

The following page(s) contain the backup material for Agenda Item: Setting July 10, 2025 as the public hearing date for the following proposed Ordinance(s): Ordinance 611-H, An Ordinance of The City of St. Petersburg, Florida amending the St. Petersburg City Code Land Development Regulations; clarifying uses in the NT-3 District; amending provisions related to development potential, building envelope, including setbacks, and building, and site design in the NT, NTM-1, NS, and NSM districts; amending provisions related to building design in the CRT districts; amending use restrictions in Artist Enclave Overlay districts; amending fence, wall and hedge regulations; amending landscaping and tree protection regulations; amending parking and loading design standards; amending sidewalk regulations to create a payment-in-lieu option, including procedures; amending development standards for accessory dwelling units; amending development standards for accessory structures and ancillary equipment; amending home occupation regulations, including use restrictions; amending provisions related to height measurement; amending provisions related to allowable encroachments and building setbacks; amending procedures related to rehearing requests; amending procedures related to dock permits; creating a new application and review process for reasonable accommodations in zoning requests; providing for new and revised definitions; revising existing graphics and adding new graphics; providing for severability ; and providing an effective date. (City File LDR 2024-05)  
Please scroll down to view the backup material.



**G-3**



## ST. PETERSBURG CITY COUNCIL

### Meeting of June 5, 2025

**TO:** The Honorable Copley Gerdes, Chair, and Members of City Council

**SUBJECT:** **City File LDR 2024-05:** City-initiated application amending the St. Petersburg City Code, Chapter 16, Land Development Regulations (LDRs) to modify the land development regulations related to residential development.

**ANALYSIS:** The Planning and Development Services Department, working with the City Attorney's office, has prepared the attached proposal to amend the LDRs. The proposal includes 130 items for consideration, classified into one (1) of three (3) categories:

- **Substantive (Regulatory) Changes** *mean* amendments resulting from new issues that were not originally contemplated or whose need has emerged from staff's experience in administering the city code. This amendment package includes eight-five (85) regulatory changes;
- **Clarifications** *means* the ongoing effort to provide clear and intuitive code language for the benefit of staff and customers using the regulations. These are not policy or regulatory changes; they are simply a clarification or rewrite of existing language. This amendment package includes thirty-seven (37) clarifications;
- **Consistency Improvements** *means* to maintain consistency with changes in federal, state and local law or to remove internal inconsistencies within the City Code. This amendment package includes eight (8) consistency improvements.

### RECOMMENDATION:

Administration: City staff recommends APPROVAL.

Public Input: Stakeholder Workshops were held on May 15, 2024, and June 26, 2024, at the Empath Suncoast Hospice South County Community Service Center. Attendees from both workshops include residents and neighborhood association members from Euclid St. Paul, Greater Grovemont, Historic Kenwood, Historic Old Northeast, North Kenwood and Palmetto Park. Also in attendance were members of the development/architectural community and one attendee affiliated

with St. Pete Rising and Preserve the ‘Burg. Attached are Meeting Summaries from both Stakeholder Workshops.

Staff has received six (6) emails from the public with comments and recommended changes to the proposed amendments, see attached Public Comments.

Development Review Commission: A workshop was held on October 2, 2024, with the Development Review Commission (DRC) with topics discussed by DRC members including FAR bonuses, bay windows, sidewalk payment in lieu and fencing, see attached DRC Workshop summary for concerns and recommendations provided during the workshop.

On April 2, 2025, the DRC held a public hearing regarding the proposed text amendments to the Land Development Regulations and made a finding of consistency with the City’s Comprehensive Plan and voted 6-to-0 to recommend APPROVAL.

Development Review Commission discussion included the following:

- General agreement with the massing and architectural bonuses.
- No need to incentivize solar.
- Require a hierarchy of bonuses or a minimum percentage of bonuses to be design related that should be selected from massing and architectural bonuses.
- Require a 20-foot separation between structures or second floor spaces instead of an FAR bonus.
- Provide a maximum size for the wooden platform for energy meters.

Public comments included the following:

- Too much additional FAR bonus for solar and trees that are not design related bonuses.
- Use bonuses for architectural character.
- Bonus system should address mass, scale and detailing.
- Create a hierarchy of bonuses, specifically to deal with mass and scale.
- Provide additional bonuses for variations in mass and scale.
- Typical cost for sidewalk installation is \$30 to \$40 per linear foot. Payment should be allowed to occur prior to the issuance of the Certificate of Occupancy.
- Allow additional encroachment for stairs in flood zones.

Senate Bill 180: Emergencies: Following the Development Review Commission Meeting staff has edited the proposed code changes to stay in compliance with Senate Bill 180: Emergencies that restricts any changes to the land development regulations, comprehensive plan or processing procedures for before October 1, 2027, for hurricanes Helene and Milton and 1-year following any future hurricane landfall within 100-miles (section 252.422): may not “propose or adopt more restrictive or burdensome amendments to its comprehensive plan or land

development regulations; or propose or adopt more restrictive or burdensome procedures concerning review, approval, or issuance of a site plan, development permit, or development order, to the extent that those terms are defined by s. 163.3164, Florida Statutes, before October 1, 2027” (pages 35/36 and 46). Proposed code changes that were removed include: location requirements for parking and retention ponds for nonresidential uses within NT, NTM and NS districts; requiring one bay or two single bay garage doors for garage doors facing a street in NT districts; and, CRT requirements for breaking up building massing and front porch depth, size and height.

Recommended City Council Action:

- 1) CONDUCT the first reading of the attached proposed ordinance; AND
- 2) SET the second reading and adoption public hearing for July 10, 2025.

Attachments: Ordinance, DRC Staff Report, May 15, 2024, Stakeholder Meeting Summary, June 26, 2024, Stakeholder Meeting Summary, October 2, 2024, DRC Workshop Summary, Public Comments



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

## March 2025

	SECTION NO.	SECTION TITLE	COMPLEXITY	DESCRIPTION
1.	16.20.010.4.3	Neighborhood Traditional Single-Family Districts <b>Neighborhood Traditional Single-Family-3 (NT-3).</b>	Clarification	<b>Problem Statement:</b> Summary of NT-3 includes statement that garage apartments are not permitted when the code has been changed to allow ADUs in NT-3 districts. <b>Requested Action:</b> Remove the text stating that garage apartments are not permitted.
2.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Front Porch Elevation Bonus</b>	Regulatory Change	<b>Problem Statement:</b> Existing front porch elevation requirement of 12-inches is not consistent with the configuration of many historic homes throughout the City. <b>Requested Action:</b> Provide a 0.03 FAR bonus when front porch is elevated an additional six-inches totaling a minimum of 18-inches above existing grade.
3.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Separation Bonus</b>	Regulatory Change	<b>Problem Statement:</b> New single-family residences are typically built to maximize the entirety of the buildable area of the lot creating a large two-story box structure. <b>Requested Action:</b> Add FAR bonus for providing minimum 20-ft separation between principal and accessory structures, as well as between second floor portions of the principal structure.
4.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Front Façade Articulation Bonus</b>	Clarification	<b>Problem Statement:</b> FAR Bonus H provides a 0.06 bonus for each additional foot of front façade articulation with a 0.10 max bonus. It requires a minimum articulation of 6-feet resulting in the maximum bonus applied when the minimum articulation is provided. Therefore, the 0.06 bonus for each foot is not necessary as the maximum 0.10 bonus is granted when the minimum articulation is provided. <b>Requested Action:</b> Remove the existing bonus for each foot as it is not utilized.
5.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Larger Shade Tree Bonus</b>	Clarification	<b>Problem Statement:</b> FAR bonus for planting of larger shade tree indicates the spread shall be a minimum of 8-10 inches at time of planting when it should be 8-10 feet. <b>Requested Action:</b> Revise code language to reflect that an 8-10 foot spread is required to obtain FAR bonus for planting larger shade tree.
6.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Preservation of Existing Trees Bonus</b>	Regulatory Change	<b>Problem Statement:</b> Preservation of existing onsite Grand trees is not currently incentivized. <b>Requested Action:</b> Create a new FAR bonus for preservation of existing Grand trees with a 0.02 bonus for each tree, maximum 0.04 bonus.
7.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Solar Ready Bonus</b>	Regulatory Change	<b>Problem Statement:</b> Currently FAR bonus for Solar Ready is vague and provides no base line for evaluation of a new home being "solar ready" <b>Requested Action:</b> Add quantifiable standard that a new home provides a minimum 200 AMP electric panel and conduit running to roof for future solar installation. FAR bonus reduced from 0.02 to 0.01 bonus due to additional FAR bonuses for solar installation and electric vehicle charging being added.
8.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Solar Installation Bonus</b>	Regulatory Change	<b>Problem Statement:</b> Solar installation is not currently incentivized with an FAR bonus. <b>Requested Action:</b> Provide a 0.01 FAR bonus per Kilowatt installed up to a maximum bonus of 0.03.
9.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Electric Vehicle Charging Bonus</b>	Regulatory Change	<b>Problem Statement:</b> Residential Electric Vehicle charging stations are not current incentive with an FAR bonus. <b>Requested Action:</b> Provide a 0.01 FAR bonus for residential EV charging capability.
10.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – Quality materials on exterior facades</b>	Regulatory Change	<b>Problem Statement:</b> During the DRC Workshop a request was made for an FAR bonus for utilizing quality materials on exterior facades. <b>Requested Action:</b> Add a 0.05 FAR bonus when exterior facades are proposed with solid wood siding, brick, stone and/or wrought iron throughout all structures and a 0.03 FAR bonus when brick or stone veneer or hardi-board are utilized.
11.	16.20.010.6	Neighborhood Traditional Single-Family Districts <b>Building Envelope: Maximum height and minimum setbacks</b>	Clarification	<b>Problem Statement:</b> Clarify maximum building height language in terms of where measurement is applied to for setback purposes to be consistent with current practices. <b>Requested Action:</b> Revise language in Minimum Building Setbacks table to clarify that height is measured to the beginning of roofline when determining setbacks.
12.	16.20.010.6	Neighborhood Traditional Single-Family Districts <b>Building Envelope: Maximum height and minimum setbacks</b>	Consistency	<b>Problem Statement:</b> Minor encroachments aligning with the side of an existing structure are permitted within interior side yard setbacks for all zoning districts up to 24-feet in height except for NT-1 and NT-2 for lots less than 60-feet in width. <b>Requested Action:</b> Add minor encroachment allowance to interior side yard setback for lots less than 60-feet in width zoned NT-1 and NT-2.

13.	16.20.010.6	Neighborhood Traditional Single-Family Districts <b>Building Envelope: Maximum height and minimum setbacks</b>	Regulatory Change	<b>Problem Statement:</b> For existing structures located in a Special Flood Hazard Area adhering to required setbacks creates conflict when elevating the structure to meet current FEMA flood elevation.
				<b>Requested Action:</b> Provide a minor encroachment option to allow an existing single-family home to be elevated to meet FEMA flood elevation when specific criteria is met.
14.	16.20.010.10	Neighborhood Traditional Single-Family Districts <b>Setbacks and FAR consistent with established neighborhood patterns</b>	Regulatory Change	<b>Problem Statement:</b> Administrative approval for reduced front yard setbacks and FAR only references predominant building setbacks in the block which the development is proposed.
				<b>Requested Action:</b> Provide text to clarify administrative front setback and FAR approvals will be determined by predominant setbacks established in the block face on either side of the street development is proposed.
15.	16.20.010.10	Neighborhood Traditional Single-Family Districts <b>Setbacks and FAR consistent with established neighborhood patterns</b>	Clarification	<b>Problem Statement:</b> The current definition of “predominant” does not provide a specified setback to be administered.
				<b>Requested Action:</b> Revise text to remove definition of “predominant” for reduced setback and added new review criterion.
16.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and site design: Building and site design</b>	Clarification	<b>Problem Statement:</b> Dumpsters are not expressly referenced to being included with loading docks and other service areas.
				<b>Requested Action:</b> Include “dumpsters” in the required uses to be located behind the front façade line of the principle structure for all non-residential uses.
17.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site design: Building and site design</b>	Regulatory Change	<b>Problem Statement:</b> Requirements for screening of mechanical equipment and utility functions are not differentiated for equipment that is elevated for flood protection.
				<b>Requested Action:</b> Indicate specified screening requirement for both elevated, and ground mounted, mechanical equipment and utility functions.
18.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site design: Vehicle connections and parking</b>	Clarification	<b>Problem Statement:</b> It is currently stated that driveways shall “face the alley” where the intention of this section is to require driveway access to be located off the alley in NT-2 and NT-3 districts.
				<b>Requested Action:</b> Clarify that driveways shall be accessed off an alley when available.
19.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site design: Vehicle connections and parking</b>	Regulatory Change	<b>Problem Statement:</b> On parcels with no alley access the code only permits garages facing the side street and references a maximum of one “curb cut.”
				<b>Requested Action:</b> Allow for garages on parcels with no alley access to face the rear of the property, and include clarifying text changing “curb cut” to “driveway”
20.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site design: Porches and pedestrian connections</b>	Clarification	<b>Problem Statement:</b> Currently, porches are required to connect from the principal entry to the curb of the “primary” street. This presents a conflict for corner lots that have principal entries facing the side street.
				<b>Requested Action:</b> Amend this text to remove “primary” from principal entry connections to the curb.
21.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site design: Porches and pedestrian connections</b>	Regulatory Change	<b>Problem Statement:</b> Compliance with code requirements to provide paved connections between public sidewalks and the curb creates conflict when the existing grade prevents compliance with ADA minimum standards.
				<b>Requested Action:</b> Provide an exception to this requirement when it has been shown that the existing grades prevent compliance with ADA minimum slope requirements.
22.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site design: Porches and pedestrian connections</b>	Regulatory Change	<b>Problem Statement:</b> Required front porches for principal structures are contradictory to some acceptable architectural styles permitted within the traditional zoning districts.
				<b>Requested Action:</b> Provide an exemption from the minimum size requirements for front porches when doing so is consistent with the proposed architectural style.
23.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design: Building Style</b>	Clarification	<b>Problem Statement:</b> Not clear that repetitive design requirement applies to homes within the same block
				<b>Requested Action:</b> Add “within the same block” to repetitive design regulations
24.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design: Building Style</b>	Clarification	<b>Problem Statement:</b> Repetitive design regulations not clear on required differences for architectural details.
				<b>Requested Action:</b> Add the word "and" to clarify that all listed architectural details (doors, windows, columns, and porches) are required to be different.
25.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design: Building Style</b>	Regulatory Change	<b>Problem Statement:</b> Repetitive design regulations do not account for new homes proposed with different number of stories.
				<b>Requested Action:</b> Include text to state that variation is not required for new homes with a different number of habitable stories.
26.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design: Building Style</b>	Regulatory Change	<b>Problem Statement:</b> Repetitive design regulations do not account for new homes designed with varied heights and widths that contribute to the variation between new homes.
				<b>Requested Action:</b> Add fifth variation to repetitive design criteria for new homes varied front façade heights and front façade widths.
27.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design: Building Form</b>	Regulatory Change	<b>Problem Statement:</b> The front porch should have a minimum of two steps leading up to the porch to maintain consistency with required elevation.
				<b>Requested Action:</b> Add language requiring that the front porch shall include at least two risers leading up to the porch.

28.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design:</b> <b>Wall Composition and transparency</b>	Regulatory Change	<b>Problem Statement:</b> The current code requirement that requires no blank facades greater than 16-feet in width has created challenges for developers.
				<b>Requested Action:</b> Provide language that allows blank facades up to 20-feet in width on facades located in the rear one-half of the lot provided it is not visible from a right-of-way.
29.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design:</b> <b>Wall Composition and transparency</b>	Clarification	<b>Problem Statement:</b> Currently no reference to the definition of “fenestration” is provided.
				<b>Requested Action:</b> Include a reference to Section 16.90.020 for the definition of fenestration and architectural details.
30.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design:</b> <b>Wall Composition and transparency</b>	Regulatory Change	<b>Problem Statement:</b> Code currently prohibits flush mounted windows which is not practical. Provisions currently exist requiring architectural trim or shutters for windows recessed less than three inches.
				<b>Requested Action:</b> Remove language prohibiting flush mounted windows and clarify what is included in trim.
31.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design:</b> <b>Building Materials</b>	Regulatory Change	<b>Problem Statement:</b> Exception to the requirement for consistent building materials on one-story covered patios, screen enclosures or sunrooms located at least 10-feet behind the front façade is too limited.
				<b>Requested Action:</b> Allow for pergolas and sunrooms to be exempt from this requirement when meeting the necessary criteria.
32.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design:</b> <b>Building Materials</b>	Regulatory Change	<b>Problem Statement:</b> Code requires matching roof style when converting an existing covered patio, screen enclosure with solid roof or sunroom to enclosed habitable space which is typically impractical when the existing nonhabitable space has a flat roof.
				<b>Requested Action:</b> Allow existing covered patios, screen enclosures with solid roof or sunrooms to be converted to enclosed habitable space without matching the roof style of the principal structure.
33.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design:</b> <b>Accessory structures and ancillary equipment and carports</b>	Regulatory Change	<b>Problem Statement:</b> The current code requirement that requires no blank facades greater than 16-feet in width has created challenges for developers.
				<b>Requested Action:</b> Provide text that allows for multi-story accessory buildings to contain a blank area up to 20-feet in width
34.	16.20.015.3	Neighborhood Traditional Mixed Residential Districts <b>Introduction to the NTM-1 district</b>	Clarification	<b>Problem Statement:</b> Introduction to the NTM zoning district does include a reference to structures in this zoning districts being permitted up to 4-units per building.
				<b>Requested Action:</b> Add text to state that building typologies within the NTM-1 zoning district have a maximum of 4-units per building.
35.	16.20.015.4	Neighborhood Traditional Mixed Residential Districts <b>Maximum development potential</b>	Clarification	<b>Problem Statement:</b> FAR Bonus G provides a 0.06 bonus for each additional foot of front façade articulation with a 0.10 max bonus. It requires a minimum articulation of 6-feet resulting in the maximum bonus applied when the minimum articulation is provided. Therefore, the 0.06 bonus for each foot is not necessary as the maximum 0.10 bonus is granted when the minimum articulation is provided.
				<b>Requested Action:</b> Remove the existing bonus for each foot as it is not utilized.
36.	16.20.015.4	Neighborhood Traditional Mixed Residential Districts <b>Maximum development potential</b>	Regulatory Change	<b>Problem Statement:</b> Currently FAR bonus for Solar Ready is vague and provides no base line for evaluation of a new home being "solar ready"
				<b>Requested Action:</b> Add quantifiable standard that a new home provides a minimum 200 AMP electric panel and conduit running to roof for future solar installation. FAR bonus reduced from 0.02 to 0.01 bonus due to additional FAR bonuses for solar installation and electric vehicle charging being added.
37.	16.20.015.4	Neighborhood Traditional Mixed Residential Districts <b>Maximum development potential</b>	Regulatory Change	<b>Problem Statement:</b> Solar installation is not currently incentivized with an FAR bonus.
				<b>Requested Action:</b> Provide a 0.01 FAR bonus per Kilowatt installed up to a maximum bonus of 0.03.
38.	16.20.015.4	Neighborhood Traditional Mixed Residential Districts <b>Maximum development potential</b>	Regulatory Change	<b>Problem Statement:</b> Residential Electric Vehicle charging stations are not current incentive with an FAR bonus.
				<b>Requested Action:</b> Provide a 0.01 FAR bonus for residential EV charging capability.
39.	16.20.015.5	Neighborhood Traditional Mixed Residential Districts <b>Minimum Building Setbacks</b>	Regulatory Change	<b>Problem Statement:</b> NTM regulations do not prescribe a rear yard setback when the required alley is along a side property line with no alley along the rear property line.
				<b>Requested Action:</b> Add 10-foot rear yard setback when there is no alley along the rear property line.
40.	16.20.015.6	Neighborhood Traditional Mixed Residential Districts <b>Maximum Building Width</b>	Regulatory Change	<b>Problem Statement:</b> NTM provisions limit residential structures to a maximum width of 40-feet. This limitation is intended for multi-family structures and not for single-family residences.
				<b>Requested Action:</b> Add footnote permitted a residential building with only one dwelling unit to exceed 40-feet in width.
41.	16.20.015.7	Neighborhood Traditional Mixed Residential Districts <b>Entrances</b>	Clarification	<b>Problem Statement:</b> Current text relating to the number and location of primary entrances is confusing to readers.
				<b>Requested Action:</b> Provide clarifying language for additional buildings located behind the front structure and for expansions to existing buildings.
42.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts	Regulatory Change	<b>Problem Statement:</b> Requirements for screening of mechanical equipment and utility functions are not differentiated for equipment that is elevated above grade and dumpsters are not expressly referenced to being included with service areas, loading docks and mechanical equipment.



		<b>Building and Site Design: Building layout orientation</b>		<b>Requested Action:</b> Indicate specified screening requirement for both elevated, and at-grade, mechanical equipment and utility functions, and Include “dumpsters” in the required uses to be located behind the front façade line of the principle structure.
43.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Landscaping</b>	Regulatory Change	<b>Problem Statement:</b> Currently, no landscaping regulations are included for non-residential developments and project exceeding 4-units.
				<b>Requested Action:</b> Amend text to instruct non-residential and projects exceeding 4-units to adhere to the landscape regulations included within Section 16.40.060.2.1.3
44.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Porches and pedestrian connections</b>	Regulatory Change	<b>Problem Statement:</b> Required front porches for principal structures are contradictory to some acceptable architectural styles permitted within the traditional zoning districts.
				<b>Requested Action:</b> Provide an exemption from the minimum size requirements for front porches when doing so is consistent with the proposed architectural style.
45.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Building Style</b>	Clarification	<b>Problem Statement:</b> Not clear that repetitive design requirement applies to homes within the same block
				<b>Requested Action:</b> Add “within the same block” to repetitive design regulations
46.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Building Style</b>	Clarification	<b>Problem Statement:</b> Repetitive design regulations not clear on required differences for architectural details
				<b>Requested Action:</b> Add the word "and" to clarify that all listed architectural details (doors, windows, columns, and porches) are required to be different.
47.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Building Style</b>	Regulatory Change	<b>Problem Statement:</b> Repetitive design regulations do not account for new homes proposed with different number of stories.
				<b>Requested Action:</b> Include text to state that variation is not required for new homes with a different number of habitable stories.
48.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Building Style</b>	Regulatory Change	<b>Problem Statement:</b> Repetitive design regulations do not account for new homes designed with varied heights and widths that contribute to the variation between new homes.
				<b>Requested Action:</b> Add fifth variation to repetitive design criteria for new homes varied front façade heights and front façade widths.
49.	16.20.015.8	Neighborhood Traditional Single-Family Districts <b>Building and Site Design: Wall Composition and Transparency</b>	Regulatory Change	<b>Problem Statement:</b> The current code requirement that requires no blank facades greater than 16-feet in width has created challenges for developers.
				<b>Requested Action:</b> Provide language that allows blank facades up to 20-feet in width on facades located in the rear one-half of the lot provided it is not visible from a right-of-way.
50.	16.20.015.8	Neighborhood Traditional Single-Family Districts <b>Building and Site Design: Wall Composition and Transparency</b>	Clarification	<b>Problem Statement:</b> Currently no reference to the definition of “fenestration” is provided.
				<b>Requested Action:</b> Include a reference to Section 16.90.020 for the definition of fenestration and architectural details.
51.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Wall Composition and Transparency</b>	Regulatory Change	<b>Problem Statement:</b> Code currently prohibits flush mounted windows which is not practical. Provisions currently exist requiring architectural trim or shutters for windows recessed less than three inches.
				<b>Requested Action:</b> Remove language prohibiting flush mounted windows.
52.	16.20.020.7	Neighborhood Suburban Single-Family Districts <b>Building envelope: Maximum height and minimum setbacks</b>	Regulatory Change	<b>Problem Statement:</b> Clarify maximum building height language in terms of where measurement is applied to for setback purposes to be consistent with current practices
				<b>Requested Action:</b> Revise language in Minimum Building Setbacks table to clarify that height is measured to the beginning of roofline when determining setbacks.
53.	16.20.020.7	Neighborhood Suburban Single-Family Districts <b>Building envelope: Maximum height and minimum setbacks</b>	Regulatory Change	<b>Problem Statement:</b> FEMA requirements for elevating new homes in Special Flood Hazard Areas creates conflicts with building height to beginning of roofline and setbacks when the new home is designed with a garage on the ground floor with habitable floors directly above resulting in significant increases in required setbacks for minimal increases in building height to beginning of roofline.
				<b>Requested Action:</b> Add an additional layer of increased setbacks based on increased building height to beginning of roofline to accommodate minimal increases in building height to beginning of roofline.
54.	16.20.020.7	Neighborhood Suburban Single-Family Districts <b>Building envelope: Maximum height and minimum setbacks</b>	Regulatory Change	<b>Problem Statement:</b> For existing structures located in a Special Flood Hazard Area adhering to required setbacks creates conflict when elevating the structure to meet current FEMA flood elevation.
				<b>Requested Action:</b> Provide a minor encroachment option to allow an existing single-family home to be elevated to meet FEMA flood elevation when specific criteria is met.
55.	16.20.020.11	Neighborhood Suburban Single-Family Districts <b>Setbacks and FAR consistent with established neighborhood patterns</b>	Regulatory Change	<b>Problem Statement:</b> The current definition of “predominant” does not provide a specified setback to be administered.
				<b>Requested Action:</b> Revise text to remove definition of “predominant” for reduced setback and added new review criterion.
56.	16.20.020.11	Neighborhood Suburban Single-Family Districts <b>Setbacks and FAR consistent with established neighborhood patterns</b>	Clarification	<b>Problem Statement:</b> The current definition of “predominant” does not provide a specified setback to be administered.
				<b>Requested Action:</b> Revise text to defined “predominant” as the midpoint between the two most common set of numbers that are within the range of numbers.
57.	16.20.020.12	Neighborhood Suburban Single-Family Districts	Regulatory Change	<b>Problem Statement:</b> Requirements for screening of mechanical equipment and utility functions are not differentiated for equipment that is elevated above grade and dumpsters are not expressly referenced to being included with service areas, loading docks and mechanical equipment.

		<b>Building and site design: Site layout and orientation</b>		<b>Requested Action:</b> Indicate specified screening requirement for both elevated, and ground mounted, mechanical equipment and utility functions, and Include “dumpsters” in the required uses to be located behind the front façade line of the principle structure.
58.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building and site design: Site layout and orientation</b>	Regulatory Change	<b>Problem Statement:</b> The current text allows all garages to be in front of the front facade line of the principal structure.
				<b>Requested Action:</b> Amend text to only allow attached garages to encroach in front of the front façade line of the principal structure.
59.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building Style</b>	Clarification	<b>Problem Statement:</b> Not clear that repetitive design requirement applies to homes within the same block
				<b>Requested Action:</b> Add “within the same block” to repetitive design regulations
60.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building Style</b>	Clarification	<b>Problem Statement:</b> Repetitive design regulations not clear on required differences for architectural details
				<b>Requested Action:</b> Add the word "and" to clarify that all listed architectural details (doors, windows, columns, and porches) are required to be different.
61.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building Style</b>	Regulatory Change	<b>Problem Statement:</b> Repetitive design regulations not clear on the determination of substantially similar architectural styles.
				<b>Requested Action:</b> Include text to state that substantially similar architectural styles do not include homes with different number of stories.
62.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building and Site Design: Building Style</b>	Regulatory Change	<b>Problem Statement:</b> Repetitive design regulations do not account for new homes designed with varied heights and widths that contribute to the variation between new homes.
				<b>Requested Action:</b> Add fifth variation to repetitive design criteria for new homes varied front façade heights and front façade widths.
63.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Wall Composition</b>	Regulatory Change	<b>Problem Statement:</b> The current code requirement that requires no blank facades greater than 16-feet in width has created challenges for developers.
				<b>Requested Action:</b> Provide language that allows blank facades up to 20-feet in width on rear and interior side facades located in the rear one-third of the lot.
64.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Wall Composition</b>	Clarification	<b>Problem Statement:</b> Currently no reference to the definition of “fenestration” is provided.
				<b>Requested Action:</b> Include a reference to Section 16.90.020 for the definition of fenestration and architectural details.
65.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Wall Composition</b>	Regulatory Change	<b>Problem Statement:</b> Window trim for structures in NS districts have not been held to the same architectural standards as window trim on structures in NT districts.
				<b>Requested Action:</b> Add the same requirements for window trim consistent with the architectural style of the structure as required for NT zoned properties.
66.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Garages</b>	Regulatory Change	<b>Problem Statement:</b> Existing text requiring a projecting entryway for homes with garages that comprise more than 40% of linear frontage of the façade does not clearly state that the projecting entryway be provided on the front facade.
				<b>Requested Action:</b> Change text to require a porch connected to the principal entry with a minimum projection of 5-feet in front of the front façade line of the principal structure.
67.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Garages</b>	Clarification	<b>Problem Statement:</b> Requirements for decorative elements on garages does not account for structures facing the streetside and does not expressly state that detached garages are included.
				<b>Requested Action:</b> Add text to include structures facing the streetside and to included detached garages.
68.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building materials</b>	Regulatory Change	<b>Problem Statement:</b> Exception to the requirement for consistent building materials on one-story covered patios or screen enclosures located at least 10-feet behind the front façade is too limited.
				<b>Requested Action:</b> Allow for pergolas and sunrooms to be exempt from this requirement when meeting the necessary criteria.
69.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building materials</b>	Regulatory Change	<b>Requested Action:</b> Requests to convert existing covered patios and solid roofed screen enclosures to living space have restricted desired development and resulted in a high volume of design variances.
				<b>Problem Statement:</b> Add text to allow the conversion of an existing covered patio, or similar, to be exempt from matching the roof style of the principal structure.
70.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building materials</b>	Regulatory Change	<b>Problem Statement:</b> The current code requirement that requires no blank facades greater than 16-feet in width has created challenges for developers.
				<b>Requested Action:</b> Provide text that allows for multi-story accessory buildings to contain a blank area up to 20-feet in width
71.	16.20.030.5	Neighborhood Suburban Multifamily Districts <b>Maximum development potential</b>	Consistency	<b>Problem Statement:</b> It is not explicitly stated that when developing an NSM property utilizing NTM provisions that the “Applicability” requirements for NTM zoned properties including that the property has frontage on a Major Street with alley access apply.
				<b>Requested Action:</b> Include “applicability” with the language that allows NSM properties to utilize NTM provisions.
72.	16.20.030.10	Neighborhood Suburban Multifamily Districts	Regulatory Change	<b>Problem Statement:</b> NSM provisions allow for administrative approvals for reduced front and side yard setbacks on NSM zoned properties when certain criteria is met. Staff has not received any requests for administrative approvals of reduced side yard setbacks and it is impractical for staff to be able to assess existing side yard setbacks.

		<b>Setbacks consistent with established neighborhood patterns</b>		<b>Requested Action:</b> Revise the criteria for administrative approvals of reduced front yard setbacks and revise the text to indicate that only a reduced front yard setback can be administratively requested and granted provided certain criteria are met.
73.	16.20.030.10	Neighborhood Suburban Multifamily Districts <b>Setbacks consistent with established neighborhood patterns</b>	Consistency	<b>Problem Statement:</b> The first paragraph of this section indicates that reduced setbacks may be approved administratively when certain criteria are met, which is the current practice. However, the last paragraph indicates that variance approval is required by the Community Planning and Preservation Commission, which is incorrect.
				<b>Requested Action:</b> Remove the last paragraph indicating that variance approval is required by the Community Planning and Preservation Commission.
74.	16.20.060.7	Corridor Residential Traditional Districts <b>Building Design</b>	Regulatory Change	<b>Problem Statement:</b> Requirements for screening of mechanical equipment and utility functions are not differentiated for equipment that is elevated for flood protection.
				<b>Requested Action:</b> Indicate specified screening requirement for both elevated, and ground mounted, mechanical equipment and utility functions.
75.	16.20.060.7	Corridor Residential Traditional Districts <b>Building Design</b>	Regulatory Change	<b>Problem Statement:</b> Existing design regulations are not consistent with the traditional development pattern.
				<b>Requested Action:</b> Provide additional porch and building form building design regulations.
76.	16.30.030	<b>Artist Enclave</b>	Consistency	<b>Problem Statement:</b> Current Artist Enclave land use restrictions within NT-1 and NT-2 zoning district have been too restrictive and updated state regulations have resulted in necessary amendments to the City code.
				<b>Requested Action:</b> Update text to remove limits on number of appointments and instructional classes permitted, number of students allowed in each class, and to allow increase the number of assistants permitted at the property from one to two.
77.	16.40.040.3	Fence, Wall, and Hedge Regulations <b>Design standards</b>	Regulatory Change	<b>Problem Statement:</b> Existing regulation permits a 6-foot opaque wall or fence in the front yard can negatively impact the streetscape and neighborhood character.
				<b>Requested Action:</b> Modify regulation to permit a 6-foot wall or fence with the “top 2-feet being open”.
78.	16.40.040.3	Fence, Wall, and Hedge Regulations <b>Design standards</b>	Regulatory Change	<b>Problem Statement:</b> An increase in fences utilizing non-traditional and reflective materials has been generally responded to negatively by community stakeholder groups.
				<b>Requested Action:</b> Provide text that states for fencing materials “metal shall have an exterior finish that is not shiny or reflective. The use of metal roofing or siding materials is prohibited.”
79.	16.40.040.3	Fence, Wall, and Hedge Regulations <b>Design standards</b>	Consistency	<b>Problem Statement:</b> Amendments needed to comply with HB535 Low-voltage alarm system projects.
				<b>Requested Action:</b> Update electrically charged fencing requirements to be complaint with state regulations by requiring a nonelectric fence or wall to completely enclose the outside perimeter of the fence at a height 2-feet higher than the perimeter of the electric fence or wall.
80.	16.40.090.3.3	Development standards for private one- and two-family properties <b>Sidewalks located within adjoining right-of-way</b>	Regulatory Change	<b>Problem Statement:</b> Setback requirement for a driveway in traditional and suburban zoning districts were the same even though the flare requirements are not the same for traditional and suburban zoning districts.
				<b>Requested Action:</b> Added setback “of two feet in traditional districts” and clarified that the three foot setback is “in suburban districts”.
81.	16.40.090.3.3	Development standards for private one- and two-family properties <b>Sidewalks located within adjoining right-of-way</b>	Regulatory Change	<b>Problem Statement:</b> Additional requirements are needed for properties within National Registered Districts where hexagon block sidewalks are present.
				<b>Requested Action:</b> Include additional criteria to be met for properties replacing or resurfacing a driveway that intersects through existing hexagon block sidewalks when located within a National Registered
82.	16.40.090.3.5	Parking Garages <b>Design Standards</b>	Consistency	<b>Problem Statement:</b> SB1084 preempts the regulation of electric vehicle charging stations and prohibits local government from enforcing such regulations.
				<b>Requested Action:</b> Remove existing minimum EV parking space requirements to be compliant with SB1084.
83.	16.40.140.4.2	Subdivisions <b>Sidewalks</b>	Regulatory Change	<b>Problem Statement:</b> Required development of sidewalks where inconsistent with surrounding development pattern has resulted in a high volume of requested variances.
				<b>Requested Action:</b> Include language to provide a payment in lieu option for sidewalks to be granted by the POD when specific criteria is met.
84.	16.40.060.2.1.1	Landscaping and irrigation; tree protection <b>Development and redevelopment of new one- and two- unit residential properties</b>	Regulatory Change	<b>Problem Statement:</b> The use of palm trees as shade trees does not meet the intent of the land development regulations but is not stated within the code.
				<b>Requested Action:</b> Include text to state “Palm trees shall not be substituted for shade trees.”
85.	16.40.060.2.1.1	Landscaping and irrigation; tree protection <b>Development and redevelopment of new one- and two- unit residential properties</b>	Clarification	<b>Problem Statement:</b> An incorrect reference to the NT-2 minimum lot area is made.
				<b>Requested Action:</b> Rectify the error.
86.	16.40.060.2.1.2	Landscaping and irrigation; tree protection	Regulatory Change	<b>Problem Statement:</b> Installation of mulch and non-organic mulch in required side yard swales results in the mulch washing out of the swale during major rain events.

		<b>Additional Requirements for new and existing one- and two- unit residential properties: Mulch</b>		<b>Requested Action:</b> Add text stating: “or in a required drainage area.”
87.	16.40.060.2.1.2	Landscaping and irrigation; tree protection <b>Additional Requirements for new and existing one- and two- unit residential properties: Mulch</b>	Regulatory Change	<b>Problem Statement:</b> References to limitations on the installation of mulch are provided for the front and street side yard, but not for interior and rear yards or within the buildable area.
				<b>Requested Action:</b> Include text that states organic mulch with no landscaping can be used with certain limitations in the front yard and without limitations in the buildable area and within interior side and rear yards.
88.	16.40.060.2.1.2	Landscaping and irrigation; tree protection <b>Additional Requirements for new and existing one- and two- unit residential properties: Landscaping adjacent to mechanical equipment on side</b>	Clarification	<b>Problem Statement:</b> Reference to the location being inadequate for landscaping in nonproductive to the intent of this regulation.
				<b>Requested Action:</b> Remove unnecessary text in this section.
89.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property <b>Minimum Landscape Requirements</b>	Clarification	<b>Problem Statement:</b> Current text exclusively refers to green yards in front yard.
				<b>Requested Action:</b> Revise text to include all setbacks rather than front yard setbacks only.
90.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property <b>Minimum Landscape Requirements: Green yard, exterior</b>	Regulatory Change	<b>Problem Statement:</b> IT and NTM zoning districts are not included in the appropriate line of the provided chart.
				<b>Requested Action:</b> Include the IT and NTM zoning districts in the green yard landscaping chart to provide 1 shade tree per 35 linear ft. or fraction above half thereof.
91.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property <b>Minimum Landscape Requirements: Foundation Landscaping</b>	Regulatory Change	<b>Problem Statement:</b> IT and NTM zoning districts are not included in the applicable section providing regulations for foundation landscaping.
				<b>Requested Action:</b> Include the IT and NTM zoning district in the applicable foundation landscaping section.
92.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property <b>Minimum Landscape Requirements: Vehicular use landscaping</b>	Regulatory Change	<b>Problem Statement:</b> IT and NTM zoning districts are not included in the applicable section providing regulations for vehicular use landscaping and screening requirements .
				<b>Requested Action:</b> Include the IT and NTM zoning district in the applicable vehicular use landscaping and screening requirements sections.
93.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property <b>Minimum Landscape Requirements: Landscaping adjacent to mechanical equipment on site</b>	Clarification	<b>Problem Statement:</b> Reference to the location being inadequate for landscaping in nonproductive to the intent of this regulation.
				<b>Requested Action:</b> Remove unnecessary text in this section.
94.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property <b>Minimum Landscape Requirements: Landscaping within adjoining right-of-way</b>	Regulatory Change	<b>Problem Statement:</b> IT and NTM zoning districts are not included in the applicable section providing regulations for landscaping within the adjoining rights-of-way
				<b>Requested Action:</b> Include the IT and NTM zoning district in the applicable landscaping within the adjoining rights-of-way section.
95.	16.40.060.2.1.6	Landscaping and Irrigation; Tree Protection <b>Landscape Specifications: Trees, Palm</b>	Regulatory Change	<b>Problem Statement:</b> Substituting palm trees with shade tree planting requirements is permitted within all districts, resulting in a further reduction shade trees in residential districts than anticipated.
				<b>Requested Action:</b> Exclude single-family districts from being permitted to substitute required shade trees with palm trees.
96.	16.40.060.2.1.6	Landscaping and Irrigation; Tree Protection <b>Landscape Specifications: Unprotected Trees</b>	Clarification	<b>Problem Statement:</b> Per UF/IFAS Camphor trees are an invasive species.
				<b>Requested Action:</b> Include the Camphor (Cinnamomum Camphora) to the existing list of unprotected trees.
97.	16.40.060.3.1	Landscaping and Irrigation; Tree Protection <b>Maintenance of trees and vegetation for all properties within the City</b>	Regulatory Change	<b>Problem Statement:</b> Existing text requires landscape management plans to be designed by a landscape architect and approved by the UF Institute of Food and Agricultural Science (IFAS), this requirement has proven to be unfeasible in many scenarios.
				<b>Requested Action:</b> Remove the requirement for management plans to be designed by a landscape architect with approval from the UF IFAS.
98.	16.50.010.5.1	Accessory Dwelling <b>Lot Requirements</b>	Regulatory Change	<b>Problem Statement:</b> Existing lot requirements for ADU’s in the suburban zoning districts restrict otherwise feasible development on key parcels intended to be included as ADU eligible parcels.
				<b>Requested Action:</b> Allow ADUs on lots in NS districts located on an alley with at 4,500 sq. ft. of lot area and on corner lots that meet the minim lot area requirement.
99.	16.50.010.5.2	Accessory Dwelling <b>Building and site requirements</b>	Clarification	<b>Problem Statement:</b> Maximum area for ADU’s is not referenced as “gross” floor area resulting in interpretation conflict.
				<b>Requested Action:</b> Amend text to specifically state that maximum area is based on the gross floor area.
100.	16.50.010.5.2	Accessory Dwelling <b>Building and site requirements</b>	Regulatory Change	<b>Problem Statement:</b> Current regulations allow all enclosed parking spaces to be excluded from maximum floor area, resulting in the potential for excessively sized structures.

				<b>Requested Action:</b> Allow for a maximum of 200 square feet of gross floor area per required parking space to be excluded from the maximum floor are permitted, up to a maximum of three parking spaces.
101.	16.50.010.5.2	Accessory Dwelling <b>Building and site requirements</b>	Regulatory Change	<b>Problem Statement:</b> The existing side yard setback for ADU’s in suburban zoning districts is 10-feet, resulting in further limitations on development potential.
				<b>Requested Action:</b> Allow ADUs to have a 7.5-ft side setback when the property is located off an alley.
102.	16.50.020.4.1	Accessory Structures and Ancillary Equipment <b>Accessory storage and gardening structures and carports</b>	Clarification	<b>Problem Statement:</b> Gardening structures are not specifically referenced in relation to design exemptions for accessory structures.
				<b>Requested Action:</b> Include gardening structures in the existing design exemptions for accessory structures.
103.	16.50.020.4.2	Ancillary Equipment <b>Development standards within traditional and suburban zoning districts</b>	Consistency	<b>Problem Statement:</b> Currently, in flood zones ancillary equipment is required to be one foot above the minimum base flood elevation, which is below the minimum design flood elevation.
				<b>Requested Action:</b> Require ancillary equipment to be consistent with the design flood elevation.
104.	16.50.020.4.2	Ancillary Equipment <b>Development standards within traditional and suburban zoning districts</b>	Clarification	<b>Problem Statement:</b> Currently, screening and landscaping requirements for ancillary equipment for traditional and suburban districts is located in the landscaping and irrigation section of the code.
				<b>Requested Action:</b> Provide the screening and landscaping requirements for ancillary equipment within traditional and suburban districts within the ancillary equipment section of the code.
105.	16.50.020.4.2	Ancillary Equipment <b>Development standards within all other districts</b>	Clarification	<b>Problem Statement:</b> Screening requirements for ancillary equipment do not specify that materials shall be architecturally compatible and does not require fences to be a specific height when used for screening.
				<b>Requested Action:</b> Require fences used for screening of ancillary equipment to be 6-feet in height, and require other materials proposed for screening to be architecturally compatible.
106.	16.50.180.1	Home Occupation	Consistency	<b>Problem Statement:</b> Updated state regulations regarding home occupations have resulted in necessary amendments to the City code.
				<b>Requested Action:</b> Make necessary updates to remain consistent with state regulations.
107.	16.60.010.6	Height Measurement	Regulatory Change	<b>Problem Statement:</b> Within Zone VE of special flood hazard areas the Florida Building Code requires the lowest horizontal structural members supporting the lowest floor to be provided at or above the design flood elevation which pushes the building height up by approximately 2-feet.
				<b>Requested Action:</b> Add provision to accommodate an additional 2-feet of building height within Zone VE of special flood hazard areas.
108.	16.60.010.6	Height Measurement	Clarification	<b>Problem Statement:</b> Measurement of building height is confusing for nonstandard roof configurations (e.g. shed, mono-pitch).
				<b>Requested Action:</b> Provide a series of examples to illustrating how building height is calculated for alternative roof configurations.
109.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Regulatory Change	<b>Problem Statement:</b> Several existing encroachments require additional details and/or constitute changes to the intensity of permitted encroachment.
				<b>Requested Action:</b> Make the necessary amendments to structure/improvement details and additional chart details.
110.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Regulatory Change	<b>Problem Statement:</b> Currently an outdoor barbeque is allowed to encroach into required setbacks up to the property line which creates a fire hazard for abutting neighbors.
				<b>Requested Action:</b> Revise the allowable encroachment to permit outdoor barbeques to be no closer than 5 feet to property line and expand the definition to include outdoor kitchens.
111.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Clarification	<b>Problem Statement:</b> Bay windows utilizing the allowable encroachment are not permitted to have a footer, however, the code does not clearly state a minimum elevation required.
				<b>Requested Action:</b> Clarify that the minimum elevation required for a Bay window to utilize the allowable setback encroachment is 12-inches above the finished floor of the main floor.
112.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Clarification	<b>Problem Statement:</b> The table of allowable encroachments does not clearly specify that the “Canopy, vehicular” allowable encroachment is intended for vehicular canopies for commercial uses.
				<b>Requested Action:</b> Add the word “commercial” to the entry for “Canopy, vehicular” and add the word “use” to the entries for “Carports, commercial” and “Carports, residential” for clarification.
113.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Regulatory Change	<b>Problem Statement:</b> Applicants utilizing the allowable encroachments for decks, patios, porches and screen enclosures have proposed solid walls on a side of the structure within the required setback area which is not the intent of the allowable encroachments for decks, patios, porches and screen enclosures that are typically open except for the side abutting the principal structure.
				<b>Requested Action:</b> Add text to the chart indicating that decks, patios, porches and screen enclosures utilizing the allowable encroachments are open on a minimum of three sides, excluding support columns.
114.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Regulatory Change	<b>Problem Statement:</b> The allowable setback encroachment for a covered patio is listed as 7.5-ft for street side and rear yard setbacks only when an allowable setback encroachment for the interior side is permitted for screen enclosures with a solid roof.
				<b>Requested Action:</b> Add interior side yard to the list of required yards that covered patios may encroach into and revise the allowable encroachment to be 5-ft to property line.
115.	16.60.050.2	Setbacks, Allowable Encroachments	Regulatory Change	<b>Problem Statement:</b> The code does not prescribe a maximum limit on the height above existing grade or the top of a seawall for screen enclosures utilizing the allowable setback encroachments.

		<b>Allowable encroachments and setbacks</b>		<b>Requested Action:</b> Add text to the chart indicating that screen enclosures utilizing the allowable setback encroachments are limited to no more than 12-inches above existing grade or the top of a seawall.
116.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Regulatory Change	<b>Problem Statement:</b> Garage setbacks for properties zoned NS are located on an alley are required to meet a 20-ft rear setback if connected to the principal structure and 10-ft rear setback when detached with no allowable encroachments permitted. Allowing garages located off an alley to encroach into the rear setback will encourage more garages in NS districts to face the alley or be in the rear portion of the lot.
				<b>Requested Action:</b> Add a Rear Yard allowable setback encroachment for garages that are side-loaded or face an alley within NS districts.
117.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Clarification	<b>Problem Statement:</b> Current language for shed setback encroachment in the rear 20-ft of lots is confusing and inconsistent. One pre-constructed shed, limited to 100 sq. ft. in size and 10-ft in height, is permitted within the rear 20-ft of interior lots with a zero-foot setback on all sides.
				<b>Requested Action:</b> Revise text to clearly state that the shed can have zero-foot setbacks on all sides in the rear 20-ft of the lot.
118.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Regulatory Change	<b>Problem Statement:</b> Wooden platforms required for energy meters on new homes in flood zones typically encroach into the required side yard setback. Staff has been utilizing the stoop encroachment and steps, stairs encroachment to allow the platform in the side setback when it is no more than 3-ft above grade with a minimum 4-ft side setback. Generally, the wooden platforms exceed this requirement and a variance is needed to allow the platform within the side setback.
				<b>Requested Action:</b> Add allowable encroachments for wooden platforms for energy meters for properties located in a flood zone.
119.	16.70.010.5	Applications and Procedures <b>Rehearing</b>	Clarification	<b>Problem Statement:</b> The ability to request a rehearing includes appellants and registered opponents, however, this is not specifically stated in the text for rehearings.
				<b>Requested Action:</b> Add appellant and registered opponent to the provisions for rehearings.
120.	16.70.030.1.2	Zoning Permits <b>Dock Permit</b>	Regulatory Change	<b>Problem Statement:</b> Existing language requires property owners within 200-ft along both sides of the waterway to be notified of a dock permit side setback waiver request allowing unaffected property owners to object to the request.
				<b>Requested Action:</b> Revise the language so that only the property owners within 200-ft, measured along the waterway, on the side of the setback waiver request are notified.
121.	16.70.040.1.8.	Planning and Zoning Decisions <b>Reasonable Accommodations</b>	Regulatory Change	<b>Problem Statement:</b> Currently, there is no process for reasonable accommodations for persons with disabilities provided within the City Code.
				<b>Requested Action:</b> Add a new section to establish a uniform mechanism to process requests for reasonable accommodation to the City’s land development regulations for persons with disabilities as provided by the Federal Fair Housing Amendments Act (42 U.S.C. 3601, et seq.) ("FHA") and Title II of the Americans with Disabilities Act (42 U.S.C. Section 12131, et seq.) ("ADA").
122.	16.90.020.3	Definitions	Clarification	<b>Problem Statement:</b> The definition of “architectural detail” does not include references to various types of architectural details.
				<b>Requested Action:</b> Add additional types of architectural details permitted to be utilized to the definition.
123.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “bay window.”
				<b>Requested Action:</b> Include the following definition for bay window: a window or windows projections from the exterior of a building creating a bay and contains a minimum of 50% glass on the surface of the projecting bay.
124.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “chimney.”
				<b>Requested Action:</b> Include the following definition for chimney: an architectural feature connected to a fireplace with a flue that extends above the roof line.
125.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “covered patio.”
				<b>Requested Action:</b> Include the following definition for covered patio: a patio or deck that is covered by a solid roof.
126.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “pergola.”
				<b>Requested Action:</b> Include the following definition for pergola: a perforated roof structure consisting of cross beams and support columns with a minimum of 50% open to the sky.
127.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “screen roof screen room.”
				<b>Requested Action:</b> Include the following definition for screen roof screen room: a structure with the walls and roof consisting of screen or similar materials
128.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “solid roof screen room.”
				<b>Requested Action:</b> Include the following definition for solid roof screen room: a structure that consists of a solid roof with screened in walls.

129.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “shade sail.”
				<b>Requested Action:</b> Include the following definition for shade sail: a fabric or similar material that is stretched between several anchor points.
130.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “sunroom.”
				<b>Requested Action:</b> Include the following definition for sunroom: a glass enclosed room, may have a glass roof.

## ORDINANCE NO. – 611-H

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA AMENDING THE ST. PETERSBURG CITY CODE LAND DEVELOPMENT REGULATIONS; CLARIFYING USES IN THE NT-3 DISTRICT; AMENDING PROVISIONS RELATED TO DEVELOPMENT POTENTIAL, BUILDING ENVELOPE, INCLUDING SETBACKS, AND BUILDING AND SITE DESIGN IN THE NT, NTM-1, NS, AND NSM DISTRICTS; AMENDING PROVISIONS RELATED TO BUILDING DESIGN IN THE CRT DISTRICTS; AMENDING USE RESTRICTIONS IN ARTIST ENCLAVE OVERLAY DISTRICTS; AMENDING FENCE, WALL AND HEDGE REGULATIONS; AMENDING LANDSCAPING AND TREE PROTECTION REGULATIONS; AMENDING PARKING AND LOADING DESIGN STANDARDS; AMENDING SIDEWALK REGULATIONS TO CREATE A PAYMENT-IN-LIEU OPTION, INCLUDING PROCEDURES; AMENDING DEVELOPMENT STANDARDS FOR ACCESSORY DWELLING UNITS; AMENDING DEVELOPMENT STANDARDS FOR ACCESSORY STRUCTURES AND ANCILLARY EQUIPMENT; AMENDING HOME OCCUPATION REGULATIONS, INCLUDING USE RESTRICTIONS; AMENDING PROVISIONS RELATED TO HEIGHT MEASUREMENT; AMENDING PROVISIONS RELATED TO ALLOWABLE ENCROACHMENTS AND BUILDING SETBACKS; AMENDING PROCEDURES RELATED TO REHEARING REQUESTS; AMENDING PROCEDURES RELATED TO DOCK PERMITS; CREATING A NEW APPLICATION AND REVIEW PROCESS FOR REASONABLE ACCOMMODATIONS IN ZONING REQUESTS; PROVIDING FOR NEW AND REVISED DEFINITIONS; REVISING EXISTING GRAPHICS AND ADDING NEW GRAPHICS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Section 16.20.010.4.3 of the St. Petersburg City Code is hereby amended to read as follows:

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

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

SECTION 2. Section 16.20.010.5 of the St. Petersburg City Code is hereby amended to read as follows:

### 16.20.010.5. Maximum development potential.

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

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



Minimum Lot Size, Maximum Density and Maximum Intensity

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

lj. One story—principal structure: 0.15 bonus.

mk. One story—all structures: 0.20 bonus.

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

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

p. Preservation of existing Grand tree located on private property during construction of a new principal structure: 0.02 bonus per tree, maximum 0.04 bonus. A tree preservation plan prepared by a Certified Arborist shall be provided prior to permit issuance, to include details of methods to protect and preserve the vitality of the Grand Tree, such as but not limited to root pruning, canopy pruning, fertilization program, and detailed methods of construction to avoid major roots.

qa. LEED or Florida Green Building: 0.05 bonus.

ra. Solar ready: ~~0.02 bonus.~~ 0.01 bonus for installing 200 AMP electric panel and conduit running to roof for future solar installation. This bonus cannot be combined with FAR bonus s. for solar installation.

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

t. Electric car charging station: 0.01 bonus

u. Quality materials used throughout all structures: Solid wood siding, columns, balustrades, trim, awnings and brackets; brick; stone; wrought iron: 0.05; Brick or stone veneer, hardi board and brickface: 0.03.

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

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

SECTION 3. Section 16.20.010.6 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.010.6. Building envelope: Maximum height and minimum setbacks.

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



Minimum Building Setbacks

Building Setbacks		NT-1 and 2			NT-3		NT-4	
		If <del>building</del> height <del>beginning</del> of roof line is less than or <u>equal up</u> to 18 ft.	If <del>building</del> height <del>beginning</del> of roof line is + greater than 18 ft. <u>up to</u> 24 ft.	If <del>building</del> height <del>beginning</del> of roof line is greater than <del>is</del> <u>over</u> 24 ft.	If <del>building</del> height <del>beginning</del> of roof line is less than or <u>equal is</u> up to 24 ft.	If <del>building</del> height <del>beginning</del> of roof line is <del>over</del> greater than 24 ft.	If <del>building</del> height <del>beginning</del> of roof line is up to 24 ft.	If <del>building</del> height <del>beginning</del> of roof line is <del>over</del> greater than 24 ft.
Front yard	Stoop	15 ft. or M	15 ft. or M	35 ft.	20 ft. or M	40 ft.	9 ft. or M	28 ft.
	Open Porch <sup>(1)</sup>	18 ft. or M	18 ft. or M	35 ft.	23 ft. or M	40 ft.	12 ft. or M	28 ft.
	Building	25 ft. or M	25 ft. or M	35 ft.	30 ft. or M	40 ft.	18 ft. or M	28 ft.
Interior side yard	For lots greater than 60 ft. in width	6 ft. or M	6 ft. or M	12 ft.	7.5 ft. or M	16 ft.	5 ft. or M	10 ft.
	For lots equal to or less than 60 ft. in width	10 percent of lot width <sup>(2)</sup> or M	6 ft. or M	12 ft.	7.5 ft. or M	16 ft.	5 ft. or M	10 ft.
Street side yard		12 ft. or M	12 ft. or M	16 ft.	15 ft. or M	22 ft.	8 ft. or M	15 ft.
Rear yard, with alley	For alleys equal to or greater than 16	6 ft. or M	6 ft. or M	20 ft.	6 ft. or M	20 ft.	5 ft. or M	20 ft.

	ft. in width							
	For alleys less than 16 ft. in width	10 ft., or 22 ft. including the width of the alley, whichever is less, or M	10 ft., or 22 ft. including the width of the alley, whichever is less, or M	20 ft.	10 ft., or 22 ft. including the width of the alley, whichever is less, or M	20 ft.	8 ft., or 22 ft. including the width of the alley, whichever is less, or M	20 ft.
Rear yard, no alley		10 ft. or M	10 ft. or M	30 ft.	10 ft. or M	30 ft.	10 ft. or M	30 ft.
Waterfront yard		20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft. ft.	20 ft.

Notes:

- (1) Open porches are limited to a one story covered porch with or without a second story uncovered porch; two story covered porches shall meet the principal structure setback.
- (2) For properties that are 50 feet or less in width, the minimum side yard building setback shall be five feet.  
M (minor encroachment): Minor encroachments into normally prescribed setbacks may be allowed in order to accommodate an addition to align with the side of the existing structure, provided:
  - (a) The total floor area of the encroaching portion of an addition shall not exceed 50 square feet;
  - (b) No portion of the encroachment shall exceed 24 feet in height;
  - (c) In no case shall any encroaching structure be closer to a property line than four feet.

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

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

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

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

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

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



Minimum Building Setbacks for SE Uses

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

SECTION 4. Section 16.20.010.10 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.010.10. Setbacks and FAR consistent with established neighborhood patterns.

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

1. ~~Front yard setbacks will be based on predominant building setbacks established in the block in which the development is proposed.~~ To qualify for a reduced front yard setback at least 50-percent of the structures in the block face on both sides of the street in which the development is proposed must have a front yard setback that is less than current requirements and the reduced front yard setback that may be approved shall be the average front yard setback of those structures.
2. FAR will be based on ~~predominant building~~ the median FAR ~~established~~ in the block and on the block face on both sides of the street in which the development is proposed based on the property appraisers records.
3. ~~Predominant shall mean equal to or greater than 50 percent.~~
4. These are administrative approvals appealable only by the property owner.

SECTION 5. Section 16.20.010.11 of the St. Petersburg City Code is hereby amended to read as follows:

#### 16.20.010.11. Building and site design.

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

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

##### *Building layout and orientation.*

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

##### *Vehicle connections and parking.*

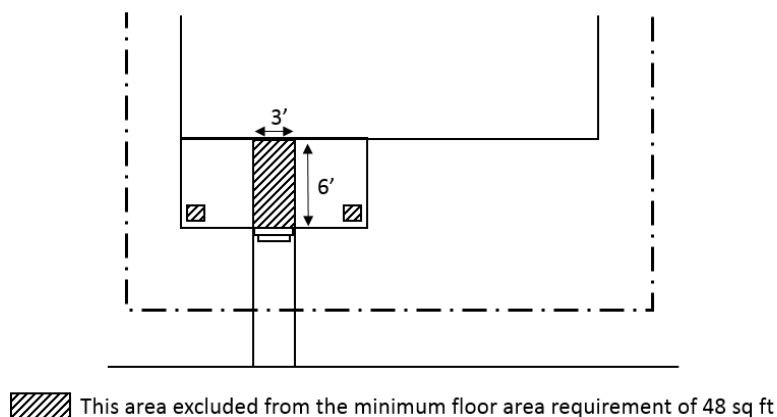
1. The following vehicle connection regulations are required for properties located within NT-2, NT-3 or NT-4 and are recommended for properties located within NT-1. Access for new garages and driveways shall be designed to take advantage of the first available alternative in the following prioritized list:
  - a. Driveways shall be accessed off of an alley and garage doors shall face the alley;
  - b. Where no alley exists, one driveway shall be permitted ~~driveways,~~ and garage doors shall face the side street or rear of the property and shall be restricted to the rear one-third of the lot;
  - c. Where access via the rear third of the lot is not possible and ~~for~~ the alley is unable to be traversed with a vehicle due to physical obstructions or barriers, one driveways shall be permitted, and garage doors shall be permitted within the front two-thirds of the lot facing the side street;
  - d. In the absence of an alley and a side street, ~~a one single-lane-width~~ curb cut and driveway shall be allowed which shall be located to the side of the principal structure. Required parking shall be allowed only behind the front façade line of the principal structure, including the porch, if any.
2. When a driveway is allowed in the front yard, not more than one curb cut shall be allowed for each property except as follows:
  - a. Where the property is abutting a major street identified on the Future Major Streets Map within the Comprehensive Plan; and
  - b. Where in accordance with the access requirements of this section, the only available access point is from the major street; and

- c. Where a circular driveway and second curb cut is necessary to permit vehicles to enter and exit the major street in a forward motion. Pursuant to this section, a second curb cut shall only be approved for the purpose of improved traffic safety and shall not be approved for other ancillary uses, such as access to accessory parking spaces or the maneuvering of domestic equipment.

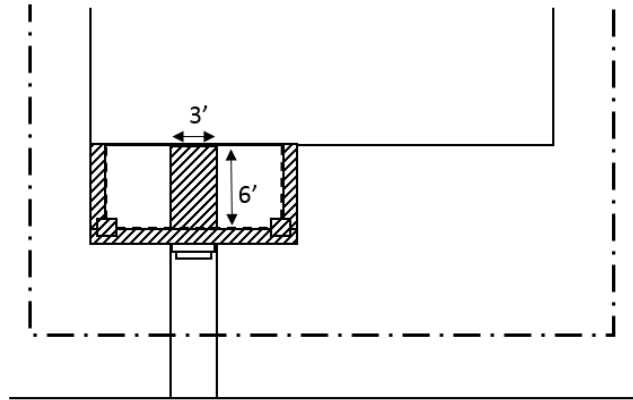
*Porches and pedestrian connections.*


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

**Porch Dimension Requirement:  
Example without Railing**



**Porch Dimension Requirement:  
Example with Railing**

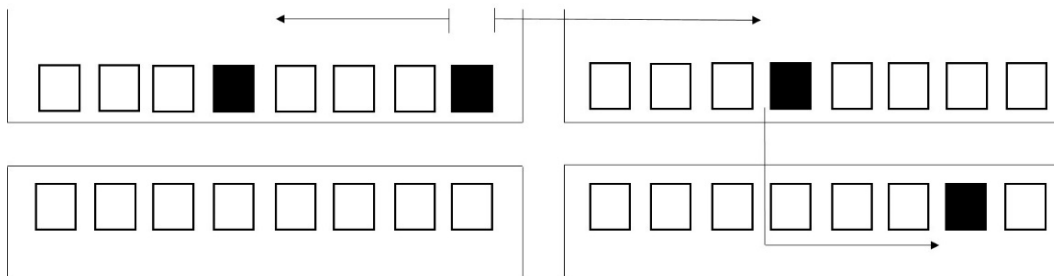


 This area excluded from the minimum floor area requirement of 48 sq ft

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

*Building style.*

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



3. Renovations, additions and accessory structures shall utilize the architectural style of the existing structure, or the entire existing structure shall be modified to utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies.

*Building form.*



1. The front porch shall be elevated at least 12 inches above the abutting finished grade level as measured abutting the porch at the front entry and include a minimum of two risers. For Certified Affordable/Workforce Housing, the required minimum elevation shall be 8-inches, and the pedestrian walkway at the entrance may be graded to allow zero step entrance in accordance with the City Visitability ordinance, provided that all other areas of the porch meet the 8-inch minimum above the abutting finished grade.
2. The front façade of a building shall create a width-to-height ratio of no more than 1:1. Buildings that exceed the width-to-height ratio of 1:1 shall feature architectural fenestration creating a bay system that divides the building design into a maximum ratio of 1:1. This may be done through pilasters, arcades, building line and roof line off-sets, materials and other appropriate architectural features.

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

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

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

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

3. Structures which are situated on corner lots, through lots, or, by the nature of the site layout have a façade which is clearly visible from rights-of-way, shall be designed with full architectural treatment on all sides visible from rights-of-way, excluding alleys. Full architectural treatment shall include roof design, wall materials, trim, and door and window openings. While it is recognized that buildings have primary and secondary façades, the construction materials and detailing should be similar throughout. Windows on the street side façades shall be evenly distributed in a consistent pattern, unless a different proportion is permitted or required by an identifiable architectural style. No portion of any façade visible from a right-of-way, excluding alleys, shall contain a blank area greater than 16 feet in width.
4. Window sashes and glass shall be square or vertical, unless a different proportion is permitted or required by an identifiable architectural style.
5. ~~Windows shall not be flush mounted.~~ Windows recessed less than three inches shall feature architectural trim including a header, sill and side trim or decorative shutters. Windows

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

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

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

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

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

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

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

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

*Accessory structures and ancillary equipment and carports.* Accessory structures shall reinforce the pedestrian character of the City. Above-ground utility and service features, accessory storage structures,

and carports shall be located and designed to reduce their visual impact upon the streetscape. See use specific standards for accessory structures.

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

SECTION 6. Section 16.20.015.3 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.015.3. - Introduction to the NTM-1 district.

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

This district will allow for a variety of building typologies with a maximum of 4-units per building. These building typologies, commonly referred to as "Missing Middle" housing types, reinforce urban, walkable neighborhoods with a combination of single-family and multi-family residential units located near daily destinations. These units provide attainable life-cycle housing to a diverse group of residents including first-time homeowners, families, couples, retirees, adults with disabilities, and car-free households.

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

SECTION 7. Section 16.20.015.4 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.015.4. - Maximum development potential.

\* \* \*

TABLE 16.20.015.4.b: Maximum Density and Maximum Intensity

Density	
Density, Maximum <sup>1</sup> : Residential	30 units per acre
<sup>1</sup> Includes accessory dwelling unit(s)	
Intensity <sup>1,2,3</sup>	
Intensity, Maximum: Residential <sup>4</sup>	0.50 FAR
Intensity, Maximum: Non-Residential	0.50 FAR
<sup>1</sup> Maximum intensity does not include FAR bonuses, which are calculated separately.	
<sup>2</sup> Includes any enclosed space <i>above</i> the required design flood elevation line; excludes that portion of the enclosed space that is <i>below</i> the required design flood elevation line.	
<sup>3</sup> Does not include the first 200 square feet of enclosed garage per unit.	

<sup>4</sup> Where a property is individually listed or located within a historic district in the National Register of Historic Places or St. Petersburg Register of Historic Places - 0.40 FAR.	
<b>FAR Bonuses</b>	
Bonus, Maximum: Residential	0.20 FAR
<i>The following options may be incorporated in any combination, not to exceed the maximum bonus allowed - 0.20 FAR:</i>	
a. One story covered front porch with a separate roof structure with a minimum width of 90 percent of the front façade. No bonus is allowed if there is a second story deck, porch or roof structure.	0.08
b. Additional second story front setbacks: .01 bonus for every 1-foot of additional front setback of the entire façade, and .005 bonus for every 1-foot of additional front setback of at least one-third of the façade but which is less than the entire façade, no bonus is allowed unless the setback is at least 6-feet, maximum 0.10 bonus. No bonus is allowed if there is a second story deck, porch or roof structure.	Variable, 0.10 max
c. Additional second story side setbacks: .01 bonus for every 1-foot of additional side setback of the entire façade, maximum 0.05 bonus per side.	Variable, 0.05 max per side
d. Total residential floor area of the second story does not exceed 75 percent of the first story (excludes garage SF).	0.05
e. The entire peak of the primary roof structure of the front façade is parallel to the front property line: bonus 0.02, or if the entire peak of the primary roof structure of the front façade is parallel to the front property line and the roof has dormer(s) which are equal to at least 20 percent of the width of the front façade: 0.04 bonus.	Variable, 0.04 max
f. Side façade articulation: side façades that feature offsets of at least 2-feet in depth that are at least 12-feet in length that divide the building design and are in the front two thirds of the side façade: 0.02 bonus per side, maximum 0.04.	Variable, 0.04 max
g. Front façade articulation: front façades (excluding the porch) which feature offsets of at least 6-feet in depth for a minimum of one third of the front façade, <del>0.06 bonus for each additional foot, maximum: 0.10 bonus.</del>	<del>Variable, 0.10 max</del>
h. Certified LEED or Florida Green Building	0.05
i. Solar ready <u>bonus for installing 200 AMP electric panel and conduit running to roof for future solar installation. This bonus cannot be combined with FAR bonus j. for solar installation.</u>	<del>0.02</del> <u>0.01</u>
j. Solar installation: <u>0.01 bonus per Kilowatt installed, maximum 0.03 bonus.</u>	<u>Variable, 0.03 max</u>
k. <u>Electric car charging station.</u>	<u>0.01</u>
<b>Additional Notes:</b>	

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

For mixed use developments, refer to additional regulations within the use specific development standards in the Mixed Uses Section.

SECTION 8. Section 16.20.015.5 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.015.5. - Building envelope: height, setback, and width.

TABLE 16.20.015.5.a: Maximum Building Height

<b>Building Height<sup>1</sup></b>	
<b>Principal Structure</b>	
Beginning of Roofline	24-feet
Top of roof peak	36-feet
<b>Accessory Structure(s)</b>	
Beginning of Roofline	20-feet
Top of roof peak	30-feet
<sup>1</sup> Refer to technical standards regarding measurement of building height and height encroachments.	

TABLE 16.20.015.5.b: Minimum Building Setbacks

<b>Building Setbacks<sup>1,2,3</sup></b>	
Front: Steps Extending from Porch or Stoop <sup>4</sup>	8-feet or M
Front: Porch or Stoop <sup>4</sup>	12-feet or M
Front: Building <sup>4</sup>	18-feet or M
Side, Interior <sup>4,5</sup>	5-feet or M
Side, Street <sup>4,5</sup>	8-feet or M
Rear, Alley	22-feet, including width of alley
<u>Rear, No Alley</u>	<u>10-feet</u>
<b>Special Exception</b>	
All yards	25-feet
<sup>1</sup> M (minor encroachment): Minor encroachments into normally prescribed setbacks may be allowed in order to accommodate an addition to align with the side of the existing structure, provided:	

<p>(a) The total floor area of the encroaching portion of an addition shall not exceed 50 square feet;</p> <p>(b) No portion of the encroachment shall exceed 24 feet in height.</p>
<sup>2</sup> Refer to technical standards regarding measurement of building setbacks and setback encroachments.
<sup>3</sup> The larger of the minimum building separation distances required by the Florida Building Code or the Life Safety Code or the minimum building setback established for the interior side yard setback shall apply.
<sup>4</sup> Where a property is individually listed or located within a historic district in the National Register of Historic Places or St. Petersburg Register of Historic Places - Front: Building 25-feet; Front: Porch or Stoop 18-feet; Side, Street: 12-feet; Side, Interior: 5-feet.
<sup>5</sup> <u>Where the side abuts an alley, there shall be a minimum of 22-feet provided for vehicular back-out including the width of the alley.</u>

TABLE 16.20.015.5.c: Maximum Building Width

Accessory Dwelling Unit (ADU)	Not applicable
Residential <sup>1</sup>	40-feet maximum
Non-Residential	Not applicable
<sup>1</sup> <u>A residential building with one dwelling unit may exceed 40-feet in building width.</u>	

SECTION 9. Section 16.20.015.7 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.015.7. - Entrances.

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

TABLE 16.20.015.7: Entrances<sup>1,2</sup>

Accessory Dwelling Unit ("ADU")	Per ADU standards
Detached House	1 entrance facing the primary street
Duplex	1 entrance minimum, 2 entrances maximum, facing the primary street; on corner lots, each unit entrance shall face a different street, except where entrances are provided from within an interior vestibule or hallway.
Triplex and Fourplex	1 entrance minimum, 2 entrances maximum, facing the primary street; on corner lots, each unit entrance shall face a different street, except where entrances are provided from within an interior vestibule or hallway.

Bungalow Court	Each main entrance shall face the shared court, except cottages abutting the primary street shall have their main entrance facing the primary street.
<p><sup>1</sup>Any additional buildings that are located behind the front building are not required to have entrances facing a street. If an existing building is expanded to accommodate additional dwelling units and is on a corner lot, it shall be permitted to have two entrances facing the primary street and two entrances facing the non-primary street.</p> <p><sup>42</sup>Pedestrian connections shall link each exterior entrance to the public rights-of-way, private open space, and parking areas.</p>	

SECTION 10. Section 16.20.015.8 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.015.8. - Building and site design.

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

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

*Local and national historic districts.*

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

*Building layout and orientation.*

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

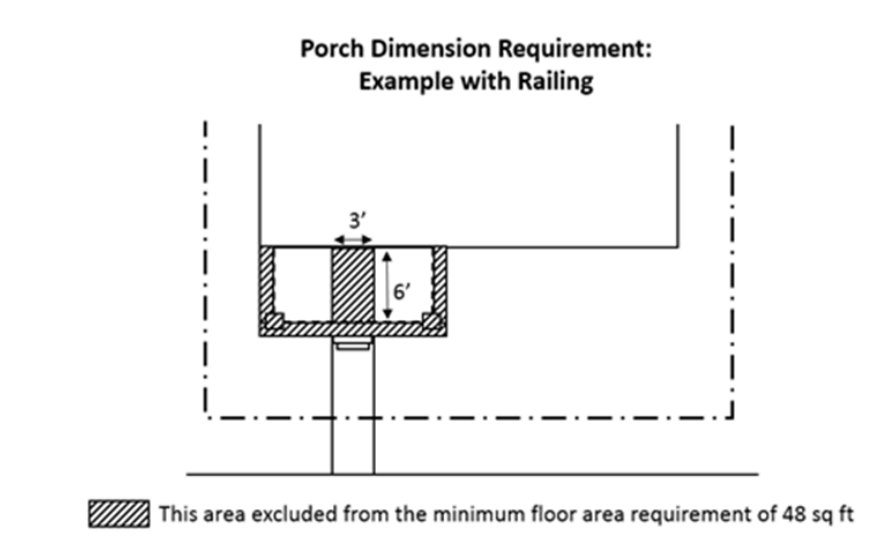
*Landscaping.* For up to four units on a property, refer to landscaping regulations for the development and redevelopment of new one- and two-unit residential properties (currently section 16.40.060.2.1.1). For non-residential and projects exceeding four units, refer to the landscape regulations for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

*Vehicle connections and parking.*

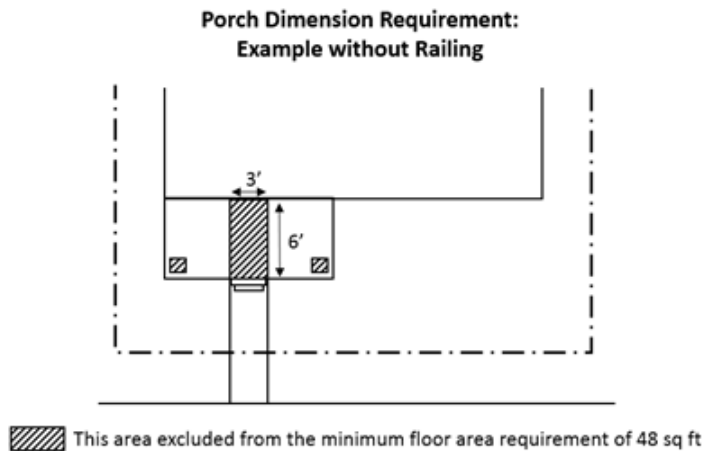
1. All parking shall be accessed from a public alley. For residential uses with three or more units, the alley shall be paved. If an existing alley is unpaved, the applicant shall be responsible for paving the alley behind the property to the nearest street.
2. Garage doors shall face the alley.
3. All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

*Porches and pedestrian connections.*

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





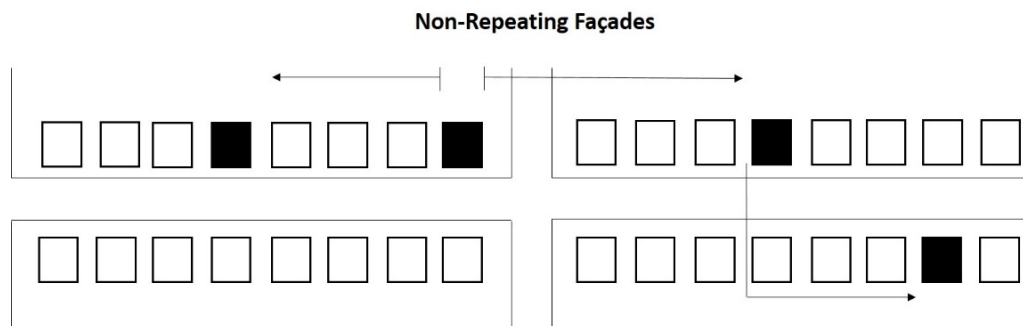


*Building and architectural design standards.* All buildings should present an inviting, human scale façade to the streets, internal drives, parking areas and surrounding neighborhoods. The architectural elements of a building should give it character, richness and visual interest.

*Building style.*

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

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



3. Renovations, additions and accessory structures shall utilize the architectural style of the existing structure, or the entire existing structure shall be modified to utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies.

*Building form.*

1. The front porch shall be elevated at least 12 inches above the abutting finished grade level as measured abutting the porch at the front entry and include a minimum of two risers.

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

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

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

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

4. Window sashes and glass shall be square or vertical, unless a different proportion is permitted or required by an identifiable architectural style.
5. ~~Windows shall not be flush-mounted.~~ Windows recessed less than three inches shall feature architectural trim including a header, sill and side trim or decorative shutters. Windows recessed three inches or more shall feature a window sill. Trim including a header, sill and side trim ~~are~~ is not required if not consistent with the architectural style, i.e. Modern or Mediterranean Revival.
6. Where the required design elevation is equal to or greater than 48 inches above finished grade, an articulated base is required to delineate the first-floor level. The base may consist of a different material or decorative band, depending on the architectural style.

SECTION 11. Section 16.20.020.7 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.020.7. - Building envelope: Maximum height and minimum setbacks.

Maximum Building Height (All NS Districts)

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



Maximum Building Height, Minimum Building Setbacks

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

Notes:

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

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

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

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

- (a) Any additions to the existing building footprint, stairways or elevated decks must meet the normally prescribed setbacks, except for a Stoop which shall have a minimum Front Yard setback of 14 feet.
- (b) The minimum Front Yard setback shall be 20 feet for existing garages converted to habitable space when elevating the structure.
- (c) The minimum Interior Side Yard setback shall be three feet.

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

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

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



Minimum Building Setbacks for SE Uses

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

SECTION 12. Section 16.20.020.11 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.020.11. - Setbacks and FAR consistent with established neighborhood patterns.

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

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

SECTION 13. Section 16.20.020.12 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.020.12. - Building and site design.

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

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

*Building layout and orientation.*

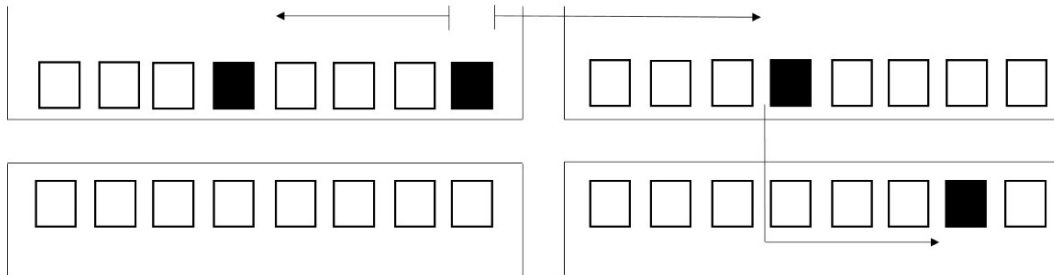
1. For nonresidential uses, all service areas and loading docks shall be located behind the front façade line of the principal structure. Dumpsters shall be located in an enclosure that is finished with material that is consistent with the architecture of the principal structure and include opaque gates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

3. Accessory structures, not including a attached garages, shall be located behind the front façade line of the principal structure.

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

*Building style.*

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



3. Renovations, additions and accessory structures shall utilize the architectural style of the existing structure, or the entire existing structure shall be modified to utilize an identifiable architectural style, which is recognized by design professionals as having a basis in academic architectural design philosophies.

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

1. Doors, windows and other appropriate fenestration, architectural details and features shall be incorporated into all sides of a building. With the exception of garages up to 15-feet in height located at the rear one-third of the lot there shall be no blank façades. No portion of a façade on any story shall contain a blank area greater than 16 feet in width, except as otherwise provided herein. Interior side and rear facades on principal structures and all facades on accessory structures located in the rear one half of the lot may contain a blank area up to 20 feet in width, provided that the façade is not visible from a right-of-way, excluding alleys.
2. Structures which are situated on corner lots, through lots, or by the nature of the site layout have a façade which is clearly visible from rights-of-way, excluding alleys, shall be designed with full architectural treatment on all sides visible from rights-of-way. Full architectural treatment shall include roof design, wall materials, trim, and door and window openings. While it is recognized that buildings have primary and secondary façades, the construction materials and

detailing should be similar throughout. Windows on the street side façades shall be evenly distributed in a consistent pattern, unless a different proportion is permitted or required by an identifiable architectural style. No portion of any façade visible from a right-of-way, excluding alleys, shall contain a blank area greater than 16 feet in width.

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

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

4. Where the required design elevation is equal to or greater than 48 inches above finished grade, an articulated base is required to delineate the first floor level. The base may consist of a different material or decorative band, depending on the architectural style.
5. ~~Windows on the street side façades shall be evenly distributed in a consistent pattern.~~ Windows recessed less than three inches shall feature architectural trim including a header, sill and side trim or decorative shutters. Windows recessed three inches or more shall feature a window sill. Trim including a header, sill and side trim are not required if not consistent with the architectural style, i.e. Modern or Mediterranean Revival.

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

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

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

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

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

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



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

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

SECTION 14. Section 16.20.030.5 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.030.5. - Maximum development potential.

Development potential is slightly different within the districts to respect the character of the neighborhoods. Achieving maximum development potential will depend upon market forces, such as minimum desirable unit size, and development standards, such as minimum lot size, parking requirements, height restrictions, and building setbacks.

Minimum Lot Area, Maximum Density and Maximum Intensity

		NSM-1	NSM-2
Minimum lot area (square ft.)		4,500	4,500
Maximum residential density (units per acre)	Residential density	15	24
	Missing middle housing density bonus	15	N/A
	Workforce housing density bonus	6	6
Maximum nonresidential intensity (floor area ratio)		0.50	0.60
Maximum impervious intensity (site area ratio)		0.65	0.75
<p>Workforce housing bonus: All units associated with this bonus shall be utilized in the creation of workforce housing units as prescribed in the City's workforce housing program and shall meet all requirements of the program.</p> <p>A missing middle housing density bonus is allowed for multi-family uses at a maximum density of 30 dwelling units/acre and following all <u>applicable</u> dimensional and design requirements in Section 16.20.015 Neighborhood Traditional Mixed Residential-1 (NTM-1) and NTM parking requirements. The missing middle housing density bonus is not allowed in addition to the workforce housing density bonus.</p> <p>Refer to technical standards regarding measurement of lot dimensions, calculation of maximum residential density, nonresidential floor area and impervious surface.</p> <p>For mixed use developments, refer to additional regulations within the use specific development standards section for mixed uses (currently section 16.50.200).</p>			

SECTION 15. Section 16.20.030.10 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.030.10. - Setbacks consistent with established neighborhood patterns.

There are building setback characteristics of existing neighborhoods related to the rhythm of spacing between buildings (~~side yard setbacks~~), front yard setbacks, and alignment of buildings along the block face. Minimum yard setback characteristics of neighborhoods may differ from the requirements of this district. The POD may approve, without a variance, residential development that meets these setback



characteristics and standards of a neighborhood having boundaries defined by an accepted neighborhood plan. Approval shall be based on the following:

- ~~1. Front and side yard setbacks will be based on predominant building setbacks established in the block in which the development is proposed.~~
1. To qualify for a reduced front yard setback at least 50-percent of the structures in the block face on both sides of the street in which the development is proposed must have a front yard setback that is less than current requirements and the reduced front yard setback that may be approved shall be the average of those numbers.
- ~~2. Evaluation of building setbacks will also consider the pattern of building setbacks on the blocks adjacent to the block in which the development is proposed.~~
2. This is an administrative approval appealable only by the property owner.

~~The property owner shall submit an application for variance to the Community Planning and Preservation Commission. If the request meets the requirements of this section, the application shall follow the procedures for streamline approval of variances. If the application does not meet the requirements of this section, the application shall be subject to the standard criteria for the granting of a variance.~~

SECTION 16. Section 16.20.060.7 of the St. Petersburg City Code is hereby amended to read as follows:

16.20.060.7. - Building design.

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

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

*Building and parking layout and orientation.*

1. New multi-building development shall relate to the development of the surrounding properties. This means there shall be no internally oriented buildings which cause rear yards and rear façades to face toward abutting properties.
2. Buildings shall create a presence on the street. This means that a minimum of 60 percent of the principal structure's linear frontage, per street face, shall be built on the building setback line.
  - a. For properties located within the Central Avenue Corridor Activity Center, ground floor residential dwelling units may be setback up to an additional six feet from the building setback line in fulfillment of the 60 percent requirement.
3. All service areas and loading docks shall be located behind the front façade line of the principal structure.
4. The principal structure shall be oriented toward the primary street. A principal structure on a corner property may be oriented to the secondary street so long as all street façades are articulated as primary façades. Buildings at the corner of two intersecting streets are encouraged to highlight and articulate the corner of the building.
5. All mechanical equipment and utility functions (e.g. electrical conduits, meters, HVAC equipment) shall be located behind the front façade line of the principal structure. Mechanical equipment that is visible from the primary street shall be screened with a material that is

compatible with the architecture of the principal structure, landscaping, or a 6-foot-tall decorative fence or wall.

6. Parking, detention and retention ponds, drainage ditches, and accessory structures shall be located behind the principal building to the rear of the property. Detention and retention ponds and drainage ditches shall comply with the design standards set forth in the drainage and surface water management section.
7. Dumpsters shall be located in an enclosure that is finished with material that is consistent with the architecture of the principal structure and include opaque gates (chain link with slats is prohibited). The enclosure shall be located behind the front façade line of the principal structure.

*Vehicle connections.*

1. Access to parking shall be designed to take advantage of the first available alternative in the following prioritized list:
  - a. Access shall be made from the alley or secondary street.
  - b. Where no alley or secondary street is present or where unique street configurations exist that will impact traffic circulation such as existing street medians, access shall occur from the primary street.

For multi-unit structures, driveways shall serve the entire complex, not individual units, and shall not be wider than one lane in each direction.

*Pedestrian connections.*

1. Principal entries to a structure shall be connected to the public sidewalk and the curb of the primary street with a sidewalk, except when the structure faces a major street which does not allow on-street parking in front of the property. The connection between the public sidewalk and the curb is not required where the existing grades prevent compliance with ADA minimum slope requirements.
2. Each ground floor multifamily dwelling unit or commercial unit that faces a ~~primary~~ street shall contain an ~~an primary~~ entry, which faces the ~~primary~~ street, except where entrances are provided from within an interior vestibule of hallway. The ~~primary~~ entry shall include decorative door surrounds, porches, porticos or stoops, or a combination thereof.
3. Where a single building includes separate commercial and residential entrances, the residential entrances shall be raised at least 16 inches above ground-level or recessed within the façade to reinforce a privacy zone and distinguish it from the commercial entrances.
4. Existing public sidewalks shall be repaired to City standards. Where no public sidewalk exists, a public sidewalk shall be constructed in accordance with the requirements of the subdivision section.

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

*Building style.* New construction shall utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies.

1. Renovations, additions and accessory structures shall utilize the architectural style of the existing structure, or the entire existing structure shall be modified to utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies.

2. All accessory structures, including, but not limited to, drive-throughs, canopies, storage buildings, and solid waste container enclosures shall be compatible with the architectural design of the principal structure. Compatibility shall be determined by reviewing building materials, finishes and other significant features.

*Building form.*

1. The front porch shall be elevated at least 12 inches above the abutting finished grade level as measured abutting the porch at the front entry and include a minimum of two risers. For Certified Affordable/Workforce Housing, the required minimum elevation shall be 8-inches, and the pedestrian walkway at the entrance may be graded to allow zero step entrance in accordance with the City Visitability ordinance, provided that all other areas of the porch meet the 8-inch minimum above the abutting finished grade.
2. Buildings should create a width to height ratio of no more than 1:1. Buildings that exceed the width to height ratio of 1:1 shall feature architectural fenestration creating a bay system that divides the building design into a maximum ratio of 1:1. This may be done through pilasters, arcades, building line and roof line off-sets, materials and other appropriate architectural features.

\* \* \*

SECTION 17. Section 16.30.030.5.2 of the St. Petersburg City Code is hereby amended to read as follows:

16.30.030.5.2. - Land use restrictions.

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

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

1. General office and neighborhood-scale retail uses.

a. Shall be by scheduled appointment only.

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

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

2. ~~For instruction and tutoring uses.~~

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

~~b. Classes are must be~~ purely incidental to the principal uses of the property.

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

SECTION 18. Section 16.30.030.6.1 of the St. Petersburg City Code is hereby amended to read as follows:

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

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

SECTION 19. Section 16.40.040.3 of the St. Petersburg City Code is hereby amended to read as follows:

16.40.040.3. – Charts.

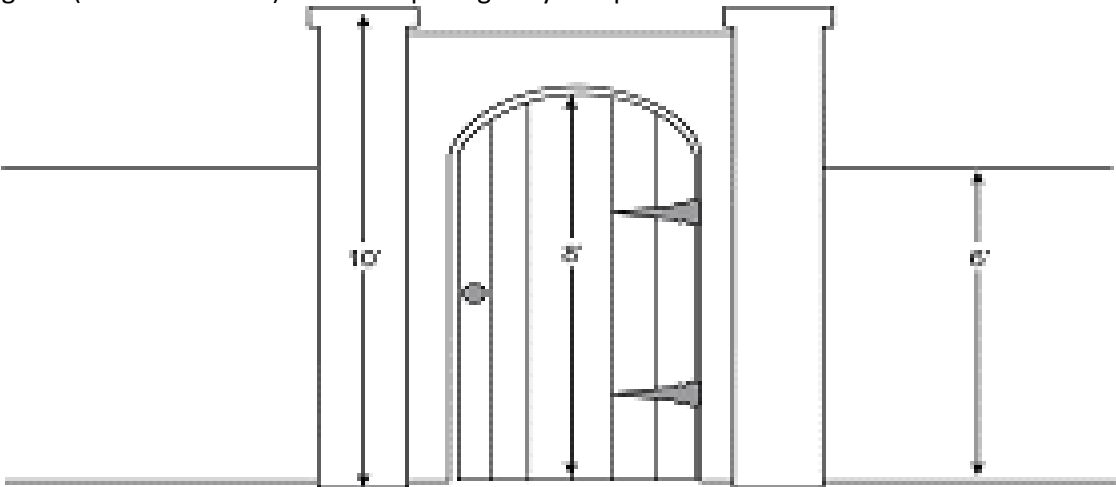
The following charts provide specific regulations and design and other guidelines.

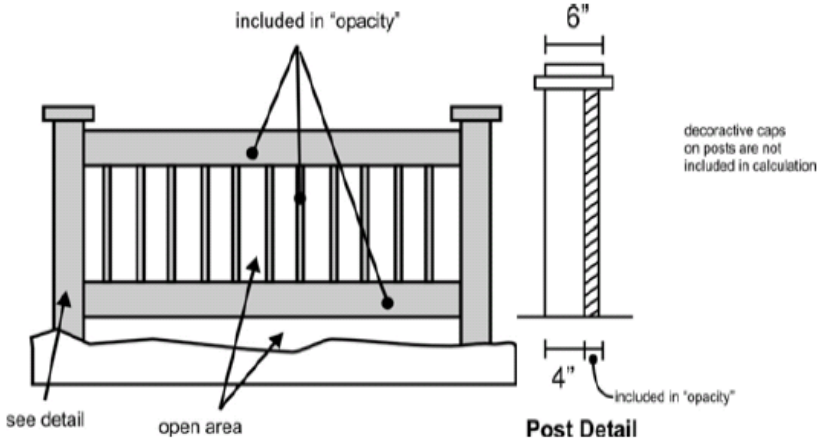
<b>1. RESIDENTIAL USES (Including mixed-uses with a residential component; excludes requirements for waterfront yards - see below)</b>				
	Front Yards - Major Streets, except Neighborhood Collectors	Front Yards - All other streets	Side Yards, Street Side Yards, and Rear Yards	Street Side - Abutting Neighbor's Front Yard
<b>Maximum Height</b>	<ul style="list-style-type: none"> <li>- 4 feet for a fence or wall of any style</li> <li>- 6 feet for a decorative fence or wall <u>(with the top 2 feet being open)</u>, which is landscaped</li> <li>- 6 feet for a hedge</li> </ul>	<ul style="list-style-type: none"> <li>- 4 feet for a fence or wall of any style</li> <li>- 5 feet for a hedge</li> <li>- 6 feet for a decorative fence or wall <u>(with the top 2 feet being open)</u>, which is landscaped and which is on a property with more than 150 lineal feet of street frontage</li> </ul>	<ul style="list-style-type: none"> <li>- 6 feet for a fence or wall of any style</li> <li>- 10 feet for a hedge</li> </ul>	<ul style="list-style-type: none"> <li>- 4 feet for a fence or wall of any style</li> <li>- 5 feet for a hedge</li> </ul>
<b>The diagram at right is intended to provide an illustrative view of the foregoing regulations as applied to rectangular lots platted in the traditional block pattern of the City. For non-rectangular lots or for lots with irregular lot lines,</b>				

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

	<p>4. Four (4) additional feet of height is allowed to accommodate solid arch structures over gates (as shown below) and other passageways for pedestrians and vehicles.</p>  <p style="text-align: center;"><b>Additional Height for Gates/Arches</b></p>
	<p>5. Two (2) additional feet of height is allowed for decorative lanterns, urns, planters, or sculptural elements above the maximum height allowed for the fence or wall component (e.g. wall, column, or arch) upon which such decorative feature is located.</p>
	<p>6. Maximum height may vary by up to six (6) inches to allow for grade changes, clearance under fences for maintenance, footers, other obstacles customary to the use intended to be fenced, and reasonable human error.</p>
	<p>7. Up to two sections of fence or wall, not to exceed eight (8) feet in width each, may be allowed two (2) additional feet in height within any side (non-street) or rear yard for lattice, planter boxes, or selective screening of adjoining uses.</p>
	<p>8. Fences, walls, or hedges along the side yard of a residential use which abuts a non-residential use may be six (6) feet in height to within five (5) feet of the front property line.</p>
	<p>9. Fences or walls for single-family uses which abut Interstate 275 may be eight (8) feet in height.</p>
<b>C. DESIGN STANDARDS</b>	<p>1. All fences and walls shall comply with the architectural, design, and landscaping requirements of this code.</p>
	<p>2. All fences and walls shall be installed with the finished side facing towards the exterior or adjoining properties and rights-of-way (excluding alleys). For fences and walls between adjoining properties, this requirement may be waived by the POD upon approval by the adjoining property owners, whose written approval shall be signed or acknowledged before a notary.</p>
	<p>3. Barbed wire is prohibited at 1) any residential use; 2) any mixed-use having a residential component; 3) any residentially-zoned property (regardless of its developed use); 4) any property zoned DC or CCT-2; and 5) on any property within ten feet of any property zoned or developed with a residential use. Barbed wire shall be oriented toward the interior of the property and included in the overall fence height measurement. Barbed wire is prohibited on any fence within a yard along a major street.</p>

	<p>4. On all properties (excluding properties with industrial, single-family, and duplex uses), fences and walls visible from any street (not including alleys) shall be decorative or shall be vinyl-coated chain-link (including stands, poles, and rails). Vinyl-coated chain-link fences and opaque fences or walls more than four feet in height, which abut a street (not including alleys), shall be setback a minimum of two feet from the property line and shall be landscaped in accordance with the section regulating landscaping and irrigation.</p> 
	<p>5. All fences except chain-link fences shall have upper and lower rails between posts. A chain-link fence shall have a top rail.</p>
	<p>6. Fences and walls shall comply with the design requirements established for the zoning district.</p>
	<p>7. Fences and walls shall be consistent in style and design within any property (e.g. same design in front yard or rear yard), and for yards abutting streets (e.g. same or compatible design and style for both front and street side yards for corner lots). Fences and walls shall be comprised of no more than three materials for panels, posts, rails, columns, and other elements within all yards of any property. Fences and walls in side, rear, and waterfront yards may be comprised of a different material(s) than that used in the front yard.</p>
	<p>8. Fences and walls shall be designed and installed as follows.</p> <ul style="list-style-type: none"> <li>a. Fences shall be designed in accordance with industry standard forms such as: stockade, board-on-board, shadowbox, tongue-and-groove, picket, split rail and chain link. An alternative form may be approved where the POD finds that the proposed form complies with the intent of the provisions of this section and that the form requested is at least the equivalent to the industry standard in quality, strength, effectiveness, fire resistance, durability and safety.</li> <li>b. The term <i>building materials</i> shall mean industry standard materials normally manufactured for, used and recognized as fencing materials such as: wrought iron, aluminum or other decorative metals suitable for the construction of fences, masonry, concrete, stone, galvanized and vinyl-coated chain link, wood planks or pickets, and vinyl or composite manufactured specifically as fencing materials. <u>Metal shall have an exterior finish that is not shiny or reflective. The use of metal roofing or metal siding materials is prohibited.</u> An alternative material may be approved where the POD finds that the proposed material complies with the intent of the provisions of this section and that the material requested is at least the equivalent of the industry standard in quality, strength, effectiveness, fire resistance, durability and safety.</li> </ul>
	<p>9. Fences and walls greater than 100 feet in length shall be articulated by columns or other visual breaks measuring at least two feet in width and spaced no more than 24 feet apart.</p>

	Landscaping shall be provided in accordance with the landscaping and irrigation section. This design standard shall apply for any portion of a qualifying fence or wall facing a right-of-way (excluding alleys.)
	<p>10. The attachment of fabric, shade cloth or other material to a chain link or similar open fence is prohibited except as provided herein. Fabric, shade cloth or other material is not a permitted method for required screening of outdoor storage areas. Fabric, shade cloth or other material may be installed to create a wind barrier for athletic courts or similar situations subject to the following conditions:</p> <ul style="list-style-type: none"> <li>a. Professional installation is required by a licensed contractor;</li> <li>b. The proposed material shall be designed to withstand wind resistance with commercial grade seams and attached at grommets designed in a manner consistent with building regulations.</li> </ul>
	<p>11. <del>Except as otherwise provided in this subsection. It shall be unlawful for any person to construct, maintain, place, install or allow or cause to be constructed, maintained, placed or installed on or about any structure or property any fence, barrier, partition, obstruction or similar structure that is electrically charged or connected with any electrical source in such a manner as to transmit an electrical charge to persons, animals or things which come in contact therewith.</del></p> <p><u>Low voltage electrical fencing is allowed on any property except within the following single-family and multi-family residential districts: NT, NS, NTM, NSM and NPUD; subject to the condition that a nonelectric fence or wall must completely enclose the outside perimeter of the fence, and the electric fence shall be two feet higher than the perimeter nonelectric fence or wall.</u></p>
	<del>a. Only low voltage electrical fencing shall be used with a maximum of 12 volts, primary voltage;</del>
	<del>b. Electrically charged fencing shall be installed in accordance with recognized and accepted standards for electric fence energizers as determined by the most recent published edition of the International Electrotechnical Commission Standards;</del>
	<del>c. Electrically charged fencing shall comply with the height requirements of this section;</del>
	<del>d. Electrically charged fencing shall be completely surrounded by a non-electrical fence or wall. The surrounding non-electrical fence or wall shall be separated from the electrically charged fence by at least three inches;</del>
	<del>e. Electrically charged fencing shall be identified as such with a sign, no larger than one square foot in area, and shall be placed on all sides of the property where the electrically charged fence is located with at least one sign per every 60 linear feet or portion thereof;</del>
	<del>f. Where adjacent to a public sidewalk or right of way, electrically charged fencing, and the surrounding non-electrical fence or wall, shall comply with the following setback and landscaping provisions. The buffering requirements are based on the type of surrounding non-electrical fence or wall. Landscaping shall be installed on the exterior side of the fence or wall.</del>
	12. Gates and fencing for docks on non-contiguous water lots, and docks on contiguous upland property that are located across a right-of-way or City owned easement from the principal use, shall be open and consist of decorative materials such as wrought iron, aluminum or other decorative metals suitable for the construction of fences, masonry, concrete, stone, and vinyl or composite manufactured specifically as fencing materials. Any



	fencing projecting beyond the width of the dock as measured at the seawall (the walkway) shall be limited [to] 5 feet in height and 3 feet in width on each side of the walkway. Replacement of a dock or the existing gate or fencing, the replacement of a majority of the pilings, any expansion of the deck area or the addition of a boat lift(s) shall require gates and fences to be brought into compliance. This shall not apply to commercial marinas or properties in the IC/CRD land use category.
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SECTION 20. Section 16.40.060.2.1.1 of the St. Petersburg City Code is hereby amended to read as follows:

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

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

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

SECTION 21. Section 16.40.060.2.1.2 of the St. Petersburg City Code is hereby amended to read as follows:

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

- A. *Required permeable green space for yards abutting streets.* Required front yards and required side yards abutting streets shall be maintained as permeable landscaped vegetative green space with the exception of driveways, walks, patios, porches and similar paved areas ~~and non-organic mulch areas~~, which areas combined shall not exceed 25 percent of the required front and street side yard areas for corner lots and 45 percent of the required front yard area for inside lots. Facilities constructed to achieve compliance with ADA requirements shall be exempt from this surface calculation. Yards abutting streets which do not conform to the provisions herein and which existed as of August 25, 1977, are grandfathered and exempt from this subsection.

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

shall install a rain sensor device or switch which will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred.

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

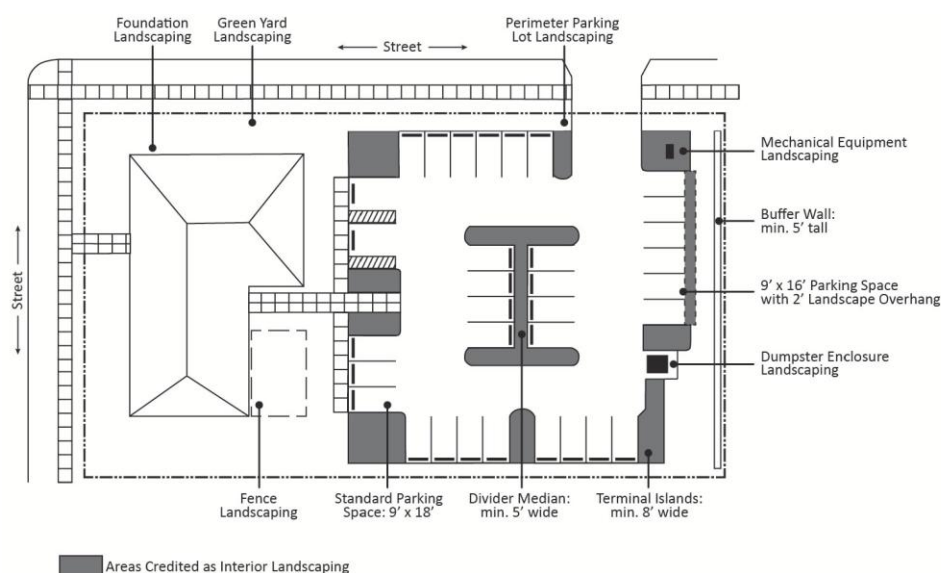
SECTION 22. Section 16.40.060.2.1.3.D of the St. Petersburg City Code is hereby amended to read as follows:

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

\* \* \*

- D. *Minimum landscape requirements.*

## Minimum Landscape Requirements



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

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

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

2. **Green yard, interior.** Interior green yards, when not abutting vehicular use areas, shall be provided along all interior property lines and property lines abutting alleys. The minimum width of all interior green yards shall be five feet unless the required side or rear yard is smaller, in which case the required green yard shall be the depth of the required interior side or rear yard. A minimum of one shade tree per 50 linear feet or fraction above half thereof is required. Under-story trees may be substituted for shade trees on a 1½ for one basis. The POD may allow the interior green yards to vary in width if additional green yards are expanded to provide the equivalent square footage of green yards on the site.

3. *Foundation landscaping.*

- a. A minimum of one foundation plant is required for each three linear feet, and one under-story tree is required for each 30 linear feet (or portion thereof), of the exterior building perimeter. Foundation plantings may be comprised of shrubs, accent plants, ornamental grasses, and ground cover in any combination; provided that no less than 50 percent of the total required materials are shrubs, accent plants and/or ornamental grasses.

When calculating the minimum number of required plants, the linear distance of openings for overhead or loading area doors, motor vehicle bays or entrances to the building, or the perimeter of attached or detached canopies shall be excluded. Foundation plants may be planted in groupings so long as the minimum number of required plants is provided. The foundation landscaping shall be required on all building sides except those sides facing an alley. Foundation landscaping shall abut the building (while allowing the necessary space for growth) and shall be used or installed in such a manner so as to screen mechanical equipment attached to or adjacent to the building, provide direction to and enhance entrances and walkways, and provide visual breaks along monotonous building façades.

- b. Properties located within the CRT, CCT, IT, NTM, and DC-1, D-2, and DC-3 districts. The base of buildings, or portions of buildings, not visible from the street, excluding alleys, are not required to have foundation landscaping. Where reduced building setbacks along streets physically prevent the installation of foundation landscaping, it shall not be required.

4. *Vehicular use landscaping/screening requirements.* Vehicular use areas shall meet the following additional requirements:

- a. *Perimeter parking lot landscaping.* A minimum of one shade tree per 35 linear feet (or portion thereof) shall be planted around the perimeter of vehicular use areas. A continuous hedge comprised of shrubs planted not more than 30 inches on center shall be planted around the perimeter of the vehicular use area. The pervious area for perimeter parking lot landscaping shall be at least five feet in width, measured from the inside of the curb, sidewalk or other paved surface abutting the pervious area. Additional landscaping is not required for the perimeter parts of the vehicular use area adjacent to the building.

- (1) *Properties located within the CRT, CCT, IT, NTM, and DC-1, DC-2, and DC-3 districts.* Parking lots or portions of parking lots not visible from the street, excluding alleys, are not required to install perimeter landscaping. Where a parking space is designed perpendicular to the street, excluding alleys, such that the front of the space allows the headlights to shine onto the street, a minimum three-foot high solid masonry wall or decorative fence shall be erected to prohibit headlights from shining onto the streets.

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

- (1) *Required square footage of landscape area.* For all vehicular use areas with more than ten parking spaces, a minimum of ten percent of the vehicular use area shall be devoted to interior landscaping. In calculating this percentage, the area shall include both pervious and impervious portions of the vehicular use area. Terminal and interior islands and divider medians shall be used to comply with required interior parking lot landscaping. For redevelopment of properties in the CRT, CCT, IT, NTM, and DC-1, DC-2, and DC-3 zoning districts, the POD may reduce the required landscape down to 5% where existing site constraints (e.g. insufficient permeable area) make compliance impracticable or where such reduction will allow preservation of existing Protected and/or Grand trees.

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

rights-of-way or adjacent property. Wheel stops may be substituted at the closed end of parking stalls where they abut required plantings or sidewalks.

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

if shade trees are not site appropriate. Ground cover plantings shall be comprised of shrubs, accent plants, ornamental grasses, ground cover or sod in any combination provided that no less than 25 percent of the total landscape area is planted with low growing shrubs, accent plants, ornamental grasses or ground cover.

SECTION 23. Section 16.40.060.2.1.6 of the St. Petersburg City Code is hereby amended to read as follows:

16.40.060.2.1.6. - Landscape specifications.

A. Unless otherwise specified, all landscape materials shall meet the following specifications:

\* \* \*

TREES: PALMS								
All required palm trees shall measure a minimum height of eight feet of clear trunk. Palm trees identified with an * may be substituted on a one for one basis with shade tree planting requirements, <u>except for one and two-unit residential properties</u> . Palm trees identified with a + may be substituted on a three for one basis with shade tree planting requirements. No more than 50% of required shade trees may be substituted for palms in vehicular use areas. All palm trees shall be credited on a one for one basis towards understory tree planting requirements. All palms trees shall be rated Florida Grade No. 1 and selected from the following list.								
Common	Scientific	Native	Light requirements			Water requirements		
			<i>sun</i>	<i>mix</i>	<i>shade</i>	<i>low</i>	<i>med</i>	<i>high</i>
Bismarck Palm*	<i>Bismarckia nobilis</i>		X				X	
Cabbage Palm+	<i>Sabal palmetto</i>	X	X			X	X	
Date Palm, Medjool*	<i>Phoenix dactylifera</i>							
Date Palm, Pygmy	<i>Phoenix roebelenii</i>							
Date Palm, Silver	<i>Phoenix sylvestris</i>							
Fan Palm, Ribbon	<i>Livistona decipiens</i>		X				X	
Foxtail Palm	<i>Wodyetia bifurcata</i>		X				X	
Paurotis Palm	<i>Acoelorrhaphe wrightii</i>	X	X				X	
Pindo Palm	<i>Butia odorata</i>			X			X	
Royal Palm, Cuba*	<i>Roystonea regia</i>			X			X	
Royal Palm, Florida*	<i>Roystonea elata</i>	X		X			X	
Thatch Palm, Florida	<i>Thrinax radiata</i>	X	X			X		
Triangle Palm	<i>Neodypsis decaryi</i>		X				X	



Windmill Palm	<i>Trachycarpus fortunei</i>			X		X		
Other palm trees identified as Florida Friendly by the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) Extension, Environmental Horticulture Department will be considered.								

\* \* \*

- B. *Plant selection criteria.* The species of required landscape materials shall be site appropriate and shall be selected based on the existing and neighboring vegetative communities, sun exposure, soil types, proposed function of the materials, cold tolerance, water use, fertilizer needs, existence of utilities or overhead power lines, and aesthetics.
- C. *Unprotected trees.* Due to their status as non-native species or invasive species, any unprotected or prohibited trees may be removed from private property and the abutting right-of-way without a permit unless they are part of an approved landscape plan, or otherwise required by this section, and shall not be used to meet the vegetation required by this section:

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

Woman's tongue	<i>Albizia spp.</i>	Tropical Asia, Northern Australia
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\* \* \*

SECTION 24. Section 16.40.060.3.1 of the St. Petersburg City Code is hereby amended to read as follows:

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

- A. The owner of record of the property and occupant of the property are responsible for the maintenance of trees and vegetation on the property and in abutting rights-of-way. Vegetation shall comply with all codes including visibility at intersections and requirements for hedges. Where support staking of vegetation is provided at the time of installation, the staking system shall be installed properly, avoid harming the vegetation, and be removed no later than one year after installation to prevent damage to the vegetation, unless such staking is necessary for permanent support of the plant.
- B. Vegetation shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. All plant materials shall be maintained free from physical damage or injury arising from lack of water, chemical exposure, insects, disease, blight or other cause. Exceptions regarding damage due to lack of water shall be made when water consumption is limited by emergency orders or declarations by state or local agencies.
- C. Except for those tree species listed as unprotected or prohibited, it shall be unlawful for any person to damage, top, poison or in any manner injure or cause to be injured any tree regardless of condition.
  1. Trees shall be trimmed or pruned in such a manner so as to not alter their natural form, growth habit or character and shall not be pruned into "unnatural" shapes, including but not limited to, circles, ovals, or squares.
  2. Not more than one-quarter of the tree canopy shall be trimmed or pruned in any year unless it is dead.
- D. Sod (including turf and turfgrass) or other herbaceous growth other than ground cover species shall be maintained at a maximum overall height of ten inches or less; ground cover plant material shall be maintained at an overall height not to exceed 24 inches. Property designated as a preservation area shall not be required to meet these standards. Property owners who employ Florida-Friendly Landscaping™ or wildlife habitat management principles such that their private property or adjacent right-of-way does not meet these criteria shall have a management plan and demonstrate active, ongoing maintenance. ~~Management plans~~ Maintenance shall be ~~plans designed by a landscape architect, plans which~~ employ accepted Florida-friendly management practices, ~~and plans approved by the University of Florida Institute of Food and Agricultural Science (IFAS).~~ Examples of activities addressed in maintenance plans include routine pruning, mowing, edging, weeding, fertilizing, pest control, irrigation system adjustments, seeding and replanting. Florida-friendly management plans shall also address these principles:
  - 1) Vegetation plan and design;
  - 2) Analyze and amend the soil;
  - 3) Limit sod to active use areas;

- 4) Select appropriate plant species;
- 5) Irrigate efficiently;
- 6) Use mulch; and
- 7) Maintain the landscape appropriately.

Wildlife habitat areas shall consist of native and introduced plant species designed, planted and maintained to provide food source, cover, roosting and nesting habitat for specific species.

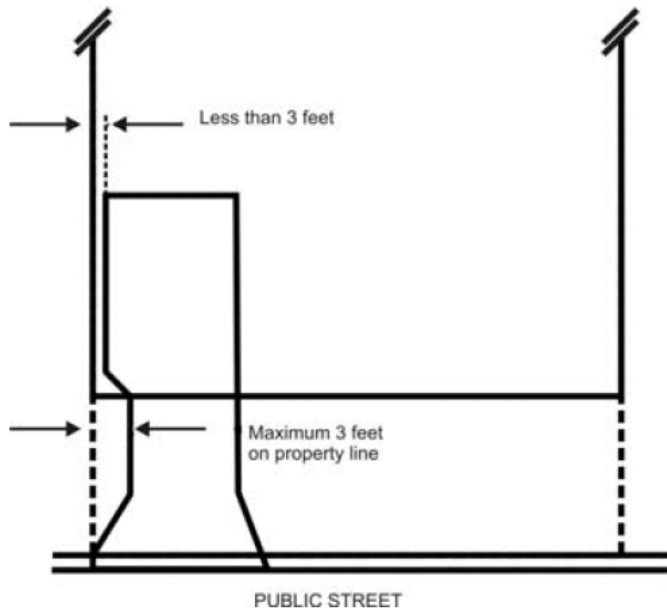
- E. Vegetation which is a hazard to public safety is prohibited in the right-of-way. Hazardous vegetation with pronounced thorns (such as Spanish bayonet, century plant, bougainvillea, and lime trees) shall not be closer than two feet to a sidewalk or walkway. Hedges are prohibited in the right-of-way except as allowed by the fences, walls and hedges section.

SECTION 25. Section 16.40.090.3.3 of the St. Petersburg City Code is hereby amended to read as follows:

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

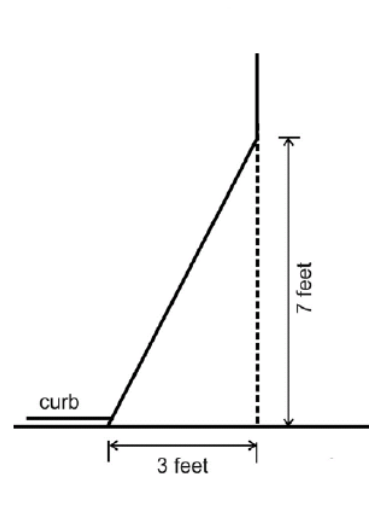
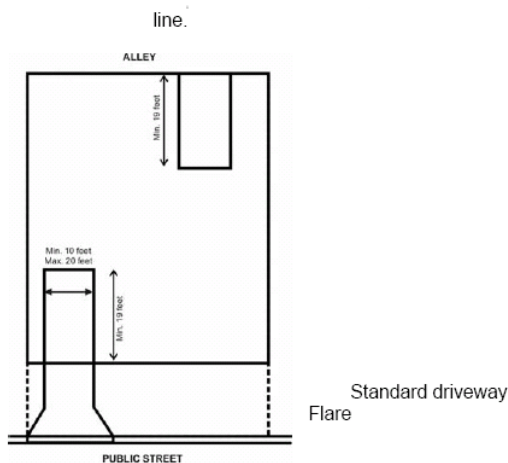
*Parking.*

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



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

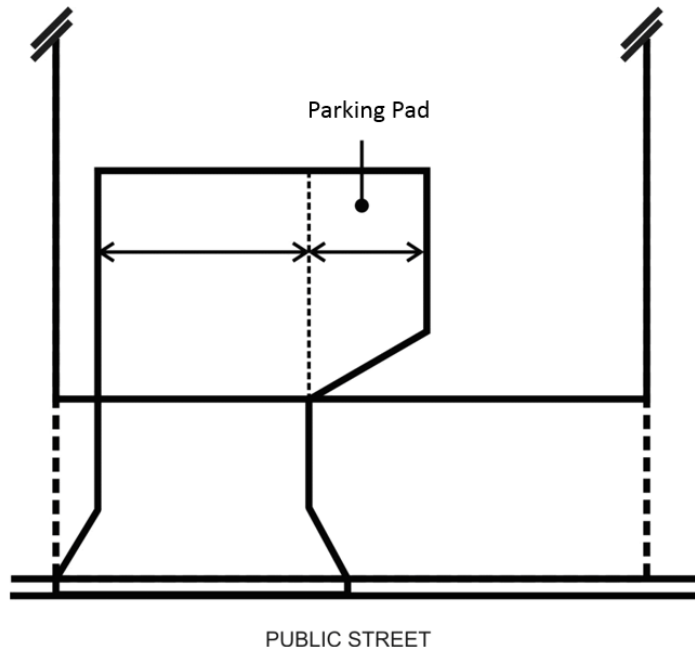
a. *Standard driveway.* Driveways shall measure no less than ten feet in width and no more than 20 feet in width, no more than 20 feet as the driveway crosses the property line and no more than 26 feet at the curb, which includes a three-foot by seven-foot triangular flare. The required minimum length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



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



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e. *Zoning specific criteria.*

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

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

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

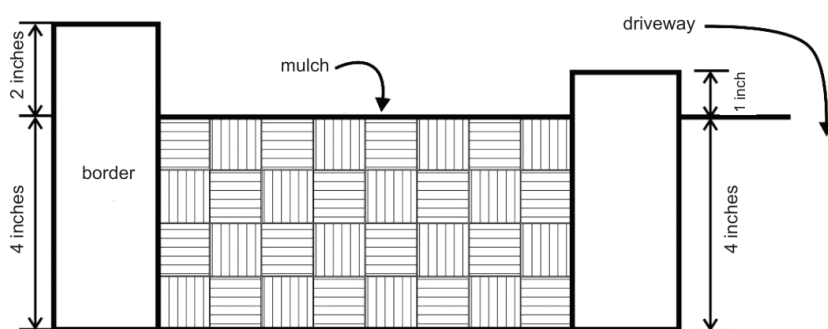
- a. In traditional districts, where a driveway intersects a sidewalk located within the right-of-way, the portion of the sidewalk that crosses the driveway shall have a consistent finish and color as the abutting sidewalk and be visually delineated with expansion joints.
- b. In suburban districts, where a driveway intersects a sidewalk located within the right-of-way, the portion of the sidewalk that crosses the driveway shall be visually delineated with a change in color or material or with expansion joints. The abutting property owner shall be responsible for maintaining the sidewalk in good condition and repair with no cracks or voids larger than one inch.
- c. In a National Register Historic District, if the existing sidewalk is hexagon block, the sidewalk and the portion of the sidewalk that crosses the driveway shall remain hexagon block except where an existing driveway is replaced and the portion of the sidewalk that

crosses the driveway is not hexagon block provided the new driveway is delineated by control joints.

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

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

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



Mulch Parking Pad

SECTION 26. Section 16.40.090.3.5 of the St. Petersburg City Code is hereby amended to read as follows:

16.40.090.3.5. - Parking garages.

Parking garages generally include such structures as single-level garages with ground-level parking beneath the upper levels containing habitable floor area, multi-level garages with ramps leading to at least one elevated parking deck, and other structures whose purpose in whole or in part is to accommodate parked motor vehicles. Although significantly more expensive than surface parking lots, parking garages are already common throughout the downtown and are expected to spread to corridors and centers as development rights and the price of land increase.

With regard to maximum development potential and urban design, parking garages are more efficient than surface parking and facilitate a compact urban form that is common in the City. Parking garages screen the view of parking areas and, when designed properly, can be more attractive than a surface parking lot.

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

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

SECTION 27. Section 16.40.140.4.2 of the St. Petersburg City Code is hereby amended to read as follows:

16.40.140.4.2. Sidewalks.

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

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

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

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

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

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



certificate of occupancy prior to sidewalk installation, with the remaining dwelling units receiving a certificate of occupancy after sidewalk installation.

SECTION 28. Section 16.50.010.5 of the St. Petersburg City Code is hereby amended to read as follows:

16.50.010.5. - Development standards.

16.50.010.5.1. - Lot requirements.

A. Establishment of a new accessory dwelling unit shall only be allowed if:

1. In all NT districts the lot area shall be at least 4,500 square feet in all NT districts.
2. In all NS districts, The lot area shall be at least 10,000 square feet in all NS districts, or the lot is located on an alley or corner and the lot conforms to the district minimum lot area and width standard. lots shall meet one of the following:
  - a. The lot area shall be at least 10,000 square feet;
  - b. Lots located on an alley shall have a lot area of at least 4,500 square feet; or
  - c. Corner lots shall meet the minimum lot area and width of the district.
3. If the accessory dwelling unit is detached and the legal front and rear of the lot are consistent with the front and rear yards of lots on the same block face. An attached accessory dwelling unit shall not be permitted where lots have been refaced such that the legal front yards face a different direction than the rest of the lots in the block or where refacing has eliminated alley access for a lot.
4. In all other zoning districts, the lot shall conform to the district minimum lot area standards.

B. A lot containing an accessory dwelling unit shall not be subdivided to separate the accessory dwelling unit from the principal use, unless such division can meet all applicable standards of the zoning district and land development regulations.

16.50.010.5.2. – Building and site requirements.

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

1. The gross floor area of any accessory dwelling unit shall not exceed 800 square feet and all areas under roof may not exceed 67 percent of the floor area of the principal dwelling unit. For detached accessory dwelling units, this limit shall apply to the combined square footages of the accessory dwelling unit and any accessory living space within the same building, including any areas used for storage, bathrooms, or shared laundry facilities (excluding up to 200 square feet of gross floor area per required parking space for any a maximum of three enclosed parking spaces).
2. Detached accessory dwelling units in the NS districts shall comply with a minimum side yard setback of ten feet, except if the lot is located on an alley where the minimum side yard setback shall be 7.5 feet.
3. The portion of the building containing an accessory dwelling unit may be attached to the side or rear of the principal structure and shall comply with the setbacks of the zoning district.
4. Sides of buildings containing second floor porches, or unenclosed staircases which face the interior side yard of an adjacent property shall comply with the minimum setback of the zoning district or ten feet, whichever is greater. This requirement shall not apply to completely enclosed staircases.

5. A paved walkway at least two feet in width shall connect the main entrance of the accessory dwelling unit with the off-street parking spaces.
6. The building containing an accessory dwelling unit shall comply with the architectural standards for the zoning district and be compatible with the style of the building containing the principal use, including finishes, roof pitch, and paint scheme.
7. Where an attached garage on the front façade of a structure is converted to an accessory dwelling unit, the following standards shall apply:
  - a. The garage door shall be removed and the enclosure must be architecturally compatible with the style of the building including finishes and color scheme and comply with building design criteria of the zoning district.
  - b. There shall be a 3-foot wide green yard provided between the exterior wall and any remaining pavement.
  - c. Required on-site parking spaces must be provided and be located entirely on the property.

SECTION 29. Section 16.50.020.4 of the St. Petersburg City Code is hereby amended to read as follows:

16.50.020.4. - Development standards.

16.50.020.4.1. - Accessory storage and gardening structures and carports.

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

1. General requirements.
  - a. *Anchoring.* The structure shall be properly anchored to resist wind and other forces.
  - b. *Utility easements.* If a structure is secured to the ground by a foundation and not capable of being moved intact, no portion of the structure shall encroach into a utility easement.
  - c. *Right-of-way and access easements.* No structure shall encroach into a right-of-way or private access easement.
  - d. *Use restrictions.* The structure shall only be utilized for storage and shall not be used for operation of mechanical equipment.
2. *Through lots.* On a through lot which meets the width, depth and area requirements for a lot in that zoning district, if one front yard is determined to be a rear yard pursuant to the dimensional regulations, and lot characteristics section (currently section 16.60.010) and has a solid, not less than five-foot high, decorative wall or fence, the exempt accessory storage structure shall be setback at least ten feet from that property line.
3. *Design standards for accessory storage and gardening structures.*
  - a. An accessory storage or gardening structure 100 square feet or less and less than ten feet in height is exempt from the requirement to utilize the architectural style and construction materials of the existing principal structure. See allowable encroachment and setback section.
  - b. An accessory storage or gardening structure located within the rear one-third of a property, 200 square feet or less in gross floor area, ten feet or less in overall height to the top of roof peak, and screened by a solid masonry wall or decorative wood or vinyl

fence measuring six feet or more in height is exempt from the requirement to utilize the architectural style and construction materials of the existing principal structure.

- c. All other accessory storage structures shall comply with the design and setback requirements of the zoning district.
4. *Code compliance.* All accessory structures shall comply with the Florida Building Code and St. Petersburg Fire Code (e.g. building separation and egress), including the requirement to install a backflow preventor when adding irrigation connected to the potable water system.
5. a. A carport for a single family residential use is exempt from the requirement to utilize the architectural style and construction materials of the existing principal structure if it is: open on three sides, located within the rear one-third of the property, located behind the principal structure, meets the side yard setbacks for the principal structure (if on the streetside it must be hidden by another structure from view from the street), not greater than 440 square feet in area, not greater than 12 feet in height at the beginning of the roofline, and not greater than 15 feet in height at the peak of the roof.
- b. All other carports shall utilize the architectural style and construction materials of the existing principal structure.

16.50.020.4.2. - Ancillary equipment.

- A. For the purposes of this section, “ancillary equipment” means:
  1. Standard equipment such as air conditioning compressors, central heating equipment, swimming pool and spa pumps and filters, lawn irrigation pumps, propane tanks, and similar equipment listed in the setbacks, allowable encroachments section; and
  2. Renewable energy devices and other sustainable development technologies including, but not limited to, solar photovoltaic (pv) panels, solar hot water, solar pool heaters, tankless water heaters, geothermal heat pumps, gray-water systems and rainwater harvesting devices, such as rain barrels and cisterns.
- B. *Development standards within traditional and suburban zoning districts.* Ancillary equipment in traditional and suburban zoning districts shall comply with the following:
  1. Setbacks shall comply with those listed in the Setbacks, Allowable Encroachments Section;
  2. The base of ground-mounted equipment shall not exceed one foot above ground level ~~or, in flood zones,~~ Elevated equipment shall be mounted on a cantilevered platform attached to the side of a structure and not exceed one foot above the minimum base design flood elevation required by City Code for flood protection; If the base of ground-mounted equipment exceeds one foot above the ground level or design flood elevation then it shall be located behind the rear façade of the structure or on top of the roof.
  3. Existing equipment that was lawfully installed in a nonconforming location shall be permitted to be replaced with equipment of a reasonably equivalent or lower industry rating or performance standard.
  4. The sides of any new or replacement equipment facing or visible from a street, excluding alleys, ~~shall be landscaped as required in the landscaping and irrigation section, except that equipment installed above the first floor screened with material that is compatible with the architectural style of the principal structure, landscaping, or a six-foot-tall decorative fence or wall.~~
- C. *Development standards within all other districts.* In all other zoning districts, ancillary equipment shall comply with the following:

1. Where a nonresidential use abuts another nonresidential use, no setback shall be required.
2. Where a nonresidential use abuts a residential use or zoning district, ancillary equipment shall be subject to a setback equal to one-half of the setback required for the principal building.
3. All ancillary equipment shall be shielded from view from the adjacent properties and streets, excluding alleys, by a solid enclosure such as a fence or wall. Fences and walls shall be subject to the height restrictions and design standards of the zoning district.

\* \* \*

SECTION 30. Section 16.50.180 of the St. Petersburg City Code is hereby amended to read as follows:

#### SECTION 16.50.180. - HOME OCCUPATION

##### 16.50.180.1. - Applicability.

This section shall apply to home occupations.

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

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

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

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

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

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

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

16.50.180.2. – ~~Reserved.~~ Purpose and intent.

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

16.50.180.3. - Establishment.

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

16.50.180.4. - Use restrictions.

- A. ~~Areas used for home occupations shall be contained within fully enclosed principal or accessory buildings. No outdoor areas shall be used for a home occupation.~~ As viewed from the street, the use of the residential property is consistent with the uses of the residential areas that surround the property. External modifications made to a residential dwelling to accommodate a home-based business must conform to the residential character and architectural aesthetics of the neighborhood. The home-based business may not conduct retail transactions at a structure other than the residential dwelling; however, incidental business uses and activities may be conducted at the residential property.
- B. ~~Areas within principal structures dedicated to home occupations shall not exceed more than 50 percent of the gross floor area of the dwelling unit. This standard shall not apply to a home occupation within a detached accessory building, which may occupy the entire structure. All business activities shall comply with any relevant local, state, and federal regulations with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids.~~
- C. Home occupations shall not be permitted to occupy or prevent access to areas of buildings necessary to provide the required number of off-street parking spaces without an approved site plan for replacement of those spaces on the property. Parking related to the business activities of the home-based business shall comply with the minimum parking requirements of this Chapter and the need for parking generated by the business may not be greater in volume than would normally be expected at a similar residence where no business is conducted. Vehicles and trailers used in connection with the business must be parked in legal parking spaces that are not located within the right-of-way, on or over a sidewalk, or on any unimproved surfaces at the residence. Vehicles and trailers, including any heavy equipment, shall comply with the restrictions for the parking of domestic and commercial equipment in residential zoning districts.
- D. ~~No~~ Customers or clients shall be allowed to come to the property except where the home occupation provides individual educational instruction (e.g., music teachers). by appointment only, unless a parking plan is approved by the POD demonstrating compliance with the minimum parking requirements.
- E. Display of merchandise visible from the street shall be prohibited.
- F. ~~Home occupations shall not create any noise not usual to a residential district between the hours of 7:00 p.m. and 9:00 a.m. The use of power tools is prohibited between the hours of 7:00 p.m. and 9:00 a.m. Doors and windows of the principal or accessory structure shall be closed when such noise is created or power tools are in use. Home occupations shall not create any odors not usual in a residential district, nor shall they create odors that are usual in a residential district to a greater degree than is usual.~~
- G. ~~One~~ Two employees that ~~is~~ are not a residents of the dwelling unit shall be permitted to be at the property. ~~Employees that perform services or work off site (e.g., landscaping, painting, etc.), shall~~

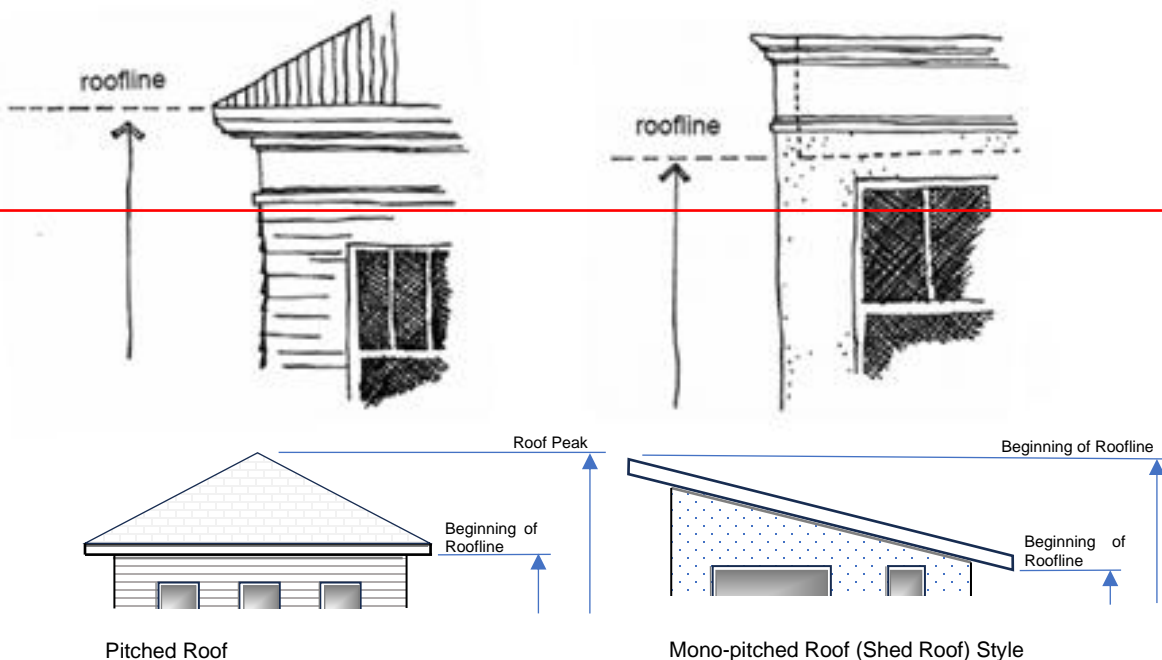
not come to the property for any reason, including but not limited to, assembling to receive work assignments, obtain supplies, deliver paperwork, collect paychecks.

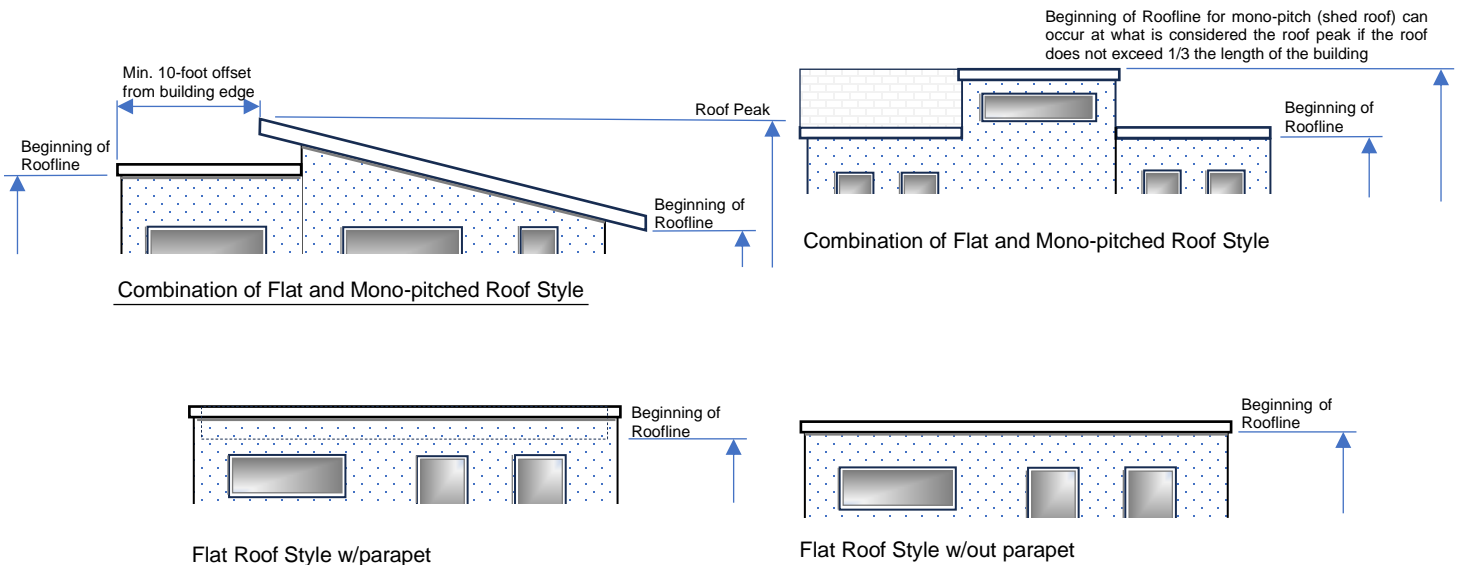
- H. ~~Shipping, receiving, storage, processing, fabrication, manufacturing, and distribution are prohibited.~~
- I. ~~No more than one business vehicle shall be permitted to park on the property, regardless of the number of home occupations approved for the property. Vehicles shall comply with the restrictions for the parking of domestic and commercial equipment in residential zoning districts.~~
- J. ~~Food preparation uses in a detached building shall execute and record in the public records a document approved by the City Attorney which prohibits the use of the detached building as a dwelling unit and provides assurances that the stove or other cooking facilities shall be removed upon expiration of the business tax receipt. Failure to provide proof of such removal upon expiration of the business tax receipt shall be a violation of this section. Such detached building shall not be larger than 300 square feet. Toilets, tubs and shower facilities are prohibited in detached buildings.~~

SECTION 31. Section 16.60.010.6 of the St. Petersburg City Code is hereby amended to read as follows:

16.60.010.6. - Height measurement.

- A. Outside of special flood hazard areas, building height shall be measured from the mean elevation of the existing grade to the beginning of the roofline or roof peak, as determined within the individual zoning districts.
- B. Within special flood hazard areas, building height shall be measured from the required design flood elevation line to the beginning of the roofline or roof peak, as determined within the individual zoning districts. Building height for buildings constructed within Zone VE of special flood hazard areas shall be measured from two-feet above the required design flood elevation to the beginning of the roofline or roof peak, as determined within the individual zoning districts, to accommodate the lowest horizontal structural members supporting the lowest floor that is required by the Florida Building Code to be provided at or above the design flood elevation.
- C. Pitched roofs shall be measured at the point farthest from the side of the building and flat roofs with decorative parapets will be measured at the lowest point of the parapet wall. Refer to the images below that illustrate how building height is measured depending on the roof style.





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

SECTION 32. Section 16.60.050.2 of the St. Petersburg City Code is hereby amended to read as follows:

16.60.050.2. - Allowable encroachments and setbacks.

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

<b>Structure/ Improvement-Ancillary Equipment, refer to Section 16.50.020.4.2. (C) for development standards for zoning districts not listed in this chart</b>	<b>F=Front S=Side <u>S=Side</u> SS=Streetside SS=Street side R=Rear <u>R=Rear</u> W=Waterfront</b>	<b>Traditional Zoning Districts-NT, NTM, CRT, CCT, IT zoning districts</b>	<b>Suburban Zoning Districts-NS, NSM, NMH, NPUD, CRS, CCS, IS, P zoning districts</b>
Ancillary equipment, commercial, (see accessory structures section for additional requirements).	S, R	No closer to property line than 5 ft.	No closer to property line than 5 ft.
	SS	No closer to property line than 10 ft.	No closer to property line than 10 ft.
	S, R	No closer to property line than 3 ft.	No closer to property line than 3 ft.

Ancillary equipment, residential, (see accessory structures section for additional requirements).	SS	No more than 4 ft. from setback line	No more than 4 ft. from setback line
<b><u>Structure/Improvement</u></b>	<b><u>F=Front</u> <u>S=Side</u> <u>SS=Street side</u> <u>R=Rear</u> <u>W=Waterfront</u></b>	<b><u>NT, NTM, CRT, CCT, IT, DC, EC, IC zoning districts</u></b>	<b><u>NS, NSM, NMH, NPUD, CRS, CCS, IS, P, RC zoning districts</u></b>
Arbor <u>or pergola</u> (with a minimum of 50% open roof structure, up to 80 SF in area and no more than 12 ft. in height)	F, S, SS, R	To property line	To property line
Awnings	All	No more than 3 ft. from setback line, but no closer to property line or seawall than 2 ft.	No more than 3 ft. from setback line, but no closer to property line or seawall than 2 ft.
Balcony (open on three sides)	All	Leading edge no more than 3 ft. from setback line	Leading edge no more than 3 ft. from setback line
Barbeque, <u>grill or kitchen</u> , outdoor (up to 10 ft. in height), <u>This applies only to permanently installed equipment, fixtures, sinks, cabinets, and counters.</u>	S, R	<del>To property line</del> <u>No closer to property line than 5 ft.</u>	<del>To property line</del> <u>No closer to property line than 5 ft.</u>
	SS, W	No more than 5 ft. from setback line	No more than 5 ft. from setback line
Bay window (without a footer), <u>elevated a minimum of 12-inches above the finished floor of the main floor.</u>	All	No more than 3 ft. from setback line	No more than 3 ft. from setback line
Canopy, commercial vehicular use (drive-through, freestanding, or attached)	F, SS	No encroachment permitted	Leading edge no closer to property line than 10 ft.
Carports, commercial <u>use</u> (open all sides)	F	Leading edge no closer to property line than 10 ft.	Leading edge no closer to property line than 10 ft.
	S, SS, R	Leading edge no closer to property line than 5 ft.	Leading edge no closer to property line than 5 ft.
Carports, residential <u>use</u> (open on a minimum of two sides)	F, SS	No encroachment permitted	Leading edge no more than 5 ft. from setback line
	S, R	Leading edge no closer to property line than 3 ft.	Leading edge no closer to property line than 3 ft.
Chimney	All	No more than 2 ft. from setback line, no closer to property line or seawall than 4 ft.	No more than 2 ft. from setback line, no closer to property line or seawall than 4 ft.
Decks, patios, porches and screen enclosures:			
Decks and patios, uncovered (up to 12 inches above existing grade or the top of an existing seawall) ( <u>open on all sides, excluding support columns</u> )	S, R	To property line	To property line
	SS	No closer to property line than 5 ft.	No closer to property line than 5 ft.
	W	No closer to property line or seawall than 5 ft. (Note: Federal and state	No closer to property line or seawall than 5 ft. (Note: Federal and state



		regulations may be more restrictive.)	regulations may be more restrictive.)
Decks and patios, uncovered (more than 12 inches and less than 30 inches above existing grade or the top of an existing seawall) ( <u>open on all sides, excluding support columns</u> )	S, R	No closer to property line than 5 ft.	No closer to property line than 5 ft.
	SS	No closer to property line than 8 ft.	No closer to property line than 8 ft.
	W	No closer to property line or seawall than eight ft. (Note: Federal and state regulations may be more restrictive.)	No closer to property line or seawall than eight ft. (Note: Federal and state regulations may be more restrictive.)
Patios, covered, and pergolas (or <u>shade sails in lieu of solid roof</u> ) (no more than 12 inches above existing grade or the top of an existing seawall) ( <u>open on all sides, excluding support columns</u> )	S, SS, R	No closer to property line than <del>7.5</del> 5 ft.	No closer to property line than 7.5 ft.
	W	No closer to property line or seawall than 10 ft.	No closer to property line or seawall than 10 ft.
Porch, open (less than 30 inches above existing grade or the top of an existing seawall) ( <u>open on all sides, excluding support columns</u> )	F, SS	Leading edge no more than 5 ft. from setback line	Leading edge no more than 5 ft. from setback line
	R	No encroachment permitted	Leading edge no more than 10 ft. from setback line
	W	Leading edge no more than 5 ft. from setback line	No encroachment permitted
Screen enclosure, patio (solid roof) ( <u>no more than 12 inches above existing grade or the top of an existing seawall</u> ) ( <u>screened on all sides, excluding support columns</u> )	S, SS, R	No closer to property line than <del>7.5</del> 5 ft.	No closer to property line than 7.5 ft.
	W	No closer to the property line or seawall than 10 ft.	No closer to the property line or seawall than 10 ft.
Screen enclosure (screen roof) ( <u>no more than 12 inches above existing grade or the top of an existing seawall</u> ) ( <u>screened on all sides, excluding support structure</u> )	S, SS, R	No closer to property line or seawall than 5 ft.	No closer to property line or seawall than 5 ft.
	W	No closer to the property line or seawall than 10 ft.	No closer to the property line or seawall than 10 ft.
Dumpster enclosure	S, SS, R	No closer to property line than 5 ft.	No closer to property line than 5 ft.
Eaves	All	No more than 3 ft. from setback line, but no closer to property line or seawall than 2 ft.	No more than 3 ft. from setback line, but no closer to property line or seawall than 2 ft.
Fences	All	To property line or seawall as prescribed by fence and wall regulations	To property line or seawall as prescribed by fence and wall regulations
Flag poles (up to 35 ft. in height)	All	To property line or seawall	To property line or seawall
Flags, wall-mounted	All	No more than 4 ft. from setback line, but no closer to property line or seawall than 2 ft.	No more than 4 ft. from setback line, but no closer to property line or seawall than 2 ft.
Garages, residential front-loading	F	No encroachment permitted	No more than 5 ft. from setback line

	S	No encroachment permitted	No more than 2 ft. from setback line
	SS	No encroachment permitted	No more than 3 ft. from setback line
Garages, residential side-loading or facing an alley	F	No encroachment permitted	No more than eight ft. from setback line
	S	No more than 2 ft. from setback line	No more than 2 ft. from setback line
	SS	No more than 5 ft. from setback line	No more than 5 ft. from setback line
	<u>R</u>	<u>No encroachment permitted</u>	<u>10 ft., or 22 ft. including the width of the alley, whichever is less.</u>
Gardening Hoop House, Cold Frame, Greenhouse, Vertical vegetable structure, raised garden bed (only one may encroach into the setback. The maximum size is limited to 100 s.f. in area and 10 ft. in height)	S, SS, R	No closer to property line than 5 ft.	No closer to property line than 5 ft.
Lawn ornaments (including fountains and other yard ornaments)	F, S, SS, R, W	No closer to property line or seawall than 3 ft.	No closer to property line or seawall than 3 ft.
Lighting, landscape (up to 3 ft. in height)	All	To property line or seawall	To property line or seawall
Lighting, site	All	To property line or seawall	To property line or seawall
Mailboxes (if permitted by the Code)	F, SS	To property line	To property line
Play equipment, residential (up to eight ft. in height)	S, SS, R, W	To property line or seawall	To property line or seawall
Play equipment, residential (more than eight ft. in height)	S, SS, R, W	No closer to property line or seawall than 5 ft.	No closer to property line or seawall than 5 ft.
Pool, above ground ( <u>greater than 12 inches above existing grade</u> )	S, SS, R	No closer to property line than 5 ft.	No closer to property line than 5 ft.
	W	No closer to property line or seawall than 8 ft.	No closer to property line or seawall than 8 ft.
Pool, in-ground ( <u>up to 12 inches above existing grade</u> ) pools adjacent to seawalls shall require additional engineering to avoid conflict with existing, underground tie-backs.)	S, SS, R, W	No closer to property line or seawall than 5 ft.	No closer to property line or seawall than 5 ft.
Ramp for citizens with impairments	All	To property line or seawall	To property line or seawall
Retaining (return) wall	F, S, SS, R	To the property line: The overall height shall be no greater than 18 inches from the existing grade abutting both sides of the wall	To the property line: The overall height shall be no greater than 18 inches from the existing grade abutting both sides of the wall
	W	To the property line or seawall: The overall height shall be no greater than the top of	To the property line or seawall: The overall height shall be no greater than the top of

		the existing seawall. (Note: Federal and state regulations may be more restrictive.)	the existing seawall. (Note: Federal and state regulations may be more restrictive.)
Shed (only one shed may encroach into the setback. The maximum size is limited to 100 sq. ft. in area and 10 ft. in height)	F	No encroachment allowed, except as noted in the use-specific development standards for accessory structures and no part of the shed shall be located in front of the front façade line of the principal structure	No encroachment allowed, except as noted in the use-specific development standards for accessory structures
	R	<del>Anywhere within rear 20 ft. of lot</del> <u>To property line</u>	<del>Anywhere within rear 20 ft. of lot</del> <u>To property line</u>
	SS	No more than 5 ft. from setback line, within the rear 20 ft. of lot <del>not allowed</del>	No more than 5 ft. from setback line, within the rear 20 ft. of lot <del>NS-1 only—see district regulations</del>
	S	No closer to property line than 3 ft., <del>except in the rear yard</del> <u>within the rear 20 ft. of lot to property line</u>	No closer to property line than 3 ft., <del>except in the rear yard</del> <u>within the rear 20 ft. of lot to property line</u>
	W	No encroachment allowed	No encroachment allowed
Sidewalks (up to 6 ft. in width)	All	To property line or seawall	To property line or seawall
Spa	S, SS, R, W	No closer to property line or seawall than 5 ft.	No closer to property line or seawall than 5 ft.
Steps, stairs (steps, stairs shall not exceed 3 ft. in height above grade.)	F, R, W	No more than 6 ft. from setback line but no closer to property line or seawall than 4 ft.	No more than 6 ft. from setback line but no closer to property line or seawall than 4 ft.
	S, SS	No more than 4 ft. from setback line but no closer to property line than 4 ft.	No more than 4 ft. from setback line but no closer to property line than 4 ft.
Stoop (up to 3 ft. by 6 ft. in area)	All	No more than 3 ft. from setback line but no closer to property line or seawall than 4 ft.	No more than 3 ft. from setback line but no closer to property line or seawall than 4 ft.
Walls	F, S, SS, R, W	To property line or seawall as prescribed by fence and wall regulations	To property line or seawall as prescribed by fence and wall regulations
<u>Wooden platform for energy meter in a flood zone</u>	<u>S, R</u>	<u>No closer to property line than 2 ft. for platforms up to 3 ft. above grade, or no closer to property line than 2.5 ft. for platforms up to 4 ft.</u>	<u>No closer to property line than 2 ft. for platforms up to 3 ft. above grade, or no closer to property line than 2.5 ft. for platforms up to 4 ft.</u>

		<u>above grade, or no closer to property line than 3 ft. for platforms up to 5 ft. above grade</u>	<u>above grade, or no closer to property line than 3 ft. for platforms up to 5 ft. above grade</u>
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SECTION 33. Section 16.70.015 of the St. Petersburg City Code is hereby amended to read as follows:

16.70.010.5. - Rehearing.

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

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

SECTION 34. The Decisions and Appeals Table in Section 16.70.015 of the St. Petersburg City Code, excerpted in pertinent part, is hereby amended to read as follows:

16.70.015. - DECISIONS AND APPEALS TABLE

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

<b>Decisions and Appeals</b>
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Process Type	City Code Section	POD Decision	Commission Decision	City Council Decision
Zoning Permits, Generally (Section 16.70.030.)				
Adult Use Permits, Appeals and Variances	16.70.030.1.1.	Advisory to City Council	not applicable	Final
Dock Permits	16.70.030.1.2.	Final (appealable to DRC)	DRC (Final)	not applicable
Dock Permit Appeals and Variances	16.70.030.1.2.	Advisory to DRC	DRC (Final)	not applicable
Dog Dining Permits	16.70.030.1.3.	Final (appealable to DRC)	DRC (Final)	not applicable
Landscape Permits	16.70.030.1.4.	Final (appealable to DRC)	DRC (Final)	not applicable
Pushcart Vending Permits	16.70.030.1.5.	Final (appealable to DRC)	DRC (Final)	not applicable
Roadside Vending Market Permits	16.70.030.1.6.	Final (appealable to DRC)	DRC (Final)	not applicable
Sidewalk Café Permits	16.70.030.1.7.	Final (appealable to DRC)	DRC (Final)	not applicable
Sidewalk Retail Display Permits	16.70.030.1.8.	Final (appealable to DRC)	DRC (Final)	not applicable
Sign Permits	16.70.030.1.9.	Final (appealable to DRC)	DRC (Final)	not applicable
Temporary Parking Lot Permits	16.70.030.1.10.	Final (appealable to DRC)	DRC (Final)	not applicable
Temporary Use Permits	16.70.030.1.11.	Final (appealable to DRC)	DRC (Final)	not applicable
Tree Removal Permits	16.70.030.1.12.	Final (appealable to DRC)	DRC (Final)	not applicable
Community Garden Permit	16.70.030.1.13.	Final (appealable to DRC)	DRC (Final)	not applicable
<u>Sidewalk Payment in Lieu</u>	<u>16.70.070.1.3.</u>	<u>Final</u>	<u>DRC</u>	<u>not</u>

		(appealable to DRC)	(Final)	applicable
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SECTION 35. Section 16.70.030.1.2.E of the St. Petersburg City Code is hereby amended to read as follows:

16.70.030.1.2. - Dock permit.

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

SECTION 36. Section 16.70.040.1.8 of the St. Petersburg City Code is hereby amended to read as follows:

16.70.040.1.8. – ~~Reserved.~~ Reasonable Accommodations.

A. Purpose. The purpose of this section is to establish a uniform mechanism to process requests for reasonable accommodation to this Chapter 16 (the City's land development regulations) for persons with disabilities as provided by the Federal Fair Housing Amendments Act (42 U.S.C. 3601, et seq.) ("FHA") and Title II of the Americans with Disabilities Act (42 U.S.C. Section 12131, et seq.) ("ADA"). For purposes of this section, a "disabled" individual or person is an individual that qualifies as disabled and/or handicapped under the FHA and/or ADA. Any person who is disabled (or qualifying entities) may request a reasonable accommodation with respect to this Chapter as provided by the FHA and the ADA pursuant to the procedures set out in this section.

B. Application requirements. A request by an applicant for reasonable accommodation under this section shall be made in writing to the POD by completion of a reasonable accommodation request form provided by the City. The reasonable accommodation request form shall contain such information as the POD deems necessary for processing the reasonable accommodation request and shall include, at a minimum, the following information:

1. The name, telephone number, physical address and e-mail address (if available) of the applicant, and the applicant's representative, if applicable.
2. The physical address of the housing or other location at which the accommodation is requested.
3. A description of the qualifying disability or handicap.
4. A description of the requested accommodation and the specific provisions of this Chapter from which accommodation is sought.
5. The reasons the reasonable accommodation is necessary.

C. Application Review and Determination.

1. The POD shall review the completed application and issue a written determination within thirty (30) days of the date of receipt of the completed application. The POD may, consistent

with the FHA and/or ADA, (a) grant the request (with or without conditions), (b) grant a portion of the request and deny a portion of the request, or (c) deny the request.

2. In determining whether the reasonable accommodation request shall be granted, granted in part, or denied, the applicant shall be required to establish the following:
  - a. That the proposed accommodation(s) being sought is (are) reasonable and necessary to afford handicapped/disabled person(s) equal opportunity to use and enjoy housing or other service(s); and
  - b. That the person(s) are protected under the FHA and/or ADA by demonstrating that said person(s) are handicapped or disabled, as defined in the FHA and/or ADA. Although the definition of disability is subject to judicial interpretation, for purposes of this section and pursuant to the ADA, the disabled person(s) must demonstrate one (1) of the following:
    - i. A physical or mental impairment, which substantially limits one (1) or more major life activities;
    - ii. A record of having such impairment; or
    - iii. That the person(s) is (are) regarded as having such impairment.
3. In addition to the above, the POD shall consider the following when deciding whether to grant, grant in part, or deny a request for a reasonable accommodation:
  - a. Whether the requested accommodation would impose an undue financial or administrative burden on the City; and
  - b. Whether the requested accommodation would require a fundamental alteration of a material nature in the City's land use, zoning, or development policies.

If the POD finds that the requested accommodation will impose an undue financial or administrative burden on the City, or will require a fundamental alteration in the nature of the City's land use and zoning regulations, the POD may consider whether an alternative reasonable accommodation exists which would effectively meet the disability-related need. An alternative reasonable accommodation may be the requested accommodation with conditions.

D. No Fee. There shall be no fee imposed by the City in connection with a request for reasonable accommodation.

E. General Provisions. The following general provisions are applicable to reasonable accommodation requests:

1. A disabled or handicapped individual may apply for a reasonable accommodation on his/her own behalf or may be represented at all stages of the reasonable accommodation request process by an attorney, legally appointed guardian, or other person designated by the disabled individual as authorized to submit the application on their behalf.
2. A reasonable accommodation does not alter an individual's obligation to comply with other applicable federal, state, county or City requirements, rules, regulations, or laws, including all applicable zoning, building, and/or engineering permitting requirements.
3. A reasonable accommodation is not a variance. It is an exception specific to the disabled individual(s) and is not transferrable to a new property owner or other occupant. The City

may, at any time, require removal or discontinuance of the accommodation when the disabled individual no longer occupies the property.

4. If a reasonable accommodation request is approved (in whole or in part), the applicant shall, within 30 days, record a notice of the accommodation in the public records of Pinellas County. The notice shall, at a minimum, describe the specific accommodation granted, identify any improvements made pursuant to the accommodation, state that the accommodation is personal to the disabled individual and does not run with the land, and specify that future property owners may be required to remove or alter improvements made pursuant to the accommodation to comply with the current land development regulations of the City of St. Petersburg.

SECTION 37. The St. Petersburg City Code is hereby amended by creating a new Section 16.70.070.1.3 to read as follows:

16.70.070.1.3. - Sidewalk Payment in Lieu.

- A. *Applicability.* Any person requesting a sidewalk payment in lieu shall apply to the POD.
- B. *Application.* An application for a sidewalk payment in lieu shall include the following information in addition to the information that the POD may generally require for a planning and zoning decision application:
  1. *A site plan of the subject property.* The number of copies required shall be established by the POD:
    - a. All site plans shall include information required by the POD.
      - (1) Location of existing trees, utilities and other above ground facilities in the area where the sidewalk is generally to be installed.
      - (2) Spot elevations in the area where the sidewalk is generally to be installed may be required by the POD.
  2. A written description of the existing site conditions and circumstances which make it difficult to install a sidewalk.
- C. *Procedure.*
  1. *Administrative approval.* Where unique conditions to the site or surrounding conditions preclude strict compliance with the land development regulations, the POD may approve a payment in lieu of installing a sidewalk.
- D. *Standards for review.* In addition to the standards of review for a zoning and planning decision generally, a decision shall comply with the following factor:
  1. Where on the basis of unique site conditions or specific alignment criteria for sidewalks within rights-of-way in relation to unique conditions such as topography or unusually large trees.
- E. *Appeals.* A decision of the POD granting, granting with conditions of denying the payment in lieu may be appealed to the commission designated in the Decisions and Appeals Table.

SECTION 38. The definition of 'Architectural detail' in Section 16.90.020.3 of the St. Petersburg City Code is hereby amended to read as follows:

*Architectural detail* means the architectural features, patterns, or ornamentation that provide visual interest at a pedestrian scale, including pedestrian-scale lighting, medallions, columns, kickplates, tilework, planters, ~~or balconies~~, trim, molding, brackets, quoins, columns, chimney, louver-attic vent,



shutters and niche. This definition includes changes in material or changes in the plane of the building façade. Other architectural details or features may be permitted if they are consistent with the architectural style. Any detail or feature shall be carried throughout the exterior of the building.

SECTION 39. Section 16.90.020.3 of the St. Petersburg City Code is hereby amended by adding the following new definitions, in the appropriate alphabetical order, to read as follows:

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

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

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

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

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

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

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

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

SECTION 40. Coding: As used in this ordinance, language appearing in struck-through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise. Sections of this ordinance that amend the City Code to add new sections or subsections are generally not underlined.

SECTION 41. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is determined unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

SECTION 42. COMPLIANCE WITH § 166.041(4), FLORIDA STATUTES. Pursuant to City Council resolution 2023-507, a business impact estimate was prepared for this ordinance and posted on the City's website no later than the date the notice of the proposed ordinance was published.

SECTION 43. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto this Ordinance, in which case this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

/s/: Michael J. Dema  
City Attorney (designee)  
00810245

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Approved as to form and content:

/s/: Michael J. Dema  
City Attorney (designee)  
00810245



# DEVELOPMENT REVIEW COMMISSION

Prepared by the Planning & Development Services Department,  
Development Review Services Division

For Public Hearing on Wednesday, April 2, 2025  
at 1:00 p.m. in the City Council Chambers, City Hall,  
175 Fifth Street North, St. Petersburg, Florida.

## City File: LDR 2024-05

This is a City-initiated application requesting that the Development Review Commission (“DRC”), in its capacity as the Land Development Regulation Commission (“LDRC”), make a finding of consistency with the Comprehensive Plan and recommend to City Council **APPROVAL** the following text amendments to the City Code, Chapter 16, Land Development Regulations (“LDRs”).

### APPLICANT INFORMATION

**APPLICANT:** City of St. Petersburg  
175 5<sup>th</sup> Street North  
St. Petersburg, Florida 33701

**CONTACT:** Corey Malyszka, Zoning Official  
Development Review Services  
Planning and Development Services Department  
One – 4<sup>th</sup> Street North  
St. Petersburg, Florida 33711  
Corey.Malyszka@stpete.org  
(727) 893-5453

### COMMISSION AUTHORITY

Pursuant to Section 16.80.020.1 of the City Code of Ordinances, the DRC, acting as the LDRC, is responsible for reviewing and making a recommendation to the City Council on all proposed amendments to the LDRs.

## STAFF ANALYSIS

### **Background**

Following the adoption of the City of St. Petersburg's Land Development Regulations in 2007, amendments to the Residential Land Development Regulations were approved in 2017 in order to further ensure the goals and visions of the plan were being met. Prompted by accelerated redevelopment in residential neighborhoods beginning in 2015, a review of the adopted neighborhood residential Land Development Regulations was conducted to identify if the resulting built environment reflected the goals and visions of the City's adopted plans. This review led to a series of text amendments to the Residential Land Development Regulations to be adopted by City Council in 2017.

Continuing to ensure that the execution of the Residential Land Development Regulations results in a built environment that reflects the goals and objectives of the City's Comprehensive Plan and Vision Plan, staff has conducted an updated review of the existing Land Development Regulations. The goal of this review was to identify and address potential improvements, clarifications, and amendments that support current priorities generally held by residents, neighborhood associations, and other impacted stakeholder groups

### **Public Participation**

Prior to compiling these text amendments, City Staff hosted two (2) public stakeholder workshops, attended meetings with two (2) local stakeholder groups, provided an informational session and obtained feedback from the Council of Neighborhood Associations, and conducted one (1) DRC Workshop with the Development Review Commission.

- **Public Stakeholder Workshops**

On May 15 and June 16, 2024, City Staff hosted two public meetings to provide background on the proposed LDR text amendments and receive comments from members of the public. Generally, stakeholder feedback from these sessions included:

- Favorable response to incentivizing the preservation of existing specimen trees on residential parcels.
- Desire for the development of a payment in lieu option for required sidewalks.
- Unfavorable response to removing the existing restrictions relating to the storage of domestic equipment on residential parcels.
- Resistance to permitting the use of non-traditional fencing materials for residential perimeter fences.

- **Stakeholder Meeting: Tampa Bay Builders Association (TBBA) Meetings**

Two meetings were held with TBBA to discuss the proposed text amendment, answer questions, and receive feedback from members of the association from the perspective of the development community within the City of St. Petersburg. Generally, feedback from these meetings included:

- Desire for the residential wall composition and transparency requirements to be reduced to allow for ease of design and creating potential exemptions to the existing exterior fenestration requirements.
- Comments relating to the setback requirements for stairs leading to a front porch within a flood zone.
- Suggestions to increase FAR bonus structure to include balconies over porches and to reconsider the existing requirement for two story porches to meet principal structure setbacks.
- Expanding the available architectural styles eligible to obtain the applicable FAR bonus.

- **Stakeholder Meeting: Historic Kenwood Neighborhood Association (HKNA)**

A meeting was held with HKNA to discuss the proposed amendments, answer questions and receive feedback and suggestions in regard to the specific needs of residents within a historic district. Generally, comments from this meeting included:

- Comments regarding foundation height of new construction homes in relation to the foundation height of surrounding historic homes.
  - Suggested change to FAR Bonus E for height to be measured from top of foundation to allow for taller foundation consistent with traditional architectural styles.
- **Housing Land Use & Transportation (HLUT) Committee (September 12, 2024)**  
Staff presented initial findings from public stakeholder sessions and meetings with preliminary considerations for amendments at the HLUT Committee meeting. Feedback from HLUT Committee members included the following:
    - General support for proposed code amendments including restrictions on non-traditional fencing materials, preservation of existing specimen trees, and creation of a payment in lieu program for required sidewalks in residential districts.
    - Interest in additional requirements or bonuses that further regulate the physical massing of residential structures.
    - Supportive of proposed amendments that reduce restrictions on accessory dwelling units within the NS zoning districts.
  - **Council of Neighborhood Associations (CONA)**  
An informational session was provided to CONA on September 18, 2024, by staff to provide details and summarize the current amendments to the Land Development Regulations being proposed.
  - **Housing Land Use & Transportation (HLUT) Committee (March 6, 2025)**  
Staff presented an update of proposed code changes at the HLUT Committee meeting. Feedback from HLUT Committee members included the following:
    - Request pictures that illustrate what the increase in the blank area will look like.
    - Request additional design regulations for porches and façade articulation be added in the CRT zoning district.

### **Proposal**

The Planning and Development Services Department, Development Review Services Division, has compiled an attached set of proposed amendments to the Land Development Regulations. The proposed amendments, include modifying, adding and clarifying current Floor Area Ratio (FAR) bonuses and Building and Site Design Regulations, minor changes to the fence and landscape sections, adding definitions and making code changes to be consistent with state statutes.

## **CONSISTENCY AND COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

The following objectives and policies from the City's Comprehensive Plan are applicable to the attached proposal:

- **Objective LU8:** The City will continue to revise and amend the land development regulations, as necessary, to ensure compliance with the requirements of Section 163.3202, Florida Statutes. The City will amend its land development regulations consistent with the requirements of Section 163.3202, Florida Statutes so that future growth and development will continue to be managed through the preparation, adoption, implementation and enforcement of land development regulations that are consistent with the Comprehensive Plan.H1.3 - Review ordinances, codes, regulations and the permitting process for the purpose of eliminating excessive and overlapping requirements and resolving conflicting requirements and amending or adding other requirements in order to increase private sector participation in meeting housing needs, while continuing to insure the health, welfare and safety of the residents.

- LU8.1: Pursuant to the requirements of Section 163.3202 F.S. the land development regulations (Chapter 16, City Code of Ordinances) will be amended, as necessary, to ensure consistency with the goals, objectives and policies of the Comprehensive Plan.
- LU8.2: Encourage more consistent interpretation and administration of land development regulations among City Council, the commissions designated in the LDRs and the City Staff through orientation meetings and joint workshops that provide a background on the implementation of City policies and regulations.
- Objective LU21: The City shall, on an ongoing basis, review and consider for adoption, amendments to existing or new innovative land development regulations that can provide additional incentives for the achievement of Comprehensive Plan Objectives.
- LU21.1: The City shall continue to utilize its innovative development regulations and staff shall continue to examine new innovative techniques by working with the private sector, neighborhood groups, special interest groups and by monitoring regulatory innovations to identify potential solutions to development issues that provide incentives for the achievement of the goals, objectives and policies of the Comprehensive Plan.
- LU3.6 Land use planning decisions shall weigh heavily the established character of predominately developed areas where changes of use or intensity of development are contemplated.
- LU3.8 The City shall protect existing and future residential uses from incompatible uses, noise, traffic and other intrusions that detract from the long-term desirability of an area through appropriate land development regulations.
- LU21.1 The City shall continue to utilize its innovative development regulations and staff shall continue to examine new innovative techniques by working with the private sector, neighborhood groups, special interest groups and by monitoring regulatory innovations to identify potential solutions to development issues that provide incentives for the achievement of the goals, objectives and policies of the Comprehensive Plan.

## PUBLIC HEARING PROCESS

The proposed amendment requires one (1) public hearing, conducted by the Development Review Commission in its capacity as the Land Development Regulation Commission and one (1) City Council public hearings. The City Council shall consider the recommendation of the DRC and vote to approve, approve with modification or deny the proposed amendments.

## RECOMMENDATION

The Planning & Development Services Department finds that the proposed request is consistent with the Comprehensive Plan and recommends **APPROVAL**.

### REPORT APPROVED BY:

*/s/ Elizabeth Abernethy*

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Elizabeth Abernethy, AICP  
Director, Planning & Development Services

### Exhibits and Attachments

1. Housing Affordability Impact statement
2. Proposed Amendments in Strike-through/underline format
3. LDR Code Update Summary Table

## HOUSING AFFORDABILITY IMPACT STATEMENT

### City of St. Petersburg Housing Affordability Impact Statement

Each year, the City of St. Petersburg receives approximately \$2 million in State Housing Initiative Partnership (SHIP) funds for its affordable housing programs. To receive these funds, the City is required to maintain an ongoing process for review of local policies, ordinances, resolutions, and plan provisions that *increase the cost of housing construction, or of housing redevelopment*, and to establish a tracking system to estimate the cumulative cost per housing unit from these actions for the period July 1– June 30 annually. This form should be attached to all policies, ordinances, resolutions, and plan provisions which increase housing costs, and a copy of the completed form should be provided to the City’s Housing and Community Development Department.

**I. Initiating Department:** Planning & Development Services Development

**II. Policy, Procedure, Regulation, or Comprehensive Plan Amendment Under Consideration for adoption by Ordinance or Resolution:**

See attached amendment to Chapter 16, City Code of Ordinances (City File LDR 2024-05).

**III. Impact Analysis:**

A. Will the proposed policy, procedure, regulation, or plan amendment, (being adopted by ordinance or resolution) increase the cost of housing development? (i.e. more landscaping, larger lot sizes, increase fees, require more infrastructure costs up front, etc.)

No ☒ (No further explanation required.)

Yes ☐ Explanation:

B. Will the proposed policy, procedure, regulation, plan amendment, etc. increase the time needed for housing development approvals?

No ☒ (No further explanation required)

Yes ☐ Explanation:

**IV: Certification**

It is important that new local laws which could counteract or negate local, state and federal reforms and incentives created for the housing construction industry receive due consideration. If the adoption of the proposed regulation is imperative to protect the public health, safety and welfare, and therefore its public purpose outweighs the need to continue the community’s ability to provide affordable housing, please explain below:

The proposed regulation, policy, procedure, or comprehensive plan amendment will **not** result in an increase to the cost of housing development or redevelopment in the City of St. Petersburg and no further action is required.

/s/ Elizabeth Abernethy

Elizabeth Abernethy, AICP

Director, Planning & Development Services

Copies to: City Clerk  
Director, Housing and Community Development



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

## March 2025

	SECTION NO.	SECTION TITLE	COMPLEXITY	DESCRIPTION
1.	16.20.010.4.3	Neighborhood Traditional Single-Family Districts <b>Neighborhood Traditional Single-Family-3 (NT-3).</b>	Clarification	<b>Problem Statement:</b> Summary of NT-3 includes statement that garage apartments are not permitted when the code has been changed to allow ADUs in NT-3 districts. <b>Requested Action:</b> Remove the text stating that garage apartments are not permitted.
2.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Front Porch Elevation Bonus</b>	Regulatory Change	<b>Problem Statement:</b> Existing front porch elevation requirement of 12-inches is not consistent with the configuration of many historic homes throughout the City. <b>Requested Action:</b> Provide a 0.03 FAR bonus when front porch is elevated an additional six-inches totaling a minimum of 18-inches above existing grade.
3.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Separation Bonus</b>	Regulatory Change	<b>Problem Statement:</b> New single-family residences are typically built to maximize the entirety of the buildable area of the lot creating a large two-story box structure. <b>Requested Action:</b> Add FAR bonus for providing minimum 20-ft separation between principal and accessory structures, as well as between second floor portions of the principal structure.
4.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Front Façade Articulation Bonus</b>	Clarification	<b>Problem Statement:</b> FAR Bonus H provides a 0.06 bonus for each additional foot of front façade articulation with a 0.10 max bonus. It requires a minimum articulation of 6-feet resulting in the maximum bonus applied when the minimum articulation is provided. Therefore, the 0.06 bonus for each foot is not necessary as the maximum 0.10 bonus is granted when the minimum articulation is provided. <b>Requested Action:</b> Remove the existing bonus for each foot as it is not utilized.
5.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Larger Shade Tree Bonus</b>	Clarification	<b>Problem Statement:</b> FAR bonus for planting of larger shade tree indicates the spread shall be a minimum of 8-10 inches at time of planting when it should be 8-10 feet. <b>Requested Action:</b> Revise code language to reflect that an 8-10 foot spread is required to obtain FAR bonus for planting larger shade tree.
6.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Preservation of Existing Trees Bonus</b>	Regulatory Change	<b>Problem Statement:</b> Preservation of existing onsite Grand trees is not currently incentivized. <b>Requested Action:</b> Create a new FAR bonus for preservation of existing Grand trees with a 0.02 bonus for each tree, maximum 0.04 bonus.
7.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Solar Ready Bonus</b>	Regulatory Change	<b>Problem Statement:</b> Currently FAR bonus for Solar Ready is vague and provides no base line for evaluation of a new home being "solar ready" <b>Requested Action:</b> Add quantifiable standard that a new home provides a minimum 200 AMP electric panel and conduit running to roof for future solar installation. FAR bonus reduced from 0.02 to 0.01 bonus due to additional FAR bonuses for solar installation and electric vehicle charging being added.
8.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Solar Installation Bonus</b>	Regulatory Change	<b>Problem Statement:</b> Solar installation is not currently incentivized with an FAR bonus. <b>Requested Action:</b> Provide a 0.01 FAR bonus per Kilowatt installed up to a maximum bonus of 0.03.
9.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – FAR Electric Vehicle Charging Bonus</b>	Regulatory Change	<b>Problem Statement:</b> Residential Electric Vehicle charging stations are not current incentive with an FAR bonus. <b>Requested Action:</b> Provide a 0.01 FAR bonus for residential EV charging capability.
10.	16.20.010.5	Neighborhood Traditional Single-Family Districts <b>Maximum development potential – Quality materials on exterior facades</b>	Regulatory Change	<b>Problem Statement:</b> During the DRC Workshop a request was made for an FAR bonus for utilizing quality materials on exterior facades. <b>Requested Action:</b> Add a 0.05 FAR bonus when exterior facades are proposed with solid wood siding, brick, stone and/or wrought iron throughout all structures and a 0.03 FAR bonus when brick or stone veneer or hardi-board are utilized.
11.	16.20.010.6	Neighborhood Traditional Single-Family Districts <b>Building Envelope: Maximum height and minimum setbacks</b>	Clarification	<b>Problem Statement:</b> Clarify maximum building height language in terms of where measurement is applied to for setback purposes to be consistent with current practices. <b>Requested Action:</b> Revise language in Minimum Building Setbacks table to clarify that height is measured to the beginning of roofline when determining setbacks.
12.	16.20.010.6	Neighborhood Traditional Single-Family Districts <b>Building Envelope: Maximum height and minimum setbacks</b>	Consistency	<b>Problem Statement:</b> Minor encroachments aligning with the side of an existing structure are permitted within interior side yard setbacks for all zoning districts up to 24-feet in height except for NT-1 and NT-2 for lots less than 60-feet in width. <b>Requested Action:</b> Add minor encroachment allowance to interior side yard setback for lots less than 60-feet in width zoned NT-1 and NT-2.



13.	16.20.010.6	Neighborhood Traditional Single-Family Districts <b>Building Envelope: Maximum height and minimum setbacks</b>	Regulatory Change	<b>Problem Statement:</b> For existing structures located in a Special Flood Hazard Area adhering to required setbacks creates conflict when elevating the structure to meet current FEMA flood elevation.
				<b>Requested Action:</b> Provide a minor encroachment option to allow an existing single-family home to be elevated to meet FEMA flood elevation when specific criteria is met.
14.	16.20.010.10	Neighborhood Traditional Single-Family Districts <b>Setbacks and FAR consistent with established neighborhood patterns</b>	Regulatory Change	<b>Problem Statement:</b> Administrative approval for reduced front yard setbacks and FAR only references predominant building setbacks in the block which the development is proposed.
				<b>Requested Action:</b> Provide text to clarify administrative front setback and FAR approvals will be determined by predominant setbacks established in the block face on either side of the street development is proposed.
15.	16.20.010.10	Neighborhood Traditional Single-Family Districts <b>Setbacks and FAR consistent with established neighborhood patterns</b>	Clarification	<b>Problem Statement:</b> The current definition of “predominant” does not provide a specified setback to be administered.
				<b>Requested Action:</b> Revise text to remove definition of “predominant” for reduced setback and added new review criterion.
16.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and site design: Building and site design</b>	Clarification	<b>Problem Statement:</b> Non-residential parking, retention pond and dumpsters are not expressly referenced to being included with loading docks and other service areas.
				<b>Requested Action:</b> Include “parking, retention pond” in the required uses to be located behind the front façade line of the principle structure for all non-residential uses.
17.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site design: Building and site design</b>	Regulatory Change	<b>Problem Statement:</b> Requirements for screening of mechanical equipment and utility functions are not differentiated for equipment that is elevated above grade.
				<b>Requested Action:</b> Indicate specified screening requirement for both elevated, and at-grade, mechanical equipment and utility functions.
18.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site design: Vehicle connections and parking</b>	Clarification	<b>Problem Statement:</b> It is currently stated that driveways shall “face the alley” where the intention of this section is to require driveway access to be located off the alley in NT-2 and NT-3 districts.
				<b>Requested Action:</b> Clarify that driveways shall be accessed off an alley when available.
19.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site design: Vehicle connections and parking</b>	Regulatory Change	<b>Problem Statement:</b> On parcels with no alley access the code only permits garages facing the side street and references a maximum of one “curb cut.”
				<b>Requested Action:</b> Allow for garages on parcels with no alley access to face the rear of the property, and include clarifying text changing “curb cut” to “driveway”
20.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site design: Porches and pedestrian connections</b>	Clarification	<b>Problem Statement:</b> Currently, porches are required to connect from the principal entry to the curb of the “primary” street. This presents a conflict for corner lots that have principal entries facing the side street.
				<b>Requested Action:</b> Amend this text to remove “primary” from principal entry connections to the curb.
21.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site design: Porches and pedestrian connections</b>	Regulatory Change	<b>Problem Statement:</b> Compliance with code requirements to provide paved connections between public sidewalks and the curb creates conflict when the existing grade prevents compliance with ADA minimum standards.
				<b>Requested Action:</b> Provide an exception to this requirement when it has been shown that the existing grades prevent compliance with ADA minimum slope requirements.
22.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site design: Porches and pedestrian connections</b>	Regulatory Change	<b>Problem Statement:</b> Required front porches for principal structures are contradictory to some acceptable architectural styles permitted within the traditional zoning districts.
				<b>Requested Action:</b> Provide an exemption from the minimum size requirements for front porches when doing so is consistent with the proposed architectural style.
23.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design: Building Style</b>	Clarification	<b>Problem Statement:</b> Not clear that repetitive design requirement applies to homes within the same block
				<b>Requested Action:</b> Add “within the same block” to repetitive design regulations
24.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design: Building Style</b>	Clarification	<b>Problem Statement:</b> Repetitive design regulations not clear on required differences for architectural details.
				<b>Requested Action:</b> Add the word "and" to clarify that all listed architectural details (doors, windows, columns, and porches) are required to be different.
25.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design: Building Style</b>	Regulatory Change	<b>Problem Statement:</b> Repetitive design regulations do not account for new homes proposed with different number of stories.
				<b>Requested Action:</b> Include text to state that variation is not required for new homes with a different number of habitable stories.
26.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design: Building Style</b>	Regulatory Change	<b>Problem Statement:</b> Repetitive design regulations do not account for new homes designed with varied heights and widths that contribute to the variation between new homes.
				<b>Requested Action:</b> Add fifth variation to repetitive design criteria for new homes varied front façade heights and front façade widths.
27.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design: Building Form</b>	Regulatory Change	<b>Problem Statement:</b> The front porch should have a minimum of two steps leading up to the porch to maintain consistency with required elevation.
				<b>Requested Action:</b> Add language requiring that the front porch shall include at least two risers leading up to the porch.

28.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design:</b> <b>Wall Composition and transparency</b>	Regulatory Change	<b>Problem Statement:</b> The current code requirement that requires no blank facades greater than 16-feet in width has created challenges for developers.
				<b>Requested Action:</b> Provide language that allows blank facades up to 20-feet in width on facades located in the rear one-half of the lot provided it is not visible from a right-of-way.
29.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design:</b> <b>Wall Composition and transparency</b>	Clarification	<b>Problem Statement:</b> Currently no reference to the definition of “fenestration” is provided.
				<b>Requested Action:</b> Include a reference to Section 16.90.020 for the definition of fenestration and architectural details.
30.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design:</b> <b>Wall Composition and transparency</b>	Regulatory Change	<b>Problem Statement:</b> Code currently prohibits flush mounted windows which is not practical. Provisions currently exist requiring architectural trim or shutters for windows recessed less than three inches.
				<b>Requested Action:</b> Remove language prohibiting flush mounted windows and clarify what is included in trim.
31.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design:</b> <b>Garages</b>	Regulatory Change	<b>Problem Statement:</b> Double bay garage doors are currently prohibited along primary and non-primary streets when abutting another property's front yard. Double bay garage doors are typically 16-feet wide, visible from a street detract from the architectural quality and attractiveness of single-family residences.
				<b>Requested Action:</b> Require single bay doors (one or two bays) on all garages facing a primary and streetside yard. This is not applicable to garages facing alleys.
32.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design:</b> <b>Garages</b>	Clarification	<b>Problem Statement:</b> Language for garage doors facing a non-primary side street is unclear.
				<b>Requested Action:</b> Remove the reference to adjoining side yards abutting another property's front yard.
33.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design:</b> <b>Building Materials</b>	Regulatory Change	<b>Problem Statement:</b> Exception to the requirement for consistent building materials on one-story covered patios, screen enclosures or sunrooms located at least 10-feet behind the front façade is too limited.
				<b>Requested Action:</b> Allow for pergolas and sunrooms to be exempt from this requirement when meeting the necessary criteria.
34.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design:</b> <b>Building Materials</b>	Regulatory Change	<b>Problem Statement:</b> Code requires matching roof style when converting an existing covered patio, screen enclosure with solid roof or sunroom to enclosed habitable space which is typically impractical when the existing nonhabitable space has a flat roof.
				<b>Requested Action:</b> Allow existing covered patios, screen enclosures with solid roof or sunrooms to be converted to enclosed habitable space without matching the roof style of the principal structure.
35.	16.20.010.11	Neighborhood Traditional Single-Family Districts <b>Building and Site Design:</b> <b>Accessory structures and ancillary equipment and carports</b>	Regulatory Change	<b>Problem Statement:</b> The current code requirement that requires no blank facades greater than 16-feet in width has created challenges for developers.
				<b>Requested Action:</b> Provide text that allows for multi-story accessory buildings to contain a blank area up to 20-feet in width
36.	16.20.015.3	Neighborhood Traditional Mixed Residential Districts <b>Introduction to the NTM-1 district</b>	Clarification	<b>Problem Statement:</b> Introduction to the NTM zoning district does include a reference to structures in this zoning districts being permitted up to 4-units per building.
				<b>Requested Action:</b> Add text to state that building typologies within the NTM-1 zoning district have a maximum of 4-units per building.
37.	16.20.015.6	Neighborhood Traditional Mixed Residential Districts <b>Maximum Building Width</b>	Regulatory Change	<b>Problem Statement:</b> NTM provisions limit residential structures to a maximum width of 40-feet. This limitation is intended for multi-family structures and not for single-family residences.
				<b>Requested Action:</b> Add footnote permitted a residential building with only one dwelling unit to exceed 40-feet in width.
38.	16.20.015.7	Neighborhood Traditional Mixed Residential Districts <b>Entrances</b>	Clarification	<b>Problem Statement:</b> Current text relating to the number and location of primary entrances is confusing to readers.
				<b>Requested Action:</b> Provide clarifying language for additional buildings located behind the front structure and for expansions to existing buildings.
39.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Building layout orientation</b>	Regulatory Change	<b>Problem Statement:</b> Requirements for screening of mechanical equipment and utility functions are not differentiated for equipment that is elevated above grade and parking, retention pond and dumpsters are not expressly referenced to being included with service areas, loading docks and mechanical equipment.
				<b>Requested Action:</b> Indicate specified screening requirement for both elevated, and at-grade, mechanical equipment and utility functions, and Include “parking, retention pond and dumpsters” in the required uses to be located behind the front façade line of the principle structure.
40.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Landscaping</b>	Regulatory Change	<b>Problem Statement:</b> Currently, no landscaping regulations are included non-residential developments and project exceeding 4-units.
				<b>Requested Action:</b> Amend text to instruct non-residential and projects exceeding 4-units to adhere to the landscape regulations included within Section 16.40.060.2.1.3
41.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Porches and pedestrian connections</b>	Regulatory Change	<b>Problem Statement:</b> Required front porches for principal structures are contradictory to some acceptable architectural styles permitted within the traditional zoning districts.
				<b>Requested Action:</b> Provide an exemption from the minimum size requirements for front porches when doing so is consistent with the proposed architectural style.
42.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Building Style</b>	Clarification	<b>Problem Statement:</b> Not clear that repetitive design requirement applies to homes within the same block
				<b>Requested Action:</b> Add “within the same block” to repetitive design regulations

43.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Building Style</b>	Clarification	<b>Problem Statement:</b> Repetitive design regulations not clear on required differences for architectural details
				<b>Requested Action:</b> Add the word "and" to clarify that all listed architectural details (doors, windows, columns, and porches) are required to be different.
44.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Building Style</b>	Regulatory Change	<b>Problem Statement:</b> Repetitive design regulations not clear on the determination of substantially similar architectural styles.
				<b>Requested Action:</b> Include text to state that substantially similar architectural styles do not include homes with different number of stories.
45.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Building Style</b>	Regulatory Change	<b>Problem Statement:</b> Repetitive design regulations do not account for new homes designed with varied heights and widths that contribute to the variation between new homes.
				<b>Requested Action:</b> Add fifth variation to repetitive design criteria for new homes varied front façade heights and front façade widths.
46.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Building Style</b>	Regulatory Change	<b>Problem Statement:</b> Repetitive design regulations do not account for new homes proposed with different number of stories.
				<b>Requested Action:</b> Include text to state that variation is not required for new homes with a different number of habitable stories.
47.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Building Style</b>	Regulatory Change	<b>Problem Statement:</b> Repetitive design regulations do not account for new homes designed with varied heights and widths that contribute to the variation between new homes.
				<b>Requested Action:</b> Add fifth variation to repetitive design criteria for new homes varied front façade heights and front façade widths.
48.	16.20.015.8	Neighborhood Traditional Single-Family Districts <b>Building and Site Design: Wall Composition and Transparency</b>	Regulatory Change	<b>Problem Statement:</b> The current code requirement that requires no blank facades greater than 16-feet in width has created challenges for developers.
				<b>Requested Action:</b> Provide language that allows blank facades up to 20-feet in width on facades located in the rear one-half of the lot provided it is not visible from a right-of-way.
49.	16.20.015.8	Neighborhood Traditional Single-Family Districts <b>Building and Site Design: Wall Composition and Transparency</b>	Clarification	<b>Problem Statement:</b> Currently no reference to the definition of “fenestration” is provided.
				<b>Requested Action:</b> Include a reference to Section 16.90.020 for the definition of fenestration and architectural details.
50.	16.20.015.8	Neighborhood Traditional Mixed Residential Districts <b>Building and Site Design: Wall Composition and Transparency</b>	Regulatory Change	<b>Problem Statement:</b> Code currently prohibits flush mounted windows which is not practical. Provisions currently exist requiring architectural trim or shutters for windows recessed less than three inches.
				<b>Requested Action:</b> Remove language prohibiting flush mounted windows.
51.	16.20.020.7	Neighborhood Suburban Single-Family Districts <b>Building envelope: Maximum height and minimum setbacks</b>	Regulatory Change	<b>Problem Statement:</b> Clarify maximum building height language in terms of where measurement is applied to for setback purposes to be consistent with current practices
				<b>Requested Action:</b> Revise language in Minimum Building Setbacks table to clarify that height is measured to the beginning of roofline when determining setbacks.
52.	16.20.020.7	Neighborhood Suburban Single-Family Districts <b>Building envelope: Maximum height and minimum setbacks</b>	Regulatory Change	<b>Problem Statement:</b> FEMA requirements for elevating new homes in Special Flood Hazard Areas creates conflicts with building height to beginning of roofline and setbacks when the new home is designed with a garage on the ground floor with habitable floors directly above resulting in significant increases in required setbacks for minimal increases in building height to beginning of roofline.
				<b>Requested Action:</b> Add an additional layer of increased setbacks based on increased building height to beginning of roofline to accommodate minimal increases in building height to beginning of roofline.
53.	16.20.020.7	Neighborhood Suburban Single-Family Districts <b>Building envelope: Maximum height and minimum setbacks</b>	Regulatory Change	<b>Problem Statement:</b> For existing structures located in a Special Flood Hazard Area adhering to required setbacks creates conflict when elevating the structure to meet current FEMA flood elevation.
				<b>Requested Action:</b> Provide a minor encroachment option to allow an existing single-family home to be elevated to meet FEMA flood elevation when specific criteria is met.
54.	16.20.020.11	Neighborhood Suburban Single-Family Districts <b>Setbacks and FAR consistent with established neighborhood patterns</b>	Regulatory Change	<b>Problem Statement:</b> The current definition of “predominant” does not provide a specified setback to be administered.
				<b>Requested Action:</b> Revise text to remove definition of “predominant” for reduced setback and added new review criterion.
55.	16.20.020.11	Neighborhood Suburban Single-Family Districts <b>Setbacks and FAR consistent with established neighborhood patterns</b>	Clarification	<b>Problem Statement:</b> The current definition of “predominant” does not provide a specified setback to be administered.
				<b>Requested Action:</b> Revise text to defined “predominant” as the midpoint between the two most common set of numbers that are within the range of numbers.
56.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building and site design: Site layout and orientation</b>	Regulatory Change	<b>Problem Statement:</b> Requirements for screening of mechanical equipment and utility functions are not differentiated for equipment that is elevated above grade and parking, retention pond and dumpsters are not expressly referenced to being included with service areas, loading docks and mechanical equipment.
				<b>Requested Action:</b> Indicate specified screening requirement for both elevated, and at-grade, mechanical equipment and utility functions, and Include “parking, retention pond and dumpsters” in the required uses to be located behind the front façade line of the principle structure.
57.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building and site design: Site layout and orientation</b>	Regulatory Change	<b>Problem Statement:</b> The current text allows all garages to be in front of the front facade line of the principal structure.
				<b>Requested Action:</b> Amend text to only allow attached garages to encroach in front of the front façade line of the principal structure.

58.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building Style</b>	Clarification	<b>Problem Statement:</b> Not clear that repetitive design requirement applies to homes within the same block
				<b>Requested Action:</b> Add “within the same block” to repetitive design regulations
59.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building Style</b>	Clarification	<b>Problem Statement:</b> Repetitive design regulations not clear on required differences for architectural details
				<b>Requested Action:</b> Add the word "and" to clarify that all listed architectural details (doors, windows, columns, and porches) are required to be different.
60.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building Style</b>	Regulatory Change	<b>Problem Statement:</b> Repetitive design regulations not clear on the determination of substantially similar architectural styles.
				<b>Requested Action:</b> Include text to state that substantially similar architectural styles do not include homes with different number of stories.
61.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building and Site Design: Building Style</b>	Regulatory Change	<b>Problem Statement:</b> Repetitive design regulations do not account for new homes designed with varied heights and widths that contribute to the variation between new homes.
				<b>Requested Action:</b> Add fifth variation to repetitive design criteria for new homes varied front façade heights and front façade widths.
62.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Wall Composition</b>	Regulatory Change	<b>Problem Statement:</b> The current code requirement that requires no blank facades greater than 16-feet in width has created challenges for developers.
				<b>Requested Action:</b> Provide language that allows blank facades up to 20-feet in width on rear and interior side facades located in the rear one-third of the lot.
63.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Wall Composition</b>	Clarification	<b>Problem Statement:</b> Currently no reference to the definition of “fenestration” is provided.
				<b>Requested Action:</b> Include a reference to Section 16.90.020 for the definition of fenestration and architectural details.
64.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Wall Composition</b>	Regulatory Change	<b>Problem Statement:</b> Window trim for structures in NS districts have not been held to the same architectural standards as window trim on structures in NT districts.
				<b>Requested Action:</b> Add the same requirements for window trim consistent with the architectural style of the structure as required for NT zoned properties.
65.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Garages</b>	Regulatory Change	<b>Problem Statement:</b> Existing text requiring a projecting entryway for homes with garages that comprise more than 40% of linear frontage of the façade does not clearly state that the projecting entryway be provided on the front facade.
				<b>Requested Action:</b> Change text to require a porch connected to the principal entry with a minimum projection of 5-feet in front of the front façade line of the principal structure.
66.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Garages</b>	Clarification	<b>Problem Statement:</b> Requirements for decorative elements on garages does not account for structures facing the streetside and does not expressly state that detached garages are included.
				<b>Requested Action:</b> Add text to include structures facing the streetside and to included detached garages.
67.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building materials</b>	Regulatory Change	<b>Problem Statement:</b> Exception to the requirement for consistent building materials on one-story covered patios or screen enclosures located at least 10-feet behind the front façade is too limited.
				<b>Requested Action:</b> Allow for pergolas and sunrooms to be exempt from this requirement when meeting the necessary criteria.
68.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building materials</b>	Regulatory Change	<b>Requested Action:</b> Requests to convert existing covered patios and solid roofed screen enclosures to living space have restricted desired development and resulted in a high volume of design variances.
				<b>Problem Statement:</b> Add text to allow the conversion of an existing covered patio, or similar, to be exempt from matching the roof style of the principal structure.
69.	16.20.020.12	Neighborhood Suburban Single-Family Districts <b>Building materials</b>	Regulatory Change	<b>Problem Statement:</b> The current code requirement that requires no blank facades greater than 16-feet in width has created challenges for developers.
				<b>Requested Action:</b> Provide text that allows for multi-story accessory buildings to contain a blank area up to 20-feet in width
70.	16.30.030	<b>Artist Enclave</b>	Consistency	<b>Problem Statement:</b> Current Artist Enclave land use restrictions within NT-1 and NT-2 zoning district have been too restrictive and updated state regulations have resulted in necessary amendments to the City code.
				<b>Requested Action:</b> Update text to remove limits on number of appointments and instructional classes permitted, number of students allowed in each class, and to allow increase the number of assistants permitted at the property from one to two.
71.	16.40.040.3	Fence, Wall, and Hedge Regulations <b>Design standards</b>	Regulatory Change	<b>Problem Statement:</b> Existing regulation permits a 6-foot opaque wall or fence in the front yard can negatively impact the streetscape and neighborhood character.
				<b>Requested Action:</b> Modify regulation to permit a 6-foot wall or fence with the “top 2-feet being open”.
72.	16.40.040.3	Fence, Wall, and Hedge Regulations <b>Design standards</b>	Regulatory Change	<b>Problem Statement:</b> An increase in fences utilizing non-traditional and reflective materials has been generally responded to negatively by community stakeholder groups.
				<b>Requested Action:</b> Provide text that states for fencing materials “metal shall have an exterior finish that is not shiny or reflective. The use of metal roofing or siding materials is prohibited.”

73.	16.40.040.3	Fence, Wall, and Hedge Regulations <i>Design standards</i>	Consistency	<b>Problem Statement:</b> Amendments needed to comply with HB535 Low-voltage alarm system projects.
				<b>Requested Action:</b> Update electrically charged fencing requirements to be complaint with state regulations by requiring a nonelectric fence or wall to completely enclose the outside perimeter of the fence at a height 2-feet higher than the perimeter of the electric fence or wall.
74.	16.40.090.3.3	Development standards for private one- and two-family properties <i>Sidewalks located within adjoining right-of-way</i>	Regulatory Change	<b>Problem Statement:</b> Setback requirement for a driveway in traditional and suburban zoning districts were the same even though the flare requirements are not the same for traditional and suburban zoning districts.
				<b>Requested Action:</b> Added setback “of two feet in traditional districts” and clarified that the three foot setback is “in suburban districts”.
75.	16.40.090.3.3	Development standards for private one- and two-family properties <i>Sidewalks located within adjoining right-of-way</i>	Regulatory Change	<b>Problem Statement:</b> Additional requirements are needed for properties within National Registered Districts where hexagon block sidewalks are present.
				<b>Requested Action:</b> Include additional criteria to be met for properties replacing or resurfacing a driveway that intersects through existing hexagon block sidewalks when located within a National Registered
76.	16.40.090.3.5	Parking Garages <i>Design Standards</i>	Consistency	<b>Problem Statement:</b> SB1084 preempts the regulation of electric vehicle charging stations and prohibits local government from enforcing such regulations.
				<b>Requested Action:</b> Remove existing minimum EV parking space requirements to be compliant with SB1084.
77.	16.40.140.4.2	Subdivisions <i>Sidewalks</i>	Regulatory Change	<b>Problem Statement:</b> Required development of sidewalks where inconsistent with surrounding development pattern has resulted in a high volume of requested variances.
				<b>Requested Action:</b> Include language to provide a payment in lieu option for sidewalks to be granted by the POD when specific criteria is met.
78.	16.40.060.2.1.1	Landscaping and irrigation; tree protection <i>Development and redevelopment of new one- and two- unit residential properties</i>	Regulatory Change	<b>Problem Statement:</b> The use of palm trees as shade trees does not meet the intent of the land development regulations but is not stated within the code.
				<b>Requested Action:</b> Include text to state “Palm trees shall not be substituted for shade trees.”
79.	16.40.060.2.1.1	Landscaping and irrigation; tree protection <i>Development and redevelopment of new one- and two- unit residential properties</i>	Clarification	<b>Problem Statement:</b> An incorrect reference to the NT-2 minimum lot area is made.
				<b>Requested Action:</b> Rectify the error.
80.	16.40.060.2.1.2	Landscaping and irrigation; tree protection <i>Additional Requirements for new and existing one- and two- unit residential properties: Mulch</i>	Regulatory Change	<b>Problem Statement:</b> Installation of mulch and non-organic mulch in required side yard swales results in the mulch washing out of the swale during major rain events.
				<b>Requested Action:</b> Add text stating: “Sod shall be used in required side yard channels (swales), the use of organic and non-organic mulch, including shell, is prohibited.”
81.	16.40.060.2.1.2	Landscaping and irrigation; tree protection <i>Additional Requirements for new and existing one- and two- unit residential properties: Mulch</i>	Clarification	<b>Problem Statement:</b> Limits to mulch are provided for the front and streetside yard, but not for interior and rear yards or within the buildable area.
				<b>Requested Action:</b> Include text that states mulch can be used without limit in the buildable area, and within interior and rear side yards.
82.	16.40.060.2.1.2	Landscaping and irrigation; tree protection <i>Additional Requirements for new and existing one- and two- unit residential properties: Landscaping adjacent to mechanical equipment on side</i>	Clarification	<b>Problem Statement:</b> Reference to the location being inadequate for landscaping in nonproductive to the intent of this regulation.
				<b>Requested Action:</b> Remove unnecessary text in this section.
83.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property <i>Minimum Landscape Requirements</i>	Clarification	<b>Problem Statement:</b> Current text exclusively refers to green yards in front yard.
				<b>Requested Action:</b> Revise text to include all setbacks rather than front yard setbacks only.
84.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property <i>Minimum Landscape Requirements: Green yard, exterior</i>	Regulatory Change	<b>Problem Statement:</b> IT and NTM zoning districts are not included in the appropriate line of the provided chart.
				<b>Requested Action:</b> Include the IT and NTM zoning districts in the green yard landscaping chart to provide 1 shade tree per 35 linear ft. or fraction above half thereof.
85.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property <i>Minimum Landscape Requirements: Foundation Landscaping</i>	Regulatory Change	<b>Problem Statement:</b> IT and NTM zoning districts are not included in the applicable section providing regulations for foundation landscaping.
				<b>Requested Action:</b> Include the IT and NTM zoning district in the applicable foundation landscaping section.
86.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property <i>Minimum Landscape Requirements: Vehicular use landscaping</i>	Regulatory Change	<b>Problem Statement:</b> IT and NTM zoning districts are not included in the applicable section providing regulations for vehicular use landscaping and screening requirements .
				<b>Requested Action:</b> Include the IT and NTM zoning district in the applicable vehicular use landscaping and screening requirements sections.

87.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property <b>Minimum Landscape Requirements: Landscaping adjacent to mechanical equipment on site</b>	Clarification	<b>Problem Statement:</b> Reference to the location being inadequate for landscaping in nonproductive to the intent of this regulation.
				<b>Requested Action:</b> Remove unnecessary text in this section.
88.	16.40.060.2.1.3	Development and Redevelopment of non-residential and multi-family property <b>Minimum Landscape Requirements: Landscaping within adjoining right-of-way</b>	Regulatory Change	<b>Problem Statement:</b> IT and NTM zoning districts are not included in the applicable section providing regulations for landscaping within the adjoining rights-of-way
				<b>Requested Action:</b> Include the IT and NTM zoning district in the applicable landscaping within the adjoining rights-of-way section.
89.	16.40.060.2.1.6	Landscaping and Irrigation; Tree Protection <b>Landscape Specifications: Trees, Palm</b>	Regulatory Change	<b>Problem Statement:</b> Substituting palm trees with shade tree planting requirements is permitted within all districts, resulting in a further reduction shade trees in residential districts than anticipated.
				<b>Requested Action:</b> Exclude single-family districts from being permitted to substitute required shade trees with palm trees.
90.	16.40.060.2.1.6	Landscaping and Irrigation; Tree Protection <b>Landscape Specifications: Unprotected Trees</b>	Clarification	<b>Problem Statement:</b> Per UF/IFAS Camphor trees are an invasive species.
				<b>Requested Action:</b> Include the Camphor (Cinnamomum Camphora) to the existing list of unprotected trees.
91.	16.40.060.3.1	Landscaping and Irrigation; Tree Protection <b>Maintenance of trees and vegetation for all properties within the City</b>	Regulatory Change	<b>Problem Statement:</b> Existing text requires landscape management plans to be designed by a landscape architect and approved by the UF Institute of Food and Agricultural Science (IFAS), this requirement has proven to be unfeasible in many scenarios.
				<b>Requested Action:</b> Remove the requirement for management plans to be designed by a landscape architect with approval from the UF IFAS.
92.	16.50.010.5.1	Accessory Dwelling <b>Lot Requirements</b>	Regulatory Change	<b>Problem Statement:</b> Existing lot requirements for ADU's in the suburban zoning districts restrict otherwise feasible development on key parcels intended to be included as ADU eligible parcels.
				<b>Requested Action:</b> Allow ADUs on lots in NS districts located on an alley with at 4,500 sq. ft. of lot area and on corner lots that meet the minim lot area requirement.
93.	16.50.010.5.2	Accessory Dwelling <b>Building and site requirements</b>	Clarification	<b>Problem Statement:</b> Maximum area for ADU's is not referenced as “gross” floor area resulting in interpretation conflict.
				<b>Requested Action:</b> Amend text to specifically state that maximum area is based on the gross floor area.
94.	16.50.010.5.2	Accessory Dwelling <b>Building and site requirements</b>	Regulatory Change	<b>Problem Statement:</b> Current regulations allow all enclosed parking spaces to be excluded from maximum floor area, resulting in the potential for excessively sized structures.
				<b>Requested Action:</b> Allow for a maximum of 200 square feet of gross floor area per required parking space to be excluded from the maximum floor are permitted, up to a maximum of three parking spaces.
95.	16.50.010.5.2	Accessory Dwelling <b>Building and site requirements</b>	Regulatory Change	<b>Problem Statement:</b> The existing side yard setback for ADU's in suburban zoning districts is 10-feet, resulting in further limitations on development potential.
				<b>Requested Action:</b> Allow ADUs to have a 7.5-ft side setback when the property is located off an alley.
96.	16.50.020.4.1	Accessory Structures and Ancillary Equipment <b>Accessory storage and gardening structures and carports</b>	Clarification	<b>Problem Statement:</b> Gardening structures are not specifically referenced in relation to design exemptions for accessory structures.
				<b>Requested Action:</b> Include gardening structures in the existing design exemptions for accessory structures.
97.	16.50.020.4.2	Ancillary Equipment <b>Development standards within traditional and suburban zoning districts</b>	Consistency	<b>Problem Statement:</b> Currently, ancillary equipment is required to be one foot above the minimum base flood elevation, which is below the minimum design flood elevation.
				<b>Requested Action:</b> Require ancillary equipment to be consistent with the design flood elevation.
99.	16.50.020.4.2	Ancillary Equipment <b>Development standards within traditional and suburban zoning districts</b>	Clarification	<b>Problem Statement:</b> Currently, screening and landscaping requirements for ancillary equipment for traditional and suburban districts is located in the landscaping and irrigation section of the code.
				<b>Requested Action:</b> Provide the screening and landscaping requirements for ancillary equipment within traditional and suburban districts within the ancillary equipment section of the code.
100.	16.50.020.4.2	Ancillary Equipment <b>Development standards within all other districts</b>	Clarification	<b>Problem Statement:</b> Screening requirements for ancillary equipment do not specify that materials shall be architecturally compatible and does not require fences to be a specific height when used for screening.
				<b>Requested Action:</b> Require fences used for screening of ancillary equipment to be 6-feet in height, and require other materials proposed for screening to be architecturally compatible.
101.	16.50.180.1	Home Occupation	Consistency	<b>Problem Statement:</b> Updated state regulations regarding home occupations have resulted in necessary amendments to the City code.
				<b>Requested Action:</b> Make necessary updates to remain consistent with state regulations.
102.	16.60.010.6	Height Measurement	Clarification	<b>Problem Statement:</b> Measurement of height is confusing for nonstandard roof configurations.
				<b>Requested Action:</b> Provide a series of examples to illustrating how the height is calculated for alternative roof configurations.

103.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Regulatory Change	<b>Problem Statement:</b> Several existing encroachments require additional details and/or constitute changes to the intensity of permitted encroachment.
				<b>Requested Action:</b> Make the necessary amendments to structure/improvement details and additional chart details.
104.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Regulatory Change	<b>Problem Statement:</b> Currently an outdoor barbeque is allowed to encroach into required setbacks up to the property line which creates a fire hazard for abutting neighbors.
				<b>Requested Action:</b> Revise the allowable encroachment to permit outdoor barbeques to be no closer than 5 feet to property line and expand the definition to include outdoor kitchens.
105.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Clarification	<b>Problem Statement:</b> Bay windows utilizing the allowable encroachment are not permitted to have a footer, however, the code does not clearly state a minimum elevation required.
				<b>Requested Action:</b> Clarify that the minimum elevation required for a Bay window to utilize the allowable setback encroachment is 12-inches above the finished floor of the main floor.
106.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Clarification	<b>Problem Statement:</b> The table of allowable encroachments does not clearly specify that the “Canopy, vehicular” allowable encroachment is intended for vehicular canopies for commercial uses.
				<b>Requested Action:</b> Add the word “commercial” to the entry for “Canopy, vehicular” and add the word “use” to the entries for “Carports, commercial” and “Carports, residential” for clarification.
107.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Regulatory Change	<b>Problem Statement:</b> Applicants utilizing the allowable encroachments for decks, patios, porches and screen enclosures have proposed solid walls on a side of the structure within the required setback area which is not the intent of the allowable encroachments for decks, patios, porches and screen enclosures that are typically open except for the side abutting the principal structure.
				<b>Requested Action:</b> Add text to the chart indicating that decks, patios, porches and screen enclosures utilizing the allowable encroachments are open on a minimum of three sides, excluding support columns.
108.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Regulatory Change	<b>Problem Statement:</b> The code does not prescribe a maximum limit on the height above existing grade or the top of a seawall for screen enclosures utilizing the allowable setback encroachments.
				<b>Requested Action:</b> Add text to the chart indicating that screen enclosures utilizing the allowable setback encroachments are limited to no more than 12-inches above existing grade or the top of a seawall.
109.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Regulatory Change	<b>Problem Statement:</b> Garage setbacks for properties zoned NS are located on an alley are required to meet a 20-ft rear setback if connected to the principal structure and 10-ft rear setback when detached with no allowable encroachments permitted. Allowing garages located off an alley to encroach into the rear setback will encourage more garages in NS districts to face the alley or be in the rear portion of the lot.
				<b>Requested Action:</b> Add a Rear Yard allowable setback encroachment for garages that are side-loaded or face an alley within NS districts.
110.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Clarification	<b>Problem Statement:</b> Current language for shed setback encroachment in the rear 20-ft of lots is confusing and inconsistent. One pre-constructed shed, limited to 100 sq. ft. in size and 10-ft in height, is permitted within the rear 20-ft of interior lots with a zero-foot setback on all sides.
				<b>Requested Action:</b> Revise text to clearly state that the shed can have zero-foot setbacks on all sides in the rear 20-ft of the lot.
111.	16.60.050.2	Setbacks, Allowable Encroachments <b>Allowable encroachments and setbacks</b>	Regulatory Change	<b>Problem Statement:</b> Wooden platforms required for energy meters on new homes in flood zones typically encroach into the required side yard setback. Staff has been utilizing the stoop encroachment and steps, stairs encroachment to allow the platform in the side setback when it is no more than 3-ft above grade with a minimum 4-ft side setback. Generally, the wooden platforms exceed this requirement and a variance is needed to allow the platform within the side setback.
				<b>Requested Action:</b> Add allowable encroachments for wooden platforms for energy meter for properties located in a flood zone.
112.	16.70.010.5	Applications and Procedures <b>Rehearing</b>	Clarification	<b>Problem Statement:</b> The ability to request a rehearing includes appellants and registered opponents, however, this is not specifically stated in the text for rehearings.
				<b>Requested Action:</b> Add appellant and registered opponent to the provisions for rehearings.
113.	16.70.030.1.2	Zoning Permits <b>Dock Permit</b>	Regulatory Change	<b>Problem Statement:</b> Existing language requires property owners within 200-ft along both sides of the waterway to be notified of a dock permit side setback waiver request allowing unaffected property owners to object to the request.
				<b>Requested Action:</b> Revise the language so that only the property owners within 200-ft, measured along the waterway, on the side of the setback waiver request are notified.
114.	16.90.020.3	Definitions	Clarification	<b>Problem Statement:</b> The definition of “architectural detail” does not include references to various types of architectural details.
				<b>Requested Action:</b> Add additional types of architectural details permitted to be utilized to the definition.
115.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “bay window.”
				<b>Requested Action:</b> Include the following definition for bay window: a window or windows projections from the exterior of a building creating a bay and contains a minimum of 50% glass on the surface of the projecting bay.

116.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “chimney.”
				<b>Requested Action:</b> Include the following definition for chimney: an architectural feature connected to a fireplace with a flue that extends above the roof line.
117.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “covered patio.”
				<b>Requested Action:</b> Include the following definition for covered patio: a patio or deck that is covered by a solid roof.
118.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “pergola.”
				<b>Requested Action:</b> Include the following definition for pergola: a perforated roof structure consisting of cross beams and support columns with a minimum of 50% open to the sky.
119.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “screen roof screen room.”
				<b>Requested Action:</b> Include the following definition for screen roof screen room: a structure with the walls and roof consisting of screen or similar materials
120.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “solid roof screen room.”
				<b>Requested Action:</b> Include the following definition for solid roof screen room: a structure that consists of a solid roof with screened in walls.
121.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “shade sail.”
				<b>Requested Action:</b> Include the following definition for shade sail: a fabric or similar material that is stretched between several anchor points.
122.	16.90.020.3	Definitions	Regulatory Change	<b>Problem Statement:</b> Currently, no definition is provided for “sunroom.”
				<b>Requested Action:</b> Include the following definition for sunroom: a glass enclosed room, may have a glass roof.
123.	16.20.060.7	Corridor Residential Traditional Districts <i>Building Design</i>	Regulatory Change	<b>Problem Statement:</b> Existing design regulations are not consistent with the traditional development pattern.
				<b>Requested Action:</b> Provide additional porch and building form building design regulations.
124.	16.70.040.1.8.	Planning and Zoning Decisions <i>Reasonable Accommodations</i>	Regulatory Change	<b>Problem Statement:</b> Currently, there is no process for reasonable accommodations for persons with disabilities provided within the City Code.
				<b>Requested Action:</b> Add a new section to establish a uniform mechanism to process requests for reasonable accommodation to the City’s land development regulations for persons with disabilities as provided by the Federal Fair Housing Amendments Act (42 U.S.C. 3601, et seq.) ("FHA") and Title II of the Americans with Disabilities Act (42 U.S.C. Section 12131, et seq.) ("ADA").



## Residential LDR Update 2025

Updated March 25, 2025

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

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

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

#### 16.20.010.5. Maximum development potential.

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

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

Minimum Lot Size, Maximum Density and Maximum Intensity

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

p. Preservation of existing Grand tree located on private property during construction of a new principal structure: 0.02 bonus per tree, maximum 0.04 bonus. A Tree Preservation Plan prepared by a Certified Arborist shall be provided prior to permit issuance, to include details of methods to protect and preserve the vitality of the Grand Tree, such as but not limited to root pruning, canopy pruning, fertilization program, and detailed methods of construction to avoid major roots.

g. LEED or Florida Green Building: 0.05 bonus.

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

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

t. Electric car charging station: 0.01 bonus

u. Quality materials used throughout all structures: Solid wood siding, columns, balustrades, trim, awnings and brackets; brick; stone; wrought iron: 0.05; Brick or stone veneer, hardi board and brickface: 0.03.

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

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

#### 16.20.010.6. Building envelope: Maximum height and minimum setbacks.

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



Minimum Building Setbacks

Building Setbacks		NT-1 and 2			NT-3		NT-4	
		If building height beginning of roof line is less than or equal up to 18 ft.	If building height beginning of roof line is + greater than 18 ft. up to 24 ft.	If building height beginning of roof line is greater than is over-24 ft.	If building height beginning of roof line is less than or equal is up to 24 ft.	If building height beginning of roof line is over greater than 24 ft.	If building height beginning of roof line is up to 24 ft.	If building height beginning of roof line is over greater than 24 ft.
Front yard	Stoop	15 ft. or M	15 ft. or M	35 ft.	20 ft. or M	40 ft.	9 ft. or M	28 ft.

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

Notes:

- (1) Open porches are limited to a one story covered porch with or without a second story uncovered porch; two story covered porches shall meet the principal structure setback.
- (2) For properties that are 50 feet or less in width, the minimum side yard building setback shall be five feet.  
M (minor encroachment): Minor encroachments into normally prescribed setbacks may be allowed in order to accommodate an addition to align with the side of the existing structure, provided:
  - (a) The total floor area of the encroaching portion of an addition shall not exceed 50 square feet;
  - (b) No portion of the encroachment shall exceed 24 feet in height;
  - (c) In no case shall any encroaching structure be closer to a property line than four feet.
- (3) For properties located in a Special Flood Hazard Area, encroachments into normally prescribed setbacks may be allowed in order to accommodate an existing single-family home being elevated to meet the required FEMA design flood elevation provided:
  - (a) Any additions to the existing building footprint, stairways or elevated decks must meet the normally prescribed setbacks; and
  - (b) The Interior Side Yard setback shall be a minimum of three feet.

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

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

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

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



Minimum Building Setbacks for SE Uses

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

#### 16.20.010.10. Setbacks and FAR consistent with established neighborhood patterns.

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

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

## 16.20.010.11. Building and site design.

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

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

*Building layout and orientation.*

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

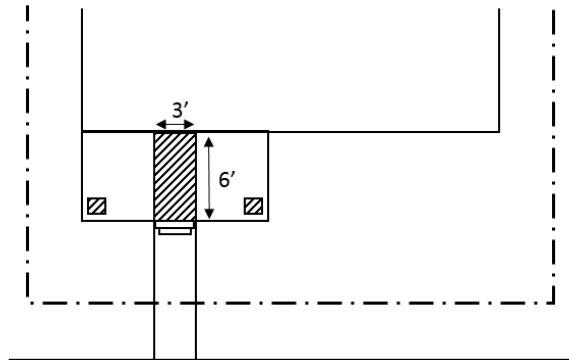
*Vehicle connections and parking.*

1. The following vehicle connection regulations are required for properties located within NT-2, NT-3 or NT-4 and are recommended for properties located within NT-1. Access for new garages and driveways shall be designed to take advantage of the first available alternative in the following prioritized list:
  - a. Driveways shall be accessed off of alley and garage doors shall face the alley;
  - b. Where no alley exists, one curb cut driveway shall be permitted and driveways, and garage doors shall face the side street or rear of the property and shall be restricted to the rear one-third of the lot;
  - c. Where access via the rear third of the lot is not possible and ~~for~~ the alley is unable to be traversed with a vehicle due to physical obstructions or barriers, one curb cut driveway shall be permitted and driveways, and garage doors shall be permitted within the front two-thirds of the lot facing the side street;
  - d. In the absence of an alley and a side street, a one single lane width curb cut and driveway shall be allowed which shall be located to the side of the principal structure. Required parking shall be allowed only behind the front façade line of the principal structure, including the porch, if any.
2. When a driveway is allowed in the front yard, not more than one curb cut shall be allowed for each property except as follows:
  - a. Where the property is abutting a major street identified on the Future Major Streets Map within the Comprehensive Plan; and
  - b. Where in accordance with the access requirements of this section, the only available access point is from the major street; and
  - c. Where a circular driveway and second curb cut is necessary to permit vehicles to enter and exit the major street in a forward motion. Pursuant to this section, a second curb cut shall only be approved for the purpose of improved traffic safety and shall not be approved for other ancillary uses, such as access to accessory parking spaces or the maneuvering of domestic equipment.

*Porches and pedestrian connections.*

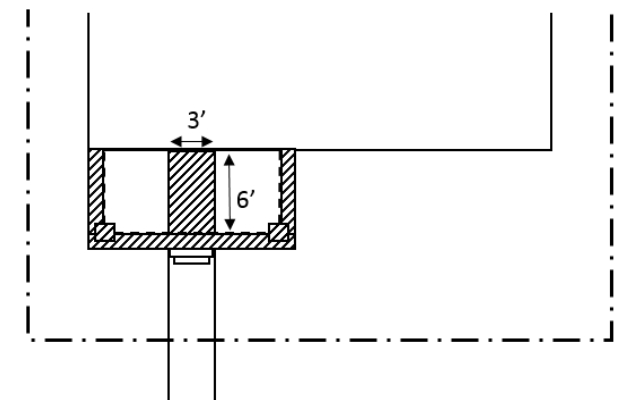
1. Principal entries to a structure shall be connected to the public sidewalk and the curb of the **primary** street with a sidewalk except when the structure faces a major street which does not allow on-street parking in front of the property. The connection between the public sidewalk and the curb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

**Porch Dimension Requirement:  
Example without Railing**



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

**Porch Dimension Requirement:  
Example with Railing**

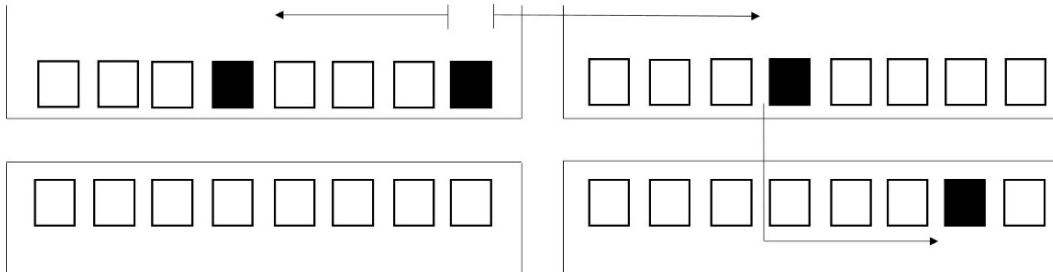


 This area excluded from the minimum floor area requirement of 48 sq ft

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

*Building style.*

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



3. Renovations, additions and accessory structures shall utilize the architectural style of the existing structure, or the entire existing structure shall be modified to utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies.

*Building form.*

1. The front porch shall be elevated at least 12 inches above the abutting finished grade level as measured abutting the porch at the front entry and include a minimum of two risers. For Certified Affordable/Workforce Housing, the required minimum elevation shall be 8-inches, and the pedestrian walkway at the entrance may be graded to allow zero step entrance in accordance with the City Visitability ordinance, provided that all other areas of the porch meet the 8-inch minimum above the abutting finished grade.
2. The front façade of a building shall create a width-to-height ratio of no more than 1:1. Buildings that exceed the width-to-height ratio of 1:1 shall feature architectural fenestration creating a bay system that divides the building design into a maximum ratio of 1:1. This may be done through pilasters, arcades, building line and roof line off-sets, materials and other appropriate architectural features.

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

1. Doors, windows and other appropriate fenestration, architectural details, and features shall be incorporated into all sides of a building. There shall be no blank façades, and no portion of a façade shall contain a blank area greater than 16 feet in width, except that as otherwise provided herein. Interior side and rear facades on principal structures and all facades on accessory structures located in the rear one half of the lot may contain a blank area up to 20 feet in width, provided that the façade is not visible from a right-of-way. Ggarages located at the rear one-third of the lot may have blank



façades but not on the street side. ~~No portion of a façade shall contain a blank area greater than 16 feet in width.~~

2. At least 30 percent of primary and secondary street façades shall consist of fenestration or architectural details and features. At least 20 percent of the front two-thirds of interior side façades shall consist of fenestration or architectural details and features. At least ten percent of the rear façade on corner lots and through lots shall consist of fenestration or architectural details and features. At least 50 percent of the required fenestration shall be transparent (i.e., window glass). For Certified Affordable/Workforce Housing, the primary and secondary street façades minimum shall be 20 percent and the interior side yard façade minimum shall be 15 percent.

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

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

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

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

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

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

1. Garage doors facing the primary street:
  - a. Shall be located at least ten feet behind the front façade line of the principal structure. In the NT-1, NT-2 and NT-4 districts, this distance shall be measured from the front of the front porch, if any.
  - b. Shall be one bay or two single bay garage doors. Double garage bay doors are prohibited.
  - ~~b.c.~~ Shall not exceed 40 percent of the linear frontage of the façade of the principal structure and shall have decorative garage doors. Decorative garage doors shall include raised panels with decorative hardware and/or glazing, or other designs approved by the POD which serve to visually break up a blank door.
2. Garage doors facing a non-primary side street, ~~where adjoining side yard abuts another property's front yard:~~
  - a. Shall be one or two single bay garage doors. Double garage bay doors are prohibited.

- b. Shall not exceed 40 percent of the linear frontage of the façade of the principal structure.
- c. Shall be decorative garage doors or feature at least one of the following enhancements: an arbor system surrounding the garage doors, or a projecting balcony, cupola, or other decorative element above the garage to lessen the impact of the vehicular orientation of the house. The decorative feature proposed by the applicant shall be compatible with the principal structure and must be approved by the POD. This decision may only be appealed by the property owner.

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

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

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

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

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

### 16.20.015.3. - Introduction to the NTM-1 district.

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

This district will allow for a variety of building typologies with a maximum of 4-units per building. These building typologies, commonly referred to as "Missing Middle" housing types, reinforce urban, walkable neighborhoods with a combination of single-family and multi-family residential units located near daily destinations. These units provide attainable life-cycle housing to a diverse group of residents including first-time homeowners, families, couples, retirees, adults with disabilities, and car-free households.

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

### 16.20.015.5. Building envelope: height, setback, and width.

TABLE 16.20.015.5.a: Maximum Building Height

Building Height <sup>1</sup>	
Principal Structure	
Beginning of Roofline	24-feet
Top of roof peak	36-feet

Accessory Structure(s)	
Beginning of Roofline	20-feet
Top of roof peak	30-feet
<sup>1</sup> Refer to technical standards regarding measurement of building height and height encroachments.	

**TABLE 16.20.015.5.b: Minimum Building Setbacks**

Building Setbacks <sup>1,2,3</sup>	
Front: Steps Extending from Porch or Stoop <sup>4</sup>	8-feet or M
Front: Porch or Stoop <sup>4</sup>	12-feet or M
Front: Building <sup>4</sup>	18-feet or M
Side, Interior <sup>4</sup>	5-feet or M
Side, Street <sup>4</sup>	8-feet or M
Rear, Alley	22-feet, including width of alley
Special Exception	
All yards	25-feet
<sup>1</sup> M (minor encroachment): Minor encroachments into normally prescribed setbacks may be allowed in order to accommodate an addition to align with the side of the existing structure, provided: (a) The total floor area of the encroaching portion of an addition shall not exceed 50 square feet; (b) No portion of the encroachment shall exceed 24 feet in height.	
<sup>2</sup> Refer to technical standards regarding measurement of building setbacks and setback encroachments.	
<sup>3</sup> The larger of the minimum building separation distances required by the Florida Building Code or the Life Safety Code or the minimum building setback established for the interior side yard setback shall apply.	
<sup>4</sup> Where a property is individually listed or located within a historic district in the National Register of Historic Places or St. Petersburg Register of Historic Places - Front: Building 25-feet; Front: Porch or Stoop 18-feet; Side, Street: 12-feet; Side, Interior: 5-feet.	

**TABLE 16.20.015.5.c: Maximum Building Width**

Accessory Dwelling Unit (ADU)	Not applicable
Residential <sup>1</sup>	40-feet maximum
Non-Residential	Not applicable
<sup>1</sup> A residential building with one dwelling unit can exceed the 40-feet building width.	

## 16.20.015.7. Entrances.

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

**TABLE 16.20.015.7: Entrances<sup>1,2</sup>**

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

### 16.20.015.8. Building and site design.

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

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

*Local and national historic districts.*

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

*Building layout and orientation.*

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

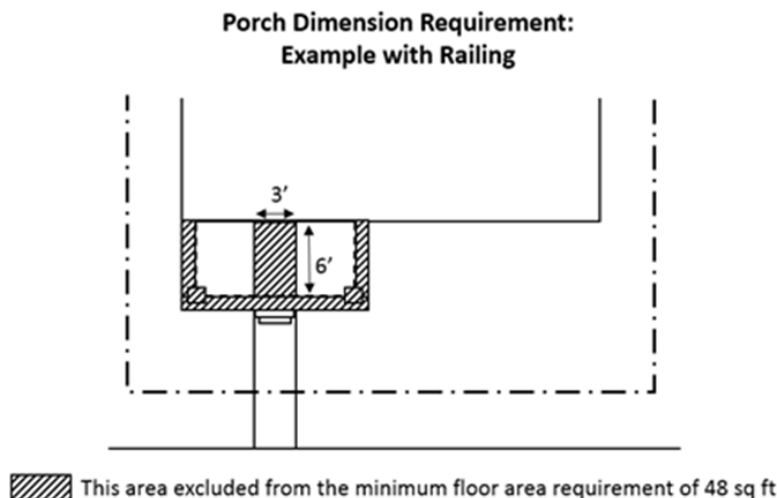
**Landscaping.** For up to four units on a property, refer to landscaping regulations for the development and redevelopment of new one- and two-unit residential properties (currently section 16.40.060.2.1.1). For non-residential and projects exceeding four units, refer to the landscape regulations for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

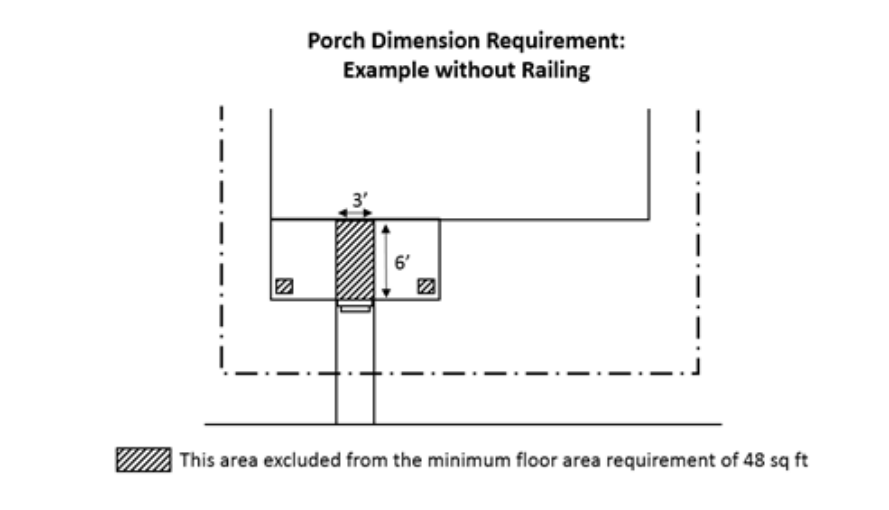
**Vehicle connections and parking.**

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

**Porches and pedestrian connections.**

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



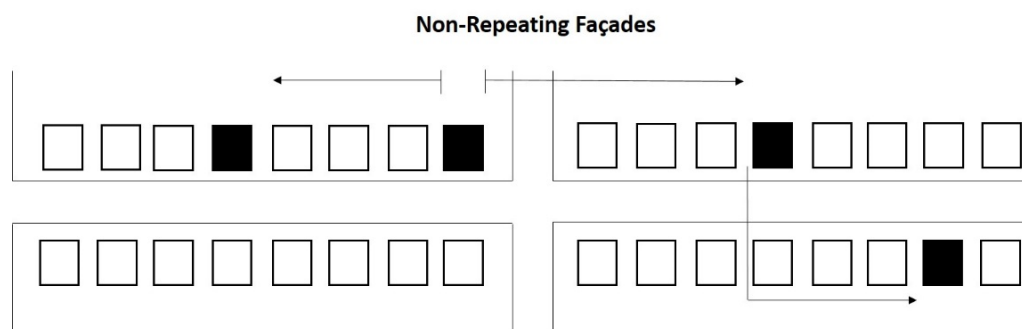


*Building and architectural design standards.* All buildings should present an inviting, human scale façade to the streets, internal drives, parking areas and surrounding neighborhoods. The architectural elements of a building should give it character, richness and visual interest.

*Building style.*

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

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



3. Renovations, additions and accessory structures shall utilize the architectural style of the existing structure, or the entire existing structure shall be modified to utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies.

*Building form.*

1. The front porch shall be elevated at least 12 inches above the abutting finished grade level as measured abutting the porch at the front entry and include a minimum of two risers.
2. The front façade of a building shall create a width-to-height ratio of no more than 1:1. Buildings that exceed the width-to-height ratio of 1:1 shall feature architectural fenestration creating a bay system

that divides the building design into a maximum ratio of 1:1. This may be done through pilasters, arcades, building line and roof line off-sets, materials and other appropriate architectural features.

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

1. Doors, windows and other appropriate fenestration, architectural details, and features shall be incorporated into all sides of a building. There shall be no blank façades, and no portion of a façade shall contain a blank area greater than 16 feet in width, except that as otherwise provided herein. Interior side and rear façades on principal structures and all façades on accessory structures located in the rear one half of the lot may contain a blank area up to 20 feet in width, provided that the façade is not visible from a right-of-way. Garages located at the rear one-third of the lot may have blank façades but not on the street side. ~~No portion of a façade shall contain a blank area greater than 16 feet in width.~~
2. At least 30 percent of primary and secondary street façades shall consist of fenestration or architectural details and features. At least 20 percent of the front two-thirds of interior side façades shall consist of fenestration or architectural details and features. At least ten percent of the rear façade on corner lots and through lots shall consist of fenestration or architectural details and features. At least 50 percent of the required fenestration shall be transparent (i.e., window glass). For yards on through-lots see the Dimensional Regulations and Lot Characteristics Section.
3. Structures which are situated on corner lots, through lots, or, by the nature of the site layout have a façade which is clearly visible from rights-of-way, shall be designed with full architectural treatment on all sides visible from rights-of-way. Full architectural treatment shall include roof design, wall materials, trim, and door and window openings. While it is recognized that buildings have primary and secondary façades, the construction materials and detailing should be similar throughout. Windows on the street side façades shall be evenly distributed in a consistent pattern, unless a different proportion is permitted or required by an identifiable architectural style.  
Refer to Section 16.90.020 for the definition of fenestration and architectural details.
4. Window sashes and glass shall be square or vertical, unless a different proportion is permitted or required by an identifiable architectural style.
5. ~~Windows shall not be flush-mounted.~~ Windows recessed less than three inches shall feature architectural trim including a header, sill and side trim or decorative shutters. Windows recessed three inches or more shall feature a window sill. Trim including a header, sill and side trim are ~~is~~ not required if not consistent with the architectural style, i.e. Modern or Mediterranean Revival.
6. Where the required design elevation is equal to or greater than 48 inches above finished grade, an articulated base is required to delineate the first-floor level. The base may consist of a different material or decorative band, depending on the architectural style.

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

### 16.20.020.7. Building envelope: Maximum height and minimum setbacks.

Maximum Building Height (All NS Districts)

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



Maximum Building Height, Minimum Building Setbacks

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

Notes:

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

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

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



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

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

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

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

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

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

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



Minimum Building Setbacks for SE Uses

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

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

### 16.20.020.11. Setbacks and FAR consistent with established neighborhood patterns.

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

- ~~1. Front yard setbacks will be based on predominant building setbacks established in the block in which the development is proposed.~~
  1. ~~Front yard setbacks will be based on predominant building setbacks established in the block in which the development is proposed.~~ To qualify for a reduced front yard setback at least 50-percent of the structures in the block face on both sides of the street in which the development is proposed must have a front yard setback that is less than current requirements and the reduced front yard setback that may be approved shall be the average of those numbers.
  2. FAR will be based on predominant building FAR established in the block and on the block face on both sides of the street in which the development is proposed based on the property appraisers records.
  - ~~3. Predominant shall mean equal to or greater than 50 percent.~~ the median that is within the range of numbers, if there is more than one median of numbers, the average between the medians shall be used.
  4. These are administrative approvals appealable only by the property owner.
- (Code 1992, § 16.20.020.11; Ord. No. 876-G, § 3, 2-21-2008; Ord. No. 100-H, § 1, 12-19-2013; Ord. No. 246-H, § 5, 10-20-2016; Ord. No. 287-H, § 8, 7-20-2017)

### 16.20.020.12. Building and site design.

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

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

*Building layout and orientation.*

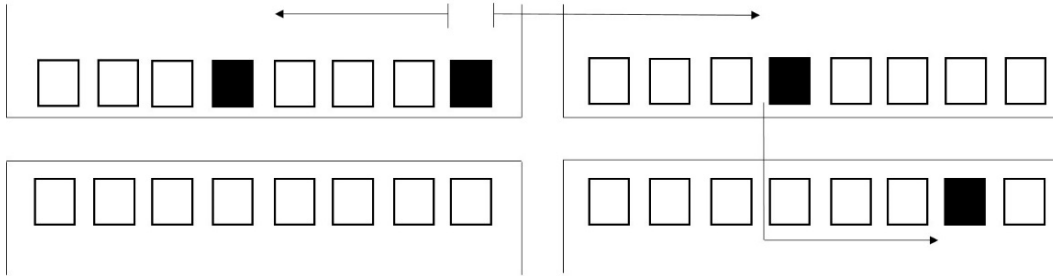
1. For nonresidential uses, all service areas, parking, retention ponds and loading docks shall be located behind the front façade line of the principal structure. Dumpsters shall be located in an enclosure that is finished with material that is consistent with the architecture of the principal structure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

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

*Building style.*

1. New construction shall utilize an identifiable architectural style, which is recognized by design professionals as having a basis in academic architectural design philosophies. See architectural and building design section, currently Section 16.40.020.
2. Design of homes ~~on the~~ within the same block face on either side of the street or within an adjacent block face on either side of the street shall be varied, such that a substantially similar design will not be replicated. There shall be a minimum separation of three parcels in every direction before a substantially similar design can be repeated. Variation is not required for homes with a different number of habitable

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



3. Renovations, additions and accessory structures shall utilize the architectural style of the existing structure, or the entire existing structure shall be modified to utilize an identifiable architectural style, which is recognized by design professionals as having a basis in academic architectural design philosophies.

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

1. Doors, windows and other appropriate fenestration, architectural details and features shall be incorporated into all sides of a building. With the exception of garages up to 15-feet in height located at the rear one-third of the lot there shall be no blank façades. No portion of a façade on any story shall contain a blank area greater than 16 feet in width, except as otherwise provided herein. Interior side and rear façades on principal structures and all façades on accessory structures located in the rear one half of the lot may contain a blank area up to 20 feet in width, provided that the façade is not visible from a right-of-way.
2. Structures which are situated on corner lots, through lots, or by the nature of the site layout have a façade which is clearly visible from rights-of-way shall be designed with full architectural treatment on all sides visible from rights-of-way. Full architectural treatment shall include roof design, wall materials, trim, and door and window openings. While it is recognized that buildings have primary and secondary façades, the construction materials and detailing should be similar throughout. Windows on the street side façades shall be evenly distributed in a consistent pattern, unless a different proportion is permitted or required by an identifiable architectural style. No portion of any façade visible from a right-of-way shall contain a blank area greater than 16 feet in width.

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

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

4. Where the required design elevation is equal to or greater than 48 inches above finished grade, an articulated base is required to delineate the first floor level. The base may consist of a different material or decorative band, depending on the architectural style.
5. ~~Windows on the street side façades shall be evenly distributed in a consistent pattern.~~ Windows recessed less than three inches shall feature architectural trim including a header, sill and side trim or decorative shutters. Windows recessed three inches or more shall feature a window sill. Trim including a header, sill and side trim are not required if not consistent with the architectural style, i.e. Modern or Mediterranean Revival.

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

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

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

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

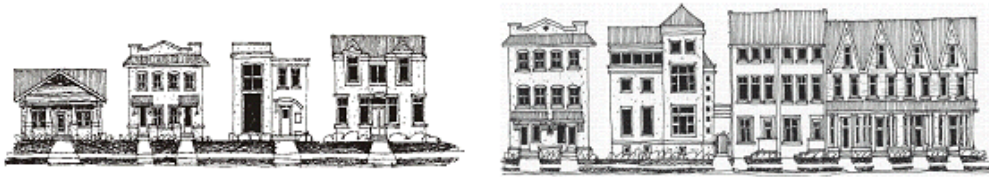
*Building materials.* Building material standards protect neighboring properties by holding the building's value longer, thereby creating a greater resale value and stabilizing the value of neighboring properties.

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

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

1. Detached accessory structures, such as garages and garage apartments, shall be consistent with the architectural style, materials, and color of the principal structure. For multi-story accessory buildings, there shall be no blank facades on the second story and no portion of an exterior wall on any floor may contain a blank area greater than ~~16~~20-feet in width.

## SECTION 16.20.060. CORRIDOR RESIDENTIAL TRADITIONAL DISTRICTS ("CRT")



### Typical Buildings in the CRT District

#### 16.20.060.1. Composition of traditional residential corridors.

The CRT district addresses major streets lined with residential uses. Examples include portions of 9th, 16th, 49th, and 58th Streets, as well as 1st, 5th, and 22nd Avenues North and South and 9th Avenue North. While some multifamily uses can be found along these corridors, the majority of these areas are single-family in character. Some of these areas are highly desirable, although most are struggling and in a distressed condition.

#### 16.20.060.2. Purpose and intent.

The purpose of the CRT district is to encourage development of townhomes, condominiums, apartment buildings and mixed-use buildings that are appropriately scaled to the context of the corridor and to facilitate conversion of remaining single-family homes to offices or limited retail uses. These uses can provide affordable workforce housing units and buffer the adjacent interior single-family neighborhoods from the high volumes of traffic on major streets. Development standards reinforce the traditional development pattern.

(Code 1992, § 16.20.060.2)

#### 16.20.060.3. Permitted uses.

Uses in this district shall be allowed as provided in the Matrix: Use Permissions and Parking Requirements.

(Code 1992, § 16.20.060.3)

#### 16.20.060.4. Introduction to CRT districts.

The CRT districts are the CRT-1 and the CRT-2 districts.

##### 16.20.060.4.1. Corridor Residential Tradition-1 (CRT-1).

This district allows multifamily structures. Additional density is possible when workforce housing, or missing middle housing is provided. Building heights typically range between one and three stories.



### Typical Residential Uses in CRT-1 District

(Code 1992, § 16.20.060.4.1; Ord. No. 540-H, § 6, 3-23-2023)

##### 16.20.060.4.2. Corridor Residential Traditional-2 (CRT-2).

This district allows multifamily structures. Additional density is possible when affordable workforce housing is provided. Building heights typically range between two and four stories.



### Typical Multi-Family Uses in CRT-2 District

#### 16.20.060.7. Building design.

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

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

*Building and parking layout and orientation.*

1. New multi-building development shall relate to the development of the surrounding properties. This means there shall be no internally oriented buildings which cause rear yards and rear façades to face toward abutting properties.
2. Buildings shall create a presence on the street. This means that a minimum of 60 percent of the principal structure's linear frontage, per street face, shall be built on the building setback line.
  - a. For properties located within the Central Avenue Corridor Activity Center, ground floor residential dwelling units may be setback up to an additional six feet from the building setback line in fulfillment of the 60 percent requirement.
3. All service areas and loading docks shall be located behind the front façade line of the principal structure.
4. The principal structure shall be oriented toward the primary street. A principal structure on a corner property may be oriented to the secondary street so long as all street façades are articulated as primary façades. Buildings at the corner of two intersecting streets are encouraged to highlight and articulate the corner of the building.
5. All mechanical equipment and utility functions (e.g. electrical conduits, meters, HVAC equipment) shall be located behind the front façade line of the principal structure. Mechanical equipment that is visible from the primary street and elevated above grade shall be screened with a material that is compatible with the architecture of the principal structure. Mechanical equipment that is visible from the primary street and is located at grade shall be screened with a material that is compatible with the architecture of the principal structure, landscaping or a 6-foot-tall decorative fence or wall.
6. Parking, detention and retention ponds, drainage ditches, and accessory structures shall be located behind the principal building to the rear of the property. Detention and retention ponds and drainage ditches shall comply with the design standards set forth in the drainage and surface water management section.
7. Dumpsters shall be located in an enclosure that is finished with material that is consistent with the architecture of the principal structure and include opaque gates (chain link with slats is prohibited). The enclosure shall be located behind the front façade line of the principal structure.



*Vehicle connections.*

1. Access to parking shall be designed to take advantage of the first available alternative in the following prioritized list:
  - a. Access shall be made from the alley or secondary street.
  - b. Where no alley or secondary street is present or where unique street configurations exist that will impact traffic circulation such as existing street medians, access shall occur from the primary street.

For multi-unit structures, driveways shall serve the entire complex, not individual units, and shall not be wider than one lane in each direction.

~~*Pedestrian connections.*~~

- ~~1. Principal entries to a structure shall be connected to the public sidewalk and the curb of the primary street with a sidewalk.~~
- ~~2. Each ground floor multifamily dwelling unit or commercial unit that faces a primary street shall contain a primary entry, which faces the primary street. The primary entry shall include decorative door surrounds, porches, porticos or stoops, or a combination thereof.~~
- ~~3. Where a single building includes separate commercial and residential entrances, the residential entrances shall be raised at least 16 inches above ground-level or recessed within the façade to reinforce a privacy zone and distinguish it from the commercial entrances.~~

*Porches and pedestrian connections.*

1. Principal entries to a structure shall be connected to the public sidewalk and the curb of the street with a sidewalk except when the structure faces a major street which does not allow on-street parking in front of the property. The connection between the public sidewalk and the curb is not required where the existing grades prevent compliance with ADA minimum slope requirements.
2. Principal entries shall include a porch, portico or stoop, with a minimum usable depth of five feet and 20 square feet of total floor area. Where there are three or more 3-story units proposed adjacent to single-family zoning district, there shall be a covered front porch or covered stoop, or the entry shall recess or project a minimum of 18-inches from the principal building façade.
3. Where a single building includes separate commercial and residential entrances, the residential entrances shall be raised at least 16 inches above ground-level or recessed within the façade to reinforce a privacy zone and distinguish it from the commercial entrances.
4. Existing public sidewalks shall be repaired to City standards. Where no public sidewalk exists, a public sidewalk shall be constructed in accordance with the requirements of the subdivision section.

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

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

*Building style.* New construction shall utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies.

1. Renovations, additions and accessory structures shall utilize the architectural style of the existing structure, or the entire existing structure shall be modified to utilize an identifiable architectural style which is recognized by design professionals as having a basis in academic architectural design philosophies.
2. All accessory structures, including, but not limited to, drive-throughs, canopies, storage buildings, and solid waste container enclosures shall be compatible with the architectural design of the principal

structure. Compatibility shall be determined by reviewing building materials, finishes and other significant features.

*Building form.*

1. The front porch shall be elevated at least 12 inches above the abutting finished grade level as measured abutting the porch at the front entry and include a minimum of two risers. For Certified Affordable/Workforce Housing, the required minimum elevation shall be 8-inches, and the pedestrian walkway at the entrance may be graded to allow zero step entrance in accordance with the City Visitability ordinance, provided that all other areas of the porch meet the 8-inch minimum above the abutting finished grade.
2. Buildings should create a width to height ratio of no more than 1:1. Buildings that exceed the width to height ratio of 1:1 shall feature architectural fenestration creating a bay system that divides the building design into a maximum ratio of 1:1. This may be done through pilasters, arcades, building line and roof line off-sets, materials and other appropriate architectural features.

*Streetwall.* Articulating different uses at lower building levels will aid in creating a sense of human scale in mid-rise buildings. Addressing human scale may be achieved through architectural detailing and by variation in the three-dimensional character of the building mass as it rises skyward.

## **SECTION 16.30.030. ARTIST ENCLAVE**

### **16.30.030.5.2. - Land use restrictions.**

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

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

1. General office and neighborhood-scale retail uses.

a. Shall be by scheduled appointment only.

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

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

2. Instruction and tutoring uses.

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

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

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

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

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

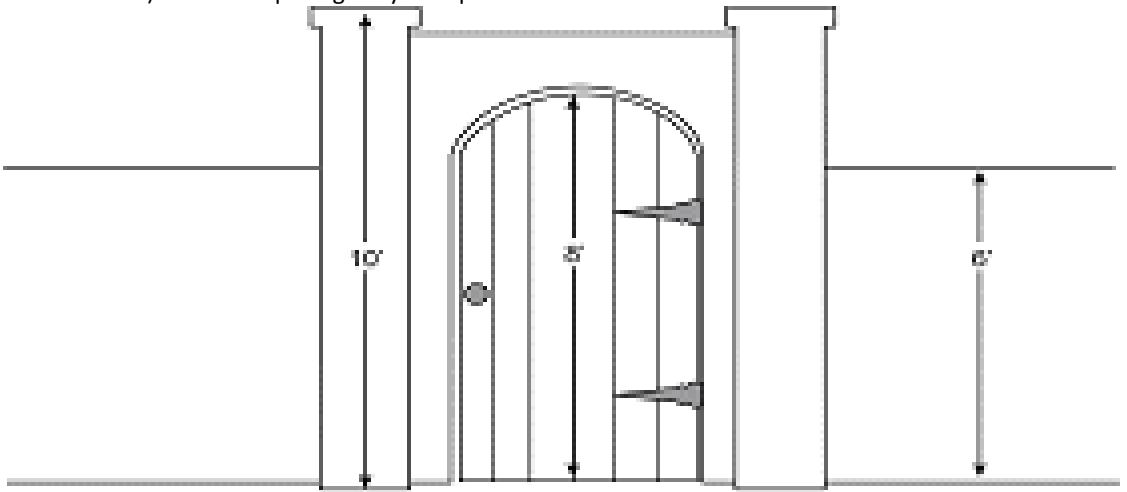


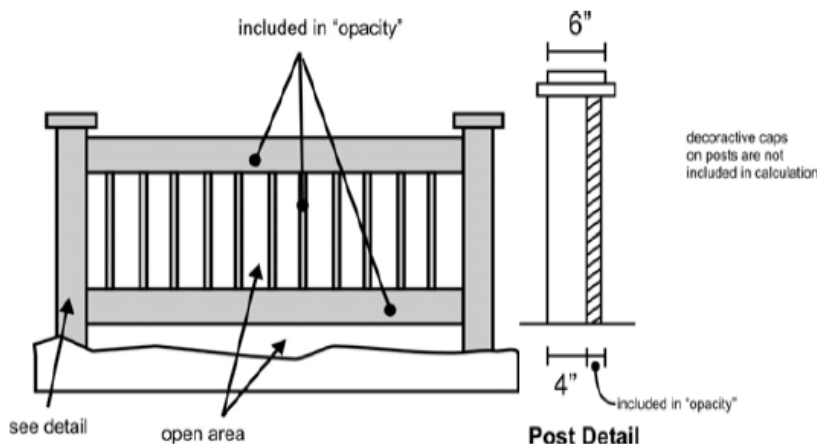
## SECTION 16.40.040. - FENCE, WALL AND HEDGE REGULATIONS

### 16.40.040.3. – Charts

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

1. RESIDENTIAL USES (Including mixed-uses with a residential component; excludes requirements for waterfront yards - see below)				
	Front Yards - Major Streets, except Neighborhood Collectors	Front Yards - All other streets	Side Yards, Street Side Yards, and Rear Yards	Street Side - Abutting Neighbor's Front Yard
Maximum Height	<ul style="list-style-type: none"> <li>- 4 feet for a fence or wall of any style</li> <li>- 6 feet for a decorative fence or wall <u>with the top 2 feet being open</u>, which is landscaped</li> <li>- 6 feet for a hedge</li> </ul>	<ul style="list-style-type: none"> <li>- 4 feet for a fence or wall of any style</li> <li>- 5 feet for a hedge</li> <li>- 6 feet for a decorative fence or wall <u>with the top 2 feet being open</u>, which is landscaped and which is on a property with more than 150 lineal feet of street frontage</li> </ul>	<ul style="list-style-type: none"> <li>- 6 feet for a fence or wall of any style</li> <li>- 10 feet for a hedge</li> </ul>	<ul style="list-style-type: none"> <li>- 4 feet for a fence or wall of any style</li> <li>- 5 feet for a hedge</li> </ul>
<p>The diagram at right is intended to provide an illustrative view of the foregoing regulations as applied to rectangular lots platted in the traditional block pattern of the City. For non-rectangular lots or for lots with irregular lot lines, property owners are advised to contact the City to verify interpretation of the ordinance as applied to a specific property.</p>	<p>Min 2-ft setback from sidewalk for 6-ft high fence or wall.</p> <p>NON-MAJOR STREET</p> <p>Property Line (typ.)</p> <p>CORNER LOT ON A MAJOR STREET</p> <p>CORNER LOT ON A NON-MAJOR STREET</p> <p>INTERIOR LOT ON A MAJOR STREET</p> <p>ALLEY</p> <p>MAJOR STREET</p> <p>NON-MAJOR STREET</p> <p>45 ft</p> <p>See 16.40.160 "Visibility at Intersections" for 36-inch height restrictions.</p> <p><b>INTERIOR SIDE YARDS, STREET SIDE YARDS, AND REAR YARDS</b> 6-ft maximum height for a fence or wall of any style 10-ft maximum height for a hedge, within 5 ft of property line</p> <p><b>FRONT YARD ON A NON-MAJOR STREET</b> 4-ft maximum height for a fence or wall of any style 5-ft maximum height for a hedge, within 5 ft of property line 6-ft maximum height for a decorative fence or wall which is landscaped and which is on a property with more than 150 lineal feet of street frontage</p> <p><b>FRONT YARD ON A MAJOR STREET</b> 4-ft maximum height for a fence or wall of any style 5-ft maximum height for a hedge, within 5 ft of property line 6-ft maximum height for a decorative fence or wall which is landscaped</p> <p><b>STREET SIDE YARD ABUTTING NEIGHBOR'S FRONT YARD</b> 4-ft maximum height for a fence or wall of any style 5-ft maximum height for a hedge, within 5 ft of property line</p>			

5. DESIGN AND OTHER RELATED REGULATIONS	
<b>A. EXEMPTIONS</b>	Fences, walls and hedges on certain properties of the Pinellas County School Board shall be regulated as set forth in an interlocal agreement between the City and the School Board, as may be amended from time to time.
<b>B. ALLOWANCES FOR ADDITIONAL HEIGHT</b>	<p>1. Fences or walls for which a greater height is necessary because of 1) an association with uses that require high fences to protect public safety, such as, but not limited to, driving ranges, utility substations, baseball fields, athletic fields, and swimming pools or 2) a requirement of a state or federal agency, may be allowed subject to a height limit which may be imposed by the POD. Approval of height in excess of that allowed by this Code will be based upon precedent established by previous City approvals, standardized specifications, required security measures, and trajectories for driving ranges and athletic fields. Such fences or walls need not comply with the Design Standards of this section, but shall comply with all landscaping requirements.</p> <p>2. One (1) additional foot of height is allowed for fence or wall columns which are a maximum of two (2) feet in width and spaced at least six (6) feet apart measured center to center.</p> <p>3. Two (2) additional feet of height is allowed for a decorative open arched gate which does not exceed 25 feet in width for a vehicular gate or eight (8) feet in width for a pedestrian gate.</p> <p>4. Four (4) additional feet of height is allowed to accommodate solid arch structures over gates (as shown below) and other passageways for pedestrians and vehicles.</p>  <p style="text-align: center;"><b>Additional Height for Gates/Arches</b></p> <p>5. Two (2) additional feet of height is allowed for decorative lanterns, urns, planters, or sculptural elements above the maximum height allowed for the fence or wall component (e.g. wall, column, or arch) upon which such decorative feature is located.</p> <p>6. Maximum height may vary by up to six (6) inches to allow for grade changes, clearance under fences for maintenance, footers, other obstacles customary to the use intended to be fenced, and reasonable human error.</p> <p>7. Up to two sections of fence or wall, not to exceed eight (8) feet in width each, may be allowed two (2) additional feet in height within any side (non-street) or rear yard for lattice, planter boxes, or selective screening of adjoining uses.</p> <p>8. Fences, walls, or hedges along the side yard of a residential use which abuts a non-residential use may be six (6) feet in height to within five (5) feet of the front property line.</p> <p>9. Fences or walls for single-family uses which abut Interstate 275 may be eight (8) feet in height.</p>

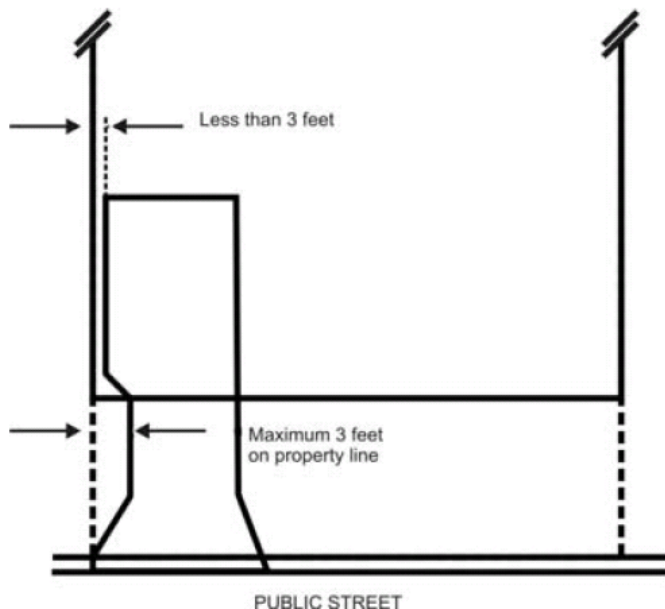
<b>C. DESIGN STANDARDS</b>	1. All fences and walls shall comply with the architectural, design, and landscaping requirements of this code.
	2. All fences and walls shall be installed with the finished side facing towards the exterior or adjoining properties and rights-of-way (excluding alleys). For fences and walls between adjoining properties, this requirement may be waived by the POD upon approval by the adjoining property owners, whose written approval shall be signed or acknowledged before a notary.
	3. Barbed wire is prohibited at 1) any residential use; 2) any mixed-use having a residential component; 3) any residentially-zoned property (regardless of its developed use); 4) any property zoned DC or CCT-2; and 5) on any property within ten feet of any property zoned or developed with a residential use. Barbed wire shall be oriented toward the interior of the property and included in the overall fence height measurement. Barbed wire is prohibited on any fence within a yard along a major street.
	<p>4. On all properties (excluding properties with industrial, single-family, and duplex uses), fences and walls visible from any street (not including alleys) shall be decorative or shall be vinyl-coated chain-link (including stands, poles, and rails). Vinyl-coated chain-link fences and opaque fences or walls more than four feet in height, which abut a street (not including alleys), shall be setback a minimum of two feet from the property line and shall be landscaped in accordance with the section regulating landscaping and irrigation.</p> 
	5. All fences except chain-link fences shall have upper and lower rails between posts. A chain-link fence shall have a top rail.
	6. Fences and walls shall comply with the design requirements established for the zoning district.
	7. Fences and walls shall be consistent in style and design within any property (e.g. same design in front yard or rear yard), and for yards abutting streets (e.g. same or compatible design and style for both front and street side yards for corner lots). Fences and walls shall be comprised of no more than three materials for panels, posts, rails, columns, and other elements within all yards of any property. Fences and walls in side, rear, and waterfront yards may be comprised of a different material(s) than that used in the front yard.
	<p>8. Fences and walls shall be designed and installed as follows.</p> <p>a. Fences shall be designed in accordance with industry standard forms such as: stockade, board-on-board, shadowbox, tongue-and-groove, picket, split rail and chain link. An alternative form may be approved where the POD finds that the proposed form complies with the intent of the provisions of this section and that the form requested is at least the equivalent to the industry standard in quality, strength, effectiveness, fire resistance, durability and safety.</p> <p>b. The term <i>building materials</i> shall mean industry standard materials normally manufactured for, used and recognized as fencing materials such as: wrought iron, aluminum or other decorative metals suitable for the construction of fences, masonry, concrete, stone, galvanized and vinyl-coated chain link, wood planks or pickets, and vinyl or composite manufactured specifically as fencing materials.</p>

	<u>Metal shall have an exterior finish that is not shiny or reflective. The use of metal roofing or metal siding materials is prohibited.</u> An alternative material may be approved where the POD finds that the proposed material complies with the intent of the provisions of this section and that the material requested is at least the equivalent of the industry standard in quality, strength, effectiveness, fire resistance, durability and safety.
	9. Fences and walls greater than 100 feet in length shall be articulated by columns or other visual breaks measuring at least two feet in width and spaced no more than 24 feet apart. Landscaping shall be provided in accordance with the landscaping and irrigation section. This design standard shall apply for any portion of a qualifying fence or wall facing a right-of-way (excluding alleys.)
	10. The attachment of fabric, shade cloth or other material to a chain link or similar open fence is prohibited except as provided herein. Fabric, shade cloth or other material is not a permitted method for required screening of outdoor storage areas. Fabric, shade cloth or other material may be installed to create a wind barrier for athletic courts or similar situations subject to the following conditions: <ul style="list-style-type: none"> <li>a. Professional installation is required by a licensed contractor;</li> <li>b. The proposed material shall be designed to withstand wind resistance with commercial grade seams and attached at grommets designed in a manner consistent with building regulations.</li> </ul>
	<del>11. Except as otherwise provided in this subsection. It shall be unlawful for any person to construct, maintain, place, install or allow or cause to be constructed, maintained, placed or installed on or about any structure or property any fence, barrier, partition, obstruction or similar structure that is electrically charged or connected with any electrical source in such a manner as to transmit an electrical charge to persons, animals or things which come in contact therewith.</del> <u>Low voltage</u> Electrically charged fencing <del>may be used for security purposes</del> <u>is allowed</u> on any <u>industrial zoned</u> property <del>that is not zoned exclusively for single-family or multi-family residential use (districts exclusively zoned single and multi-family; except within the following single-family and multi-family residential districts: NT, NS, NTM, NSM and NPUD; subject to the following conditions that a nonelectric fence or wall must completely enclose the outside perimeter of the fence and shall be 2-feet higher than the perimeter nonelectric fence or wall.</del>
	<del>a. Only low voltage electrical fencing shall be used with a maximum of 12 volts, primary voltage;</del>
	<del>b. Electrically charged fencing shall be installed in accordance with recognized and accepted standards for electric fence energizers as determined by the most recent published edition of the International Electrotechnical Commission Standards;</del>
	<del>c. Electrically charged fencing shall comply with the height requirements of this section;</del>
	<del>d. Electrically charged fencing shall be completely surrounded by a non-electrical fence or wall. The surrounding non-electrical fence or wall shall be separated from the electrically charged fence by at least three inches;</del>
	<del>e. Electrically charged fencing shall be identified as such with a sign, no larger than one square foot in area, and shall be placed on all sides of the property where the electrically charged fence is located with at least one sign per every 60 linear feet or portion thereof;</del>
	<del>f. Where adjacent to a public sidewalk or right of way, electrically charged fencing, and the surrounding non-electrical fence or wall, shall comply with the following setback and landscaping provisions. The buffering requirements are based on the type of surrounding non-electrical fence or wall. Landscaping shall be installed on the exterior side of the fence or wall.</del>
	12. Gates and fencing for docks on non-contiguous water lots, and docks on contiguous upland property that are located across a right-of-way or City owned easement from the principal use, shall be open and consist of decorative materials such as wrought iron, aluminum or other decorative metals suitable for the construction of fences, masonry, concrete, stone, and vinyl or composite manufactured specifically as fencing materials. Any fencing projecting beyond the width of the dock as measured at the seawall (the walkway) shall be limited [to] 5 feet in height and 3 feet in width on each side of the walkway. Replacement of a dock or the existing gate or fencing, the replacement of a majority of the pilings, any expansion of the deck area or the addition of a boat lift(s) shall require gates and fences to be brought into compliance. This shall not apply to commercial marinas or properties in the IC/CRD land use category.

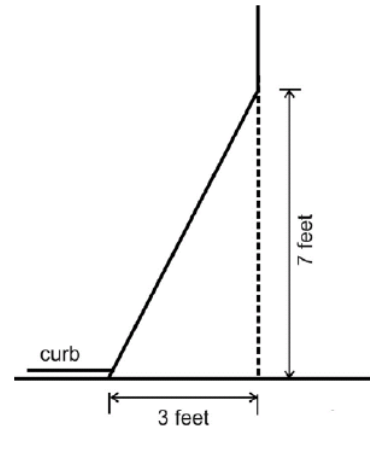
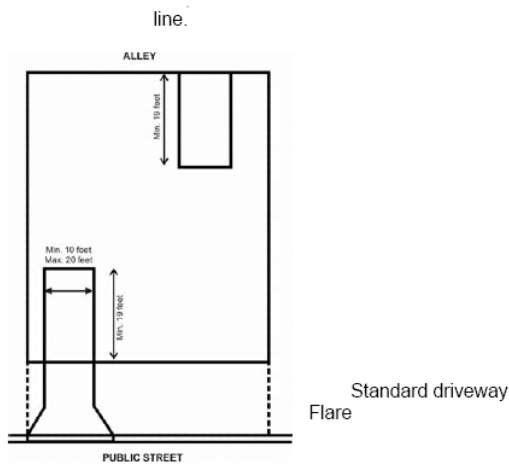
### 16.40.090.3.3. Development standards for private one- and two-family properties.

#### *Parking.*

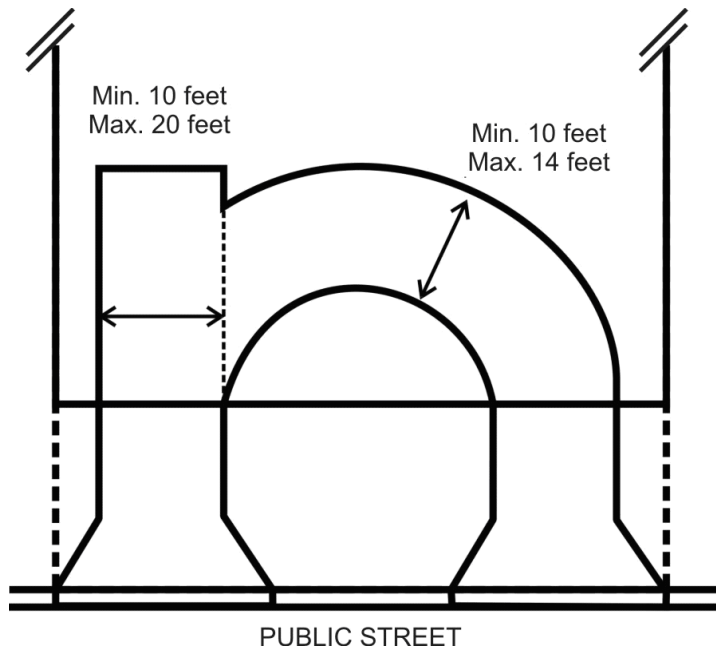
1. *Location.* Required parking spaces shall be located on the same lot as the use.
2. *Driveways.* Driveways shall be designed in a manner that minimizes disruption of pedestrian corridors and the streetscape. Driveway locations shall be provided as required in the zoning district, except that no such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



6. *Dimensions.* Parking spaces shall be located completely on private property to prevent vehicles from overhanging into and obstructing the public right-of-way. Parking spaces shall be a minimum of 9 feet in width and 18 feet in length and completely on private property.
  - a. *Standard driveway.* Driveways shall measure no less than ten feet in width and no more than 20 feet in width, no more than 20 feet as the driveway crosses the property line and no more than 26 feet at the curb, which includes a three-foot by seven-foot triangular flare. The required minimum length for the portion of the driveway on the private property is 19 feet, measured from the property line.

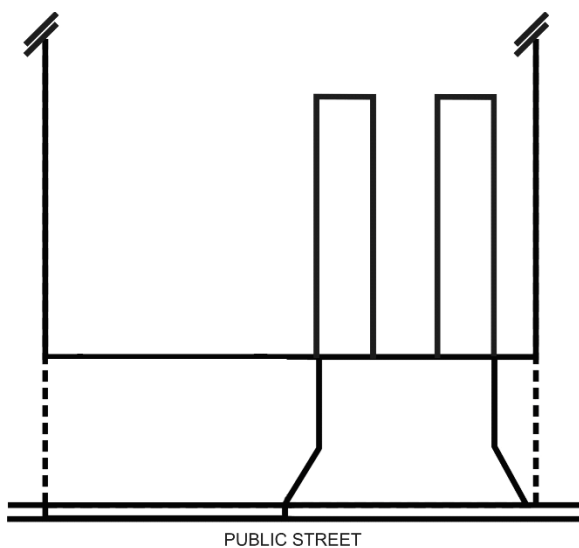


- b. *Circular driveway.* The circular portion of a driveway shall measure no less than ten feet in width and no more than 14 feet in width, no more than 14 feet as the driveway crosses the property line and no more than 20 feet at the curb, which includes a three-foot by seven-foot triangular flare.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

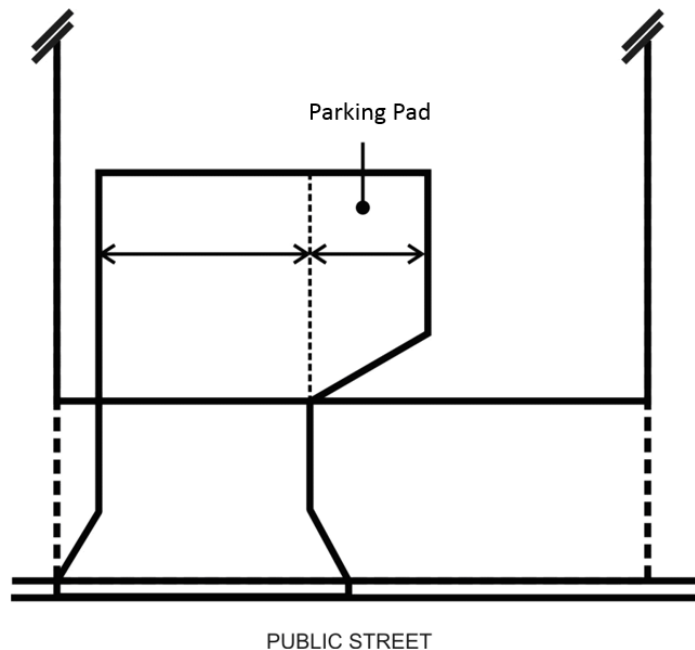


Circular Driveway

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



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



- e. *Zoning specific criteria.*

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

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

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

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

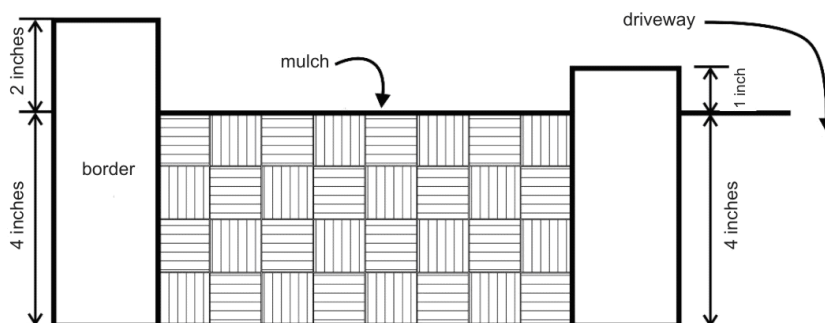
In suburban districts, where a driveway intersects a sidewalk located within the right-of-way, the portion of the sidewalk that crosses the driveway shall be visually delineated with a change in color or material or with expansion joints. The abutting property owner shall be responsible for maintaining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

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

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

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

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



Mulch Parking Pad



### 16.40.090.3.5. Parking garages.

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

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

## SECTION 16.40.140. - SUBDIVISIONS

### 16.40.140.2.4. Lot line adjustments and lot splits.

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

#### 16.40.140.4.2. Sidewalks.

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

Along arterial and collector streets	6 ft.
Along other streets in residential and industrial zones	4 ft.*
Along other streets, in commercial and office zones	5 ft.*
Pedestrian crosswalks	4 ft.
Downtown Center (DC) zoning districts	at least 10 ft.;
	Landscape features and street furniture may encroach up to two

	feet for no more than 50% of the linear frontage of a parcel.
* All sidewalks abutting curbs shall be six (6) feet.	

- B. For new development or redevelopment within a two-mile radius of the property line of any existing or planned public school, the property owner or developer shall construct sidewalks along the street contiguous to the property being developed that directly serves the public school facility, in support of F.S. § 1013.36 and the Pinellas County Metropolitan Planning Organization 2025 Long Range Transportation Plan.
- C. ~~The engineering director may recommend variances from this section on the basis of unique conditions and may set specific alignment criteria for sidewalks within rights-of-way in relation to~~

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

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

## **SECTION 16.40.060. LANDSCAPING AND IRRIGATION; TREE PROTECTION**

### **16.40.060.2. Landscaping and irrigation.**

#### **16.40.060.2.1. Landscaping.**

Existing Florida-native plant material shall be given priority for preservation in the development and redevelopment of a property and existing healthy native trees and palms and other vegetation should be protected and preserved, and integrated into landscape plans. 16.40.060.2.1.1. Development and redevelopment of new one- and two-unit residential properties.

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

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

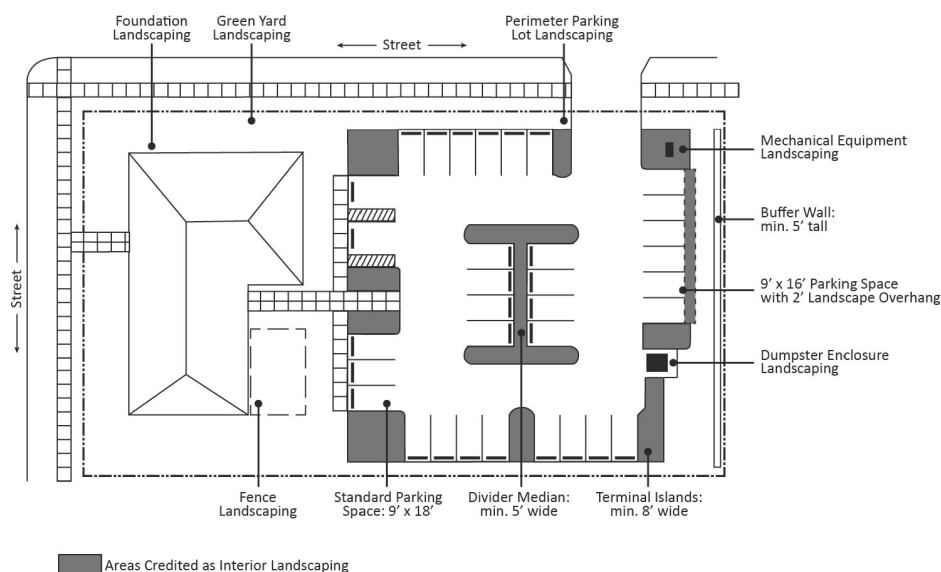
7. Variances. The approval of any variance shall be conditioned on installation and maintenance of the greatest amount of required landscaping determined to be reasonable. 16.40.060.2.1.2. Additional requirements for new and existing one- and two-unit residential properties.
  - A. *Required permeable green space for yards abutting streets.* Required front yards and required side yards abutting streets shall be maintained as permeable landscaped vegetative green space with the exception of driveways, walks, patios, porches and similar paved areas ~~and non-organic mulch areas~~, which areas combined shall not exceed 25 percent of the required front and street side yard areas for corner lots and 45 percent of the required front yard area for inside lots. Facilities constructed to achieve compliance with ADA requirements shall be exempt from this surface calculation. Yards abutting streets which do not conform to the provisions herein and which existed as of August 25, 1977, are grandfathered and exempt from this subsection.
  - B. *Ground cover, private property.* Permeable portions of private property including required yards shall be maintained with an herbaceous layer of sod or ground cover plant material. Installation of St. Augustine sod turf at a property with a new structure which receives construction permits is limited to a maximum of 50 percent of the permeable area of the lot.
  - C. *Ground cover, rights-of-way.* Permeable portions within the adjoining rights-of-way shall be maintained in accordance with an approved streetscape plan or, where an approved streetscape plan does not exist, with an herbaceous layer of sod or ground cover plant material. Where landscaping material is used in the right-of-way within four feet of the curb or road edge and there is no approved landscape plan, the landscaping materials, excluding sod, shall not exceed 24 inches in height above the top of the adjacent curb, or if there is no curb, the road bed, provided that the landscaping material does not result in a hazard or impairment to public vehicular or pedestrian traffic or violate the visibility at intersection section.
  - D. *Mulch.* Organic mulch is a beneficial addition to landscaping in many situations including providing a surface covering under shrubs, or where ground cover material is maturing. The intention of these regulations is to allow mulch within a landscape design while not allowing an entire yard to only be covered with mulch. The use of cypress mulch is discouraged.
    1. *Installation standards.* Where used in lieu of sod or ground cover plant material, mulch shall be placed to a minimum depth of three inches. The top level of the mulch shall not exceed the height of the immediately adjacent ground surface. Mulch shall not be placed directly against a plant stem or tree trunk. Non-organic mulch including rubber, decorative gravel or crushed stone shall be allowed only in planting areas (e.g., in gardens or hedge areas). Sod shall be used in required side yard channels (swales), the use of organic and non-organic mulch, and shell is prohibited.
    2. *Limits on installation on one- and two-unit residential properties.*
      - a. Organic mulch may be used without limit underneath ground cover, accent plants, shrubs and trees, provided the ground cover, accent plants, shrubs and trees or a combination thereof are planted and maintained at a cumulative ratio of at least one shrub or tree, planted within the mulch per each ten square feet of organic mulched area;
      - b. No more than 50 percent of the required front and street side yards may be covered only with mulch and no landscaping; mulch can be used without limit in the buildable area, and interior and rear side yards.
      - c. Where a mulch parking surface has been permitted pursuant to the parking and loading design section, a separation consisting of an herbaceous layer of sod or ground cover of not less than eight feet in width shall be provided between the parking area and any adjacent mulch area allowed pursuant to this section.
    3. *Limits on installation in rights-of-way.* Organic mulch may be used in permeable areas of the right-of-way to keep moisture in the soil while other forms of approved ground cover plant material are maturing. Mulch is prohibited within four feet of the curb or road edge if there is no curb. Mulch in the right-of-way must be contained within borders sufficient to prevent flotation of mulch into the roadway. With the exception of permitted driveway or sidewalk materials, the use of shell, rock or other similar hardened non-organic mulch in the right-of-way is prohibited.

- E. *Irrigation, existing one- and two-unit residential properties.* A permanent irrigation system is not required for existing one- and two-unit residential properties; however, where one is installed, it shall be designed to avoid runoff, overspray or other similar conditions where water flows onto or over adjacent property, non-irrigated areas, walkways, roadways or structures. Irrigation systems shall be maintained so there are no broken irrigation heads or leaks. Automatic sprinkler systems shall install a rain sensor device or switch which will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred.
- F. *Vegetation, existing one- and two-unit residential properties.* Any one- or two-unit residential property that meets or exceeds the tree and/or shrub standards set forth in the previous section for new one or two unit residential properties, shall maintain the minimum standards for the property. This does not mean that existing one- or two-unit residential properties that do not meet the requirements set forth in the previous section for new one- or two-unit residential properties are required to install vegetation to meet those requirements.
- G. *Landscaping adjacent to mechanical equipment on site.* Mechanical equipment, (e.g. backflow preventers, utility cabinets, air conditioners, etc.) visible from streets, excluding alleys, shall be landscaped with a continuous hedge comprised of shrubs planted no more than 30 inches on center or a decorative fence or architectural feature ~~if the location is inadequate for landscape (e.g. too small, insufficient light)~~. Landscaping shall be installed no less than three feet from the equipment to allow for access, maintenance and required air flow.
- H. *Landscaping adjacent to fences, walls, or dumpster enclosures.* The exterior of any opaque fence or wall which exceeds 150 linear feet in length, visible from any street (not alley) shall be landscaped with a minimum of one shrub for every three linear feet and one under-story tree for every 25 linear feet.
- I. Decorative objects, including, but not limited to, rocks and planter beds, shall not be located within four feet of the curb of the street or where there is no curb, the road edge.

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

- D. *Minimum landscape requirements.*

#### Minimum Landscape Requirements



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

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

equivalent square feet of green yard along the same frontage. Green yards shall be landscaped as follows:

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

2. *Green yard, interior.* Interior green yards, when not abutting vehicular use areas, shall be provided along all interior property lines and property lines abutting alleys. The minimum width of all interior green yards shall be five feet unless the required side or rear yard is smaller, in which case the required green yard shall be the depth of the required interior side or rear yard. A minimum of one shade tree per 50 linear feet or fraction above half thereof is required. Under-story trees may be substituted for shade trees on a 1½ for one basis. The POD may allow the interior green yards to vary in width if additional green yards are expanded to provide the equivalent square footage of green yards on the site.
3. *Foundation landscaping.*
  - a. A minimum of one foundation plant is required for each three linear feet, and one under-story tree is required for each 30 linear feet (or portion thereof), of the exterior building perimeter. Foundation plantings may be comprised of shrubs, accent plants, ornamental grasses, and ground cover in any combination; provided that no less than 50 percent of the total required materials are shrubs, accent plants and/or ornamental grasses.  
  
When calculating the minimum number of required plants, the linear distance of openings for overhead or loading area doors, motor vehicle bays or entrances to the building, or the perimeter of attached or detached canopies shall be excluded. Foundation plants may be planted in groupings so long as the minimum number of required plants is provided. The foundation landscaping shall be required on all building sides except those sides facing an alley. Foundation landscaping shall abut the building (while allowing the necessary space for growth) and shall be used or installed in such a manner so as to screen mechanical equipment attached to or adjacent to the building, provide direction to and enhance entrances and walkways, and provide visual breaks along monotonous building façades.
  - b. Properties located within the CRT, CCT, IT, NTM, and DC-1, D-2, and DC-3 districts. The base of buildings, or portions of buildings, not visible from the street, excluding alleys, are not required to have foundation landscaping. Where reduced building setbacks along streets physically prevent the installation of foundation landscaping, it shall not be required.
4. *Vehicular use landscaping/screening requirements.* Vehicular use areas shall meet the following additional requirements:
  - a. *Perimeter parking lot landscaping.* A minimum of one shade tree per 35 linear feet (or portion thereof) shall be planted around the perimeter of vehicular use areas. A continuous hedge comprised of shrubs planted not more than 30 inches on center shall be planted around the perimeter of the vehicular use area. The pervious area for perimeter parking lot landscaping shall be at least five feet in width, measured from the inside of the curb, sidewalk or other paved surface abutting the pervious area. Additional landscaping is not required for the perimeter parts of the vehicular use area adjacent to the building.

- (1) *Properties located within the CRT, CCT, IT, NTM, and DC-1, DC-2, and DC-3 districts.* Parking lots or portions of parking lots not visible from the street, excluding alleys, are not required to install perimeter landscaping. Where a parking space is designed perpendicular to the street, excluding alleys, such that the front of the space allows the headlights to shine onto the street, a minimum three-foot high solid masonry wall or decorative fence shall be erected to prohibit headlights from shining onto the streets.

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

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

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

understory trees or native palms on a three per one basis if shade trees are not site appropriate. Ground cover plantings shall be comprised of shrubs, accent plants, ornamental grasses, ground cover or sod in any combination provided that no less than 25 percent of the total landscape area is planted with low growing shrubs, accent plants, ornamental grasses or ground cover.  
16.40.060.2.1.6. Landscape specifications.

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

- B. *Plant selection criteria*. The species of required landscape materials shall be site appropriate and shall be selected based on the existing and neighboring vegetative communities, sun exposure, soil types, proposed



function of the materials, cold tolerance, water use, fertilizer needs, existence of utilities or overhead power lines, and aesthetics.

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

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

### 16.40.060.3. Maintenance of trees and vegetation.

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

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

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

Wildlife habitat areas shall consist of native and introduced plant species designed, planted and maintained to provide food source, cover, roosting and nesting habitat for specific species.

- E. Vegetation which is a hazard to public safety is prohibited in the right-of-way. Hazardous vegetation with pronounced thorns (such as Spanish bayonet, century plant, bougainvillea, and lime trees) shall not be closer than two feet to a sidewalk or walkway. Hedges are prohibited in the right-of-way except as allowed by the fences, walls and hedges section.

## **SECTION 16.50.010. ACCESSORY DWELLING**

### **16.50.010.1. Applicability.**

#### **16.50.010.5.1. Lot requirements.**

- A. Establishment of a new accessory dwelling unit shall only be allowed if:
1. ~~In all NT districts t~~The lot area shall be at least 4,500 square feet ~~in all NT districts.~~
  2. ~~In all NS districts t~~The lot area shall be ~~at least a minimum of~~ 10,000 square feet ~~in all NS districts, or unless the lot is located on an alley with a minimum lot area of 4,500 square feet, or on a corner and the lot conforms to the district with a minimum lot area and width equal to the minimum district standard.~~
  3. If the accessory dwelling unit is detached and the legal front and rear of the lot are consistent with the front and rear yards of lots on the same block face. An attached accessory dwelling unit shall not be

permitted where lots have been refaced such that the legal front yards face a different direction than the rest of the lots in the block or where refacing has eliminated alley access for a lot.

4. In all other zoning districts, the lot shall conform to the district minimum lot area standards.

- B. A lot containing an accessory dwelling unit shall not be subdivided to separate the accessory dwelling unit from the principal use, unless such division can meet all applicable standards of the zoning district and land development regulations.

(Code 1992, § 16.50.010.5.1; Ord. No. 876-G, § 24, 2-21-2008; Ord. No. 287-H, § 19, 7-20-2017; Ord. No. 375-H, § 6, 9-5-2019; Ord. No. 509-H, § 4, 7-14-2022)

## **16.50.010.5.2. Building and site requirements.**

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

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

## **SECTION 16.50.020. - ACCESSORY STRUCTURES AND ANCILLARY EQUIPMENT**

### **16.50.020.4. Development standards.**

#### **16.50.020.4.1. Accessory storage and gardening structures and carports.**

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

1. General requirements.
  - a. *Anchoring.* The structure shall be properly anchored to resist wind and other forces.

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

#### **16.50.020.4.2. Ancillary equipment.**

- A. For the purposes of this section, "ancillary equipment" means:
  1. Standard equipment such as air conditioning compressors, central heating equipment, swimming pool and spa pumps and filters, lawn irrigation pumps, propane tanks, and similar equipment listed in the setbacks, allowable encroachments section; and
  2. Renewable energy devices and other sustainable development technologies including, but not limited to, solar photovoltaic (pv) panels, solar hot water, solar pool heaters, tankless water heaters, geothermal heat pumps, gray-water systems and rainwater harvesting devices, such as rain barrels and cisterns.
- B. *Development standards within traditional and suburban zoning districts.* Ancillary equipment in traditional and suburban zoning districts shall comply with the following:
  1. Setbacks shall comply with those listed in the Setbacks, Allowable Encroachments Section;
  2. The base of ground-mounted equipment shall not exceed one foot above ground level or, in flood zones, one foot above the minimum base **design** flood elevation required by City Code for flood

- protection; If the base of ground-mounted equipment exceeds one foot above the ground level or base design flood elevation then it shall be located at the rear of the structure or on top of the roof.
3. Existing equipment that was lawfully installed in a nonconforming location shall be permitted to be replaced with equipment of a reasonably equivalent or lower industry rating or performance standard.
  4. The sides of any new or replacement equipment facing or visible from a street, excluding alleys, and elevated above grade shall be screened with material that is compatible with the architecture of the principal structure. The sides of any new or replacement equipment facing or visible from a street, excluding alleys, and located at-grade shall be screened with material that is compatible with the architecture of the principal structure, landscaping of-screened or a six-foot-tall decorative fence or wall, landscaped as required in the landscaping and irrigation section, except that equipment installed above the first floor.
- C. *Development standards within all other districts.* In all other zoning districts, ancillary equipment shall comply with the following:
1. Where a nonresidential use abuts another nonresidential use, no setback shall be required.
  2. Where a nonresidential use abuts a residential use or zoning district, ancillary equipment shall be subject to a setback equal to one-half of the setback required for the principal building.
  3. All ancillary equipment shall be shielded from view from the adjacent properties and streets, excluding alleys, by a solid enclosure such as a fence or wall. Fences and walls shall be subject to the height restrictions and design standards of the zoning district. The sides of any new or replacement equipment facing or visible from a street, excluding alleys, visible from adjacent properties and elevated above grade shall be screened with material that is compatible with the architecture of the principal structure. The sides of any new or replacement equipment facing or visible from a street, excluding alleys, and located at grade shall be screened with material that is compatible with the architecture of the principal structure, landscaped of-screened or a six-foot-tall decorative fence or wall.

## SECTION 16.50.180. HOME OCCUPATION

### 16.50.180.1. Applicability.

This section shall apply to home occupations.

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

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

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

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

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

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

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

### **16.50.180.2. Purpose and intent.**

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

### **16.50.180.3. Establishment.**

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

### **16.50.180.4. Use restrictions.**

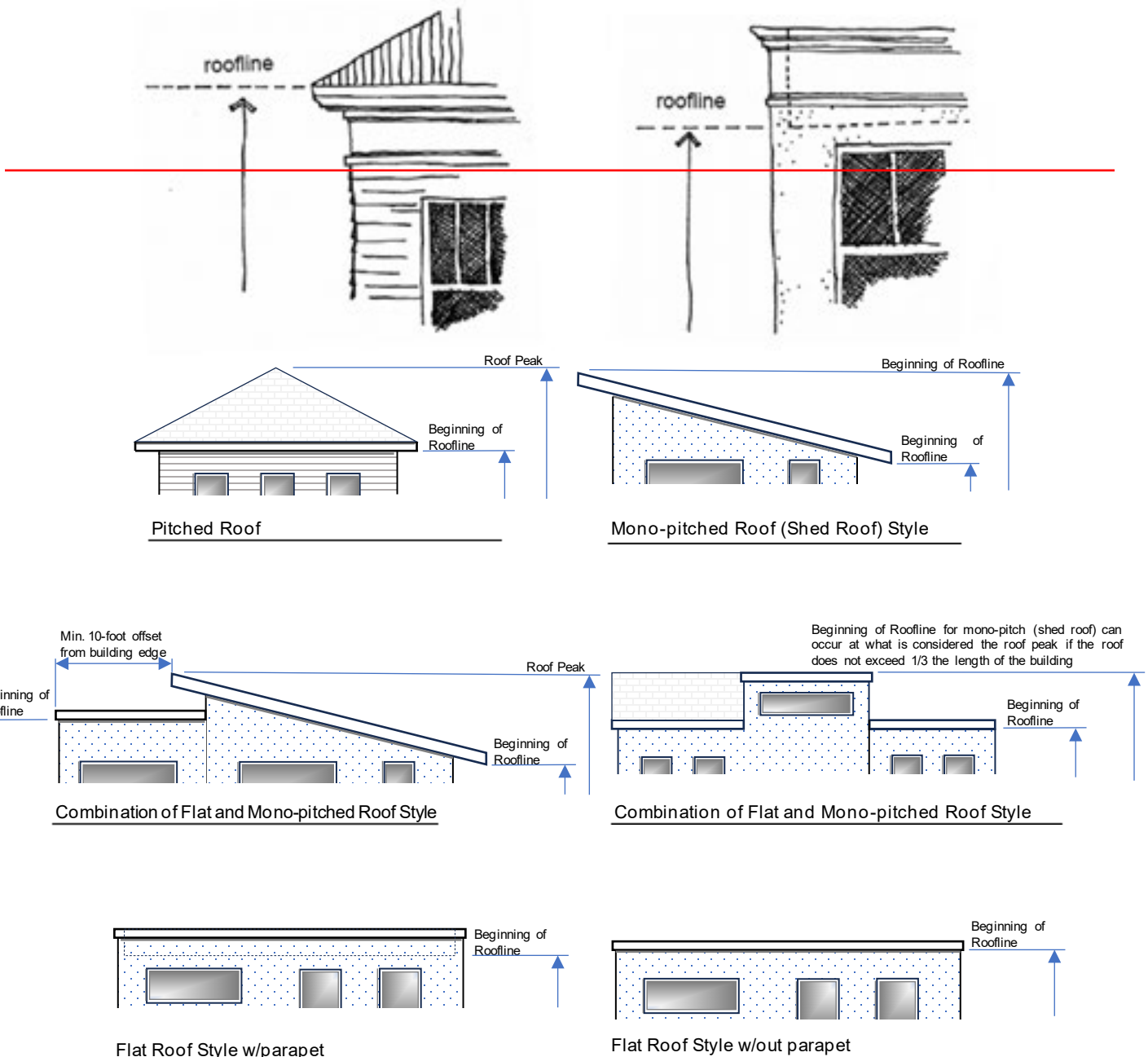
- A. Areas used for home occupations shall be contained within fully enclosed principal or accessory buildings. No outdoor areas shall be used for a home occupation. As viewed from the street, the use of the residential property is consistent with the uses of the residential areas that surround the property. External modifications made to a residential dwelling to accommodate a home-based business must conform to the residential character and architectural aesthetics of the neighborhood. The home-based business may not conduct retail transactions at a structure other than the residential dwelling; however, incidental business uses and activities may be conducted at the residential property.
- B. Areas within principal structures dedicated to home occupations shall not exceed more than 50 percent of the gross floor area of the dwelling unit. This standard shall not apply to a home occupation within a detached accessory building, which may occupy the entire structure. All business activities shall comply with any relevant local, state, and federal regulations with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids.
- C. Home occupations shall not be permitted to occupy or prevent access to areas of buildings necessary to provide the required number of off-street parking spaces without an approved site plan for replacement of those spaces on the property. Parking related to the business activities of the home-based business shall comply with the minimum parking requirements of this Chapter and the need for parking generated by the business may not be greater in volume than would normally be expected at a similar residence where no business is conducted. Vehicles and trailers used in connection with the business must be parked in legal parking spaces that are not located within the right-of-way, on or over a sidewalk, or on any unimproved surfaces at the residence. Vehicles and trailers, including any heavy equipment, shall comply with the restrictions for the parking of domestic and commercial equipment in residential zoning districts.
- D. No cCustomers or clients shall be allowed to come to the property except where the home occupation provides individual educational instruction (e.g., music teachers), by appointment only, unless a parking plan is approved by the POD demonstrating compliance with the minimum parking requirements.
- E. Display of merchandise visible from the street shall be prohibited.
- F. Home occupations shall not create any noise not usual to a residential district between the hours of 7:00 p.m. and 9:00 a.m. The use of power tools is prohibited between the hours of 7:00 p.m. and 9:00 a.m. Doors and windows of the principal or accessory structure shall be closed when such noise is created or power tools are in use. Home occupations shall not create any odors not usual in a residential district, nor shall they create odors that are usual in a residential district to a greater degree than is usual.

- G. ~~One Two employees that is are not a residents of the dwelling unit shall be permitted to be at the property. Employees that perform services or work off site (e.g., landscaping, painting, etc.), shall not come to the property for any reason, including but not limited to, assembling to receive work assignments, obtain supplies, deliver paperwork, collect paychecks.~~
- H. ~~Shipping, receiving, storage, processing, fabrication, manufacturing, and distribution are prohibited.~~
- I. ~~No more than one business vehicle shall be permitted to park on the property, regardless of the number of home occupations approved for the property. Vehicles shall comply with the restrictions for the parking of domestic and commercial equipment in residential zoning districts.~~
- J. ~~Food preparation uses in a detached building shall execute and record in the public records a document approved by the City Attorney which prohibits the use of the detached building as a dwelling unit and provides assurances that the stove or other cooking facilities shall be removed upon expiration of the business tax receipt. Failure to provide proof of such removal upon expiration of the business tax receipt shall be a violation of this section. Such detached building shall not be larger than 300 square feet. Toilets, tubs and shower facilities are prohibited in detached buildings.~~

## SECTION 16.60.010. - DIMENSIONAL REGULATIONS AND LOT CHARACTERISTICS

### 16.60.010.6. Height measurement.

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





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

## SECTION 16.60.050. SETBACKS, ALLOWABLE ENCROACHMENTS

### 16.60.050.2. Allowable encroachments and setbacks.

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

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

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

<u>minimum of three sides, excluding support columns)</u>	R	No encroachment permitted	Leading edge no more than 10 ft. from setback line
	W	Leading edge no more than 5 ft. from setback line	No encroachment permitted
Screen enclosure, patio (solid roof) <u>(no more than 12 inches above existing grade or the top of an existing seawall) (open on a minimum of three sides, excluding support columns)</u>	S, SS, R	No closer to property line than <del>7.5</del> 5 ft.	No closer to property line than 7.5 ft.
	W	No closer to the property line or seawall than 10 ft.	No closer to the property line or seawall than 10 ft.
Screen enclosure (screen roof) <u>(no more than 12 inches above existing grade or the top of an existing seawall) (open on a minimum of three sides, excluding support structure)</u>	S, SS, R	No closer to property line or seawall than 5 ft.	No closer to property line or seawall than 5 ft.
	W	No closer to the property line or seawall than 10 ft.	No closer to the property line or seawall than 10 ft.
Dumpster enclosure	S, SS, R	No closer to property line than 5 ft.	No closer to property line than 5 ft.
Eaves	All	No more than 3 ft. from setback line, but no closer to property line or seawall than 2 ft.	No more than 3 ft. from setback line, but no closer to property line or seawall than 2 ft.
Fences	All	To property line or seawall as prescribed by fence and wall regulations	To property line or seawall as prescribed by fence and wall regulations
Flag poles (up to 35 ft. in height)	All	To property line or seawall	To property line or seawall
Flags, wall-mounted	All	No more than 4 ft. from setback line, but no closer to property line or seawall than 2 ft.	No more than 4 ft. from setback line, but no closer to property line or seawall than 2 ft.
Garages, residential front-loading	F	No encroachment permitted	No more than 5 ft. from setback line
	S	No encroachment permitted	No more than 2 ft. from setback line
	SS	No encroachment permitted	No more than 3 ft. from setback line
Garages, residential side-loading or facing an alley	F	No encroachment permitted	No more than eight ft. from setback line
	S	No more than 2 ft. from setback line	No more than 2 ft. from setback line
	SS	No more than 5 ft. from setback line	No more than 5 ft. from setback line
	<u>R</u>	<u>No encroachment permitted</u>	<u>10 ft., or 22 ft. including the width of the alley, whichever is less.</u>
Gardening Hoop House, Cold Frame, Greenhouse, Vertical vegetable structure, raised garden bed (only one may encroach into the setback. The maximum size is	S, SS, R	No closer to property line than 5 ft.	No closer to property line than 5 ft.

limited to 100 s.f. in area and 10 ft. in height)			
Lawn ornaments (including fountains and other yard ornaments)	F, S, SS, R, W	No closer to property line or seawall than 3 ft.	No closer to property line or seawall than 3 ft.
Lighting, landscape (up to 3 ft. in height)	All	To property line or seawall	To property line or seawall
Lighting, site	All	To property line or seawall	To property line or seawall
Mailboxes (if permitted by the Code)	F, SS	To property line	To property line
Play equipment, residential (up to eight ft. in height)	S, SS, R, W	To property line or seawall	To property line or seawall
Play equipment, residential (more than eight ft. in height)	S, SS, R, W	No closer to property line or seawall than 5 ft.	No closer to property line or seawall than 5 ft.
Pool, above ground ( <u>greater than 12 inches above existing grade</u> )	S, SS, R	No closer to property line than 5 ft.	No closer to property line than 5 ft.
	W	No closer to property line or seawall than 8 ft.	No closer to property line or seawall than 8 ft.
Pool, in-ground ( <u>up to 12 inches above existing grade</u> ) pools adjacent to seawalls shall require additional engineering to avoid conflict with existing, underground tie-backs.))	S, SS, R, W	No closer to property line or seawall than 5 ft.	No closer to property line or seawall than 5 ft.
Ramp for citizens with impairments	All	To property line or seawall	To property line or seawall
Retaining (return) wall	F, S, SS, R	To the property line: The overall height shall be no greater than 18 inches from the existing grade abutting both sides of the wall	To the property line: The overall height shall be no greater than 18 inches from the existing grade abutting both sides of the wall
	W	To the property line or seawall: The overall height shall be no greater than the top of the existing seawall. (Note: Federal and state regulations may be more restrictive.)	To the property line or seawall: The overall height shall be no greater than the top of the existing seawall. (Note: Federal and state regulations may be more restrictive.)
Shed (only one <u>pre-constructed</u> shed may encroach into the setback. The maximum size is limited to 100 <u>sq. ft.</u> in area and 10 ft. in height)	F	No encroachment allowed, except as noted in the use-specific development standards for accessory structures and no part of the shed shall be located in front of the front façade line of the principal structure	No encroachment allowed, except as noted in the use-specific development standards for accessory structures
	R	<del>Anywhere within rear 20 ft. of lot</del> <u>To property line</u>	<del>Anywhere within rear 20 ft. of lot</del> <u>To property line</u>

	SS	No more than 5 ft. from setback line, within the rear 20 ft. of lot <del>not allowed</del>	No more than 5 ft. from setback line, within the rear 20 ft. of lot <del>NS-1 only</del> —see district regulations
	S	No closer to property line than 3 ft., <del>except in the rear yard within the rear 20 ft. of lot to property line</del>	No closer to property line than 3 ft., <del>except in the rear yard within the rear 20 ft. of lot to property line</del>
	W	No encroachment allowed	No encroachment allowed
Sidewalks (up to 6 ft. in width)	All	To property line or seawall	To property line or seawall
Spa	S, SS, R, W	No closer to property line or seawall than 5 ft.	No closer to property line or seawall than 5 ft.
Steps, stairs (steps, stairs shall not exceed 3 ft. in height above grade.)	F, R, W	No more than 6 ft. from setback line but no closer to property line or seawall than 4 ft.	No more than 6 ft. from setback line but no closer to property line or seawall than 4 ft.
	S, SS	No more than 4 ft. from setback line but no closer to property line than 4 ft.	No more than 4 ft. from setback line but no closer to property line than 4 ft.
Stoop (up to 3 ft. by 6 ft. in area)	All	No more than 3 ft. from setback line but no closer to property line or seawall than 4 ft.	No more than 3 ft. from setback line but no closer to property line or seawall than 4 ft.
Walls	F, S, SS, R, W	To property line or seawall as prescribed by fence and wall regulations	To property line or seawall as prescribed by fence and wall regulations
<u>Wooden platform for energy meter in a flood zone</u>	<u>S</u>	<u>No closer to property line than 3 ft. for platforms up to 4 ft. above grade, or no closer to property line than 3.5 ft. for platforms up to 5 ft. above grade</u>	<u>No closer to property line than 3 ft. for platforms up to 4 ft. above grade, or no closer to property line than 3.5 ft. for platforms up to 5 ft. above grade</u>

#### 16.70.010.5. Rehearing.

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

A. The City Council or commission shall not rehear an application unless:

1. There has been faulty notification to the applicant, appellant or registered opponent.
2. New evidence is discovered by the applicant, appellant or registered opponent after the hearing which would likely change the result if a new hearing is granted and which could not have been discovered before the hearing by due diligence; or
3. There is a substantial change of circumstance.

- B. If either of these conditions is alleged to exist, then a request for rehearing may be made by the original applicant, appellant, registered opponent or the City staff within ten days of the original decision by filing a written request for rehearing with the POD.
1. If a request for rehearing is based on newly discovered evidence, documents supporting that evidence shall be served with the application.
  2. A request for rehearing shall be heard at the next regularly scheduled meeting following the receipt of the request and, based upon the information before it, City Council or the Commission shall issue an order denying or granting a rehearing.
  3. If a request for rehearing is granted, the application shall be scheduled for a public hearing after the required fee, if any, has been paid and notification has been made as required for the first hearing by the person requesting the rehearing.
  4. If a request for rehearing is timely filed, such filing tolls the time in which to seek judicial review of the decision until an order is rendered denying the request for rehearing. If a request for a rehearing is granted, the time in which to seek judicial review shall begin when an order is entered at the rehearing on the application.

**16.70.030.1.2. - Dock permit.**

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

16.70.070.1.3. Sidewalk Payment in Lieu.

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

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

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

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

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

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

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

C. *Procedure.*

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

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

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

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

#### 16.70.015. DECISIONS AND APPEALS TABLE

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

Decisions and Appeals				
Process Type	City Code Section	POD Decision	Commission Decision	City Council Decision
Zoning Permits, Generally (Section 16.70.030.)				
Adult Use Permits, Appeals and Variances	16.70.030.1.1.	Advisory to City Council	not applicable	Final
Dock Permits	16.70.030.1.2.	Final (appealable to DRC)	DRC (Final)	not applicable
Dock Permit Appeals and Variances	16.70.030.1.2.	Advisory to DRC	DRC (Final)	not applicable
Dog Dining Permits	16.70.030.1.3.	Final (appealable to DRC)	DRC (Final)	not applicable
Landscape Permits	16.70.030.1.4.	Final (appealable to DRC)	DRC (Final)	not applicable
Pushcart Vending Permits	16.70.030.1.5.	Final (appealable to DRC)	DRC (Final)	not applicable
Roadside Vending Market Permits	16.70.030.1.6.	Final (appealable to DRC)	DRC (Final)	not applicable
Sidewalk Café Permits	16.70.030.1.7.	Final (appealable to DRC)	DRC (Final)	not applicable
Sidewalk Retail Display Permits	16.70.030.1.8.	Final (appealable to DRC)	DRC (Final)	not applicable
Sign Permits	16.70.030.1.9.	Final (appealable to DRC)	DRC (Final)	not applicable
Temporary Parking Lot Permits	16.70.030.1.10.	Final (appealable to DRC)	DRC (Final)	not applicable

Temporary Use Permits	16.70.030.1.11.	Final (appealable to DRC)	DRC (Final)	not applicable
Tree Removal Permits	16.70.030.1.12.	Final (appealable to DRC)	DRC (Final)	not applicable
Community Garden Permit	16.70.030.1.13.	Final (appealable to DRC)	DRC (Final)	not applicable
<u>Sidewalk Payment in Lieu</u>	<u>16.70.070.1.3.</u>	<u>Final</u> <u>(appealable</u> <u>to DRC)</u>	<u>DRC</u> <u>(Final)</u>	<u>not</u> <u>applicable</u>

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

### 16.90.020.3. Definitions.

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

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

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

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

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

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

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

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

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



## Residential LDR Updates - Stakeholder Meeting

May 15, 2024

Four members of the public were in attendance, including representatives from the Euclid St. Paul Neighborhood Association and the Greater Grovemont Neighborhood Association, as well as a resident of the North Kenwood area. Following the presentation, comments included:

### FAR Bonuses:

- Attendees indicated they are supportive of existing larger shade trees that will be preserved on site qualifying for FAR Bonus M for planting larger shade trees.

### Artificial Turf:

- One attendee specified their support for increasing installation of artificial turf, reasoning included allergies, less maintenance, reduced insects in yard, and aesthetics.
- Other attendees mentioned difficulty maintaining traditional turfgrass within their yards but did not directly indicate their stance on existing artificial turf regulations.

### Bay Windows:

- There weren't any substantive comments received from attendees for bay windows.

### Trees:

- Attendees were generally in support of taking extra measures to protect established trees through FAR bonus structure included incentivizing the protection of trees.

### Sidewalks - Payment in lieu:

- Lack of connectivity in sidewalks was discussed in reference to specific neighborhood areas, interest in payment in lieu option that would fund a sidewalk master plan to meet specific needs elsewhere was evident.

### Fencing:

- Attendees generally supported restrictions on "non-traditional" materials being used for perimeter fences.
- The representatives from Euclid St. Paul indicated they did not support the existing regulations that permit 6-foot-tall fences in the front yards of properties located along major streets. Two attendees stated their support for this existing section of the code.
- An attendee indicated that they would like to see uniformity of fence materials along the front of a block face when the fences are 6-feet tall.

## Residential LDR updates – Stakeholder Meeting

June 26, 2024

Several attendees identified as members of the development/architectural community. Residents and community association members of North Kenwood, Historic Kenwood, Historic Old Northeast and Palmetto Park were also present. One attendee stated an affiliation with St. Pete Rising and Preserve the ‘Burg.

### FAR Bonuses:

- In depth conversation was made regarding FAR in Local historic districts and surrounding non-designated neighborhood; comments were made indicating that a reduced FAR overall in these neighborhoods are favorable to some. (Historic Kenwood)
- Interest in further restricting FAR in Local and National historic districts was stated. One suggestion provided involved homes within historic districts being permitted FAR bonus for additions only and restricting FAR if choosing to demolish a historic resource.
- A recommendation was made to add an FAR Bonus for increased elevation of the foundation wall when a foundation wall with a height of 36-inches or more is provided.
- Change to FAR Bonus E was recommended that the height be measured from the top of the foundation to allow for taller foundation walls consistent with traditional architectural styles which feature foundation walls typically 18-inches or more in height.

### Artificial Turf:

- Brief conversation regarding artificial turf being considered an impervious surface material following questions made by an attendee.
- Several members of the public in attendance were unaware of the level of maintenance associated with artificial turf that allows for any ongoing water filtration and the impacts resulting from a lack of maintenance.

### Bay Windows:

- In response to one comment made by an attendee suggesting removal of the bay window allowable encroachment, another attendee reinforced the use of bay windows as being historically accurate and favorable in creating side articulation.

### Fencing:

- Generally, opinions indicated that sheet metal panels used for fencing were unfavorable aesthetically and raised safety concerns in relation to instances of high winds.

### Sidewalks – Payment in Lieu:

- No substantive comments were made for this topic.

### Domestic Equipment Parking:

- Attendees of the meeting expressed concerns regarding properties being able to park equipment within front yards indefinitely. Specifically referencing the visual impact made to the residential character of neighborhood streets.
- Additional comments expressed concerns about the ability to park utility trailers within front yards may lead to excess material or equipment to accumulate nearby as a result.

## Residential LDR Updates – DRC Workshop

October 3, 2024

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

### FAR Bonuses:

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

### Bay Windows:

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

### Sidewalk payment in lieu:

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

### Fencing:

- Generally, the Commission supported restrictions to untraditional fencing materials.
- Support was expressed by some members of the Commission to amend allowances for parcels exceeding 150' of street frontage to allow 4' solid fence or wall with the additional 2' required to be opaque.

**From:** Rob Wertz <rrwertzjr@gmail.com>  
**Sent:** Tuesday, April 1, 2025 8:34 AM  
**To:** Corey D. Malyszka <Corey.Malyszka@stpete.org>  
**Cc:** Robin Reed <rlreed@tampabay.rr.com>; John Barie <jpbarie.architect@gmail.com>; Joe Reed <jdreed@tampabay.rr.com>; Doug Gillespie <dgillespie602@gmail.com>; Mike R Dailey <mrdailey@me.com>  
**Subject:** Re: LDR Revision - Summary of Historic Old Northeast Review

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Corey and welcome back,  
In advance of both our upcoming meeting on Friday, and this week's DRC, our neighborhood Planning and Preservation Committee offers this review of the proposed Bonus System changes.  
Thank you, RRWj  
Rob Wertz, Co-chair HONNA Planning & Preservation Committee  
John Barie  
Mike Dailey  
Doug Gillespie  
Joe Reed  
Robin Reed

### Historic Old Northeast Review of Ordinance Regulations

The LDR Bonus Overarching Concern: While the LDR bonus system has been used, and bonuses utilized to add desirable traits, it remains unclear whether those awards have substantially contributed to compatibility of newly-built structures within traditional neighborhoods.

The LDR Bonus Point system was originally conceived as a method to ensure compatibility with the surrounding neighborhoods in NT zoning categories. The key concern then, and now, remains the mass, height and overall scale of new structures. While some projects have utilized bonus points to address mass and facade impression, the scale of most new structures remains out of proportion with their surroundings.

The revisions on offer here add desirable bonuses, but offer little to incentivize the bonuses which curtail oversize, overscale and minimally detailed structures. The large number of possible bonuses, coupled with the limited spread between base FAR and maximum achievable FAR for a two-story structure, will lead many developers away from the mass, height and style bonuses, since they can achieve the same FAR expansion using other factors and therefore never address neighborhood compatibility in their quest to build larger.

#### RECOMMENDATIONS:

- Begin with base FAR at 0.30 to encourage greater use of bonuses that address mass and scale.
- Create a hierarchy of bonuses in the system.
- Reduce the individual bonus scores; increase those that address key issues such as height.
- Consider moving scale considerations for building height into the required regulations rather than offering bonus points for lowering height.

- HONNA Planning & Preservation Committee

On Mar 13, 2025, at 10:54 AM, Rob Wertz <rrwertzjr@gmail.com> wrote:

Hello Corey,

Members of HONNA's planning and preservation committee have met over the last several months and have been monitoring the LDR revision process underway. In reviewing the most recent proposal coming before commission, we realized that meeting in person with you will help to clarify our concerns, perhaps alleviate some, and most importantly allow you to see the scope of the issues with LDR from an NT neighborhood's perspective. We would also describe our thinking on bonus points proposed, the FAR calculation process, and whether the current scheme can effectively be applied throughout an NT zoning category.

Would you be willing to meet with a small number (approximately 5-6) members of the group? We understand your limited time schedule and would appreciate the opportunity.

Thanks, Rob Wertz

Co-Chair, Preservation & Planning Committee

Historic Old Northeast Neighborhood Association

rrwertzjr@gmail.com

**From:** [John Tyler](#)  
**To:** [Corey D. Malyska](#)  
**Subject:** Fwd: Proposed land development regulations  
**Date:** Wednesday, April 2, 2025 11:58:39 AM

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Sent from my iPhone

Begin forwarded message:

**From:** John Tyler <johnanthonytyler@gmail.com>  
**Date:** April 2, 2025 at 11:48:29 AM EDT  
**To:** corey.malyska@st.pete.org  
**Subject:** Proposed land developmetn regulations

Dear Corey Malyska,

Please accept this public comment regarding the city's LDR amendments. My general view is that many of these regulations are overly nitpicky and add unnecessary expense to housing costs -- an unwise policy during a housing affordability crisis.

Please consider removing unnecessary regulations, including:

- 16.20.010.11 - Add language requiring that the front porch shall include at least two risers leading up to the porch.
- 16.20.010.11 - Require single bay doors (one or two bays) on all garages facing a primary and streetside yard.
- 16.20.020.12 - Amend text to only allow attached garages to encroach in front of the front façade line of the principal structure.

Additionally, please consider removing regulations that require ADUs to have the same roofline, siding material, and color of the main structure.

In light of the ongoing housing affordability crisis in St Pete, we should be doing everything we can to make home construction easier, not more difficult.

Indeed, I would like to see an initiative to aggressively begin stripping the codes of regulations that are not narrowly tailored to health and safety. The goal of such simplification would be to make the code more approachable to the layperson, and to lower the costs and time of building more in the city.

I can relate my own experience of my girlfriend and I going to the city multiple times, and receiving conflicting information about a host of details on a 200 sq ft shed, which revealed the staff is as confused by the needless complexity of the

code as much as the layperson. We wanted our shed much closer to our opaque fence, but they told us that the code requires 8 foot gaps from this fence. Btw, our opaque fence is already set at 14 feet from the road (we measured). I asked for a reason for this rule. I pointed out no sewers are there, and no sidewalks would ever be constructed there. Even with an 8-foot gap you could not fit a fire truck in there, so why not allow it to be closer to the fence? The real kicker was when they admitted that if we had a pool, this would be considered a "hardship" and we could place it closer to the fence, essentially an admission that none of this has to do with health and safety, and rich people who can afford inground pools get the privilege of putting their shed wherever they please. Today we have these weird back and side 8-foot gaps too small to plant an oak tree. Too small to use to entertain guests. Too little light can enter to grow a garden. It is just this weird wasted gap of a few weeds and a wheelbarrow based on a rule no one can explain with a compelling health and safety reason. Anyway, you can begin by ending this rule on shed placement. Oh, and to change the placement, we were told we have to go through this variance process. What person who is not a rich retiree that dwells in Old Northeast has the time and money to engage in that process that could have taken months and hundreds of more dollars?

For the record, there was one person in this process that I did respect and appreciate. It was the gentleman who came to make sure our roof was of the proper design to not blow away in a hurricane. That rule makes sense because it is narrowly tailored for the compelling state interest of health and safety. It felt like there is some science behind that rule and not someone's arbitrary aesthetic preferences.

Thank you,  
John Tyler  
(727) 744-9902  
3701 13th Avenue North, St. Petersburg, FL 33713

**From:** [Max McCann](#)  
**To:** [Corey D. Malyszka](#)  
**Cc:** [Scot K. Bolyard](#)  
**Subject:** LDR Amendments  
**Date:** Wednesday, April 2, 2025 11:16:01 AM

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Hi Corey,

Please accept this public comment regarding the city's LDR amendments. My general view is that many of these regulations are overly nitpicky and add unnecessary expense to housing costs -- an unwise policy during a housing affordability crisis.

Please consider removing unnecessary regulations, including:

- 16.20.010.11 - Add language requiring that the front porch shall include at least two risers leading up to the porch.
- 16.20.010.11 - Require single bay doors (one or two bays) on all garages facing a primary and streetside yard.
- 16.20.020.12 - Amend text to only allow attached garages to encroach in front of the front façade line of the principal structure.

Additionally, please consider removing regulations that require ADUs to have the same roofline, siding material, and color of the main structure.

In light of the ongoing housing affordability crisis in St Pete, we should be doing everything we can to make home construction easier, not more difficult.

Thank you,  
--Max McCann  
(773) 354-5331  
2648 3rd Ave S, St Petersburg, FL 33712



**From:** [Christine McCann](#)  
**To:** [Corey D. Malyszka](#)  
**Subject:** Public comment for LDR Amendments today  
**Date:** Wednesday, April 2, 2025 11:50:34 AM

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Corey,

I have a public comment regarding the city's LDR amendments.

These regulations add unnecessary expense to housing costs, which is ridiculous when we have a housing affordability crisis!

Please consider removing unnecessary regulations, including:

- 16.20.010.11 - Add language requiring that the front porch shall include at least two risers leading up to the porch.
- 16.20.010.11 - Require single bay doors (one or two bays) on all garages facing a primary and streetside yard.
- 16.20.020.12 - Amend text to only allow attached garages to encroach in front of the front façade line of the principal structure.

Please consider removing current regulations that require ADUs to have the same roofline, siding material, and color of the main structure. My neighbor had to accommodate a roofline on her ADU that makes it stand out as garish in our neighborhood now because of this rule. It also caused roofing material to slide off the roof because of its required steepness and would have killed someone on the sidewalk!

In light of the ongoing housing affordability crisis in St Pete, we should be doing everything we can to make home construction easier, not more difficult. Especially with regards to aesthetic issues. It should be about safety and resilience only.

Thank you,  
Christine McCann  
(773) 354-5331  
2648 3rd Ave S, St Petersburg, FL 33712

Sent from my iPhone

**From:** [Neil Cammardella](#)  
**To:** [Corey D. Malyszka](#)  
**Subject:** Unnecessary Rules Raise Costs  
**Date:** Wednesday, April 2, 2025 11:34:09 AM

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Hi Corey,

I'm writing in regards to the zoning amendments being proposed at today's hearing. I strongly advocate for removing all regulations that do not directly address safety.

We should be focusing on storm resilience and affordability. I urge you, and all the city staff, to have the courage to say no to those that believe that our city government should be used to enforce subjective aesthetic standards at the expense of affordability.

Thank you,  
Neil Cammardella