Council shall approve or deny the release of the recorded Unity of Title. Lot(s) that are controlled by a Unity of Title document may be subdivided if the Unity of title is released and all requirements of this Article are met.

8. Section 18-1503.6 is hereby amended as follows:

**Sec. 18-1503.6. - USES TO BE CONDUCTED WITHIN ENCLOSED BUILDINGS.**

All uses shall be conducted entirely within a completely enclosed building unless the City Manager ~~or his designee~~ determines that the use is customarily conducted outdoors. Customary outdoor uses include, but are not limited to, farming, produce stands, outdoor cafes, drive-thru functions, outdoor recreation, cemeteries, salvage yards, vehicle parking and storage, automobile dealer displays, stadiums, fuel oil storage and distribution, car washes, retail sale of automotive fuel, public utility infrastructure, certain special outdoor events such as carnivals, shows and promotions, and drive-in theaters.

9. Section 18-1503.8 is hereby amended as follows:

**Sec. 18-1503.8. - MEASUREMENTS OF YARD SETBACKS ON LOTS ADJACENT TO RIGHTS-OF-WAY OF INSUFFICIENT WIDTH.**

- (A) In any case where a proposed or existing lot abuts a planned or existing right-of-way which does not yet have the full dedicated right-of-way width as presented in Article 1, Subdivision Code, the Comprehensive Plan, a City Thoroughfare Plan, or as required by another governmental agency having jurisdiction over the right-of-way, the yard setbacks for such properties for all improvements, including but not limited to buildings, structures, signs, landscaping, drainage ponds, and buffers, shall be measured from the ultimate right-of-way lines. This requirement shall not apply to developed parcels on existing local streets where the Future Traffic Circulation Plan does not indicate a change of functional classification to a higher classification that also requires a greater right-of-way width and the requirements of Section 18-105.5(A), (C) and (D) do not apply.

(B) An applicant may request a waiver of a City right-of-way width requirement by making written application for a waiver to the Zoning Director~~City Council~~. The Zoning Director shall then prepare a report, advertise the request consistent with procedures enumerated at Section 18-1534 Public Notice Requirements and schedule a public hearing before City Council. The City Council shall grant or deny the application based on the following factors:

1. The impact that the applicant's proposal would have on the existing and proposed right-of-way in the area;
2. The location of the applicant's property;
3. Traffic patterns in the area;
4. The character and age of the neighborhood; and
5. Any other factor that is relevant and material to the waiver request.

In granting such waivers, the City Council shall find that such waiver will not be contrary to the public interest and may prescribe appropriate conditions and safeguards. A violation of such conditions and safeguards shall be deemed a violation of this Article. If the waiver is denied, the City Council may authorize modifications to lot development standards to mitigate lost development potential resulting from additional setback requirements.

**10. Section 18-1503.9 is hereby amended as follows:**

**Sec. 18-1503.9. - PERMITTED OBSTRUCTIONS IN REQUIRED YARDS~~SETBACKS~~.**

Obstructions shall be permitted in any required yard-setback as specified below; however, in no case shall any obstruction interfere with the visibility triangle as defined in Sec. 18-1502.2, "Definitions", or be located within a public or private right-of-way. See also, Section 18-1530.4, "Swimming Pools."

- (A) ALL SETBACKS~~YARDS~~. Permitted obstructions shall be limited to a maximum projection from a building of three (3) feet into any required yard, unless otherwise stated below.
1. Arbors and trellises may project over a required yard to within five (5) feet of the property line.
  2. Awnings and canopies.
  3. Chimneys attached to a dwelling.
  4. Flag poles and garden ornaments.
  5. Steps or concrete walkways, which are necessary to provide access to the first floor of a building, or for access to a lot from a street or alley.
  6. Overhanging eaves or cornices (may project into an easement).
  7. Driveway extensions, decks, patios, sidewalks or other impervious surfaces less than six (6) inches above finished grade and open to the sky may project to within five (5) feet of the property line.
  8. Handicap ramps, including vertical guard rails, meeting the requirements of the Florida Building Code, may project over the required yard.
  9. Recreational and children's playground equipment, excluding skateboard ramps, may occupy a required yard.
  10. Paved vehicular connections, up to ~~ten-twenty~~ (20) feet in width, between commercial or industrial properties may cross property lines for the movement of people or goods from one structure to another without the necessity of a setback variance. In planning such connections, applicants shall demonstrate that drainage plans remain viable for the subject properties and that impervious surface ratios remain within regulatory limits. As part of the engineering permit required to construct such connection, applicants shall also submit to the Zoning Director revised final site plans for all connected properties reflecting resultant

increases of impervious surface and any other controlling site data quantity. Said connection shall not be considered vehicular use area for determining landscape requirements under Section 18-1533.17 of this Land Development Code.

11. Shared driveways approved in accordance with Article 5 of the Land Development Code may encroach on side setback lines.

- (B) FRONT ~~YARDS~~SETBACKS. Permitted obstructions shall be limited to a maximum projection from a building of three (3) feet into any required front yardsetback, unless otherwise stated below.
1. One-story bay windows.
  2. Second story balconies may project from a building not more than five (5) feet over the required yard.
  3. Decks more than six (6) inches above grade and open to the sky may extend not more than five (5) feet over the required yard.
- (C) SIDE ~~SETBACK~~YARDS. Permitted obstructions shall be limited to a projection of three (3) feet into any required side yardsetback, unless otherwise stated below.
1. Second or higher story balconies.
  2. Sidewalks and walkways may be located within one (1) foot of a property line.
- (D) REAR ~~YARDS~~SETBACKS AND SECONDARY FRONT ~~YARDS~~SETBACKS. Permitted obstructions shall be limited to a maximum projection from a building of three (3) feet into any required rear or secondary front yardsetback, unless otherwise stated below.
1. Second or higher story balconies may project not more than five (5) feet over the required yardsetback.
  2. One-story bay windows.
  3. Decks more than six (6) inches above grade and open to the sky may project not more than five (5) feet over the required yardsetback.
  4. Air-conditioners, heat pumps, pool pumps and similar equipment including supporting slabs may project not more than four (4) feet over the required rear yardsetback.

**11. Section 18-1503.10 is hereby amended as follows and moved to 18-1504.3(G)4.:**

**Sec. 18-~~1503~~1504.3-10(G)4. - SPECIAL YARD SETBACKS TO APPLY IN ALL ZONING DISTRICTS FOR ADDITIONS TO BUILDINGS IN EXISTENCE AS OF AUGUST 14, 1997.**

Any additions directly connected and being made a part of a nonconforming building existing as of August 14, 1997, may be constructed in a manner that will maintain the yard-minimum setback requirements in effect at the time such building was originally constructed and as evident at the time of application for such addition, except that no such additions shall encroach upon the "visibility triangle" as defined by Sec. 18-1502.2, "Definitions."

**12. Section 18-1503.13 is hereby amended as follows:**

**Sec. 18-1503.13. - EXCLUSION FROM HEIGHT LIMITS.**

- (A) Rooftop projections such as, but not limited to, penthouses containing mechanical equipment, parapet walls not to exceed five (5) feet in height to conceal mechanical equipment or to add architectural features to a façade, spires, steeples, domes and other decorative projections, tanks, chimneys, stacks, and flagpoles may exceed the stated height limit for a given zoning district, provided that such projections shall not exceed thirty (30) percent of the total roof area of the building or structure and that no such projection shall exceed the stated height limit by more than twenty-five (25) percent or thirty (30) feet, whichever is less.

- (B) Antennas~~e~~ may exceed the stated height limit as provided in the antenna and telecommunication tower provisions of Section 18-1530.7, Section 1530.8 and Section 18-1530.9.

**13. Section 18-1503.18 is hereby amended as follows:**

**Sec. 18-1503.18. - DEVELOPMENT AGREEMENTS.**

- (A) PURPOSE. It is the intent of this Article to encourage a strong commitment to sound comprehensive and capital facilities planning, to ensure the provision of adequate public facilities for development concurrent with the impacts of development, to encourage the efficient use of resources, and to reduce the economic cost of development, and to provide necessary assurances to both the City and developers that development can be completed according to plans in a specified timeframe.
- (B) AUTHORITY. This Article sets forth the procedural requirements that the City shall consider and implement in order to enter into development agreements. Specific authority for adoption of this Article is based upon F.S. ~~ch. § 163.3220-163.3243~~~~ch. 163.3220~~. In general, the provisions of this Article comply with and are authorized by the provisions set forth in the local government development agreement act, and the definitions of F.S. §163.3221 shall apply to development agreements entered into by the City.
- (C) APPLICATIONS.
1. Applications for development agreements shall be submitted to the City Manager ~~or his designee~~ on forms supplied by the City accompanied by any fees or charges as may be imposed by the City Council for filing and processing. In addition to the required information enumerated in Subsection (D) below, the City may require an applicant to submit other information as is reasonably necessary to fully consider the application.
  2. Only a qualified applicant may file an application to enter into a development agreement. A qualified applicant is a person who has legal or equitable interest in the real property which is the subject of the development agreement. The application shall state the ownership interests of any joint ventures, partnerships or corporations and reveal all principals or directors and officers, as appropriate. Such statements shall be certified by a title company or an attorney-at-law licensed to practice in the State of Florida.
  3. The City Council shall have the authority to approve, in conjunction with a development agreement, conditions, stipulations and alternative standards that will apply to any other development permit or approval that property may be required to obtain. Such conditions, stipulations, or alternative standards may take the place of standards set forth in the land development code so long as the alternative standards applied is consistent with and implements the requirements of the Comprehensive Plan. Such alternative standards may be approved in a development agreement regardless of whether compliances with the strict terms of the land development code would impose a hardship.
  4. A landowner may request the City to enter a development agreement where the development will require the dedication of property or the construction of public facilities to meet concurrency requirements, where the landowner or developer wishes to phase a project, qualify for density bonuses, seeks application of alternative standards to those found in the land development code, or wishes to vest development rights for the project.
- (D) REQUIREMENTS OF A DEVELOPMENT AGREEMENT.
1. A development agreement shall, at a minimum, include the following:
    - (a) A legal description of the land subject to the agreement and the names of its legal and equitable owners;
    - (b) The duration of the agreement;
    - (c) The uses permitted on the land, including dwelling unit densities, building intensities and height;

- (d) A description of public facilities that will service the development, including who shall provide such facilities; the date of any new facilities, if needed, that will be constructed; and a schedule to assure public facilities are available concurrent with the impacts of the development;
- (e) A description of any reservation or dedication of land for public purposes;
- (f) A description of all local development permits approved or needed to be approved for the development of the land;
- (g) A finding that the development permitted or proposed is consistent with the local government's comprehensive plan and land development regulations;
- (h) A description of any conditions, terms restrictions, or other requirements determined to be necessary by the local government for the public health, safety and welfare of its citizens;
- (i) A statement indicating that the failure of the agreement to address a particular permit, condition, term, or restriction shall not relieve the developer of the necessity of complying with the law governing the said permitting requirement, condition, term or restriction;
- (j) The land use designation of the property under the Future Land Use Element of the Pinellas Park Comprehensive Plan; ~~and~~
- (k) The current zoning of the property; ~~and~~;
- (l) Provisions stating that the agreement's specified improvements required to serve development that has occurred pursuant to the development agreement shall be binding on all successors to the agreement, even if such improvements have not been provided during the life of the agreement. Expiration of the agreement shall not relieve the successors to the development agreement of the responsibility to provide specified improvements on which the owners of property subject to the agreement have reasonable reliance.

2. A development agreement may include:

- (a) Design criteria for multifamily, commercial or office uses, including but not limited to transitions in density and intensity, screening and buffering, architectural theme and building finish, consistent roof lines, controlled access, building orientation, building mass, building scale, building height, building setbacks, parking requirements, street design, and other site planning techniques;
- (b) Approval of waivers, variances or alternative standards to specific land development code requirements as they relate to: drainage, parking, landscaping, access management, visibility, site/lot/parcel coverage, impervious surface ratio, floor area ratio, density, commercial corridor architectural standards, signage, setbacks, or height, subject only to consistency with the comprehensive plan and consistency with the countywide rules; and
- (c) Establish enforcement procedures and requirements which may be in addition to the code enforcement provisions of the land development code, and which may include the recording of restrictive covenants in favor of the City.

3. A development agreement may provide that the entire development, any phase thereof, or capital project be commenced or completed within a specific period of time.

43. The term of a development agreement shall not exceed ten (10) years or such time as the act may provide and is approved by the City Council. A development agreement may only be extended by mutual consent of the City Council and the developer, subject to public hearings as required by this Section.

(E) NOTICES AND HEARINGS.

- (1) Before entering into, amending, or revoking a development agreement, the Planning and Zoning Commission and City Council each, shall conduct a Public Hearing on the application. The day, time, and place of the second Public Hearing shall be announced at the first Public Hearing. At the conclusion of the second Public Hearing, the City Council shall approve, approve with modifications, or deny the application for a development agreement.
  - (a) Notice of intent to consider a development agreement shall be advertised no less than seven (7) days before each Public Hearing in a newspaper of general circulation and readership in Pinellas Park. Notice of intent to consider a development agreement shall also be mailed fifteen (15) days before the first Public Hearing to all affected property owners of record. For the purposes of this section "affected property owners" shall mean owners of property within three hundred (300) feet of the property subject to a development agreement as evidenced by the record of the Pinellas County Property Appraiser.
  - (b) Payment of application fees, submission of applications, engineering plans, surveys, or any other expenditure shall not vest any rights to complete development or to obtain any requested zoning or land use classification amendments.
- (F) RECORDATION. Development agreements shall be recorded in the public records of Pinellas County within fourteen (14) days following approval by City Council. A certified copy shall be submitted to the Department of Community Affairs within fourteen (14) days after the agreement is recorded. If the agreement is amended, cancelled, modified, extended or revoked, the Clerk shall have notice of such action recorded in the public records and such recorded notice shall be submitted to the Department of Community Affairs. The burdens of the development agreement shall be binding upon and the benefits of the agreement shall inure to all successors in interest to the parties to the agreement.
- (G) PERIODIC REVIEW.
  1. The City shall review projects or land subject to a development agreement at least once every twelve (12) months to determine if there has been demonstrated good faith compliance with the terms of the development agreement.
  2. If the City finds, on the basis of substantial competent evidence, that there has been a failure to comply with the terms of the development agreement, the City Council shall set the matter for public hearing.
  3. If the City subsequently finds that there has been a failure to comply with the terms of the agreement, the agreement may be revoked or modified by the City Council.
- (H) LAWS AND POLICIES GOVERNING A DEVELOPMENT AGREEMENT.
  1. The City of Pinellas Park laws and policies governing land development at the time of the execution of the development agreement shall govern the development of the land for the duration of the agreement.
  2. The City may apply subsequently adopted laws and policies to a development that is subject to a development agreement only if the local government has held a Public Hearing and determined:
    - (a) They are not in conflict with the laws and policies governing the development agreement and do not prevent development of the land use, intensities, or densities existing in the development agreement.
    - (b) They are essential to the public health, safety and welfare and expressly state that they shall apply to development that is subject to a development agreement.
    - (c) They are specifically anticipated and provided for in the development agreement.
    - (d) The City demonstrates that substantial changes have occurred in pertinent conditions existing at the time of approval of the development agreement.

(e) The development agreement is based on substantially inaccurate information supplied by the developer.

3. This Section does not abrogate any rights that may vest pursuant to common law.

(I) ENFORCEMENT. Any aggrieved or adversely affected party as defined in F.S. § 163.3215(2), or the State Land Planning Agency may file an action for injunctive relief in the Circuit Court of the Sixth Judicial Circuit in and for the City of Pinellas Park, to enforce the terms of a development agreement or to challenge compliance of the agreement with the provision of F.S. § 163.3220.

(J) AMENDMENT, MODIFICATION, EXTENSION, REVOCATION AND CANCELLATION OF AGREEMENTS.

1. Development agreements may be amended or canceled by mutual consent of the parties to the agreement or by their successors in interest upon proper notice and hearing as set forth in this section.

2. If state or federal laws are enacted after the execution of a development agreement that are applicable to and preclude the parties' compliance with the terms or conditions of a development agreement, then such agreement shall be modified or revoked as is necessary to comply with the relevant state or federal laws upon proper notice and hearing set forth in this section.

(K) LEGAL STATUS OF DEVELOPMENT AGREEMENTS.

1. The burdens of a development agreement shall be binding upon, and the benefits of the agreement shall apply to, all successors in interest to the parties to the agreement

2. The City's laws and policies governing the development of land in effect at the time of execution of a development agreement, including, but not limited to, all other ordinances comprising the land development code under F.S. §163.3202, as amended, shall govern the development of all land specified in the development agreement for its stated duration.

3. The City may only apply subsequently adopted laws and policies to then existing development agreements if, after a duly noticed public hearing, the City Council:

(a) Determines that such laws and policies are specifically anticipated and provided for in a development agreement;

(b) Determines that such laws and policies are not in conflict with the prior laws and policies governing existing development agreements; and do not prevent development of the land uses, intensities, or densities set forth in existing development agreements;

(c) Determines that such laws and policies are essential to the public health, safety or welfare, and expressly state that they shall apply to existing development agreements;

(d) Determines and demonstrates that substantial changes have occurred in pertinent conditions existing at the time of approval of existing development agreements; or

(e) Determines that certain development agreements were based upon substantially inaccurate information supplied by the owner/developer.

4. The provisions set forth in paragraphs 2 and 3 of this section do not abrogate any development rights that may vest pursuant to common law.



**14. Section 18-1504.1 is hereby amended as follows:**

**Sec. 18-1504.1. - STATEMENT OF INTENT.**

It is the purpose and intent of this Section to permit any lawfully established lot, building and other structures (all deemed "buildings" hereunder), or use, existing as of the effective date of this Article, or of amendments thereto, which do not conform to the adopted regulations of the district in which it is located, to continue as a nonconformity, except as otherwise provided herein.

**15. Section 18-1504.2 is hereby amended as follows:**

**SECTION 18-1504. - NONCONFORMITIES**

**Sec. 18-1504.2. - NONCONFORMING USES.**

- (A) VESTED RIGHTS. Any building designed for a nonconforming use for which a building permit has been lawfully granted prior to the effective date of this Article, or of amendments thereto, may be completed in accordance with the approved plans; provided construction is started within one hundred and eighty-two (182) days of the date of issue of the building permit and the permit remains valid. Necessary changes during the construction period of the permit will be permitted; such changes need not conform to the newly adopted Article or amendments thereto but must meet the regulations that were in force at the time of issuance of the building permit. Such building designed for a nonconforming use, shall thereafter be deemed a lawfully established building. Any nonconforming use of the building shall be subject to the provisions of this Section. This Subsection is not intended to extend the effective time of any building permit granted pursuant to this Article, or any ordinance, rule, or regulation of the City.
- (B) DISCONTINUANCE OF USE. Nonconforming uses shall not be permitted to continue if said use becomes subject to the following conditions:
  - 1. Period of Discontinuance. Whenever a nonconforming use has been discontinued for a period of twelve (12) consecutive months, except as provided under (I), "Damage - Destruction" such use shall not be re-established. This condition shall not apply to residential uses, which may continue to exist until the nonconforming residential use is converted to a conforming use.
  - 2. Discontinuance of Use on Undeveloped Land. Undeveloped land, used in this context, shall refer to land that does not contain any enclosed building. Discontinuance of a nonconforming use on undeveloped land for a period of one hundred and twenty (120) consecutive days constitutes abandonment, after which use of said undeveloped land shall conform with the regulations of the applicable zoning district, except when the nonconforming use is either farming, agriculture or animal husbandry, such use may be re-established, if done so within a period of twelve (12) months from the date of discontinuance.
- (C) CONVERSION TO NONCONFORMING USE NOT PERMITTED. Whenever a nonconforming use is changed to, or replaced by, a use conforming to the provisions of this Article, such nonconforming use shall not be re-established.
- (D) CHANGE OF NONCONFORMING USE. The nonconforming use of any building, or portion thereof may be changed to another nonconforming use of equal or lesser intensity, if the City Council, or Community Redevelopment Agency if located within the Community Redevelopment Area, determines after the conclusion of a public hearing, that the building is structurally and uniquely designed for a nonconforming use, and/or the site is also designed for a nonconforming use, and that the proposed change in use is of equal or lesser intensity. Notice for the public hearing shall be as prescribed for waivers under Section 18-1534, Public Notice Requirements.

In determining whether a change in nonconforming use is of equal or lesser intensity, the appropriate board shall consider parking requirements and traffic generation, the characteristics of the use itself, infrastructure demand, and compatibility with neighboring uses.

In determining whether a building is structurally and uniquely designed for a nonconforming use, the appropriate reviewing board shall consider the adaptability of the structural building design and site

layout for conforming uses, but without consideration of interior partition wall layout, portable furnishings or portable equipment. An example of a building structurally designed for a unique use is an auditorium with sloped floor, fixed seating, balconies, orchestra pit and elevated stage. Other examples of both buildings and their sites designed uniquely for specific uses include some very small fast-food restaurants as characterized by their small shell, small site and drive-thru lanes; marinas; dead/long-term storage warehouses with remote location and insufficient parking area to accommodate other uses; service stations with motor fuel pumps; and, buildings structurally designed for a specific heavy-industrial use, which buildings are not adaptable to other use types.

When reviewing an application for a change of nonconforming use, the appropriate reviewing board may approve, approve with conditions or safeguards, or deny the proposed change of nonconforming use. The approval of the change of nonconforming use shall not become effective except by a majority vote of the City Council or, if applicable, by the Community Redevelopment Agency.

Violation of such conditions and safeguards, when made a part of the terms under which the change of nonconforming use is granted, shall be deemed a violation of this Article and punishable as such.

- (E) **ADDITIONS—EXPANSIONS.** Buildings containing nonconforming uses may make such additions, or expand the space occupied by a nonconforming use located within a building, in order to provide for the natural expansion of the nonconforming use, as determined by City Council, or if appropriate, by the Community Redevelopment Agency, should the use be located within the Community Redevelopment District. Refer to Subsection (D), above, for public hearing procedures and criteria to be considered by the reviewing agency.

In granting approval of any addition or expansion, the City Council or Community Redevelopment Agency may prescribe appropriate conditions and safeguards in conformity with this Article. Violation of such conditions and safeguards, when made a part of the terms under which the addition or expansion of a building containing a nonconforming use is granted, shall be deemed a violation of this Article and punishable as such.

Exception: Nonconforming single-family detached dwellings shall not be required to meet the public hearing requirement noted in (D) above when the proposed expansion involves the following accessory uses customarily found in residential developments: screen rooms, carports, utility sheds, swimming pools, pool cages, decks, and patios. All other expansions to a nonconforming single-family detached dwelling must meet applicable Code requirements, including but not limited to, review and approval at a public hearing by the appropriate reviewing agency.

- (F) **MOVING.** A nonconforming use can be moved within the lot of record upon which situated, as it existed on the effective date of this Article, provided the relocation of the use complies with all property development standards and requirements of this Article, other than those pertaining to lot size and dimensions
- (G) **ENCROACHMENT NOT PERMITTED.** Nonconforming uses may not be enlarged or extended in such a way as to occupy any land beyond the boundaries of the lot upon which it is situated, as it existed on the effective date of this Article.
- (H) **REPAIR—ALTERATIONS.** Normal maintenance of a building containing a nonconforming use is permitted, including necessary structural repairs and interior or exterior alterations which do not increase the exterior size of the building. This provision shall not be interpreted to prohibit the exterior repair or alteration of a building by means of the use of aluminum siding or similar material or where the installation meets energy efficiency codes.
- (I) **DAMAGE—DESTRUCTION.** If a building containing a nonconforming use is damaged or destroyed by any means beyond the control of the owner, such damaged building can be rebuilt as originally constructed. The building may be restored to its original configuration and the occupancy or use of such building which existed at the time of such destruction may be continued. However, said building must meet current Code requirements of Florida Building Code, as it may be amended from time to

time, as well as the requirements of Article 8, Flood Damage Control, Land Development Code. In any event, restoration or repair of the building must have commenced within a period of twelve (12) months from the date of damage or destruction, and diligently pursued to completion, provided that in the event of a natural disaster, the City Manager may extend this timeframe for all buildings within the City as needed to accommodate recovery on a large-scale.

- (J) REPLACEMENT OF NONCONFORMING MOBILE HOME DWELLINGS. The replacement of mobile home dwellings, and accessory uses normally associated with said use such as screen rooms or carports, located within an established mobilemanufactured home park that is nonconforming to the zoning district, shall not be required to meet the public hearing requirement of (D) above. Any mobile home that is destroyed or damaged to the extent that its repair will cost more than fifty (50) percent of its value, as determined by the building official using FEMA Form 086-0-17 or more recent FEMA worksheet, may only be replaced by a manufactured home or a conforming structure. Setbacks for said replacement mobile home dwelling or accessory use shall follow the requirements established within the "T-2" Mobile-Manufactured Home Park zoning district. However, sheds with a dimension of less than ten (10) feet by ten (10) feet may be established on the property line pursuant to Section 18-1530.2, "Accessory Buildings Not Permitted In Required Setbacks or Yards."
- (K) NONCONFORMING NUMBER OF DWELLING UNITS. In any zoning district, where a dwelling is nonconforming only as to the number of dwelling units it contains, said building may be altered or enlarged, provided the number of dwelling units are not increased, subject to the provisions of (E) above.

**16. Section 18-1504.3 is hereby amended as follows:**

**Sec. 18-1504.3. - NONCONFORMING BUILDINGS.**

- (A) VESTED RIGHTS. Any building for which a building permit has been lawfully granted prior to the effective date of this Article, or of amendments thereto, may be completed in accordance with the approved plans; provided construction is started within one hundred eighty-two (182) days of the date of issue of the building permit and remains valid. Necessary changes during the construction period of the permit will be permitted; such changes need not conform to the newly adopted Article or amendments thereto but must meet the regulations that were in force at the time of issuance of the building permit. Such building shall thereafter be deemed a lawfully established building. This Subsection is not intended to extend the effective time of any building permit granted pursuant to this Article, or any ordinance, rule, or regulation of the City.
- (B) REPAIR—ALTERATIONS. Normal maintenance of a nonconforming building is permitted, including necessary structural repairs and interior or exterior alterations which do not increase the nonconformity of the building.
- (C) DAMAGE—DESTRUCTION. If a nonconforming building is damaged or destroyed by any means, such damaged building may be rebuilt. The building may be restored to its original configuration. However, said building must meet current Code requirements for building and fire, as well as the requirements of Article 8 Flood Damage Control, Land Development Code. In any event, restoration or repair of the building or other structure must have begun construction within a period of twelve (12) months from the date of damage or destruction and diligently pursued to completion, provided that in the event of a natural disaster, the City Manager may extend this timeframe for all buildings within the City as needed to accommodate recovery on a large-scale.
- (D) DISTANCE FROM RESIDENTIAL USES. In any commercial or industrial district, where a building is located closer to a residential or mixed use zoning district than permitted in the regulations for the district, such building may be increased in size, but not in the direction of the subject residential or mixed use district.
- (E) NONCONFORMING ACCESSORY STRUCTURES. Accessory structures, limited to equipment such as air-conditioners, heat pumps, pool pumps, and fuel oil or propane gas tanks, nonconforming as to required setbacks, may be replaced with like equipment in the same location at the existing nonconforming setback.

- (F) NONCONFORMING MOBILE HOME STRUCTURES. Mobile home structures, including accessory carports and/or screen rooms, nonconforming as to required setback, may be replaced with another like structure in the same location at the existing nonconforming setback. Mobile homes may only be replaced with a manufactured home or other conforming structure.
- (G) EXPANSION. A nonconforming building may be increased in size, but not in such a manner as to increase the dimensional nonconformity, except as hereinafter provided:
  1. Floor Area Ratio: See Section 18-1503.10 "Transfer of Development Rights" for lots located within the Community Redevelopment District (CRD) Land Use Plan Map category.
  2. Any additions directly connected and being made a part of a nonconforming building existing as of August 14, 1997, may be constructed in a manner that will maintain the yard setback requirements in effect at the time such building was originally constructed and as evident at the time of application for such addition, except that no such additions shall encroach upon the "visibility triangle" as defined by Sec. 18-1502.2, "Definitions."
  3. Lot Coverage: When lot coverage is nonconforming, the lot coverage of any building or improvement shall not be increased unless there is a proportionate reduction on another portion of the site. Should the principal building be removed from the site, the site shall be made to conform with the maximum lot coverage allowance. See also Sec. 18-1530.18 "Master Stormwater Retention/Detention Ponds, Crediting Against Maximum Lot Coverage (Industrial Zoning Districts)" and Section 18-1503.1 "Transfer of Development Rights" for sites located within the Community Redevelopment District (CRD) Land Use Plan Map category.

**17. Section 18-1504.4 is hereby amended as follows:**

**Sec. 18-1504.4. - NONCONFORMING LOTS.**

- (A) SINGLE LOT. Any single lot which fails to meet the applicable district requirements for area, width, depth or other dimension, and where said lot was of record prior to the date of adoption of the current size and dimensional requirements for the subject district, (see the "Dimensional Regulations" section of the applicable zoning districts for applicable dates), and complied with all subdivision, platting and zoning regulations at the time of recordation, such lot shall be deemed nonconforming, and may be used for a permitted use in the subject districts subject to applicable regulations of the district other than said lot area and dimensional requirements except as provided in Section 18-1538 "Administrative Exceptions."

Any lot not in compliance with the minimum lot area and dimensional regulations at the time of its establishment on record, and any lot not in compliance with the platting or subdivision regulations at the time of its establishment on record shall be deemed an illegally created and substandard lot that cannot be developed unless combined with other lots to create one (1) conforming lot.

A nonconforming lot shall not be reduced in size or dimension such that the extent of any nonconformity is increased, or any new nonconformity is created.

- (B) MULTIPLE LOTS IN THE "R-1", "R-2", AND "R-3" DISTRICTS.
  1. Combination of Lots. Notwithstanding the foregoing, in the "R-1", "R-2", and "R-3" Districts, any of two (2) or more undeveloped nonconforming lots of record with continuous frontage on a street, under common ownership as of the date the lots became nonconforming, shall be considered as a single lot that shall not be utilized, developed, or transferred, by sale or otherwise, except as a single lot, except as provided below. As used in this Section, the term "undeveloped lot" shall mean any lot which is not improved with a permanent principal building suitable for human habitation or other intended use and shall include developed lots from which such permanent principal building is hereafter removed for any reason, including damage or destruction and not replaced in accordance with this Division.

Any such lots may be replatted, or undergo lot line adjustment pursuant to Section 18-101.5 of the Land Development Code into lots which meet or exceed all of the current minimum

applicable dimensional regulations of that zoning district. The lot line adjustment procedure shall not be utilized if any new or additional right-of-way or access easement is created or if any extension of a City utility system is required.

2. Appeal Procedures. In any case where the strict application of Subparagraph 1, above, would result in an undue hardship, City Council may waive said provisions, in whole or in part, provided that such waiver is not contrary to the public interest. The intent of the waiver process is to allow for consideration of the prevailing development pattern and potential of an area, including the extent of applicability of Subsection (B) to other properties in the area in order to determine whether requiring the combination of nonconforming lots serves a public purpose. The public purpose determination also includes consideration of the adequacy of infrastructure to serve the additional development that would be authorized by a waiver, and the economic impact to the City of granting the waiver. In determining whether such provisions should be wholly or partially waived, City Council shall consider the following criteria:
  - (a) Character, existing aesthetic conditions, zoning, lot size, lot configuration, and use of the property in question and of other property in the vicinity. The existence of unimproved nonconforming lots in the vicinity shall not constitute grounds for the approval of a waiver.
  - (b) Natural features of the property in question and of other property in the vicinity.
  - (c) Adequacy of off-site infrastructure improvements.
  - (d) Traffic impacts.
  - (e) Economic impact to the City.
  - (f) Ability to provide municipal services, including emergency services to the property in question and to other property in the vicinity.
  - (g) Whether the hardship resulted in whole or in part from the actions of the applicant.

Further, before a waiver may be granted, City Council shall make a finding that based upon the foregoing factors, an undue hardship would result, and that the waiver is the minimum waiver that will alleviate such undue hardship. In addition, City Council must make a finding that the granting of the waiver will be in harmony with the general purpose and intent of this Article, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

In granting any waiver, the City Council may prescribe appropriate conditions and safeguards as conditions thereof. Violation of such conditions and safeguards, when made a part of the terms under which waiver is granted, shall be deemed a violation of this Article and punishable as provided therein.

No petition for a waiver may be considered by the City Council until public notice has been given of a public hearing. Notice of the public hearing shall be as required by Section 18-1534, "Public Notice Requirements."

All applications for waivers to the provisions of this Section shall adhere to the administrative procedures as may be established from time to time by the City Manager. No such petition shall be processed or considered until the appropriate application fee as may be required by this Article has been paid to the City.

Whenever City Council has denied a waiver of the provisions of this Section, the City Council shall not consider any further waiver for the property in question or any part of said property for a period of one (1) year from the date of such denial. The time limit established herein may be waived by City Council, when such action is deemed necessary to prevent injustice or to facilitate development of the property.

18. Section 18-1505.2 is hereby amended as follows:

**SECTION 18-1505. - DISTRICT REGULATIONS**

**Sec. 18-1505.2. - ESTABLISHMENT OF ZONING DISTRICTS.**

In order to classify, regulate and restrict the uses of land, water and buildings; and to regulate the height, bulk, expanse, intensity and density of buildings and open areas about buildings in the incorporated areas of the City of Pinellas Park, Florida, said territory is hereby divided into the zoning districts ~~which are set out as the district titles~~ listed in ~~Section 18-1505~~ Table 1505.2 and further described in the ~~the~~ "District Regulations" established in the corresponding section reference in the table.

**Table 1502.2: Zoning Districts**

<u>Abbreviation</u>	<u>District Name</u>	<u>Section Reference</u>
<u>F</u>	<u>Farm</u>	<u>18-1506</u>
<u>RE</u>	<u>Single-family Residential Estate</u>	<u>18-1507</u>
<u>RR</u>	<u>Rural Residential</u>	<u>18-1508</u>
<u>R-1</u>	<u>Single-family Residential</u>	<u>18-1509</u>
<u>R-2</u>	<u>Single-family Residential</u>	<u>18-1510</u>
<u>R-3</u>	<u>Single-family Residential</u>	<u>18-1511</u>
<u>R-4</u>	<u>Multi-Family Residential (Duplex)</u>	<u>18-1512</u>
<u>R-5</u>	<u>Multi-Family Residential</u>	<u>18-1513</u>
<u>R-6</u>	<u>Multi-Family Residential/Commercial</u>	<u>18-1514</u>
<u>T-1</u>	<u>Manufactured Home Subdivision</u>	<u>18-1515</u>
<u>T-2</u>	<u>Manufactured Home Park</u>	<u>18-1516</u>
<u>ROR</u>	<u>Residential Office District</u>	<u>18-1517</u>
<u>GO</u>	<u>General Office</u>	<u>18-1518</u>
<u>CN</u>	<u>Neighborhood Commercial</u>	<u>18-1519</u>
<u>B-1</u>	<u>General Commercial</u>	<u>18-1520</u>
<u>MXD</u>	<u>Mixed-Use (Redevelopment District only) <sup>†</sup></u>	<u>18-1521</u>
<u>TC</u>	<u>Town Center (Redevelopment District only)</u>	<u>18-1522</u>
<u>CH</u>	<u>Heavy Commercial</u>	<u>18-1523</u>
<u>M-1</u>	<u>Light Industrial</u>	<u>18-1524</u>
<u>IH</u>	<u>Heavy Industrial</u>	<u>18-1525</u>
<u>OS</u>	<u>Open Space</u>	<u>18-1526</u>
<u>PRES</u>	<u>Preservation</u>	<u>18-1527</u>
<u>P</u>	<u>Public</u>	<u>18-1528</u>
<u>PUD</u>	<u>Planned Unit Development</u>	<u>18-1529</u>

- ~~(A) F Farm~~
- ~~(B) RE Single-family Residential Estate~~
- ~~(C) RR Rural Residential~~
- ~~(D) R-1 Single-family Residential~~
- ~~(E) R-2 Single-family Residential~~

- ~~(F) R-3 Single-family Residential~~
- ~~(G) R-4 Multi-Family Residential (Duplex)~~
- ~~(H) R-5 Multi-Family Residential~~
- ~~(I) R-6 Multi-Family Residential/Commercial~~
- ~~(J) T-1 Mobile Home Subdivision~~
- ~~(K) T-2 Mobile Home Park~~
- ~~(L) GO General Office~~
- ~~(M) CN Neighborhood Commercial~~
- ~~(N) B-1 General Commercial~~
- ~~(O) MXD Mixed-Use (Redevelopment District only)<sup>4</sup>~~
- ~~(P) TC Town Center (Redevelopment District only)~~
- ~~(Q) CH Heavy Commercial~~
- ~~(R) M-1 Light Industrial~~
- ~~(S) IH Heavy Industrial~~
- ~~(T) OS Open Space~~
- ~~(U) PRES Preservation~~
- ~~(V) P Public~~
- ~~(W) PUD Planned Unit Development~~

~~<sup>4</sup>.Parcels zoned MXD1 or MXD2 are combined and made a part of MXD in this Article 15 Zoning.~~

**19. Section 18-1505.3 is hereby amended as follows:**

**Sec. 18-1505.3 – INTERPRETATION OF USES ALLOWED IN ZONING DISTRICTS**

Each district’s provisions identify uses allowed by right or subject to conditional use permit approval. Uses that are not listed are prohibited, provided that uses that are similar to any permitted or conditional use, as determined by the Zoning Director, shall be permitted in the same manner (i.e., permitted versus conditional) as the listed use to which it is similar, and provided that any similar use specifically permitted in another zoning district shall not be permitted. Any party aggrieved by a decision of the Zoning Director may appeal such decision to the City Manager.

**20. Section 18-1506.1 is hereby amended as follows:**

**SECTION 18-1506. - "F" FARM DISTRICT**

**Sec. 18-1506.1. - STATEMENT OF INTENT.**

The "F" Farm District is established ~~in order~~ to identify and stabilize those geographic areas within the City of Pinellas Park that are appropriate for development and maintenance of agricultural land, and in order to preserve the open character of certain environmentally sensitive lands, and to provide for very large single-family residential estates of at least two and one-half (2½) gross acres in a farm setting. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Suburban (RS) or Residential Low (RL).

**21. Section 18-1506.2 is hereby amended as follows:**

**Sec. 18-1506.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the Official Land Use Plan Map as Residential Suburban (RS), Residential Low (RL), Residential Urban (RU) and Community Redevelopment District (CRD).~~ A maximum density of four-tenths (0.4) dwelling units per gross acre shall be permitted in the "F" Farm District.

For lots located within the Residential Suburban (RS), Residential Low (RL), and Residential Urban (RU) Land Use Plan Map categories, ancillary nonresidential or public/semi-public uses (except Public Educational Facilities) shall not exceed a maximum area of five (5) gross acres. Transportation/Utility uses shall not exceed a maximum area of three (3) acres. Any such use, alone or when added to existing abutting or functionally abutting like uses, which exceeds the threshold stated above shall require a Land Use Plan Map amendment to Institutional (I), Transportation/Utility (T/U) or other ~~future~~ land use plan category (as appropriate), which shall include such use and all abutting or functionally abutting like uses.

**22. Section 18-1506.3 is hereby amended as follows:**

**Sec. 18-1506.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "F" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1506.3 and other applicable conditions of this district and Article.

**Table 18-1506.3: Authorized Land Uses in F District**

<u>Land Use</u>	<u>Required Approval</u>	<u>Conditions</u>
<u>RESIDENTIAL AND ACCOMMODATION USES</u>		
<u>Dwellings, Single-family Detached</u>	<u>P</u>	
<u>Community Residential Home</u>	<u>P</u>	<u>Limited to 6 or fewer residents</u>
<u>Bed and Breakfast Establishment</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>Guest Houses</u>	<u>P</u>	<u>Accessory to a detached single-family use and not for rent</u>
<u>Shelter Home</u>	<u>C</u>	<u>Limited to 6 or fewer residents; subject to sections 18-1530.19 and 18-1531</u>
<u>COMMERCIAL USES</u>		
<u>Clinic, Veterinary</u>	<u>C</u>	<u>May render treatment to farm or livestock animals and keep animals in outdoor pens. Subject to section 18-1531</u>
<u>TRANSPORTATION, COMMUNICATION, UTILITY USES</u>		
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Limited to three (3) acres in area. Subject to section 18-1531</u>
<u>ARTS, ENTERTAINMENT AND RECREATION USES</u>		



<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTION USES</u>		
<u>Community Facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 1</u>	<u>P</u>	
<u>Day Care Center - Type 2</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Educational Institutions (elementary, middle, senior)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Place of Worship</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Public Educational Facilities</u>	<u>P</u>	
<u>AGRICULTURE AND OTHER USES</u>		
<u>Agriculture</u>	<u>P</u>	
<u>Equestrian Use</u>	<u>P</u>	<u>Subject to sections 18-1530.22 and 18-1530.23</u>
<u>Open Space, Non-Profit or Private</u>	<u>P</u>	
<u>Open Space, Public</u>	<u>P</u>	
<u>Plant Nurseries (Retail)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Plant Nurseries (Wholesale)</u>	<u>P</u>	
<u>Produce Stands</u>	<u>C</u>	<u>Limited to sale of goods grown on site. Subject to section 18-1531</u>
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	<u>Subject to section 18-1530 and 18-1531</u>
<u>Home Occupation</u>	<u>P</u>	<u>Section 18-1530.12</u>

(A) ~~PERMITTED USES.~~

- ~~1. Accessory uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations", including home occupations.~~
- ~~2. Agriculture.~~
- ~~3. Community Residential Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~4. Day Care Center, Type 1.~~
- ~~5. Dwellings, Single-family Detached.~~
- ~~6. Electrical Power Distribution Substations (Subject to Section 18-1530.24).~~
- ~~7. Equestrian Use, subject to Sec.18-1530.22 and Sec.18-1530.23.~~
- ~~8. Guest Houses, not for rent.~~
- ~~9. Plant Nurseries, Wholesale (accessory to farm as principle use).~~
- ~~10. Public Educational Facilities.~~

~~(B) CONDITIONAL USES. (See Section 18-1531 "Conditional Use Regulations" For Conditions.)~~

- ~~1. Accessory uses to any conditional use, subject to Section 18-1530 "Accessory Use and Supplementary District Regulations."~~
- ~~2. Bed and Breakfast Establishment (subject to Sec. 18-1503.16).~~
- ~~3. Clinic, Veterinary.~~
- ~~4. Community Facility.~~
- ~~5. Day Care Center, Type II.~~
- ~~6. Educational Institutions (elementary, middle, and senior).~~
- ~~7. Place of Worship.~~
- ~~8. Plant Nurseries, Retail (accessory to a farm as principle use).~~
- ~~9. Produce Stands.~~
- ~~10. Recreation/Open Space.~~
- ~~11. Shelter Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~12. Utilities, public and private, limited to three (3) acres in area.~~

**23. Section 18-1506.4 is hereby amended as follows:**

**Sec. 18-1506.4. - DIMENSIONAL AND AREA REGULATIONS.**

**(A) MINIMUM LOT REQUIREMENTS.**

1. Lot Area: Two and one-half (2.5) gross acres
2. Lot Width: Two hundred (200) feet, except corner lots must be two hundred twenty-five (225) feet
3. Lots not meeting the lot area or width requirements of this Section and having been of record prior to February 14, 1980 may be used for a permitted or conditional use provided that all other dimensional regulations will apply.

**(B) MINIMUM YARD SETBACK REQUIREMENTS.**

1. Front Yard Setback: Fifty (50) feet
2. Secondary Front Yard Setback: Fifty (50) feet
3. Side Yard Setback: Twenty-five (25) feet
4. Rear Yard Setback: Fifty (50) feet
5. For corner, double frontage and multiple frontage lots, see Section 18-1503.7 "Yard Determinations."
6. Refer to Section 18-1503.8 for measurement of yard setbacks on lots adjacent to rights-of-way of insufficient width.
7. Refer to Section 18-1504.3(G) for special yard setbacks to apply for additions to buildings in existence as of August 14, 1997.

**(C) MINIMUM LIVEABLE FLOOR AREA. Twelve hundred fifty (1,250) square feet**

**(D) MAXIMUM BUILDING HEIGHT. Thirty-five (35) feet for the principal structure; ~~provided that barns and other farm buildings may exceed this height limit when the Zoning Director determines it is necessary for the establishment and operation of a permitted agricultural use. A farm structure may exceed thirty-five (35) feet in height, provided that any structure exceeding fifty (50) feet it is setback at least seventy-five (75) feet from the nearest residential zoning district.~~**

See Section 18-1503.13, "Exclusion from Height Limits", for height limit exclusions.

- (E) MINIMUM OPEN SPACE. Thirty (30) percent for residential use
- (F) MAXIMUM LOT COVERAGE. Nonresidential, Uses: fifty-five (55) percent when assigned RS, RL, or RU land use; seventy-five (75) percent in CRD, provided that barns and other farm buildings may exceed the maximum lot coverage when the Zoning Director determines it is necessary for the establishment and operation of a permitted agricultural use.
- (G) FLOOR AREA RATIO.
  - 1. Nonresidential Uses:
    - (a) Thirty-hundredths (0.30) in RS, ~~or RL, or RU and thirty-five hundredths (0.35) in CRD.~~

**24. Section 18-1507.1 is hereby amended as follows:**

**SECTION 18-1507. - "RE" SINGLE-FAMILY RESIDENTIAL ESTATE DISTRICT**

**Sec. 18-1507.1. - STATEMENT OF INTENT.**

The "RE" Single-Family Residential Estate District is established ~~in order~~ to identify and stabilize those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of rural, country-like, single-family residential estates of at least one and a quarter (1¼) net acres in size. Such areas are to be characterized by large open areas, single-family detached dwelling units and limited agricultural activities which do not create a detrimental effect on surrounding properties. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Suburban (RS) or Residential Low (RL).

**25. Section 18-1507.2 is hereby amended as follows:**

**Sec. 18-1507.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the Official Land Use Plan Map as Residential Suburban (RS), Residential Low (RL) and Residential Urban (RU). A~~ maximum density of eight tenths (0.8) of a dwelling unit per gross acre shall be permitted in the "RE" Single-family Residential Estate District.

Public/semi-public uses (except Public Educational Facilities) shall not exceed a maximum area of five (5) gross acres. Ancillary nonresidential or Transportation/Utility uses shall not exceed a maximum of three (3) acres. Any such use, alone or when added to existing abutting or functionally abutting like uses, which exceeds the thresholds stated above shall require a Land Use Plan Map amendment to Institutional (I), Transportation/Utility (T/U) or other future land use plan category (as appropriate), which shall include such use and all abutting or functionally abutting like uses.

**26. Section 18-1507.3 is hereby amended as follows:**

**Sec. 18-1507.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "RE" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1507.3 and other applicable conditions of this district and Article.

**Table 18-1507.3: Authorized Land Uses in RE District**

<u>Land Use</u>	<u>Required Approval</u>	<u>Conditions</u>
<u>RESIDENTIAL AND ACCOMMODATION USES</u>		

<u>Land Use</u>	<u>Required Approval</u>	<u>Conditions</u>
<u>Dwellings, Single-family Detached</u>	<u>P</u>	
<u>Community Residential Home</u>	<u>P</u>	<u>Limited to 6 or fewer residents</u>
<u>Bed and Breakfast Establishment</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>Guest Houses</u>	<u>P</u>	<u>Accessory to a detached single-family use and not for rent</u>
<u>Shelter Home</u>	<u>C</u>	<u>Limited to 6 or fewer residents; subject to sections 18-1530.19 and 18-1531</u>
<u>COMMERCIAL USES</u>		
<u>Low Impact Office</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Clinic, Veterinary</u>	<u>C</u>	<u>May render treatment to farm or livestock animals and keep animals in outdoor pens. Subject to section 18-1531</u>
<u>TRANSPORTATION, COMMUNICATION, UTILITY USES</u>		
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Limited to three (3) acres in area. Subject to section 18-1531</u>
<u>ARTS, ENTERTAINMENT AND RECREATION USES</u>		
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTION USES</u>		
<u>Community Facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 1</u>	<u>P</u>	
<u>Day Care Center - Type 2</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Educational Institutions (elementary, middle, senior)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Place of Worship</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Public Educational Facilities</u>	<u>P</u>	
<u>AGRICULTURE AND OTHER USES</u>		
<u>Equestrian Use</u>	<u>P</u>	<u>Subject to sections 18-1530.22 and 18-1530.23</u>
<u>Open Space, Non-Profit or Private</u>	<u>P</u>	
<u>Open Space, Public</u>	<u>P</u>	
<u>Plant Nurseries (Wholesale)</u>	<u>P</u>	
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	<u>Subject to section 18-1530 and 18-1531</u>
<u>Community Association</u>	<u>P</u>	

<u>Land Use</u>	<u>Required Approval</u>	<u>Conditions</u>
<u>Home Occupation</u>	<u>P</u>	<u>Section 18-1530.12</u>

~~(A) PERMITTED USES.~~

- ~~1. Accessory uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations", including home occupations.~~
- ~~2. Community Association.~~
- ~~3. Community Residential Home (six (6) or fewer residents), subject to Section 1530.19, "Community Residential Homes."~~
- ~~4. Day Care Center, Type I.~~
- ~~5. Dwellings, Single-Family Detached.~~
- ~~6. Electrical Power Distribution Substations (Subject to Section 18-1530.24).~~
- ~~7. Equestrian use and accessory structures customary to such use, subject to regulations in Section 18-1530.23, "Equestrian Uses."~~
- ~~8. Guest Houses, not for rent.~~
- ~~9. Plant Nurseries, Wholesale (RS land use only).~~
- ~~10. Public Educational Facilities.~~

~~(B) CONDITIONAL USES. (See Section 18-1531 "Conditional Use Regulations" For Conditions.)~~

- ~~1. Accessory uses to any conditional use, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."~~
- ~~2. Bed and Breakfast Establishment (subject to Section 18-1503.16).~~
- ~~3. Community Facility.~~
- ~~4. Day Care Center, Type II.~~
- ~~5. Educational Institutions (elementary, middle, and senior).~~
- ~~6. Place of Worship.~~
- ~~7. Recreation/Open Space.~~
- ~~8. Shelter Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~9. Utilities, public and private.~~

**27. Section 18-1508.1 is hereby amended as follows:**

**SECTION 18-1508. - "RR" RURAL RESIDENTIAL DISTRICT**

**Sec. 18-1508.1. - STATEMENT OF INTENT.**

The "RR" Rural Residential District is established in order to identify and stabilize those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of a low-density, single-family environment in a country-like setting. This district is limited primarily to single-family detached dwellings, together with accessory uses and public facilities customary for such an environment. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Suburban (RS), Residential Low (RL), or Residential Urban (RU).

**28. Section 18-1508.2 is hereby amended as follows:**

**Sec. 18-1508.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Residential Suburban (RS), Residential Low (RL) and Residential Urban (RU).~~ A maximum density of two and one-tenth (2.1) dwelling units per gross acre shall be permitted in the "RR" Rural Residential District.

Public/semi-public uses (except Public Educational Facilities) shall not exceed a maximum area of five (5) gross acres. Ancillary nonresidential or Transportation/Utility uses shall not exceed a maximum of three (3) acres. Any such use, alone or when added to existing abutting or functionally abutting like-uses, which exceeds the threshold stated above, shall require a Land Use Plan Map amendment to Institutional (I), Transportation/Utility (T/U) or other future land use category (as appropriate), which shall include such use and all abutting or functionally abutting like uses.

**29. Section 18-1508.3 is hereby amended as follows:**

**Sec. 18-1508.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "RR" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1508.3 and other applicable conditions of this district and Article.

**Table 18-1508.3: Authorized Land Uses in RR District**

<u>Land Use</u>	<u>Required Approval</u>	<u>Conditions</u>
<u>RESIDENTIAL AND ACCOMMODATION USES</u>		
<u>Dwellings, Single-family Detached</u>	<u>P</u>	
<u>Community Residential Home</u>	<u>P</u>	<u>Limited to 6 or fewer residents. Subject to section 18-1530-19</u>
<u>Bed and Breakfast Establishment</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>Guest Houses</u>	<u>P</u>	<u>Accessory to a detached single-family use and not for rent</u>
<u>Shelter Home, (6 or fewer residents)</u>	<u>C</u>	<u>Limited to 6 or fewer residents; subject to sections 18-1530.19 and 18-1531</u>
<u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u>		
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u>		
<u>Community Facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 1</u>	<u>P</u>	

<u>Land Use</u>	<u>Required Approval</u>	<u>Conditions</u>
<u>Day Care Center – Type 2</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Educational Institutions (elementary, middle, senior)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Place of Worship</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Public Educational Facilities</u>	<u>P</u>	
<u>AGRICULTURE AND OTHER USES</u>		
<u>Equestrian Use</u>	<u>P</u>	<u>Subject to sections 18-1530.22 and 18-1530.23</u>
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	<u>Subject to section 18-1530 and 18-1531</u>
<u>Community Association</u>	<u>P</u>	
<u>Home Occupation</u>	<u>P</u>	<u>Section 18-1530.12</u>

~~(A) PERMITTED USES.~~

- ~~1. Accessory uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations", including home occupations.~~
- ~~2. Community Association.~~
- ~~3. Community Residential Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~4. Day Care Center, Type I.~~
- ~~5. Dwellings, Single-Family Detached.~~
- ~~6. Electrical Power Distribution Substations (Subject to Section 18-1530.24).~~
- ~~7. Equestrian use and accessory structures customary to such use, subject to regulations in Section 18-1530.23, "Equestrian Uses" and Section 18-1530.22 "Animal Waste Storage."~~
- ~~8. Guest Houses, not for rent.~~
- ~~9. Public Educational Facilities.~~

~~(B) CONDITIONAL USES. (See Section 18-1531 "Conditional Use Regulations" For Conditions.)~~

- ~~1. Accessory uses to any conditional use, subject to Section 1530 "Accessory Use and Supplementary District Regulations."~~
- ~~2. Bed and Breakfast Establishment (subject to Section 18-1503.16).~~
- ~~3. Community facility.~~
- ~~4. Day Care Center, Type II.~~
- ~~5. Educational institutions (elementary, middle, and senior).~~
- ~~6. Place of Worship.~~
- ~~7. Recreation/Open Space.~~
- ~~8. Shelter Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~9. Utilities, public and private.~~

**30. Section 18-1509.1 is hereby amended as follows:**

**SECTION 18-1509. - "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT**

**Sec. 18-1509.1. - STATEMENT OF INTENT.**

The "R-1" Single-family Residential District is established ~~in order~~ to identify and stabilize those geographic areas within the City of Pinellas Park that are presently platted or developed for urban low density and low medium density, single-family residential use. This district is limited primarily to single-family detached dwellings, together with accessory uses and public facilities customary for such an environment, on an individual lot(s) typically platted for such use. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Urban (RU), Residential Low Medium (RLM) or Community Redevelopment District (CRD).

**31. Section 18-1509.2 is hereby amended as follows:**

**Sec. 18-1509.2. - DENSITY REGULATIONS.**

~~Although this zoning district is appropriate for those areas designated for Residential Urban (RU), Residential Low Medium (RLM) and Community Redevelopment District (CRD) on the Land Use Plan Map, it is the intent of the City to strictly limit further rezonings of land into this zoning category. Criteria for acceptance of rezoning petitions are stated in Section 18-1509.6 "Criteria for acceptance of rezoning petitions to "R-1" below.~~ A maximum density of seven and two-tenths (7.2) dwelling units per net acre shall be permitted in the "R-1" Single-Family Residential District.

For lots located within the Residential Urban (RU) and Residential Low Medium (RLM) Land Use Plan Map categories, public/semi-public uses (except Public Educational Facilities) shall not exceed a maximum area of five (5) gross acres. Any such use, alone or when added to existing Ancillary nonresidential or Transportation/Utility uses shall not exceed a maximum of three (3) acres. Abutting or functionally abutting like uses, which exceeds the threshold stated above shall require a Land Use Plan Map amendment to Institutional (I), Transportation/Utility (T/U) or other future land use plan category (as appropriate), which shall include such use and all abutting or functionally abutting like uses.

**32. Section 18-1509.3 is hereby amended as follows:**

**Sec. 18-1509.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "R-1" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531 "Conditional Use Regulations", of this Article. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1509.3 and other applicable conditions of this district and Article. Office: Personal Service/Office Support: Retail Commercial uses, singularly or combined with abutting or functionally abutting uses shall not exceed one (1) acre. Any exceedance of this threshold shall require a Land Use Plan Map amendment to a category that permits the use.

**Table 18-1509.3: Authorized Land Uses in R-1 District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>RESIDENTIAL AND ACCOMMODATION USES</u>		
<u>Dwellings, Single-family Detached</u>	<u>P</u>	
<u>Community Residential Home (6 or fewer residents)</u>	<u>P</u>	<u>Limited to 6 or fewer residents. Subject to section 18-1530.9</u>
<u>Shelter Home, (6 or fewer residents)</u>	<u>C</u>	<u>Limited to 6 or fewer residents; subject to sections 18-1530.19 and 18-1531</u>



<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>COMMERCIAL USES</u>		
<u>Low Impact Office</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u>		
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>ARTS, ENTERTAINMENT AND RECREATION USES</u>		
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u>		
<u>Community Facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 1</u>	<u>P</u>	
<u>Day Care Center – Type 2</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Educational Institutions (elem, mid, senior)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Place of Worship</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Public Educational Facilities</u>	<u>P</u>	
<u>AGRICULTURE AND OTHER USES</u>		
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	<u>Subject to section 18-1530 and 18-1531</u>
<u>Community Association</u>	<u>P</u>	
<u>Home Occupation</u>	<u>P</u>	<u>Section 18-1530.12</u>

~~(A) — PERMITTED USES.~~

- ~~1. — Accessory uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations", including home occupations.~~
- ~~2. — Community Association.~~
- ~~3. — Community Residential Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~4. — Day Care Center, Type I.~~
- ~~5. — Dwelling, Single-family Detached.~~
- ~~6. — Public Educational Facilities.~~
- ~~7. — Electrical Power Distribution Substation (Subject to Section 18-1530.24).~~

~~(B) — CONDITIONAL USES. (See Section 18-1531 "Conditional Use Regulations" for Conditions.)~~

- ~~1. — Accessory uses to any conditional use, subject to Section 18-1530 "Accessory Use and Supplementary District Regulations".~~
- ~~2. — Community Facility.~~

- ~~3.— Day Care Center, Type II.~~
- ~~4.— Educational Institutions (elementary, middle, and senior).~~
- ~~5.— Low Impact Office.~~
- ~~6.— Place of Worship.~~
- ~~7.— Recreation/Open Space.~~
- ~~8.— Shelter Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes".~~
- ~~9.— Utilities, public and private.~~

**33. Section 18-1510.1 is hereby amended as follows:**

**SECTION 18-1510. - "R-2" SINGLE-FAMILY RESIDENTIAL DISTRICT**

**Sec. 18-1510.1. - STATEMENT OF INTENT.**

The "R-2" Single-Family Residential District is established ~~in order~~ to identify and to stabilize those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of an urban low density and low medium density, single-family residential environment. This district is limited primarily to single-family detached dwellings, together with accessory uses and public facilities customary to such an environment, on individual lot(s) typically platted for such use. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Urban (RU) or Residential Low Medium (RLM).

**34. Section 18-1510.2 is hereby amended as follows:**

**Sec. 18-1510.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the future Land Use Plan Map as Residential Urban (RU) and Residential Low Medium (RLM).~~ A maximum density of five and eight-tenths (5.8) dwelling units per net acre shall be permitted in the "R-2" Single-family Residential District.

For lots located within the Residential Urban (RU) and Residential Low Medium (RLM) Land Use Plan Map categories, public/semi-public uses (except Public Educational Facilities) shall not exceed a maximum area of five (5) gross acres. Ancillary nonresidential or Transportation/Utility uses shall not exceed a maximum of three (3) acres. Any such use, alone or when added to existing abutting or functionally abutting like uses, which exceeds the threshold stated above shall require a Land Use Plan Map amendment to Institutional (I), Transportation/Utility (T/U) or other future land use plan category (as appropriate), which shall include such use and all abutting or functionally abutting like uses.

**35. Section 18-1510.3 is hereby amended as follows:**

**Sec. 18-1510.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "R-2" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1510.3 and other applicable conditions of this district and Article.

**Table 18-1510.3: Authorized Land Uses in R-2 District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>RESIDENTIAL AND ACCOMMODATION USES</u>		
<u>Dwellings, Single-family Detached</u>	<u>P</u>	
<u>Community Residential Home</u>	<u>P</u>	<u>Limited to 6 or fewer residents. Subject to section 18-1530.9</u>
<u>Shelter Home</u>	<u>C</u>	<u>Limited to 6 or fewer residents; subject to sections 18-1530.19 and 18-1531</u>
<u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u>		
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>ARTS, ENTERTAINMENT AND RECREATION USES</u>		
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u>		
<u>Community Facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 1</u>	<u>P</u>	
<u>Day Care Center - Type 2</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Educational Institutions (elem, mid, senior)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Place of Worship</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Public Educational Facilities</u>	<u>P</u>	
<u>AGRICULTURE AND OTHER USES</u>		
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	<u>Subject to section 18-1531</u>
<u>Community Association</u>	<u>P</u>	
<u>Home Occupations</u>	<u>P</u>	<u>Section 18-1530.12</u>

~~(A) — PERMITTED USES.~~

- ~~1. — Accessory uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations", including home occupations.~~
- ~~2. — Community Association.~~
- ~~3. — Community Residential Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~4. — Day Care Center, Type I.~~

~~5.— Dwellings, Single-family Detached.~~

~~6.— Electrical Power Distribution Substation (Subject to Section 18-1530.24).~~

~~7.— Public Educational Facilities.~~

~~(B) CONDITIONAL USES. (See Section 18-1531 "Conditional Use Regulations" For Conditions.)~~

~~1.— Accessory uses to any conditional use, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."~~

~~2.— Community Facility.~~

~~3.— Day Care Center, Type II.~~

~~4.— Educational Institutions (elementary, middle, and senior).~~

~~5.— Place of Worship.~~

~~6.— Recreation/Open Space.~~

~~7.— Shelter Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~

~~8.— Utilities, public and private.~~

**36. Section 18-1511.1 is hereby amended as follows:**

## **SECTION 18-1511. - "R-3" SINGLE-FAMILY RESIDENTIAL DISTRICT**

### **Sec. 18-1511.1. - STATEMENT OF INTENT.**

The "R-3" Single-family Residential District is established ~~in order~~ to identify and to stabilize those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of a low density, urban low density and low medium density, single-family residential environment. This district is limited primarily to single-family detached dwellings, together with accessory uses and public facilities customary for such an environment. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Low (RL), Residential Urban (RU) or Residential Low Medium (RLM).

**37. Section 18-1511.2 is hereby amended as follows:**

### **Sec. 18-1511.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the Future Land Use Plan Map as Residential Low (RL), Residential Urban (RU) and Residential Low Medium (RLM).~~ A maximum of four and three-tenths (4.3) dwelling units per net acre shall be permitted in the "R-3" Single-family Residential District.

For lots located within the Residential Low (RL), Residential Urban (RU) and Residential Low Medium (RLM) Land Use Plan Map categories, public/semi-public uses (except Public Educational Facilities) shall not exceed a maximum area of five (5) gross acres. Ancillary nonresidential or Transportation/Utility uses shall not exceed three (3) acres. Any such use, alone or when added to existing abutting or functionally abutting like uses, which exceeds the threshold stated above shall require a Land Use Plan Map amendment to Institutional (I), Transportation/Utility (T/U), or other future land use plan category (as appropriate), which shall include such use and all abutting or functionally abutting like uses.

**38. Section 18-1511.3 is hereby amended as follows:**

### **Sec. 18-1511.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "R-3" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed

as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1511.3 and other applicable conditions of this district and Article.

**Table 18-1511.3: Authorized Land Uses in R-3 District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<b><u>RESIDENTIAL AND ACCOMMODATION USES</u></b>		
<u>Dwellings, Single-family Detached</u>	<u>P</u>	<u>P</u>
<u>Community Residential Home</u>	<u>P</u>	<u>Limited to 6 or fewer residents. Subject to section 18-1530.9</u>
<u>Shelter Home</u>	<u>C</u>	<u>Limited to 6 or fewer residents; subject to sections 18-1530.19 and 18-1531</u>
<b><u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u></b>		
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<b><u>ARTS, ENTERTAINMENT AND RECREATION USES</u></b>		
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<b><u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u></b>		
<u>Community Facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 1</u>	<u>P</u>	<u>P</u>
<u>Day Care Center - Type 2</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Educational Institutions (elem, mid, senior)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Place of Worship</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Public Educational Facilities</u>	<u>P</u>	<u>P</u>
<b><u>AGRICULTURE AND OTHER USES</u></b>		
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	<u>Subject to section 18-1531</u>
<u>Community Association</u>	<u>P</u>	<u>P</u>
<u>Home Occupations</u>	<u>P</u>	<u>Section 18-1530.12</u>

~~(A) — PERMITTED USES.~~

- ~~1. — Accessory uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations", including home occupations.~~
- ~~2. — Community Association.~~

- ~~3.— Community Residential Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~4.— Day Care Center, Type I.~~
- ~~5.— Dwellings, Single-family Detached.~~
- ~~6.— Electrical Power Distribution Substation (Subject to Section 18-1530.24).~~
- ~~7.— Public Educational Facilities.~~

~~(B) — CONDITIONAL USES. (See Section 18-1531 "Conditional Use Regulations" For Conditions.)~~

- ~~1.— Accessory uses to any conditional use, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."~~
- ~~2.— Day Care Center, Type II.~~
- ~~3.— Community Facility.~~
- ~~4.— Educational institutions (elementary, middle, and senior).~~
- ~~5.— Place of Worship.~~
- ~~6.— Recreation/Open Space.~~
- ~~7.— Shelter Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~8.— Utilities, public and private.~~

**39. Section 18-1512.1 is hereby amended as follows:**

**SECTION 18-1512. - "R-4" DUPLEX RESIDENTIAL DISTRICT**

**Sec. 18-1512.1. - STATEMENT OF INTENT.**

The "R-4" Duplex Residential District is established ~~in order~~ to identify and stabilize those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of a low-medium density and medium density residential environment, through the construction of single-family detached dwellings and large lot duplex dwellings. Such development to include accessory uses and public facilities customary for such an environment. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Low Medium (RLM), Residential Medium (RM), or Community Redevelopment District (CRD).

**40. Section 18-1512.2 is hereby amended as follows:**

**Sec. 18-1512.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Residential Low Medium (RLM), Residential Medium (RM), Community Redevelopment District (CRD) on lots of eight thousand seven hundred twelve (8,712) square feet minimum for duplex dwellings. However, if the lot was a lot of record prior to September 26, 1963, and contains a minimum of seven thousand five hundred (7,500) square feet, that lot may be occupied by a duplex dwelling. A maximum density of ten (10) dwelling units per net acre shall be permitted with a Land Use Plan Map designation of Residential Low Medium (RLM). A maximum density of eleven and six-tenths (11.6) dwelling units per net acre shall be permitted with a Land Use Plan Map designation of Residential Medium (RM) or Community Redevelopment District (CRD).~~

For lots located within the Residential Low Medium (RLM) and Residential Medium (RM) Land Use Plan Map categories, public/semi-public uses, (except Public Educational Facilities) shall not exceed a maximum area of five (5) gross acres. Ancillary nonresidential or Transportation/Utility uses shall not exceed a maximum of three (3) acres. Any such use, alone or when added to existing abutting or functionally abutting like uses, which exceeds the threshold stated above, shall require a Land Use Plan

Map amendment to Institutional (I), Transportation/Utility (T/U) or other future land use plan category (as appropriate), which shall include such use and all abutting or functionally abutting like uses. Office: Personal Service/Office Support: Retail Commercial uses, singularly or combined with abutting or functionally abutting uses shall not exceed one (1) acre. Any exceedance of this threshold shall require a Land Use Plan Map amendment to a category that permits the use.

**41. Section 18-1512.3 is hereby amended as follows:**

**Sec. 18-1512.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "R-4" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1512.3 and other applicable conditions of this district and Article.

**Table 18-1512.3: Authorized Land Uses in R-4 District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<b><u>RESIDENTIAL AND ACCOMMODATION USES</u></b>		
<u>Dwellings, Duplex</u>	<u>P</u>	
<u>Dwellings, Single-family Attached</u>	<u>P</u>	
<u>Dwellings, Single-family Detached</u>	<u>P</u>	
<u>Community Residential Home</u>	<u>P</u>	<u>Limited to 14 or fewer residents. Subject to section 18-1530.9</u>
<u>Shelter Home</u>	<u>C</u>	<u>Limited to 14 or fewer residents; subject to sections 18-1530.19 and 18-1531</u>
<b><u>COMMERCIAL USES</u></b>		
<u>Low Impact Office (Personal Service/Office Support or Retail Commercial use</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<b><u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u></b>		
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Off-street parking lots as part of a contiguous non-residential use</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<b><u>ARTS, ENTERTAINMENT AND RECREATION USES</u></b>		
<u>Recreation/Open Space</u>	<u>C</u>	
<b><u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u></b>		
<u>Community Facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 1</u>	<u>P</u>	
<u>Day Care Center - Type 2</u>	<u>C</u>	<u>Subject to section 18-1531</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Educational Institutions (elem, mid, senior)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Place of Worship</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Public Educational Facilities</u>	<u>P</u>	
<u>AGRICULTURE AND OTHER USES</u>		
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	<u>Subject to section 18-1531</u>
<u>Community Association</u>	<u>P</u>	
<u>Home Occupations</u>	<u>P</u>	<u>Section 18-1530.12</u>

~~(A) PERMITTED USES:~~

- ~~1. Accessory uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations", including home occupations.~~
- ~~2. Community Association.~~
- ~~3. Community Residential Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~4. Community Residential Home (seven (7) to fourteen (14) residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~5. Day Care Center, Type I.~~
- ~~6. Dwellings, Duplex.~~
- ~~7. Dwellings, Single-family Detached.~~
- ~~8. Public Educational Facilities.~~
- ~~9. Electric Power Distribution Substations (Subject to Section 18-1530.24).~~

~~(B) CONDITIONAL USES. (See Section 18-1531 "Conditional Use Regulations" For Conditions.)~~

- ~~1. Accessory Uses to any conditional use, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."~~
- ~~2. Community Facility.~~
- ~~3. Day Care Center, Type II.~~
- ~~4. Educational institutions (elementary, middle, and senior).~~
- ~~5. Off-street parking lots as part of a contiguous office, commercial or industrial use. Such off-street parking lots are allowed when the abutting office, commercial or industrial district abuts an arterial street, and abuts the off-street parking lot along the rear or side lot line without an intervening street (but with or without an intervening alley). Such use may not exceed three (3) acres.~~
- ~~6. Place of Worship.~~
- ~~7. Recreation/Open Space.~~
- ~~8. Shelter Home (fourteen (14) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~9. Utilities, public and private.~~



**42. Section 18-1513.1 is hereby amended as follows:**

**SECTION 18-1513. - "R-5" MULTI-FAMILY RESIDENTIAL DISTRICT**

**Sec. 18-1513.1. - STATEMENT OF INTENT.**

The "R-5" Multi-Family Residential District is established ~~in order~~ to identify and stabilize those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of a medium density multi-family residential environment, not including any commercial uses. It is the intent of this district to encourage well designed multi-family developments. Two (2) or more story construction is encouraged by means of lot size regulations to provide more open space. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Medium (RM) or Community Redevelopment District (CRD).

**43. Section 18-1513.2 is hereby amended as follows:**

**Sec. 18-1513.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Residential Medium (RM) and Community Redevelopment District (CRD) on lots of ten thousand four hundred fifty-five (10,455) square feet or more for multi-family dwellings, seventy-two hundred (7,200) square feet or more for duplex dwellings, or if less than seventy-two hundred (7,200) square feet, single-family detached dwellings only.~~ A maximum of fifteen (15) dwelling units per net acre (du/a) shall be permitted in the "R-5" Multi-Family Residential District.

~~For~~ lots located within the Residential Medium (RM) Land Use Plan Map category, public/semi-public uses (except Public Educational Facilities) shall not exceed a maximum area of five (5) gross acres. Ancillary nonresidential, ~~or Office, Personal Service/Office Support/Retail Commercial, or Transportation/Utility uses~~ shall not exceed three (3) acres. Any such use, alone or when added to existing abutting or functionally abutting like uses, ~~which that~~ exceeds the threshold stated above shall require a Land Use Plan Map amendment to Institutional (I), Transportation/Utility (T/U) or other future land use plan category (as appropriate), which shall include such use and all abutting or functionally abutting like uses.

**44. Section 18-1513.3 is hereby amended as follows:**

**Sec. 18-1513.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "R-5" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1513.3 and other applicable conditions of this district and Article.

**Table 18-1513.3: Authorized Land Uses in R-5 District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>RESIDENTIAL AND ACCOMMODATION USES</u>		
<u>Dwellings, Duplex</u>	<u>P</u>	
<u>Dwellings, Multi-family</u>	<u>P/C</u>	<u>Permitted at densities of up to 12.5 du/a; conditional use for densities greater than 12.5 du/a subject to section 18-1531</u>
<u>Dwellings, Single-family Attached</u>	<u>P/C</u>	<u>Permitted at densities of up to 12.5 du/a; conditional use for densities greater than 12.5 du/a subject to</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
		<u>section 18-1531</u>
<u>Dwellings, Single-family Detached</u>	<u>P</u>	
<u>Bed and Breakfast Establishment</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>Community Residential Home</u>	<u>P/C</u>	<u>Permitted with up to 14 residents, conditional use for more than 14 residents subject to sections 18-1503.16, 18-1530.19, and 18-1531</u>
<u>Shelter Home</u>	<u>C</u>	<u>Permitted with up to 14 residents, conditional use for more than 14 residents subject to section 18-1531</u>
<u>COMMERCIAL USES</u>		
<u>Low Impact Office (Personal Service/Office Support or Retail Commercial use)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u>		
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Off-street parking lots as part of a contiguous non-residential district that abuts an arterial street</u>	<u>C</u>	<u>Such use may not exceed three (3) acres. Subject to section 18-1531</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>ARTS, ENTERTAINMENT AND RECREATION USES</u>		
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u>		
<u>Community Facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 1</u>	<u>P</u>	
<u>Day Care Center - Type 2</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Educational Institutions (elementary, middle, and senior)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Place of Worship</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Public Educational Facilities</u>	<u>P</u>	
<u>AGRICULTURE AND OTHER USES</u>		
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	<u>Subject to section 18-1531</u>
<u>Community Association</u>	<u>P</u>	
<u>Height - buildings and structures over 40 feet</u>	<u>C</u>	<u>Subject to section 18-1531</u>

~~(A) PERMITTED USES.~~

- ~~1. Accessory uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations", including home occupations.~~
- ~~2. Community Association.~~
- ~~3. Community Residential Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~4. Community Residential Home (seven (7) to fourteen (14) residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~5. Day Care Center, Type I.~~
- ~~6. Dwellings, Duplex.~~
- ~~7. Dwellings, Multi-Family with a density of up to and including twelve and one-half (12.50) units per net acre.~~
- ~~8. Dwellings, Single-Family Detached.~~
- ~~9. Public Educational Facilities.~~
- ~~10. Electrical Power Distribution Substations (Subject to Section 18-1530.24).~~

~~(B) CONDITIONAL USES. (See Section 18-1531 "Conditional Use Regulations" For Conditions.)~~

- ~~1. Accessory uses to any conditional use, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."~~
- ~~2. Bed and Breakfast Establishment (subject to Sec. 18-1503.16).~~
- ~~3. Community Facility.~~
- ~~4. Community Residential Home (more than fourteen (14) residents). Subject to Section 18-1503.16 and Section 18-1530.19, "Community Residential Homes."~~
- ~~5. Day Care Center, Type II.~~
- ~~6. Dwellings, Multi-family with a density greater than twelve and one-half (12.5) but not exceeding fifteen (15.0) units per net acre.~~
- ~~7. Educational institutions (elementary, middle, and senior).~~
- ~~8. Height: Buildings and structures over forty (40) feet.~~
- ~~9. Off-street parking lots as part of a contiguous office, commercial or industrial use. Such off-street parking lots allowed when the abutting office, commercial or industrial district abuts an arterial street, and abuts the off-street parking lot along the rear or side lot line without an intervening street, but with or without an intervening alley (such use may not exceed three (3) acres).~~
- ~~10. Place of Worship.~~
- ~~11. Recreation/Open Space.~~
- ~~12. Shelter Home (subject to Section 18-1503.16 and Section 18-1530.19, "Community Residential Homes."~~
- ~~13. Utilities, public and private.~~

**45. Section 18-1513.4 is hereby amended as follows:**

**Sec. 18-1513.4. - DIMENSIONAL AND AREA REGULATIONS.**

**(A) MINIMUM LOT REQUIREMENTS.**

1. Lot Area:

- (a) Multi-Family Dwellings: Ten thousand four hundred and fifty-five (10,455) square feet, ~~and as follows: One (1) Story: Four thousand three hundred fifty six (4,356) square feet of gross lot area/unit (maximum density of ten (10) dwelling units/net acre), two (2) or more stories: three thousand four hundred eighty four and eight tenths (3,484.8) square feet of lot area/unit (maximum density of twelve and one-half (12.5) dwelling units/net acre).~~
- (b) Duplex Dwellings: Seven thousand two hundred (7,200) square feet.
- (c) Single-Family Detached Dwellings: Five thousand (5,000) square feet.
- (d) Other Uses: Ten thousand (10,000) square feet of net lot area.

~~NOTE: Lots of record less than seven thousand two hundred (7,200) square feet shall be developed with a single-family detached dwelling only.~~

- 2. Lot Width: One hundred (100) feet, provided that: Lots with a width of less than one hundred (100) feet but greater than seventy (70) feet can be developed with duplexes or a single-family ~~detached attached~~ dwellings only. ~~Lots with a width of seventy (70) feet or less can be developed with a single-family detached dwelling only.~~

**(B) MINIMUM YARD SETBACK REQUIREMENTS.**

1. For lots platted prior to January 14, 1982, the following shall apply:

- (a) Front Yard Setback: Thirty (30) feet plus three (3) feet per story over two (2) stories. For single-family residential development, the minimum front yard setback is twenty (20) feet.
- (b) Secondary Front Yard Setback: Twelve (12) feet.
- (c) Side Yard Setback: Five (5) feet or ten (10) percent of lot width, whichever is greater.
- (d) Rear Yard Setback: Twenty (20) feet. For single-family residential development, the minimum rear yard setback is fifteen (15) feet.

2. For lots platted on or after January 14, 1982, the following shall apply:

- (a) Front Yard Setback: Thirty (30) feet plus three (3) feet per story for each story in excess of two (2) stories.
- (b) Secondary Front Yard Setback: Thirty (30) feet plus three (3) feet per story for each story in excess of two (2) stories.
- (c) Side Yard Setback: Fifteen (15) feet; twenty (20) feet if abutting a residential or mixed use zoning district.
- (d) Rear Yard Setback: Twenty (20) feet.

3. For corner, double frontage and multiple frontage lots, see Section 18-1503.7, "Yard Determinations."

4. Refer to Section 18-1503.8 for measurement of yard setbacks on lots adjacent to rights-of-way of insufficient width.

5. Refer to Section 18-1504.3(G)(2) for special yard setbacks for additions to buildings in existence as of August 14, 1997.

**(C) BUILDING REQUIREMENTS.**

- 1. Minimum Building Separation: See Section 18-1530.17, "Minimum Building Separation."

2. Maximum Building Height: Forty (40) feet. See Section 18-1503.13, "Exclusion from Height Limits", for height limit exclusions.

(D) MINIMUM LIVEABLE FLOOR AREA.

1. Efficiency: Four hundred fifty (450) square feet.
2. One-bedroom: Five hundred fifty (550) square feet.
3. Two-bedroom: Six hundred fifty (650) square feet.
4. Three-bedroom: Eight hundred (800) square feet.

(E) MAXIMUM LOT COVERAGE. Seventy five (75) percent.

(F) FLOOR AREA RATIO.

1. Nonresidential Uses: Five-tenths (0.50)  
~~(a) Four tenths (0.4) in RM.~~  
~~(b) Three and one-half tenths (0.35) in CRD.~~

**46. Section 18-1513.5 is hereby amended as follows:**

**Sec. 18-1513.5. - ADDITIONAL REGULATIONS.**

- (A) DESIGN CRITERIA. Continuous solid, linear facades are not permitted. Variation in the vertical plane of the facade is required as prescribed below.
1. Front building lines (measured at foundation line where unit entries are located) must be staggered four (4) feet at intervals of one hundred twenty (120) linear feet or every four (4) units ground floor, whichever is less; or
  2. Use of recessed or protruding stairwells, entryways, balconies, or staggered roof lines, shall achieve variation in the facade design (front building line).
- (B) LANDSCAPING AND BUFFERING. See Section 18-1533, "Landscaping Regulations."
- (C) FENCES. See Section 18-1530.10, "Fences, Walls and Hedges" for fence regulations and setbacks.
- (D) DUMPSTER ENCLOSURES (See Section 18-1530.20, "Dumpsters"), AND ALSO SUPPLEMENTAL USE REGULATIONS (See Section 18-1530, "Accessory Use and Supplementary District Regulations").
- (E) OFF-STREET PARKING AND LOADING. See Section 18-1532, "Parking and Loading Regulations."

**47. Section 18-1514.1 is hereby amended as follows:**

**SECTION 18-1514. - "R-6" MULTI-FAMILY RESIDENTIAL/~~COMMERCIAL~~ DISTRICT**

**Sec. 18-1514.1. - STATEMENT OF INTENT.**

The "R-6" Multi-Family Residential/~~Commercial~~ District is established ~~in order~~ to identify and stabilize those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of a well-designed medium density multi-family residential environment and certain controlled light commercial uses. Two (2) or more story construction is encouraged by means of lot size regulations to provide more open space.

This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Medium (RM), Residential/Office/Retail (R/O/R), Residential/Office General (R/OG), Commercial General (CG) or Community Redevelopment District (CRD). The establishment of mixed commercial and residential uses require a Land Use Plan Map designation of Residential/Office/Retail (R/O/R), Residential/Office General (R/OG) or Community Redevelopment District (CRD). The establishment of commercial offices requires a Land Use Plan Map designation of Residential/Office General (R/OG),

"Residential/Office/Retail" (R/O/R), Commercial General (CG) or Community Redevelopment District (CRD).

**48. Section 18-1514.2 is hereby amended as follows:**

**Sec. 18-1514.2. - DENSITY AND MIXED-USE REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Residential Medium (RM), Residential/Office/Retail (R/O/R), Residential/Office General (R/OG), Commercial General (CG) and Community Redevelopment District (CRD) on lots of ten thousand four hundred fifty-five (10,455) square feet or more for multi-family dwellings or offices; seven thousand two hundred (7,200) square feet or more for duplex dwellings; or if less than seven thousand two hundred (7,200) square feet, single-family detached dwellings only. The establishment of mixed commercial and residential uses require a Land Use Plan Map designation of Residential/Office/Retail (R/O/R), Residential/Office General (R/OG) or Community Redevelopment District (CRD). The establishment of commercial offices requires a Land Use Plan Map designation of Residential/Office General (R/OG), "Residential/Office/Retail" (R/O/R), Commercial General (CG) or Community Redevelopment District (CRD). A maximum of fifteen (15.0) dwelling units per net acre shall be permitted in the "R-6" Multi-Family Residential/Commercial District.~~

For lots located within the Residential Medium (RM), Residential/Office/Retail (R/O/R) and Residential/Office General (R/OG) Land Use Plan Map categories, public/semi-public uses, (except Public Educational Uses) shall not exceed a maximum area of five (5) gross acres. Ancillary nonresidential, Office, Personal Services/Office Support, Retail Commercial, and Transportation Utility uses shall not exceed three (3) acres. For lots located in the Commercial General (CG) Land Use Plan Map category, Public/Semi-Public and/or Transportation/Utility uses shall not exceed a maximum of five (5) acres. Any such use, alone or when added to existing abutting or functionally abutting like uses, which exceeds the threshold stated above shall require a Land Use Plan Map amendment to Institutional (I), Transportation/Utility (T/U) or other Land Use Plan Map category (as appropriate), which shall include such use and all abutting or functionally abutting like uses.

**49. Section 18-1514.3 is hereby amended as follows:**

**Sec. 18-1514.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "R-6" district shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Uses that are similar to any permitted or conditional use, as determined by the Zoning Director, shall be permitted in the same manner (i.e. permitted versus conditional) as the listed use to which it is similar, provided that any similar use specifically permitted in another zoning district shall not be permitted. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1514.3 and other applicable conditions of this district and Article.

**Table 18-1514.3: Authorized Land Uses in R-6 District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>RESIDENTIAL AND ACCOMMODATION USES</u>		
<u>Dwellings, Duplex</u>	<u>P</u>	
<u>Dwellings, Multi-family (&gt;12.5-15 du/a)</u>	<u>P/C</u>	<u>Permitted at densities of up to 12.5 du/a; conditional use for densities greater than 12.5 du/a subject to section 18-1531</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Dwellings, Single-family Attached</u>	<u>P/C</u>	<u>Permitted at densities of up to 12.5 du/a; conditional use for densities greater than 12.5 du/a subject to section 18-1531</u>
<u>Community Residential Home</u>	<u>P/C</u>	<u>Permitted with up to 14 residents, conditional use for more than 14 residents subject to sections 18-1503.16, 18-1530.19, and 18-1531</u>
<u>Bed and Breakfast Establishment</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>Fraternity and Sorority Houses</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>Residential Care Facilities</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>Rooming and Boarding Houses</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>Shelter Home</u>	<u>C</u>	<u>Subject to sections 18-1503.16, 18-1530.19, and 18-1531</u>
<u>Mixed Use Multi-family/Office/Personal Services/Retail</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>COMMERCIAL USES</u>		
<u>Offices</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u>		
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Off-street parking lots as part of a contiguous non-residential district that abuts an arterial street</u>	<u>C</u>	<u>Such use may not exceed three (3) acres. Subject to section 18-1531</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>ARTS, ENTERTAINMENT AND RECREATION USES</u>		
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u>		
<u>Clubs and Lodges</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Colleges, universities, Seminaries and Other Institutions of Higher Education</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Community Facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 1</u>	<u>P</u>	
<u>Day Care Center - Type 2</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Educational Institutions (elementary, middle, senior)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Home Health Care Service</u>	<u>P</u>	
<u>Hospitals</u>	<u>C</u>	<u>In R/O/R, CG or CRD only and subject to section</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
		<u>18-1531</u>
<u>Place of Worship</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Public Educational Facilities</u>	<u>P</u>	
<u>Special Needs Treatment Facility</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>AGRICULTURE AND OTHER USES</u>		
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	<u>Subject to sections 18-1530 and 18-1531</u>
<u>Community Association</u>	<u>P</u>	<u>P</u>
<u>Height - buildings and structures over 40 feet</u>	<u>C</u>	<u>Subject to section 18-1531</u>

(A) ~~PERMITTED USES.~~

- ~~1. Accessory uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations", including home occupations.~~
- ~~2. Community Association.~~
- ~~3. Community Residential Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~4. Community Residential Home (seven (7) to fourteen (14) residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~5. Day Care Center, Type I.~~
- ~~6. Dwellings, Duplex.~~
- ~~7. Dwellings, Multi-Family with a density of up to and including twelve and one-half (12.50) units per net acre, in RM, R/OG, R/O/R or CRD.~~
- ~~8. Dwellings, Single-family Detached.~~
- ~~9. Home Health Care Service Agencies, in R/OG, R/O/R, CG or CRD.~~
- ~~10. Public Educational Facilities.~~
- ~~11. Electric Power Distribution Substations (Subject to Section 18-1530.24).~~

(B) ~~CONDITIONAL USES. (See Section 18-1531 "Conditional Use Regulations" for Conditions.)~~

- ~~1. Accessory uses to any conditional use, subject to Section 18-1530 "Accessory Use and Supplementary District Regulations."~~
- ~~2. Bed and Breakfast Establishment (subject to Sec. 18-1503.16).~~
- ~~3. Clubs and Lodges.~~
- ~~4. Colleges, universities, seminaries and other institutions of higher education; in R/OG, CG or CRD only.~~
- ~~5. Community Facility.~~
- ~~6. Community Residential Home (more than fourteen (14) residents). Subject to Section 18-1503.16 and Section 18-1530.19, "Community Residential Homes."~~
- ~~7. Day Care Center, Type II.~~



- ~~8. Dwellings, Multi-family with a density greater than twelve and one-half (12.5) but not exceeding fifteen (15.0) units per net acre; in RM, R/OG, R/O/R or CRD.~~
- ~~9. Educational Institutions (elementary, middle, and senior).~~
- ~~10. Fraternity and Sorority Houses (subject to Section 18-1503.16).~~
- ~~11. Height: Buildings and structures over forty (40) feet.~~
- ~~12. Hospitals. (in R/O/R, CG or CRD only)~~
- ~~13. Hotels and Motels, in R/O/R or CG only, not to exceed thirty (30) units per net acre in R/O/R and forty (40) units per net acre in CG. (Also see Section 18-1503.17 for alternative densities.)~~
- ~~14. Mixed Use, Multi-family/Office (in R/O/R, R/OG or CRD); Multi-family/Office/Retail (in R/O/R or CRD).~~
- ~~15. Offices, in R/OG, R/O/R, CG or CRD.~~
- ~~16. Off-street parking lots as part of a contiguous office, commercial or industrial use. Such off-street parking lots are allowed when the abutting office, commercial or industrial district abuts an arterial street, and abuts the off-street parking lot along the rear or side lot line without an intervening street (but with or without an intervening alley.) Such use may not exceed three (3) acres.~~
- ~~17. Place of Worship.~~
- ~~18. Recreation/Open Space.~~
- ~~19. Residential Care Facilities (subject to Sec. 18-1503.16).~~
- ~~20. Rooming and Boarding Houses (subject to Sec. 18-1503.16).~~
- ~~21. Shelter Home (subject to Sec. 18-1503.16 and Section 18-1530.19, "Community Residential Homes").~~
- ~~22. Special Needs Treatment Facility (subject to Sec. 18-1503.16).~~

**50. Section 18-1514.4 is hereby amended as follows:**

**Sec. 18-1514.4. - DIMENSIONAL AND AREA REGULATIONS.**

**(A) MINIMUM LOT REQUIREMENTS.**

1. Lot Area:
  - (a) Residential: Multi-family dwellings: Ten thousand four hundred fifty-five (10,455) square feet of net lot area, One Story: Four thousand three hundred fifty-six (4,356) square feet of net lot area/unit (maximum density of ten (10) dwelling units/acre), Two or more stories: Three thousand four hundred eighty-four and eight-tenths (3,484.8) square feet of net lot area/unit (maximum density of twelve and one-half (12.5) dwelling unit/acre), two thousand nine hundred four (2,904) square feet of net lot area/unit (maximum density of fifteen (15) dwelling unit/acre).
  - (b) Duplex Dwellings: Seven thousand two hundred (7,200) square feet, Single-family Detached Dwelling: Five thousand (5,000) square feet.
  - (c) Nonresidential or other uses: Ten thousand (10,000) square feet of net lot area).

NOTE: Lots of record less than seven thousand two hundred (7,200) square feet shall be developed with a single-family detached dwelling only.
2. Lot Width: One hundred (100) feet. Lots with a width of less than one hundred (100) feet but greater than seventy (70) feet can be developed with a duplex or a single-family detached dwelling only. Lots with a width of seventy (70) feet or less can be developed with a single-family detached dwelling only.

(B) MINIMUM YARD SETBACK REQUIREMENTS.

1. For lots platted prior to January 14, 1982, the following shall apply:
  - (a) Front Yard Setback: Thirty (30) feet plus three (3) feet per story for each story in excess of two (2) stories. For single-family residential development, the minimum front yard setback is twenty (20) feet.
  - (b) Secondary Front Yard Setback: Twelve (12) feet.
  - (c) Side Yard Setback: Five (5) feet or ten (10) percent of lot width, whichever is greater.
  - (d) Rear Yard Setback: Twenty (20) feet. For single-family residential development, the minimum rear yard setback is fifteen (15) feet.
2. For lots platted on or after January 14, 1982, the following shall apply:
  - (a) Front Yard Setback: Thirty (30) feet plus three (3) feet per story for each story in excess of two (2) stories.
  - (b) Secondary Front Yard Setback: Thirty (30) feet plus three (3) feet per story for each story in excess of two (2) stories.
  - (c) Side Yard Setback: Fifteen (15) feet; twenty (20) feet if abutting a residential or mixed use zoning district.
  - (d) Rear Yard Setback: Twenty (20) feet.
  - (e) For corner, double frontage and multiple frontage lots, see Section 18-1503.7 "Yard Determinations."
  - (f) Refer to Section 18-1503.8 for measurement of yard setbacks on lots adjacent to rights-of-way of insufficient width.
  - (g) Refer to Section 18-1504.3(G)(2) for special yard setbacks for additions to buildings in existence as of August 14, 1997.

(C) BUILDING REQUIREMENTS.

1. Minimum Building Separation: See Section 18-1530.17, "Minimum Building Separation."
2. Maximum Building Height: Forty (40) feet. (See Section 18-1503.13, "Exclusion from Height Limits", for height limit exclusions.)

(D) MINIMUM LIVEABLE FLOOR AREA.

1. Efficiency: Four hundred fifty (450) square feet.
2. One-bedroom: Five hundred fifty (550) square feet.
3. Two-bedroom: Six hundred fifty (650) square feet.
4. Three-bedroom: Eight hundred (800) square feet.

(E) MAXIMUM LOT COVERAGE. Seventy-five (75) percent.

(F) FLOOR AREA RATIO.

1. Nonresidential Uses:
  - (a) ~~Forty hundredths (0.40) in RM.~~
  - (b) ~~Thirty hundredths~~ Four-tenths (0.40) in R/O/R.
  - (b) ~~Thirty five hundredths~~ Five-tenths (0.50) in all other Land Use Categories (0.35) in R/OG.
  - (d) ~~Forty five hundredths(0.45) CG.~~
  - (e) ~~Thirty five hundredths(0.35) in CRD.~~

2. ~~Mixed Use Development:~~

~~(a) Maximum lot development of mixed uses involving residential uses with other permitted or conditional uses shall be determined by the required lot area for residential uses plus the nonresidential (commercial) floor area divided by the F.A.R. equaling the lot area.~~

~~(1) Equation:~~

~~[Number of units x SF per unit] + [Commercial , F.A.R.]  
[Floor Area] = Lot Area~~

~~Numeric examples:~~

~~[10 units x 3,485 SF./unit] + [1,742 SF .20] = 43,560 SF.~~

~~34,850 SF + 8,710 SF = 43,560 SF.~~

~~[1 unit x 3,485 SF/unit] + [8,015 SF .20] = 43,560 SF.~~

~~3,485 SF. + 40,075 SF = 43,560 SF~~

**51. Section 18-1515 is hereby amended as follows:**

**SECTION 18-1515. - "T-1" MOBILE MANUFACTURED HOME SUBDIVISION DISTRICT**

(Rezoning to "T-1" are prohibited except as provided in Section 18-1515.6, "Criteria for Acceptance of Rezoning Petitions to "T-1", below).

**52. Section 18-1515.1 is hereby amended as follows:**

**Sec. 18-1515.1. - STATEMENT OF INTENT.**

The "T-1" Mobile Manufactured Home Subdivision District is established ~~in order~~ to identify and stabilize those geographic areas within the City of Pinellas Park that are presently platted or developed as mobile manufactured home subdivisions. The district is intended to be used primarily for mobile manufactured home dwellings for residential occupancy upon lots owned by the resident or designated tenant, but conversion of these sites to standard single-family detached dwellings is encouraged as a means of improving these areas over time. It is the intent of the City to strictly limit further rezonings of land into this zoning category. Criteria for acceptance of rezoning petitions are stated in Section 18-1515.6, "Criteria for Acceptance of Rezoning Petitions to "T-1", below. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Low Medium (RLM), Residential Medium (RM), Transportation/Utility (T/U) and Community Redevelopment District (CRD).

**53. Section 18-1515.2 is hereby amended as follows:**

**Sec. 18-1515.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Residential Low Medium (RLM), Residential Medium (RM), Transportation/Utility (T/U) and Community Redevelopment District (CRD).~~ The maximum allowable density is eight and seven-tenths (8.7) dwelling units per net acre. Where this zoning district has been applied to property that has been annexed and the Land Use Plan Map category has a maximum density less than eight and seven-tenths (8.7) dwelling units per net acre, the density will be determined by the Land Use Plan Map category.

For lots located within the Residential Low Medium (RLM) and Residential Medium (RM) Land Use Plan Map categories, public/semi-public uses, (except Public Educational Facilities) shall not exceed a maximum area of five (5) gross acres. Ancillary nonresidential or Transportation/Utility uses shall not exceed a maximum of three (3) acres. Any such use, alone or when added to existing abutting or functionally abutting like uses, which exceeds the threshold stated above shall require a Land Use Plan Map amendment to Institutional (I), Transportation/Utility (T/U), or other Land Use Map Land Use Plan

Map category (as appropriate), which shall include such use and all abutting or functionally abutting like uses.

**54. Section 18-1515.3 is hereby amended as follows:**

**Sec. 18-1515.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "T-1" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1515.3 and other applicable conditions of this district and Article.

**Table 18-1515.3: Authorized Land Uses in T-1 District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>RESIDENTIAL AND ACCOMMODATION USES</u>		
<u>Dwellings, Manufactured Home</u>	<u>P</u>	<u>1 per lot</u>
<u>Dwellings, Single-family Detached</u>	<u>P</u>	
<u>Community Residential Home</u>	<u>P</u>	<u>Limited to 6 or fewer residents. Subject to section 18-1530.19</u>
<u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u>		
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>ARTS, ENTERTAINMENT AND RECREATION USES</u>		
<u>Private Recreation facilities as part of manufactured home subdivision</u>	<u>P</u>	
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u>		
<u>Community Facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 1</u>	<u>P</u>	
<u>Day Care Center - Type 2</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Place of Worship</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Public Educational Facilities</u>	<u>P</u>	
<u>AGRICULTURE AND OTHER USES</u>		
<u>Accessory Uses</u>	<u>P/C</u>	<u>Subject to sections 18-1530 and 18-1531</u>
<u>Community Association</u>	<u>P</u>	<u>P</u>

~~(A) PERMITTED USES.~~

- ~~1. Accessory Uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations", including home occupations.~~
- ~~2. Community Association.~~
- ~~3. Community Residential Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~4. Day Care Center, Type I.~~
- ~~5. Dwellings, Mobile home (one per lot).~~
- ~~6. Dwellings, Single-family Detached.~~
- ~~7. Electrical Power Distribution Substations (Subject to Section 18-1530.24).~~
- ~~8. Private recreation areas and facilities as a part of a mobile home subdivision.~~
- ~~9. Public Educational Facilities.~~

~~(B) CONDITIONAL USES. (See Section 18-1531, "Conditional Use Regulations" For Conditions.)~~

- ~~1. Accessory Uses to any conditional use, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."~~
- ~~2. Community Facility.~~
- ~~3. Day Care Center, Type II.~~
- ~~4. Place of Worship.~~
- ~~5. Recreation/Open Space.~~
- ~~6. Shelter Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~7. Utilities, public and private.~~

**55. Section 18-1515.4 is hereby amended as follows:**

**Sec. 18-1515.4. - DIMENSIONAL AND AREA REGULATIONS.**

**(A) MINIMUM LOT REQUIREMENTS.**

1. For lots platted prior to November 24, 1992, the following dimensional regulations shall apply:
  - (a) Lot Area: Five thousand (5,000) square feet.
  - (b) Lot Width: Fifty (50) feet.
  - (c) Lot Depth: Ninety (90) feet.
2. For lots platted on or after November 24, 1992, the following shall apply:
  - (a) Lot Area: Seven thousand five hundred (7,500) feet.
  - (b) Lot Width: Seventy-five (75) feet, except on a corner ninety (90) feet is required.
  - (c) Lot Depth: Ninety (90) feet.
3. Lots not meeting the lot area, width or depth requirements of this Section and having been of record prior to June 12, 1986 may be used for a permitted or conditional use provided that all other dimensional regulations will apply.

**(B) MINIMUM YARD SETBACK REQUIREMENTS.**

1. For lots platted prior to November 24, 1992, the following shall apply:
  - (a) Front Yard Setback: Twenty (20) feet.
  - (b) Secondary Front Yard Setback: Ten (10) feet.
  - (c) Side Yard Setback: Five (5) feet.
  - (d) Rear Yard Setback: Fifteen (15) feet, or ten (10) feet if abutting an alley.
2. For lots platted on or after November 24, 1992, the following shall apply:
  - (a) Front Yard Setback: Twenty-five (25) feet.
  - (b) Secondary Front Yard Setback: Twenty-five (25) feet.
  - (c) Side Yard Setback: Ten (10) feet.
  - (d) Rear Yard Setback: Fifteen (15) feet.
3. For corner, double frontage and multiple frontage lots, see Section 18-1503.7, "Yard Determinations."
4. Refer to Section 18-1503.8 for measurement of yard setbacks on lots adjacent to rights-of-way of insufficient width.
5. Refer to Section 18-1504.3(G)(2) for special yard setbacks for additions to buildings in existence as of August 14, 1997.

(C) MINIMUM LIVEABLE FLOOR AREA.

1. ~~Mobile~~Manufactured Home Dwellings: Four hundred fifty (450) square feet.
2. Single-family Detached Dwellings: Eight hundred (800) square feet.

(D) MAXIMUM BUILDING HEIGHT. Thirty-five (35) feet. See Section 18-1503.13, "Exclusion from Height Limits", for height limit exclusions.

(E) MAXIMUM LOT COVERAGE. Nonresidential Uses: Sixty-five (65) percent in RLM; seventy-five (75) percent in RM land use.

(F) FLOOR AREA RATIO.

1. Nonresidential Uses:
  - (a) Forty-hundredths (0.40) in RLM or RM.

**56. Section 18-1515.5 is hereby amended as follows:**

**Sec. 18-1515.5. - ADDITIONAL REGULATIONS.**

- (A) LANDSCAPING AND BUFFERING. See Section 18-1533, "Landscaping Regulations."
- (B) FENCES. See Section 18-1530.10, "Fences, Walls and Hedges" for fence regulations and setbacks.
- (C) DUMPSTER ENCLOSURES (See Section 18-1530.20, "Dumpsters"), AND ALSO SUPPLEMENTAL USE REGULATIONS (See Section 18-1530, "Accessory Use and Supplementary District Regulations").
- (D) OFF-STREET PARKING AND LOADING. See Section 18-1532, "Parking and Loading Regulations."

**57. Section 18-1515.6 is hereby amended as follows:**

**Sec. 18-1515.6. - CRITERIA FOR ACCEPTANCE OF REZONING PETITIONS TO "T-1."**

- (A) The following conditions must exist before any rezoning of any property to "T-1" will be considered:
  1. The City Council of Pinellas Park has determined that the character of the lot under petition to be rezoned does not lend itself to feasible development under any other zoning category.

2. The lot under petition to be rezoned has a current Land Use Plan Map designation that is compatible with the requested zone. (It is not the intent of this provision to promote the initiation of Land Use Plan Map amendments.)
3. There exists a conflict between the current zoning category and Land Use Plan Map designation on the parcel under petition to be rezoned.
4. The lot under petition to be rezoned lies within three hundred (300) feet of existing property zoned "T-1" MobileManufactured Home Subdivision District.
5. Request to rezone the subject lot is consistent with the adopted City of Pinellas Park Comprehensive Plan.
6. Under no circumstances shall these conditions be waived.

**58. Section 18-1516 is hereby amended as follows:**

**SECTION 18-1516. - "T-2" MOBILE-MANUFACTURED HOME PARK DISTRICT**

**59. Section 18-1516.2 is hereby amended as follows:**

**Sec. 18-1516.1. - STATEMENT OF INTENT.**

The "T-2" MobileManufactured Home Park District is established in order to identify and provide for geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of low-medium density mobilemanufactured home parks in which spaces are rented or leased for the placement of mobilemanufactured home dwellings for residential single-family occupancy, and for such accessory uses that are customary or necessary for such an environment. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential Low Medium (RLM) and Residential Medium (RM) on the Land Use Plan Map.

**60. Section 18-1516.2 is hereby amended as follows:**

**Sec. 18-1516.2. - DENSITY REGULATIONS.**

~~Areas of the City for which the "T-2" zoning district is appropriate are designated as Residential Low Medium (RLM) and Residential Medium (RM) on the Land Use Plan Map.~~ No mobilemanufactured home park will be permitted on less than ten (10) gross acres. A maximum density of thirteen and seven and one-half tenths (13.75) dwelling units per net acre shall be permitted with a Land Use Plan Map designation of Residential Medium (RM). A maximum density of ten (10) dwelling units per net acre shall be permitted with a Land Use Plan Map designation of Residential Low Medium (RLM).

For lots located within the Residential Low Medium (RLM) and Residential Medium (RM) Land Use Plan Map categories, public/semi-public uses, (except Public Educational facilities) shall not exceed a maximum area of five (5) gross acres. Ancillary nonresidential or Transportation/Utility uses shall not exceed a maximum of three (3) acres. Any such use, alone or when added to existing abutting or functionally abutting like uses, which exceeds the threshold stated above, shall require a Land Use Plan Map amendment to Institutional (I), Transportation/Utility (T/U) or other Land Use Plan Map category (as appropriate), which shall include such use and all abutting or functionally abutting like uses.

**61. Section 18-1516.3 is hereby amended as follows:**

**Sec. 18-1516.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "T-2" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1516.3 and other applicable conditions of this district and Article.

**Table 18-1516.3: Authorized Land Uses in T-2 District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>RESIDENTIAL AND ACCOMMODATION USES</u>		
<u>Dwellings, Manufactured Home</u>	<u>P</u>	<u>1 per lot or space</u>
<u>Community Residential Home</u>	<u>P/C</u>	<u>Permitted for 6 or fewer residents, subject to sections 18-1530.19. Conditional use for 7 or more residents, subject to sections 18-1503.14, 18-1530 and 18-1531)</u>
<u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u>		
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>ARTS, ENTERTAINMENT AND RECREATION USES</u>		
<u>Private Recreation facilities as part of manufactured home subdivision</u>	<u>P</u>	
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u>		
<u>Day Care Center - Type 1</u>	<u>P</u>	
<u>Public Educational Facilities</u>	<u>P</u>	
<u>AGRICULTURE AND OTHER USES</u>		
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	<u>Subject to sections 18-1530 and 18-1531</u>
<u>Community Association</u>	<u>P</u>	
<u>Recreation Vehicles</u>	<u>C</u>	<u>Accessory to manufactured home park</u>

~~(A) PERMITTED USES.~~

- ~~1. Accessory patio enclosures and individual utility buildings, all of which must comply with required setbacks and building regulations.~~
- ~~2. Associated accessory uses such as home occupations, and recreational facilities, laundries, and central storage areas for park residents.~~
- ~~3. Community Association.~~
- ~~4. Community Residential Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~5. Day Care Center, Type I.~~
- ~~6. Dwellings, Mobile home (one (1) per lot).~~
- ~~7. Public Educational Facilities.~~



~~8. Electrical Power Distribution Substations (Subject to Section 18-1530.24).~~

~~(B) CONDITIONAL USES. (See Section 18-1531 "Conditional Use Regulations" for Conditions.)~~

- ~~1. Accessory uses to any conditional use, subject to Section 18-1530 "Accessory Use and Supplementary District Regulations."~~
- ~~2. Community Residential Home (seven (7) or more residents), (subject to Section 18-1503.14 and Section 18-1530.19, "Community Residential Homes.")~~
- ~~3. Recreation/Open Space.~~
- ~~4. Recreation Vehicles (must be accessory use only to a mobile home park).~~
- ~~5. Utilities, public and private.~~

**62. Section 18-1516.4 is hereby amended as follows:**

**Sec. 18-1516.4. - DIMENSIONAL AND AREA REGULATIONS.**

(A) MINIMUM ~~MOBILE MANUFACTURED~~ HOME PARK SITE AREA ACREAGE. Ten (10) gross acres.

(B) MINIMUM LOT REQUIREMENTS.

1. Lot Area: Four thousand fifty (4,050) square feet.
2. Lot Width: Forty-five (45) feet.
3. Lot Depth: Ninety (90) feet.
4. Lots not meeting the lot area, width, or depth requirements of this Section and having been of record prior to June 12, 1986, may be used for a permitted or conditional use provided that all other dimensional regulations will apply.

(C) MINIMUM YARD SETBACK REQUIREMENTS.

1. Front Yard Setback: Eight (8) feet.
2. Secondary Front Yard Setback: Eight (8) feet.
3. Side Yard Setback: Five (5) feet.
4. Rear Yard Setback: Five (5) feet.
5. For corner, double frontage lots, see Section 18-1503.7 "Yard Determinations."
6. For multiple frontage lots, in keeping with the prevailing development pattern, a front yard setback shall be maintained on one street frontage and a secondary front yard setback on the intersecting street frontage. The interior boundary, as well as the third street frontage (opposite of what has been determined to be the front yard) shall be considered side yards.
7. Refer to Section 18-1503.8 for measurement of yard setbacks on lots adjacent to rights-of-way of insufficient width.
8. Refer to Section 18-1504.3(G)(2) for special yard setbacks for additions to buildings in existence as of August 14, 1997.

(D) MINIMUM LIVEABLE FLOOR AREA. Four hundred fifty (450) square feet.

(E) MAXIMUM BUILDING HEIGHT. Thirty-five (35) feet. See Section 18-1503.13, "Exclusion from Height Limits", for height limit exclusions.

(F) MAXIMUM LOT COVERAGE. Nonresidential Uses: Sixty-five (65) percent in RLM; seventy-five (75) percent in RM.

(G) FLOOR AREA RATIO.

1. Nonresidential Uses:

(a) Forty-hundredths (0.40).

**63. Section 18-1516.6 is hereby amended as follows:**

**Sec. 18-1516.6. - ADDITIONAL REGULATIONS.**

- (A) PERIMETER LANDSCAPED AREAS. There shall be a landscaped beautification strip not less than thirty-five (35) feet in depth along all publicly dedicated rights-of-way abutting a mobilemanufactured home park, and a landscaped beautification strip of not less than fifteen (15) feet in depth along all of the other boundaries of the mobilemanufactured home park. All beautification strips shall contain a plant or structural screen which shall be at least seventy-five (75) percent opaque, at least six (6) feet high and shall extend the length of the beautification strip except for driveway openings. Newly planted screens shall meet the height and opaqueness requirement within twelve (12) months of the opening of any portion of the park. The beautification strip shall not be used for site computation of the recreation area, mobilemanufactured home sites, utility sites, or for any other structure, but may be utilized for maximum density computations, drainage structures and utilities distribution and collection facilities. No beautification shall be required on a boundary at the point where one (1) mobilemanufactured home park abuts another mobilemanufactured home park, or where said park abuts a lakefront.
- (B) STREET REQUIREMENTS. Roadways or streets within a mobilemanufactured home park may be private but the following requirements shall apply:
1. All streets shall be constructed with curb and gutters and required storm drainage.
  2. Internal collector streets shall be a minimum of twenty-eight (28) feet in width, from back of curb to back of curb, with a minimum of twenty-four (24) feet of paved surface.
  3. Internal minor streets shall be a minimum of twenty-four (24) feet in width, from back of curb to back of curb, with a minimum of twenty (20) feet of paved surface.
  4. Inverted crown streets shall not be permitted.
  5. For the purposes of this provision, a collector street shall be defined as a street designed to facilitate adequate traffic flow from two (2) or more internal minor streets to dedicated public rights-of-way. All streets which provide ingress and egress from dedicated public rights-of-way shall be deemed to be collector streets.
  6. All street and drainage construction specifications shall comply with the requirements set forth in Article 1 of the Land Development Code, including applicable inspection requirements.
- (C) RECREATION AREA REQUIREMENTS. Not less than ten (10) percent of the gross site area shall be devoted to recreation facilities, generally provided in a central location, or in larger courts, decentralized. Recreation area includes space for community use facilities, such as adult recreation and child play areas, swimming pools.
- (D) ELECTRICAL WIRING, TELEPHONE AND UTILITY REQUIREMENTS. All electrical utility wiring, telephone utility wiring and cable television utility wiring shall be underground except where the utility company serving the area requires overhead primary distribution of the mobilemanufactured home park.
- (E) ACCESS REQUIREMENTS. There shall be at least four hundred (400) feet between all of the mobilemanufactured home park entrances and exit streets and/or driveways abutting publicly dedicated roadways.
- (F) SAFETY REQUIREMENTS. Each mobilemanufactured home dwelling shall be firmly fastened to the ground in accordance with Florida Building Code requirements. Street lighting shall be installed and may be either overhead or low level, but must be reflected onto the street.
- (G) UTILITIES, EASEMENTS, ETC. Installation of improvements and utilities to all parts of the mobilemanufactured home park shall be in conformity with the provisions of the Code of Ordinances of the City of Pinellas Park.

- (H) SIDEWALKS. The construction of four (4) feet wide sidewalks is required along both sides of all streets in a mobilemanufactured home park, except on perimeter streets only the park side of the street need have a sidewalk.
- (I) DUMPSTER ENCLOSURES (See Section 18-1530.20, "Dumpsters" and Section 18-1530, "Accessory Use and Supplementary District Regulations.")
- (J) OFF-STREET PARKING AND LOADING. (See Section 18-1532, "Parking and Loading Regulations.")

**64. Section 18-1516.7 is hereby amended as follows:**

**Sec. 18-1516.7. - EXPANSION OF EXISTING MOBILEMANUFACTURED HOME PARKS.**

When the owner of a mobilemanufactured home park proposes expansion, such expansion plans shall be submitted and approved in the same manner as plans for new parks, except for the minimum site area requirement. MobileManufactured home park expansion plans shall comply with new park requirements. Improvement of any substandard conditions in existing parks shall be required as a precedent to expansion of such parks.

**65. Section 1517.1 is hereby amended as follows:**

**SECTION 18-1517. - "ROR" RESIDENTIAL/OFFICE/RETAIL DISTRICT**

**Sec. 18-1517.1. - STATEMENT OF INTENT.**

The "ROR" Residential/Office/Retail District is established ~~in order~~ to provide areas for residential or commercial uses, or a compatible mixture of these uses at a medium density and low commercial intensity. It is not the intent of this district to encourage strip commercial areas. It is the intent of this district to encourage multi-family development on large lots. This district is appropriate for areas designated on the Official Land Use Plan Map as Residential/Office/Retail (R/O/R) on lots of forty three thousand five hundred sixty (43,560) square feet or more.

**66. Section 18-1517.2 is hereby amended as follows:**

**Sec. 18-1517.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Residential/Office/Retail (R/O/R) on lots of forty three thousand five hundred sixty (43,560) square feet or more.~~ A maximum of twelve and one-half (12.5) dwelling units per net acre shall be permitted in the "ROR" Residential/Office/Retail District.

Public/semi-public uses (except Public Educational Facilities) shall not exceed a maximum area of five (5) gross acres. Ancillary nonresidential or Transportation/Utility uses shall not exceed a maximum of three (3) acres. Any such use, alone or when added to existing abutting or functionally abutting like uses, which exceeds the thresholds stated above shall require a Land Use Plan Map amendment to Institutional (I), Transportation/Utility (T/U) or other Land Use Plan Map category (as appropriate), which shall include such use and all abutting or functionally abutting like uses.

**67. Section 18-1517.3 is hereby amended as follows:**

**Sec. 18-1517.3. - PERMITTED AND CONDITIONAL USES.**

No buildings or land in the "ROR" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Uses that are similar to any permitted or conditional use, as determined by the Zoning Director, shall be permitted in the same manner (i.e. permitted versus conditional) as the listed use to which it is similar, provided that any similar use specifically permitted in another zoning district shall not be permitted. Permitted (P) and conditional (C) uses shall be subject to

the conditions established in the following Table 18-1517.3 and other applicable conditions of this district and Article.

**Table 18-1517.3: Authorized Land Uses in ROR District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<b>RESIDENTIAL AND ACCOMMODATION USES</b>		
<u>Dwellings, Multi-family</u>	<u>P</u>	
<u>Dwellings, Single-family Attached</u>	<u>P</u>	
<u>Community Residential Home</u>	<u>P/C</u>	<u>Permitted for 14 or fewer residents, subject to sections 18-1530.19. Conditional use for 14 or more residents, subject to sections 18-1503.14, 18-1530 and 18-1531)</u>
<u>Bed and Breakfast Establishment</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>Fraternity and Sorority Houses</u>	<u>C</u>	<u>Subject to sections 19-1503.16 and 18-1531</u>
<u>Hotels and Motels</u>	<u>C</u>	<u>Not to exceed 30 units per acre and subject tto section 18-1531</u>
<u>Residential Care Facilities</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>Rooming and Boarding Houses</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>Shelter Home</u>	<u>C</u>	<u>Subject to sections 18-1503.16, 1530.19, and 18-1531</u>
<u>Mixed Use Multi-family/Office/Personal Services/Retail</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<b>COMMERCIAL USES</b>		
<u>Delicatessens</u>	<u>P</u>	<u>Beer and wine for off-premises consumption only</u>
<u>Drive-in/drive-thru businesses (all types unless otherwise listed)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Financial Institutions</u>	<u>P</u>	
<u>Financial Institutions drive-thru</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Light Printing Establishments</u>	<u>P</u>	
<u>Medical Marijuana Dispensary</u>	<u>P</u>	
<u>Offices</u>	<u>P</u>	
<u>Personal Services</u>	<u>P</u>	
<u>Restaurants</u>	<u>P</u>	<u>Excluding drive-in and drive-thru restaurants</u>
<u>Restaurants; Drive-in/Drive-thru</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Retail Sales</u>	<u>P</u>	
<b>TRANSPORTATION, COMMUNICATION AND UTILITY USES</b>		
<u>Electric Power Distribution</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Substations</u>		
<u>Off-street parking lots</u>	<u>C</u>	<u>Other than accessory to a permitted or conditional use. Limited to three acres and subject to section 18-1531</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>ARTS, ENTERTAINMENT AND RECREATION USES</u>		
<u>Indoor Recreation and Games Establishments, Indoor</u>	<u>P</u>	
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Theaters</u>	<u>P</u>	
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u>		
<u>Clubs and Lodges</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Colleges, universities, Seminaries and Other Institutions of Higher Education</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Community Facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 1</u>	<u>P</u>	
<u>Day Care Center - Type 2</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 3</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Educational Institutions (elementary, middle, senior)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Home Health Care Service</u>	<u>P</u>	
<u>Hospitals</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Place of Worship</u>	<u>P</u>	
<u>Public Educational Facilities</u>	<u>P</u>	
<u>Special Needs Treatment Facility</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>AGRICULTURE AND OTHER USES</u>		
<u>Accessory Uses</u>	<u>P/C</u>	<u>Subject to sections 18-1530 and 18-1531</u>
<u>Community Association</u>	<u>P</u>	

~~(A) — PERMITTED USES.~~

- ~~1. — Accessory uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations", including home occupations.~~
- ~~2. — Community Association.~~

- ~~3.— Community Residential Home (less than six (6) residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~4.— Community Residential Home (up to fourteen (14) residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~5.— Day Care Center, Type I.~~
- ~~6.— Delicatessens (alcoholic beverage sales limited to beer and wine for off-premise consumption only).~~
- ~~7.— Dwellings, Multi-family with a density up to and including twelve and one-half (12.5) units per net acre.~~
- ~~8.— Electrical Power Distribution Substations (Subject to Section 18-1530.24).~~
- ~~9.— Financial institutions.~~
- ~~10.— Home Health Care Service Agency.~~
- ~~11.— Indoor Recreation and Games Establishments.~~
- ~~12.— Light Printing Establishments.~~
- ~~13.— Offices.~~
- ~~14.— Personal Services.~~
- ~~15.— Places of Worship.~~
- ~~16.— Public Education Facilities.~~
- ~~17.— Restaurants.~~
- ~~18.— Retail Sales.~~
- ~~19.— Theaters.~~
- ~~(B) CONDITIONAL USES. (See Section 18-1531, "Conditional Use Regulations" For Conditions.).~~
  - ~~1.— Accessory Uses to any conditional use, (subject to Section 18-1530, "Accessory Use and Supplementary District Regulations").~~
  - ~~2.— Bed and Breakfast Establishment (subject to Section 18-1503.16).~~
  - ~~3.— Clubs and lodges.~~
  - ~~4.— Colleges, Universities, Seminaries and other institutions of higher education.~~
  - ~~5.— Community Facility.~~
  - ~~6.— Community Residential Home (more than fourteen (14) residents, subject to Section 18-1503.16 and Section 18-1530.19, "Community Residential Homes").~~
  - ~~7.— Day Care Center, Type II or III.~~
  - ~~8.— Drive-in/drive-thru businesses: all types not otherwise listed.~~
  - ~~9.— Educational Institutions (elementary, middle and senior).~~
  - ~~10.— Financial Institutions, Drive-Thru.~~
  - ~~11.— Fraternity and Sorority Houses (subject to Section 18-1503.16).~~
  - ~~12.— Hospitals.~~
  - ~~13.— Hotels and Motels, not to exceed thirty (30) units per net acre.~~
  - ~~14.— Mixed Use; multi-family/office or multi-family/office/retail.~~

- ~~15. Off-street parking lots and parking garages, other than accessory to a permitted or conditional use. (May not exceed three (3) acres.)~~
- ~~16. Recreation/Open Space.~~
- ~~17. Residential Care Facilities (subject to Section 18-1503.16).~~
- ~~18. Restaurants, Drive-in/Drive-thru.~~
- ~~19. Rooming and Boarding Houses (subject to Section 18-1503.16).~~
- ~~20. Shelter Homes (subject to Section 18-1503.16 and Section 18-1530.19 "Community Residential Homes").~~
- ~~21. Special Needs Treatment Facilities (subject to Section 18-1503.16).~~
- ~~22. Utilities, public and private.~~

**68. Section 18-1517.4 is hereby amended as follows:**

**Sec. 18-1517.4. - DIMENSIONAL AND AREA REGULATIONS.**

(A) MINIMUM LOT REQUIREMENTS.

- 1. Lot area: Forty-three thousand five hundred sixty (43,560) square feet of net lot area (for residential uses, three thousand four hundred eighty-five (3,485) square feet per dwelling unit).
- 2. Lot Width: One hundred fifty (150) feet.
- 3. Lots of record not meeting the lot area or width requirements of this Section and having been of record prior to November 24, 1992, may be used for a permitted or conditional use provided that all other dimensional regulations will apply.

(B) MINIMUM YARD SETBACK REQUIREMENTS.

- 1. Front Yard Setback: Thirty (30) feet.
- 2. Secondary Front Yard Setback: Fifteen (15) feet.
- 3. Side Yard Setback: Fifteen (15) feet.
- 4. Rear Yard Setback: Twenty (20) feet.
- 5. For corner, double frontage and multiple frontage lots, see Section 18-1503.7 "Yard Determinations."
- 6. Refer to Section 18-1503.8 for measurement of yard setbacks on lots adjacent to rights-of-way of insufficient width.
- 7. Refer to Section 18-1504.3(G)(2) for special yard setbacks for additions to buildings in existence as of August 14, 1997.

(C) MINIMUM BUILDING SEPARATION. See Section 18-1530.17, "Minimum Building Separation."

(D) MINIMUM LIVEABLE FLOOR AREA.

- 1. Efficiency: Four hundred fifty (450) square feet.
- 2. One-bedroom: Five hundred fifty (550) square feet.
- 3. Two-bedroom: Six hundred fifty (650) square feet.
- 4. Three-bedroom: Eight hundred fifty (850) square feet.

(E) MAXIMUM BUILDING HEIGHT. Forty (40) feet. See Section 18-1503.13, "Exclusion from Height Limits", for height limit exclusions.

(F) MAXIMUM LOT COVERAGE. Seventy-five (75) percent.

(G) FLOOR AREA RATIO.

1. Nonresidential Uses:
  - (a) Thirty-hundredths (0.30).
- (H) MIXED USE DEVELOPMENT. Maximum allowable development intensity of mixed uses involving residential uses with other permitted or conditional uses shall be determined by the required lot area for residential uses plus the nonresidential (commercial) floor area divided by the F.A.R. equaling the lot area. See the "R-6" District for the equation for mixed use development.

**69. Section 18-1518.1 is hereby amended as follows:**

**SECTION 18-1518. - "CN" NEIGHBORHOOD COMMERCIAL DISTRICT**

**Sec. 18-1518.1. - STATEMENT OF INTENT.**

The "CN" Neighborhood Commercial District is established in order to identify and provide those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of a neighborhood-serving commercial environment. This district is intended primarily for limited commercial establishments of a convenience nature and accessory residential uses located in proximity to existing residential areas, together with accessory uses and public facilities customary to or required for such an environment. In keeping with the integration of the CN District with residential neighborhoods, operating hours are limited in order to ensure a peaceful and quiet neighborhood environment (see Section 18-1518.5(A)). It is the intent of the City to strictly limit rezonings of land into this zoning category. Criteria for acceptance of rezoning petitions are stated in Section 18-1518.5(D) below.

This district is appropriate for areas designated on the Official Land Use Plan Map as Residential/Office/Retail (R/O/R) on lots of forty three thousand five hundred sixty (43,560) square feet or more.

**70. Section 18-1518.2 is hereby amended as follows:**

**Sec. 18-1518.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning district is appropriate are designated on the Land Use Plan Map as Commercial Neighborhood (CN).~~ Public/semi-public uses (except Public Educational Facilities) or Transportation/Utility uses shall not exceed a maximum of five (5) acres. Any such use, alone or when added to existing abutting or functionally abutting like uses, which exceeds the threshold stated above, shall require a Land Use Plan Map amendment to Institutional (I) or Transportation/Utility (T/U) as appropriate, which shall include such use and all abutting or functionally abutting like uses.

**71. Section 18-1518.3 is hereby amended as follows:**

**Sec. 18-1518.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "CN" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Uses that are similar to any permitted or conditional use, as determined by the Zoning Director, shall be permitted in the same manner (i.e. permitted versus conditional) as the listed use to which it is similar, provided that any similar use specifically permitted in another zoning district shall not be permitted. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1518.3 and other applicable conditions of this district and Article.

**Table 18-1518.3: Authorized Land Uses in CN District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
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<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>COMMERCIAL USES</u>		
<u>Convenience stores</u>	<u>P</u>	<u>Alcoholic beverage sales limited to beer and wine for off-premises consumption only - excludes gasoline sales.</u>
<u>Delicatessens</u>	<u>P</u>	<u>Beer and wine for off-premises consumption only</u>
<u>Light Printing Establishments</u>	<u>P</u>	
<u>Offices</u>	<u>P</u>	
<u>Personal Services</u>	<u>P</u>	
<u>Repair Services</u>	<u>P</u>	
<u>Retail Sales</u>	<u>P</u>	<u>Alcoholic beverage sales limited to beer and wine for off-premises consumption only</u>
<u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u>		
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>ARTS, ENTERTAINMENT AND RECREATION USES</u>		
<u>Recreation/Open Space</u>	<u>C</u>	
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u>		
<u>Clinic, Veterinary</u>	<u>C</u>	<u>Subject to section 18-1531. Excludes treatment or boarding of farm or livestock animals in outdoor pens.</u>
<u>Community Facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 3</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Medical Marijuana Dispensary</u>	<u>P</u>	
<u>AGRICULTURE AND OTHER USES</u>		
<u>Accessory Uses</u>	<u>P/C</u>	<u>Subject to sections 18-1530 and 18-1531</u>
<u>Community Association</u>	<u>P</u>	
<u>Security Guard/Caretaker dwelling unit</u>	<u>P</u>	<u>Allowed as an accessory use</u>

~~(A) PERMITTED USES.~~

- ~~1. Accessory Uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."~~
- ~~2. Community Association.~~

- ~~3.— Convenience Stores with alcoholic beverage sales limited to beer and wine for off-premise consumption only, excludes the sale of gasoline).~~
- ~~4.— Delicatessens (alcoholic beverage sales limited to beer and wine for off-premise consumption only).~~
- ~~5.— Electric Power Distribution Substations (Subject to Section 18-1530.24).~~
- ~~6.— Light Printing Establishments.~~
- ~~7.— Offices.~~
- ~~8.— Personal Services.~~
- ~~9.— Repair Services.~~
- ~~10.— Retail Sales (alcoholic beverage sales limited to beer and wine for off-premise consumption only) (such as floor-covering stores, grocery stores, appliance stores, florists, etc.).~~
- ~~11.— Security guard/Caretaker residence.~~

~~(B) CONDITIONAL USES. (See Section 18-1531 "Conditional Use Regulations" For Conditions.)~~

- ~~1.— Accessory Uses to any conditional use, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."~~
- ~~2.— Clinic, Veterinary.~~
- ~~3.— Community Facility.~~
- ~~4.— Day Care Center, Type III.~~
- ~~5.— Recreation/Open Space.~~
- ~~6.— Utilities, public and private.~~

**72. Section Sec. 18-1518.4 is hereby amended as follows:**

**Sec. 18-1518.4. - DIMENSIONAL AND AREA REGULATIONS.**

**(A) MINIMUM LOT REQUIREMENTS.**

1. Lot Area: Twelve thousand (12,000) square feet.
2. Lot Width: One hundred twenty (120) feet on a corner.
3. Lot Depth: One hundred (100) feet.
4. Lots of record not meeting the lot area, width or depth requirements of this section and having been of record prior to August 25, 1977 may be used for a permitted or conditional use provided that all other dimensional regulations will apply.

**(B) MINIMUM YARD SETBACK REQUIREMENTS.**

1. For corner, double frontage and multiple frontage lots, see Section 18-1503.7, "Yard Determinations."
2. Any yard directly abutting a single-family zoning district shall have an additional five-foot setback added to the basic requirements of this Section.
3. Refer to Section 18-1503.8 for measurement of yard setbacks on lots adjacent to rights-of-way of insufficient width.
4. Refer to Section 18-1504.3(G)(2) for special yard setbacks for additions to buildings in existence as of August 14, 1997.

**(C) MAXIMUM LOT COVERAGE. Seventy (70) percent.**

(D) MAXIMUM BUILDING HEIGHT. Thirty-five (35) feet. See Section 18-1503.13, "Exclusion from Height Limits", for height limit exclusions.

(E) FLOOR AREA RATIO.

1. ~~Thirty-hundredths~~Four-tenths (0.~~30~~40).

**73. Section 18-1519.1 is hereby amended as follows:**

**SECTION 18-1519. - "GO" GENERAL OFFICE DISTRICT**

**Sec. 18-1519.1. - STATEMENT OF INTENT.**

The "GO" General Office District is established ~~in order~~ to identify and provide for geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of an office-oriented business environment. This district is intended primarily for commercial establishments that provide personal and/or professional services and complementary retail establishments, together with accessory uses and public facilities customary to or required for such an environment.

This district is appropriate for areas designated on the Official Land Use Plan Map as Residential/Office/Retail (R/O/R), Residential/Office General (R/OG), Commercial General (CG) and Community Redevelopment District (CRD).

**74. Section 18-1519.2 is hereby amended as follows:**

**Sec. 18-1519.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Residential/Office/Retail (R/O/R), Residential/Office General (R/OG), Commercial General (CG) and Community Redevelopment District (CRD).~~ A maximum of twelve and one-half (12.5) dwelling units per gross acre shall be permitted in the "GO" General Office District.

For lots located within the Residential/Office General (R/OG) and Residential/Office/Retail (R/O/R) Land Use Plan Map categories, public/semi-public uses, (except Public Educational Facilities) shall not exceed a maximum area of five (5) gross acres. Ancillary nonresidential or Transportation/Utility uses shall not exceed a maximum of three (3) acres. For lots located in the Commercial General (CG) Land Use Plan Map category, public/semi-public or Transportation/Utility uses shall not exceed a maximum of five (5) acres. Any such use, alone or when added to existing abutting or functionally abutting like uses, which exceeds the thresholds stated above shall require a Land Use Plan Map amendment to Institutional (I), Transportation/Utility (T/U) or other ~~Land Use Map~~Land Use Plan Map category (as appropriate), which shall include such use and all abutting or functionally abutting like uses.

**75. Section 18-1519.3 is hereby amended as follows:**

**Sec. 18-1519.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "GO" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Uses that are similar to any permitted or conditional use, as determined by the Zoning Director, shall be permitted in the same manner (i.e. permitted versus conditional) as the listed use to which it is similar, provided that any similar use specifically permitted in another zoning district shall not be permitted. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1519.3 and other applicable conditions of this district and Article.

**Table 18-1519.3: Authorized Land Uses in GO District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<b>RESIDENTIAL AND ACCOMMODATION USES</b>		
<u>Dwellings, Multi-family</u>	<u>C</u>	<u>In the R/O/R, R/OG or CRD land use categories only. Subject to section 18-1531</u>
<u>Dwellings, Single-family Attached</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Dwellings, Single-family Detached</u>	<u>P</u>	
<u>Community Residential Home</u>	<u>P/C</u>	<u>Permitted with up to 6 residents in R/OG, R/O/R or CRD subject to 18-1530.19. Conditional use for more than 14 residents subject to sections 18-1503.16, 18-1530.19, and 18-1531</u>
<u>Fraternity and Sorority Houses</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>Hotels and Motels</u>	<u>C</u>	<u>In R/O/R, CG or CRD categories only. Not to exceed 30 units per net acre. See section 18-1503.17.</u>
<u>Residential Care Facilities</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>Shelter Home</u>	<u>C</u>	<u>Subject to sections 18-1503.16, 18-1530.19 and 18-1531</u>
<u>Mixed use; residential/office</u>	<u>C</u>	<u>In the R/OG, R/O/R or CRD land use categories</u>
<b>COMMERCIAL USES</b>		
<u>Drive-in/drive-thru businesses ( )</u>	<u>C</u>	<u>All types unless otherwise listed subject of section 18-1531</u>
<u>Financial Institutions</u>	<u>P</u>	
<u>Financial Institutions drive-thru</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Office Supply Stores</u>	<u>C</u>	
<u>Offices</u>	<u>P</u>	
<u>Personal Services</u>	<u>P</u>	
<u>Restaurants, except drive-thru</u>	<u>C</u>	<u>In the R/O/R, CG or CRD land use categories only.</u>
<u>Restaurants; Drive-in/Drive-thru</u>	<u>C</u>	<u>In the R/O/R, CG or CRD land use categories only. Subject to section 18-1531</u>
<u>Taverns and Lounges</u>	<u>C</u>	<u>In the R/O/R, CG or CRD land use categories only. Subject to section 18-1531</u>
<b>MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES</b>		
<u>Research and Development</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Secure Climate Controlled Storage Facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u>		
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Off-street parking lots as part of a contiguous non-residential use</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>ARTS, ENTERTAINMENT AND RECREATION USES</u>		
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Theaters</u>	<u>C</u>	<u>In the R/O/R, CG or CRD land use categories only. Subject to section 18-1531</u>
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u>		
<u>Clubs and Lodges</u>	<u>P</u>	
<u>Colleges, universities, Seminaries and Other Institutions of Higher Education</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Community Facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 2</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 3</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Educational Institutions (elementary, middle, senior)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Hospitals</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Laboratories, Medical and Dental</u>	<u>P</u>	
<u>Mortuaries and Funeral Homes (excluding crematories)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Place of Worship</u>	<u>P</u>	
<u>Public Educational Facilities</u>	<u>P</u>	<u>In R/OG or CRD land use categories only</u>
<u>Residential Treatment Facilities</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Special Needs Treatment Facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>AGRICULTURE AND OTHER USES</u>		
<u>Accessory Uses</u>	<u>P/C</u>	<u>Subject to sections 18-1530 and 18-1531</u>
<u>Height - buildings and structures over 40 feet</u>	<u>C</u>	
<u>Security Guard/Caretaker dwelling unit</u>	<u>P</u>	<u>Allowed as an accessory use</u>

~~(A) PERMITTED USES.~~

- ~~1. Accessory Uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations", including home occupations.~~
- ~~2. Clubs and Lodges.~~
- ~~3. Community Residential Home (six (6) or fewer residents), in R/OG, R/O/R or CRD, additionally subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~4. Dwellings, Single-family Detached, in R/OG, R/O/R or CRD. Electric Power Distribution Substations (Subject to Section 18-1530.24).~~
- ~~5. Financial Institutions.~~
- ~~6. Laboratories, Medical and Dental.~~
- ~~7. Offices.~~
- ~~8. Personal Services.~~
- ~~9. Place of Worship.~~
- ~~10. Public Educational Facilities, in R/OG or CRD.~~
- ~~11. Security Guard/Caretaker Dwelling Unit as an accessory use (single-family attached only).~~

~~(B) CONDITIONAL USES. (See Section 18-1531, "Conditional Use Regulations" For Conditions.)~~

- ~~1. Accessory Uses to any conditional use, subject to Section 18-1530 "Accessory Use and Supplementary District Regulations."~~
- ~~2. Colleges, Universities, Seminaries, and other institutions of higher education.~~
- ~~3. Community Facility.~~
- ~~4. Community Residential Home (more than fourteen (14) residents, subject to Section 18-1503.16, and Section 18-1530.19, "Community Residential Homes").~~
- ~~5. Day Care Centers, Types II and III.~~
- ~~6. Drive-in/drive-thru businesses: All types not otherwise listed.~~
- ~~7. Dwellings, Multi-family, in R/O/R, R/OG or CRD.~~
- ~~8. Educational Institutions (elementary, middle, and senior), in R/OG, R/O/R or CRD.~~
- ~~9. Financial Institutions, drive-thru.~~
- ~~10. Fraternity and Sorority houses subject to Section 18-1503.16.~~
- ~~11. Height: Buildings and structures over forty (40) feet.~~
- ~~12. Hospitals (see Public District for density and intensity regulations.~~
- ~~13. Hotels and Motels, in R/O/R, CG or CRD, not to exceed thirty (30) units per net acre (Also see Section 18-1503.17 for alternative hotel/motel densities).~~
- ~~14. Mixed Use, residential/office, in R/OG, R/O/R or CRD.~~
- ~~15. Mortuaries and Funeral Homes (excluding crematories).~~
- ~~16. Office Supply Stores, in R/O/R, CG or CRD.~~
- ~~17. Off-street parking lots and parking garages (May not exceed three (3) acres in R/O/R or R/OG).~~
- ~~18. Recreation/Open Space.~~
- ~~19. Research and Development.~~

- ~~20. Residential Care Facilities (subject to Section 18-1503.16).~~
- ~~21. Residential Treatment Facilities (subject to Section 18-1503.16).~~
- ~~22. Restaurants, in R/O/R, CG or CRD.~~
- ~~23. Restaurants, Drive-in/Drive-thru, in R/O/R, CG or CRD.~~
- ~~24. Secure Climate Controlled Storage Facility in CG or CRD with or without Accessory Truck/Trailer Rental.~~
- ~~25. Shelter Home (subject to Section 18-1503.16 and Section 18-1530.19 "Community Residential Homes").~~
- ~~26. Special Needs Treatment Facility (subject to Section 18-1503.16).~~
- ~~27. Taverns and Lounges, in R/O/R, CG or CRD.~~
- ~~28. Theaters, in R/O/R, CG or CRD.~~
- ~~29. Utilities, public and private.~~

**76. Section 18-1520.1 is hereby amended as follows:**

**SECTION 18-1520. - "B-1" GENERAL COMMERCIAL DISTRICT**

**Sec. 18-1520.1. - STATEMENT OF INTENT.**

The "B-1" General Commercial District is established ~~in order~~ to identify and provide those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of a general commercial environment with supportive medium density residential. This district is intended for a wide variety of consumer-oriented commercial uses and activities located in proximity to major thoroughfares and to residential concentrations, together with accessory uses and public facilities customary to or required for such an environment.

This district is appropriate for areas designated on the Official Land Use Plan Map as either Residential Medium (RM), Residential/Office/Retail (R/O/R), Residential/Office General (R/OG), Commercial General (CG), Commercial Recreation (CR), Resort Facilities High (RFH) or Community Redevelopment District (CRD).

**77. Section 18-1520.2 is hereby amended as follows:**

**Sec. 18-1520.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning district is appropriate are designated on the Land Use Plan Map as either Residential Medium (RM), Residential/Office/Retail (R/O/R), Residential/Office General (R/OG), Commercial General (CG), Commercial Recreation (CR), Resort Facilities High (RFH) or Community Redevelopment District (CRD). Parcels of land in the "B-1" General Commercial District that are classified RM Residential Medium Future Land Use shall only be developed with multi-family residential use. Single-family detached dwellings are permitted in the "B-1" District when assigned a Future Land Use Map classification of R/OG, R/O/R or CRD. Multi-family dwellings are permitted at a maximum density of fifteen (15.0) units per net acre when assigned a ~~future land use map~~Land Use Plan Map classification of RM (multi-family dwellings only), R/OG, CG or CRD. Multi-family dwellings are permitted at a maximum density of 18 units per net acre when assigned a ~~future land use map~~Land Use Plan Map classification of R/O/R. As an incentive to develop mixed use developments or affordable housing on parcels assigned a ~~Future land use map~~Land Use Plan Map classification of CG or CRD, City Council may, in its sole discretion and if it determines that additional density will help promote mixed use developments or affordable housing on such parcels, approve up to twenty-four (24) dwelling units per net acre subject to the following location criteria and development approval requirements.~~

1. Approval by City Council of a "PUD" overlay. (see Section 18-1529).

2. The parcel must be located with frontage on an arterial street as defined in the City's Comprehensive Plan.
3. The developer shall coordinate site development with the Pinellas Suncoast Transit Authority (PSTA) for the provision of transit supportive infrastructure such as, but not limited to, transit shelters, bike racks or bus pull off bays. Residential parking requirements may be reduced to one (1) off-street parking space per unit when transit supportive infrastructure is provided to the extent that City Council determines is appropriate given the subject's location relative to locations with high employment opportunity or job/career training facilities.
4. Mixed use development rights for parcels assigned CG future land use shall be determined by applying a F.A.R. of .45 for nonresidential uses and a lot size of one thousand eight hundred fifteen (1,815) square feet of land area per dwelling unit, exclusive of the land area assigned to the nonresidential development. Parcels assigned the CRD future land use are not subject to the above land area apportionment formula when being developed with mixed uses consistently with the Community Redevelopment Plan.
5. Developers that choose the higher density option shall provide affordable housing equal to fifty (50) percent of the units above the base density as follows: Proposed density = 24 units per acre minus fifteen (15) units per acre base density = 9 units per acre density bonus x .5 = 4.5 or 4 units per acre to be provided as affordable units.
6. Affordable housing means the same as that provided by the Pinellas County Housing Authority, as the same may change from time to time, for low income categories and workforce housing.

For lots located within the Residential Medium (RM), Residential/Office General (R/OG), Residential/Office/Retail (R/O/R), Commercial Recreation (CR) and Resort Facilities High (RFH) Land Use Plan Map categories, public/semi-public (institutional) uses (except Public Educational Facilities) shall not exceed a maximum area of five (5) gross acres. Ancillary nonresidential or Transportation/Utility uses shall not exceed three (3) acres. For lots located in the Commercial General (CG) ~~Land Use Map~~ Land Use Plan Map category, public/semi-public or Transportation/Utility uses shall not exceed a maximum of five (5) acres. Any such use, alone or when added to existing abutting or functionally abutting like uses which exceeds the thresholds stated above shall require a Land Use Plan Map amendment to Institutional (I), Transportation/Utility (T/U) or other ~~Land Use Map~~ Land Use Plan Map category (as appropriate), which shall include such use and all abutting or functionally abutting like uses.

**78. Section 18-1520.3 is hereby amended as follows:**

**Sec. 18-1520.3. - PERMITTED AND CONDITIONAL USES.**

- A. GENERALLY. No building or land in the "B-1" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Uses that are similar to any permitted or conditional use as determined by the Zoning Director shall be permitted in the same manner (i.e. permitted versus conditional) as the listed use to which it is similar, provided that any similar use specifically permitted in another zoning district shall not be permitted.
- B. LIGHT REPAIR, ASSEMBLY AND MANUFACTURING ACTIVITY. Light repair, assembly and manufacturing activity on a scale associated with artisans and crafters is permitted in combination with retail and/or residential uses provided that the area devoted to these activities shall not occur in the front one-fourth of the structure and the activities do not result in impacts related to prohibitions outlined in Section 18-1524.5(E) of this Code. No outdoor storage shall be permitted with this activity.
- C. RETAIL USES. ~~Furthermore, r~~ Retail uses listed below may not be considered where the future land use classification of the subject lot is R/OG, Residential/Office General.



B-D. B-1 PARCELS IN RM LAND USE CATEGORIES. Parcels of land in the "B-1" General Commercial District that are classified RM Residential Medium future land use shall only be developed with multi-family residential use. Single-family detached dwellings are permitted in the "B-1" District when assigned a Official Land Use Plan Map classification of R/OG, R/O/R or CRD.

E. PERMITTED AND CONDITIONAL USES. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1520.3 and other applicable conditions of this district and Article.

**Table 18-1520.3: Authorized Land Uses in B-1 District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>RESIDENTIAL AND ACCOMMODATION USES</u>		
<u>Dwellings, Multi-family</u>	<u>P</u>	<u>Subject to density limitations in section 18-1520.2</u>
<u>Dwellings, Single-family Attached</u>	<u>P</u>	<u>Subject to density limitations in section 18-1520.2</u>
<u>Dwellings, Single-family Detached</u>	<u>P</u>	
<u>Community Residential Home (6 or fewer residents)</u>	<u>P/C</u>	<u>Permitted with up to 6 residents in the R/OG, R/O/R, or CRD land use categories subject to section 18-1530.19. Conditional use in R/OG, RM, R/O/R or CRD land use category only for more than 14 residents subject to sections 18-1503.16, 18-1530.19, and 18-1531</u>
<u>Fraternity and Sorority Houses</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>Hotels and Motels</u>	<u>P</u>	<u>Limited to 30 units per net acre in R/O/R, 40 units per net acre in CG or CRD and fifty units per net acre in RFH land use categories. See 18.503.17.</u>
<u>Live/Work Units</u>	<u>P</u>	<u>In the CRD land use category only</u>
<u>Residential Care Facilities</u>	<u>C</u>	<u>CG or CRD land use categories only subject to section 18-1531</u>
<u>Shelter Home</u>	<u>C</u>	<u>All land use categories except RFH subject to sections 18-1503.16, 18-1530.19 and 18-1531</u>
<u>Mixed use; residential/office</u>	<u>C</u>	<u>R/OG, R/O/R, or CRD land use categories only subject to section 18-1531</u>
<u>Mixed use; residential/office/personal services/retail</u>	<u>C</u>	<u>R/O/R, or CRD land use categories only subject to section 18-1531</u>
<u>COMMERCIAL USES</u>		
<u>Art Gallery</u>	<u>P</u>	<u>CRD land use category only</u>
<u>Art Studio</u>	<u>P</u>	<u>CRD land use category only</u>
<u>Auction Rooms</u>	<u>P</u>	<u>CG and CRD land use categories only</u>
<u>Automobile Dealer - New Cars (limited to automobiles, vans and light trucks)</u>	<u>C</u>	<u>CG land use categories only subject to section 18-1531</u>
<u>Automobile Dealer - Used Cars</u>	<u>C</u>	<u>CG or CRD land use categories only subject to section 18-1531</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Automobile Service Station</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Automotive Repair Facility (major), as an accessory use with an Automobile Dealer - New Cars</u>	<u>C</u>	<u>CG land use categories only as and accessory use with an Automobile Dealer – New Cars and subject to section 18-1531</u>
<u>Automotive Repair Facility (minor)</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Boat Showrooms, excluding outdoor sales or storage</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Building Material and Home Improvement Establishments, where all storage of materials is within an enclosed building</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Building Material and Home Improvement Establishments, where storage of materials is outdoors</u>	<u>C</u>	<u>CG or CRD land use categories only subject to section 18-1531</u>
<u>Car Washes</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Catering Establishments</u>	<u>P</u>	<u>R/O/R, CG or CRD land use categories only</u>
<u>Clothing and Apparel Sales and Rentals</u>		<u>P</u>
<u>Clothing and Costume Rental Establishments</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Convenience Stores</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Delicatessens</u>	<u>P</u>	<u>R/O/R, CG or CRD land use categories only. Beer and wine for off-premises consumption only.</u>
<u>Drive-in/drive-thru businesses (all types unless otherwise listed)</u>	<u>C</u>	<u>All land use categories except R/O/R only subject to section 18-1531</u>
<u>Exterminator and Pest Control Service Fleet Yards</u>	<u>C</u>	<u>CG land use category y only subject to section 18-1531</u>
<u>Financial Institutions</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Financial Institutions drive-thru</u>	<u>C</u>	
<u>Furrier Shops, including storage and conditioning of furs</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Light Machinery Sales, Rental and Service, when conducted wholly within an enclosed building</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Light Printing Establishments</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Office Supply Stores</u>	<u>P</u>	<u>CG or CRD land use categories only</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Offices</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Outdoor Sales of boats, recreational Vehicles, or manufactured homes</u>	<u>C</u>	<u>CG or CRD land use categories only subject to section 18-1531</u>
<u>Personal Services</u>	<u>P</u>	<u>R/O/R, RFH, CG or CRD land use categories only</u>
<u>Photograph Developing and Processing Shops</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Printing or Publishing Establishments, including bookbinding</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Repair Services</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Restaurants, except drive-thru</u>	<u>P</u>	<u>R/O/R, CG or CRD land use categories only</u>
<u>Restaurants; Drive-in/Drive-thru</u>	<u>C</u>	<u>CG or CRD land use categories only subject to section 18-1531</u>
<u>Retail Sales</u>	<u>P</u>	<u>R/OG or RM land use categories only. Accessory use in RFH and use category</u>
<u>Shopping Centers</u>	<u>C</u>	<u>CG or CRD land use categories only subject to section 18-1531</u>
<u>Taverns and Lounges</u>	<u>C</u>	<u>CG or CRD land use categories only subject to section 18-1531</u>
<u>MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES</u>		
<u>Assembling or Manufacturing of Medical, Optical, Scientific, Electric and Electronic Equipment and Prosthetics</u>	<u>C</u>	<u>CG or CRD land use categories only subject to section 18-1531</u>
<u>Research and Development</u>	<u>P</u>	<u>R/O/R, R/OG, CG or CRD land use categories only</u>
<u>Secure Climate Controlled Storage Facility</u>	<u>C</u>	<u>CG or CRD land use categories only subject to section 18-1531</u>
<u>Wholesale Merchandise broker, offices or showrooms with storage space limited to 6,000 square feet of gross floor area per establishment and no outdoor storage</u>	<u>P</u>	
<u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u>		
<u>Bus Terminal or other public transportation facility</u>	<u>C</u>	<u>CG or CRD land use categories only subject to section 18-1531</u>
<u>Communications Tower</u>	<u>C</u>	<u>CG or CRD land use categories only subject to section 18-1531</u>
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Off-street parking lots and parking garages, other than accessory to a permitted or conditional use</u>	<u>P</u>	<u>R/O/R or R/OG land use categories only</u>
<u>Radio and Television Broadcasting Stations</u>	<u>P</u>	<u>CG or CRD land use categories only</u>
<u>Taxi, Limousine, or Automobile Rental Establishments</u>	<u>C</u>	<u>All land use categories except R/OG subject to section 18-1531</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<b>ARTS, ENTERTAINMENT AND RECREATION USES</b>		
<u>Auditorium, Arena, Gymnasium, and other similar places for public or private events</u>	<u>C</u>	<u>CG or CRD land use categories only subject to section 18-1531</u>
<u>Outdoor Amusements, fairgrounds, flea markets, carnivals, kiddie parks, and other similar amusement centers</u>	<u>C</u>	<u>CG or CRD land use categories only subject to section 18-1531</u>
<u>Recreation Establishments, such as bowling alley, golf practice range, golf course, or other similar places or amusement or entertainment</u>	<u>C</u>	<u>CG or CRD land use categories only subject to section 18-1531</u>
<u>Recreation and Games Establishments, Indoor</u>	<u>P</u>	<u>R/O/R, CG or CRD land use categories only</u>
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Theaters</u>	<u>P</u>	
<u>Theaters, Drive-in</u>	<u>C</u>	
<b>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</b>		
<u>Ambulance Service</u>	<u>C</u>	<u>CG and CRD land use categories only subject to section 18-1531</u>
<u>Clinic, Veterinary</u>	<u>C</u>	<u>CG and CRD land use categories only subject to section 18-1531. Excludes treatment or boarding of farm or livestock animals in outdoor pens.</u>
<u>Clubs and Lodges</u>	<u>P</u>	
<u>Colleges, universities, Seminaries and Other Institutions of Higher Education</u>	<u>C</u>	<u>RM or RFH land use categories only subject to section 18-1531</u>
<u>Community Facility</u>	<u>C</u>	<u>CG and CRD land use categories only subject to section 18-1531</u>
<u>Crematories, in conjunction with a Mortuary or Funeral Home</u>	<u>C</u>	<u>R/OG, RM, R/O/R or RFH land use categories only subject to section 18-1531</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Day Care Center - Type 1</u>	<u>P</u>	<u>In the RM, R/OG, R/O/R or CRD land use categories only.</u>
<u>Day Care Center - Type 2</u>	<u>C</u>	
<u>Day Care Center - Type 3</u>	<u>C</u>	
<u>Educational Institutions (elementary, middle, senior)</u>	<u>C</u>	<u>R/OG, R/O/R, CRD, or CG land use categories only subject to section 18-1531</u>
<u>Health Spas</u>	<u>P</u>	<u>R/O/R, CRD, CG, or RFH land use categories only</u>
<u>Home Health Care Service Agencies</u>	<u>P</u>	<u>R/OG, R/O/R, CRD or CG land use categories only</u>
<u>Hospitals</u>	<u>C</u>	<u>CG and CRD land use categories only subject to section 18-1531</u>
<u>Laboratories, Medical and Dental</u>	<u>P</u>	<u>In the R/O/R, CG or CRD land use categories only.</u>
<u>Medical Marijuana Dispensary</u>	<u>P</u>	
<u>Mortuaries and Funeral Homes (excluding crematories)</u>	<u>P</u>	<u>CG and CRD land use categories only</u>
<u>Offender Halfway House</u>	<u>C</u>	<u>Subject to sections 18-1503.16 and 18-1531</u>
<u>Place of Worship</u>	<u>P</u>	
<u>Public Educational Facilities</u>	<u>P</u>	<u>R/OG, R/O/R, or CRD land use categories only</u>
<u>Residential Treatment Facilities</u>		
<u>Schools on Non-Academic Curriculum</u>	<u>P</u>	<u>R/G, R/O/R, CG or CRD land use categories only</u>
<u>Schools, Trade (limited to business, medical and personal services)</u>	<u>P</u>	
<u>Special Needs Treatment Facility</u>	<u>C</u>	<u>All land use categories except RM and RFH; subject to sections 18-1503.16 and 18-1531</u>
<u>CONSTRUCTION-RELATED BUSINESS USES</u>		
<u>Contractor's Offices and Shops</u>	<u>P</u>	<u>In the CG or CRD land use categories only. No fabricating is allowed on the premises and all storage of all materials and equipment is within an enclosed building</u>
<u>AGRICULTURE AND OTHER USES</u>		
<u>Plant Nurseries (Retail)</u>	<u>C</u>	<u>CG or CRD land use categories only subject to section 18-1531</u>
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	<u>Subject to sections 18-1530 and 18-1531</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Height - buildings and structures over 50 feet</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Security Guard/Caretaker dwelling unit</u>	<u>P</u>	<u>Allowed as an accessory use</u>

~~(A) PERMITTED USES.~~

- ~~1. Accessory Uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations," including home occupations.~~
- ~~2. Any other similar type service or commercial establishment similar to a use not specifically permitted herein.~~
- ~~3. Art Gallery, (CRD only).~~
- ~~4. Art Studio, (CRD only).~~
- ~~5. Auction rooms, (CG and CRD only).~~
- ~~6. Automobile Service Station, (CG and CRD only).~~
- ~~7. Automotive Repair Facility (minor), (CG and CRD only).~~
- ~~8. Boat Showrooms, excluding outdoor sales or storage, (CG and CRD only).~~
- ~~9. Building Material and Home Improvement Establishments, where all storage of materials is within an enclosed building, (CG and CRD only).~~
- ~~10. Car Washes, (CG and CRD only).~~
- ~~11. Catering Establishments, (CG, CRD and R/O/R only).~~
- ~~12. Child Care Center, Type I, in RM, R/OG, R/O/R, or CRD.~~
- ~~13. Clothing and Costume Rental Establishments, (CG and CRD only).~~
- ~~14. Clubs and Lodges, (CG and CRD only).~~
- ~~15. Community Residential Home (six (6) or fewer residents), in R/OG, R/O/R, or CRD, subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~16. Contractor's Offices and Shops, where no fabricating is done on the premises and where all storage of all materials and equipment is within an enclosed building, (CG and CRD only).~~
- ~~17. Convenience Stores, (CG and CRD only).~~
- ~~18. Delicatessens (alcoholic beverage sales limited to beer and wine for off-premise consumption only), (R/O/R, CG and CRD only).~~
- ~~19. Dwellings, Single-family Detached, in R/OG, R/O/R, or CRD.~~
- ~~20. Dwellings, Multi-family, at a maximum density of fifteen (15.0) units per acre in CG, CRD, R/OG or RM.~~
- ~~21. Dwellings, Multi-family, at a maximum density of 18 units per acre in R/O/R.~~
- ~~22. Dwellings, Multi-family, at a maximum density of twenty-four (24.0) units per acre in CG and CRD, (subject to regulations in Section 18-1520.2).~~
- ~~23. Electrical Power Distribution substations, (Subject to Section 18-1530.24).~~
- ~~24. Financial Institutions, (CG and CRD only).~~

- ~~25. Furrier Shops, including the storage and conditioning of furs, (CG and CRD only).~~
  - ~~26. Health Spas, (R/O/R, CRD, CG and RFH only).~~
  - ~~27. Home Health Care Service Agencies, (R/OG, R/O/R, CRD and CG only).~~
  - ~~28. Hotels and Motels, not to exceed thirty (30) units per net acre in R/O/R, forty (40) units per net acre in CG or CRD and fifty (50) units per net acre in RFH, (also see Section 18-1503.17 for alternative densities).~~
  - ~~29. Laboratories, Medical and Dental, (R/O/R, CRD and CG only).~~
  - ~~30. Light Machinery Sales, Rental, and Service, when conducted wholly within an enclosed building, (CG and CRD only).~~
  - ~~31. Light Printing Establishments, (CG and CRD only).~~
  - ~~32. Live/Work Units, (in CRD only).~~
  - ~~33. Mortuaries and Funeral Homes (excluding crematories), (CG and CRD only).~~
  - ~~34. Office Supply Stores, (CG and CRD only).~~
  - ~~35. Offices, (R/OG, R/O/R, CG and CRD only).~~
  - ~~36. Off-street parking lots and parking garages, (May not exceed three (3) acres in R/O/R or R/OG).~~
  - ~~37. Personal Services, (such as barber shops, beauty shops, dry cleaners, etc.), (R/O/R, RFH, CG and CRD only).~~
  - ~~38. Photograph Developing and Processing Shops, (CG and CRD only).~~
  - ~~39. Place of Worship.~~
  - ~~40. Printing or Publishing Establishments, including bookbinding, (CG and CRD only).~~
  - ~~41. Public Educational Facilities, when assigned R/OG, R/O/R or CRD land use.~~
  - ~~42. Radio and Television Broadcasting Stations, (CG and CRD only).~~
  - ~~43. Recreation and Games Establishments, Indoor, (R/O/R, CG and CRD only).~~
  - ~~44. Repair Services, (CG and CRD only).~~
  - ~~45. Research and Development, (R/OG, R/O/R, CG and CRD only).~~
  - ~~46. Restaurants, except drive-thru (see (B) Conditional Uses for drive-thru), (R/O/R, CG and CRD only). Sit down restaurants as accessory use only in RFH.~~
  - ~~47. Retail Sales, (not permitted in R/OG or RM), (accessory in RFH).~~
  - ~~48. Schools of Non-Academic Curriculum, (R/OG, R/O/R, CG and CRD only).~~
  - ~~49. Schools, Trade (limited to business, medical and personal services), (R/OG, R/O/R, CG and CRD only).~~
  - ~~50. Security Guard/Caretaker Dwelling unit as an accessory use, (single family attached only).~~
  - ~~51. Theaters, (CG and CRD only).~~
  - ~~52. Wholesale Merchandise broker, offices, or showrooms; with wholesale storage space limited to six thousand (6,000) square feet of gross floor area per establishment and no outdoor storage, (CG and CRD only).~~
- ~~(B) CONDITIONAL USES. (See Section 18-1531 "Conditional Use Regulations" For Conditions).~~
- ~~1. Accessory Uses to any conditional use, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."~~

- ~~2.— Ambulance service, (CG and CRD only).~~
- ~~3.— Assembling or Manufacturing of Medical, Optical, Scientific, Electric and Electronic Equipment and Prosthetics, (CG and CRD only).~~
- ~~4.— Auditorium, Arena, Gymnasium, and other similar places for public or private events, (CG and CRD only).~~
- ~~5.— Automobile Dealer—New Cars (limited to automobiles, vans, and light trucks), (CG only).~~
- ~~6.— Automobile Dealer—Used Cars, (CG and CRD only).~~
- ~~7.— Automotive Repair Facility (Major), (as an accessory use with an Automobile Dealer—New Cars), (CG only).~~
- ~~8.— Building Material and Home Improvement Establishments, where storage of materials is outdoors, (CG and CRD only).~~
- ~~9.— Bus Terminal or other public transportation facility, (CG or CRD only).~~
- ~~10.— Clinic, Veterinary, (CG and CRD only).~~
- ~~11.— Colleges, Universities, Seminaries, and other institutions of higher education, (CG and CRD only).~~
- ~~12.— Communication Tower.~~
- ~~13.— Community Facility, (except RM and RFH).~~
- ~~14.— Community Residential Home (more than fourteen (14) residents, subject to Section 18-1503.16 and Section 18-1530.19, "Community Residential Homes"), (R/OG, RM, R/O/R and CRD only).~~
- ~~15.— Crematories, in conjunction with a Mortuary or Funeral Home, (except R/OG, RM, R/O/R or RFH).~~
- ~~16.— Day Care Centers, Types II and III.~~
- ~~17.— Drive-in/Drive-Thru Business—All types not otherwise listed, (except R/OG, R/O/R, RM or RFH).~~
- ~~18.— Educational Institutions (elementary, middle and senior), in R/OG, R/O/R, CRD or CG.~~
- ~~19.— Exterminator and Pest Control Service Fleet Yards, (CG only).~~
- ~~20.— Financial Institutions, Drive-Thru (except R/OG).~~
- ~~21.— Fraternity and Sorority Houses, (subject to Section 18-1503.16).~~
- ~~22.— Height—Buildings and structures over fifty (50) feet.~~
- ~~23.— Hospitals (subject to Section 18-1503.16), CG or CRD only).~~
- ~~24.— Mixed Use—residential/office, in R/OG, R/O/R or CRD; or, Residential/Office/Retail, in R/O/R or CRD.~~
- ~~25.— Offender Halfway House, (subject to Section 18-1503.14).~~
- ~~26.— Outdoor amusements, fairgrounds, flea markets, carnivals, kiddie parks, and other similar amusement centers, (CG and CRD only).~~
- ~~27.— Outdoor sales of boats, recreational vehicles or mobile homes, (CG or CRD only).~~
- ~~28.— Plant Nurseries, Retail; (CG or CRD only).~~
- ~~29.— Recreation Establishments, such as bowling alley, golf practice range, golf course, or other similar places of amusement or entertainment, (CG or CRD only) (accessory only in RFH).~~



- ~~30.— Recreation/Open Space.~~
- ~~31.— Residential Care Facilities, (subject to Section 18-1503.16) (CG and CRD only).~~
- ~~32.— Restaurants, drive-in/drive-thru; (CG and CRD only).~~
- ~~33.— Secure Climate Controlled Storage Facility, with or without Accessory Truck/Trailer Rental (CG and CRD only).~~
- ~~34.— Shelter Home (subject to Section 18-1503.16 and 18-1530.19, "Community Residential Homes," (except RFH).~~
- ~~35.— Shopping Centers, (CG and CRD only).~~
- ~~36.— Special Needs Treatment Facility, (subject to Section 18-1503.16) (except RM, RFH).~~
- ~~37.— Taverns and Lounges, (CG and CRD only, accessory in RFH when part of hotel/motel).~~
- ~~38.— Taxi, Limousine or Automobile Rental Establishments, (except R/OG).~~
- ~~39.— Theaters, Drive-in, (CG only).~~
- ~~40.— Utilities, public and private.~~

**79. Section 18-1521.1 is hereby amended as follows:**

**SECTION 18-1521. - "MXD" MIXED USE DISTRICT**

**Sec. 18-1521.1. - STATEMENT OF INTENT.**

The "MXD" Mixed Use District is established in order to guide and encourage the development of a mixture of residential, office, and commercial land uses along the Park Boulevard corridor and periphery, characterized by a variety of housing types, office and commercial development, including vertical mixed-use and the integrated mixing of uses horizontally within single developments. The "MXD" District implements the adopted Community Redevelopment Plan, which encourages mixed-use development at moderate intensity in order that the various uses compliment and support one another, share parking infrastructure, reduce traffic congestion through internal trip capture, and as a whole, become a center of pedestrian activity that beckons additional private investment in the corridor, and further supports the Town Center. This Section is further intended: to attract a diversity of uses with an emphasis on street activities such as outdoor cafes and evening activities such as entertainment and civic functions; to encourage development of public open space which in turn encourages a pedestrian environment, thereby enhancing the overall character of the Downtown Community Redevelopment Area; and to encourage use of the local and regional bus system as an alternative to private passenger vehicles.

Allowable uses are based upon the Community Redevelopment Plan. The intent of this District is to encourage the development of mixed uses in one unified project. Areas of the City for which this zoning district is appropriate are designated on the Land Use Plan Map as Community Redevelopment District (CRD).

Light repair, assembly and manufacturing activity on a scale associated with artisans and crafters is permitted in combination with retail and/or residential uses provided that the area devoted to these activities shall not occur in the front one-fourth of the structure and the activities ~~do shall~~ not result in impacts related to prohibitions outlined in Section 18-1524.5(E) of this Code. Furthermore, no outdoor storage shall be permitted with this activity.

**80. Section 18-1521.2 is hereby amended as follows:**

**Sec. 18-1521.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning district is appropriate are designated on the Land Use Plan Map as Community Redevelopment District (CRD).~~ A maximum density of fifteen (15) dwelling units per net acre shall be permitted; however, a maximum of twenty-five (25) dwelling units per net acre is permissible through bonuses. The maximum intensity for nonresidential development is a FAR of forty-

five hundredths (0.45); however, a maximum FAR of one (1.0) is permissible through bonuses. It is intended that development standards and performance standards bonuses control the permissible density or intensity, design and development criteria.

For calculating allowable density and intensity of development, the maximum allowable FAR shall be applied to the total net acreage to determine nonresidential development yield exclusive of allowable residential development potential. The Community Redevelopment Agency is not obligated to approve site plans based on total potential yield if the site plan is not compatible with abutting development. The following example illustrates this calculation:

Site = 1 acre = 43,560 square feet

.45 F.A.R. x 43,560 SF = 19,602 square feet of nonresidential development, plus 15 du/ac x 1 acre = 15 dwelling units

Thus a mixed use development on a one (1) net acre site may develop nineteen thousand six hundred two (19,602) square feet of retail, office or personal services or combinations of such along with fifteen (15) dwelling units on a one (1) net acre site (exclusive of bonus potential).

**81. Section 18-1521.3 is hereby amended as follows:**

**Sec. 18-1521.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "MXD" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. Uses listed as conditional uses may be permitted if their site locations and proposed site development plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1521.3 and other applicable conditions of this district and Article.

**Table 18-1521.3: Authorized Land Uses in MXD District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>RESIDENTIAL AND ACCOMMODATION USES</u>		
<u>Dwellings, Duplex</u>	<u>P</u>	
<u>Dwellings, Multi-family</u>	<u>P</u>	
<u>Dwellings, Single-family Attached</u>	<u>P</u>	
<u>Dwellings, Single-family Detached</u>	<u>P</u>	
<u>Community Residential Home</u>	<u>C</u>	<u>14 or fewer residents subject to Sections 18-1530.19 and 18-1531</u>
<u>Bed and Breakfast Establishment</u>	<u>C</u>	<u>Subject to sections 1-.1503.16 and 18-1531</u>
<u>Hotels and Motels</u>	<u>P</u>	
<u>Live/Work Units</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Mixed use; residential/office/personal services/retail</u>	<u>P</u>	
<u>COMMERCIAL USES</u>		

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Art Gallery</u>	<u>P</u>	
<u>Bakery Shops</u>	<u>P</u>	
<u>Book Stores</u>	<u>P</u>	
<u>Business Services</u>	<u>P</u>	
<u>Catering Establishments</u>	<u>P</u>	<u>P</u>
<u>Clothing and Apparel Sales and Rentals</u>	<u>P</u>	<u>P</u>
<u>Delicatessens</u>	<u>P</u>	<u>P</u>
<u>Drug Stores</u>	<u>P</u>	
<u>Financial Institutions</u>	<u>P</u>	
<u>Financial Institutions drive-thru</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Florists</u>	<u>P</u>	
<u>Light Printing Establishments</u>	<u>P</u>	
<u>Offices</u>	<u>P</u>	
<u>Outdoor Cafes</u>	<u>P</u>	
<u>Personal Services</u>	<u>P</u>	
<u>Restaurants, Including Accessory Micro-Brewery</u>	<u>P</u>	
<u>Restaurants; Drive-in/Drive-thru</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Specialty and Gift Shops</u>	<u>P</u>	
<u>Taverns and Lounges</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Tobacco and Newsstands</u>	<u>P</u>	
<u>Video Sales and Rental</u>	<u>P</u>	
<u>MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES</u>		
<u>Fabrication, Assembly and Repair, limited to 25% of floor area of a retail or mixed-use establishment</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Bus Terminal or other public transportation facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Off-street parking lots and parking garages, other than</u>	<u>P</u>	

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>accessory to a permitted or conditional use</u>		
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<b>ARTS, ENTERTAINMENT AND RECREATION USES</b>		
<u>Recording Studios</u>	<u>P</u>	
<u>Recreation Establishments, Indoor</u>	<u>P</u>	
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Studios, Television and Radio Broadcast (excluding towers)</u>	<u>P</u>	
<u>Theaters</u>	<u>P</u>	
<b>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</b>		
<u>Clubs and Lodges</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Colleges, universities, Seminaries and Other Institutions of Higher Education</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Community Facility</u>	<u>P</u>	
<u>Day Care Center - Type 1</u>	<u>P</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 2</u>	<u>P</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 3</u>	<u>P</u>	<u>Subject to section 18-1531</u>
<u>Educational Institutions</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Educational Institutions (elementary, middle, senior)</u>	<u>P</u>	
<u>Health Spas</u>	<u>P</u>	
<u>Laboratories, Medical and Dental</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Medical Marijuana Dispensary</u>	<u>P</u>	
<u>Mortuaries and Funeral Homes (excluding crematories)</u>	<u>P</u>	
<u>Place of Worship</u>	<u>C</u>	
<u>Public Educational Facilities</u>	<u>P</u>	
<u>Schools on Non-Academic Curriculum</u>	<u>P</u>	
<u>Schools, Trade (limited to business, medical and</u>	<u>P</u>	

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>personal services</u>		
<u>AGRICULTURE AND OTHER USES</u>		
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	
<u>Home Occupations</u>	<u>P</u>	
<u>Height - buildings and structures over 50 feet in Area "A: or 35 feet in Area "B"</u>	<u>C</u>	

(A) ~~PERMITTED USES.~~

- ~~1. Accessory uses, subject to regulations in Section 18-1530, "Accessory Use and Supplementary District Regulations."~~
- ~~2. Bakery Shops.~~
- ~~3. Book Stores.~~
- ~~4. Business Services.~~
- ~~5. Catering Establishments.~~
- ~~6. Clothing and Apparel Sales and Rentals.~~
- ~~7. Community Facilities.~~
- ~~8. Day Care Center, Types I, II and III.~~
- ~~9. Delicatessens.~~
- ~~10. Drug Stores.~~
- ~~11. Dwellings, Duplex.~~
- ~~12. Dwellings, Single-Family Attached.~~
- ~~13. Dwellings, Single-Family Detached.~~
- ~~14. Dwellings, Multiple-Family.~~
- ~~15. Electric Power Distribution Substations (Subject to Section 18-1530.24).~~
- ~~16. Financial Institutions.~~
- ~~17. Florists.~~
- ~~18. Galleries, Art.~~
- ~~19. Health Spas.~~
- ~~20. Home Occupations, subject to regulations in Section 18-1530.12, "Regulations for Home Occupations."~~
- ~~21. Hotels, Motels.~~
- ~~22. Light Printing Establishment.~~
- ~~23. Mixed Residential and Commercial Uses.~~
- ~~24. Mortuaries, Excluding Crematory.~~

- ~~25.—Offices.~~
- ~~26.—Off-Street Parking Lots and Parking Garages, other than accessory to a permitted or conditional use.~~
- ~~27.—Outdoor Cafes.~~
- ~~28.—Personal Services.~~
- ~~29.—Places of Worship.~~
- ~~30.—Public Educational Facilities.~~
- ~~31.—Recording Studios.~~
- ~~32.—Recreation and Games Establishments, Indoor.~~
- ~~33.—Restaurants, Including Accessory Micro-Brewery.~~
- ~~34.—Educational Institutions (Elementary, Middle and Senior).~~
- ~~35.—Schools of Non-Academic Curriculum.~~
- ~~36.—Schools, Trade (Limited to Business, Medical and Personal Services).~~
- ~~37.—Specialty and Gift Shops.~~
- ~~38.—Studios, Television, and Radio Broadcast (excluding towers).~~
- ~~39.—Theaters.~~
- ~~40.—Tobacco and Newsstands.~~
- ~~41.—Video Sales and Rentals.~~

~~(B) CONDITIONAL USES. (See Section 18-1531 "Conditional Use Regulations" For Conditions.)~~

- ~~1.—Bed and Breakfast Establishment (subject to Section 18-1503.16).~~
- ~~2.—Bus Terminal or other Public Transportation Facility.~~
- ~~3.—Child Care Center, Type I, II and III.~~
- ~~4.—Clubs and Lodges.~~
- ~~5.—Colleges, Universities, Seminaries, and other Institutions of Higher Education.~~
- ~~6.—Community Facility.~~
- ~~7.—Community Residential Home (6 or less residents), also Subject to regulations in Section 18-1530.19, "Community Residential Homes."~~
- ~~8.—Community Residential Home (7 to 14 residents), also Subject to Regulations in Section 18-1530.19, "Community Residential Homes."~~
- ~~9.—Educational Institutions.~~
- ~~10.—Fabrication, Assembly and Repair, limited to twenty-five (25) percent of the floor area of a retail or mixed use establishment.~~
- ~~11.—Financial Institutions, Drive-thru.~~
- ~~12.—Height of Buildings/Structures greater than 50 feet in Area "A" or 35 feet in Area "B."~~
- ~~13.—Laboratories, Medical and Dental.~~
- ~~14.—Live/Work Units.~~
- ~~15.—Places of Worship.~~
- ~~16.—Recreation/Open Space.~~

~~17.— Restaurants, Drive-in/Drive-thru.~~

~~18.— Taverns and Lounges.~~

~~19.— Utilities, Public, and Private.~~

- C. OTHER USES. Uses that are similar to any permitted or conditional use, as determined by the Zoning Director, shall be permitted in the same manner (i.e. permitted versus conditional) as the listed use to which it is similar, provided that any similar use specifically permitted in another zoning district shall not be permitted.

**82. Section 18-1522.1 is hereby amended as follows:**

**SECTION 18-1522. - "TC" TOWN CENTER DISTRICT**

**Sec. 18-1522.1. - STATEMENT OF INTENT.**

The "TC" Town Center District is established in order to encourage a mix of residential, commercial, institutional, office and professional uses, located adjacent to major transportation facilities. The development standards are intended to promote developments of an urban scale, and high quality urban design, including significant public space areas. Allowable uses are based upon the Community Redevelopment Plan. Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Community Redevelopment District (CRD).

**83. Section 18-1522.2 is hereby amended as follows:**

**Sec. 18-1522.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Community Redevelopment District (CRD).~~ A maximum density of fifteen (15) dwelling units per net gross shall be permitted; however, a maximum of twenty-five (25) dwelling units per net acre is permissible through bonuses. The maximum intensity for nonresidential development is a FAR of seventy-five hundredths (0.75), increasable to a maximum FAR of two and seventy-five hundredths (2.75) through bonuses. It is intended that development standards and performance standards bonuses control the permissible density or intensity, design, and development criteria.

For calculating allowable density and intensity of development, the maximum allowable FAR shall be applied to the total net acreage to determine nonresidential development yield exclusive of allowable residential development potential. The Community Redevelopment Agency is not obligated to approve site plans based on total potential yield if the site plan is not compatible with abutting development. The following example illustrates this calculation:

Site = 1 acre = 43,560 square feet

.45 F.A.R. × 43,560 SF = 19,602 square feet of nonresidential development yield, plus 15 du/ac × 1 acre = 15 dwelling units yield (exclusive of bonus potential.).

Thus a mixed use development on a one (1) net acre site may develop nineteen thousand, six hundred two (19,602) square feet of retail, office or personal services or combinations of such along with fifteen (15) dwelling units on a one (1) acre site.

Light repair, assembly and manufacturing activity on a scale associated with artisans and crafters is permitted in combination with retail and/or residential uses provided that the area devoted to these activities shall not occur in the front one-fourth of the structure and the activities do not result in impacts related to prohibitions outlined in Section 18-1524.5(E) of this Code. Furthermore, no outdoor storage shall be permitted with this activity.

**84. Section 18-1522.3 is hereby amended as follows:**

**Sec. 18-1522.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "TC" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1521.3 and other applicable conditions of this district and Article.

**Table 18-1522.3: Authorized Land Uses in TC District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>RESIDENTIAL AND ACCOMMODATION USES</u>		
<u>Dwellings, Multi-family</u>	<u>P</u>	
<u>Dwellings, Single-family Attached</u>	<u>P</u>	
<u>Community Residential Home (6 or fewer residents)</u>	<u>C</u>	<u>14 or fewer residents subject to section 18-1530.19</u>
<u>Bed and Breakfast Establishment</u>	<u>C</u>	<u>Subject to section 18-1503.16</u>
<u>Hotels and Motels</u>	<u>P</u>	<u>Up to 50 units per net acre</u>
<u>Live/Work Units</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Mixed use; residential/office/personal services/retail</u>	<u>P</u>	
<u>COMMERCIAL USES</u>		
<u>Art Gallery</u>	<u>P</u>	
<u>Bakery Shops</u>	<u>P</u>	
<u>Book Stores</u>	<u>P</u>	
<u>Catering Establishments</u>	<u>P</u>	
<u>Clothing and Apparel Sales and Rentals</u>	<u>P</u>	
<u>Delicatessens</u>	<u>P</u>	
<u>Department Stores</u>	<u>P</u>	
<u>Drug Stores</u>	<u>P</u>	
<u>Financial Institutions</u>	<u>P</u>	
<u>Financial Institutions drive-thru</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Florists</u>	<u>P</u>	
<u>Light Printing Establishments</u>	<u>P</u>	



<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Offices</u>	<u>P</u>	
<u>Outdoor Cafes</u>	<u>P</u>	
<u>Personal Services</u>	<u>P</u>	
<u>Restaurants</u>	<u>P</u>	<u>Except drive-in or drive-thru and including accessory micro-brewery</u>
<u>Restaurants; Drive-in/Drive-thru</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Specialty and Gift Shops</u>	<u>P</u>	
<u>Supermarkets</u>	<u>P</u>	
<u>Taverns and Lounges</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Tobacco and Newsstands</u>	<u>P</u>	
<u>Veterinary Services</u>	<u>C</u>	<u>Subject to section 18-1531. Excludes treatment or boarding of farm or livestock animals in outdoor pens.</u>
<u>Video Sales and Rental</u>	<u>P</u>	
<u>MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES</u>		
<u>Fabrication, Assembly and Repair, limited to 25% of floor area of a retail or mixed-use establishment</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u>		
<u>Bus Terminal or other public transportation facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Off-street parking lots and parking garages, other than accessory to a permitted or conditional use</u>	<u>P</u>	
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>ARTS, ENTERTAINMENT AND RECREATION USES</u>		
<u>Recording Studios</u>	<u>P</u>	
<u>Recreation and Games Establishments, Indoor</u>	<u>P</u>	
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Studios, Television and Radio Broadcast (excluding towers)</u>	<u>P</u>	
<u>Theaters</u>	<u>P</u>	
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u>		
<u>Clubs and Lodges</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Colleges, universities, Seminaries and Other Institutions of Higher Education</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Community Facility</u>	<u>P</u>	
<u>Day Care Center - Type 1</u>	<u>P</u>	
<u>Day Care Center - Type 2</u>	<u>P</u>	
<u>Day Care Center - Type 3</u>	<u>P</u>	
<u>Educational Institutions</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Educational Institutions (elementary, middle, senior)</u>	<u>P</u>	
<u>Health Spas</u>	<u>P</u>	<u>Subject to section 18-1531</u>
<u>Laboratories, Medical and Dental</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Medical Marijuana Dispensary</u>	<u>P</u>	
<u>Place of Worship</u>	<u>P</u>	
<u>Public Educational Facilities</u>	<u>P</u>	
<u>Schools on Non-Academic Curriculum</u>	<u>P</u>	
<u>Schools, Trade (limited to business, medical and personal services)</u>	<u>P</u>	
<u>AGRICULTURE AND OTHER USES</u>		
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	<u>Subject to sections 18-1530 and 18-1531</u>
<u>Home Occupations</u>	<u>C</u>	<u>Subject to section 18-1531</u>

~~(A) — PERMITTED USES.~~

- ~~1. — Accessory uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations", including home occupations.~~
- ~~2. — Bakery Shops.~~

- ~~3.— Book Stores.~~
- ~~4.— Catering Establishments.~~
- ~~5.— Clothing and Apparel Sales and Rental.~~
- ~~6.— Community Facilities.~~
- ~~7.— Community Residential Home (six (6) or fewer residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~8.— Community Residential Home (seven (7) to fourteen (14) residents), subject to Section 18-1530.19, "Community Residential Homes."~~
- ~~9.— Day Care Center, Types I, II and III.~~
- ~~10.— Delicatessens.~~
- ~~11.— Department Stores.~~
- ~~12.— Drug Stores.~~
- ~~13.— Dwellings, Multi-Family.~~
- ~~14.— Dwellings, Single-family Attached.~~
- ~~15.— Electric Power Distribution Substations (Subject to Section 18-1530.24).~~
- ~~16.— Financial Institutions.~~
- ~~17.— Florists.~~
- ~~18.— Galleries, Art.~~
- ~~19.— Health Spas.~~
- ~~20.— Hotels, Motels (fifty (50) units per acre).~~
- ~~21.— Light Printing Establishment.~~
- ~~22.— Mixed Residential and Commercial Uses.~~
- ~~23.— Offices.~~
- ~~24.— Off-Street Parking Lots and Parking Garages, other than accessory to a permitted or conditional use.~~
- ~~25.— Outdoor Cafes.~~
- ~~26.— Personal Services.~~
- ~~27.— Places of Worship.~~
- ~~28.— Public Educational Facilities and Educational Institutions (elementary, middle and senior).~~
- ~~29.— Recording Studios.~~
- ~~30.— Recreation and Games Establishments, Indoor.~~
- ~~31.— Restaurants, including accessory Micro-Brewery.~~
- ~~32.— Schools of Non-Academic Curriculum.~~
- ~~33.— Schools, Trade (limited to business, medical and personal services).~~
- ~~34.— Specialty and Gift Shops.~~
- ~~35.— Studios, Television and Radio Broadcast (excluding towers).~~
- ~~36.— Supermarkets.~~
- ~~37.— Theaters.~~

~~38.—Tobacco and Newsstands.~~

~~39.—Video Sales and Rentals.~~

~~(B)—CONDITIONAL USES. (See Section 18-1531 "Conditional Use Regulations" For Conditions.)~~

~~1.—Bed and Breakfast Establishment, (subject to Section 18-1503.16).~~

~~2.—Bus Terminal or other Public Transportation Facility.~~

~~3.—Child Care Center, Type I, II and III.~~

~~4.—Clubs and Lodges.~~

~~5.—Colleges, Universities, Seminaries, and other Institutions of Higher Education.~~

~~6.—Community Residential Home (six (6) or less residents), subject to Regulations in Section 18-1530.19, "Community Residential Homes."~~

~~7.—Community Residential Home (seven (7) to fourteen (14) residents), Subject to Regulations in Section 18-1530.19, "Community Residential Homes."~~

~~8.—Educational Institutions.~~

~~9.—Fabrication, Assembly and Repair, limited to fifteen (15) percent of the floor area of a retail establishment.~~

~~10.—Financial Institutions, Drive-thru.~~

~~11.—Health Spas.~~

~~12.—Home Occupations, subject to regulations in Section 18-1530.12.~~

~~13.—Laboratories, Medical and Dental.~~

~~14.—Live/Work Units.~~

~~15.—Recreation/Open Space.~~

~~16.—Restaurants, Drive-in/Drive-thru.~~

~~17.—Taverns and Lounges.~~

~~18.—Utilities, Public and Private.~~

~~19.—Veterinary Services.~~

~~(C)—OTHER USES. Uses that are similar to any permitted or conditional use, as determined by the Zoning Director, shall be permitted in the same manner (i.e. permitted versus conditional) as the listed use to which it is similar, provided that any similar use specifically permitted in another zoning district shall not be permitted. Any party aggrieved by a decision of the Zoning Director may appeal such decision to the City Manager (or in lieu of the City Manager, to the Board of Adjustment, as otherwise provided by this Code).~~

**85. Section 18-1523.1 is hereby amended as follows:**

## **Section 18-1523. - "CH" HEAVY COMMERCIAL DISTRICT**

### **Sec. 18-1523.1. - STATEMENT OF INTENT.**

The "CH" Heavy Commercial District is established in order to identify and provide those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of a heavy commercial/light manufacturing and warehousing environment. This district is intended primarily for compatible retail, wholesale, distribution and light manufacturing operations, none of which require large areas for outdoor storage or display, and that do not involve the use of materials, processes, or machinery likely to cause undesirable effects upon neighboring properties, together with accessory uses and public facilities, customary to or required for such an environment.

Areas of the City for which this zoning category is appropriate are indicated on the Land Use Plan Map as either Commercial General (CG), Industrial Limited (IL), or Community Redevelopment District (CRD). No residential development is permitted in the "CH" Heavy Commercial District.

**86. Section 18-1523.2 is hereby amended as follows:**

**Sec. 18-1523.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are indicated on the Land Use Plan Map as either Commercial General (CG), Industrial Limited (IL), or Community Redevelopment District (CRD). No residential development is permitted in the "CH" Heavy Commercial District.~~

For lots located within the Commercial General (CG) future land use category, public/semi-public uses or Transportation/Utility uses shall not exceed a maximum area of five (5) gross acres. Any such use, alone or when added to existing abutting or functionally abutting like uses, which exceeds the threshold stated above shall require a ~~land use plan map~~ Land Use Plan Map amendment to Institutional (I) or Transportation/Utility (T/U) (as appropriate), which shall include such use and all abutting or functionally abutting like uses. Additionally, warehouse/storage/mini-warehouse/wholesale establishments must limit outdoor storage to twenty (20) percent of the floor area when located in CG.

For lots located within the Industrial Limited (IL) future land use category, public/semi-public, commercial recreation, retail commercial, personal/business services, commercial/business services, and temporary lodging uses shall not exceed a maximum area of five (5) gross acres. Any such use, alone or when added to existing abutting or functionally abutting like uses, or when added to an existing land use plan category in which said use is listed as a primary use, which exceeds this threshold shall require a ~~land use plan map~~ Land Use Plan Map amendment to Commercial General (CG), which shall include such use and all abutting and functionally abutting like uses except as hereafter provided for in planned industrial/mixed use projects.

Countywide Rule Exception for Industrial Limited (IL) ~~Future~~ Land Use Plan Map Category

For planned industrial mixed use projects in the ~~IL~~ Industrial Limited (IL) land use category see Section 18-1524.2, Density Regulations.

**87. Section 18-1523.3 is hereby amended as follows:**

**Sec. 18-1523.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "CH" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Uses that are similar to any permitted or conditional use as determined by the Zoning Director shall be permitted in the same manner (i.e. permitted versus conditional) as the listed use to which it is similar, provided that any similar use specifically permitted in another zoning district shall not be permitted. Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1523.3 and other applicable conditions of this district and Article.

**Table 18-1523.3: Authorized Land Uses in CH District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>RESIDENTIAL AND ACCOMMODATION USES</u>		
<u>Hotels and Motels</u>	<u>P/C</u>	<u>Permitted in CG or CRD future land use categories, but not exceed 40 units per gross acre. Conditional use in IL category for up to 50 units per acre and in CG category for up to 40 units per acre. See section 198-1503.17</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<b>COMMERCIAL USES</b>		
<u>Auction Rooms</u>	<u>P</u>	
<u>Automobile Dealer - New Cars (limited to automobiles, vans and light trucks)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Automobile Dealer - Used Cars</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Automotive Repair Facility (major), as an accessory use with an Automobile Dealer - New Cars</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Automotive Repair Facility (major, limited to automobiles, vans and light trucks)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Automotive Repair Facility (minor)</u>	<u>P</u>	
<u>Bakeries, retail and/or wholesale</u>	<u>P</u>	
<u>Boat Showrooms, excluding outdoor sales or storage</u>	<u>P</u>	
<u>Building Material and Home Improvement Establishments, where all storage of materials is within an enclosed building</u>	<u>P</u>	
<u>Building Material and Home Improvement Establishments, where storage of materials is outdoors</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Car Washes</u>	<u>P</u>	
<u>Catering Establishments</u>	<u>P</u>	
<u>Clothing and Apparel Sales and Rentals</u>	<u>P</u>	
<u>Convenience Stores</u>	<u>P</u>	
<u>Delicatessens</u>	<u>P</u>	<u>Beer and wine for off-premises consumption only</u>
<u>Drive-in/drive-thru businesses</u>	<u>C</u>	<u>All types unless otherwise listed. Subject to section 18-1531</u>
<u>Dry Cleaning and Laundry Plants</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Employment offices, Temporary Labor</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Exterminator and Pest Control Service Fleet Yards</u>	<u>P</u>	

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Financial Institutions</u>	<u>P</u>	
<u>Financial Institutions drive-thru</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Fuel Oil Distribution (retail only) and Storage</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Furrier Shops, including storage and conditioning of furs</u>	<u>P</u>	
<u>Glass Cutting and Glazing Establishments</u>	<u>P</u>	
<u>Light Printing Establishments</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Office Supply Stores</u>	<u>P</u>	
<u>Offices</u>	<u>P</u>	
<u>Outdoor Sales of boats, recreational Vehicles, or manufactured homes</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Personal Services</u>	<u>P</u>	
<u>Photograph Developing and Processing Shops</u>	<u>P</u>	
<u>Printing, lithographing, or publishing establishments for newspaper, letterpress, business cards, mimeographing and other similar job printing services, including bookbinding</u>	<u>P</u>	
<u>Repair Services</u>	<u>P</u>	
<u>Restaurants</u>	<u>P</u>	<u>Excepting drive-in and drive-through, including accessory micro-brewery</u>
<u>Restaurants; Drive-in/Drive-thru</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Retail Sales</u>	<u>P</u>	
<u>Shopping Centers</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Taverns and Lounges</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<b><u>MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES</u></b>		
<u>Light Manufacturing, no outdoor storage allowed</u>	<u>C</u>	<u>In CG land use category only. Subject to section 18-1531</u>
<u>Outdoor storage</u>	<u>P</u>	<u>In the IL land use category subject to section 18-1530.11</u>
<u>Research and Development</u>	<u>P</u>	

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Storage Facility, Secure, Climate Controlled</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Warehouses, storage, mini-warehouses, and wholesaling establishments (outdoor storage limited to 20% of building area)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Wholesale Merchandise broker, offices or showrooms with storage space limited to 6,000 square feet of gross floor area per establishment and no outdoor storage</u>	<u>P</u>	
<u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u>		
<u>Armored Car Terminal Facilities</u>	<u>P</u>	
<u>Bus Terminal or other public transportation facility</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Communications Tower</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 1530.24</u>
<u>Off-street parking lots and parking garages</u>	<u>P</u>	
<u>Radio and Television Broadcasting Stations, excluding towers and relay equipment intended for primary signal transmission</u>	<u>P</u>	
<u>Taxi, Limousine, or Automobile Rental Establishments</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Truck/Trailer Rental Establishment</u>	<u>P</u>	<u>IL land use category only</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>ARTS, ENTERTAINMENT AND RECREATION USES</u>		
<u>Adult Entertainment Establishments in IL/Employment</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Auditorium, Arena, Gymnasium, and other similar places for public or private events</u>	<u>C</u>	<u>Subject to section 18-1531</u>



<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Outdoor Amusements, fairgrounds, flea markets, carnivals, kiddie parks, and other similar amusement centers</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Recreation and Games Establishments, Indoor</u>	<u>P</u>	
<u>Recreation Establishments, such as bowling alley, golf practice range, golf course, or other similar places or amusement or entertainment</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Tennis Courts (principal use)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Theaters</u>	<u>P</u>	
<u>Theaters, Drive-in</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u>		
<u>Ambulance Service</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Clinic, Veterinary</u>	<u>C</u>	<u>Subject to section 18-1531. Excludes treatment or boarding of farm or livestock animals in outdoor pens.</u>
<u>Clubs and Lodges</u>	<u>P</u>	
<u>Colleges, universities, Seminaries and Other Institutions of Higher Education</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Crematories, in conjunction with a Mortuary or Funeral Home</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 2</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 3</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Health Spas</u>	<u>P</u>	
<u>Home Health Care Service Agencies</u>	<u>P</u>	
<u>Laboratories, Medical and Dental</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Medical Marijuana Dispensary</u>	<u>P</u>	
<u>Mortuaries and Funeral Homes (excluding crematories)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Place of Worship</u>	<u>P</u>	
<u>Schools on Non-Academic Curriculum</u>	<u>P</u>	

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Schools, Trade (limited to business, medical and personal services)</u>	<u>P</u>	
<u>Swimming Pools (principal use)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>CONSTRUCTION-RELATED BUSINESS USES</u>		
<u>Contractor's Offices and Shops where no fabricating is done on the premises and where all storage of all materials and equipment is within an enclosed building</u>	<u>P</u>	
<u>AGRICULTURE AND OTHER USES</u>		
<u>Plant Nurseries (Retail)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Plant Nurseries (Wholesale)</u>	<u>P</u>	
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	<u>Subject to section 18-1530 and 18-1531</u>
<u>Height - buildings and structures over 40 feet</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Outdoor Storage in IL/Employment</u>	<u>P</u>	
<u>Security Guard/Caretaker dwelling unit as an accessory use</u>	<u>P</u>	

~~(A) — PERMITTED USES.~~

- ~~1. — Armored Car Terminal Facilities.~~
- ~~2. — Auction Rooms.~~
- ~~3. — Automotive repair facility (minor).~~
- ~~4. — Bakeries, providing both retail and/or wholesale services.~~
- ~~5. — Boat Showrooms, excluding outdoor sales or storage.~~
- ~~6. — Building Material and Home Improvement Establishments, where all storage of materials is within an enclosed building.~~
- ~~7. — Car Washes.~~
- ~~8. — Catering Establishments.~~
- ~~9. — Clothing and Costume Rental Establishments.~~
- ~~10. — Clubs and Lodges.~~
- ~~11. — Contractor's Offices and Shops, where no fabricating is done on the premises and where all storage of materials and equipment is within an enclosed building.~~
- ~~12. — Convenience Stores.~~

- ~~13. — Delicatessens (alcoholic beverage sales limited to beer and wine for off-premise consumption only).~~
- ~~14. — Electrical Power Distribution Substations (Subject to Section 18-1530.24).~~
- ~~15. — Exterminator and pest control service fleet yards.~~
- ~~16. — Financial institutions.~~
- ~~17. — Furrier shops, including the storage and conditioning of furs.~~
- ~~18. — Glass Cutting and glazing establishments.~~
- ~~19. — Health Spas.~~
- ~~20. — Home Health Care Service agencies.~~
- ~~21. — Hotels and motels, in CG or CRD, not to exceed forty (40) units gross acre. (Also see Section 18-1503.17 for alternative densities).~~
- ~~22. — Laboratories, Medical and Dental.~~
- ~~23. — Light printing establishments.~~
- ~~24. — Mortuaries and funeral homes (excluding crematories).~~
- ~~25. — Nonresidential Accessory Uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."~~
- ~~26. — Office Supply stores.~~
- ~~27. — Offices.~~
- ~~28. — Off-street parking lots and parking garages.~~
- ~~29. — Outdoor storage in IL, pursuant to Section 18-1530.11.~~
- ~~30. — Personal services.~~
- ~~31. — Photograph developing and processing shops.~~
- ~~32. — Place of worship.~~
- ~~33. — Plant nurseries, wholesale.~~
- ~~34. — Printing, lithographing or publishing establishments for newspaper, letterpress, business cards, mimeographing and other similar job printing services, including bookbinding.~~
- ~~35. — Radio and television broadcasting stations, excluding towers and relay equipment intended for primary signal transmission.~~
- ~~36. — Recreation and games establishments, Indoor.~~
- ~~37. — Repair services.~~
- ~~38. — Research and Development.~~
- ~~39. — Restaurants.~~
- ~~40. — Retail sales.~~
- ~~41. — Schools of non-academic curriculum.~~
- ~~42. — Schools, Trade (limited to business, medical, and personal services).~~
- ~~43. — Security guard/Caretaker's dwelling unit (single family attached) when used for property security purposes as a part of a commercial development.~~
- ~~44. — Theaters.~~
- ~~45. — Truck/Trailer Rental Establishment (IL only).~~

~~46. Wholesale merchandise broker, offices, or showrooms with wholesale storage space limited to six thousand (6,000) square feet of gross floor area per establishment with no outdoor storage in CG.~~

~~(B) CONDITIONAL USES. (See Section 18-1530 "Conditional Use Regulations" For Conditions.)~~

- ~~1. Accessory Uses to any conditional use, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."~~
- ~~2. Adult Entertainment Establishments in IL.~~
- ~~3. Ambulance Service.~~
- ~~4. Auditorium, Stadium, Arena, Armory, Gymnasium, and other similar places of public or private events.~~
- ~~5. Automobile Dealer—New cars (limited to automobiles, vans, and light trucks).~~
- ~~6. Automobile Dealer—Used cars.~~
- ~~7. Automotive Repair Facility (major) (as an accessory use with Automobile Dealer—New Cars).~~
- ~~8. Automotive Repair Facility (major) (limited to automobiles, vans, and light trucks).~~
- ~~9. Building material and home improvement establishments, where storage of materials is outdoors.~~
- ~~10. Bus terminal or other public transportation facility.~~
- ~~11. CH zone—Any other similar service or commercial establishment not specifically identified herein but similar to any service or commercial establishment listed herein.~~
- ~~12. Clinic, Veterinary.~~
- ~~13. Colleges, universities, seminaries, and other institutions of higher education.~~
- ~~14. Communication Tower.~~
- ~~15. Crematories, in conjunction with a Mortuary or Funeral Home.~~
- ~~16. Day Care Centers, Types II and III.~~
- ~~17. Drive-in/Drive-thru businesses—All types not otherwise listed.~~
- ~~18. Dry cleaning and laundry plants.~~
- ~~19. Employment offices, Temporary Labor.~~
- ~~20. Financial institutions, drive-thru.~~
- ~~21. Fuel oil distribution (retail only) and storage.~~
- ~~22. Height—Buildings and structures over forty (40) feet.~~
- ~~23. Hotels and motels, in IL, not to exceed fifty (50) units per acre or in CG, not to exceed forty (40) units per acre (See also Section 18-1503.17 for alternative densities).~~
- ~~24. Light manufacturing. No outdoor storage allowed in CG.~~
- ~~25. Outdoor amusements, fairgrounds, flea markets, carnivals, kiddie parks, and other similar amusement centers.~~
- ~~26. Outdoor sale of boats, recreational vehicles or mobile homes.~~
- ~~27. Plant nurseries, retail.~~
- ~~28. Recreation establishments, such as bowling alley, golf practice range, golf course, or other similar places of amusement or entertainment.~~

- ~~29.— Recreation/Open Space.~~
- ~~30.— Restaurants, drive-in/drive-thru.~~
- ~~31.— Shopping centers.~~
- ~~32.— Storage Facility, Secure, Climate Controlled with or without accessory truck/trailer rental in (CG) Commercial General.~~
- ~~33.— Swimming pools—Principal use.~~
- ~~34.— Taverns and lounges.~~
- ~~35.— Taxi, limousine, or automobile rental establishments.~~
- ~~36.— Tennis courts—Principal use.~~
- ~~37.— Theaters, drive-in.~~
- ~~38.— Utilities, public and private.~~
- ~~39.— Warehouses, storage, mini-warehouses and wholesaling establishments (Outdoor storage in CG limited to twenty (20) percent of building area).~~

**88. Section 18-1524.1 is hereby amended as follows:**

**SECTION 18-1524. - "M-1" LIGHT INDUSTRIAL DISTRICT**

**Sec. 18-1524.1. - STATEMENT OF INTENT.**

The "M-1" Light Industrial District is established in order to identify and provide those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of a light industrial environment, which does not create hazardous or other serious detrimental effects upon the public health in the surrounding areas. This district is intended primarily for a wide variety of industrial uses and compatible retail, wholesale, distributing operations, and in limited situations as provided in (B) below, single and multi-family dwellings, together with accessory uses and public facilities customary to or required for such an environment.

Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Industrial Limited (IL) or Community Redevelopment District (CRD) Land Use Plan Map Categories.

**89. Section 18-1524.2 is hereby amended as follows:**

**Sec. 18-1524.2. — LAND USE AND DENSITY/INTENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Industrial Limited (IL) or Community Redevelopment District (CRD) Future Land Use Categories.~~

- ~~(A)(A)~~—For lots located within the Industrial Limited (IL) Land Use Plan Map category, public/semi-public, commercial recreation, ~~retail commercial, personal/business services,~~ commercial/business services, ~~and~~ temporary lodging, transportation/utility and agricultural uses shall not exceed maximum area of five (5) gross acres. A Retail commercial, personal service, office support and transfer/recycling uses shall not exceed a maximum of three (3) gross acres. Any such use, alone or when added to existing abutting or functionally abutting like uses in the same category, shall require a Land Use Plan Map amendment which shall include such use and all contiguous like uses. Secondary residential uses are only permitted pursuant to the requirements set forth in (C) below.
- (B) A planned industrial/mixed use project that exceeds fifty (50) gross acres in area may include secondary public/semi-public, retail commercial, personal/business service, commercial recreation, and Temporary Lodging uses subject to the following:

1. Secondary nonresidential uses, alone or in combination, shall not comprise more than twenty-five (25) percent of the area of the project which shall be governed by a MUPUD master development plan. (see Sec. 18-1529.11) Where the property included in the master development plan is adjacent to or within five hundred (500) feet of another municipal or unincorporated county jurisdiction, the master development plan shall be submitted to that adjoining jurisdiction for review and comment.
  2. The secondary non-industrial uses shall be integral to, oriented within, and function as part of, the mixed-use project as distinct from freestanding unrelated out-parcel type uses.
- (C) An industrial/mixed-use project which comprises not less than one hundred (100) gross acres under common control through a DRI development order or MUPUD master conceptual plan may include secondary residential uses subject to the following:
1. Such residential component shall not:
    - (a) Comprise more than twenty-five (25) percent of the area of the DRI or MUPUD master conceptual plan within the jurisdiction of the City of Pinellas Park.
    - (b) Be located within the Coastal High Hazard Area.
    - (c) Be located within the sixty-five (65) decibel Day-Night Sound Level area as identified on the St. Petersburg-Clearwater International Airport Noise Contours map, April 1996 by Greiner, Inc. and as adopted by Pinellas County in Ordinance Number 97-58.
    - (d) Be permitted to transfer density to other Land Use Plan Map categories outside of the approved master development plan area.
    - (e) Be permitted to use density averaging outside the master development plan area.
  2. The secondary residential use that is part of a planned industrial/mixed use project shall be subject to a MUPUD master development plan and DRI development order providing unified control of the entire project.
  3. The master development plan required for industrial/ mixed use projects that includes residential use shall, upon Planning and Zoning Commission review and preliminary approval by City Council, be submitted to the Pinellas Planning Council (PPC) for review and recommendation to the County-wide Planning Authority (CPA). The CPA may approve, approve with conditions, or deny the master development plan; which action shall require a majority plus one vote of the entire CPA if such action is contrary to the PPC recommendation. City Council shall not approve a final site plan or issue a development order other than as is consistent with the action of the CPA.
  4. Where the property included in the master development plan is adjacent to or within five hundred (500) feet of an adjacent municipal or county jurisdiction, the master development plan shall be submitted to that adjoining jurisdiction at the same time that it is submitted to the PPC/CPA for review and comment by that adjoining jurisdiction.
  5. The master development plan shall include sufficient information to demonstrate that the secondary use components are integrated with the other uses in the project. The master development plan shall also include sufficient information to demonstrate to the PPC and CPA the relationships between, and compatibility of the industrial, secondary non-industrial and residential uses within and adjacent to the project. Criteria used to determine an acceptable, integrated industrial/mixed use project that includes residential use shall include:
    - (a) An appropriate justification for the residential component, including consideration of the following:
      - (1) Functional relationship between the residential component and anticipated demand for housing created by the remainder of the development proposal;

- (2) Phasing or sequencing of the project to coordinate residential construction with the anticipated demand for and timing of the nonresidential portion of the project;
  - (3) Contributory nature of the employment created and the percentage of the wages paid over and above the average Metropolitan Statistical Area (MSA) wage;
  - (4) Adequacy of infrastructure in relationship to the phasing and scale of the project.
- (b) An appropriate buffer in and between the residential component of the master planned industrial/mixed use project and adjoining plan categories or uses in those categories. This buffer requirement will consider the following:
- (1) The nature and characteristics of the adjoining nonresidential use(s), including noise, air, odor, and visual operating characteristics.
  - (2) The distance from and elevation of the adjoining nonresidential use, including the intervening land form, building or structural opaque barrier, and type and dimensions of landscape buffer.
  - (3) Any county ordinance that regulates the setback of residential uses from a county-owned solid waste disposal facility.
- (c) Development of the project shall proceed in a manner that is substantially consistent with the CPA approved master development plan. Any amendment required to maintain that consistency shall all be reviewed by the PPC and approved by the CPA.

**90. Section 18-1524.3 is hereby amended as follows:**

**Sec. 18-1524.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "M-1" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Uses that are similar to any permitted or conditional use as determined by the Zoning Director shall be permitted in the same manner (i.e. permitted versus conditional) as the listed use to which it is similar, provided that any similar use specifically permitted in another zoning district shall not be permitted.

In any case where an "M-1" parcel abuts or functionally abuts a residential or mixed-use zoning district, City Council shall review and approve a preliminary site plan in accordance with the procedures and requirements of Section 18-1540. City Council may require the developer to install additional buffering in order to reduce or eliminate the adverse impact of the proposed industrial use upon the adjacent residential or mixed-use zoned property.

Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1524.3 and other applicable conditions of this district and Article.

**Table 18-1524.3: Authorized Land Uses in M-1 District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<b><u>RESIDENTIAL AND ACCOMMODATION USES</u></b>		
<u>Community Services other than those listed as permitted.</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Hotels and Motels (50 units per acre)</u>	<u>C</u>	<u>Limited to 50 units per acre. Subject to section 18-1531. See section 18-1503.17</u>
<b><u>COMMERCIAL USES</u></b>		
<u>Auction Rooms</u>	<u>P</u>	

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Auction, Automobile</u>	<u>P</u>	
<u>Automobile Dealer - New Cars (limited to automobiles, vans and light trucks)</u>	<u>P</u>	
<u>Automobile Dealer - Used Cars</u>	<u>P</u>	
<u>Automobile Repair Facility (major), excluding heavy trucks</u>	<u>P</u>	
<u>Automobile Service Station</u>	<u>P</u>	
<u>Automotive Repair Facility (minor)</u>	<u>P</u>	
<u>Boat Showrooms, excluding outdoor sales or storage</u>	<u>P</u>	
<u>Building Material and Home Improvement Establishments, where all storage of materials is within an enclosed building</u>	<u>P</u>	
<u>Building Material and Home Improvement Establishments, where storage of materials is outdoors</u>	<u>P</u>	
<u>Car Washes</u>	<u>P</u>	
<u>Convenience Stores</u>	<u>P</u>	
<u>Delicatessens</u>		
<u>Delicatessens (beer and wine for off-premises consumption only)</u>	<u>P</u>	
<u>Employment offices, Temporary Labor</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Exterminator and Pest Control Service Fleet Yards</u>	<u>P</u>	
<u>Financial Institutions</u>	<u>P</u>	
<u>Financial Institutions drive-thru</u>	<u>P</u>	
<u>Heavy Truck, Sales</u>	<u>P</u>	
<u>Heavy Trucks, Repair (major)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Ice Sales</u>	<u>P</u>	
<u>Kennels, Pounds and Animal Shelters</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Light Printing Establishments</u>	<u>P</u>	
<u>Office/Showroom</u>	<u>P</u>	
<u>Offices</u>	<u>P</u>	



<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Outdoor Sales of boats, recreational Vehicles, or manufactured homes</u>	<u>P</u>	
<u>Parcel Delivery Station</u>	<u>P</u>	
<u>Personal Services</u>	<u>P</u>	
<u>Repair Services</u>	<u>P</u>	
<u>Restaurants, except drive-thru</u>	<u>P</u>	
<u>Restaurants; Drive-in/Drive-thru</u>	<u>P</u>	
<u>Retail Sales</u>	<u>P</u>	
<u>Shopping Centers</u>	<u>P</u>	
<u>Taverns and Lounges</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Utility Building Sales</u>	<u>P</u>	
<u>MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES</u>		
<u>Boat Building</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Industrial Uses Not Permitted by Right but similar to Other Permitted or Conditional Uses in the District</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Mini-Warehouse</u>	<u>P</u>	
<u>Outdoor Storage</u>	<u>P</u>	<u>Subject to Section 18-1530.11</u>
<u>Research and Development</u>	<u>P</u>	
<u>Secure Climate Controlled Storage Facility</u>	<u>P</u>	
<u>Storage Facility, Flammable Liquids,</u>	<u>P</u>	<u>Subject to State, County and local regulations for up to 1,000 gallons above ground, or greater than 1,000 gallons below ground</u>
<u>Storage, Bulk of Non-Flammable Liquids</u>	<u>P</u>	
<u>Warehouses</u>	<u>P</u>	
<u>Wholesale Establishments</u>	<u>P</u>	
<u>Beverages, bottling and distribution</u>	<u>P</u>	
<u>Boat Assembly and Repair, but not including boat building</u>	<u>P</u>	
<u>Carpentry and Woodworking Shops</u>	<u>P</u>	
<u>Culvert Manufacturing</u>	<u>P</u>	
<u>Drugs</u>	<u>P</u>	

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Dry Cleaning and Laundry Plants</u>	<u>P</u>	
<u>Electrical Supplies, Manufacturing and Assembly, such as wire and cable assembly, switches, lamps, insulation and dry cell batteries</u>	<u>P</u>	
<u>Food Products, Processing and Combining of Baking, Boiling, Canning, Cooking, Dehydrating, Freezing, Frying, Grinding, Mixing and Pressing</u>	<u>P</u>	
<u>Laboratories, Medical and Dental</u>	<u>P</u>	
<u>Machine Shops for Tool, Die, Pattern Making</u>	<u>P</u>	
<u>Machinery Manufacturing and Repairing</u>	<u>P</u>	
<u>Manufactured Home Assembly</u>	<u>P</u>	
<u>Meat Products Production</u>	<u>P</u>	
<u>Metal Finishing, Plating, Grinding, Sharpening, Polishing, Cleaning, Rust Proofing, and Heat Treatment</u>	<u>P</u>	
<u>Metal Stamping and Extrusion of small products, such as costume jewelry, pins and needles, razor blades, bottle caps, buttons, and kitchen utensils</u>	<u>P</u>	
<u>Monument Works</u>	<u>P</u>	
<u>Orthopedic and Medical Appliances, such as artificial limbs, braces, supports, and stretchers</u>	<u>P</u>	
<u>Pharmaceutical Products, compounding only</u>	<u>P</u>	
<u>Precision Instruments, such as optical, medical and drafting</u>	<u>P</u>	
<u>Printing and Publishing Establishments</u>	<u>P</u>	

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Products from Finished Materials, such as plastic, bone, cork feathers, felt, fiber, paper, fur, glass, hair, horn, leather, precious and semiprecious stones, rubber, shell, or yarns</u>	<u>P</u>	
<u>Rubber Products, small, and synthetic treated fabrics (excluding all rubber and synthetic processing), such as washers, gloves, footwear, bathing caps, and atomizers</u>	<u>P</u>	
<u>Sheet Metal Shop</u>	<u>P</u>	
<u>Signs, painting and manufacturing</u>	<u>P</u>	
<u>Silverware, plated and sterling</u>	<u>P</u>	
<u>Soldering and Welding</u>	<u>P</u>	
<u>Textiles, spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread, and cordage, but not including textile bleaching.</u>	<u>P</u>	
<u>Tools and Hardware, such as bolts, nuts, screws, door knobs, drills, hand tools, cutlery, hinges, house hardware, locks, nonferrous metal castings, and plumbing appliances</u>	<u>P</u>	
<u>Upholstering (bulk), including mattress manufacturing, rebuilding and renovating.</u>	<u>P</u>	
<u>Wood Products, such as furniture, boxes, crates, baskets, pencils, and cooperage works.</u>	<u>P</u>	
<u>Insecticides or Other Hazardous Chemicals</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Paint</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u>		
<u>Armored Car Terminal Facilities</u>	<u>P</u>	
<u>Bus Terminals, Bus Garage, and Bus Lots</u>	<u>P</u>	
<u>Communications Tower</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Electric Power Distribution Substations</u>	<u>P</u>	

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Motor Freight Terminals</u>	<u>P</u>	
<u>Off-street parking lots and parking garages, other than accessory to a permitted or conditional use</u>	<u>P</u>	
<u>Railroad Terminals and Other Rail/Mass Transit Facilities</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Taxi, Limousine, or Automobile Rental Establishments</u>	<u>P</u>	
<u>Utilities, public and private</u>	<u>P/C</u>	<u>Subject to section 18-1531</u>
<u>Water Filtration Plants</u>	<u>P</u>	
<u>Water Pumping Stations</u>	<u>P</u>	
<u>Water Reservoirs</u>	<u>P</u>	
<b><u>ARTS, ENTERTAINMENT AND RECREATION USES</u></b>		
<u>Adult Entertainment Establishments in IL/Employment</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Auditorium, Arena, Gymnasium, and other similar places for public or private events</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Outdoor Amusements, fairgrounds, flea markets, carnivals, kiddie parks, and other similar amusement centers</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Recreation Establishments, such as bowling alley, golf practice range, golf course, or other similar places or amusement or entertainment</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Theaters, Drive-in</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<b><u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u></b>		
<u>Ambulance Service</u>	<u>P</u>	
<u>Clinic, Veterinary</u>	<u>P</u>	
<u>Community Facility</u>	<u>P</u>	
<u>Crematories</u>	<u>P</u>	
<u>Day Care Center - Type 2</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Day Care Center - Type 3</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Homeless Shelter and Resource Center</u>	<u>C</u>	<u>Subject to section 18-1531</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Medical Marijuana Dispensary</u>	<u>P</u>	
<u>Medical Marijuana Treatment Center</u>	<u>P</u>	<u>For the manufacturing, processing, testing, and packaging of medical marijuana</u>
<u>Place of Worship</u>	<u>P</u>	
<u>Schools on Non-Academic Curriculum</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Schools, Trade</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>CONSTRUCTION-RELATED BUSINESS USES</u>		
<u>Contractor or Construction Shops and Storage Yards</u>	<u>P</u>	
<u>AGRICULTURE AND OTHER USES</u>		
<u>Plant Nurseries (Retail)</u>	<u>P</u>	
<u>Plant Nurseries (Wholesale)</u>	<u>P</u>	
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	<u>Subject to section 18-1530 and 18-1531</u>
<u>Height - buildings and structures over 40 feet</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Off-Premises Signs</u>	<u>P</u>	<u>Subject to regulations in Article 6</u>
<u>Security Guard/Caretaker dwelling unit</u>	<u>P</u>	<u>Allowed as an accessory use</u>

(A) ~~PERMITTED USES.~~

- ~~1. Accessory uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations", including home occupations,~~
- ~~2. Commercial uses (such uses shall comply with the parking requirements for commercial and office uses, as appropriate):~~
  - ~~(a) Ambulance services.~~
  - ~~(b) Armored car terminal facilities.~~
  - ~~(c) Auction, Automobile.~~
  - ~~(d) Auction rooms.~~
  - ~~(e) Automobile Dealer new and used cars (including automobiles, vans, and light trucks).~~
  - ~~(f) Automobile service stations.~~
  - ~~(g) Automotive Repair Facility (minor).~~
  - ~~(h) Automotive Repair Facility (major), excluding heavy trucks.~~
  - ~~(i) Boat showrooms, excluding outdoor sales or storage.~~
  - ~~(j) Building material and home improvement establishments, where storage of materials is within an enclosed building or is outdoors.~~

- ~~(k) — Car washes.~~
  - ~~(l) — Clinic, Veterinary.~~
  - ~~(m) — Contractor or construction shops and storage yards.~~
  - ~~(n) — Convenience stores.~~
  - ~~(o) — Delicatessens (alcoholic beverage sales limited to beer and wine for off-premise consumption only).~~
  - ~~(p) — Electric Power Distribution Substations (Subject to Section 18-1530.24).~~
  - ~~(q) — Exterminator and pest control service fleet yards.~~
  - ~~(r) — Financial Institutions.~~
  - ~~(s) — Financial Institutions, drive-thru.~~
  - ~~(t) — Heavy truck, sales.~~
  - ~~(u) — Ice sales.~~
  - ~~(v) — Light printing establishments.~~
  - ~~(w) — Office/showroom.~~
  - ~~(x) — Offices.~~
  - ~~(y) — Outdoor sales of boats, recreational vehicles or mobile homes.~~
  - ~~(z) — Parcel delivery station.~~
  - ~~(aa) — Personal services.~~
  - ~~(bb) — Plant nurseries, retail and wholesale.~~
  - ~~(cc) — Repair services.~~
  - ~~(dd) — Restaurants.~~
  - ~~(ee) — Restaurants, drive-in/drive-thru.~~
  - ~~(ff) — Retail sales.~~
  - ~~(gg) — Shopping centers.~~
  - ~~(hh) — Taxi, limousine, or automobile rental establishments.~~
  - ~~(ii) — Truck/trailer rental establishment.~~
  - ~~(jj) — Utility building sales.~~
3. — ~~Crematories.~~
4. — ~~Light Manufacturing, including Fabrication and Assembly, Production, Processing, Cleansing, Testing, Manufacturing, or Repair, such as:~~
- ~~(a) — Beverages, nonalcoholic, bottling and distributing.~~
  - ~~(b) — Boat assembly and repair, but not including boat building.~~
  - ~~(c) — Carpentry and woodworking shops.~~
  - ~~(d) — Culvert Manufacturing.~~
  - ~~(e) — Drugs.~~
  - ~~(f) — Dry cleaning and laundry plants.~~
  - ~~(g) — Electrical supplies, manufacturing and assembly, such as wire and cable assembly, switches, lamps, insulation and dry cell batteries.~~

- ~~(h) — Food products, processing and combining of baking, boiling, canning, cooking, dehydrating, freezing, frying, grinding, mixing, and pressing.~~
  - ~~(i) — Laboratories, Medical and Dental.~~
  - ~~(j) — Machine shops for tool, die, pattern making, and automobiles.~~
  - ~~(k) — Machinery, farm sales, repairing, and overhauling.~~
  - ~~(l) — Meat products.~~
  - ~~(m) — Metal finishing, plating, grinding, sharpening, polishing, cleaning, rust proofing, and heat treatment.~~
  - ~~(n) — Metal stamping and extrusion of small products, such as costume jewelry, pins and needles, razor blades, bottle caps, buttons, and kitchen utensils.~~
  - ~~(o) — Mobile homes, assembly.~~
  - ~~(p) — Monument works.~~
  - ~~(q) — Orthopedic and medical appliances, such as artificial limbs, braces, supports, and stretchers.~~
  - ~~(r) — Pharmaceutical products, compounding only.~~
  - ~~(s) — Precision instruments, such as optical, medical and drafting.~~
  - ~~(t) — Products from finished materials, plastic, bone, cork, feathers, felt, fiber, paper, fur, glass, hair, horn, leather, precious and semiprecious stones, rubber, shell or yarns.~~
  - ~~(u) — Printing, lithographing or publishing establishments for newspaper, letterpress, business cards, mimeographing and similar job printing services, including bookbinding.~~
  - ~~(v) — Rubber products, small, and synthetic-treated fabrics (excluding all rubber and synthetic processing), such as washers, gloves, footwear, bathing caps, and atomizers.~~
  - ~~(w) — Sheet metal shop.~~
  - ~~(x) — Silverware, plated and sterling.~~
  - ~~(y) — Signs, painting and manufacturing.~~
  - ~~(z) — Soldering and welding.~~
  - ~~(aa) — Textiles, spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread, and cordage; but not including textile bleaching.~~
  - ~~(bb) — Tools and hardware, such as bolts, nuts, and screws, door knobs, drills, hand tools and cutlery, hinges, house hardware, locks, nonferrous metal castings, and plumbing appliances.~~
  - ~~(cc) — Upholstering (bulk), including mattress manufacturing, rebuilding, renovating.~~
  - ~~(dd) — Wood products; such as furniture, boxes, crates, baskets and pencils, and cooperage works.~~
- ~~5. — Off-premise signs, subject to regulations in Article 6.~~
  - ~~6. — Off-street parking lots and parking garages, other than accessory to a permitted or conditional use.~~
  - ~~7. — Outdoor storage pursuant to Section 18-1530.11, "Outdoor Storage."~~
    - ~~(a) — Outdoor storage of automobiles, recreational vehicles, trucks, construction equipment, and other similar equipment or vehicles.~~

- ~~8.— Place of Worship.~~
- ~~9.— Public and Community Service Uses:
 
  - ~~(a)— Bus terminals, bus garage, and bus lots.~~
  - ~~(b)— Community Facility.~~
  - ~~(c)— Water filtration plants.~~
  - ~~(d)— Water pumping stations;~~
  - ~~(e)— Water reservoirs;~~~~
- ~~10.— Research and Development.~~
- ~~11.— Residential Uses:
 
  - ~~(a)— One (1) dwelling unit (single family or mobile home) for a security guard/caretaker when located on the premises where employed in such capacity.~~~~
- ~~12.— Theaters, drive-in.~~
- ~~13.— Utilities, public and private.~~
- ~~14.— Wholesale and Warehousing:
 
  - ~~(a)— Mini Warehouse.~~
  - ~~(b)— Motor freight terminals.~~
  - ~~(c)— Secure climate controlled.~~
  - ~~(d)— Storage, bulk, of non-flammable liquids.~~
  - ~~(e)— Storage Facility storage of flammable liquids, pursuant to State, County and local regulations for storage thereof, up to one thousand (1,000) gallons above ground, or greater than one thousand (1,000) gallons if below ground.~~
  - ~~(f)— Warehouses.~~
  - ~~(g)— Wholesale establishments.~~~~

~~(B) — CONDITIONAL USES (See Section 18-1531, "Conditional Use Regulations" For Conditions.)~~

- ~~1.— Accessory uses to any conditional use, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."~~
- ~~2.— Adult entertainment establishments.~~
- ~~3.— Airports, aircraft landing fields and heliports.~~
- ~~4.— Auditorium, arena, gymnasium, and other similar places for public events.~~
- ~~5.— Boat building.~~
- ~~6.— Communication tower.~~
- ~~7.— Community services other than those listed as permitted in the "M-1" district.~~
- ~~8.— Day care center, Type II or III.~~
- ~~9.— Employment offices, temporary labor.~~
- ~~10.— Heavy trucks, repair (major).~~
- ~~11.— Height buildings and structures over forty (40) feet.~~
- ~~12.— Homeless shelter and resource center.~~
- ~~13.— Hotels and motels. (fifty (50) units per acre) (Also see Section 18-1503.17 for Alternative densities.)~~



- ~~14. Industrial uses not permitted by right in the "M-1" District but similar to other permitted or conditional uses in the District.~~
- ~~15. Kennels, pounds and animal shelters.~~
- ~~16. Manufacture of insecticides or other hazardous chemicals.~~
- ~~17. Outdoor amusements, fairgrounds, flea markets, carnivals, kiddie parks and other similar amusement centers.~~
- ~~18. Paint manufacturing.~~
- ~~19. Railroad terminals or other rail/mass transit facilities.~~
- ~~20. Recreation establishment; such as bowling lanes, golf practice ranges, golf course or other similar places of amusement.~~
- ~~21. Recreation/Open Space.~~
- ~~22. Single and multi-family dwellings up to thirty (30) units per gross acre when the project exceeds one hundred (100) acres in size and is subject to a unified development plan such as a DRI development order. For residential density calculations, only twenty-five (25) percent of the total DRI project acreage within the City of Pinellas Park may be utilized. (See Section 18-1524.2(C).)~~
- ~~23. Schools of non-academic curriculum.~~
- ~~24. Schools, Trade.~~
- ~~25. Storage of flammable liquids above ground in excess of one thousand (1,000) gallons, pursuant to State, County and local regulations for storage thereof.~~
- ~~26. Taverns and lounges. (Staff only approval if abutting nonresidential districts on all sides. City Council approval required if abutting or functionally abutting residential districts.)~~
- ~~27. Theaters, drive-in.~~
- ~~28. Utilities, public and private.~~

**91. Section 18-1525.3 is hereby amended as follows:**

**SECTION 18-1525. - "IH" HEAVY INDUSTRIAL DISTRICT**

**Sec. 18-1525.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "IH" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Uses that are similar to any permitted or conditional use, as determined by the Zoning Director, shall be permitted in the same manner (i.e. permitted versus conditional) as the listed use to which it is similar, provided that any similar use specifically permitted in another zoning district shall not be permitted.

In any case where an "IH" parcel abuts or functionally abuts a residential zoning district, City Council shall review and approve a preliminary site plan, in accordance with the procedures and requirements of Section 18-1540, "Preliminary Site Plan Requirements." City Council may require the developer to install additional buffering in order to reduce or eliminate the adverse impact of the proposed industrial use upon the adjacent residentially zoned property.

Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1525.3 and other applicable conditions of this district and Article.

**Table 18-1525.3: Authorized Land Uses in IH District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<b>COMMERCIAL USES</b>		
<u>Automobile Repair Facility (major), excluding heavy trucks</u>	<u>P</u>	
<u>Automotive Repair Facility (minor)</u>	<u>P</u>	
<u>Exterminator and Pest Control Service Fleet Yards</u>	<u>P</u>	
<u>Heavy Trucks, Repair (major)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Kennels, Pounds and Animal Shelters</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Parcel Delivery Station</u>	<u>P</u>	
<b>MANUFACTURING, WHOLESALE TRADE, WAREHOUSING USES</b>		
<u>Air Curtain Incinerators</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Boat Building</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Industrial By-Products, storage, treatment, and/or transfer</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Junk Yards, Scrap, and Salvage Yards</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Mini-Warehouse</u>	<u>P</u>	
<u>Research and Development</u>	<u>P</u>	
<u>Secure Climate Controlled Storage Facility</u>	<u>P</u>	
<u>Storage Facility, Flammable Liquids</u>	<u>P</u>	<u>Pursuant to State, County and local regulations for up to 1,000 gallons above ground, or greater than 1,000 gallons below ground</u>
<u>Storage, Bulk of Non-Flammable Liquids</u>	<u>P</u>	
<u>Warehouses</u>	<u>P</u>	
<u>Wholesale Establishments</u>	<u>P</u>	
<u>Beverages, non-alcoholic, bottling and distribution</u>	<u>P</u>	
<u>Boat Assembly and Repair, but not including boat building</u>	<u>P</u>	
<u>Carpentry and Woodworking Shops</u>	<u>P</u>	
<u>Culvert Manufacturing</u>	<u>P</u>	

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Drugs</u>	<u>P</u>	
<u>Dry Cleaning and Laundry Plants</u>	<u>P</u>	
<u>Electrical Supplies, Manufacturing and Assembly, such as wire and cable assembly, switches, lamps, insulation and dry cell batteries</u>	<u>P</u>	
<u>Food Products, Processing and Combining, including baking, boiling, canning, cooking, dehydrating, freezing, frying, grinding, mixing and pressing</u>	<u>P</u>	
<u>Laboratories, Medical and Dental</u>	<u>P</u>	
<u>Machine Shops for Tool, Die, Pattern Making, and Automobiles</u>		
<u>Manufactured Home Assembly</u>	<u>P</u>	
<u>Meat Products</u>	<u>P</u>	
<u>Metal Finishing, Plating, Grinding, Sharpening, Polishing, Cleaning, Rust Proofing, and Heat Treatment</u>	<u>P</u>	
<u>Metal Stamping and Extrusion of small products, such as costume jewelry, pins and needles, razor blades, bottle caps, buttons, and kitchen utensils</u>	<u>P</u>	
<u>Monument Works</u>	<u>P</u>	
<u>Orthopedic and Medical Appliances, such as artificial limbs, braces, supports, and stretchers</u>	<u>P</u>	
<u>Pharmaceutical Products, compounding only</u>	<u>P</u>	
<u>Precision Instruments, such as optical, medical and drafting</u>	<u>P</u>	
<u>Printing and Publishing Establishments</u>	<u>P</u>	
<u>Products from Finished Materials, such as plastic, bone, cork feathers, felt, fiber, paper, fur, glass, hair, horn, leather, precious and semiprecious stones, rubber, shell, or yarns</u>	<u>P</u>	

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Rubber Products, small, and synthetic treated fabrics (excluding all rubber and synthetic processing), such as washers, gloves, footwear, bathing caps, and atomizers</u>	<u>P</u>	
<u>Sheet Metal Shop</u>	<u>P</u>	
<u>Signs, painting and manufacturing</u>	<u>P</u>	
<u>Silverware, plated and sterling</u>	<u>P</u>	
<u>Soldering and Welding</u>	<u>P</u>	
<u>Textiles, spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread, and cordage, but not including textile bleaching.</u>	<u>P</u>	
<u>Tools and Hardware, such as bolts, nuts, screws, door knobs, drills, hand tools, cutlery, hinges, house hardware, locks, nonferrous metal castings, and plumbing appliances</u>	<u>P</u>	
<u>Upholstering (bulk), including mattress manufacturing, rebuilding and renovating.</u>	<u>P</u>	
<u>Wood Products, such as furniture, boxes, crates, baskets, pencils, and cooperage works.</u>	<u>P</u>	
<u>Acetylene or Propane Gas</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Concrete and Asphalt Manufacturing</u>	<u>P</u>	
<u>Insecticides or Other Hazardous Chemicals</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Machine Shops for Tool, Die, Pattern Making, and Automobiles</u>	<u>P</u>	
<u>Metal Fabrication and Foundries</u>	<u>P</u>	
<u>Paint</u>	<u>P</u>	
<u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u>		
<u>Airports, Aircraft Landing Fields and Heliports</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Armored Car Terminal Facilities</u>	<u>P</u>	
<u>Communications Tower</u>	<u>C</u>	<u>Subject to section 18-1531</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Motor Freight Terminals</u>	<u>P</u>	
<u>Off-street parking lots and parking garages, other than accessory to a permitted or conditional use</u>	<u>P</u>	
<u>Railroad Terminals and Other Rail/Mass Transit Facilities</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Utilities, public and private, including facilities for solid waste, sewage, incineration, electricity, waer, natural gas, oil and telecommunication services</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Water Filtration Plants</u>	<u>P</u>	
<u>Water Pumping Stations</u>	<u>P</u>	
<u>Water Reserviors</u>	<u>P</u>	
<u>ARTS, ENTERTAINMENT AND RECREATION USES</u>		
<u>Auditorium, Arena, Gymnasium, and other similar places for public or private events</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Outdoor Amusements, fairgrounds, flea markets, carnivals, kiddie parks, and other similar amusement centers</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Recreation Establishments, such as bowling alley, golf practice range, golf course, or other similar places or amusement or entertainment</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Recreation/Open Space</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</u>		
<u>Community Facility</u>	<u>P</u>	
<u>Crematories</u>	<u>P</u>	
<u>Homeless Shelter and Resource Center</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Medical Marijuana Dispensary</u>	<u>P</u>	<u>Only as an accessory use to a Medical Marijuana Treatment Center involving manufacturing, processing, testing or packaging of medical marijuana.</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Medical Marijuana Treatment Center</u>	<u>P</u>	<u>Manufacturing, processing, testing, or packaging of medical marijuana, but not to include a Medical Marijuana Dispensary, unless otherwise allowed herein as an accessory use</u>
<u>Place of Worship</u>	<u>P</u>	
<u>Race Tracks</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Residential Treatment Facilities</u>		
<u>Schools on Non-Academic Curriculum</u>		
<u>Schools, Trade</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Schools, Trade (limited to business, medical and personal services)</u>		
<u>Shooting Range (outdoor)</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>CONSTRUCTION-RELATED BUSINESS USES</u>		
<u>Contractor or Construction Shops and Storage Yards</u>	<u>P</u>	
<u>AGRICULTURE AND OTHER USES</u>		
<u>Plant Nurseries (Wholesale)</u>	<u>P</u>	
<u>Accessory Uses (sec 18-1530)</u>	<u>P/C</u>	<u>Subject to section 18-1530 and 18-1531</u>
<u>Height - buildings and structures over 40 feet</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Off-Premises Signs, subject to regulations in Article 6</u>	<u>P</u>	
<u>Outdoor Storage in IL/Employment</u>	<u>P</u>	
<u>Outdoor Storage of Automobiles, Recreational Vehicles, Trucks, Construction Equipment, and Other Similar Equipment or Vehicles</u>	<u>P</u>	
<u>Security Guard/Caretaker dwelling unit as an accessory use</u>	<u>P</u>	

~~(A) PERMITTED USES.~~

- ~~1. Accessory uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."~~
- ~~2. Commercial uses:
 
  - ~~(a) Armored car terminal facilities.~~~~

- ~~(b) Auction, Automobile.~~
  - ~~(c) Automotive Repair Facility (minor).~~
  - ~~(d) Automotive Repair Facility (major), excluding heavy trucks.~~
  - ~~(e) Contractor or construction shops and storage yards.~~
  - ~~(f) Exterminator and pest control service fleet yards.~~
  - ~~(g) Parcel delivery station.~~
  - ~~(h) Plant nurseries, wholesale.~~
  - ~~(i) Truck/trailer rental establishments.~~
- ~~3. Crematories.~~
- ~~4. Light and Heavy Manufacturing, including Fabrication and Assembly, Production, Processing, Cleansing, Testing, Manufacturing, or Repair:~~
- ~~(a) Beverages, nonalcoholic, bottling and distributing.~~
  - ~~(b) Boat assembly and repair, but not including boat building.~~
  - ~~(c) Carpentry and woodworking shops.~~
  - ~~(d) Concrete and asphalt manufacturing.~~
  - ~~(e) Culvert Manufacturing.~~
  - ~~(f) Drugs.~~
  - ~~(g) Dry cleaning and laundry plants.~~
  - ~~(h) Electrical supplies, manufacturing and assembly, such as wire and cable assembly, switches, lamps, insulation and dry cell batteries.~~
  - ~~(i) Food products, processing and combining of baking, boiling, canning, cooking, dehydrating, freezing, frying, grinding, mixing, and pressing.~~
  - ~~(j) Laboratories, Medical and Dental.~~
  - ~~(k) Machine shops for tool, die, pattern making, and automobiles.~~
  - ~~(l) Machinery, farm sales, repairing, and overhauling.~~
  - ~~(m) Meat products.~~
  - ~~(n) Metal fabrication and foundries.~~
  - ~~(o) Metal finishing, plating, grinding, sharpening, polishing, cleaning, rust proofing, and heat treatment.~~
  - ~~(p) Metal stamping and extrusion of small products, such as costume jewelry, pins and needles, razor blades, bottle caps, buttons, and kitchen utensils.~~
  - ~~(q) Mobile homes, assembly.~~
  - ~~(r) Monument works.~~
  - ~~(s) Orthopedic and medical appliances, such as artificial limbs, braces, supports, and stretchers.~~
  - ~~(t) Paint manufacturing.~~
  - ~~(u) Pharmaceutical products, compounding only.~~
  - ~~(v) Precision instruments, such as optical, medical and drafting.~~

- ~~(w) Products from finished materials, plastic, bone, cork, feathers, felt, fiber, paper, fur, glass, hair, horn, leather, precious and semiprecious stones, rubber, shell or yarns.~~
  - ~~(x) Printing, lithographing or publishing establishments for newspaper, letterpress, business cards, mimeographing and similar job printing services, including bookbinding.~~
  - ~~(y) Rubber products, small, and synthetic-treated fabrics (excluding all rubber and synthetic processing), such as washers, gloves, footwear, bathing caps, and atomizers.~~
  - ~~(z) Sheet metal shop.~~
  - ~~(aa) Silverware, plated and sterling.~~
  - ~~(bb) Signs, painting and manufacturing.~~
  - ~~(cc) Soldering and welding.~~
  - ~~(dd) Textiles, spinning, weaving, manufacturing, dyeing, printing, knit goods, yarn, thread, and cordage; but not including textile bleaching.~~
  - ~~(ee) Tools and hardware, such as bolts, nuts, and screws, door knobs, drills, hand tools and cutlery, hinges, house hardware, locks, nonferrous metal castings, and plumbing appliances.~~
  - ~~(ff) Upholstering (bulk), including mattress manufacturing, rebuilding, renovating.~~
  - ~~(gg) Wood products; such as furniture, boxes, crates, baskets and pencils, and cooperage works.~~
- ~~5. Off-premise signs, subject to regulations in Article 6.~~
  - ~~6. Off-street parking lots and parking garages, other than accessory to a permitted or conditional use.~~
  - ~~7. Outdoor storage pursuant to Section 18-1530.11, "Outdoor Storage."~~
    - ~~(a) Outdoor storage of automobiles, recreational vehicles, trucks, construction equipment, and other similar equipment or vehicles.~~
  - ~~8. Place of Worship.~~
  - ~~9. Public and Community Service Uses:~~
    - ~~(a) Bus terminals, bus garage, and bus lots.~~
    - ~~(b) Community Facility.~~
    - ~~(c) Water filtration plants.~~
    - ~~(d) Water pumping stations.~~
    - ~~(e) Water reservoirs.~~
    - ~~(f) Electric Power Distribution Substations (Subject to Section 18-1530.24).~~
  - ~~10. Research and Development.~~
  - ~~11. Residential Use: One (1) dwelling unit (single family or mobile home) for a security guard/caretaker when located on the premises where employed in such capacity.~~
  - ~~12. Wholesale and Warehousing:~~
    - ~~(a) Mini-Warehouse.~~
    - ~~(b) Motor freight terminals.~~
    - ~~(c) Secure climate controlled storage facility.~~



~~(d) Storage, bulk, of non-flammable liquids.~~

~~(e) Storage of flammable liquids pursuant to State, County and local regulations for storage of one thousand (1,000) gallons or less above ground, and excess of one thousand (1,000) gallons underground.~~

~~(f) Warehouses.~~

~~(g) Wholesale establishments.~~

~~(B) CONDITIONAL USES (See Section 18-1531, "Conditional Use Regulations" For Conditions.)~~

- ~~1. Accessory uses to any conditional use, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."~~
- ~~2. Acetylene or propane gas or other dangerous substances; bulk storage or manufacture.~~
- ~~3. Air curtain incinerators.~~
- ~~4. Airports, aircraft landing fields and heliports.~~
- ~~5. Auditorium, arena, gymnasium and other similar places for public events.~~
- ~~6. Boat building.~~
- ~~7. Communication tower.~~
- ~~8. Community services other than those listed as permitted in the "IH" district.~~
- ~~9. Heavy trucks, repair (major).~~
- ~~10. Height buildings and structures over forty (40) feet.~~
- ~~11. Homeless shelter and resource center.~~
- ~~12. Industrial by-products: storage, treatment and/or transfer.~~
- ~~13. Industrial uses not permitted by right in the "IH" District.~~
- ~~14. Junk yards, scrap and salvage yards.~~
- ~~15. Kennels, pounds and animal shelters.~~
- ~~16. Manufacture of insecticides or other hazardous chemicals.~~
- ~~17. Outdoor amusements, fairgrounds, flea markets, carnivals, kiddie parks and other similar amusement centers.~~
- ~~18. Race tracks.~~
- ~~19. Railroad terminals or other rail/mass transit facilities.~~
- ~~20. Recreation establishment; such as bowling lanes, golf practice ranges, golf course or other similar places of amusement.~~
- ~~21. Recreation/Open Space.~~
- ~~22. Schools, Trade.~~
- ~~23. Shooting range (outdoor).~~
- ~~24. Storage of flammable liquids above ground in excess of one thousand (1,000) gallons pursuant to State, County and local regulations for storage thereof.~~
- ~~25. Utilities, public and private; including facilities for solid waste, sewage, incineration, electricity, water, natural gas, oil and telecommunication services.~~

**92. Section 18-1526.1 is hereby amended as follows:**

**SECTION 18-1526. - "P" PUBLIC DISTRICT**

**Sec. 18-1526.1. - STATEMENT OF INTENT.**

The "P" Public District is established ~~in order~~ to identify and stabilize those geographic areas within the City of Pinellas Park that are appropriate for the development and maintenance of public and semi-public facilities. Such uses are to be individually reviewed and approved by the City Council, or if located within the Community Redevelopment Area, review and approval by the Community Redevelopment Agency, to insure design and use compatibility with the surrounding area.

Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Institutional (I), Transportation/Utility (T/U), Recreation/Open Space (R/OS), Preservation (P) or Community Redevelopment District (CRD).

**93. Section 18-1526.2 is hereby amended as follows:**

**Sec. 18-1526.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Institutional (I), Transportation/Utility (T/U), Recreation/Open Space (R/OS), Preservation (P) or Community Redevelopment District (CRD).~~The maximum density permitted in this district is twelve and one-half (12.5) dwelling units per net acre with Institutional (I) land use or Community Redevelopment District (CRD) land use.

Hospital development (I Institutional Land Use) is subject to a FAR (floor area ratio) of 1.00 and may not exceed an ISR (Impervious Surface Ratio) of 0.85. If any part of lands controlled by the Master Plan lie within one hundred fifty (150) feet of another municipal government jurisdiction then the City shall forward a copy of the plan to that jurisdiction for review and comment. The review and comment is limited to the lands lying within one hundred fifty (150) feet of the affected jurisdiction. Furthermore, that part of the Master Plan lying within one hundred fifty (150) feet of another government jurisdiction shall be limited to a floor area ratio (FAR) of 0.65 (65 hundredths). Any major amendments to the Master Plan shall be transmitted for review and comment to the affected municipal jurisdiction as well.

**94. Section 18-1526.3 is hereby amended as follows:**

**Sec. 18-1526.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "P" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article.

Preliminary site plan approval by the City Council, or if located within the Community Redevelopment Area, approval by the Community Redevelopment Agency, shall be required for all lands zoned "P" Public, in accordance with the provisions of Section 18-1540, "Preliminary Site Plan Requirements." Minor amendments to site plans may be approved by the City Manager ~~or his designee~~ and a revised preliminary site plan shall be submitted to the Zoning Director for addition to the site file. Any amendments that provide for accessory uses such as fences, sheds etc. may be approved by the City Manager ~~or his designee~~ as well.

Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1526.3 and other applicable conditions of this district and Article.

**Table 18-1526.3: Authorized Land Uses in P District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
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<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<b>RESIDENTIAL AND ACCOMMODATION USES</b>		
<u>Dwellings, Multi-family</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Community Residential Home (More than 14 residents)</u>	<u>C</u>	<u>For more than 14 residents in the I or CRD land use categories and subject to sections 18-1503.16, 18-1530.19 and 18.1531</u>
<u>Residential Care Facilities</u>	<u>C</u>	<u>In I and subject to sections 18-1503.16 and 18-1531</u>
<b>TRANSPORTATION, COMMUNICATION AND UTILITY USES</b>		
<u>Airports, Aircraft Landing Fields and Heliports</u>	<u>C</u>	<u>In T/U land use category only. Subject to section 18-1531</u>
<u>Communications Tower</u>	<u>C</u>	<u>Accessory only. Subject to section 18-1531</u>
<u>Electric Power Distribution Substations</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Railroad Terminals and Other Rail/Mass Transit Facilities</u>	<u>C</u>	<u>In T/U land use category only. Subject to section 18-1531</u>
<u>Solid Waste Facilities</u>	<u>C</u>	<u>In TU land use category only. Subject to section 18-1531</u>
<u>Utilities, public and private</u>	<u>C</u>	<u>As accessory uses only unless in the T/U land use category. Subject to section 18-1531</u>
<b>ARTS, ENTERTAINMENT AND RECREATION USES</b>		
<u>Recreation/Open Space</u>	<u>C</u>	<u>In I or R/OS land use categories. Subject to section 18-1531</u>
<b>EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE AND OTHER INSTITUTIONAL USES</b>		
<u>Cemeteries</u>	<u>C</u>	
<u>Day Care Center - Type 1</u>	<u>P</u>	<u>Allowed in conjunction with multi-family dwellings in the I or CRD land use category</u>
<u>Colleges, Universities, Seminaries and Other Institutions of Higher Education</u>	<u>C</u>	<u>In the CRD or I land use categories. Subject to section 18-1531</u>
<u>Day Care Center - Type 2</u>	<u>C</u>	<u>In I or CRD land use categories. Subject to section 18-1531</u>
<u>Educational Institutions (elementary, middle, senior)</u>	<u>C</u>	<u>In I or CRD land use categories. Subject to section 18-1531</u>
<u>Hospitals</u>	<u>C</u>	<u>In I land use categories and subject to the rules of section 18-1526.2 and 18-1531</u>
<u>Place of Worship</u>	<u>P</u>	<u>In I or CRD</u>

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>Public and Semi-Public Buildings and Activities, such as City Hall, auditoriums, government offices, bus terminals and other public transportation facilities, social and cultural facilities, and uses of a similar nature</u>	<u>P</u>	<u>City hall, auditoriums and government offices in I only, Social and cultural facilities and similar uses in I and CRD land use categories</u>
<u>Public and Semi-Public Use, any other type which is in keeping with the purpose of the district.</u>	<u>P</u>	<u>Shall not create conflicts or undue hardships on nearby non-public areas</u>
<u>Public Educational Facilities</u>	<u>P</u>	<u>In I or CRD land use categories only.</u>
<u>Public Recreation Facilities</u>	<u>C</u>	<u>Subject to section 18-1531</u>
<u>Special Needs Treatment Facility</u>	<u>C</u>	<u>In I and subject to sections 18-1503.16 and 18-1531</u>
<u>AGRICULTURE AND OTHER USES</u>		
<u>Open Space, Public</u>	<u>P</u>	<u>In R/OS land use category</u>
<u>Accessory Uses (sec 18-1530)</u>	<u>P</u>	
<u>Height - buildings and structures over 40 feet</u>	<u>C</u>	<u>Subject to section 18-1531</u>

~~(A) — PERMITTED USES.~~

- ~~1. — Accessory uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations", including home occupations when in conjunction with multi-family dwellings;~~
- ~~2. — Child Care Center, Type I, when in conjunction with multi-family dwellings in I or CRD;~~
- ~~3. — Electrical Power Distribution Substations (Subject to Section 18-1530.24), except (P) Preservation;~~
- ~~4. — Open Space, Public; in R/OS;~~
- ~~5. — Places of Worship in I or CRD;~~
- ~~6. — Public and semi-public buildings and activities, such as City Hall, auditoriums, government offices (I only), bus terminals or other public transportation facilities (T/U only), social and cultural facilities and uses of a similar nature; in I and CRD;~~
- ~~7. — Public Educational Facilities, in I or CRD;~~
- ~~8. — Public or semi-public use, any other type which is in keeping with the purpose of the district and which does not create conflicts or undue hardships on nearby non-public areas.~~

~~(B) — CONDITIONAL USES. (See Section 18-1531, "Conditional Use Regulations" For Conditions.)~~

- ~~1. — Accessory uses to any conditional use, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."~~
- ~~2. — Airports, aircraft landing fields and heliports, in T/U.~~

- ~~3.— Public Recreation Facilities in I or R/OS.~~
- ~~4.— Cemeteries, in I or R/OS.~~
- ~~5.— Colleges, universities, seminaries, and other institutions of higher learning, in CRD and I.~~
- ~~6.— Communication Tower; (accessory only).~~
- ~~7.— Community Residential Home, more than fourteen (14) residents, in I or CRD; (subject to Regulations in Section 18-1503.16 and Section 18-1530.19, "Community Residential Homes."~~
- ~~8.— Day Care Center, Type II, in I or CRD.~~
- ~~9.— Dwellings, Multi-family, in I or CRD.~~
- ~~10.— Educational Institutions (elementary, middle and senior), in I and CRD.~~
- ~~11.— Height Buildings and structures over forty (40) feet.~~
- ~~12.— Hospitals, in I. (Subject to density rules in Section 18-1526.2 above.)~~
- ~~13.— Railroad terminals or other rail/mass transit facilities (not including repair facilities), in T/U.~~
- ~~14.— Recreation/Open Space.~~
- ~~15.— Residential Care Facilities, Nursing Homes, Convalescent Homes, and Sanatoriums, in I (subject to Section 18-1503.16).~~
- ~~16.— Solid waste facilities, in T/U.~~
- ~~17.— Special Needs Treatment Facility, in (I) (subject to Section 18-1503.16).~~
- ~~18.— Utilities, public and private, as accessory uses except T/U, where it may be a principle use.~~

**95. Section 18-1527.1 is hereby amended as follows:**

**SECTION 18-1527. - "PRES" PRESERVATION DISTRICT**

**Sec. 18-1527.1. - STATEMENT OF INTENT.**

The "PRES" Preservation District is specifically designated for those drainage ways and floodways where development shall be prohibited for health, safety, and general welfare purposes. Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Preservation (P).

**96. Section 18-1527.2 is hereby amended as follows:**

**Sec. 18-1527.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Preservation (P).~~ No residential development is permitted in the "PRES" Preservation District.

**97. Section 18-1527.3 is hereby amended as follows:**

**Sec. 18-1527.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "PRES" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article. Preliminary site plan approval by the City Council shall be required for all lands zoned "PRES" Preservation, in accordance with the provisions of Section 18-1540, "Preliminary Site Plan Requirements."

Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1527.3 and other applicable conditions of this district and Article.

**Table 18-1527.3: Authorized Land Uses in PRES District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u>		
<u>Electric Power Distribution Substations</u>	<u>P</u>	
<u>Stormwater Management Facilities</u>	<u>P</u>	
<u>Utilities, Public and Private</u>	<u>P</u>	<u>Transmission, conveyance, or accessory only and consistent with the Countywide Rules.</u>
<u>ARTS, ENTERTAINMENT AND RECREATION USES</u>		
<u>Recreation, Passive</u>	<u>P</u>	<u>Those recreational opportunities afforded by such natural resources as native flora, fauna, and aesthetic appeal fo a natural setting and requires minimum development to use and enjoy; such development shall not disturb more than 5% of the preservation area</u>
<u>AGRICULTURE AND OTHER USES</u>		
<u>Bee Hives</u>	<u>P</u>	
<u>Open Space, Non-Profit or Private</u>	<u>P</u>	
<u>Open Space, Public</u>	<u>P</u>	

~~(A) PERMITTED USES.~~

- ~~1. Keeping of Bee Hives;~~
- ~~2. Open Space, Non-profit or private;~~
- ~~3. Open Space, Public;~~
- ~~4. Recreation, Passive those recreational opportunities afforded by such natural resources as the native flora fauna and aesthetic appeal of a natural setting and requires minimum development to utilize and enjoy such resources; such development shall not disturb more that five (5) percent of the preservation area;~~
- ~~5. Stormwater Management Facilities;~~
- ~~6. Utilities, Public and Private (Transmission, conveyance, accessory only) and consistent with the Countywide Rules.~~

**98. Section 18-1528.1 is hereby amended as follows:**

**SECTION 18-1528. - "OS" OPEN SPACE DISTRICT**

**Sec. 18-1528.1. - STATEMENT OF INTENT.**

The "OS" Open Space District is specifically designated to provide for public and private open space and recreational facilities in order to provide relief from the urban environment; to provide adequate active and passive recreational areas; and to adequately provide for the needs of the population. Development within this designated area is limited to provide for a variety of active and passive park and recreational uses. Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan

Map as Recreation/Open Space (R/OS), Transportation/Utility (T/U) or Community Redevelopment District (CRD) areas.

**99. Section 18-1528.2 is hereby amended as follows:**

**Sec. 18-1528.2. - DENSITY REGULATIONS.**

~~Areas of the City for which this zoning category is appropriate are designated on the Land Use Plan Map as Recreation/Open Space (R/OS), Transportation/Utility (T/U) or Community Redevelopment District (CRD) areas.~~ No residential development is permitted in the "OS" Open Space District.

**100. Section 18-1528.3 is hereby amended as follows:**

**Sec. 18-1528.3. - PERMITTED AND CONDITIONAL USES.**

No building or land in the "OS" District shall be used, and no building shall be hereafter erected, structurally altered or enlarged, except for the permitted and conditional uses listed below. The uses listed as conditional uses below may be permitted if their site locations and proposed development site plans are first approved, as provided in the procedure for approval of conditional uses under Section 18-1531, "Conditional Use Regulations", of this Article.

Preliminary site plan approval by the City Council shall be required for all lands zoned "OS" Open Space, in accordance with the procedures and requirements of Section 18-1540, "Preliminary Site Plan Requirements." Minor amendments to site plans approved by City Council may be approved by the City Manager ~~or his designee.~~

Permitted (P) and conditional (C) uses shall be subject to the conditions established in the following Table 18-1528.3 and other applicable conditions of this district and Article.

**Table 18-1528.3: Authorized Land Uses in OS District**

<u>Land Use</u>	<u>Approval Type</u>	<u>Conditions</u>
<b><u>TRANSPORTATION, COMMUNICATION AND UTILITY USES</u></b>		
<u>Electric Power Distribution Substation</u>	<u>P</u>	<u>Subject to section 18-1530.24</u>
<u>Stormwater Management Facilities</u>	<u>P</u>	
<u>Utilities, Public and Private</u>	<u>P</u>	<u>Transmission, conveyance, or accessory only and consistent with the Countywide Rules</u>
<b><u>ARTS, ENTERTAINMENT AND RECREATION USES</u></b>		
<u>Golf Courses</u>	<u>C</u>	
<b><u>AGRICULTURE AND OTHER USES</u></b>		
<u>Open Space, Non-Profit or Private</u>	<u>P</u>	
<u>Open Space, Public</u>	<u>P</u>	
<u>Accessory Uses</u>	<u>PC</u>	<u>Subject to sections 18-1530 and 18-1531</u>

~~(A) PERMITTED USES.~~

- ~~1. Accessory uses, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations";~~
- ~~2. Electric Power Distribution Substation (Subject to Section 18-1530.24) and F.S. ch. 163.3208;~~

- 3.— Open space, Non-profit or private, such as landscaped entrance ways;
- 4.— Open space, Public, such as park and playgrounds;
- 5.— Stormwater Management Facilities;
- 6.— Utilities, Public and Private (Transmission, conveyance, accessory only) and consistent with the Countywide Rules.

~~(B) CONDITIONAL USES. (See Section 18-1531, "Conditional Use Regulations" For Conditions.)~~

- 1.— Accessory Uses to any conditional use, subject to Section 18-1530, "Accessory Use and Supplementary District Regulations."
- 2.— Golf Courses.

**101. Section 18-1529.8 is hereby amended as follows:**

## **SECTION 18-1529. - PLANNED UNIT DEVELOPMENT DISTRICT**

### **Sec. 18-1529.8. - RESIDENTIAL PUD.**

- (A) LOCATION. The Residential PUD (RPUD) overlay shall only be assigned to those areas where the underlying zoning district(s) permit residential development and the primary intended use of the property is residential.
- (B) USES. The uses permitted in RPUD districts shall be limited to those "permitted" or "conditional uses" allowed by the underlying zoning district and ~~Land Use Map~~Land Use Plan Map designation existing on the subject property at the time of application to rezone to RPUD. In addition to those "permitted" and "conditional uses", the following uses ~~shall be permitted~~may be approved:
1. Duplex dwellings.
  2. Multifamily dwellings.
  3. Zero lot line dwellings.
  4. Nursing homes, convalescent homes and sanitariums.
  5. Community Residential Home (more than fourteen (14) residents).
  6. Attached single family dwellings.
  7. Conditional uses shall adhere to the applicable provisions of Section 18-1531 of this Article.
  8. Nonresidential uses are permitted only in RPUD's of five (5) acres or more and shall include only those uses allowed as a permitted or conditional use by the underlying zoning district and Land Use Plan Map category. For parcels located within the Residential/Office/Retail (ROR) ~~land use map~~Land Use Plan Map category, public/semi-public uses shall not exceed a maximum area of three (3) acres for "Transportation/Utility Uses" and five (5) acres for "Institutional Uses" (except that Public Educational Facilities are not subject to this threshold).
- (C) DIMENSIONAL REGULATIONS.
1. Lot Area, Lot Depth and Width, Setback Regulations, Height Requirements. See underlying Zoning District for dimensional regulation guidelines.
  2. Should the established regulations be inappropriate for non-traditional lot layout or site design (i.e. mixed-use development, cluster homes, zero lot line, etc.) the following guidelines are established.
    - (a) No minimum lot size. However, justification for the deviation from established regulations of the underlying zoning district shall be provided. In addition, residential developments which propose lot areas less than the minimum lot sizes shall provide usable open space based on the difference between the stated minimum lot area and the proposed lot area,



said open space to be located within said plat or phase where the alternative style is proposed.

- (b) Structural setbacks. In determining flexible setbacks, a variety of criteria will be considered including, but not limited to, the character of the surrounding area (zoning and existing land uses), size, configuration and natural features of the land to be developed, potential impact on abutting development, and the nature of the proposed development.

Exception: Zero lot line development shall meet the following minimum setback requirements:

- (1) Side Yard Setbacks: Zero (0) feet on one side and five (5) feet on the other.
  - (2) No openings may be located in the on-the-line-wall.
  - (3) The on-the-line-wall shall be constructed with low maintenance decorative masonry or masonry veneer, or any other material as permitted by the adopted Florida Building Code based on type of construction.
  - (4) The on-the-line wall shall not be located adjacent to a public right-of-way.
  - (5) An easement for maintenance purposes shall be provided.
- (c) Height. Flexibility in building height will be allowed provided that the proposed height is compatible with the surrounding neighborhood. Increased setbacks and buffering to compensate for added building height may be considered to reduce the impact on abutting properties.
  - (d) Minimum Liveable Floor Area.

Single-family Attached		Multifamily	
# of bedrooms	Required interior floor space	# of bedrooms	Required interior floor space
Efficiency	650	Efficiency	500
One (1)	750	One (1)	650
Two (2)	850	Two (2)	750
Three (3) or more	1,000	Three (3)	900

Single-Family Detached: One thousand (1,000) square feet.

Zero Lot Line: Eight hundred fifty (850) square feet.

(D) DENSITY. The net density of the PUD shall not exceed that allowed by the underlying zoning districts unless subject to a density bonus authorized by this Chapter in conformance with the comprehensive plan.

(E) RECREATIONAL FACILITIES.

1. At the time of consideration of the Master Plan for an RPUD, City Council will review the suitability of any recreational facilities proposed for the development. This review will be based on the size of the development, the demographics of the anticipated population, and proximity to existing or proposed public recreational facilities.
2. The location, type, and size of the proposed recreational facilities as well as their development schedule shall be incorporated into the Master Plan.
3. After review of the proposed recreational facilities, City Council may approve the recreational facilities as proposed or may approve alternative types and locations of recreational facilities.
4. Parkland dedication credit for any recreational facilities provided as part of the RPUD shall be calculated pursuant to Article 3 of this Land Development Code.

5. Onsite Meeting Hall.

- (a) In any RPUD of eighty (80) residential units or more and which has a homeowners or condominium association which requires an annual meeting, an onsite meeting hall shall be provided.
- (b) The meeting hall shall be large enough to accommodate the number of unit owners which constitute a quorum as established in Florida Statutes or by the bylaws of the homeowners association or condominium.
- (c) The requirement for an onsite meeting hall may be waived by City Council upon a finding that the size and nature of the development, the demographics of the anticipated population, and the availability of adequate alternative meeting locations render the requirement of an onsite meeting hall unnecessary.

**102. Section 18-1529.12 is hereby amended as follows:**

**Sec. 18-1529.12. - CHANGES AND AMENDMENTS.**

~~(A)~~ ~~(A)~~ The City Manager may approve minor changes in the location, size or height of structures, single-family detached residential setbacks, signage and other improvements authorized by the adopted Master Plan provided that the intent of the plan is not changed and provided the proposed change is not in conflict with paragraphs (B) ~~and (C)~~ below. Minor changes include any change that has no material impact on the character of the approved Master Plan or the relationship between phases of the Master Plan or between the PUD and adjacent development, including, but not limited to:

1. Deviations arising from limited technical considerations which could not reasonably be anticipated during the approval process.
2. Amendments required to bring the application into compliance with adopted technical codes.
3. Driveway relocations;
4. Facility design modifications for design, recreational or other amenities;
5. Substitutions of landscaping materials, so long as the substituted material has substantially similar characteristics as the approved landscaping;
6. Realignments of internal streets prior to final plat approval as long as the realignment does not reduce the gross area of common areas or open spaces, reduce residential lot sizes, eliminate required buffers or create street alignments that fail to conform with City standards;
7. Modifications to dwelling types that produce no increase to the density, parking demand or trip generation within the applicable phase;
8. Modifications to residential setbacks;
9. Changes to the size or height of structures not located on parcels abutting the boundary of the PUD;
10. Changes to the design, location, or orientation of buildings that have no substantive impact on adjacent properties within adjoining the PUD;
11. Minor changes to the design of signs that do not increase their height or area; and
12. Expansions of buffers, open spaces and landscape areas.

~~(B) The following changes may be approved by City Council as an amendment to the plan without a public hearing or public notification:~~

~~1. Change the design, arrangement, location or size of building or improvement in such a way that the intent of the plan is not altered, but physical layout of the plan is changed from the original approved plan and provided the proposed change is not in conflict with Item 3 below.~~

~~2. Amendments to the required development schedule.~~

~~(CB)~~ In such cases where the applicant proposes any amendment to an approved Master Plan, except as ~~provided herein defined as minor changes in paragraph (A) of this section, which results in the following,~~ the amendment shall be processed through the Planning and Zoning Commission and City Council as a new PUD application, including fees, public hearing and notification as set forth in this Article. ~~These major changes include, but are not limited to any change that:~~

- ~~1. Increases by fifteen (15) percent or more the gross floor area of any nonresidential building in an RPUD, or by ten (10) percent or more the previously permitted gross floor area in a CPUD or IPUD.~~
- ~~2. Increases the number of structures or the number of dwelling units by five (5) percent more.~~
- ~~3. Increases the gross density as specified by the adopted Master Plan.~~
- ~~4. Rearrangement of any lot, block, building tract or common open space as shown on the adopted Master Plan so that the intent of the plan is altered.~~
- ~~5. Changes any use to a substantially different use not originally approved on the adopted Master Plan.~~
- ~~6. Significantly changes the location or amounts of land devoted to specified land uses on the adopted Master Plan.~~
- ~~7. Changes the intent of the Master Plan as adopted by City Council.~~
- ~~8. Changes any boundary of the planned unit development.~~
- ~~9. Transfers and/or amends the densities among the undeveloped phases of the PUD.~~

~~(CD)~~ PUD INSPECTIONS TO ASSURE CONFORMANCE. If the site is found to be in violation of the Master Plan, the City shall have the authority to withhold building permits and/or certificates of occupancy until the site is brought into conformance with the adopted Master Plan.

~~(ED)~~ VARIANCES.

- ~~1. In any case where the strict application of the requirements of this Article present an undue hardship, City Council may waive in whole or in part, one (1) or more of the requirements imposed under said Article. In no case shall any required landscaped area or strip be eliminated in its entirety.~~
- ~~2. In determining whether such requirements shall be wholly or partially waived, City Council shall consider the following criteria: Character of the immediately surrounding development; size of parcel; configuration and natural features of the land to be developed; adequacy of off-site improvements; traffic impacts; and nature of the proposed development.~~
- ~~3. All variances approved by City Council shall be delineated on the Master Plan.~~

**103. Section 18-1530.1 is hereby amended as follows:**

## **SECTION 18-1530. - ACCESSORY USE AND SUPPLEMENTARY DISTRICT REGULATIONS**

### **Sec. 18-1530.1. - ACCESSORY USE REGULATIONS.**

The following regulations shall apply to all accessory uses and buildings incidental to any permitted or conditional use. Pursuant to Section 18-1502.1, "Interpretation of Words," the term "building" includes the term "structure" unless otherwise specified.

- (A) ZONING OF ACCESSORY BUILDINGS. In the event that a development project crosses zoning district boundaries, no accessory use shall be located within a different zoning district than the principal use to which it is accessory, unless said other zoning district also permits the same principal use.
- (B) TIMING OF CONSTRUCTION AND OCCUPANCY.
  - 1. No accessory building shall be constructed upon a lot until construction of the principal building has commenced.
  - 2. No accessory building shall be occupied until the principal building is legally occupied.
  - 3. No accessory use shall be established until the principal use is legally established and operating.
  - 4. If the principal use is terminated, all uses accessory to that use shall be terminated.
  - 5. If the principal building is destroyed or damaged to the point that it may not be used, the owner may apply for a temporary use permit to allow continued use of accessory structures while the principal structure is repaired, but in no case shall the permit be granted for more than two years.
- (C) LOCATION OF ACCESSORY USES AND BUILDINGS. Accessory uses, to include accessory buildings for the purpose of this subparagraph, shall be located on the same lot as the principal use and/or building to which it is accessory. If an accessory use is located upon a different lot of record than the principal use, the Zoning Director may require recordation of a Unity of Title covenant if the Director determines that such a covenant is necessary to prevent the sale, lease, rental, or use of the accessory use independent from the principal use.
- (D) ATTACHED ACCESSORY BUILDINGS. When an accessory building or roofed structure is attached to the principal building by a breezeway, passageway or similar means, it shall comply with the setback requirements of the principal building to which it is attached.
- (E) LIMITATION ON USE. Nonresidential accessory buildings shall be used by only the employees, patrons, owners, lessees, or tenants of the premises.
- (F) ACCESSORY BUILDINGS NOT TO BE RENTED OR INHABITED. Residential accessory buildings such as garages, greenhouses, guest houses, and workshops shall not be rented. No such building shall be inhabited, except as provided for guest houses in Section 18-1502.2.
- (G) ACCESSORY TENTS, AWNINGS, AND CABANAS. Accessory tents, awnings, and cabanas, including all canvas and similar coverings, painted surfaces, and their support or anchoring systems, must be well maintained in good repair consistent with the manufacturer's product design specifications at all times.
- (H) Accessory structures shall be clearly subordinate to the principal structure on a lot.

**104. Section 18-1530.2 is hereby amended as follows:**

**Sec. 18-1530.2. - ACCESSORY BUILDINGS NOT PERMITTED IN REQUIRED YARDS.**

- (A) (A)—Accessory buildings shall not be permitted within any required front, secondary front, side or rear yardsetback area, other than as provided below. Utility/storage sheds shall not be permitted within front yards in any circumstance.
- (B) No accessory building shall be located in a front yard or secondary front yard except that in a F or RE district, when the principal structure is set back at least fifty (50) feet from the front street line, a detached garage may be constructed in the front yard under the following conditions:
  - 1. The detached garage does not encroach into any required yard or easement;
  - 2. The garage doors face perpendicular to any abutting streets; and

3. The garage is constructed of the same materials and is designed to appear to be part of the principal structure.

(BC) Within the "F", "RE", "RR", "R-1", "R-2", "R-3", "R-4", "R-5", "R-6", "T-1", and "T-2" Districts, utility/storage sheds shall be permitted within the required side or rear yard providing that the following regulations are adhered to:

1. Utility/storage sheds shall be no larger than ~~ten (10) feet by ten (10)~~ two hundred (200) square feet in floor area, and shall be no more than ten (10) feet in height. No utility/storage shed shall be located within eighteen (18) inches of a property line. If located within five (5) feet of a property line the shed's roof shall be designed and oriented to channel water away from the closest property line. (Note: When making the determination regarding size of the unit, only the dimensions of the accessory structure are to be considered, not the square footage of the overall unit.)
2. Utility storage sheds that are greater than two-hundred (200) square feet shall comply with minimum setback requirements for principal structures.
3. No more than two (2) utility/storage sheds shall be permitted on any residential lot.
34. For the purposes of this Section, two (2) utility/storage sheds shall be considered one (1) utility/storage shed if the two (2) utility/storage sheds are placed abutting each other and the combined dimensions do not exceed the dimensions set forth in Subsection 1 above.
45. The utility/storage shed(s) shall not be located upon any easement, unless the applicant can establish, to the satisfaction of the City Engineer and all potentially impacted, public and private utility agencies, that the placement thereof within such easement will not interfere with the utilization and maintenance of the easement.
56. ~~Utility/storage sheds that exceed the dimensions set forth in Subsection 1 above may be placed in the rear yard provided that the pertinent Zoning District required setbacks for structures are maintained are no larger than two hundred (200) square feet and no more than ten (10) feet in height may be placed in the rear yard, if located at least five (5) feet from the property line.~~
67. Wherever an eligible utility/storage shed is placed upon a concrete or other type slab of impervious material within a required side or rear yard, a setback of five (5) feet is required. The required five (5) feet setback shall be measured from the edge of the slab nearest the property line.

(GD) Within the "ROR", "GO", "B-1" and "MXD" Zoning Districts, utility/storage sheds are permitted subject to the same regulations outlined in Section (B) above, provided the principal use of the property is residential in nature. Should the use be nonresidential in nature, then required zoning district setbacks shall be maintained.

(DE) In addition, the utility/storage shed shall maintain a separation distance of ten (10) feet away from the principal dwelling. A relaxation of the separation requirement may be applied upon written authorization of the Fire Department attesting to its compliance with Fire Code and a finding that the desired separation distance is a minimum safe distance given the types of material or substances that will be stored therein.

**105. Section 18-1530.9 is hereby amended as follows:**

**Sec. 18-1530.9. - OTHER ANTENNA~~E~~SE.**

(A) GENERAL REGULATIONS.

1. Except as otherwise provided in this Section, antennase, as defined in Section 18-1502.2, shall not be permitted within the front yard of the following zoning districts: "F", "RE", "RR", "R-1", "R-2", "R-3", "R-4", "R-5", "R-6", "T-1", "T-2", "ROR", "CN", "GO", "B-1", "PUD", "MXD", and "TC."

2. Permits shall be required prior to construction and/or installation for antennase and assemblies which exceed twelve (12) feet above the main ridge of the roof or antennas and assemblies requiring conditional use approval for exceeding the by-right height limitation of the zoning district.
  3. ~~Antennae~~Antennas shall meet all required zoning district setbacks.
  4. The antenna shall be installed and maintained in compliance with the applicable requirements of the Building Code, National Electrical Code, the manufacturer's specifications and FCC where applicable.
  5. No advertising shall be affixed to any part of the antenna or supporting structure.
- (B) EXCEPTIONS. In the event that all of the location or height restrictions in this Section would prevent the user of an antenna from obtaining reasonable local television broadcast reception, the Zoning Director shall approve the minimum deviation from such restrictions that the Zoning Director determines is necessary to allow for reasonable reception, and which does not impose an unreasonable expense or delay, provided that the antenna will be placed upon premises under the control or exclusive use of the user. No fee is required for such determination and approval.
- (C) CITIZEN BAND AND AMATEUR RADIOS. Poles, master towers and ~~antennae~~antennas used in the operation of citizen band and amateur radios licensed by the Federal Communication Commission shall be governed by the following additional requirements:
1. The maximum height for a citizen band or amateur radio antenna is seventy-five (75) feet.
  2. ~~Antennae~~Antennas shall meet all manufacturer's specifications. The mast or tower shall be of non-combustible and non-corrosive hardware.
  3. No antenna towers are permitted in the front yards of the following zoning districts: "F", "RE", "RR", "R-1", "R-2", "R-3", "R-4", "T-1", "T-2", "R-5", "R-6", "ROR", "CN", "GO", "B-1", "MXD", "TC", and "PUD".
  4. Guy wires, support anchor structures and wire ~~antennae~~antennas may be located within the required setbacks in all Zoning Districts.
- (D) COMMERCIAL BROADCASTING AND RECEIVING STATIONS. Commercial broadcasting and receiving stations will be required to meet the minimum requirements of this Article as well as all Federal requirements.
- (E) WIRELESS COMMUNICATION ANTENNAS.
1. ~~Antennae~~Antennas which are integrated into buildings, signs, church steeples, bell towers, water towers, electric transmission tower structures, or other similar structures, may be located within any district where the supporting structure is an approved "Permitted" or "Conditional" Use, so long as the antenna does not exceed ten (10) feet in height above the supporting structure. However, if the antenna is centered on a flat roof which is equal to or exceeds thirty (30) feet in height, then the antenna, including the support, may be up to fifteen (15) feet above the roof.
  2. Wireless communication ~~antennae~~antennas located in any right-of-way or utility easement will be subject to all review and permit regulations as identified in Article 9 of the Land Development Code and Chapter 14 "Right-of-Way Utilization and Commercial Utilities".
  3. All ~~antennae~~antennas shall be painted or otherwise constructed to match the antenna support structure, or hidden from view where practical.
  4. Additions of wireless communication ~~antennae~~antennas to support structures not requiring any variances shall not require any Conditional Use approval.
  5. ~~Antennae~~Antennas may be attached to existing light poles, power poles, telephone poles, and other like poles, as long as the antenna and assembly do not exceed ten (10) feet above the height of the pole and the pole is at the same height as other poles in the same vicinity providing the same function.

6. If the supporting structure to which the antenna is affixed is removed for any reason by or at the direction of the City, the antenna owner shall remove and relocate the antenna at such owner's expense.
7. A Business Tax Receipt is required for every person or entity which is renting space on a supporting structure within the City for one (1) or more wireless communication ~~antennae~~antennas.
8. The installation of ~~antennae~~antennas and supporting equipment will require a permit from the City's Building Development Division.

**106. Section 18-1530.13 is hereby amended as follows:**

**Sec. 18-1530.13. - REGULATIONS FOR THE SALE, DISPENSING AND CONSUMPTION OF ALCOHOLIC BEVERAGES.**

- (A) Establishments dealing in alcoholic beverages shall only be permitted in those areas zoned "ROR", "CN", "GO", "B-1", "CH", "M-1", "IH", "MXD", or "TC", and subject to the following requirements.
1. The property on which the proposed establishment is to be located shall front on an arterial or collector street.
  2. In no case shall an establishment described in paragraph (A) above be permitted to abut the side yard an existing single-family residential district or residence. The City Manager may waive this rule for property zoned "CN" Neighborhood Commercial when all district lot regulations are met or exceeded and "B-1" General Commercial District, when the use is located within a shopping center as defined in Section 18-1502, Definitions, a commercial strip center existing as of the effective date of this Land Development Code, or a restaurant with a special SRX alcoholic beverage license. The City Manager may impose a higher buffer standard to screen the residential lot(s) from excessive noise and light than is provided in Section 18-1533, Landscaping, and paragraph (4) below, to establish compatibility. Taverns, lounges or other businesses deriving more than fifty (50) percent of their revenue from the sale of alcoholic beverages are not eligible for the waiver.
  2. In the "CN" Neighborhood Commercial Zoning District, the sale of alcoholic beverages is restricted to the sale of beer and wine for off-premises consumption only. No dispensing or on-premise consumption is allowed in the "CN" Neighborhood Commercial Zoning District.
  3. The property line abutting a residential zoning district shall be screened by a permanent, painted masonry wall not less than eight (8) feet in height, in accordance with Section 18-1530.10, "Fences, Walls, and Hedges", intended to screen out excessive sound and view to the abutting residential area. When said establishment is located within a shopping center, the wall required by this Section need not be erected, unless otherwise required. An applicant may apply for a waiver of the requirement for a masonry wall as required in this Section, as provided in paragraph (G) below.
  4. Required distance. No establishment dealing in alcoholic beverages shall be located within five hundred (500) feet of an established:
    - (a) Educational institution (elementary, middle and senior);
    - (b) Youth or public recreation center;
    - (c) Playground;
    - (d) Church, temple or similar religious institutions;
    - (e) Hospital;
    - (f) Child care center Type II or III (as defined in Section 18-1502.2).

All the above are hereinafter collectively referred to as "Protected Facility or Facilities". In determining compliance with this Section, the distance between the establishment dealing in

alcoholic beverages and the protected facility shall be measured from the closest property corner of the establishment to the nearest property corner of the protected facility as measured along the right-of-way line. If a protected facility subsequently locates within five hundred (500) feet of an existing establishment holding a valid alcoholic beverage license, the establishment holding said license shall be treated, for so long as it continues to hold a valid alcoholic beverage license as if said protected facility were not within the before mentioned five hundred (500) foot distance. However, if such valid alcoholic beverage license shall expire and not be renewed or replaced with another valid alcoholic beverage license, or otherwise cease to remain in effect, for a period of twelve (12) consecutive months, then such establishment shall thereafter be subject to the limitations of this Section. The method of measuring the five hundred (500) foot distance shall be as hereinabove described.

- (B) The sale, dispensing or consumption of alcoholic beverages shall be, where applicable, subject to the Code of Ordinances, Chapter 4, "Alcoholic Beverages"; Section 16-110, "Nudity -Regulation of Commercial Exploitation of," and Section 16-112, "Live Nude or Semi-Nude Entertainment in Establishments Dealing in Alcoholic Beverages", Section 18-1531.10, "List of Conditional Uses and Requirements" of this Code.
- (C) The sale of alcoholic beverages for on-premise consumption in conjunction with a restaurant (with or without a drive-in/drive-thru), outdoor café or similar use which does not hold a current and valid special license under Florida Statutes shall be subject to the following:
  - 1. The sale, dispensing or consumption of alcoholic beverages shall only be incidental to the principal use which shall be the sale of food for consumption on the premises. For purposes of this paragraph, the sale of alcoholic beverages shall be considered the principal use where the restaurant or outdoor cafe derives fifty (50) percent or more of its gross revenue from the sale of alcoholic beverages;
  - 2. At the request of the City, the records of the business shall be made available for examination to determine whether the sale, dispensing or consumption of alcoholic beverages is incidental to the principal use. of the sale of food for consumption on the premises. Failure to provide such records upon request shall be grounds for imposition of appropriate fines, revocation of the business tax receipt, and/or any other enforcement afforded by law or this Code of Ordinances.
  - 3. This Section shall not apply to drugstores, restaurants, hotels, motels, supermarkets, grocery stores, convenience stores, automobile service stations, theaters, bowling alleys, Mainlands Golf Course (regardless of underlying zoning district), the Pinellas Park Performing Arts Center, the City Auditorium and Park Station(regardless of underlying zoning district) and like establishments which derive less than fifty (50) percent of their gross revenue from the sale of alcoholic beverages. Package stores shall be considered as "retail sales establishments".
- (D) EXCEPTIONS. The following establishments dealing in alcoholic beverages shall be exempt from the provisions of this Section:
  - 1. An establishment which sells alcoholic beverages limited to beer, wine and/or malt beverages only for consumption off the premises, and which does not otherwise sell or dispense alcoholic beverages, or allow on-premise consumption of alcoholic beverages.
  - 2. Hotels, motels and restaurants which hold a current and valid special license under Florida Statutes shall be entitled to engage in the sale, dispensing or consumption of alcoholic beverages, but only to the extent permitted by said special license.
  - 3. This Section shall not apply to drugstores, restaurants, hotels, motels, supermarkets, grocery stores, convenience stores, automobile service stations, theaters, bowling alleys, Mainlands Golf Course (regardless of underlying zoning district), the Pinellas Park Performing Arts Center and the City Auditorium and Park Station (regardless of underlying zoning district) and like establishments which derive less than fifty (50) percent of their gross revenue from the sale of alcoholic beverages. Package stores shall be considered as "retail sales establishments".



4. A subordinate lodge or club of a national fraternal or benevolent association; or 2) a nonprofit club devoted to promoting community, municipal, or County development, or any phase of community, municipal, or County development; or 3) a club assisting, promoting, and developing subordinate lodges or clubs of national fraternal or benevolent associations; or 4) a club promoting, developing, and maintaining cultural relations of people of the same nationality is exempt from this section under the following conditions:
  - (a) The exemption is only applicable within the downtown area. For the purposes of this ordinance "the downtown area" shall be the same as the community redevelopment area or that area designated on the City's ~~Future land use map~~ Land Use Plan Map as CRD.
  - (b) The club or lodge shall submit a fully completed application form to the Zoning Division. The club or lodge shall also provide such additional information as may be required by the Zoning Division. The Zoning Division will schedule the application for consideration by the Community Redevelopment Agency (CRA). The CRA will render its decision in writing to the applicant.
  - (c) The CRA may place such other lawful conditions and restrictions upon a written authorization as it deems appropriate to maintain compatibility with the neighborhood.
  - (d) The CRA shall consider the following factors with their decision:
    - (1) Conditions of the club or lodge site, including amount of available off-street parking, size and location of improvements, and buffering from abutting properties.
    - (2) Development and characteristics of surrounding properties and location relative to protected facilities.
    - (3) Hours of operation of the club or lodge.
    - (4) Seating capacity and anticipated number of patrons.
    - (5) All other relevant factors.
  
5. The CRA is empowered to revoke a conditional authorization for an exempt Club or Lodge if the following conditions are substantiated by the CRA at a public hearing:
  - (a) The Club or Lodge is creating a sanitation or litter nuisance.
  - (b) The Club or Lodge or its patrons create(s) conditions that interfere with the conduct of other nearby businesses such as, but not limited to, loitering or excessive noise.
  - (c) The Club or Lodge becomes the subject of citizen complaints.
  - (d) The Club or Lodge becomes the subject of peace disturbances as demonstrated by police reporting.
  - (e) The Club or Lodge exceeds parking capacity to the detriment of other businesses in the neighborhood or loading capacities based upon the Florida Building Code and/or the Florida Fire Prevention Code as they may be amended from time to time.
  - (f) Any nuisance or undesirable condition that negatively impacts the health, welfare or safety of either patrons or the neighborhood.
  
6. An art gallery or art studio may make a request in writing to the City Manager ~~or his designee~~ to allow beer and wine to be sold and/or served to customers incidental to the principle use established on the parcel that qualifies with the locational attributes herein described. In this instance the approval of a 2-COP alcoholic beverage license shall not constitute approval to operate a tavern or other similar use whereby greater than seventy-five (75) percent of an establishments revenue would be derived from the sale of alcoholic beverages. The City Manager shall consider the following factors in his decision:
  - (a) Primary use of the property.
  - (b) Abutting property uses.

- (c) Hours of operation.
- (d) Anticipated number of patrons.
- (e) All other relevant factors that the City Manager ~~or his designee~~ may find pertinent to the request.
- (f) If approved, the City shall include this accessory use on the establishment's Business Tax Receipt. Such approval shall not run with the land, but shall be discretionary and subject to the criteria listed at 5 (a) through (f), above.

(E) SUSPENSION. Notwithstanding the prohibitions hereinabove set forth, the City Manager ~~or his designee~~ may suspend the operation of this Section through a special written permit prepared by the City Manager ~~or his designee~~ for a period to be established by the City Manager ~~or his designee~~ for dances, bazaars, carnivals, celebrations, civic functions, fund raising endeavors, City sponsored events, or other related activity of a community nature. In deciding whether to issue a permit under this Section, the City Manager ~~or his designee~~ shall consider the following factors:

1. Number and age of persons likely to be in attendance.
2. Likelihood of injury.
3. Ability to provide police and fire protection.
4. Ability to provide medical services.
5. Ability to implement effective crowd control measures.
6. Availability of sanitary facilities.
7. Proximity of location to churches, temples and similar religious institutions, educational institutions (elementary, middle and senior), hospitals, youth or public recreation centers or areas, playgrounds, child care centers types II and III, and residential areas.
8. Likelihood of accumulation of litter and/or debris.

The issuance of a permit under this Section shall not exempt any person from obtaining such other permits or licenses as may be required by law.

(F) APPEAL. If the requesting party is in disagreement with the decision reached by the City Manager ~~or his designee~~, an appeal to City Council is available; and City Council's decision shall be binding. On any appeal, City Council shall consider the same factors as the City Manager ~~or his designee~~ is required to consider. Any person requesting such an appeal before City Council shall make a written request for same within thirty (30) days of the decision of the City Manager ~~or his designee~~. The request shall be made to the City Clerk.

(G) WAIVERS. If a petitioner believes a masonry wall as required in subparagraph (A)4. is unnecessary, the City Council or the Community Redevelopment Agency (when the property is located within the Community Redevelopment District) may grant a waiver of said requirement. Requests for waiver shall be submitted on a City application form and filed with the Zoning Director, accompanied by the application fee as set by Resolution of the City Council. The following criteria shall be used to evaluate the waiver request:

1. Compatibility of the use with the abutting residential zoning district;
2. Adequacy of setbacks;
3. Adequacy of buffering and screening in controlling the adverse effects of noise, lights and other nuisances; and
4. The location and nature of the applicant's use.

**107. Section 18-1530.16 is hereby amended as follows:**

**Sec. 18-1530.16. - OUTDOOR DISPLAY AND SALES OF GOODS AND MERCHANDISE.**

The outdoor display and sales of goods and merchandise for permanent, on-site businesses shall be allowed subject to the provisions of this Section. The purpose of allowing outdoor display and sales is to allow a business additional merchandise exposure to passersby, to allow for the sale of special stock or temporary overstock, and to enhance pedestrian activity in front of businesses. Outdoor display and sales is subject to the following conditions in order to limit outdoor sales and display to a function and scale that are accessory and complimentary in nature to indoor display and sales, and to ensure that outdoor display and sales does not interfere with normal site functions, and does not aesthetically detract from the neat and orderly appearance of the City's business districts. This Section shall not apply to outdoor display in conjunction with the sales or rental of new and used cars, motorcycles, trucks, utility trailers, recreational vehicles or ~~mobile~~ **manufactured** homes where permitted by this Article, nor outdoor display in conjunction with the sales of pools, and landscape materials at retail plant nurseries or garden centers accessory to enclosed retail businesses.

- (A) The outdoor display and sale of goods and merchandise for retail businesses displaying merchandise that is for sale also within the building shall be conducted on the same lot as the retail business and proximate to the building. The outdoor display and sales area shall not exceed an area equivalent to fifteen (15) percent of the gross floor area of the business. A waiver to this square footage limitation shall, upon written request from an authorized representative of the business, be considered by City Council for locations outside of the City's Redevelopment Area or by the Community Redevelopment Agency for locations within the City's Redevelopment Area. In determining whether or not to grant a larger outdoor display and sales area, City Council or the Community Redevelopment Agency shall consider the following criteria relative to the intent of this Section: Use of abutting properties, location of the outdoor display and sales area, configuration of the lot and the outdoor display and sales area and items to be generally displayed. In granting approval of a larger outdoor display and sales area, City Council or the Community Redevelopment Agency may prescribe appropriate conditions and safeguards. Violation of such conditions and safeguards, when made a part of the terms under which the waiver is granted, shall be deemed a violation of this Article and punishable as provided by this Article.
- (B) The applicant shall submit to the Building Development Division a detailed plot plan for review of the proposed outdoor display and sales area. The applicant shall pay a review fee as established by resolution of the City Council. The plan shall show the location and size of the outdoor display and sales area, any temporary structures which may be proposed, parking areas, existing building(s) (including location of egress doors and sidewalks to and around the building), the gross floor area of the building or unit of the retail business, drainage system, and landscaped areas.
- (C) No portion of the outdoor display and sales area shall be on publicly owned property or rights-of-way.
- (D) No required off-street parking space, driveway, drive aisle, loading space, streetscape or perimeter landscape buffer, or interior greenspace shall be utilized for such outdoor display and sales area, nor shall any portion encroach into the visibility triangles, as defined in Section 18-1502.2.
- (E) No portion of the outdoor display and sales area shall block any required means of egress, nor shall it block any access route on any sidewalk.
- F. Any proposed tent shall meet the provisions under Section 18-1530.14(D)1., Temporary Uses.
- (G) Goods and merchandise, except items that are not subject to deterioration by weather (such as potting soil, mulch, swings, swimming pools or other like items as determined by the City Manager), displayed outdoors shall be moved indoors or to an approved outdoor storage area daily at the close of business hours.

**108. Section 18-1530.20 is hereby amended as follows:**

**Sec. 18-1530.20. - DUMPSTERS.**

The purpose of these provisions is to prescribe standards for dumpsters for the enhancement and improvement of the visual environment. All new site development shall provide facilities for dumpsters, provided this Section shall not apply to single-family detached and duplex dwellings, except at the owner's/developer's option to provide such dumpsters, wherein the following regulations shall apply. These provisions shall also apply to sites under redevelopment.

(A) LOCATION.

1. All dumpsters shall be located on the lot that the dumpster(s) serves.
2. No dumpster shall be located within any public or private right-of-way, or visibility triangle, as defined in Section 18-1502.2.
3. All dumpsters and their enclosures shall be set back a minimum of five (5) feet from any property or street line, unless a buffer of greater dimension is required elsewhere in this Code, in which case the dumpsters shall not encroach into the buffer.
4. All dumpsters shall be located for ease of direct pickup by the collection vehicle, as determined by the City Manager ~~or his designee~~. The factors to be used in this determination shall include, but not be limited to: Abutting uses; direction of traffic flow; width of drive aisles; location of dumpsters in relation to driveway(s); size of collection vehicle; size of dumpsters; physical constraints of the site; and the existence of overhead electric or communication lines, or overhead tree limbs.
5. The City Manager may allow the use of dumpsters on rollers. In such case, the rolling dumpster does not have to comply with Subsection (A)4. above, but shall be located so as to have clear, unobstructed access from its enclosure to the collection vehicle.
6. When abutting a residential zoning district, no dumpster or trash enclosure shall be located within ten (10) feet of such abutting residential zoning district.

(B) STANDARDS.

1. All dumpsters shall be located on a concrete pad of adequate thickness and size.
2. All dumpsters shall be screened from view from public rights-of-way and from abutting or functionally abutting residential or mixed-use zoning districts by a six (6) feet high opaque enclosure of wood, masonry or other suitable materials.

The use of chain link fencing with any form of shielding inserts (plastic, wood, fiberglass metal, etc.) shall not be allowed.

The City Manager ~~or his designee~~ may waive this screening requirement when there is an intervening building or structure that provides an equal or greater measure of screening or when buffering requirements of this Code require a solid, six (6) feet high wall or fence along a property line.

3. Gates shall be required for the dumpster enclosure and shall be solid. The City Manager ~~or his designee~~ may waive the requirement for solid gates if, by the direction or angle of the dumpster enclosure, the dumpster will not be viewed from any public right-of-way or from any abutting or functionally abutting residential or mixed-use zoning district. Gates shall have a minimum opening width of ten (10) feet, unless a rolling dumpster has been approved in Subsection (A)5. above.
4. It shall be the property owner's responsibility to repair and maintain dumpster enclosures in accordance with the requirements of this Section.
5. Dumpsters and their enclosures shall be situated on a lot for ease of pickup by sanitation collection vehicles.

6. Dumpster enclosures on lots abutting a residentially zoned lot shall be set back at least ten (10) feet from the residentially zoned lot line(s).

(C) SITES UNDER REDEVELOPMENT.

1. Any lot that has a dumpster(s) that does not meet the standards of this Section shall be brought into compliance with all requirements of this Section with the issuance of a building permit for any non-maintenance construction, excluding interior construction, or the issuance of an engineering permit, when the construction exceeds either of:
  - (a) Twenty (20) percent of the total square footage of the existing gross floor area and/or vehicular use area (or combination thereof); or
  - (b) Thirty (30) percent of the total square footage of the existing gross floor area and/or vehicular use area (or combination thereof), when the lot upon which the construction is proposed does not meet minimum lot requirements for the zoning district in which it is located.

In meeting this requirement, a violation of another Code requirement cannot be created.

(D) ALTERNATIVE PRACTICE.

1. The use of individual garbage cans may be allowed by the City Manager when it can be demonstrated there is no need for a dumpster. This shall be handled and approved on a case-by-case basis. Should individual garbage cans be allowed, the cans shall be kept in a location approved by the City Manager. The can location shall be screened by a minimum forty-two (42) inches high solid fence or wall when the approved location will be visible from a public right-of-way or from an abutting or functionally abutting residential or mixed-use zoning district.
2. Any change from individual garbage cans to a dumpster shall be submitted and reviewed as an amendment to the approved site plan and the dumpster shall meet the requirements of this Section.

(E) WAIVERS.

1. In any case where the strict application of the requirements of this Section present an undue hardship, the City Manager may waive one (1) or more of the requirements. The City Manager may, in his discretion, refer an application for waiver of dumpster requirements to the City Council, or if a subject parcel is located in the Community Redevelopment District, the Community Redevelopment Agency.
2. In determining whether to waive any requirements, the deciding authority shall consider the following criteria: character of the immediately surrounding development; size, configuration, and natural features of the land to be developed; adequacy of off-site improvements; traffic impacts; and nature of the proposed development.

***109. Section 18-1530.23 is hereby amended as follows:***

**Sec. 18-1530.23. - EQUESTRIAN USES.**

The following shall be the minimum requirements for permitted equestrian uses.

(A) SPECIAL REQUIREMENTS:

1. Within the "RE" Single-family Residential Estate District and "RR" Rural Residential District equestrian uses shall be permitted subject to the following regulations:
  - (a) Site plan review and approval by staff.
  - (b) Access plans shall be approved by the Traffic Division Director.
  - (c) Accessory retail sales (tack shop) shall not exceed five hundred (500) square feet of gross floor area.

- (d) Parking shall be provided at the rate of one (1) space for each three (3) boarded horses. Stable owners who do not board horses for profit shall be exempt from providing additional spaces.
  - (e) The total number of horses permitted on a parcel of land in the "RE" Residential Estate or "RR" Rural Residential Zoning District shall not exceed the number of horses per net acre illustrated in "Table 1", below. Net acres shall be determined by subtracting the following dedicated areas from the gross acreage:
    - (1) Public right-of-way.
    - (2) Open bodies of water or drainage easements containing open ditches.
    - (3) The footprint of residential structures.
    - (4) Required parking areas.
    - (5) Accessory structures (not including barns, stables, and structures utilized in conjunction with equestrian use.)
    - (6) Any impediment that prevents a horse unfettered access to usable areas (eg. areas fenced to prevent access to horses such as children's playground areas, etc.).
2. Any site containing an open body of water shall require Southwest Florida Water Management District inspection, evaluation and determination.
  3. Current sealed survey delineating property lines, easements, structures, elevations, and open bodies of water will be required to be submitted for determination of site compliance.
  4. A variance to any of the requirements of this Section may, upon the filing of an application with the Zoning Division and payment of applicable fees, be considered by the Board of Adjustment.

**Table 1: Number of Horses Allowed in A RE or RR District**

Net Acres	<u>Number of Horses Allowed by District</u>	
	RE District	RR District
0.625—0.749	1	
0.750—0.874	2	0
0.875—0.999	3	1
1.000—1.124	4	2
1.125—1.249	5	3
1.250—1.374	6	4
1.375—1.499	7	5
1.500—1.624	8	6
1.625—1.749	9	7
1.750—1.874	10	8
1.875—1.999	11	9
2.000—2.124	12	10
2.125—2.249	13	11

Net Acres	Number of Horses Allowed by District	
	RE District	RR District
2.250—2.374	14	12
2.375—2.499	15	13
2.500—2.624	16	14
2.625—2.749	17	15
2.750—2.874	18	16
2.875—2.999	19	17
3.000—3.124	20	18
3.125—3.249	21	19
3.250—3.374	22	20
3.375—3.499	23	21
3.500—3.624	24	22
3.625—3.749	25	23
3.750—3.874	26	24
3.875—3.999	27	25
4.000—4.124	28	26
4.125—4.249	29	27
4.250—4.374	30	28
4.375—4.499	31	29
4.500—4.624	32	30
4.625—4.749	33	31
4.750—4.874	34	32
4.875—4.999	35	33
5.000—5.124	36	34
5.125—5.249	37	35
5.250—5.374	38	36
5.375—5.499	39	37
5.500—5.624	40	38
5.625—5.749	41	39
5.750—5.874	42	40
5.875—5.999	43	41
6.000—6.124	44	42
6.125—6.249	45	43
6.250—6.374	46	44

Net Acres	Number of Horses Allowed by District	
	RE District	RR District
6.375—6.499	47	45
6.500—6.624	48	46
6.625—6.749	49	47
6.750—6.874	50	48
6.875—6.999	51	49
7.000—7.124	52	50
7.125—7.249	53	51
7.250—7.374	54	52
7.375—7.499	55	53
7.500—7.624	56	54
7.625—7.749	57	55
7.750—7.874	58	56
7.875—7.999	59	57
8.000—8.124	60	58
8.125—8.249	61	59
8.250—8.374	62	60
8.375—8.499	63	61
8.500—8.624	64	62
8.625—8.749	65	63
8.750—8.874	66	64
8.875—8.999	67	65
9.000—9.124	68	66
9.125—9.249	69	67
9.250—9.374	70	68
9.375—9.499	71	69
9.500—9.624	72	70
9.625—9.749	73	71
9.750—9.874	74	72
9.875—9.999	75	73
10.000—10.124	76	74



**110. Section 18-1530.25 is hereby amended as follows:**

**Sec. 18-1530.25. - CARPORTS.**

- (A) Carports, as defined in Section 18-1502.2, Definitions, shall be permitted to be established in all Zoning Districts as an accessory structure and subject to the requirements enumerated below.
1. Carports shall be set back a minimum of three (3) feet to any property line as measured from the outboard face of the closest structural member or the outboard edge of the eave, whichever component forms the outermost edge of the structure.
  2. Carports shall be constructed over an existing driveway extension or a driveway extension constructed for the purpose of situating the carport on the lot.
  3. Any portion of a carport constructed within the buildable area, as defined in Section 18-1502.2, may be enclosed on three sides.
  4. Any portion of a carport constructed beyond the bounds of the buildable area shall not be enclosed and shall remain open at all times for the movement of air, light and preservation of the view shed to neighboring properties.
  5. Upright structural supports shall not exceed twelve (12) inches in width and the bottommost component of the roof shall not be less than eight (8) feet from grade level ~~when the carport is located within the visibility triangle as provided in Section 18-1503.11, Visibility Triangle. The intent of this regulation is to maintain eight (8) feet of clear space from grade with no obstructions to visibility.~~
  6. All land area beneath the carport shall be considered impervious surface for the purpose of the City's drainage regulations.
  7. Carports shall not exceed four hundred (400) square feet in area under roof in any configuration that will provide the equivalent of a maximum of two (2) parking spaces in single family residential districts and/or any zoning district where the primary use of the lot is for a single family dwelling
  8. There is no maximum size for carports constructed in multifamily residential, commercial, industrial or public/semi-public zoning districts, provided that the carport is clearly subordinate to the principle structure on the lot.
  9. Carport vertical supports shall not extend into required drive aisles or adjacent spaces when located in parking lots.
  10. No carport shall be erected within a required visibility triangle.

**111. Section 18-1531.7 is hereby amended as follows:**

**SECTION 18-1531. - CONDITIONAL USE REGULATIONS**

**Sec. 18-1531.7. - WAIVERS, VARIANCES, MODIFICATIONS.**

- (A) WAIVERS. The City may waive one (1) or more of the requirements of Section 18-1531.10, "List of Conditional Uses and Requirements", that are specific to any given conditional use application, or application to modify an existing conditional use approval, upon finding that the requirement(s) are not necessary to ensure the compatibility and appropriateness of the use at the given location, and upon making the findings listed below. Where City Council or Community Redevelopment Agency has established compatibility with the neighborhood and appropriateness of the use at a public hearing, amendments to the Conditional Use site plan may be made administratively provided conditions and safeguards provided by Council are not proposed to be altered or otherwise compromised in the opinion of the City Manager ~~or his designee~~, Administrative waivers of conditional use special requirements by City staff are not authorized. Any waiver request for administrative conditional use applications shall trigger City Council or Community Redevelopment Agency review of the conditional use application and waiver request.

The public notice requirements of Section 18-1534 shall apply to waivers, variances and modifications subject to City Council or Community Redevelopment Agency review and approval. In determining whether such special requirements should be wholly or partially waived, the City shall consider the following criteria:

1. The purpose of the requirement is otherwise fully achieved, or more important purposes of this Article or the Comprehensive Plan will be served thereby, or the requirement serves no valid public purpose in the particular case;
  2. The waiver is consistent with the statement of intent of the applicable zoning district and this Section;
  3. The waiver will not adversely impact the public interest or adjacent property, and the applicant has demonstrated that all necessary alternative measures shall be taken to prevent any such impact;
  4. The waiver is not discriminatory, considering similar situations in the general area and in past decisions under this Article.
- (B) VARIANCES. In conjunction with the consideration of any conditional use, City Council and the Community Redevelopment Agency are empowered to hear and decide those variances the Board of Adjustment is authorized to hear and decide, thus avoiding a duplicate process before City Council, the Community Redevelopment Agency and the Board of Adjustment. In exercising this power and duty, the City Council and Community Redevelopment Agency shall perform within the same standards and procedures as the Board of Adjustment in Section 18-1537, including public notice.
- (C) PRELIMINARY SITE PLAN AMENDMENTS. The City Manager ~~or his designee~~ may review and approve minor changes to Conditional Use Preliminary Site Plans or Final Site Plans, previously approved in the manner provided by this Article, as follows:
1. Reduce parking requirements by no more than ten (10) percent.
  2. Expand a structure by less than five (5) percent.
  3. Allow accessory structures, including mechanical equipment, on lots that are separated from abutting residential or public zoning districts by landscape buffers, fences and/or walls not less than six (6) feet in height.
  4. Any other change that in the opinion of the City Manager does not increase negative impacts to abutting or functionally abutting properties.
  5. The City Manager may refer any requested amendment to the City Council or Community Redevelopment Agency, as appropriate, for review and final approval based solely upon his/her judgment.

**112. Section 18-1531.10 is hereby amended as follows:**

**Sec. 18-1531.10. - LIST OF CONDITIONAL USES AND REQUIREMENTS.**

- (A) The following is an alphabetical listing of the special requirements for all conditional uses. This section authorizes, through the use of the term "administrative approval," the Zoning Director to review and approve certain conditional use applications if the applicant complies with all of the applicable criteria. -For any application on which the Zoning Director acts, the applicant may choose to have the application reviewed and acted upon by the City Planning and Zoning Commission and City Council.
1. Accessory Uses to any Conditional Uses.
    - (a) Administrative approval.
  2. Acetylene, Propane or Other Dangerous Substance, Bulk Storage or Manufacture.
    - (a) Review by the Planning and Zoning Commission and approval by City Council.

- (b) Demonstrate conformance with all applicable regulations regarding the handling and storage of subject dangerous materials.
  - (c) Bulk storage tanks of acetylene, propane or other flammable gas, if located above ground, shall not be located closer than five hundred (500) feet from any residential zoning district.
3. Adult Entertainment Establishments. The provisions of Section 16-110 "Nudity—Regulation of Commercial Exploitation of" and Section 16-112 "Live Nude or Semi-Nude Entertainment in Establishments Dealing in Alcoholic Beverages Prohibited" of the Code of Ordinances are applicable to Adult Entertainment Establishments.
- (a) Administrative approval.
  - (b) Frontage on a public street that meets at least the minimum standards for a local street (paving and right-of-way width).
  - (c) The lot upon which the adult entertainment establishment is proposed to be located shall maintain the following minimum distance separations. The applicant shall provide a special purpose survey identifying all existing uses within one thousand (1,000) feet of the lot upon which the adult entertainment establishment is proposed to be located.
    - (1) One thousand (1,000) feet from any lot that contains, or is zoned for, a residential use, a place of worship, an educational institution or public educational facility, a day care center (Type II or III), a public park or playground, or a hospital.
    - (2) Five hundred (500) feet from a lot upon which is located an existing adult entertainment facility.
    - (3) Five hundred (500) feet from a lot upon which is located an existing establishment which sells alcoholic beverages for consumption on the premises, whether or not such other uses are located within or outside of the City's municipal boundaries.
  - (d) Maintain a minimum of five-foot candles per square foot of lighting, for all parts of outside parking lots, measured at the surface of the parking area.
  - (e) Compliance with the following fencing requirements:
    - (1) Six (6) feet high solid fence or wall along the side and rear lot lines.
    - (2) No solid fence or wall shall be erected along the front and secondary front lot lines. However, a non-solid fence or wall not exceeding four (4) feet in height may be erected along the front and secondary front lot lines.
    - (3) All fences and walls required or allowed hereunder shall meet all applicable requirements of Section 18-1530.10, "Fences, Wall and Hedges".
4. Air Curtain Incinerator.
- (a) Administrative approval.
  - (b) Written confirmation from the Federal Aviation Administration (FAA) that the installation will not interfere with air traffic for any area airport.
  - (c) Written confirmation from the local Fire Marshall that the facility meets the local fire and life safety ordinances.
  - (d) Piles of material to be burned shall be located a minimum of one hundred (100) feet from the burner, shall be no greater than ten (10) feet in height, and shall be maintained so as not to cause a fire hazard.
  - (e) Outside of startup periods, no visible emissions five (5) percent opacity or less, except that an opacity of up to twenty (20) percent shall be permitted for not more than three (3) minutes in any one (1) hour.

- (f) During startup periods, which shall not exceed the first thirty (30) minutes of operation, an opacity of up to thirty-five (35) percent, averaged over a six-minute period, shall be allowed.
  - (g) The general excess emissions rule, Rule 62-210.700, FAC, as may be amended from time to time, to handle startups, shutdowns and malfunctions, shall not apply to air curtain incinerators.
  - (h) Interior dimensions for the pit of: no more than twelve (12) feet wide, between eight (8) and fifteen (15) feet deep, and no longer than the length of the manifold.
  - (i) The only materials that can be burned in an air curtain incinerator are wood wastes consisting of trees, logs, large brush, stumps relatively free of soil, non-bagged leaves and yard trash, tree surgeon debris, and clean dry lumber such as pallets.
  - (j) The burning of sawdust, paper, trash, tires, garbage, plastics, liquid wastes, chemically treated or painted wood, and other similar materials is expressly prohibited.
  - (k) As long as there is flame propagation in the pit, the fan must be running.
  - (l) Only virgin oil, natural gas, or liquified petroleum gas may be used to start the fire. The use of waste oil, chemicals, gasoline, or tires is expressly prohibited.
  - (m) In no case shall an air curtain incinerator be started before sunrise. For all air curtain incinerators, charging must have completely stopped for one (1) hour before sunset.
  - (n) The material shall not be loaded into the air curtain incinerator such that it will protrude above the air curtain.
  - (o) Ash shall not be allowed to build up in the pit to higher than one-third (1/3) the pit depth or to the point where the ash begins to impede combustion, whichever occurs first.
  - (p) Minimum setback of three hundred (300) feet from any property line.
  - (q) Minimum separation of one (1) mile, five thousand two hundred eighty (5,280) feet, of any other outdoor incinerator measured from property line to property line.
  - (r) Enclosure of incinerator lot with a fence, no less than six (6) feet in height.
  - (s) The Minimum lot size of twenty-five (25) acres.
  - (t) Operational compliance with Chapter 18 (Land Development Code), Article 11, (Fire Code) of the City Code of Ordinances, and all other applicable governmental requirements.
  - (u) The applicant shall ensure the complete on-site containment of ash that is stored at the site, such that particles of ash are not carried by wind beyond the site perimeter.
5. Airports, Aircraft Landing Fields and Heliports/Helistops.
- (a) The following special requirements shall apply to the "M-1," "IH" and "P" zoning districts:
    - (1) Review by Planning and Zoning Commission, and approval by City Council.
    - (2) Submittal of an airspace analysis conducted by the Federal Aviation Administration (FAA) or professional consultant, and a preliminary Airport License Report by the Florida Department of Transportation (FDOT).
    - (3) Any alteration in ground facilities or the addition of navigational aids to permit instrument approach shall require a new application if the original approval was granted for Visual Flying Rules (VFR).
    - (4) Minimum setback of fifty (50) feet from any property line. Minimum runway primary surface setback of one hundred (100) feet from any property line and two hundred (200) feet from any residential structure.

- (5) Unless used in conjunction with a motel or hotel, at least five (5) parking spaces or one (1) space per hangar space or tie-down shall be provided.
  - (6) Where deemed necessary by the City Council in the interest of health, safety and welfare, safety fences or walls up to eight (8) feet in height may be required along any property boundary.
6. Ambulance Service. Any ambulance service establishment having ambulance vehicles located on site and being operated for emergency purposes from such site shall meet the following requirements:
- (a) Administrative approval.
  - (b) Minimum separation of five hundred (500) feet from any residential zoning district measured from the ambulance service property lines.
  - (c) Arterial, or arterial frontage street frontage so as to avoid having to travel through residential neighborhoods in order to gain access to a nearby thoroughfare.
7. Assembling or Manufacturing of Medical, Orthotic or Prosthetic, Optical, Scientific, Electric and Electronic Equipment.
- (a) Review by the Planning and Zoning Commission and approval by the City Council whenever the subject lot abuts any residential zoning district.
  - (b) Administrative approval when the subject lot abuts or functionally abuts nonresidential zoning districts.
  - (c) Frontage on an arterial or arterial frontage street. Access plans shall be approved by the Traffic Division Director.
  - (d) Assembling and manufacturing within an enclosed building only. No outdoor storage of any products or materials.
  - (e) No use, activity or process shall be utilized which creates any electromagnetic or other interference with normal off-site radio, television or phone reception, or with any broadcasts.
  - (f) Minimum dumpster setback of ten (10) feet from any abutting residentially or mixed-use zoned property.
8. Auditorium, Stadium, Arena, Armory, Gymnasium, and other Similar Places for Public Events.
- (a) Review by Planning and Zoning Commission and approval by City Council.
  - (b) Shall not abut any residential zoning district.
  - (c) Arterial street frontage. Access plans shall be approved by the Traffic Division Director.
  - (d) Minimum lot area of five (5) acres.
  - (e) Minimum lot frontage along the arterial street of three hundred thirty (330) feet.
  - (f) Minimum setback of fifty (50) feet from any property line or street line.
  - (g) Where deemed necessary by the City Council in the interest of health, safety, and welfare, safety fences up to eight (8) feet high along any property line.
9. Automobile Dealer—New Cars and Used Cars.
- (a) Review by Planning and Zoning Commission and approval by City Council.
  - (b) Minimum lot area of twenty thousand (20,000) square feet. This requirement is not eligible for waiver.
  - (c) Ten-foot-wide landscaped buffer along the entire right-of-way which provides the primary access to the site (in accordance with Section 18-1533.15.)

10. Automotive Repair Facility (Major).
  - (a) Administrative approval when abutting nonresidential zoning districts.
  - (b) Review by the Planning and Zoning Commission and approval by City Council for sites abutting or functionally abutting residential zoning districts.
11. B-1 or CH Zone—Any other Service or Commercial Establishment Not Specifically Identified as a Permitted or Conditional Use in Said Zoning Districts, but Similar to Such a Permitted or Conditional Use.
  - (a) Administrative approval for sites abutting or functionally abutting nonresidential zoning districts.
  - (b) Review by the Planning and Zoning Commission and approval by City Council for sites abutting or functionally abutting residential zoning districts.
12. Bed and Breakfast Establishments.
  - (a) Review by the Planning and Zoning Commission and approval by City Council.
  - (b) The use is accessory to the use of the principal building as a private residence.
  - (c) The maximum number of bedrooms reserved for overnight accommodation shall be determined in compliance with Section 18-1503.16.
  - (d) Food service in conjunction with overnight accommodations only for lodging guests.
  - (e) Frontage on an arterial, arterial frontage or collector street.
  - (f) Off-street parking screened to a height of four (4) feet by a landscaped wall or fence so that headlamps from automobiles in the off-street parking area cannot project onto adjacent properties.
  - (g) Parking space requirement one (1) per bedroom reserved for overnight accommodations.
  - (h) Any single sign within the front and/or secondary front yard limited to eight (8) feet in height and to sixteen (16) square feet per sign face.
13. Boat Building.
  - (a) Review by the Planning and Zoning Commission and approval by City Council for sites abutting or functionally abutting residential zoning districts.
  - (b) Administrative approval for sites abutting or functionally abutting nonresidential zoning districts.
  - (c) Minimum three hundred (300) feet of separation from any residential district as measured from the property line.
  - (d) Enclosure of all outside work and/or storage areas by an eight (8) feet high solid wall or fence, in accordance with Section 18-1530.10 "Fences, Walls and Hedges".
  - (e) All outdoor storage areas must be in rows with paved drive aisles between rows.
14. Building Material and Home Improvement Establishments, Where Storage of Materials is Outdoors.
  - (a) Administrative approval for sites abutting or functionally abutting nonresidential zoning districts.
  - (b) Review by the Planning and Zoning Commission and approval by City Council for sites abutting or functionally abutting residential zoning districts.
  - (c) Hours of operation limited to between 7:00 a.m. and 9:30 p.m. when abutting or functionally abutting any residential zoning district.
  - (d) Outdoor storage of materials subject to Section 18-1530.11.

15. Bus Terminal or Other Public Transportation Facility.
  - (a) Review by Planning and Zoning Commission and approval by City Council.
  - (b) Frontage on either a collector or arterial street. Ingress and egress to property and proposed structures or parking areas shall also ensure automotive, bus and pedestrian safety and convenience, and efficient traffic flow. Access plans shall be approved by the Traffic Division Director.
  - (c) Minimum lot size of twenty-thousand (20,000) square feet.
  - (d) Minimum lot width of one hundred fifty (150) feet.
  - (e) Ten (10) feet wide landscaped buffer shall be maintained along the entire right-of-way which provides the primary access to the site, in accordance with Section 18-1533.16.
  
16. Cemeteries. Includes public or private cemeteries, pet cemeteries, and accessory, on-site funeral services.
  - (a) Administrative approval.
  - (b) Frontage on an arterial, arterial frontage or collector street. Access plans shall be approved by the Traffic Division Director.
  - (c) No buildings other than chapels or homes for funeral services, mausoleums, administrative offices, a caretaker residence and maintenance facilities. Maintenance facilities shall be screened from view from any residential zoning district adjoining the cemetery by a solid wall, fence, or hedge at least six (6) feet in height.
  - (d) Minimum site area of ten (10) acres.
  - (e) No buildings or structures other than boundary walls or fences located closer than fifty (50) feet to any property line.
  - (f) Minimum setback of burial plots, grave markers, and monuments of twenty (20) feet from any street line, and five (5) feet from side and rear property lines.
  
17. Day Care Centers.
  - (a) Type II.
    - (1) Accessory to an existing school or place of worship only.
    - (2) ~~Administrative approval. Review by the Planning and Zoning Commission and approval by City Council.~~
    - (3) Solid fence or wall six (6) feet in height along any rear and side property line abutting any residential zoning district.
    - (4) Where a license is required from the Pinellas County License Board for Children's Centers and Family Day Care Homes (License Board), or Florida Agency for Healthcare Administration, the granting of a conditional use shall be conditioned upon receipt by the Zoning Division of a copy of the appropriate licenses.
    - (5) Hours of operation shall be limited to between 6:00 a.m. and 7:00 p.m.
  - (b) Type III.
    - (1) Administrative site plan approval for sites abutting or functionally abutting nonresidential zoning districts.
    - (2) Site plan review by the Planning and Zoning Commission and City Council approval for sites abutting or functionally abutting residential zoning districts.
    - (3) Frontage on either an arterial, arterial frontage or collector street, except in the M-1 District, when located within an established industrial park. Access plans shall be approved by the Traffic Division Director.

- (4) Where a license is required from the Pinellas County License Board for Children's Centers and Family Day Care Homes (License Board), or the Florida Agency for Healthcare Administration, the granting of a conditional use shall be conditioned upon receipt by the Zoning Division of a copy of the appropriate licenses.
  - (5) Solid fence or wall six (6) feet in height along any rear or side property line abutting any residential zoning district.
18. Clinic, Veterinary.
- (a) Administrative approval.
  - (b) The Veterinary Clinic shall be operated by the owner or tenant of the subject property.
  - (c) Minimum lot area of fifteen thousand (15,000) square feet.
  - (d) Minimum lot width of one hundred (100) feet.
  - (e) There shall be no outdoor cages or kennels.
  - (f) All facilities are to be in a completely enclosed, soundproofed building.
19. Clubs and Lodges.
- (a) Review by the Planning and Zoning Commission and approval by City Council.
  - (b) Minimum lot area of twenty thousand (20,000) square feet.
  - (c) Minimum lot width of one hundred fifty (150) feet.
  - (d) Minimum setback of fifty (50) feet from any property line abutting or functionally abutting a residential district.
  - (e) No outdoor activity, other than parking, closer than fifty (50) feet to any property line or street line in any residential zoning district, and such activity screened from any adjoining residential use by a solid fence or wall at least six (6) feet in height.
  - (f) Frontage on either a collector, arterial frontage or arterial street. Access plans shall be approved by the Traffic Division Director. The City Manager may waive this requirement for locations where access is not via residential streets.
  - (g) Operational hours shall be between 7:00 a.m. and 11:00 p.m. when it is located abutting or functionally abutting any residential zoning district.
20. Colleges, Universities, Seminaries, and other Institutions of Higher Education. (includes public or private colleges, universities, art, music, professional or other schools providing an educational curriculum above the level of public secondary schools.)
- (a) Review by the Planning and Zoning Commission, and approval by City Council.
  - (b) Frontage on either an arterial or collector street. Access plans shall be approved by the Traffic Division Director.
  - (c) Uses of land limited to educational, administrative, operational and maintenance buildings, student unions, auditoriums, chapels, research or testing laboratories, libraries, gymnasiums, stadia, athletic fields, playgrounds, student and faculty dormitories, fraternity or sorority houses or other residences of officials, caretakers or guards. Book or stationery stores, eating establishments, or other facilities for the convenience of students, faculty, employees or visitors, shall be permitted within any building where there are no separate outside entrances to such uses facing any adjoining property.
  - (d) The number of persons housed in dormitories, or fraternity and sorority houses on the campus area of any school of higher education shall not exceed a residential equivalent of three (3.0) beds per permitted dwelling unit.
  - (e) Athletic fields or stadium subject to the conditional use requirements of this Section.



21. Communication Tower.

- (a) Administrative approval if less than or equal to district height limitations. Planning and Zoning Commission review and City Council approval higher than zoning district height limitations.
- (b) Communication towers designed and used for single users not exceeding one hundred twenty (120) feet in height. Towers designed for multiple users may add twenty (20) feet for each additional user, not to exceed one hundred sixty (160) total feet. All antennas shall be mounted not more than six (6) inches horizontally from the tower.
- (c) Monopole towers shall be set back from all property lines a minimum of twenty (20) feet or the distance from the designed collapse point to the top of the tower, whichever is greater. Guyed and lattice towers shall be set back from all property lines a minimum distance equal to fifty (50) percent of the tower height or the distance from the designed collapse point to the top of the tower, whichever is greater.
- (d) All tower supports and peripheral anchors shall be located entirely within the boundaries of the property and in no case less than five (5) feet from the property and street lines.
- (e) Accessory buildings and structures utilized in conjunction with the tower are subject to the principal building setback requirements for the district in which the use is located.
- (f) Tower enclosure with a chain-link fence or wall not less than eight (8) feet in height. Access to the tower(s) shall be through a locked gate.
- (g) If high voltage is necessary for the operation of the facility and is present in a ground grid or in the tower, signs located every twenty (20) feet and attached to the fence or wall shall display in large, bold letters the following: "HIGH VOLTAGE-DANGER".
- (h) No equipment, whether mobile or immobile, not used in direct support of the tower, antennas or equipment building shall be stored or parked on the site unless being used on the site in connection with repairs to the facility.
- (i) All towers shall be erected in accordance with all applicable governmental rules and regulations. The owner shall provide the City with a sworn statement verifying that all such rules and regulations have been complied with.
- (j) Towers and support structures shall be a neutral (non glare and non reflective) color or finished so as to minimize visual obtrusiveness, subject to any applicable standards of the FAA.

22. Community Facility.

- (a) Review by the Planning and Zoning Commission and approval by City Council.
- (b) In addition to any other requirements of site plan approval, a report shall be submitted clearly demonstrating the need for the particular community service in the proposed location.

23. Community Residential Home (More than fourteen (14) Residents).

- (a) Review by the Planning and Zoning Commission and approval by City Council.
- (b) Minimum separation of five hundred (500) feet from any portion of a lot containing a licensed day care center or public/private school, measured from lot line to lot line.
- (c) Minimum separation of one thousand (1,000) feet from any other State of Florida licensed facility as defined in Section 18-1502.2, measured from property line to property line.
- (d) The maximum number of resident clients subject to the maximum density allowed for the zoning district of the property involved. For purposes of calculating density, every three (3) resident clients shall equal one (1) dwelling unit.

- (e) Facilities housing or treating patients with mental illnesses shall be limited to nonviolent patients who are not suffering from any characteristics or disorders which would render them dangerous to themselves or others. No criminally insane persons shall be housed or treated in any such facility.
  - (f) Buffer landscaping as required by Section 18-1533.16., but in no case less than Landscaping Standard B.
  - (g) Accessory uses limited to those permitted for residential dwelling uses.
  - (h) Where a license is required from the State of Florida, the granting of a conditional use shall be conditioned upon receipt by the Zoning Division of a copy of the appropriate State of Florida license.
  - (i) A Business Tax Receipt from the City of Pinellas Park shall be obtained. Annual renewal of Business Tax Receipt shall require the submission by the owner of proof of a valid State of Florida license.
24. Community Services other than those Listed as Permitted in the M-1 or IH District.
- (a) Review by the Planning and Zoning Commission and approval by the City Council.
25. Crematories, in Conjunction with a Mortuary or Funeral Home.
- (a) Review by the Planning and Zoning Commission and approval by City Council.
  - (b) The crematory shall be within a completely enclosed building.
  - (c) Applicant to provide a sworn statement that such use shall comply with all applicable emissions standards of the County and State.
  - (d) The crematory emissions stack shall be located as far away as possible from any abutting or functionally abutting residential or mixed use zoning district.
26. Drive-In/Drive-Thru Businesses: All Types Not Otherwise Listed.
- (a) For all drive-in/drive-thru businesses other than financial institutions, drive-thru, restaurants, drive-in/drive-thru, and theaters, drive-in, which are separately specified in this Section, the following requirements shall apply:
    - (1) Administrative approval for sites abutting or functionally abutting nonresidential property.
    - (2) Review by the Planning and Zoning Commission and City Council approval for sites abutting or functionally abutting residential zoning districts.
    - (3) Approval of access plans by the Traffic Division Director.
    - (4) The operation of any drive-in/drive-thru business abutting or functionally abutting a residential zoning district shall be limited to the hours between 7:00 a.m. and 11:00 p.m.
27. Dry Cleaning and Laundry Plants.
- (a) Administrative approval for sites abutting or functionally abutting nonresidential property.
  - (b) Review by the Planning and Zoning Commission and approval by City Council for those sites abutting or functionally abutting residential zoning districts.
  - (c) Dry cleaning plants using systems which make use of solvents rated at or above forty (40) according to the Underwriters' Laboratories, Inc. Standard of Classification known as Class I Systems shall be prohibited.
  - (d) Dry cleaning plants using solvents rated at more than five (5) but less than forty (40), according to the Underwriters' Laboratories, Inc., Standard of Classification, known as Class II and Class III Systems, shall not be established in buildings with other occupancy,

and shall only be established in buildings set back not less than twenty (20) feet from any side or rear property line and from any other building or structure.

28. Dwellings, Multi-Family.

- (a) General Requirements.
  - (1) Review by the Planning and Zoning Commission and approval by City Council.
- (b) Specific Requirements for "R-5," "R-6" and "GO," Districts.
  - (1) Minimum Lot area: Forty-three thousand five hundred sixty (43,560) square feet (one (1) acre).
  - (2) Minimum Lot width: Two hundred (200) feet.
  - (3) Other regulations contained in Section 18-1514.4 shall apply in their entirety except as modified above in Subsection (1) and (2).
  - (4) All residential development shall contain a minimum of two (2) stories.
  - (5) Ten-foot wide landscaped buffer along the entire right-of-way which provides the primary access to the site, in accordance with Section 18-1533.16 requirements applicable for landscaping standard Number 1.
  - (6) In addition to the required perimeter landscaping regulations, one (1) tree for every thirty (30) linear feet of perimeter area, or fraction thereof, shall be provided. If a creative landscape design is proposed and accepted, the regular perimeter landscaping regulations of Section 18-1533.16 shall not apply.
  - (7) Interior sidewalks throughout the development shall interconnect buildings, parking areas and recreational facilities, and adjacent rights-of-way.

29. Educational Institutions—Private (Elementary, Middle, and Senior).

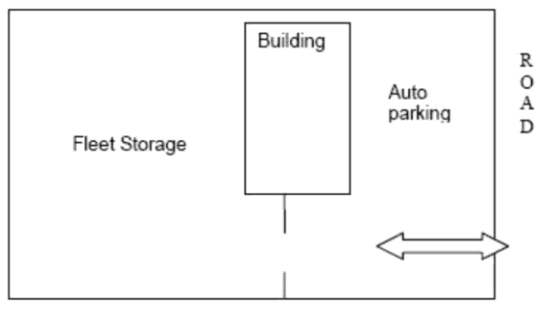
- (a) Review by Planning and Zoning Commission, and approval by City Council.
- (b) Direct access onto either an arterial, arterial frontage or collector street, or as otherwise approved by the Traffic Division Director after determination of acceptable traffic impacts on adjacent roads of lesser classification.
- (c) Uses of land shall be limited to accredited educational facilities including buildings for classrooms, administrations, maintenance, gymnasiums, athletic fields, stadia and playgrounds.
- (d) Minimum setback of twenty-five (25) feet from any property line, unless the district regulations require a greater setback.
- (e) Any playground or athletic field or stadium shall be bordered by a wall or fence at least eight (8) feet in height.

30. Employment Offices, Temporary Labor.

- (a) Review by the Planning and Zoning Commission and approval by City Council.
- (b) No existing or prospective clients/employees shall be present on site except during times that employment offices, temporary labor are open for business.
- (c) All existing and prospective clients/employees shall remain inside the employment offices, temporary labor while waiting on site.
- (d) Applicant shall certify to the City, upon the basis of historical data, the largest number of existing and prospective clients/employees which are expected to be on site at any given time.

- (e) Provide sufficient interior space to accommodate all existing and prospective clients/employees who are waiting on site at any given time. The minimum space per client/employee in the waiting room shall be ten (10) square feet.
  - (f) Provide sanitary facilities for the maximum number of existing and prospective clients/employees which may be lawfully accommodated at the employment office, temporary labor.
  - (g) Minimum separation of five hundred (500) feet from any establishment which sells, dispenses or allows the consumption of alcoholic beverages, measured from property line to property line.
  - (h) Minimum separation of five hundred (500) feet from any other temporary labor employment office, measured from property line to property line.
  - (i) Minimum separation of five hundred (500) feet from any educational institution, recreation center or playground, measured from property line to property line.
31. Exterminator and Pest Control Service Fleet Storage Yards.
- (a) Administrative approval.
  - (b) Pavement with an impervious surface (i.e. asphalt or concrete). Shell, stones, gravel, etc. shall not be considered an impervious surface. No striping is required for individual parking spaces.
  - (c) Solid six (6) feet high wall or fence along perimeter of the lot, in accordance with Section 18-1530.10.
  - (d) No direct access to a street. Gates providing access to a fleet yard shall be separated from the access street by an intervening building or parking facility (see Figure 18-1531-1 for a sample illustration, below).
  - (e) Automotive repair facilities shall be limited to minor automotive repair, which shall be performed only in an enclosed building.

**FIGURE 18-1531-1 PEST CONTROL FLEET YARD**



32. Financial Institutions, Drive-Thru.
- (a) Review by the Planning and Zoning Commission and approval by City Council.
  - (b) Stacking lanes shall be a minimum ten (10) feet wide when straight and twelve (12) feet wide in curves and signed for one-way use.
33. Fraternity and Sorority Houses.
- (a) Review by the Planning and Zoning Commission and approval by City Council.
  - (b) Fraternity and sorority houses or similar student organizations are permitted subject to all regulations for residential uses in the district where located, and subject to the condition

that the maximum number of persons for which beds or other overnight accommodations are provided shall not exceed the maximum number of dwelling units per gross acre, and/or residential equivalent for that zoning district where provided for, or sixty (60) beds, whichever is less. If located in more than one (1) district, the maximum number of persons/beds permitted for the entire lot shall be the sum of the maximum number of persons/beds permitted by each district for the portion of the lot within each given zoning district.

- (c) Fraternity and sorority houses shall be located within one thousand (1,000) feet of an accredited college, university, seminary or other institution of higher education, unless otherwise approved by City Council.
34. Fuel Oil Distribution (Retail Only) and Storage.
- (a) Administrative approval when the site is abutting or functionally abutting nonresidential property.
  - (b) Review by Planning and Zoning Commission and approval by City Council when the site is abutting or functionally abutting residential zoning districts.
  - (c) All fuel shall be stored in underground tanks.
35. Golf Course.
- (a) Review by Planning and Zoning Commission and approval by City Council.
  - (b) Maintenance facilities shall be screened from view from any abutting or functionally abutting residential zoning district by a solid wall or fence a maximum of six (6) feet in height.
  - (c) No buildings or structures other than boundary walls or fences shall be located closer than fifty (50) feet to any property line.
  - (d) A golf driving range may be permitted as an accessory use. No structure used in conjunction with the driving range shall be located closer than two hundred (200) feet to any property line.
  - (e) If a golf driving range is allowed and it is abutting or functionally abutting residential zoning, such driving range shall not be lighted for night-time use.
  - (f) Accessory retail sales (i.e. golf pro shop) may be permitted. Such accessory use shall be limited to a maximum of five hundred (500) square feet of gross floor area.
36. Heavy Truck Repair, (Major).
- (a) Administrative approval.
  - (b) Minimum separation of three hundred (300) feet from any residential district measured from property line to property line.
  - (c) Minimum lot size of fifteen thousand (15,000) square feet.
  - (d) All repair activity to be done in an enclosed building.
  - (e) Enclosure of all outside work areas with a six (6) feet solid wall or fence.
37. Height—Buildings and Structures Over Fifty (50) Feet in the B-1 District and Forty (40) Feet in Other Districts except "TC" Town Center District.
- (a) Review by Planning and Zoning Commission and approval by City Council.
  - (b) All setback requirements shall be increased by fifty (50) percent.
38. Hospitals, sanitariums and related accessory medical services.
- (a) Review by Planning and Zoning Commission and approval by City Council.

- (b) Four-lane arterial or collector street frontage and direct vehicular access only from an arterial, arterial frontage or four-lane collector street.
  - (c) The hospital property shall be limited to any medically related use under control and supervision of the hospital, including but not limited to nurses' homes, physicians' quarters or offices, or medical laboratories directly related to the hospital activities, and such buildings as are necessary to the operation and maintenance of the hospital. In addition, drug stores, gift shops, eating establishments, or such other goods or services providing a convenience for patients, employees and visitors shall be permitted when located inside of any building with no outside separate entrance to such facilities.
  - (d) Minimum lot area of one (1) acre.
  - (e) Minimum lot width of two hundred (200) feet.
  - (f) Minimum setback of one hundred (100) feet of any residential property line.
  - (g) Landscaping "C" Standards, pursuant to Section 18-1533.16, when abutting a residential zoning district.
39. Homeless shelter and resource center.
- (a) Review by Planning and Zoning Commission and approval by City Council.
  - (b) If providing emergency temporary shelter, the structure shall be consistent with the occupancy standards of the Florida Building Code and the Florida Fire Prevention Code in effect at the time of occupancy. Tents or tent-like shelters shall not be permitted. Under no circumstance shall this provision be waived.
  - (c) Length of stay for temporary shelter shall be limited to a maximum thirty (30) days, at which time the sheltered client shall be directed to charitable providers of longer term shelter services, if available.
  - (d) Individuals shall have forty (40) square feet of floor area and families shall have eighty (80) square feet of floor area for bedding and storage of personal items.
  - (e) Operators of shelter services shall maintain records of persons sheltered in a daily census that shall be shared with the Pinellas County Sheriff's Office and the Pinellas Park Police Department.
  - (f) The applicant/operator shall affiliate/coordinate with the Pinellas County Homeless Leadership Board, Inc. in order to avail clients of all homeless services offered in Pinellas County.
  - (g) If prepared meals are offered as a service, all meals shall be served indoors. Food preparers and servers shall be licensed through the Pinellas County Health Department as appropriate. Additionally, homeless shelters and resources centers are subject to Florida Statutes and Rules concerning food service establishments and food safety protocols promulgated through the Florida Department of Business and Professional Regulation, the Florida Department of Health and/or the Florida Department of Agriculture, as appropriate, in order to protect those persons receiving prepared meals from food borne illnesses or otherwise contaminated food products. All meals shall be prepared in a commercial grade kitchen meeting the requirements of the Florida Building Code. Each such kitchen shall be under the supervision of a Certified Food Protection Manager as defined/described by the Florida Department of Agriculture and Consumer Services regardless of the number of employees/volunteers that may be employed to render food services.
  - (h) If conducting prepackaged food assistance to either homeless or non-homeless persons, the conditional use site plan shall demonstrate adequate facilities for receiving and storage of shipments/donations and demonstrate the manner in which food will be stored and distributed to individuals such as a designated pick-up point and adequate parking for clients. Any foods being packaged on site for distribution as prepackaged foods shall be prepared in commercial kitchens as described in (g) above.

- (i) Homeless shelters and resource centers shall be located within one thousand (1,000) feet of a Pinellas Suncoast Transit Authority (PSTA) transit stop as measured along a sidewalk, which must be available to pedestrians seeking the above listed services.
- (j) Off-street parking spaces shall be provided on site at a rate of one (1) space per three (3) clients based upon the building occupancy limit for persons as established by the Florida Building Code or the Florida Fire Prevention Code, whichever is most restrictive.

40. Hotels and Motels.

- (a) Hotel Densities shall be governed by the Zoning District applicable to the location proposed. In some cases this may be less than the density allowable under the future land use classification of the site.
- (b) Review by the Planning and Zoning Commission and approval by City Council.
- (c) Frontage on, or direct access to an arterial street, or a street or frontage road which directly accesses a limited-access highway.
- (d) Access shall be approved by the Traffic Division Director.
- (e) Minimum lot area of one (1) acre.
- (f) Minimum lot width of one hundred fifty (150) feet.
- (g) No more than twenty (20) percent of the hotel/motel lot shall be utilized for drug stores, gift shops, restaurants, taverns and lounges, and other accessory uses.

41. Industrial By-Products: Storage, Treatment and/or Transfer.

- (a) Review by the Planning and Zoning Commission and approval by City Council.
- (b) Site plan shall include: a) Access control; b) Identification of loading and unloading areas; c) Drainage and/or flood control barriers; d) Identification of clean-up areas; e) Runoff control systems; f) Perimeter security; g) Landscaping, in accordance with Section 18-1533.
- (c) Provide a General Location Map, based on one-half (½) mile radius of the site, including:
  - (1) Scale and date.
  - (2) 100-year floodplain area (if applicable).
  - (3) Surface waters (including, but not limited to intermittent stream and springs).
  - (4) Surrounding land uses.
  - (5) Legal boundaries of facility.
  - (6) Drinking water and irrigation wells.
  - (7) Buildings and other structures.
  - (8) Utilities—Water, sewer, drainage, gas, electric (aerial and underground).
- (d) Provide a wind rose.
- (e) Provide a topographic map with contour sufficient to determine surface water flow direction.
- (f) Provide documentation as to whether or not the facility is located within a 100-year floodplain, including source of data.
- (g) Provide results of a laboratory certified soils test for review by City Engineer.
- (h) Minimum separation of three thousand (3,000) feet from any non-industrial zoning district.
- (i) The facility shall be the sole occupant of any building used.

- (j) No building or storage structure closer than fifty (50) feet from any property line or street line.
- (k) No DER-permitted commercial hazardous waste storage, treatment or transfer facility located closer than three thousand (3,000) feet from another such facility, measured from property line to property line.
- (l) Provide information on facility security including security procedures and equipment. Address whether a twenty-four (24)-hour surveillance system or barrier and means to control entry system will be employed. At a minimum, the site perimeter shall be surrounded by an eight (8) feet fence topped with barbed wire. Entrance shall be through an eight (8) feet high gate, with a minimum width of twelve (12) feet.
- (m) Material which meets any of the following characteristics shall be excluded from this operation:
  - (1) Capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement; or
  - (2) Is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or
  - (3) Is a forbidden explosive as defined in 49 CFR 173.54, or a Class I, Division 1.1, 1.2 or 1.3 explosive (formerly Classes A and B) as defined in 49 CFR 173.50, all of which CFR citations shall be as amended from time to time; or
  - (4) Fulminic acid mercury (II) salt and sodium azide; or,
  - (5) Cyanides greater than one hundred (100) ppm; or
  - (6) Any radioactive material.
- (n) The quantity of material stored on site shall be limited to:
  - (1) Thirty thousand (30,000) gallons bulk storage; or
  - (2) Six hundred (600) Florida Department of Transportation approved containers; or total capacity not to exceed thirty-three thousand (33,000) gallons; or
  - (3) Fifty thousand (50,000) gallons combined storage capacity. (If combined storage is used, delineation of the quantity assigned to the bulk and container storage shall be provided.)
- (o) Identify how long material will be stored on site prior to transfer, and describe internal handling procedures.
- (p) Identify:
  - (1) Route(s) to be used to and from the site.
  - (2) Method(s) of transport.
  - (3) Type(s) of containers to be used during shipment.
  - (4) Average frequency and amount daily and weekly to be transported.
- (q) Provide general information on the required contingency plan.
  - (1) Coordinators shall be equipped with an immediate response device (i.e. beeper).
  - (2) Implementation procedures.
  - (3) Emergency response procedures (include methodology for immediate notification of facility personnel and necessary state and local agencies).
  - (4) Control procedures.
  - (5) Prevention of recurrence or spread of fires, explosions, or releases.



- (6) Storage and treatment of released material.
  - (7) Container spills and leakage.
  - (8) Tank spills and leakage.
  - (9) Emergency equipment (location description and capabilities).
  - (10) Communication system (internal and external).
  - (11) Coordination agreements with local agencies.
- (r) Provide the Fire and Police Departments with the Material Safety Data Sheets (MSDS) for the types of material to be stored and the methods/materials necessary to combat a fire/spill involving said material. The Material Safety Data Sheets (MSDS) shall be updated every three (3) months or as additional material is received.
  - (s) Provide on-site storage of fire equipment and retardant chemicals and/or foams suitable for dealing with the types of materials stored. The location of this storage and the quantity to be stored to be determined after discussion with the City's Fire Department. A copy of the Material Safety Data Sheets (MSDS) identified (r) above shall be located in this storage area.
  - (t) Access keys for the entrance gate, building, fire equipment and storage building, and other areas as necessary shall be pre-positioned with the City's Police and Fire Departments.
  - (u) Provide a description of the procedures, structures or equipment used at the facility for the following:
    - (1) Prevention of hazards in loading and unloading operations.
    - (2) Prevention of surface runoff or underground seepage from hazardous waste handling areas to other areas of the facility or environment or prevention of flooding.
    - (3) Prevention of contamination of water supplies.
    - (4) Mitigation of effects of equipment failure and power outages, as applicable.
    - (5) Prevention of undue exposure of personnel to hazardous waste.
  - (v) Description of the precautions taken at the facility to prevent ignition of flammable or reactive waste.
  - (w) Description of the general precautions for handling ignitable or reactive waste.
  - (x) Description of facility personnel preparation and training to respond effectively to emergencies and their knowledge of emergency procedures, equipment and systems.
  - (y) Facility personnel shall conduct joint semi-annual training and drill exercises with the Pinellas Park Fire Department.
  - (z) If treated effluent is to be released into the sanitary sewer system serving the site, provide written documentation that the respective sewer district will accept this effluent and approves of the pretreatment method(s) to be utilized. Further, the applicant will establish a sampling program, to be coordinated with the responsible sanitary sewer department, in order to assure that proper treatment occurs.
  - (aa) A reduced pressure zone backflow prevention device, designed to meet City standards, shall be installed where the private water line connects with the City's potable water line.
  - (bb) Any such other conditions as may be required to properly protect the health, safety and welfare of the residents of the City.
  - (cc) The applicant shall provide the City Engineer with copies of all applicable permits (i.e. Environmental Protection Agency, Department of Environmental Regulation, Southwest Florida Water Management District, or Pinellas County).

- (dd) If monitoring wells are required, as a result of FDER permits, copies of the sampling reports shall be provided to the City Engineer for his review.
42. Industrial Uses Not Permitted By Right in the M-1 or IH Districts.
- (a) Administrative approval.
  - (b) Investigations shall disclose that the proposed use and its operation are compatible with the uses permitted in either the "M-1" or "IH" District, whichever is applicable.
  - (c) The proposed use shall be so designed, located, and operated that the public health, safety, and general welfare will be protected.
43. Junk Yards, Scrap and Salvage Yards.
- (a) Review by the Planning and Zoning Commission and approval by City Council for sites abutting or functionally abutting residential zoning districts.
  - (b) Administrative approval for sites abutting or functionally abutting nonresidential zoning districts.
  - (c) Minimum thirty-five (35) feet-wide landscaped buffer area abutting the entire right(s)-of-way along the frontage which serves as the primary point of access and abutting other rights-of-way minimum fifteen (15) feet wide. The buffer areas shall contain one (1) canopy-type tree for each thirty (30) linear feet of lot frontage or fraction thereof. All such landscaping shall be shown on the site plan, and shall identify the type of trees to be used.
  - (d) Enclosure of all storage areas by a solid wall or fence not less than eight (8) feet high.
  - (e) The stored material enclosed in such an area shall not exceed the height of the fence or wall.
44. Kennels, Pounds and Animal Shelters.
- (a) Administrative approval.
  - (b) Minimum separation of fifteen hundred (1,500) feet away from any residentially zoned property as measured from property line to property line.
  - (c) Eight (8) feet high solid fence or wall around all outdoor runs and cages not within a completely enclosed building.
45. Light Manufacturing.
- (a) Review by Planning and Zoning Commission and approval by City Council for sites abutting or functionally abutting residential zoning districts.
  - (b) Administrative approval for sites abutting or functionally abutting nonresidential zoning districts.
  - (c) All outdoor storage shall meet the requirements of Section 18-1530.11 and shall not exceed the height of the fence or wall.
  - (d) Hours of operation for sites abutting or functionally abutting residential zoning districts shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Saturday, with no operations on Sunday.
  - (e) Access plans to be approved by the Traffic Division Director.
46. Live/Work Units.
- (a) Site Plan review by Community Redevelopment Agency.
  - (b) Front ¼ of the ground floor of the structure shall be used for retail/showroom/gallery.
  - (c) Freestanding signs shall not be permitted unless fronting on Park Boulevard or 49<sup>th</sup> Street.

- (d) No outdoor storage permitted.
- 47. Manufacture of Insecticides or other Hazardous Chemicals.
  - (a) Review by the Planning and Zoning Commission and approval by City Council.
  - (b) Applicants shall show evidence of compliance with all applicable regulations. (See industrial by-products requirements of this Section.)
- 48. Mixed Use - Residential/Office and Residential/Office/Retail.
  - (a) Administrative approval.
  - (b) Pedestrian access to the commercial uses may be from the outside of the building, the inside of the building, or both, but in no instance shall there be unsecured access directly from the commercial to the residential portion of the building.
  - (c) The commercial uses shall not produce noise or other nuisances to residents of the building or adjacent uses.
- 49. Mortuaries and Funeral Homes.
  - (a) Administrative approval.
  - (b) Frontage on an arterial or arterial frontage street. Access plans shall be approved by the Traffic Division Director.
- 50. Offender Halfway House.
  - (a) Review by the Planning and Zoning Commission and approval by City Council.
  - (b) Minimum five-hundred (500) feet of separation from any day care centers, public/private schools, public recreation areas, churches, residentially zoned property (i.e. F, RE, RR, R-1, R-2, R-3, R-4, R-5, R-6, T-1, T-2, RPUD and B-1 (with RM land use)), health care facilities, or commercial establishments licensed to dispense alcoholic beverages, as measured from property line to property line.
  - (c) Minimum twelve hundred (1,200) feet of separation from any other State of Florida licensed facility (as defined in Section 18-1502.2), as measured from property line to property line.
  - (d) The maximum number of resident clients shall not exceed the maximum density allowed for the zoning district of the property involved. For purposes of calculating density, every three (3) resident clients shall equal one (1) dwelling unit.
  - (e) Facilities housing or treating patients with mental illnesses shall be limited to nonviolent patients who are not suffering from any characteristics or disorders which would render them dangerous to themselves or others. No criminally insane persons shall be housed or treated in any such facility.
  - (f) Buffer landscaping as required by Section 18-1533.16, but in no case less than Landscaping Standard B.
  - (g) Only residential accessory uses are permitted.
  - (h) Trash cans shall be concealed by a three (3) feet high solid fence or wall. If a dumpster is provided, the dumpster shall be located on a minimum ten (10) feet by ten (10) feet concrete pad, and subject to Section 18-1530.20, "Dumpsters".
  - (i) Where a license is required from the State of Florida, the granting of a conditional use shall be conditioned upon receipt by the Zoning Division of a copy of the appropriate State of Florida license.
  - (j) An Business Tax Receipt from the City of Pinellas Park shall be obtained. Annual renewal of the Business Tax Receipt shall require the submission by the owner of proof of a valid State of Florida license.

51. Office Supply Stores.
  - (a) Administrative approval.
  - (b) Maximum building height of two (2) stories, or thirty (30) feet.
  - (c) Hours of operation when abutting or functionally abutting a residential zoning district shall be limited to the period from 7:00 a.m. to 11:00 p.m.
52. Office, Low Impact.
  - (a) Review by Planning and Zoning Commission and approval by City Council.
  - (b) Site plan required.
  - (c) Maximum number of parking spaces shall be five (5) spaces inclusive of handicapped accessible spaces.
  - (d) Landscape Buffer Type "B" required on interior lot lines.
  - (e) Minimum lot size of one-half (½) acre but less than one (1) acre located on a corner lot at the intersection of a collector street and a local street or higher roadway classification.
53. Offices.
  - (a) Administrative approval.
  - (b) Access to an arterial or arterial frontage street. Access plans shall be approved by the Traffic Division Director.
  - (c) Maximum building height of two (2) stories, or thirty (30) feet.
54. Off-Street Parking Lots, As Part of a Contiguous Office, Commercial or Industrial Use. This provision addresses parking lots that are located upon a lot that abuts an office, commercial or industrial use, and may have a different zoning designation than the use to which it is accessory. This provision does not regulate nor permit the establishment of a parking facility as a principal use of the lot upon which located.
  - (a) Administrative approval when abutting or functionally abutting nonresidential zoning districts.
  - (b) Review by the Planning and Zoning Commission and approval by City Council for sites abutting or functionally abutting residential zoning districts.
  - (c) Association with the adjacent commercial use by appropriate lease, ownership or other legal instrument. If the commercial use ceases for any reason, subsequent use (of the parking lot) shall revert to the regulations of the district in which such use is located.
  - (d) Permitted only between the office, commercial or industrial district and the nearest street when a residential district.
  - (e) Six (6) feet-high solid wall where adjoining and residentially zoned lot, subject to Section 18-1530.10, "Fences, Walls and Hedges".
  - (f) Outdoor lighting shall be designed and situated for maximized light containment within the subject property. No spill-over lighting shall be directed onto any abutting or functionally abutting residentially zoned property.
  - (g) No movement of vehicles on such lots between 10:00 p.m. and 7:00 a.m.
  - (h) No sales or service activities, nor parking of recreational vehicles of any kind, nor trucks, for more than twenty-four (24) hours, except for operative automobiles and appurtenances and light commercial vehicles. No drive-thru lane for an adjacent or abutting facility or operation shall be allowed.
  - (i) Ten-foot wide landscaped buffer along the entire right-of-way which provides the primary access to the site, pursuant to Section 18-1533.16, for Landscaping Standard Number 1.

- (j) Dumpsters are prohibited.
  - (k) Size and configuration of parking spaces circulation and other design specifications is subject to Section 18-1532 of this Article, except as modified herein.
  - (l) Ingress/egress may be restricted to the commercial site.
  - (m) Landscaping of the parking areas shall meet the minimum requirements in Section 18-1533. Additional landscaping may be required to protect the integrity of existing residential properties.
55. Off-Street Parking Lots and Parking Garages As A Principal Use.
- (a) Review by Planning and Zoning Commission and approval by City Council.
  - (b) Minimum lot size of fifteen thousand (15,000) square feet.
  - (c) Ten-foot wide landscaped buffer along the entire right-of-way which provides the primary access to the site, meeting requirements of Section 18-1533.16
  - (d) Shall maintain landscaping "C" standards.
56. Outdoor Amusements, Flea Markets, Kiddie Parks and Similar Amusement Centers of a Permanent Nature.
- (a) Review by Planning and Zoning Commission and approval by City Council.
  - (b) No amusement device or building used for amusement, or open sales purposes, shall be located nearer than one hundred fifty (150) feet from any residential district. Along any property line adjacent to a residential use or district, there shall be a solid fence or wall not less than six (6) feet in height which shall serve to screen the activity.
  - (c) Where deemed necessary by the City Council for health, safety and welfare, a fence or wall not less than six (6) feet in height shall be required along any property line.
  - (d) All buildings, structures, security guard/caretaker's dwelling unit (single-family or ~~mobile~~ manufactured home) recreational vehicles, tents, mechanical devices or animals associated with such use shall be set back not less than fifty (50) feet from any property line.
  - (e) Minimum lot frontage of three hundred (300) feet on a public road.
  - (f) Arterial street frontage and access. Access is also permitted from a frontage road bordering such thoroughfare, or from a street within the same block that intersects the thoroughfare upon which the use has frontage.
  - (g) No operation after 11:00 p.m. where abutting or functionally abutting a residential zoning district.
  - (h) Sounds emanating from the use shall not adversely affect surrounding residential property and shall meet the requirements of Chapter 16 of the Code of Ordinances.
  - (i) Residential accommodations limited to one (1) permanent fixed residential dwelling for a caretaker.
57. Outdoor Sales of Boats, Recreational Vehicles or ~~Mobile~~Manufactured Homes.
- (a) Review by the Planning and Zoning Commission and approval by City Council.
  - (b) Minimum lot area of fifteen thousand (15,000) square feet.
  - (c) Ten-foot wide landscaped buffer located along the entire right-of-way which provides the primary point of access to the site in accordance with Section 18-1533.16.
  - (d) Minimum four (4) feet of open space between each boat, recreational vehicle or ~~mobile~~manufactured home being displayed.

- (e) No storage of inoperable or otherwise unusable boats, recreational vehicles or mobilemanufactured homes. All outdoor storage (including operable vehicles) shall be shielded by a solid six (6) feet high wall or fence, in accordance with Section 18-1530.10, "Fences, Walls and Hedges".
  - (f) Stacking of boats is prohibited.
  - (g) Repair is limited to automotive repair (minor) and only within an enclosed building.
  - (h) Delineations of all customer and employee parking and display areas on the site plan. Pavement signage or small signs on vertical posts stating "customer parking" or "employee parking" shall be constructed for each customer and employee parking space and shall be maintained by the owner or lessee. Display areas are not required to stripe individual parking spaces to allow flexibility in display. Display of boats, recreational vehicles, and mobilemanufactured homes shall not encroach at any time into any customer or employee parking area, drive aisles, greenspace area, or visibility triangle.
58. Paint Manufacturing.
- (a) Administrative approval.
  - (b) Lot shall not abut or functionally abuts a residential zoning district.
  - (c) Use shall be located in an industrial park which has direct access to an arterial, arterial frontage street or expressway.
  - (d) No direct access through a residential zoning district is permitted.
59. Places of Worship.
- (a) Review by the Planning and Zoning Commission and approval by City Council.
  - (b) Minimum lot area of twenty-two thousand five hundred (22,500) square feet.
  - (c) Minimum lot width of one hundred fifty (150) feet.
  - (d) Minimum setback of fifty (50) feet to any property line abutting a residential zoning district.
  - (e) Any accessory residential use or school upon the premises shall provide additional lot area as required for such use and shall further be subject to all conditions set forth therein. Accessory uses may include convents, monasteries, rectories, parsonages or church halls.
60. Plant Nurseries, Retail.
- (a) Administrative approval.
  - (b) No vehicular access driveway shall be located closer than one hundred (100) feet from any intersection, unless the lot is of insufficient width to comply with this requirement, in which case ingress and egress shall be located at the furthest point from the intersection possible.
  - (c) The owners or tenants of the property on which the plant nursery is located shall operate the business.
  - (d) In the "F" Farm zoning district, retail sales of plant material limited to that which is actually grown on the subject property. No other sales of garden and plant accessories (i.e. tools, seeds, mulch, soil, stepping stones, or other similar material).
  - (e) In the "B-1" and "CH" zoning districts, retail display, storage, and sales of plant material and garden and plant accessories (i.e. tools, seeds, mulch, soil, stepping stones and other similar material) shall be screened from view by material acceptable to the Zoning Director. In no case shall a chain link fence with inserts be allowed.
  - (f) Access plans must be approved by the Traffic Division Director.
61. Produce Stands.

- (a) Administrative approval.
  - (b) Minimum one hundred-foot separation from any intersection.
  - (c) The stand shall be operated by the owners or tenants of the property on which the stand is located.
  - (d) Sale of produce limited to that which is actually grown on the subject property.
  - (e) Minimum five (5) off-street parking spaces. Meeting the requirements of Section 18-1532, except that paving is not required. Access plans must be approved by the Traffic Division Director.
62. Race Tracks.
- (a) Review by Planning and Zoning Commission and approval by City Council.
  - (b) Minimum one thousand (1,000) feet of separation of any residential zoning district as measured from property line to property line.
  - (c) Access and frontage onto an arterial or arterial frontage street. Access plans must be approved by the Traffic Division Director.
  - (d) Minimum lot area of five (5) acres.
  - (e) Minimum lot frontage of three hundred and thirty (330) feet along the arterial or arterial frontage street.
  - (f) Minimum fifty-foot of setback to any property line.
  - (g) Where deemed necessary by the City Council in the interest of health, safety and welfare, safety fences shall be required along all property lines.
63. Railroad Terminals or Other Rail/Mass Transit Facilities. Review by Planning and Zoning Commission and approval by City Council.
64. Recreation/Open Space.
- (a) Administrative approval.
  - (b) Site plan required.
  - (c) When the proposed use is located within a Single Family Residential District and is primarily recreation, a six-foot-high solid fence may be required to buffer abutting residences, in the judgment of the Zoning Director, and based upon input from neighboring property owners and the presence of existing fencing on adjacent properties.
65. Recreation Establishments. (e.g. bowling alley, golf practice range, golf course, dance hall, skating rink or other similar places of amusement or entertainment).
- (a) Administrative approval when abutting or functionally abutting nonresidential zoning districts.
  - (b) Review by the Planning and Zoning Commission and approval by City Council whenever abutting or functionally abutting any residential zoning district.
  - (c) Frontage on an arterial or arterial frontage street.
  - (d) All parking areas and ingress and egress shall be so designed to minimize traffic congestion on any adjacent streets and shall be approved by the Traffic Division Director.
  - (e) When abutting a single-family residential zoning district, the following regulations shall apply:
    - (1) No parking within the required side or rear yard setbacks.
    - (2) Minimum building setbacks of: fifty (50) feet front; fifteen (15) feet side; and twenty-five (25) feet rear. If a corner lot, a twenty-five (25) feet secondary front setback. In no

case shall a setback of less than twenty-five (25) feet be provided when abutting a single-family residential zoning district.

- (3) Fifteen (15) feet wide landscaped buffer abutting the single-family zoning district. Meeting requirements of Section 18-1533.16, Landscaping Standard "D" except that tree spacing shall be one tree per 25 feet.
- (4) For outdoor recreational uses, on-site noise containment shall be a primary consideration in the design of the site.

66. Recreational Vehicles. This use shall only be an accessory use to a mobile manufactured home park. This restriction shall be effective March 15, 1993.

- (a) Review by the Planning and Zoning Commission and approval by City Council.
- (b) Subject to the density limitations of the Comprehensive Plan.
- (c) Lot size and other dimensional requirements will be in accordance with "T-2 District" regulations.
- (d) Each lot shall be clearly defined by a permanent marker placed at all corners.
- (e) Parking on assigned spaces only. Recreational vehicles occupying travel trailer sites existing as of the effective date of this Section (July 28, 1983), may construct permanent additions to such vehicles subject to the setbacks established for the "T-2" District.
- (f) Recreational vehicles are exempt from the minimum liveable floor area requirements.

67. Research and Development.

- (a) Administrative approval when the site abuts or functionally abuts a nonresidential zoning district.
- (b) Review by the Planning and Zoning Commission and approval by City Council for sites abutting or functionally abutting residential zoning districts.
- (c) Frontage on either an arterial, arterial frontage or collector street.
- (d) Minimum lot size of fifteen thousand (15,000) square feet.
- (e) No storage of materials, supplies, or equipment, except in an enclosed building.
- (f) No use, activity, or process shall produce electromagnetic or other interference with normal off-site radio and/or television reception.

68. Residential Care Facilities.

- (a) Review by the Planning and Zoning Commission and approval of City Council.
- (b) The minimum lot area and minimum lot width shall be not less than the following amounts:

Zoning District	Minimum Lot Area	Minimum Lot Width
R-6, ROR	1 acre	150 feet
GO, B-1, P	20,000 sq. ft.	150 feet

- (c) Where adjoining any residential district, no building shall be located closer than twenty-five (25) feet to any interior property line for one (1) or two (2) stories, and no closer than fifty (50) feet for buildings over two (2) stories.
- (d) Not less than twenty (20) percent of the lot area shall be landscaped and retained as usable open space for occupants, with adequate accommodations for wheelchair use.

69. Restaurants.



- (a) Administrative approval.
  - (b) The operation of the restaurant when abutting or functionally abutting a residential zoning district shall be limited to the period from 7:00 a.m. to 11:00 p.m.
70. Restaurants, Drive-In/Drive Thru.
- (a) Review by the Planning and Zoning Commission and approval by City Council.
  - (b) Minimum lot area of fifteen thousand (15,000) square feet.
  - (c) Frontage on an arterial or arterial frontage street. Access plans shall be approved by the Traffic Division Director.
  - (d) Minimum setback of thirty (30) feet to any side property line, or twenty-five (25) feet to any rear property line.
  - (e) The operation of the drive-in/drive-thru facility when abutting or functionally abutting a residential zoning district shall be limited to the period from 7:00 a.m. to 11:00 p.m.
71. Rooming and Boarding Houses.
- (a) Review by Planning and Zoning Commission and approval by City Council.
  - (b) The maximum number of persons for which beds or other overnight accommodations are provided shall be determined by the ~~future land use plan~~Land Use Plan Map, but in no event shall exceed fifteen (15).
  - (c) Minimum thirty (30) percent usable open space on the lot.
  - (d) Lot meet the minimum lot area requirement for the zoning district in which it is requested for approval.
72. Schools of Non-Academic Curriculum.
- (a) Administrative approval when abutting or functionally abutting nonresidential zoning districts.
  - (b) Review by the Planning and Zoning Commission and approval by City Council when abutting or functionally abutting residential zoning districts.
  - (c) Sale of or consumption on the premises of alcoholic beverages is prohibited.
  - (d) Operation limited to the hours between 7:00 a.m. and 11:00 p.m. when it is located abutting or functionally abutting any residential zoning district.
73. Schools, Trade.
- (a) Administrative approval when abutting or functionally abutting nonresidential zoning districts.
  - (b) Review by the Planning and Zoning Commission and approval by City Council when abutting or functionally abutting residential zoning districts.
  - (c) The operation of said facility shall be limited to the hours between 7:00 a.m. and 11:00 p.m. when it is located abutting or functionally abutting any residential zoning district.
74. Secure Climate Controlled Storage Facility.
- (a) Review by the Planning and Zoning Commission and approved by City Council for sites abutting or functionally abutting residential zoning districts.
  - (b) Administrative approval by staff when abutting nonresidential zoning districts.
  - (c) Frontage on an arterial or arterial frontage street. Access plans shall be approved by the Traffic Division Director.

- (d) Use limited to storage of household items, business records, and related business items, autos and similar vehicles weighing no more than six thousand (6,000) pounds, merchandise/or retail or wholesale sale items, boats and outboard engines and building materials.
  - (e) At least fifty-five (55) percent of the units must be dehumidified (heating and air conditioning).
  - (f) Minimum thirty-five-foot-wide landscaped buffer area abutting arterial streets and ten (10) feet abutting other rights-of-way.
  - (g) Minimum ten-foot-wide landscaped buffer abutting residential zoning district property lines.
  - (h) Mandatory caretaker dwelling for security purposes
  - (i) No use other than storage is permitted in the facility.
75. Shelter Homes, subject to Section 18-1530.19 "Community Residential Homes".
- (a) Review by the Planning and Zoning Commission and approval by City Council.
  - (b) Minimum separation of five hundred (500) feet from any licensed daycare center or public/private school as measured from property line to property line.
  - (c) Minimum separation of twelve hundred (1,200) feet of any other State of Florida licensed activity (as defined in Section 18-1502.2), as measured from property line to property line.
  - (d) Maximum fourteen (14) resident clients.
  - (e) Facilities housing or treating patients with mental illnesses shall be limited to nonviolent patients who are not suffering from any characteristics or disorders which would render them dangerous to themselves or others. No criminally insane persons shall be housed or treated in any such facility.
  - (f) Maintenance and operation in accordance with the applicable Code provisions and in a manner compatible with the surrounding area.
  - (g) Buffer landscaping as required by Section 18-1533.16, but in no case less than Landscaping Standard B.
  - (h) Accessory uses limited to those permitted for residential dwelling uses.
  - (i) No exterior signage identifying the use of the premises as a Shelter Home.
  - (j) Where a license is required from the State of Florida, the granting of a conditional use shall be conditioned upon receipt by the Zoning Division of a copy of the appropriate State of Florida license.
  - (k) A Business Tax Receipt from the City of Pinellas Park shall be obtained. Annual renewal of the Business Tax Receipt shall require the submission by the owner of proof of a valid State of Florida license.
76. Shooting Range.
- (a) Review by the Planning and Zoning Commission and approval by City Council.
  - (b) Minimum separation of five hundred (500) feet from any residentially zoned lot, as measured from property line to property line.
  - (c) Projectile containment/shielding methods and materials shall be approved by the City Council.
77. Shopping Centers.
- (a) Shopping centers of five (5) or more total acres in area should be developed as planned unit developments, subject to the regulations in Section 18-1529, "Planned Unit Development District".

- (b) Administrative approval when:
  - (1) The site is abutting or functionally abutting nonresidential zoning districts.
  - (2) The gross floor area is less than fifty thousand (50,000) square feet.
- (c) Review by the Planning and Zoning Commission and approval by City Council when:
  - (1) The site is abutting or functionally abutting residential zoning districts.
  - (2) The gross floor area is fifty thousand (50,000) square feet or more.
- (d) Access plans shall be approved by the Traffic Division Director.
- (e) At least fifty (50) percent of the required front yard setback shall be landscaped.
- (f) Continuous solid, linear facades are not permitted. Variation in the horizontal and vertical planes of the facade is required. Use of recessed or protruding stairwells, entryways, balconies, staggered roof lines and/or a change in building materials shall be used to achieve a variation in the facade design.

78. Solid Waste Facilities.

- (a) Site plan review by the Planning and Zoning Commission and approval by City Council.
- (b) The owner shall provide necessary information to the City establishing the public necessity of the facility in the location where sought. This requirement shall not apply to enlargements or alterations to existing facilities.
- (c) Minimum separation of five hundred (500) feet to any residentially zoned property.
- (d) Trees planted on an average of one (1) tree every twenty-five (25) feet in a staggered planting pattern to form a visual buffer to such facility.

79. Special Needs Treatment Facility.

- (a) Review by the Planning and Zoning Commission and approval by City Council.
- (b) Minimum separation of five hundred (500) feet from any licensed day care center, public/private school, residentially zoned property (i.e. F, RE, RR, R-1, R-2, R-3, R-4, R-5, R-6, T-1, T-2, RPUD and B-1 (with RM land use)), health care facilities or commercial establishments licensed to dispense alcoholic beverages as measured from property line to property line.
- (c) Minimum separation of twelve hundred (1,200) feet of any other State of Florida licensed facility (as defined in Section 18-1502.2), as measured from property line to property line.
- (d) Maximum fourteen (14) resident clients.
- (e) Facilities housing or treating patients with mental illnesses shall be limited to nonviolent patients who are not suffering from any characteristics or disorders which would render them dangerous to themselves or others. No criminally insane persons shall be housed or treated in any such facility.
- (f) Buffer landscaping as required by Section 18-1533.16, but in no case less than Landscaping Standard B.
- (g) Accessory uses limited to those permitted for residential dwelling uses.
- (h) Where a license is required from the State of Florida, the granting of a Conditional Use shall be conditioned upon receipt by the Zoning Division of a copy of the appropriate State of Florida license.
- (i) A Business Tax Receipt from the City of Pinellas Park shall be obtained. Annual renewal of the Business Tax Receipt shall require the submission by the owner of proof of a valid State of Florida license.

80. Storage of Flammable Liquids Above Ground in Excess of One Thousand (1,000) Gallons.
- (a) Review by the Planning and Zoning Commission and approval by City Council.
  - (b) Demonstrate conformance with all applicable regulations regarding the handling and storage of subject flammable liquids.
  - (c) Minimum tank setback of five hundred (500) feet from any residential zoning district.
81. Taverns and Lounges (includes bottle clubs).
- (a) Staff only review if subject site does not abut or functionally abut residential zoning districts.
  - (b) Review by the Planning and Zoning Commission and approval by City Council if abutting or functionally abutting residential zoning districts.
  - (c) Minimum five hundred (500) feet separation from any "F," "RE," "RR," "R-1," "R-2," "R-3," "R-4," "T-1," "T-2," "R-5," "R-6" or Residential "PUD" District. See Section 18-1530.13(A)4. for measurement procedure.
  - (d) Minimum maintained lighting level of the entire customer parking area of five-foot candles per square foot measured at the surface of the parking area.
  - (e) An establishment which sells beer or malt liquor containing alcohol of 0.5 percent (0.5%) or more by volume only for consumption off the premises, and which does not otherwise sell or dispense alcoholic beverages or allow on-premise consumption of alcoholic beverages, shall not be subject to the provisions of this Section. As used herein "malt beverages" shall mean all brewed beverages containing malt. Furthermore, the provisions of this Section shall not apply to "Package Stores ," as defined in Section 18-1502.2, which shall be considered a "retail sales" establishment.
- In addition to the foregoing requirements, the following requirements, where applicable, shall apply:
- (f) The provisions of Chapter 4, "Alcoholic Beverages ," Section 16-110 "Nudity Regulation of Commercial Exploitation of" and Section 16-112, "Live Nude or Semi-Nude Entertainment in Establishments Dealing in Alcoholic Beverages" of the Code of Ordinances; and
  - (g) The provisions of Section 18-1530.13. "Regulations for Sale and Dispensing of Alcoholic Beverages" of the Land Development Code.
82. Taxi, Limousine Dispatch or Rental, Auto Rental Establishment, Accessory Minor Automotive Repair.
- (a) Administrative approval when abutting or functionally abutting nonresidential zoning districts.
  - (b) Review by the Planning and Zoning Commission and approval by City Council for sites abutting or functionally abutting residential zoning districts.
  - (c) Minimum lot size of fifteen thousand (15,000) square feet.
  - (d) Ten (10) feet wide landscaped buffer along the entire right-of-way which provides the primary access to the site in accordance with Section 18-1533.15.
  - (e) Shielding of all outdoor storage areas by a solid six (6) feet high wall or fence where abutting a public right-of-way or residentially zoned property in compliance with the requirements of Section 18-1530.10, "Fences, Walls and Hedges".
83. Theaters.
- (a) Administrative approval when the site abuts or functionally abuts nonresidential zoning districts.

- (b) Review by the Planning and Zoning Commission and approval by City Council for sites abutting or functionally abutting residential zoning districts.
  - (c) Minimum separation from three hundred (300) feet from any residential zoning district as measured from property line to property line.
84. Theaters, Drive-In.
- (a) Administrative approval when the site is abutting or functionally abutting nonresidential zoning districts.
  - (b) Review by the Planning and Zoning Commission and approval by City Council for sites abutting or functionally abutting residential zoning districts.
  - (c) Minimum lot size of ten (10) acres.
  - (d) Minimum five hundred (500) foot separation from any residential zoning district, as measured in from property line to property line.
  - (e) Access and egress shall be directly from an arterial or frontage road, and sufficient traffic queuing lanes to the point of entrance. All access and queuing plans must be approved by the Traffic Division Director.
  - (f) Minimum setback of fifty (50) feet to any property line.
  - (g) Solid perimeter barrier wall or fence not less than eight (8) feet in height and a ten-foot wide landscaped buffer along streets and adjacent property.
  - (h) The screen upon which movies are projected shall not be visible from any arterial street or neighboring residential area.
  - (i) Central loudspeakers shall not be permitted.
85. Truck/Trailer Rental Establishment.
- (a) Staff only approval for sites that do not abut or functionally abut single family residential zoning districts.
  - (b) Review by Planning and Zoning Commission and final approval by City Council for sites that abut or functionally abut single family residential zoning districts.
  - (c) Area used for storage of inventory must be screened from view from adjacent rights-of-way and/or abutting or functionally abutting single family zoning districts.
  - (d) Access plans must be approved by the Transportation and Stormwater Director.
86. Utilities, Public and Private.
- (a) This provision applies to any buildings, structures, installations, substations or other required facilities for the operation of a public or private utility service and other essential services of government which are located at or above the ground surface. However, it shall not apply to underground facilities or ordinary facilities such as poles or installations upon poles, wires, pipes, rails, roads or other features for which a right-of-way is required for the actual transmission or transportation of any utility service. Further, these provisions shall not apply to ordinary administrative offices, storage yards or other activity of a public utility or government service which is not directly related to the transmission or transportation of the utility service or the essential governmental service.
  - (b) Administrative approval.
  - (c) The owner shall provide necessary information to the City establishing the public necessity of the facility in the location where sought. This requirement shall not apply to enlargements or alterations to existing facilities.
  - (d) The minimum setbacks requirements shall be not less than required in the district where located, but where abutting or functionally abutting a residential zoning district the setbacks

shall be not less than thirty (30) feet or the height of such building or structure, whichever is greater.

- (e) The cumulative area of all building(s) and enclosed structures shall cover not more than thirty (30) percent of the net lot area.
- (f) Discontinuance for a period in excess of six (6) months requires that all improvements associated with the conditional use be dismantled/demolished and removed from the site at the owner's expense.

87. Warehouses, Storage, Mini-Warehouse and Wholesaling Establishments.

- (a) Administrative approval.
- (b) Twenty-foot wide landscaped buffer along the entire right-of-way which provides the primary access to the site, in accordance with requirements of Section 18-1533.15.
- (c) No outdoor storage of materials.
- (d) Orientation of all noise-generating mechanical equipment and garage doors away from residential zoning districts.

88. Zero Lot Development. (Compliance with Section 18-1529, "Planned Unit Development District" of this Article.

**113. Section 18-1532.1 is hereby amended as follows:**

**SECTION 18-1532. - OFF-STREET PARKING AND LOADING REGULATIONS**

**Sec. 18-1532.1. - PURPOSE, INTENT AND APPLICABILITY.**

- (A) **Purpose.** It is necessary to establish minimum requirements for facilities and space for the off-street parking of vehicles and loading and unloading of goods in the City, in order to promote the safety of pedestrians and motorists, the orderly movement of people, vehicles and goods, and maintaining the public ways, recognizing that different land uses have varying requirements for off-street parking.
- (B) **Intent.** All use of land shall provide off-street parking in accordance with the standards and requirements of this Section.
- (C) **Applicability.** No development permit shall be issued that causes any of the following situations unless the use or for which the permit is being sought complies with these off-street parking and loading regulations:
  - 1. New Use. Whenever a new use is established.
  - 2. Expansion of a Building or Structure. Whenever an existing building or structure is enlarged.
  - 3. Expansion or Change of Use. Whenever the use of an existing building, structure or site is expanded or changed so that it will increase the number of required spaces.
- (D) **Exemptions.** The Zoning Director may adjust or waive the requirement for additional parking in the following circumstances:
  - 1. If the expansion or change of use of an existing development increases the demand for spaces and the applicant demonstrates the adequacy of existing parking to meet existing and projected demands, the Zoning Director may waive the requirement for additional parking.
  - 2. If the expansion or change increases parking demands by not more than the greater of five (5) spaces or ten (10) percent, the Zoning Director may waive the requirement for additional parking. This provision may be used only once for any given site.

3. If the existing parking is non-conforming, yet accommodates existing demands, the Zoning Director may adjust the increased parking requirement based on the demand created by the expansion of the building or use.

**114. Section 18-1532.4 is hereby amended as follows:**

**Sec. 18-1532.4. - SHARED AND OFF-SITE PARKING.**

- (A) OFF-SITE PARKING. Required parking for certain nonresidential uses may be provided off-site, within a distance not to exceed four hundred (400) feet measured as the shortest distance between the two (2) properties, along the most direct route of sidewalk access between the properties, provided that:
1. The two (2) properties are completely connected by sidewalks and are not separated by a collector or arterial roadway; and
  2. Appropriate directional signage is provided to advise patrons of the off-site parking and to reserve the off-site parking for the building or use it serves; and
  3. The use is characterized by relatively infrequent utilization of its full parking facilities and/or a low turnover of parking spaces, such as a theatre, auditorium, arena, auction house, place of worship (excluding parking for day care, administrative offices and elementary school), faculty and student parking for colleges and universities, and employee parking for uses such as hospitals, government buildings, office buildings, banks and other places of substantial employment, or uses with similar parking characteristics.
  4. Within the CRA boundaries, a mixed-use development, or a neighborhood that the Zoning Director finds to be functionally pedestrian-oriented and mixed-use, the Zoning Director may extend the off-site parking distance in this paragraph to eight-hundred (800) feet, if:
    - (a) there is a continuous system of sidewalks or other pedestrian facilities connecting the off-site parking with the non-residential use;
    - (b) the remote parking does not require pedestrians to cross an arterial street;
    - (c) required parking for disabled individuals is provided on-site;
    - (d) required parking for residences is provided on-site or on an abutting parcel; and
    - (e) the owners of the property where the parking and the proposed development are located enter into an agreement reserving the required parking spaces for exclusive use by the subject development or joint use pursuant to paragraph (B) of this section. Exclusive and joint parking agreements shall not be revocable without approval of the Zoning Director. As an alternative to this requirement, the Zoning Director may approve the use of public parking areas upon determining that the areas have sufficient surplus parking to serve the proposed development.
- (B) JOINT PARKING FACILITIES.
1. The required off-street parking may be collectively provided by two (2) or more uses, however, the number of parking spaces shall not be less than the sum of the requirements for the several individual uses if computed separately, except as provided below.
  2. Where it can be shown to the satisfaction of the Zoning Director that the peak hours of use for two (2) or more establishments on the same lot will not coincide, or a parking demand study certified by a registered engineer determines on the basis of current peak usage that an existing use that is to be the subject of a shared parking agreement has surplus parking spaces, the sum of the parking requirements for said establishments may be reduced; however, said reduction shall not exceed twenty-five (25) percent of the total number of required off-street parking spaces.

(C) ADMINISTRATION AND ENFORCEMENT.

1. It shall be the responsibility of the developer to provide the documentation necessary to determine whether the provisions of this section are applicable.
2. In any case, where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, a written agreement thereby assuring their retention for such purposes shall be recorded and shall be filed with the application for a building permit. A covenant running with the lands shall be recorded noting that the properties have a shared parking arrangement or offsetting peak hour parking arrangement.
3. If it is found that the peak hours of operation for establishments utilizing shared parking have become the same or overlap, then all required parking shall be provided if, in the opinion of the Zoning Director, a lack of parking is expressed by "spillover" whereby the lack of parking on site impacts adjacent or other nearby uses.

**115. Section 18-1532.6 is hereby amended as follows:**

**Sec. 18-1532.6. - SPECIFICATIONS AND STANDARDS FOR PARKING LOT DEVELOPMENT.**

(A) CIRCULATION.

1. Off-street parking areas shall be designed to ensure safe and efficient traffic circulation, with consideration given to the surrounding street plan, traffic volumes, proposed street improvements, vehicular street capacities, and pedestrian movements and safety. The parking facilities shall be of sufficient size and configuration to allow necessary functions for loading, unloading and parking maneuvers to be carried out on private property, and completely off the street right-of-way, unless otherwise specifically permitted.
2. Parking facility design shall provide for a clearly defined vehicular circulation system, which allows free movement within the proposed site while discouraging excessive speed, and allows efficient and orderly circulation that minimizes congestion.
3. Pedestrian and vehicular circulation systems shall be adequately separated for pedestrian safety.
4. All off-street parking areas, with the exception of those required for attached or detached single-family homes, shall be designed so that no vehicle is required to back directly into a public street right-of-way (exclusive of alleys) to obtain egress, and so that no vehicle shall be required to use a public street right-of-way (exclusive of alleys) for direct movement into or out of individual parking spaces. The establishment of new back-out parking for single-family homes is prohibited along collector and arterial roadways. Furthermore, no required parking spaces may be located directly in front of vehicular access openings to buildings; all such access bays must remain accessible.
5. Lighting shall be consistent with the latest recommendations of the Illuminating Engineering Society (IES) document RP-20-98, Lighting for Parking Facilities, as may be amended from time to time.

(B) SURFACE. All off-street parking and access ways shall be paved with pervious or impervious surfaces as approved by the City Engineer and marked in accordance with the standard specifications of the City of Pinellas Park, except as provided below.

1. Pervious material may be substituted where approved by the City Engineer based on sound engineering and traffic principles and consistency with an approved drainage plan.
2. Where it can be shown that the use of all spaces of a parking lot or portion thereof is equal to or less than an average of six (6) vehicular parking events (i.e., one (1) vehicle parking in and leaving a space) per space per week, such parking areas need not be paved to City Standards and may utilize an unpaved surface for parking and circulation, provided the surface is



stabilized to professionally accepted standards. Such parking areas shall be clearly delineated with wheel stops, border chain, shrubs or other suitable materials to clearly show the general parking scheme intended. In addition, that portion of the access to the lot lying within City right-of-way shall be paved and improved to City Standards as required by the City Engineer.

(C) **PARKING SPACE DIMENSIONS.** Unless otherwise specified herein, each off-street parking space shall have a minimum net area of one-hundred sixty-two (162) square feet, and minimum dimensions of nine (9) feet by eighteen (18) feet exclusive of access drives or aisles that provide access thereto, without requiring another automobile to be moved or otherwise requiring access over or through any other parking space, except as provided herein for valet parking and/or funeral homes/chapels.

1. A driveway, as well as a carport, that meets the dimensional requirements of this provision, may be counted as off-street parking spaces for single-family homes, regardless of the need to move one (1) automobile in order to afford ingress and egress for another automobile.
2. A garage or carport, and a driveway servicing a garage or carport, that meets the dimensional requirements of this provision, may be counted as off-street parking spaces for attached single-family homes, duplex and townhome units to which the garage or carport is attached, regardless of the need to move one (1) automobile in order to afford ingress and egress for another automobile, subject to Subsection (A)4., above. If a homeowner subsequently encumbers garage or carport space in a manner that eliminates its functional use as a parking space, then that space shall be replaced in another acceptable manner and location within a timeframe to be determined by the Zoning Director.
3. No parking space shall be designed or constructed so as to encroach on any sidewalk, pedestrian way or required landscape area. The use of wheelstops and or grass strips two (2) feet in width between the curb and pedestrian way shall be installed where conflicts arise. Such a two (2) feet wide grass strip shall not qualify as interior green (VUA landscape) as described in Section 18-1533, Landscaping.
4. A standard off-street parallel parking space shall measure nine (9) feet by twenty-three (23) feet.
5. The width of a parking space shall be increased by two (2) feet where adjacent to fences, walls or curbs above six (6) inches in height.

(D) **PARKING LOT ACCESS AISLES.**

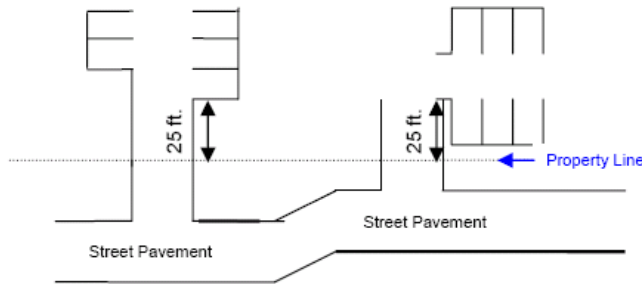
1. Dimensions. Ingress/~~and/or~~ egress aisles to a parking lot with ten (10) or more spaces shall be properly marked and designated and shall have the following width dimensions, provided that the Florida Fire Prevention Code requires at least one means of ingress into a site at a minimum of twenty (20) feet (where feasible the required width can be assumed from an adjacent aisle) in width:

One Way:	Minimum - twelve (12) feet maximum sixteen (16) feet (except fire lanes which shall be 20 feet of unrestricted access width.)
Two Way:	Minimum - twenty-four (24) feet Maximum - forty (40) feet
Right turn radius (ingress and egress):	
	Minimum: fifteen (15) feet
	Maximum: twenty-five (25) feet

2. Two-way directional movement requires a minimum aisle of twenty-four (24) feet regardless of parking angle.
3. If a parking aisle requires access for emergency vehicles, garbage trucks or trucks moving to or from a loading area, that parking aisle shall be at least twenty-four (24) feet wide.

4. Parking stalls abutting the same continuous parking aisle shall have the same angle and orientation. Parking aisles less than twenty-four (24) feet wide and aisles abutting parking stalls with angles of less than ninety (90) degrees, shall be one-way only. Parking stall angles and parking aisle direction of flow may change only when the parking aisle is interrupted by a circulation drive, structure, or landscape median or similar feature.
5. All required parking stalls shall have direct and unobstructed access from a parking aisle.
6. When a row of parking stalls is immediately adjacent to a right-of-way, a minimum stacking area of twenty-five (25) feet is required between the property line and the entrance to the first stall. See Figure 18-1532-1, below.

**FIGURE 18-1532-1 MINIMUM STACKING AREA ADJACENT TO RIGHT-OF-WAY**

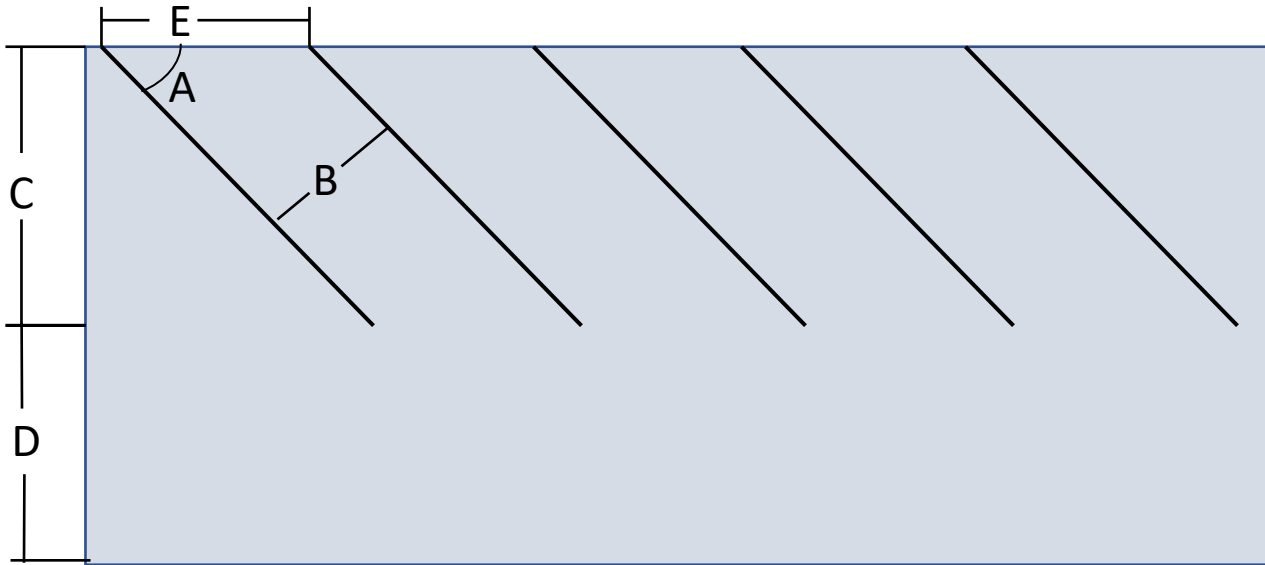


7. Dead-end parking aisles are prohibited, except where a double-loaded dead-end aisle serves fewer than twenty-one (21) parking spaces and a turnaround area is provided that will accommodate a three (3) point turnaround, or where the number of parking spaces in the double-loaded dead-end aisle is ten (10) or fewer (AASHTO "P" Design Vehicle).
- (E) ADDITIONAL CONSIDERATIONS FOR ANGLED PARKING SCHEMES. The following dimensions shall be utilized for the development of angled (less than ninety (90) degrees) spaces. Other layout arrangements (herringbone, hybrids) may be approved provided they meet common industry standards.

**FIGURE 18-1532-2 TYPICAL ANGLED PARKING LAYOUT**

A Parking Angle (degrees)	B Standard Stall Width (feet)	C Stall Depth from Curb (feet)	D Aisle Width 1-way/2- way (feet)	E Curb Length (feet)	Minimum Lot Width (feet) (2 rows plus aisle)
0	9	9	10/22	22	28
30	9	15	10/22	18	40
37.5	9	16	11/22	15.1	43
45	9	17	13/22	12.7	47
52.5	9	18	15/22	11.4	51
60	9	19	18/22	10.4	56
90	9	20	23/23	9	63

Note: Letters A-E in the first 5 columns correspond to the angles and dimensions shown below.



- (F) **SIGNAGE AND MARKINGS.** Traffic control signs and delineation and other pavement markings shall be used as necessary to ensure safe and efficient traffic operation of parking areas. All parking spaces shall be delineated by painted lines, curbs, and/or other means to indicate individual spaces. Please reference the MUTCD (Manual of Uniform Traffic Control Devices) for guidance.
1. Emergency vehicle access requirements. When necessary for adequate accessibility for fire protection purposes, emergency access for fire rescue apparatus, equipment and operations shall conform to the requirements of the Florida Fire Prevention Code.
- (G) **ATTENDANT PARKING.** In the case of buildings wherein the owner supplies and maintains the services of attendants to receive, park and deliver the automobile of occupants, tenants, customers and visitors, with or without charge, the required minimum width of each parking space shall be eight and one-half (8½) feet. All spaces need not be directly accessible provided for any parking space to be accessible, no more than two (2) spaces may be crossed into when parking a motor vehicle. Such reductions in parking space width and change in accessibility shall be authorized under the following conditions:
1. Permission for such attendant parking shall be evidenced by the recordation of an attendant off-street parking agreement, showing the required attendant parking spaces to be maintained, which restriction shall be deemed a covenant running with the land.
  2. After completed construction based upon approved plans and specifications providing for such attendant parking, areas designated for attendant parking shall not be used without providing the service of attendants.
- (H) **LIGHTING.** Lighting shall be provided and maintained in accordance with Section 18-1503.15, "Illumination".
- (I) **VISIBILITY TRIANGLE.** At no time shall a vehicular parking space be located within the visibility triangle as defined in Section 18-1503.11, "General Provisions"

**116. Section 18-1501.5 is hereby amended as follows:**

**Sec. 18-1532.9. - MINIMUM OFF-STREET PARKING SPACE REQUIREMENTS.**

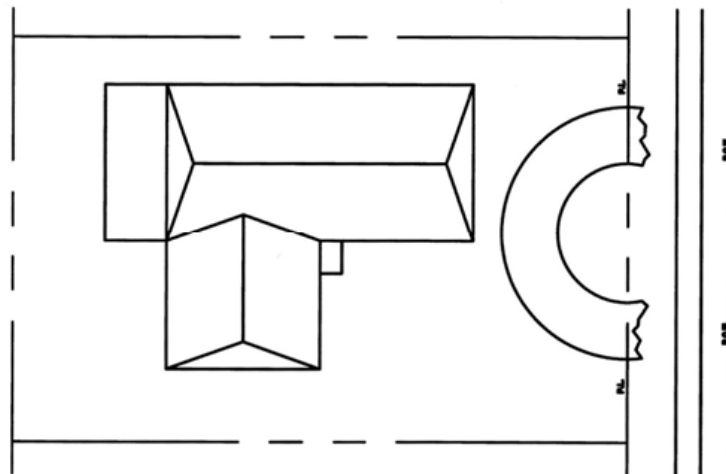
All parking standards based upon floor area (ex: one (1) space per xxx SF of GFA) shall be calculated including fractions thereof. For example, a requirement for one (1) per 200 SF of GFA shall mean, one space per 200 SF of GFA, or fraction thereof.

(A) RESIDENTIAL.

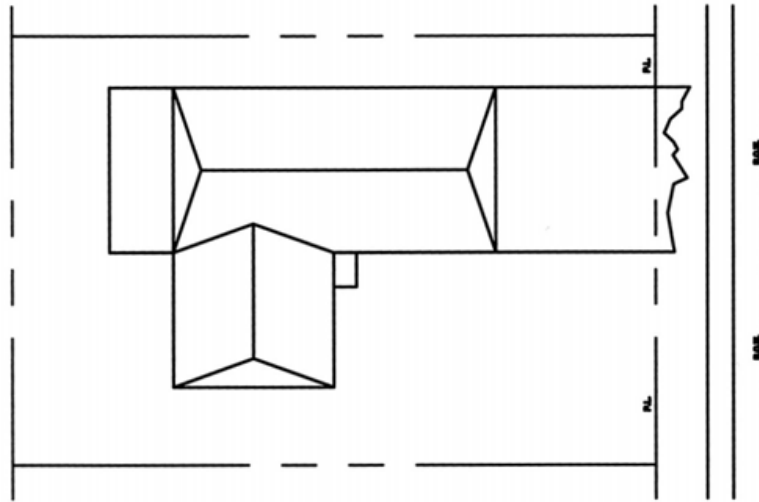
1. Single-family Dwellings. All detached single-family dwellings which are permitted for construction after November 13, 1986 shall be required to provide a minimum of two (2) spaces for each dwelling unit. Such off-street parking spaces shall adhere to the following:
  - (a) Be paved with either asphalt or concrete. (In the "F" and "RE" Districts, the use of other suitable material may be approved by the City Engineer, based upon sound engineering practices).
  - (b) Where the single-family dwelling has a driveway to an arterial or collector street, an on-site vehicular turn around area or circular drive shall be required.
  - (c) The following illustrations portray various designs which can be used in fulfillment of this Section. (NOTE: The use of any particular design shall be subject to the applicable provisions of Article 5 "Driveways" of the Land Development Code).

**FIGURE 18-1532-3 RESIDENTIAL DRIVEWAY CONFIGURATIONS**

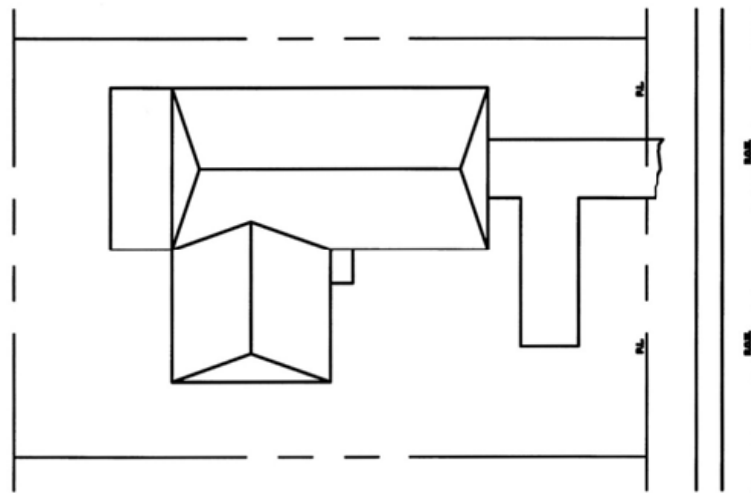
**FIGURE 18-1532-3 A.** Circular driveways may be permitted on lot lines greater than 75 feet with a radius to accommodate two (2) vehicles for parking.



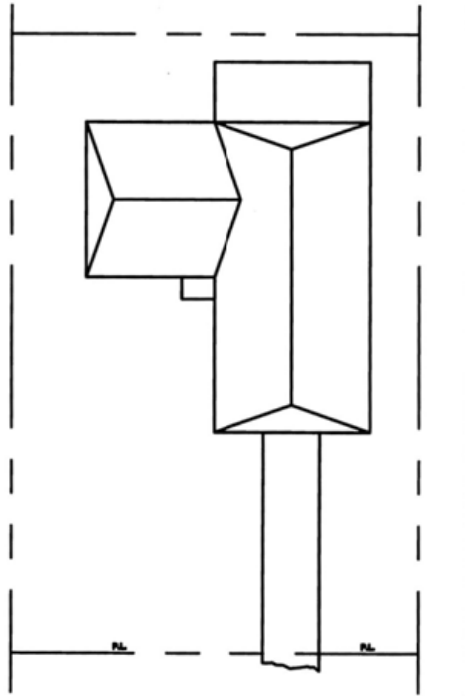
**FIGURE 18-1532-3 B.** Two spaces are provided with an 18'x18' slab.



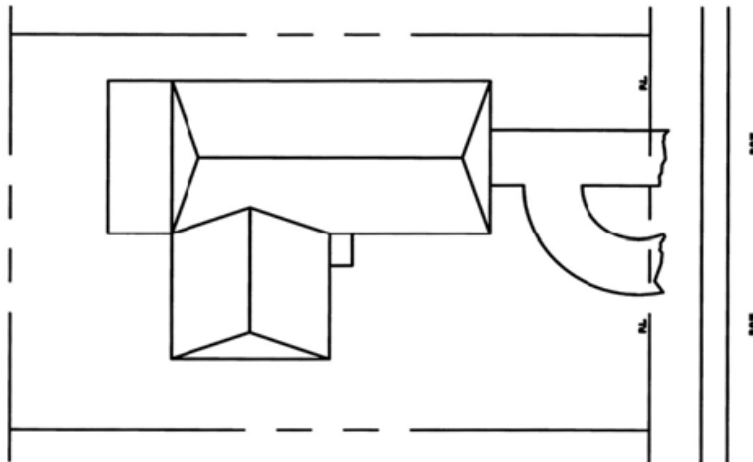
**FIGURE 18-1532-3 C.** Two 9' x 18' spaces in the form of a T.



**FIGURE 18-1532-3 D.** Two spaces with 9' × 36' driveway extension.



**FIGURE 18-1532-3 E.** A hybrid design with a 9' x 18' straight in space with a 9' x 18' radius space.



2. Duplex ~~Dwellings and Single-Family Attached Dwellings~~: Two (2) per dwelling unit.
3. Multifamily Dwellings: ~~Two (2) per dwelling unit permitted for construction after November 13, 1986.~~
  - a. Efficiency units: One (1) per dwelling unit
  - b. Studio and one-bedroom units: One and one-half (1.5) per dwelling unit

c. Two or three-bedroom units: Two (2) per dwelling unit

d. Four or more-bedroom units: Three (3) per dwelling unit

4. Residential PUD. For purposes of this Section, all residential units within a residential planned unit development, the Master Plan for which was approved by City Council prior to November 13, 1986, shall be deemed to have been permitted for construction prior to November 13, 1986.
5. MobileManufactured Home Parks: Two (2) per mobilemanufactured home approved on the applicable site plan, unless otherwise provided on the approved site plan, provided that within the T-2 District there shall be three (3) off-street parking spaces designated in the mobilemanufactured home park for each two (2) mobilemanufactured home dwellings. Off-street parking may be provided in common parking areas or on individual mobilemanufactured home lots.

(B) COMMERCIAL/BUSINESS USES.

1. Repair Services: One (1) per three-four hundred (~~300~~400) SF of GFA.
2. Data Processing and Call Centers: One (1) per two hundred (200) SF of GFA.
3. Office, Medical: one (1) per one-two hundred fifty (~~150~~200) SF of GFA.
4. Office, General:
  - (a) Less than or equal to twenty-five thousand (25,000) SF of GFA: One (1) per three hundred (300) SF of GFA.
  - (b) Greater than twenty-five thousand (25,000) to one hundred thousand (100,000) SF of GFA: One (1) per three hundred twenty-five (325) SF of GFA.
  - (c) Greater than one hundred thousand (100,000) up to five hundred thousand (500,000) SF of GFA: One (1) per three hundred fifty (350) SF of GFA.
  - (d) Above five hundred thousand (500,000) SF of GFA: One (1) per three hundred seventy-five (375) SF of GFA.
5. Personal Services (unless otherwise required for specific uses, below): One (1) per ~~three-two~~ hundred (~~200~~300) SF of GFA.
  - (a) Dry Cleaner: Two (2), plus one (1) per four hundred (400) SF of GFA above one thousand (1,000) SF of GFA.
  - (b) Beauty Salons, Hairstylists, Nail Salons: The higher of one (1) per three hundred (300) SF of GFA, or two (2) per haircutting/nail manicure/ pedicure/massage therapy or spa-type station.
6. Freestanding Retail Sales: One (1) per two-three hundred (~~200~~300) SF of GFA;
7. Grocery Store (free standing): One (1) per two-three hundred (~~200~~300) SF of GFA.
8. Convenience Store: One (1) per two hundred (200) SF of GFA, provided that when combined with motor fuel pumps, the requirement shall be one (1) per two hundred (250) SF of GFA.
9. Shopping Centers.
  - (a) For shopping centers under fifty thousand (50,000) SF of GFA, the freestanding retail standard applies. Restaurant, entertainment and other uses with higher parking requirements than shopping centers shall be calculated separately unless parking is provided at one (1) per ~~one-two~~ hundred fifty (~~150~~250) SF of GFA.
  - (b) For shopping centers between fifty thousand (50,000) and four hundred thousand (400,000) SF of GFA: One (1) per two hundred-~~fifty~~ (~~200~~250) SF of GFA for the first fifty thousand (50,000) SF of GFA then one (1) per two hundred twenty five (225) SF of GFA up to two hundred thousand (200,000) GFA and one (1) per two hundred fifty

(250) SF up to four hundred thousand (400,000) GFA inclusive of all uses except movie theatre which shall be calculated separately.

(c) Greater than four hundred thousand (400,000) SF of GFA: The above calculations then one (1) per three hundred fifty (350) SF of GFA above four hundred thousand (400,000) GFA inclusive of all allowable uses except movie theatre, will shall be calculated separately.

10. Adult Entertainment Establishments: One (1) per fifty (50) SF of GFA.
11. Sale and Rental of Automobiles, ~~Mobile~~ Manufactured Homes, Boats, Recreational Vehicles, and other Vehicles: One (1) per five hundred (500) SF of enclosed sales/rental GFA, plus two (2) per service bay. Customer parking for open sales/rental area shall require one (1) off-street parking space for each two thousand (2,000) square feet of outdoor sales and/or rental area.
12. Automobile Service Station or Repair Facility: ~~Three-Two and one-half (32.5)~~ 32.5 per service bay, in addition to required parking for other principal uses such as retail.
13. Automotive Fuel Pumps/Sales (standalone): One (1) space per pump.
14. Taverns, Lounges: One (1) per fifty (50) SF of GFA.
15. Car Wash, Self-Service: One (1) stacking space per bay.
16. Car Wash, Full-Service (principal use): One (1) per employee on the largest shift, or three (3) per wash bay and detailing station, whichever results in a greater parking requirement.
17. Carpet, Flooring and Furniture Sales: One (1) per ~~five-seven~~ hundred fifty (750) SF of GFA, or five (5) spaces, whichever is greater.
18. Medical Clinic: See "Office, Medical".
19. Veterinarian, Animal Hospital: Three (3) per veterinarian on staff, but not less than one (1) per three hundred (300) SF of GFA.
20. Kennel (not part of an animal hospital or veterinarian office): One (1) per six hundred (600) SF of GFA
21. Financial Institutions: One (1) per two hundred (200) SF of GFA.
22. Funeral Chapel, Funeral Homes, Mortuaries, Crematoriums: One (1) per three (3) seats of each chapel, plus one (1) per three hundred (300) SF of GFA of office/administrative area.
23. Health Clubs/Gyms: One (1) per one hundred ~~twenty-five~~ fifty (150) SF of GFA.
24. Hotels, Motels: One (1) per guest room or suite plus (1) per three (3) seats for any restaurant, lounge and/or convention center that is part of the hotel or motel.
25. Indoor Recreation Facilities.
  - (a) Bowling alley: Four (4) per lane plus 1:100 SF of net floor area for game rooms plus 1:3 seats for ancillary food or drink service areas.
  - (b) Skating rink/pool hall: 1:3 persons based upon assembly capacity as determined by the Florida Building Code.
26. Outdoor Recreation Facilities: 1:3 patrons.
26. Launderettes: One per two (2) washing machines.
27. Home Improvement Establishments: One (1) per three hundred (300) SF of enclosed GFA, plus one (1) per thousand (1,000) SF of unenclosed retail GFA.



28. Plant Nurseries, Garden Centers: One (1) per three hundred (300) SF of enclosed retail sales GFA, plus one (1) per thousand (1,000) SF of unenclosed retail GFA or five (5) spaces; whichever results in a greater parking requirement.
29. Restaurants and Cafeterias: One (1) per three (3) seats or one (1) per hundred (100) SF of GFA, whichever results in a greater parking requirement.
30. Restaurant, Drive-Thru: One (1) per three (3) seats, or one (1) per hundred (100) SF of GFA; whichever results in a greater parking requirement.
31. Service Establishments (i.e. carpet cleaning, maid service, delivery service): One (1) per three hundred (300) SF of GFA plus one (1) per business (service, delivery etc.) vehicle stored on the lot.
32. Studios for Dance, Photography, Music, Etc.: One (1) per two hundred (200) SF of gross instruction area.
33. Taxi, Limousine Service: One (1) per employee on the largest working shift, plus one (1) per vehicle used in connection with the business; or, one (1) per three hundred (300) SF of GFA; whichever results in a greater parking requirement.

(C) PUBLIC/SEMI-PUBLIC USES.

1. Trade or Vocational Institutions: One (1) space per three (3) students (design capacity) plus one (1) per two (2) employees, plus one (1) per three hundred (300) SF of any office or clerical area.
2. Day Care Center or Facility, and Nursery School, Kindergarten, Public and Private: One (1) per ten (10) persons capacity as determined by the state licensing agency plus one (1) per employee.
3. Government Offices and Service Facilities: One (1) per two hundred (200) SF of GFA, plus one (1) per four (4) seats in any public assembly room or facility, plus one (1) per government vehicle normally parked or stored at that facility.
4. Hospitals: Seven and one-half (7.5) per patient bed, or one (1) per employee (all shifts), whichever results in a greater number of required spaces.
5. Library, Museum: One (1) per two hundred (200) SF of GFA.
6. Schools.
  - (a) Elementary, Junior or Middle: Two (2) per classroom plus one (1) per five (5) seats in any assembly area.
  - (b) Senior: ~~Four-Five~~ (54) per classroom and study area and one (1) per five (5) seats in any assembly area.
  - (c) College, Junior College: One (1) space per five hundred (500) square feet of academic space plus one (1) per two (2) employees plus one (1) per three (3) seats in any auditorium, gymnasium or assembly area.
7. Place of Worship: One per three (3) seats of congregational seating area.
8. Private Civic Fraternal Club or Lodge: One (1) per ~~two~~ hundred (2400) SF of GFA, or one (1) per three (3) seats of the aggregate of the seating capacity for all rooms, including meeting rooms, lounges, restaurants, etc. as determined by the Florida Fire Prevention Code; whichever results in a greater parking requirement. If the private or civic fraternal club or lodge has a swimming pool, there shall be one (1) additional space per fifty (50) SF of pool area surface.
9. Residential Care Facilities: Four-tenths (0.4) per assisted living apartment unit and one (1) per bed in non-assisted living units, or one (1) per hundred (100) SF of GFA (excluding assisted living apartments), whichever results in a greater parking requirement.

10. Special Needs Treatment Facility: One (1) per bed or one (1) per hundred (100) SF of GFA, whichever results in a greater parking requirement.
11. Theatres, Stadiums, Auditoriums, and Performing Arts Centers: One (1) per three (3) seats, plus one per two (2) employees on the largest shift, plus ten (10) spaces.

(D) INDUSTRIAL AND MANUFACTURING USES.

1. Manufacturing: One (1) per seven hundred fifty (750) SF of GFA.
2. Mini-Warehousing: One (1) per fifty (50) storage units plus two (2) for the Manager's Office, if office is provided.
3. Warehousing: One (1) per seven hundred fifty (750) SF of GFA.
4. Wholesale: One (1) per two hundred (200) SF of office and accessory retail sales GFA and one (1) per thousand (1,000) SF of merchandise storage GFA.
5. Industrial Parks: (Containing a minimum of ten (10) acres).
  - (a) One (1) per five hundred (500) SF of GFA.
  - (b) The Zoning Director may require a different rate based upon the proposed or expected mix of uses.

(E) MIXED-USE (SEE SHARED PARKING).

(F) OTHER.

1. Utilities, Telecommunication Towers: One (1) per telecommunication tower or other utility installation.

**117. Section 18-1533.8 is hereby amended as follows:**

**SECTION 18-1533. - LANDSCAPING REGULATIONS**

**Sec. 18-1533.8. - LANDSCAPE REQUIREMENTS FOR SITES PROPOSING BUILDING OR VEHICULAR USE AREA EXPANSION.**

- (A) If either building or vehicular use area is expanded by fifty (50) percent or more then the entire lot shall be brought into conformance with this Section. This Section does not apply to single-family, duplex or ~~mobile~~ manufactured home development.
- (B) If either building or vehicular use area is expanded by thirty-five (35) percent to forty-nine (49) percent then seventy-five (75) percent of the requirements shall be brought into compliance with this Section.
- (C) If either building or vehicular use area is expanded by twenty-five (25) percent to thirty-four (34) percent then fifty (50) percent of the requirements shall be brought into compliance with this Section.
- (D) If either building or vehicular use area is expanded by up to twenty-five (25) percent then twenty-five (25) percent of the requirements shall be brought into conformance with this Section.
- (E) The above fractions of compliance with the requirements of this Section shall be interpreted as follows:

1.	Streetscape Requirements	25%
2.	Perimeter Requirements	25%
3.	Interior Green	25%
4.	Other	25%

In addition, landscaping improvements shall be installed in the above order of impact. For example, if fifty (50) percent of the requirements must be met, then Streetscape and Perimeter buffering shall be installed first.

**118. Section 18-1533.10 is hereby amended as follows:**

**Sec. 18-1533.10. - TREE MATERIAL STANDARDS.**

(A) Trees planted in fulfillment of this Section shall meet one of the following requirements:

1. Transplanted tree stock, in which the method of preparation for planting includes reducing the existing root mass by cutting, pruning, spading or other means, including collected and relocated stock, shall be a minimum of one and one-half (1½) inches in diameter as measured six (6) inches above grade and be a minimum of eight (8) feet in overall height. Transplanted tree stock shall be a minimum of three (3) inches in diameter as measured six (6) inches above grade and be a minimum of twelve (12) feet in overall height, for lots located within the Community Redevelopment Area.
2. Containerized tree stock, in which the root mass is allowed to grow complete and intact to a reasonable degree, including container and grow bag grown, shall be a minimum of one and one-quarter (1¼) inches caliper as measured six (6) inches above grade and be a minimum of eight (8) feet in overall height. Containerized tree stock shall be a minimum of two (2) inches in diameter as measured six (6) inches above grade and be a minimum of eight (8) feet in overall height, for lots located within the Community Redevelopment Area.

(B) The following is a list of acceptable trees by type which may be utilized to meet the requirements of this Section:

1. *Canopy Trees:* Canopy trees are self-supporting, woody plants which normally grow to a minimum height of thirty-five (35) feet in Pinellas County and have trunks which can be maintained with over eight (8) feet of clear wood. For the purposes of this Section, palms shall not be considered canopy trees and shall not be substituted for canopy trees. The following trees shall be considered as acceptable toward meeting the canopy tree planting requirements:

Common Names	Scientific Names
American Holly* (N)	Ilex opaca
Black Cherry* (N)	Prunus serotina
Bald Cypress* (D)	Taxodium distichum
Chinese Elm (N)	Ulmus parvifolia
Camphor (N)	Cinnamomum camphora
Florida Elm* (N)	Ulmus american v. floridana
Green Ash* (D)	Fraxinus pennsylvanica
Hickory* (N)	Carya spp.
Jacaranda (F) (N)	Jacaranda acutifolia
Laurel Oak* (N)	Quercus laurifolia
Live Oak* (N)	Quercus virginiana
Loblolly Bay*(F)(O)	Gordonia lasianthus
Loblolly Pine* (N)	Pinus taeda
Longleaf Pine* (N)	Pinus palustris
Pond Cypress* (O)	Taxodium distichum v. nutans

Red Bay* (N)	Persea borbonia
River Birch* (O)	Betula nigra
Sand Pine* (N)	Pinus clausa
Slash Pine* (N)	Pinus elliotii
Southern Magnolia*(F)(D)	Magnolia grandiflora
Sugarberry* (D)	Celtis laevigata
Sweetbay* (N)	Magnolia virginiana
Sweetgum* (N)	Liquidambar styraciflua
Sycamore* (D)	Platanus occidentalis
Turkey Oak* (N)	Quercus laevis
Winged Elm* (N)	Ulmus alata

<b>TABLE 18-1533-1</b> *Indicates Native Trees.
<b>TABLE LEGEND</b>
(F) Indicates Flowering Tree Species.
XERISCAPE ZONES. This information shall be utilized for creating xeriscape designs.
(N) Natural Zone-Includes trees that can survive on natural rainfall. These plants will require irrigation through the establishment period.
(D) Drought Tolerant Zones -Includes trees that require occasional irrigation. These plants will require irrigation through the establishment period.
(O) Oasis Zones -Includes trees that require frequent irrigation.

2. *Intermediate Trees:* Intermediate trees are self-supporting, woody plants which normally attain a height between twenty (20) and thirty-five (35) feet at maturity in Pinellas County. For the purposes of this Section, palms shall not be considered intermediate trees and shall not be substituted for intermediate trees. The following trees shall be considered acceptable toward meeting the intermediate tree planting requirements:

Common Names	Botanical Names
Cherry Laurel* (N)	Prunus caroliniana
Dahoon Holly* (O)	Ilex cassine
Drake Elm (N)	Ulmus parvifolia sempervirens
East Palatka Holly* (N)	Ilex opaca 'Palatka'
Golden Rain Tree (F) (N)	Koelreuteria formosana
Jerusalem Thorn (F) (N)	Parkinsonia aculeata

Orchid Tree (F) (D)	Bauhinia variegata
Persimmon* (D)	Diospyres virginiana
Red Maple* (F) (D)	Acer rubrum
Southern Red Cedar* (N)	Juniperus silicicola

3. *Understory Trees:* Understory trees are self-supporting, woody plants which normally attain or can be easily maintained at a height of under twenty (20) feet at maturity. The following trees excluding Palms, shall be considered as acceptable toward meeting the understory tree planting requirements:

Common Names	Scientific Names
Bottle Brush (F) (D)	Callistemon viminalis
Chickasaw Plum* (N)	Prunus angustifolia
Crape Myrtle (F) (N)	Lagerstroemia indica X Faurei
Loquat (F) (N)	Eriobotrya japonica
Myrtle Dahoon Holly*(O)	Ilex cassine myrtifolia
Podocarpus (N) (D)	Podocarpus spp.
Tree Ligustrum (D)	Ligustrum lucidum
Wax Myrtle* (N)	Myrica cerifera
Yaupon Holly* (N)	Ilex vomitoria

4. Palms shall be considered understory trees and are permitted to meet understory planting requirements subject to the following:
- (a) Palms shall be planted at a ratio of three (3) Palms per one (1) required understory tree when used in fulfillment of the requirements of this Section.
  - (b) For all lots developed, or proposed to be developed, with nonresidential or mixed uses and any multi-family uses greater than one-half (½) acre in size, the number of palms shall not exceed twenty-five (25) percent of the number of understory trees.
  - (c) For lots developed, or proposed to be developed, with single-family, ~~mobilemanufactured~~ home, or duplex uses, and any multi-family uses less than one-half (½) acre in size, the number of palms shall not exceed fifty (50) percent of the number of understory trees required.
  - (d) Within the Community Redevelopment Area the number of palms shall not exceed thirty (30) percent of the required number of understory trees for lots developed, or proposed to be developed, with single-family, ~~mobilemanufactured~~ homes or duplex uses, and any multi-family uses.
  - (e) The following palm species shall serve to provide guidelines in the selection of trees for planting credit. Other tree species may be planted for credit, however, any deviation from this list must be approved by the Zoning Director.
    - (1) Cabbage Palm (N)—Sabal Palmetto.

- (2) Canary Island Date Palm (N)—Phoenix canariensis.
  - (3) Paurotis Palm (D)—Acoelorrhaphe wrightii.
  - (4) Queen Palm (N)—Arecastrum romanzoffianum.
  - (5) Senegal Date Palm (N)—Phoenix reclinata.
  - (6) Washington Palm (N)—Washingtonia robusta.
  - (7) Medjool Date Palm (N)—Phoenix dactylifera.
- (f) To receive credit for palms, all plants must be a minimum height of eight (8) feet in height measured to the bud at the time of planting.

(C) PROHIBITED TREES. The following species of trees shall not be propagated within the City of Pinellas Park.

Common Name	Scientific Name
Australian Pine	Casuarina spp.
Brazilian Pepper	Schinus spp.
Chinaberry	Melia azedarach
Ear Tree	Enterolobium cyclocarpum
Eucalyptus	Eucalyptus spp.
Punk	Melaleuca spp.
Silk Oak	Grevillea robusta
Woman's Tongue	Albizia spp.
Chinese Tallow	Sapium sebeferum

Removal required. Where Punk (Melaceuca spp.), Australian pine (Casuarina spp.) or Brazilian pepper (Schinus spp.) exist on a site, they shall be removed prior to the approval of the final landscape inspection, except that where the removal of the above species would result in the destruction of the primary nesting ground or habitat site for any Florida Native Wildlife species as listed by the Florida Game and Freshwater Fish Commission, these requirements shall not apply. Where the above species exist as a part of or in direct association with a jurisdictional wetland ecosystem, the applicant shall be required to obtain all necessary permits from other agencies as required prior to the removal of this vegetation.

**119. Section 18-1533.15 is hereby amended as follows:**

**Sec. 18-1533.15. - REQUIRED STREETSCAPE BUFFERS.**

For the purposes of this Section, streetscape shall consist of all greenspace area located within the front yard, and (when applicable) the secondary front yard.

- (A) SINGLE-FAMILY, DUPLEX, AND MOBILEMANUFACTURED HOME (T-1) RESIDENTIAL USES.
  - 1. One (1) tree is required for each fifty (50) linear feet of lot frontage or fraction thereof.
  - 2. On all lots where this Section requires two (2) trees in the streetscape area, one (1) understory tree or three (3) palm trees, in accordance with Section 18-1533.10 (B)4.(a), may be substituted for the one (1) intermediate type tree as required in Section 18-1533.10(B)2. One (1) canopy type tree must still be planted as required.

3. Within the streetscape area located between the facade of the building and the right-of-way line, a landscape bed shall be established which is equal to two (2) square feet per linear foot of lot frontage. At least thirty (30) percent of the landscape bed shall contain groupings of perennial shrubs and ground cover.

(B) SINGLE-FAMILY ATTACHED, MULTI-FAMILY, ~~MOBILE~~MANUFACTURED HOME PARKS (T-2) AND OTHER RESIDENTIAL USES.

1. A total landscaped area equal to at least five (5) square feet for each linear foot of lot frontage shall be required.
2. Such areas shall be required to contain one (1) tree for each fifty (50) linear feet of lot frontage, or fraction thereof. For lots located within the Community Redevelopment Area, this requirement shall be one (1) tree for each thirty-five (35) linear feet of lot frontage or fraction thereof.
3. In addition to (A)3. above, planting areas at least twenty (20) square feet in size containing groupings of shrubs, trees, etc. shall be placed intermittently along the facade of each dwelling unit or at the ends of each building. Such areas shall contain a minimum of three (3) shrubs and one (1) tree per dwelling unit, which may be achieved with one (1) or more planting areas per grade level dwelling unit.

(C) COMMERCIAL, OFFICE, INDUSTRIAL, MIXED USES, AND ALL OTHER NONRESIDENTIAL USES.

1. A total landscaped area equal to at least six (6) square feet for each linear foot of lot frontage shall be required.
2. Such areas shall contain one (1) tree for each forty (40) linear feet of lot frontage or fraction thereof and a continuous hedge. For lots located within the Community Redevelopment Area, this requirement shall be one (1) tree for each thirty-five (35) linear feet of lot frontage or fraction thereof.

**120. Section 18-1533.16 is hereby amended as follows:**

**Sec. 18-1533.16. - REQUIRED PERIMETER LANDSCAPE BUFFERS.**

- (A) APPLICABILITY. All development shall provide buffer landscaping along the non-street perimeters of the lot according to Table 18-1533-2, below. For purposes of this Section, buffer landscaping shall consist of a combination of trees; shrubs; ground cover, and/or lawn grass. Additional landscaping materials may be incorporated provided these basic components are included.
- (B) GUIDE TO USE OF THE TABLE. To use the table, locate the appropriate zoning district on the left side of the table of the property to be developed. Next, identify the zoning of the abutting property to each side of the subject property. The number or letter located at the intersection of the corresponding row and column indicates the required landscaping standard applicable for the abutting property (see the notes to the table). Depending upon the zoning of the adjacent property, the buffering may be different along each property line. In any case where this Section conflicts with the standard landscaping requirements, the requirements of this Section shall govern. In addition, buffer landscaping required in this Section may be utilized to fulfill the requirements of the landscaping requirements in Sections 18-1533.15 and 18-1533.17.
- (C) If the abutting property is zoned PUD, the buffer landscaping standards to be applied shall be the same standards applied to that zoning district in Table 18-1533-2 that is the most similar in development to the subject PUD parcel.

**TABLE 18-1533-2 PERIMETER LANDSCAPE BUFFER REQUIREMENTS**

ZONING OF DEVELOPING PROPERTY	ZONING OF ADJACENT PROPERTY
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ZONING OF DEVELOPING PROPERTY	ZONING OF ADJACENT PROPERTY																							
	F	RE	RR	R-1	R-2	R-3	R-4	R-5	R-6	T-1	T-2	ROR	MXD	TC	CN	GO	B-1	CH	M-1	IH	P	OS	PRES	
F	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3	3	
RE	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3	3	
RR	1	1	1	1	1	1	1	1	1	1	1	1	B	B	B	B	B	B	B	B	1	3	3	
R-1	1	1	1	1	1	1	A	B	B	B	B	B	B	B	B	B	B	B	B	B	1	3	3	
R-2	1	1	1	1	1	1	A	B	B	B	B	B	B	B	B	B	B	B	B	B	1	3	3	
R-3	1	1	1	1	1	1	A	B	B	B	B	B	B	B	B	B	B	B	B	B	1	3	3	
R-4	A	A	A	1	1	1	1	A	A	A	A	A	B	B	B	B	B	B	B	B	1	3	3	
R-5	B	B	B	B	B	B	A	A	A	B	B	B	B	B	B	B	B	B	B	B	1	3	3	
R-6	B	B	B	B	B	B	A	A	A	B	B	B	B	B	B	B	B	B	B	B	1	3	3	
T-1	B	B	B	B	B	B	A	A	A	1	A	B	B	B	B	B	B	B	B	B	1	3	3	
T-2	B	B	B	B	B	B	A	A	A	A	1	B	B	B	B	B	B	B	B	B	1	3	3	
ROR	A	A	A	B	B	B	B	B	B	B	B	1	1	1	A	A	A	B	B	B	1	3	3	
MXD	A	A	B	B	B	B	B	B	B	B	B	1	1	1	A	A	A	B	B	B	1	3	3	
TC	B	B	B	B	B	B	B	B	B	B	B	1	1	1	A	A	A	B	B	B	1	3	3	
CN	B	B	B	B	B	B	B	B	B	B	B	A	A	A	1	A	A	B	B	B	1	3	3	
GO	C	C	C	C	C	C	C	C	C	C	C	B	A	A	A	1	A	B	B	B	1	3	3	
B-1	C	C	C	C	C	C	C	C	C	C	C	B	A	A	A	A	1	B	B	B	1	3	3	
CH	C	C	C	C	C	C	C	C	C	C	C	B	B	B	B	B	B	1	B	B	1	3	3	
M-1	D	D	D	D	D	D	D	D	D	D	D	C	C	C	C	B	B	B	B	1	1	1	3	3
IH	D	D	D	D	D	D	D	D	D	D	D	C	C	C	C	B	B	B	B	1	1	1	3	3
P	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
OS	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	1	1	1	
PRES	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	1	1	1	

NOTES/LEGEND:

1. Refer to Table 18-1533-3 VUA Buffer Requirements for specific buffering requirements.
2. Buffering/landscaping requirements in the "P" Public District shall be established on a case-by-case basis. In determining which standard to use, the City Council shall consider the following criteria:
  - (a) If the proposed use will cause adverse impacts (e.g. visual, noise, odor) to the abutting property.
  - (b) If the proposed use will cause adverse impacts (e.g. sedimentation, pollution, erosion) to the natural environment of the abutting property.



(c) If the proposed use will cause a potential safety hazard to abutting property, making a buffer area necessary. The buffering/landscaping requirements shall, however, at a minimum, meet the requirements of Standard "A".

3. Refer to Section 18-408, "Environmental Habitat Preservation and Enhancement, "(E)" Upland Buffers Adjacent To Wetlands," and Table 18-1533-3, Perimeter Buffer Specifications.

A - Refer to Table 18-1533-3, Buffer Type A

B - Refer to Table 18-1533-3, Buffer Type B

C- Refer to Table 18-1533-3, Buffer Type C

D- Refer to Table 18-1533-3, Buffer Type D (Where an M-1 parcel is being developed in a location that abuts or functionally abuts residential districts, City Council, in the review of the required site plan, may require additional buffering to ameliorate impacts.)

4. PERIMETER LANDSCAPE BUFFER SPECIFICATIONS

**TABLE 18-1533-3 PERIMETER LANDSCAPE BUFFER SPECIFICATIONS**

STANDARD	VUA BUFFER <sup>1</sup>	BUFFER TYPE A	BUFFER TYPE B	BUFFER TYPE C	BUFFER TYPE D
MIN. BUFFER WIDTH <sup>3</sup>	3 ft, but 5 ft. average	5 ft.	6 ft.	8 ft.	8 ft.
BUFFER PLACEMENT	Between VUA and lot lines and street lines	Parallel and abutting to the entire length of interior side and rear lot lines	Parallel and abutting to the entire length of interior side and rear lot lines	Parallel and abutting to the entire length of interior side and rear lot lines	Parallel and abutting to the entire length of interior side and rear lot lines
MINIMUM TREE REQUIREMENT ALONG STREET LINE (outside of CRA) <sup>2</sup>	1/40 linear ft.	Not applicable	Not applicable	Not applicable	Not applicable
MINIMUM TREE REQUIREMENT ALONG INTERIOR PROPERTY LINES (outside of CRA) <sup>2</sup>	1/50 ft.	1/50 ft.	1/50 ft.	1/40 ft.	1/40 ft.
MINIMUM TREE REQUIREMENT ALONG STREET LINE (inside of CRA) <sup>2</sup>	1/35 ft.	Not applicable	Not applicable	Not applicable	Not applicable
MINIMUM TREE REQUIREMENT ALONG INTERIOR PROPERTY LINES (inside of CRA) <sup>2</sup>	1/50 ft.	1/35 ft.	1/35 ft.	1/35 ft.	1/35 ft.
CONTINUOUS HEDGE REQUIRED?	Yes	Yes	Yes*	Yes*	Yes*
MIN. PERCENT OF BUFFER LENGTH TO	100%	100%	100%	100%	100%

STANDARD	VUA BUFFER <sup>1</sup>	BUFFER TYPE A	BUFFER TYPE B	BUFFER TYPE C	BUFFER TYPE D
BE PLANTED WITH HEDGES (AT MATURITY)					
SOLID FENCE OR MASONRY WALL REQUIREMENT	Not applicable	Not applicable	6 ft. in height	6 ft. in height	Masonry wall only, 8 ft. in height
FENCE OR WALL PLACEMENT (prohibited in visibility triangle)	Not applicable	Not applicable	Along lot line	Along lot line	Along lot line
HEDGE ALLOWED IN LIEU OF FENCE OR WALL?	Not applicable	Not applicable	Yes, if 6 ft. at time of planting and continuous 100% coverage	No	No

General Table Notes:

1. All measurements include fractions thereof.
2. All tree planting areas must have minimum dimensions pursuant to Table 18-1533-1.
3. Perimeter buffer requirements are not intended to result in duplicate or double buffers. Therefore, when any two (2) or more buffers are required based upon streetscaping, VUA and perimeter buffer standards, the stricter standard shall apply.
4. The remainder of required landscape buffers shall be landscaped with grass, ground cover, or other acceptable vegetation. Paving, sand, pebbles, or rocks are not acceptable materials.
5. Where canopy trees are to be used in borders and in conjunction with hedges, hedge areas are to be consolidated elsewhere on the property.

Specific Footnotes:

\*In groupings of four (4) or more (intended to maximize the physical effectiveness and soften the visual impact of the buffer.)

1. Not required for:
  - (a) any portion of a vehicular use area that is entirely screened from an abutting property, right-of-way, or residential or mixed use zoning district by an intervening building.
  - (b) a vehicular use area that is accessory to single-family, duplex or ~~mobile~~ manufactured home (T-1) residential uses.
  - (c) lot perimeters that have a stricter buffer requirement based upon Tables 1 and 2.
  - (d) the portion of a vehicular use area that abuts an alley.
2. Table 18-1533-1 specifies the minimum dimensions of pervious area needed for intermediate and canopy trees in order to accommodate their root systems.
3. Where such dimension exceeds the minimum required buffer width, either the buffer shall be of the minimum width specified in said table in the locations that such trees are planted, or abutting private property or right-of-way pervious areas can be counted towards the extra required width.

- (D) NON-DUPLICATION OF BUFFERS. Where a portion of a proposed vehicular use area would abut an existing hedge or wall on an abutting property, the City Manager may waive the shrub and tree requirements; however, the required landscaped strip, planted with grass, ground cover or other acceptable vegetative materials shall be maintained in all cases. Additionally, a covenant running with the land shall be recorded requiring the installation of the waived buffer content in the event that the existing buffer is legally removed. The existing barrier shall meet all other applicable standards of this Section and protection against vehicular encroachment shall be provided. Criteria used to determine if these requirements may be waived are as follows:
1. If the natural or man made feature(s) or the existing abutting landscape plants effectively create a buffer, thus meeting the intent of the buffer requirement.
  2. If the natural or man made feature(s) or the existing abutting landscape plants are in good repair and/or in healthy condition.
  3. If the existing abutting landscape plants are composed of species acceptable pursuant to this Section.

**121. Section 18-1533.17 is hereby amended as follows:**

**Sec. 18-1533.17. - INTERIOR VUA LANDSCAPING.**

- (A) PROTECTION FROM VEHICULAR ENCROACHMENT. Vehicular use areas shall be designed to use wheel stops, bollards, and/or raised concrete curbing to prevent the encroachment of vehicles upon or into landscaped areas. That part of a driveway which is within the right-of-way shall be exempt from this requirement. Wood or railroad ties are not acceptable for use as wheel stops except as may be applied in grass parking areas where such is permitted by this Code.
- (B) REQUIRED AMOUNT OF LANDSCAPED AREA. An area or combination of areas equal to eight (8) percent of the total vehicular use area shall be devoted to interior landscaping. An area or combination of areas equal to ten (10) percent of the vehicular use area shall be devoted to interior landscaping for lots located within the Community Redevelopment Area. Interior landscaped areas shall be located in such a manner as to divide and break up the monotony of paving, to provide shaded areas and to delineate the intended traffic pattern(s). This includes only those areas that actually protrude into the parking lot and vehicular use areas, such as (but not limited to) interior and terminal landscape islands and parking row separators, that are capable of supporting trees as specified in the requirements of this Section. In no case shall less than one (1) tree for each two hundred (200) square feet or fraction thereof of such required landscaping be provided. This subsection shall not apply to single-family, duplex, and ~~mobile~~manufactured home (T-1) residential uses. Parking lots with ten (10) or fewer parking spaces are exempt from this requirement.
- (C) TERMINAL ISLANDS.
1. Each row of ten (10) or more contiguous parking spaces within the Community Redevelopment Area, and fifteen (15) or more contiguous parking spaces elsewhere, shall be terminated on both ends by landscaped islands of a size not less than five (5) feet in width, as measured inside the curbing and having a length equal to that of the adjacent parking stall. The designer shall reference a landscape plan to insure that where trees are planned, that the island is sized large enough to properly accommodate the tree.
  2. Landscaping shall consist, at a minimum, of one (1) tree plus lawn grass or ground cover.
  3. Selection of tree types should be sensitive to locations of light poles and signage.
- (D) INTERIOR ISLANDS AND GREENSPACE PARKING ROW DIVIDERS.
1. Interior islands shall be placed within rows of contiguous parking spaces at intervals of not more than fifteen (15) spaces, and ten (10) spaces within the Community Redevelopment Area.
  2. Interior islands and green space parking row dividers shall be no less than ten (10) feet in width as measured inside the curbing, and all interior islands shall have a length equal to that of the adjacent parking stall.

3. Landscaping shall, at a minimum, consist of one (1) tree plus lawn grass or ground cover.
- (E) CONSOLIDATION OF LANDSCAPE ISLANDS. In order to provide for more growing space for trees within vehicular use areas, to allow clustering of trees, to allow for flexibility of design, and to preserve existing trees of value, the consolidation of interior landscaped islands may be permitted in parking areas, upon approval by the City Manager, provided that the overall interior landscaping requirements are met, and based upon the following criteria used to determine if interior landscaped areas may be consolidated:
1. The consolidated areas must meet the intent and definition of interior landscaped areas; and
  2. The consolidated areas must offer increased growing area for the roots of trees, thus allowing for larger shade producing canopy type trees to grow and function within vehicular use areas; or
  3. The consolidated areas must preserve trees of value that would otherwise have to be removed or relocated in order to accommodate the required vehicular use area; or
  4. Consolidating interior landscaped areas will result in superior site design or increase the efficiency of the internal function and design of specialized vehicular use areas (i.e. truck depot yards, loading areas, auto auctions, etc.).

**122. Section 18-1533.20 is hereby amended as follows:**

**Sec. 18-1533.20. - INSTALLATION AND MAINTENANCE REQUIREMENTS.**

- (A) All required landscaping shall be installed according to generally accepted planting procedures and shall be installed so as to meet all applicable ordinances and Code requirements.
- (B) In order to provide increased moisture retention within the root balls of newly planted and immature trees and shrubs and to further increase the probability of survival and proper growth of such vegetation, a minimum of two (2) inches thickness of mulch no less than twenty-four (24) inches beyond the trunk or stem of all newly planted trees or shrubs shall be installed and maintained during the first year of growth.
- (C) All landscaped areas shall be provided with an approved automatic irrigation system or available water supply with at least one (1) hose connection within fifty (50) feet of all plant material to be maintained. Individual planters and isolated planting areas shall have appropriate irrigation sources provided within each separate planting area. An automatic irrigation system must be utilized on all lots with nonresidential and mixed uses, and any multi-family uses greater than one-half (½) acre in size. Hose bibs may be utilized for irrigation of single-family, ~~mobile~~ manufactured home subdivisions (T-1), duplex, and multi-family zoned lots of one-half (½) acre or less in size.
1. All irrigation systems shall be maintained in an operable condition capable of providing adequate irrigation to landscaped areas as required. All inoperable irrigation systems and components thereof shall be promptly repaired or replaced such that adequate coverage of landscaped areas is restored.
  2. To conserve water, all applicants must conform to Xeriscape landscape designs to the greatest extent feasible. Xeriscape is defined as water conservation through creative landscaping. It specifically addresses seven (7) steps:
    - (a) Carefully planned design.
    - (b) Selection of appropriate plants for placement in three (3) distinct water consumption zones: Natural Zone—Least watering (plants live on natural rainfall) Drought Tolerant Zone—Little watering (plants only need watering during periods of extended drought) Oasis Zone -Frequent watering (lawn grass, fruit and vegetable gardens).
    - (c) Improve the soil with compost, peat, manure, top soil.
    - (d) Use of turf wisely only in recreation and leisure areas.
    - (e) Irrigation, efficiently utilizing the zones and providing low volume irrigation systems.

(f) Use mulches around all plants.

(g) Practice proper maintenance by not over watering and over fertilizing.

3. The applicant shall utilize efficient irrigation relying on proper irrigation system design and the appropriate equipment. Irrigation systems shall be zoned so that plant groupings can be watered separately, according to the area's need. "Bubblers", micro-sprays, or a drip system can help provide efficient water use. Water needs change, and automatic shut-off devices shall be installed so that landscapes are not irrigated during periods of rain.

No private inground irrigation systems shall be permitted within any public right-of-way without a right-of-way use permit.

4. No in-ground irrigation system shall be permitted to connect to the City Potable Water System. Refer to Section 10-128 of the City Code of Ordinances, for variance procedure for single-family residences.

(D) Landscaping plants, trees, and other material shall be maintained in a healthy, growing condition or shall be promptly replaced within thirty (30) days. This replacement requirement includes all trees and shrubs, which fall below Florida Grade one or better standards, and whose above ground portion dies back to fifty (50) percent or less of living canopy. Top pruning or other severe pruning or maintenance practice(s) of landscaping materials that results in stunted, abnormal, or other unreasonable deviation from the normal healthy growth of trees, shrubs, and other required landscaping components shall be considered as the destruction of these materials and replacement shall be required as described herein or in Article 4, "Environmental Habitat Preservation and Enhancement" of the Land Development Code. All new and existing trees, shrubs, and other ground cover located within lots so designated as wetlands preservation areas, uplands preservation areas, upland buffer adjacent to wetlands, and other City, State, or County designated wildlife preservation areas, which are credited in this Section or Article 4 of the Land Development Code, shall remain under management as specified by an approved management or landscape plan. This shall include the continued removal of invading nuisance exotic plant species as needed, and as required by the original approved plan. Failure of the owner of the property to maintain the premises in good condition, as set forth above, is punishable as a violation of this Land Development Code.

(E) No landscaped area may be abandoned, paved, encroached upon by vehicular traffic, or otherwise employed, without submission of a site plan and approval by the City pursuant to the procedures set forth herein.

(F) It shall be the responsibility of the owner, tenant, or agent of developed properties to maintain the right-of-way area beyond the property line contiguous to the site.

(G) All provisions of this Section shall apply and remain enforceable notwithstanding changes in property ownership.

**123. Section 18-1536 is hereby amended as follows:**

**SECTION 18-1536. - ADMINISTRATIVE EXCEPTIONVARIANCES**

**124. Section 18-1536.1 is hereby amended as follows:**

**Sec. 18-1536.1. - APPLICABILITY.**

The Zoning Director, after consulting affected departments, agencies and other service providers, may grant approval of applications for ~~variance~~exceptions, limited to the following:

~~(A)~~ (A)—Setback ~~variances~~exceptions not to exceed one (1) foot.

(B) Side and secondary front setback exceptions not to exceed two (2) feet for previously platted lots that are at least ten (10) percent narrower in width than the required minimum for the zoning district, provided that the Fire Chief finds that the exception does not create a fire hazard.

- ~~(A)~~(C) Setback reductions to the average setback for existing structures on the same block face that fall within the same zoning district. In calculating averages, buildings exceeding required setbacks shall be considered to meet required setback lines.
- ~~(D)~~ Variances from the minimum number of required parking spaces, not to exceed ten (10) percent of the requirement~~Waiver from the minimum parking space requirements authorized by Section 18-1532.1.~~
- ~~(E)~~ Allowing an increase in the distance between off-site parking and a nonresidential use pursuant to section 18-1532.4(A).
- ~~(F)~~ Allowing a reduction in parking lot aisle width pursuant to section 18-1532.6(D).
- ~~(G)~~ Allowing the following landscaping exceptions upon finding that they will not be detrimental to the purposes of the required landscaping: allowing substitutions of plant materials of an equivalent size and growth patterns, allowing the movement of plants to locations on the site that achieve the same outcomes, and allowing curvilinear buffer plantings that have the same average buffer depth and equal or superior visual buffering upon plant maturity.
- ~~(B)~~(H) The zoning-Zoning Director may grant approval of ~~variances-exceptions~~ within the "Pinellas Park Medical District" as defined in Chapter 18 (Land Development Code), Article 15 (Variances), Section 18-1537.1(B)1 by up to ten (10) percent of the requirements of Section 18-1537.1(D) and the City Manager may grant approval of variances of up to twenty (20) percent of the requirements of Section 18-1537.1(D).

**125. Section 18-1536.2 is hereby amended as follows:**

**Sec. 18-1536.2. - PROCEDURE.**

- (A) Application for ~~variance-exception~~ shall be made pursuant to Section 18-1537.3(A), "Variances; Procedures". The application shall include signed and notarized letters of no objection from all abutting and functionally abutting property owners. Such letters shall clearly identify the variance request being made.
- (B) The Zoning Director shall review the application and determine whether the application should be approved pursuant to the review criteria of Section 18-1537.2, "Review Criteria." The provisions of Section 18-1537.2.(B) shall not apply to exceptions.
- (C) If the Zoning Director determines that the application satisfies the requirements for the granting of an ~~exception-variance~~, the Director shall issue an administrative ~~variance-exception~~ order. The Zoning Director may approve an application with conditions and safeguards that are reasonably necessary to mitigate any impact the ~~variance-exception~~ may have on the public welfare, particularly the surrounding neighborhood. Violation of such conditions and safeguards, when made a part of the terms under which the ~~variance-exception~~ is granted, shall be deemed a violation of this Article and punishable as provided by this Article.
- (D) If the Zoning Director determines that the application does not satisfy the requirements for the granting of a ~~variance~~~~exception~~, the Director shall issue an order for denial of administrative relief, stating the findings in support thereof. In such cases, or if the petitioner wishes to appeal any conditions attached by the Zoning Director to approval of the request, the petitioner may request in writing a public hearing pursuant to Section 18-1537, "Variances", in which case the Zoning Director will schedule the application for a public hearing and the provisions of Section 18-1537 shall then apply.

**126. Section 18-1536.3 is hereby amended as follows:**

**Sec. 18-1536.3. - TIME LIMITS.**

The time limits of Section 18-1537.4, "Time Limits", shall apply.

**127. Section 18-1537.5 is hereby amended as follows:**

**SECTION 18-1537. - VARIANCES**

**Sec. 18-1537.5. - Appeal of board of adjustment decisions.**

- (a) Qualified aggrieved persons or the City Manager ~~or his designee~~ may appeal Zoning variance decisions of the Board of Adjustment to the City Council. For the purpose of establishing standing in such procedure, qualified aggrieved persons are: the property owner/applicant and those persons owning real property located within three hundred (300) feet of the parcel of land to which a requested variance would apply.
- (b) Procedure.
  - 1. Qualified aggrieved persons or the City Manager ~~or his designee~~ may request an appeal of a Board of Adjustment decision by filing a written Notice of Appeal with the City's Zoning Director within ten (10) days of the Board of Adjustment hearing either granting or denying a Board of Adjustment application for variance accompanied by a nonrefundable fee of two hundred fifty dollars (\$250.00). Said notice shall state the reasons for which the appeal is requested and said reasons shall be consistent with the variance review criteria of Section 18-1537.2 above.
  - 2. The City Council shall conduct a public hearing to decide the appeal within thirty-five (35) days of the request or as soon thereafter as possible.
  - 3. The appeal shall be de novo at a quasi-judicial hearing before City Council and conducted pursuant to the rules adopted therefore. The appeal will not be limited to the record of the Board of Adjustment hearing, and new evidence and witness testimony may be presented.
  - 4. The burden of proof shall be on the appellant to show one or more of the following occurred to warrant reversal of the Board of Adjustment decision by the City Council:
    - a. There was an error of fact or other defect in the Board of Adjustment decision which renders the decision inconsistent with the variance review criteria of Section 18-1537.2;
    - b. The Board of Adjustment decision was not substantially based upon the evidence presented at the hearing, and/or the evidence presented at the hearing did not support approval or denial of a variance pursuant to the criteria contained in Section 18-1537.2;
    - c. Reversal of the Board of Adjustment decision is necessary to protect the public health, safety and welfare;
    - d. Matters were proffered that Council may deem to be of substantial public interest.
  - 5. The decision of the City Council on all issues related to the appeal shall be final.
  - 6. Further judicial review of the decision shall be before the Circuit Court.

**128. Section 18-1541.2 is hereby amended as follows:**

**SECTION 18-1541. - FINAL SITE PLANS**

**Sec. 18-1541.2. - APPLICABILITY.**

Final site plans are hereby required in connection with applications for the following permits, approvals, and activities, none of which shall be issued or become effective prior to the approval of a final site plan: (See Section 18-1541.9, "Effect on Final Site Plan Approval".)

- (A) BUILDING PERMITS. Issuance of building permits unless exempted below:
  - 1. ~~MobileManufactured~~ Home, Recreational Vehicles, and Travel Trailers. Where a final subdivision plan or final site plan approval was previously granted for the development of a ~~mobilemanufactured~~ home subdivision or ~~mobilemanufactured~~ home park, as provided in the T-1, ~~MobileManufactured~~ Home Subdivision District, or the T-2, ~~MobileManufactured~~ Home Park District, respectively.

2. Limited Increase in Gross Floor Area. Additions, improvements, or alterations to existing uses and structures when such changes do not result in an increase in gross floor area of the structure in excess of five hundred (500) square feet or one-third ( 1/3 ) of the existing gross floor area of the structure, whichever is less, provided there is no increase in the number of required parking or loading spaces required pursuant to Section 18-1532, "Off-Street Parking and Loading Regulations".
  3. Dwellings. Individual single-family or two-family dwellings (duplex) and their accessory uses and structures that are not part of a larger development that the Zoning Director finds should be site planned as one (1) cohesive unit.
  4. Temporary Uses. Any use permitted under Section 18-1530.14, involving temporary buildings.
  5. Signs. Any actions for which a sign permit is required by applicable City regulations, provided that signs shall be subject to review in connection with any other use or structure requiring a final site plan under this Section.
- (B) ENGINEERING PERMITS. Any engineering permit necessary for earthwork or infrastructure installation or modification that is preparatory for construction activity that requires a building permit.

***129. Article XVIII of Chapter 2 of the City Code is hereby created as follows:***

**Article XVIII. – Community Redevelopment Agency**

The City Council was delegated certain powers to carry out development and redevelopment functions within the City of Pinellas Park by the Board of County Commissioners of Pinellas County pursuant to resolution 88-649 and the City has established a Redevelopment Area and Community Redevelopment Plan pursuant to part III of Chapter 163 of the Florida Statutes. Provisions related to these matters are located in Chapter 18, Article 17 of the City Code of Ordinances.

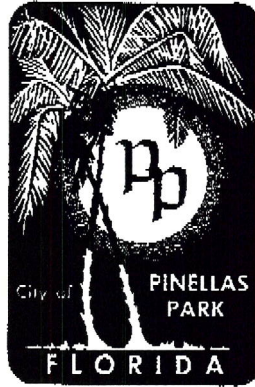


City of  
**PINELLAS PARK**

5141 78TH AVE. • P.O. BOX 1100  
PINELLAS PARK, FL 33780-1100

**Please Respond To:**

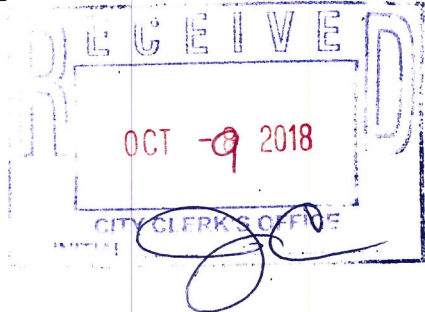
James W. Denhardt, City Attorney  
Lauren Christ Rubenstein, Assistant City Attorney  
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2700 First Avenue North  
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**FLORIDA**

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October 9, 2018



Ms. Kathy Gademer  
Principal Planner  
City of Pinellas Park  
P. O. Box 1100  
Pinellas Park, Florida 33780-1100

**RE: City Document #18-271  
Article 15 Amendments**

Dear Ms. Gademer:

I have received and reviewed the proposed Ordinance amending Article 15 of the Land Development Code of the City of Pinellas Park. The title of the Ordinance should be updated to remove the periods after each section number. The language "amending Chapter 2 of the City Code to add Article XVIII - Community Redevelopment Agency;" should be deleted from the title.

Once these changes have been incorporated, I would approve of the Ordinance, as to form and correctness.

Very truly yours,

James W. Denhardt  
City Attorney

cc: Doug Lewis, City Manager  
Diane M. Corna, MMC, City Clerk  
Patrick Murphy, Asst. City Manager  
Danny Taylor, Planning and Zoning Director

JWD/law  
18-271.10092018.LKG.Arr15LDR.wpd



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CITY OF PINELLAS PARK  
PLANNING AND ZONING COMMISSION MINUTES  
REGULAR MEETING - QUASI-JUDICIAL

DATE: November 1, 2018

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The meeting was called to order at 7:00 p.m. by Dennis Shelley Chairperson, Planning and Zoning Commission.

PRESENT: Dennis Shelley, Chairperson  
James Madden, Vice Chairperson  
Louis Bommattei  
Zachary Hancock  
Brenda Braittling  
Munaf Kapadia  
Neil Kummerer Jr.

ABSENT: None

STAFF PRESENT: Erica Lindquist, Planning & Development Review Manager  
Melissa Thrumston, Interim Senior Planning & Development Analyst  
Rebecca Stephenson, Planning & Development Analyst, Notary  
Nicole Tikkanen, Planning & Development Staff Assistant  
Lauren Rubenstein, Asst. City Attorney

CONSULTANT: Michael Lauer, AICP, of Michael Lauer Planning

APPROVAL OF MINUTES: September 6, 2018 and October 4, 2018

Mr. Madden: changes that need to be clarified to the minutes.

Pg. 2 M. H evaluations should say slash non-conforming use of mobile homes

Key changes, same page from prior drafts second bullet should say categories FROM, not form

Mr. Shelley: Any other changes?

Mr. Madden: I guess the Last item on the same page, Attorney Denhart said "adjacent property persons". Do they have to be directly abutting to qualify as an aggrieved person? Because we deal with issues that affect the entire community, which in turn would mean they're all aggrieved.

Ms. Rubenstein: I was not at that meeting so I have to make an answer without looking into it. The statute provides for what an affected party is. So I'm not sure if this was a different situation that they were specifically speaking about where they were limiting it to adjacent properties. And I would also have to look at what he was referring to.

Nays:

**MOTION CARRIED UNANIMOUSLY**

5. CASE NO.: LDC 2018-1

REQUEST: AN ORDINANCE OF THE PINELLAS PARK CITY COUNCIL, AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING ARTICLE 15, ZONING, SECTION 18-1501 - ADMINISTRATIVE AND LEGAL PROVISIONS; SECTION 18- 1502 – DEFINITIONS; SECTION 18-1503 - GENERAL PROVISIONS; SECTION 18-1504 – NONCONFORMITIES; SECTION 18-1505 - DISTRICT REGULATIONS; SECTION 18-1506 - "F" FARM DISTRICT; SECTION 18-1507 - "RE" SINGLE-FAMILY RESIDENTIAL ESTATE DISTRICT; SECTION 18-1508 - "RR" RURAL RESIDENTIAL DISTRICT; SECTION 18-1509 - "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT; SECTION 18-1510 - "R-2" SINGLE FAMILY RESIDENTIAL DISTRICT; SECTION 18-1511 - "R- 3" SINGLE FAMILY RESIDENTIAL DISTRICT; SECTION 18-1512 - "R-4" DUPLEX RESIDENTIAL DISTRICT; SECTION 18-1513 - "R- 5" MULTI-FAMILY RESIDENTIAL DISTRICT; SECTION 18-1514 - "R-6" MULTI-FAMILY RESIDENTIAL DISTRICT; SECTION 18-1515 - "T-1" MANUFACTURED HOME SUBDIVISION DISTRICT; SECTION 18-1516 - "T-2" MANUFACTURED HOME PARK DISTRICT; SECTION 18-1517 - "ROR" RESIDENTIAL/OFFICE/RETAIL DISTRICT; SECTION 18-1518 - "CN" NEIGHBORHOOD COMMERCIAL DISTRICT; SECTION 18-1519 - "GO" GENERAL OFFICE DISTRICT; SECTION 18-1520 - "B-1" GENERAL COMMERCIAL DISTRICT; SECTION 18-1521 - "MXD" MIXED USE DISTRICT; SECTION 18-1522 - "TC" TOWN CENTER DISTRICT; SECTION 18-1523 - "CH" HEAVY COMMERCIAL DISTRICT; SECTION 18-1524 - "M-1" LIGHT INDUSTRIAL DISTRICT; SECTION 18-1525 - "IH" HEAVY INDUSTRIAL DISTRICT; SECTION 18-1526 - "P" PUBLIC DISTRICT; SECTION 18-1527 - "PRES" PRESERVATION DISTRICT; SECTION 18-1528 - "OS" OPEN SPACE DISTRICT; SECTION 18-1529 - PLANNED UNIT DEVELOPMENT DISTRICT; SECTION 18-1530 - ACCESSORY USE AND SUPPLEMENTARY DISTRICT REGULATIONS; SECTION 18-1531 - CONDITIONAL USE REGULATIONS; SECTION 18-1532 - OFF-STREET PARKING AND LOADING REGULATIONS; SECTION 18-1533 - LANDSCAPING REGULATIONS; SECTION 18-1536 - ADMINISTRATIVE EXCEPTIONS; SECTION 18-1537 – VARIANCES; SECTION 18-1541 - FINAL SITE PLANS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Updates and discussion on LDC 2018-1

Accessory Buildings: 2 options. Some communities do allow accessory buildings to be built right to the property line. You have some concerns about drainage. So, the first option says if it's built to the property line, it has to drain away from the fence. That's where the typo is. The language included in the whole document is the second option, where it also has to drain away from the fence, you have to be away from the property line, but

you have to have an 18 inch separation. Changes to code: Add setback as well as drainage.

Mobile Homes: Appealed to Board of Adjustment.

Offsite Parking: An exclusive use agreement is provided by/between the owner of the property to the extent of such use or needs, and must be filed with the city. Changes: Add joint parking verbiage. Collaborative decision making, rather than only the Zoning Director.

Development Review Committee: Create committee. Used to consult various departments input, rather than a sole person.

Equestrian: Definition of equestrian use. Specific to commercial use versus residential.

**MOTION** was made by Mr. Madden and **SECONDED** by Ms. Braitling to

**APPROVE** as amended.

#### **ROLL CALL VOTE**

Ayes: Hancock, Braitling, Bommattei, Kapadia, Kummerer, Madden, Shelley

Nays:

#### **NEW BUSINESS**

None

#### **GENERAL BUSINESS**

Our next meeting is tentatively scheduled for December 6, 2018

#### **ADJOURNMENT**

**MOTION** was made by Mr. Madden and **SECONDED** by Ms. Braitling to

**ADJOURN** the meeting at 10:21 p.m.

CITY OF PINELLAS PARK, FLORIDA  
PUBLIC HEARING

The City Council of the City of Pinellas Park will hold a Public Hearing at City Council Chambers, City Hall, 5141 78<sup>th</sup> Avenue at **6:00 p.m. on Thursday, January 24, 2019**. The City Council, also acting as the Local Planning Agency, will entertain all public comment regarding any item on their agenda at this meeting. All case files are available for review at the Technical Services Building, 6051 78th Avenue North, in the Planning & Development Services Division.

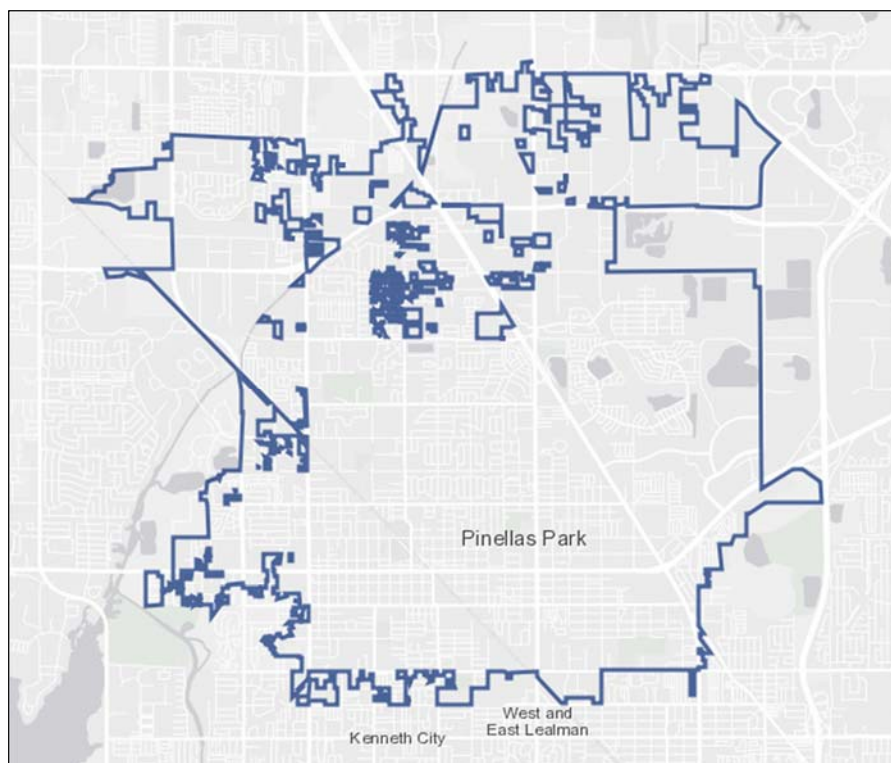
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1. CASE NO.: LDC 2018-1

REQUEST: AN ORDINANCE OF THE PINELLAS PARK CITY COUNCIL, AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING ARTICLE 15, ZONING, SECTION 18-1501.5 - ESTABLISHMENT OF OFFICIAL ZONING MAP; SECTION 18-1501.25 - CONFLICTING REGULATIONS; SECTION 18-1501.28 - MEASUREMENT OF FRACTIONS; SECTION 18-1501.33 - PARTIAL WAIVER OF LAND DEVELOPMENT FEES FOR EXPANSION AND RELOCATION; SECTION 18-1502.2 - DEFINITIONS; SECTION 18-1503.3 - CONFORMITY WITH APPROVED PLANS REQUIRED; SECTION 18-1503.5 - DIVISION OF LOTS/UNITY OF TITLE DOCUMENTS; SECTION 18-1503.6 - USES TO BE CONDUCTED WITHIN ENCLOSED BUILDINGS; SECTION 18-1503.8 - MEASUREMENTS OF YARD SETBACKS ON LOTS ADJACENT TO RIGHTS-OF-WAY OF INSUFFICIENT WIDTH; SECTION 18-1503.9 - PERMITTED OBSTRUCTIONS IN REQUIRED SETBACKS; SECTION 18-1504.3(G)4 - SPECIAL YARD SETBACKS TO APPLY IN ALL ZONING DISTRICTS FOR ADDITIONS TO BUILDINGS IN EXISTENCE AS OF AUGUST 14, 1997; SECTION 18-1503.13 - EXCLUSION FROM HEIGHT LIMITS; SECTION 18-1503.18 - DEVELOPMENT AGREEMENTS; SECTION 18-1504.1 - STATEMENT OF INTENT; SECTION 18-1504. - NONCONFORMITIES; SECTION 18-1504.2 - NONCONFORMING USES; SECTION 18-1504.3 - NONCONFORMING BUILDINGS; SECTION 18-1504.4. - NONCONFORMING LOTS; SECTION 18-1505 - DISTRICT REGULATIONS; SECTION 18-1505.2 - ESTABLISHMENT OF ZONING DISTRICTS; SECTION 18-1505.3 - INTERPRETATION OF USES ALLOWED IN ZONING DISTRICTS; SECTION 18-1506 - "F" FARM DISTRICT; SECTION 18-1506.1. - STATEMENT OF INTENT; SECTION 18-1506.2 - DENSITY REGULATIONS; SECTION 18-1506.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1506.4. - DIMENSIONAL AND AREA REGULATIONS; SECTION 18-1507. - "RE" SINGLE-FAMILY RESIDENTIAL ESTATE DISTRICT; SECTION 18-1507.1. - STATEMENT OF INTENT; SECTION 18-1507.2 - DENSITY REGULATIONS; SECTION 18-1507.3. - PERMITTED AND CONDITIONAL USES; SECTION 18-1508. - "RR" RURAL RESIDENTIAL DISTRICT; SECTION 18-1508.1. - STATEMENT OF INTENT; SECTION 18-1508.2 - DENSITY REGULATIONS; SECTION 18-1508.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1509 - "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT; SECTION 18-1509.1 - STATEMENT OF INTENT; SECTION 18-1509.2 - DENSITY REGULATIONS; SECTION 18-1509.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1510 - "R-2" SINGLE-FAMILY RESIDENTIAL DISTRICT; SECTION 18-1510.1 - STATEMENT OF INTENT; SECTION 18-1510.2 - DENSITY REGULATIONS; SECTION 18-1510.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1511 - "R-3" SINGLE-FAMILY RESIDENTIAL DISTRICT; SECTION 18-1511.1 - STATEMENT OF INTENT; SECTION 18-1511.2 - DENSITY REGULATIONS; SECTION 18-1511.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1512 - "R-4" DUPLEX RESIDENTIAL DISTRICT; SECTION 18-1512.1 - STATEMENT OF INTENT; SECTION 18-1512.2 - DENSITY REGULATIONS; SECTION 18-1512.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1513 - "R-5" MULTI-FAMILY RESIDENTIAL DISTRICT; SECTION 18-1513.1 - STATEMENT OF INTENT; SECTION 18-1513.2 - DENSITY REGULATIONS; SECTION 18-1513.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1513.4 - DIMENSIONAL AND AREA REGULATIONS; SECTION 18-1513.5 - ADDITIONAL REGULATIONS; SECTION 18-1514 - "R-6" MULTI-FAMILY RESIDENTIAL DISTRICT; SECTION 18-1514.1 - STATEMENT OF INTENT; SECTION 18-1514.2 - DENSITY AND MIXED-USE REGULATIONS; SECTION 18-1514.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1514.4. - DIMENSIONAL AND AREA REGULATIONS; SECTION 18-1515 - "T-1" MANUFACTURED HOME SUBDIVISION DISTRICT; SECTION 18-1515.1 - STATEMENT OF INTENT; SECTION 18-1515.2. - DENSITY REGULATIONS; SECTION 18-1515.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1515.4 - DIMENSIONAL AND AREA

REGULATIONS; SECTION 18-1515.5 - ADDITIONAL REGULATIONS; SECTION 18-1515.6 - CRITERIA FOR ACCEPTANCE OF REZONING PETITIONS TO "T-1."; SECTION 18-1516 - "T-2" MANUFACTURED HOME PARK DISTRICT; SECTION 18-1516.1. - STATEMENT OF INTENT; SECTION 18-1516.2. - DENSITY REGULATIONS; SECTION 18-1516.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1516.4 - DIMENSIONAL AND AREA REGULATIONS; SECTION 18-1516.6 - ADDITIONAL REGULATIONS; SECTION 18-1516.7 - EXPANSION OF EXISTING MANUFACTURED HOME PARKS; SECTION 18-1517 - "ROR" RESIDENTIAL/OFFICE/RETAIL DISTRICT; SECTION 18-1517.1 - STATEMENT OF INTENT; SECTION 18-1517.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1517.4 - DIMENSIONAL AND AREA REGULATIONS; SECTION 18-1518 - "CN" NEIGHBORHOOD COMMERCIAL DISTRICT; SECTION 18-1518.1 - STATEMENT OF INTENT; SECTION 18-1518.2 - DENSITY REGULATIONS; SECTION 18-1518.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1518.4. - DIMENSIONAL AND AREA REGULATIONS; SECTION 18-1519 - "GO" GENERAL OFFICE DISTRICT; SECTION 18-1519.1. - STATEMENT OF INTENT; SECTION 18-1519.2 - DENSITY REGULATIONS; SECTION 18-1519.3. - PERMITTED AND CONDITIONAL USES; SECTION 18-1520 - "B-1" GENERAL COMMERCIAL DISTRICT; SECTION 18-1520.1 - STATEMENT OF INTENT; SECTION 18-1520.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1521 - "MXD" MIXED USE DISTRICT; SECTION 18-1521.1 - STATEMENT OF INTENT; SECTION 18-1521.2 - DENSITY REGULATIONS; SECTION 18-1521.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1522 - "TC" TOWN CENTER DISTRICT; SECTION 18-1522.1 - STATEMENT OF INTENT; SECTION 18-1522.2 - DENSITY REGULATIONS; SECTION 18-1522.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1523 - "CH" HEAVY COMMERCIAL DISTRICT; SECTION 18-1523.1 - STATEMENT OF INTENT; SECTION 18-1523.2 - DENSITY REGULATIONS; SECTION 18-1523.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1524 - "M-1" LIGHT INDUSTRIAL DISTRICT; SECTION 18-1524.1 - STATEMENT OF INTENT; SECTION 18-1524.2 - LAND USE AND DENSITY/INTENSITY REGULATIONS; SECTION 18-1524.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1525 - "IH" HEAVY INDUSTRIAL DISTRICT; SECTION 18-1525.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1526 - "P" PUBLIC DISTRICT; SECTION 18-1526.1 - STATEMENT OF INTENT; SECTION 18-1526.2 - DENSITY REGULATIONS; SECTION 18-1526.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1527 - "PRES" PRESERVATION DISTRICT; SECTION 18-1527.1 - STATEMENT OF INTENT; SECTION 18-1527.2 - DENSITY REGULATIONS; SECTION 18-1527.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1528 - "OS" OPEN SPACE DISTRICT; SECTION 18-1528.1 - STATEMENT OF INTENT; SECTION 18-1528.2 - DENSITY REGULATIONS; SECTION 18-1528.3 - PERMITTED AND CONDITIONAL USES; SECTION 18-1529 - PLANNED UNIT DEVELOPMENT DISTRICT ; SECTION 18-1529.8 - RESIDENTIAL PUD; SECTION 18-1529.12 - CHANGES AND AMENDMENTS; SECTION 18-1530 - ACCESSORY USE AND SUPPLEMENTARY DISTRICT REGULATIONS; SECTION 18-1530.1 - ACCESSORY USE REGULATIONS; SECTION 18-1530.2 - ACCESSORY BUILDINGS NOT PERMITTED IN REQUIRED YARDS; SECTION 18-1530.9 - OTHER ANTENNAS; SECTION 18-1530.13 - REGULATIONS FOR THE SALE, DISPENSING AND CONSUMPTION OF ALCOHOLIC BEVERAGES; SECTION 18-1530.16 - OUTDOOR DISPLAY AND SALES OF GOODS AND MERCHANDISE; SECTION 18-1530.20 - DUMPSTERS; SECTION 18-1530.23 - EQUESTRIAN USES; SECTION 18-1530.25 - CARPORTS; SECTION 18-1531 - CONDITIONAL USE REGULATIONS; SECTION 18-1531.7 - WAIVERS, VARIANCES, MODIFICATIONS; SECTION 18-1531.10 - LIST OF CONDITIONAL USES AND REQUIREMENTS; SECTION 18-1532 - OFF-STREET PARKING AND LOADING REGULATIONS; SECTION 18-1532.1 - PURPOSE, INTENT AND APPLICABILITY; SECTION 18-1532.4 - SHARED AND OFF-SITE PARKING; SECTION 18-1532.6 - SPECIFICATIONS AND STANDARDS FOR PARKING LOT DEVELOPMENT; SECTION 18-1532.9 - MINIMUM OFF-STREET PARKING SPACE REQUIREMENTS; SECTION 18-1533 - LANDSCAPING REGULATIONS; SECTION 18-1533.8 - LANDSCAPE REQUIREMENTS FOR SITES PROPOSING BUILDING OR VEHICULAR USE AREA EXPANSION; SECTION 18-1533.10 - TREE MATERIAL STANDARDS; SECTION 18-1533.15 - REQUIRED STREETScape BUFFERS; SECTION 18-1533.16 - REQUIRED PERIMETER LANDSCAPE BUFFERS; SECTION 18-1533.17 - INTERIOR VUA LANDSCAPING; SECTION 18-1533.20 - INSTALLATION AND MAINTENANCE REQUIREMENTS; SECTION 18-1536 - ADMINISTRATIVE EXCEPTIONS; SECTION 18-1536.1 - APPLICABILITY; SECTION 18-1536.2 - PROCEDURE; SECTION 18-1536.3 - TIME LIMITS; SECTION 18-1537 - VARIANCES; SECTION 18-1537.5 - APPEAL OF BOARD OF ADJUSTMENT DECISIONS; SECTION 18-1541 - FINAL SITE PLANS; SECTION 18-1541.2 - APPLICABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR

SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.



NOTICE

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You are invited to register your opinions either at the public hearing or by a letter stating the reasons for your opinions. Letters should be addressed to the Planning & Development Services Division, Post Office Box 1100, Pinellas Park, Florida, 33780. For more information, please contact the Planning & Development Services Division at 727-369-5631.

Any person who decides to appeal any decision of the City Council, City Board or City Commission, with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any written communication should be received 8 days prior to the public hearing date in order to be made a part of the record and letters should be addressed to the Planning & Development Services Division, Post Office Box 1100, Pinellas Park, Florida, 33780. All oral communication concerning this case is prohibited by Florida State law unless made at the public hearing. For more information, please contact the Planning & Development Services Division. The City maintains a digital recording of all public hearings. In the event that you wish to appeal a decision, the tape may or may not adequately ensure a verbatim record.

FOR THE HEARING IMPAIRED - An interpreter for individuals with hearing impairment will be made available upon requests made at least 72 hours in advance. Also, an Assistive Hearing Device (magnifier) is available from the City Clerk for use in Council Chambers and all meeting rooms throughout the City. This document is available in the following accessible formats: Braille, Large Print, Audio Tape, and Electronic File on Computer Disks.

Planning & Development Services Division