

ORDINANCE NO. 2026-02

AN ORDINANCE OF THE TOWN OF REDINGTON BEACH, FLORIDA, AMENDING APPENDIX A OF THE TOWN CODE RELATED TO ZONING; MAKING RELATED FINDINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

WHEREAS, Appendix A of the Redington Beach Town Code addresses zoning; and

WHEREAS, while the Town is relatively small with the vast majority of its land zoned residential, its zoning code is many decades old and Forward Pinellas, Pinellas County's Planning arm which provides professional planning and zoning services to the Town, has reviewed the Town's zoning code in light of the Town's recently-adopted Comprehensive Plan; and

WHEREAS, based on that review, the Town has been advised that the current zoning code is antiquated in terms of the use of various terms and conditions, contains outdated provisions or provisions which are now inconsistent with the Town's Comprehensive Plan, and needs to be updated to ensure compliance with current Florida laws; and

WHEREAS, while the Town's Charter contains a provision requiring amendments to the zoning code to proceed to a referendum prior to becoming effective, in 2023 the Florida Legislature amended Florida Statutes § 163.3167(8) to provide that retroactively to June 1st 2011, an "initiative or referendum process in regard to any land development regulation is prohibited"; and

WHEREAS, the Town Planner has presented the revisions to the zoning code contained in this Ordinance to the Town's Planning Board and that body has provided its recommendations to the Commission; and

WHEREAS, the Commission has reviewed the ordinance, the Planning Board's recommendations, and the advice of the Town Planner and Town Attorney, and finds that it is in the Town's best interests to adopt this Ordinance.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Redington Beach, Florida, that:

Section 1. Appendix A of the Redington Beach Town Code (Zoning) is hereby amended as follows:

APPENDIX A - ZONING

Sec. 1. ~~{Purpose of regulations.}~~

For the purpose of promoting the health, safety, and general welfare; to secure safety from fire, panic or other dangers; to provide adequate light and air; to prevent the overcrowding of land, and avoidance of undue concentration of population in the Town of Redington Beach, the corporate limits and areas of the Town of Redington Beach are hereby divided into zoning districts, and with regulations and restrictions for each of such districts as hereinafter set forth.

All land use and land development shall be in accordance with the town's comprehensive plan and these regulations. Where these regulations differ from the town's comprehensive plan the more restrictive of the two (2) shall be applied.

Sec. 2. ~~{Zoning districts.}~~

(a) Establishment of zoning districts. ~~For the purpose of this ordinance, t~~The Town of Redington Beach ~~be and the same~~ is hereby divided into ~~three (3)~~ six (6) zoning districts, ~~each embracing the territory as follows, to wit~~ known and designated as follows:

<u>Zoning District</u>	<u>Symbol</u>
<u>Multifamily</u>	<u>MF</u>
<u>Mixed Use 1</u>	<u>MU-1</u>
<u>Mixed Use 2</u>	<u>MU-2</u>
<u>Recreation/Open Space</u>	<u>R/OS</u>
<u>Public/Semi-Public</u>	<u>P/SP</u>
<u>Single-Family</u>	<u>SF</u>

(b) Establishment of zoning map. The locations and boundaries of the enumerated zoning districts are established as shown on the adopted Zoning Map of the Town of Redington Beach. The zoning map is hereby made a part of this Appendix A, Section 2. The zoning map shall be identified by the signature of the mayor, attested by the town clerk and bear the seal of the town. The official zoning map shall be maintained on display in the Town Hall.

Except where referenced on the zoning map to a street boundary line or other designated line by dimensions shown on such map, the zoning district boundary lines are intended to follow property lines or the center line of street or alleys or rights-of-way as they existed at the time of the adoption of the map or any amendments of the same.

(c) Correlation of zoning districts and future land use plan categories. The table below shows the correlation between the town's zoning districts and future land use plan categories, as established in the town's comprehensive plan. Maximum densities, intensities, and permitted uses of land parcels within each zoning district are governed by the underlying future land use category, unless further restricted by these land development regulations.

<u>Future Land Use Category</u>	<u>MF</u>	<u>MU-1</u>	<u>MU-2</u>	<u>R/OS</u>	<u>P/SP</u>	<u>SF</u>
<u>Residential Urban</u>						<u>X</u>
<u>Residential Medium</u>	<u>X</u>			<u>X</u>		<u>X</u>
<u>Residential/Office/Retail</u>		<u>X</u>	<u>X</u>			
<u>Institutional</u>					<u>X</u>	<u>X</u>
<u>Recreation/Open Space</u>				<u>X</u>		<u>X</u>
<u>Preservation</u>						<u>X</u>

~~District No. 1~~

~~Lots 1 to 11, both inclusive, of Block 24, Lots 1 to 9, both inclusive, and Lots 12 to 21, both inclusive, of Block 18, all in Third Addition to Redington Beach Homes; and Lots 1 and 2 and Lots 5 to 11, both inclusive, C. E. Redington Replat; and also unplatted lot or tract of land lying between Lot 21 of Block 18 of Redington Beach Homes aforesaid and Gulf Boulevard.~~

~~District No. 2~~

~~That portion of the territory within the corporate limits not included in District No. 1, and lying north of the center line of 157th Avenue, and along such center line as extended to the town limits in the waters of Boca Ciega Bay and the Gulf of Mexico.~~

~~District No. 3~~

~~That portion of the territory within the corporate limits lying south of the center line of 157th Avenue, and along such center line as extended to the town limits in the waters of Boca Ciega Bay and the Gulf of Mexico.~~

Sec. 3. Permitted buildings and uses.

District No. 1 is hereby zoned for the construction of buildings and use thereof as follows:

- (1a) ~~Lots 1 to 11, Block 24, Third Addition to Redington Beach Homes are hereby zoned for the construction of buildings and the use thereof for the conduct of apartment, hotel or club business, excepting as such construction or use may hereinafter be limited or restricted; in the construction of such apartment, hotel or club building, provision may be made for, and there may be operated and conducted, with necessary kitchen or kitchens, such dining room or other eating, cocktail lounge or bar, and/or other customary club facilities, adequate for the accommodation of the occupants of the apartment building or buildings, if more than one building is included under a single operation, the guests of the hotel and/or the members of the club, as the case may be. The permissive zoning contained in the above portions of this subsection is subject to the ordinances of the Town of Redington Beach now or which may hereafter be in force and effect relative to any or all such facilities.~~
- (1b) ~~Lots 1 to 6, both inclusive, and 15 to 21, both inclusive, of Block 18, Third Addition to Redington Beach Homes and unplatted lot or tract of land lying between Lot 21 of~~

~~Block 18, of Redington Beach Homes and Gulf Boulevard, are hereby zoned for the construction of multiple family dwellings or apartments; and provided, that i~~

Sec. 3. District regulations.

(a) Multifamily (MF)

(1) Purpose and Intent. The MF zoning district is hereby zoned for development with single-family and multifamily dwellings.

(2) Permitted uses.

A. Principal structures include single-family and multifamily dwellings. In addition, a real estate brokerage and properly allied lines of business may be conducted in building located on the tract at the northeast corner of 163rd Avenue and Gulf Boulevard, as such building is now constructed, this latter exception being made for the reason that such property was and is lacking in conformance with the zoning provisions hereof at the time of the introduction and passage of this ordinance.

B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation.

(3) Maximum development potential. The MF zoning district may be located in the Residential Medium future land use category. The uses and development potential of a parcel of land within the MF district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive.

A. The maximum residential density is fifteen (15) dwelling units per net land acre.

B. The maximum impervious surface ratio is 0.65.

(4) Other standards. In the event any ~~apartment house or~~ building extends beyond the rear line of any particular lot ~~and is, that is to say, may be~~ constructed upon two (2) lots backing up to each other, such building shall be architecturally provided with a double front, one of which fronts shall face upon each of the streets which the two (2) lots respectively face upon, in such manner as to eliminate any ~~back-rear~~ yard area facing upon a street. ~~, excepting, however, that a real estate brokerage and properly allied lines of business may be conducted in building located on [the] tract at the northeast corner of 163rd Avenue and Gulf Boulevard, as such building is now constructed, this latter exception being made for the reason that such property was and is lacking in conformance with the zoning provisions hereof at the time of the introduction and passage of this ordinance.~~

~~(1c) Lots 9, 10 and 11 of C. E. Redington Replat, be and the same are hereby zoned for the construction of buildings and use of same for multiple family dwellings or apartments and/or for purposes of transacting retail business, professional or business offices, or other businesses other than manufacturing, industrial, or medical marijuana facilities; excepting, however, the handling or sale of beer, wine or other intoxicating beverages wholesale or retail, for consumption on or off the premises, such sale of beer, wine or intoxicating beverages being hereby strictly prohibited.~~

(b) Mixed Use 1 (MU-1)

(1) Purpose and Intent. The MU-1 zoning district is hereby zoned for development with single-family and multifamily dwellings, and business uses.

(2) Permitted uses.

A. Principal structures include single-family dwellings, multifamily dwellings, community commercial, and offices, or other businesses excluding manufacturing, industrial, medical marijuana facilities, or the handling or sale of beer, wine or other intoxicating beverages.

B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation.

(3) Maximum development potential. The MU-1 zoning district may be located in the Residential/Office/Retail future land use category. The uses and development potential of a parcel of land within the MU-1 district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive.

A. The maximum residential density is fifteen (15) dwelling units per net land acre.

B. The maximum impervious surface ratio for residential uses is 0.65.

C. The maximum impervious surface ratio for nonresidential uses is 0.85.

D. The maximum floor area ratio for nonresidential uses is 0.40.

E. Mixed residential and nonresidential uses shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the land area of the property.

~~(1d) Lots 7 and 8 of C. E. Redington Replat are hereby zoned for the construction of buildings and use thereof for public or municipal purposes, multiple dwellings, public storage garage or garages, together with sale of such articles or items of merchandise and the performance of such services as are normally incident to the operation and conduct of a storage garage for the uses, services and incidental repair of motor vehicles.~~

(c) Mixed Use 2 (MU-2)

(1) Purpose and Intent. The MU-2 zoning district is hereby zoned for development with public/semi-public institutional uses, single-family and multifamily dwellings.

(2) Permitted uses.

A. Principal structures include single-family dwellings, multifamily dwellings, and uses related to public/semi-public institutional uses, including public storage garages.

B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation.

(3) Maximum development potential. The MU-2 zoning district may be located in the Residential/Office/Retail future land use category. The uses and development potential of a parcel of land within the MU-2 district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive.

A. The maximum residential density is fifteen (15) dwelling units per net land acre.

B. The maximum impervious surface ratio for residential uses is 0.65.

C. The maximum impervious surface ratio for nonresidential uses is 0.85.

D. The maximum floor area ratio for nonresidential uses is 0.40.

E. Mixed residential and nonresidential uses shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the land area of the property.

~~(1e) Provided, however, that nothing hereinabove contained shall be taken, construed or interpreted as prohibiting the construction of single family dwellings in said District No. 1.~~

~~(1f) Lots 7, 8, 9, 12, 13, and 14, Block 18, Third Addition to Redington Beach Homes and Lots 1, 2, 5 and 6, C. E. Redington Replat are hereby zoned for recreation/open space.~~

(d) Recreation/Open Space (R/OS)

(1) Purpose and Intent. The R/OS zoning district is hereby zoned for use as open space or recreational uses, whether public or private.

(2) Permitted uses.

A. Principal uses include public or private open space, public or private parks, public recreation facilities, or public beach or water access.

B. Special exception uses include wireless communications towers subject to the provisions of Chapter 6, Article IX, Division 2 of the Town of Redington Beach Code of Ordinances.

(3) Maximum development potential. The R/OS zoning district may be located in more than one future land use category. The uses and development potential of a parcel of land within the R/OS district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive. Intensity standards for the future land use categories that apply to the R/OS zoning district are as follows:

<u>Future Land Use Category</u>	<u>Impervious Surface Ratio</u>	<u>Floor Area Ratio</u>
<u>Recreation/Open Space</u>	<u>0.60</u>	<u>0.25</u>
<u>Residential Medium</u>	<u>0.65</u>	<u>No applicable standard</u>

~~(1g) Lots 3 and 4, C.E. Redington Replat are hereby zoned as public/semi-public.~~

- ~~(A) Public/semi-public, ancillary nonresidential uses: Shall not exceed a maximum area of three (3) acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.~~
- ~~(B) No commercial or nonresidential use shall exceed a floor area ratio (FAR) of forty (40) percent nor an impervious surface ratio (ISR) of seventy (70) percent.~~
- ~~(C) The permitted uses, densities, and intensity standards in this district shall be limited by the parcel's designation on the future land use map.~~
- ~~(D) Transient accommodation uses are limited to fifteen (15) units per acre. Should the use be residential urban it is limited to seven and one half (7.5) units per acre.~~
- ~~(1h) All uses must be a permitted use within the future land use designation as shown on the town's future land use plan map.~~

(e) Public/Semi-Public (P/SP)

- (1) Purpose and Intent. The P/SP zoning district is hereby zoned for public or semi-public institutional uses.
- (2) Permitted uses.
 - A. Principal structures include public or semi-public institutional facilities such as public buildings, schools, churches, social service agencies, municipal office buildings, public safety facilities, other community service facilities, ancillary nonresidential uses, and single-family dwellings.
 - B. Special exception uses include wireless communications towers subject to the provisions of Chapter 6, Article IX, Division 2 of the Town of Redington Beach Code of Ordinances.
 - C. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation.
- (3) Maximum development potential. The P/SP zoning district may be located in the Institutional future land use category. The uses and development potential of a parcel of land within the P/SP district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive. The applicable density/intensity standards are as follows:
 - A. Public/semi-public or ancillary nonresidential uses: Shall not exceed a maximum area of three (3) acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.
 - B. The maximum impervious surface ratio for nonresidential uses is 0.70.
 - C. The maximum floor area ratio for nonresidential uses is 0.40.

~~{District No. 2 is hereby zoned for the construction of buildings and use thereof as follows:}~~

~~(2a) District No. 2 is hereby zoned for the construction of single family dwelling houses and the use of such dwelling houses for single family residential purposes.~~

~~(2b) District 2. Other standards:~~

~~(2c) All uses must be a permitted use within the future land use designation as shown on the town's future land use plan map.~~

~~[District No. 3 is hereby zoned for the construction of buildings and use thereof as follows:]~~

~~(3a) District 3 is hereby zoned for the construction of single family dwelling houses subject to general zoning regulations and restrictions set forth in Section 5, and use of such dwelling houses for single family residential purposes, saving and excepting only Lot 9, Block 6 of First Addition to Lone Palm Beach Subdivision which is hereby zoned for use as a real estate brokerage office and office for rental and operation of rental cottages or units, in building or buildings as now constructed only, for the reasons that said lot was at the time of the original passage of Ordinance No. 11, and at all times since, been actually used for a use nonconforming with single family residence only.~~

~~(3b) District 3. Other standards:~~

~~(3c) All uses must be a permitted use within the future land use designation as shown on the town's future land use plan map.~~

(f) Single-Family (SF)

(1) Purpose and Intent. The SF zoning district is hereby zoned for the construction of single-family dwellings, and the use of such structures for single-family residential purposes.

(2) Permitted uses.

A. Principal structures include single-family dwellings subject to general zoning regulations and restrictions set forth in Section 5 of this Appendix A.

B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation.

(3) Maximum development potential. The SF zoning district may be located in more than one future land use category. The uses and development potential of a parcel of land within the SF district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive. Density and intensity standards for the future land use categories that apply to the SF zoning district are as follows:

<u>Future Land Use Category</u>	<u>Residential Density (dwelling units per net land acre)</u>	<u>Impervious Surface Ratio</u>	<u>Floor Area Ratio</u>
<u>Residential Urban</u>	<u>7.5</u>	<u>0.65</u>	<u>No applicable standard</u>
<u>Residential Medium</u>	<u>15</u>	<u>0.65</u>	<u>No applicable standard</u>

<u>Institutional</u>	<u>No applicable standard</u>	<u>0.85</u>	<u>0.65</u>
<u>Recreation/Open Space</u>	<u>No applicable standard</u>	<u>0.60</u>	<u>0.25</u>
<u>Preservation</u>	<u>No applicable standard</u>	<u>0.20</u>	<u>0.10</u>

Sec. 4. Density.

No zoning district within the Town of Redington Beach, Florida, shall have a maximum density standard that exceeds fifteen (15) units per acre; and the board of adjustment and the board of commissioners shall allow no exception or variance whatsoever from this section.

~~Sec. 4. Construction material.~~

~~Districts Nos. 1, 2 and 3 are hereby zoned for the construction of buildings of masonry construction only as defined in the building code of the Town of Redington Beach and any amendments thereto; provided, however, that alterations or additions, otherwise conforming to this and other ordinances of the Town of Redington Beach, may be made to any building now existent of the same structural material as that used in the original construction of such building.~~

~~Sec. 5. [Building regulations.]~~

~~(a) With the exception of apartments, hotels or business buildings to be constructed in appropriate areas zoned therefor, no building shall be erected in the Town of Redington Beach other than a single family dwelling house and no such single family house shall be constructed in the Town of Redington Beach in which the area including the outside walls of the building exclusive of open or screened breezeways, porches or garage space is less than one thousand (1,000) square feet, except residences on Bay Front and Gulf Boulevard front lots whose area as above described shall not be less than thirteen hundred (1,300) square feet. All single family houses within the Town of Redington Beach shall have a rear yard for inside lots of fifteen (15) feet minimum.~~

~~No building shall be erected in the Town of Redington Beach for use as or converted to a condominium or apartment building in which the area of each living unit, exclusive of open or screened breezeways, porches or balconies, is less than eight hundred (800) square feet for one bedroom units, nine hundred fifty (950) square feet for two (2) bedroom units and twelve hundred (1,200) square feet for three (3) bedroom units.~~

~~(b) No building, nor any portion thereof, including porches, balconies, cornices or other permanently fixed decorations, shall approach nearer than twenty (20) feet to the line of roadway or street abutting the building lot, excepting on Gulf Boulevard, where such building line is hereby fixed at fifty three (53) feet from the center of State Road No. 699 as now actually constructed; and for those lots lying between Gulf Boulevard and the Gulf of Mexico the building line on the Gulf side is hereby fixed at one hundred seventy three (173) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually~~

~~constructed; excepting however, on Lots 1 to 6, inclusive, Block 1, Redington Beach Homes, where such Gulf side building line is hereby fixed at one hundred eighty three (183) feet from center of State Road No. 699 (or Gulf Boulevard), as now actually constructed; provided this Gulf front building line shall not apply to Block 24 of Third Addition to Redington Beach Homes; and further for these lots bordering on Boca Ciega Bay the building line on the Bay side is hereby fixed at twenty five (25) feet from the bay-front property line, the mean high tide mark or center of seawall cap; if the seawall extends into Boca Ciega Bay beyond the property line and is contiguous with the land and bounded by the side property lines. No building, nor any part thereof, as above set forth (excepting eaves which may approach two and one half (2½) feet nearer shall approach nearer than seven and one half ((7½) feet to the side line of, or nearer than fifteen (15) feet to the rear line of, the lot upon which the same is constructed; provided, however, that in case of corner lots in effect facing upon two (2) streets, the shorter dimension of such lot may be treated as the front, and the longer may be treated as the side line and, in such event, the side line restriction is hereby fixed at ten (10) feet instead of seven and one half (7½) feet, as above set forth; and provided further, that in case of corner lots abutting a lot on the rear of any such corner lot, which abutting lot faces or fronts on a street other than the street upon which such corner lot fronts, as the front is above defined, then the side line restriction on such corner lot is hereby fixed at fifteen (15) feet; and provided further, that the above requirement as to distance from side or rear line of lots shall not apply to business buildings constructed within the areas designated therefore, and provided further, that in the case of apartments and/or hotels constructed in areas other than that designated for business, the following lot line regulation shall apply, to wit: That in the event of a one-story or more apartment or hotel, the construction of any part thereof shall not approach nearer than ten (10) feet to the side line of the lot or lots upon which the same is constructed, excepting eaves which may approach two and one half (2½) feet nearer to side lines.~~

Editor's note(s) — Upon the instruction of the town, in subsection 5(b), the term "five (5) feet," as pertaining to required distance from the rear lot line, has been changed to "fifteen (15) feet" even though Ord. No. 85-14, adopted Oct. 15, 1985, and passed at referendum Nov. 5, 1985, did not specifically amend § 5(b).

- ~~(c) No structure in a single family dwelling zone, having a flat or "built-up" roof, shall at its highest point exceed thirty (30) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM"); and no such structure having a hip, gable or gambrel roof or other type roof with a ridge line shall exceed thirty (30) feet to the median height of such roof above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM"). Furthermore, a preconstruction elevation plan drawn by registered or licensed architects or engineers must be executed prior to issuance of a permit to build.~~
- ~~(d) No structure in apartment, hotel, multiple family dwelling or commercial area zones shall, at its highest point, exceed fifty (50) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM"). Furthermore, a preconstruction elevation plan drawn by registered or licensed architects or engineers must be executed prior to issuance of a permit to build.~~

Sec. 5. Building regulations.

(a) Building Size

(1) Minimum floor area.

- A. For lots fronting the Gulf of America or Boca Ciega Bay, the minimum floor area of a single-family dwelling shall be thirteen hundred (1,300) square feet, including the outside walls of the building, but not including open or screened breezeways, porches or garage space.
- B. For all other lots, the minimum floor area of a single-family dwelling shall be one thousand (1,000) square feet, including the outside walls of the building, but not including open or screened breezeways, porches or garage space.
- C. For multifamily dwellings, the minimum size of each living unit shall be eight hundred (800) square feet for one (1) bedroom units, nine hundred fifty (950) square feet for two (2) bedroom units, and twelve hundred (1,200) square feet for three (3) bedroom units, including the outside walls of the building, but not including any open or screened breezeways, porches or balconies.

(2) Maximum height.

- A. The maximum height for a single-family dwelling with a flat or built-up roof shall be thirty-five (35) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM"), measured at the highest point of the roof.
- B. The maximum height for a single-family dwelling with a hip, gable or gambrel roof, or other type roof with a ridge line, shall be thirty-five (35) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM"), measured by the median height of the roof, as set forth in section 6-58 of the Town of Redington Beach Code of Ordinances.
- C. The maximum height for a principal structure other than a single-family dwelling shall be fifty (50) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM").
- D. For all structures, a preconstruction elevation plan drawn by registered or licensed architects or engineers must be executed prior to issuance of a permit to build.

(b) Setbacks

Except as specified in subsections (1) through (5) below, no building, nor any portion thereof, including porches, balconies, cornices or other permanently fixed decorations, shall be constructed within an established front, side, or rear setback.

- (1) Front setback. Front setbacks apply to all buildings constructed within the town, and shall be relative to the front property line of the subject parcel as defined in Section 10 of this Appendix A.

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- A. For lots bordering Gulf Boulevard, the front setback line shall be located fifty-three (53) feet from the center of State Road No. 699, as now actually constructed.
 - B. For all other lots, the front setback line shall be located twenty (20) feet from the property line abutting the building lot.
 - C. On a corner lot facing upon two (2) streets, the provisions of subsection (b)(2) apply.
 - (2) Front setbacks on corner lots. For any building constructed on a corner lot facing upon two (2) streets, the following provisions shall apply:
 - A. The shorter of the two street-facing property lines shall be the primary front property line, and shall be subject to the provisions of subsection (b)(1) above.
 - B. The longer of the two street-facing property lines shall be the secondary front property line. The secondary front setback shall be located ten (10) feet from the property line.
 - C. Side and rear setbacks on corner lots are subject to the provisions of subsections (b)(3) and (b)(4) below, respectively.
 - (3) Side setback. Side setbacks apply to all buildings other than commercial or office constructed within the town, and shall be relative to the side property line of the subject parcel as defined in Section 10 of this Appendix A.
 - A. For a multifamily dwelling, the side setback line shall be located ten (10) feet from the side property line.
 - B. For all other applicable buildings, the side setback line shall be located seven and one-half (7½) feet from the side property line.
 - (4) Rear setback. Rear setbacks apply to all buildings other than commercial or office constructed within the town, and unless otherwise specified, shall be relative to the rear property line of the subject parcel as defined in Section 10 of this Appendix A.
 - A. For Lots 1 through 6 of Block 1 of the Redington Beach Homes Subdivision, the rear setback line facing the Gulf of America shall be located one hundred eighty-three (183) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually constructed.
 - B. For lots lying between Gulf Boulevard and the Gulf of America other than those specified in subsection A above, the setback line on the side of the property facing the Gulf shall be located one hundred seventy-three (173) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually constructed.
 - C. For all lots fronting on Gulf Boulevard other than those specified in subsections A and B above, the rear setback line shall be located fifty-three (53) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually constructed.
 - D. For lots bordering on Boca Ciega Bay, the setback line on the side of the property facing the Bay shall be located twenty-five (25) feet from the Bay-fronting property

line, the mean high tide mark, or the center of seawall cap, whichever is more restrictive.

E. For all lots other than those specified in subsections A through D above, the rear setback line shall be located fifteen (15) feet from the rear property line.

(5) Exceptions to required setbacks. An encroachment to the setbacks provided in subsections (1) through (4) above are permitted for the following:

A. Eaves may encroach an additional two and one half (2½) feet into the otherwise applicable setbacks.

B. For a single-family house taller than one story or elevated pursuant to Chapter 10, Article IV, the following encroachments are permitted for the purpose of providing pedestrian access to the building:

1. Stairs may encroach up to four and one-half (4.5) feet into any required setback.

2. Elevators or other automated vertical conveyance consistent with Section R321 (Elevators and Platform Lifts) of the Florida Building Code, Residential, may encroach up to four and one-half (4.5) feet into a required side or rear setback.

Any encroachment authorized by this subsection shall be limited to the minimum extent necessary to provide building access, including utility meter access where required by the applicable utility provider.

~~Sec. 6. Reserved.~~

~~Sec. 7. [Adoption of state law.]~~

~~The board of commissioners specifically adopts for the Town of Redington Beach Sections 176.22 and 176.23, Florida Statutes of 1941.~~

~~State law reference(s) — For provisions which were once contained in §§ 176.22 and 176.23, see now F.S. § 163.3161 et seq.~~

~~Sec. 8. [Penalty.]~~

~~Any person violating any of the provisions of this ordinance shall be punished by a fine not exceeding two hundred and fifty dollars (\$250.00), per day per violation or not exceeding five hundred dollars (\$500.00), per day per repeat violation.~~

~~Sec. 9. [Repeal.]~~

~~From the effective date of this ordinance all previous ordinances and parts or amendments of ordinances relative to zoning, to wit: 2, 4, 10, 11, 15, 17, 19, 21, 22, 27, 33, 37, 40, 45 and 52 shall be and the same are hereby repealed.~~

~~Sec. 10. [Constitutionality.]~~

~~Should any section or provision of this ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the balance of this ordinance.~~

~~Sec. 11. [Wing walls and screening walls.]~~

Sec. 6. Wing walls and screening walls.

No single-family dwelling ~~house~~ within the Town of Redington Beach, ~~as provided and set out in Section 5(a) above,~~ shall have a wing wall or screening wall (as distinguished from fences as regulated in ~~Ordinance No. 57 Chapter 6, Article X~~), except in side yards as defined ~~herein in Section 10 of this Appendix A,~~ and subject to the following regulations:

~~[1] The term "wing wall," for the purpose of this ordinance, shall indicate a wall or enclosure built at a right angle with the residence wall or side line of the lot.~~

(a) Wing wall standards. A wing wall shall have a maximum height above grade, as established by the building ~~inspector~~ official, of six (6) feet, and shall have an opening three (3) feet wide and the entire height of wall at any location in the length of the wall, and the opening may have a gate or door closure. Not more than one wing wall shall be built in each of the two (2) side yards.

~~[2] The term "screening wall," for the purpose of this ordinance, shall indicate a wall or enclosure located parallel to the side lot line or side wall of the residence.~~

(b) Screening wall standards. A screening wall shall have a six-foot maximum height above grade and a maximum length of twelve (12) feet. A screening wall may be built in either of the side yards of a ~~residence~~ dwelling but not in both.

~~[3] A "side yard," for the purposes of this ordinance, shall indicate the area on each side of a residence between residences and side lot line, and between front setback line (normally twenty (20) feet from the street) and rear setback line, which is normally twenty five (25) feet for waterfront lots and from fifteen (15) to twenty (20) feet for other lots.~~

~~[4]~~

(c) Wing and screening wall material. Wing walls or screening walls may be of masonry, wood, metal or other suitable material, and shall be supported and anchored to resist overturning due to wind pressure.

Sec. 7. Lot/parcel standards.

(a) Newly created lots, generally. A newly created lot and/or parcel shall have a minimum size of 5,808 square feet, and each such lot and/or parcel shall have direct access to and abut a public roadway.

- (b) Newly created residential lots. For newly created lots in residential districts, street frontage shall be a minimum of 60 feet.
- (c) Existing platted lots. No platted lot shall be reduced in size from that currently platted. This shall not limit the right to rebuild on existing platted lots.

Sec. 128. Off-street parking and loading.

- (a) ~~General provisions.~~ For the purpose of this section, the term "An off-street parking space" shall consist of a minimum net area of two hundred (200) square feet with minimum dimensions of ten (10) feet by twenty (20) feet for the parking of an automobile, exclusive of access drives or aisles which should be a minimum of twenty (20) feet wide. The minimum width of a driveway to a parking area shall be ten (10) feet. These provisions notwithstanding, whenever the plans for a parking area are prepared to allow parallel or angle parking, such plans shall be submitted to the building ~~inspector~~ official. A variance from the strict provisions aforesaid may be granted if the building ~~inspector~~ official finds that such plans have been so engineered as to provide adequate space for each car intended to be parked on the property, that access and maneuvering space is, in fact, reasonable and adequate for the purpose intended, and that easements and fire lanes are not encroached upon.
- ~~(b) [Number of spaces.] There shall be provided at the time of erection of any main structure, or at the time any main structure is enlarged or increased in capacity by adding dwelling units, guest rooms, floor area or seats, minimum off-street automobile parking spaces with adequate provisions for ingress and egress by automobiles of standard size as follows:~~
- (b) Number of parking spaces required. Parking requirements shall be met at the time any building or structure is erected, enlarged or increased in density or intensity, or a change of use results in an increase in the minimum number of parking spaces required. Minimum off-street automobile parking space, with adequate provisions for ingress and egress by automobiles of standard size, shall be provided as follows:

(1) Dwelling Structure for Permanent Occupants:

Dwelling Units	Parking Space Required per Unit
1 - 19	2
20 - 49	1.8
50 - 99	1.7
100 - 149	1.6
150 or more	1.5

plus two (2) spaces for the resident owner or manager, plus one additional space for each employee other than the manager and his family members.

- (2) ~~General Business or Commercial Establishments~~ Community Commercial Use (excluding restaurants): One space for each two hundred (200) square feet, or fraction thereof, of floor space in sales area.
- ~~(3) Apartment Hotel, Apartment Motel, Hotel or Motel: One and one-fourth (1¼) spaces for each dwelling unit, plus two (2) additional spaces for the resident owner or~~

~~manager, plus one additional space for each employee other than the manager and his family members.~~

(43) Office Building: One space for each two hundred (200) square feet, or fraction thereof, of floor area used for office purposes.

~~(5) Private Club or Lodge: One space for each sixty (60) square feet of floor area.~~

(64) Restaurant: One space for each sixty (60) square feet of floor space in dining area.

(75) Where the application of the ordinance formulas results in a total number of spaces plus a fraction, the fraction shall require one additional space.

(c) *Location.* Parking spaces for all dwellings shall be located not more than three hundred (300) feet distant as measured along the nearest pedestrian walkway.

(d) *Off-street loading.* Commercial operations shall provide sufficient space so as not to hinder the free movement of vehicles and pedestrians over a sidewalk, right-of-way, alley easement or fire lane during loading and off-loading operations.

Sec. 13. Density.

~~No property within the Town of Redington Beach, Florida, shall have a density which exceeds fifteen (15) units per acre; and the board of adjustment and the board of commissioners shall allow no exception or variance whatsoever from this section.~~

Sec. 149. Buffers.

(a) *Purpose and intent.* The purpose and intent of this section is to reduce the impacts of a use of land on adjacent uses which are of a significantly different character.

(b) *Buffers required.* A buffer consists of a horizontal distance from a property line which may only be occupied by drainage areas, utilities and landscaping materials. Any required setback is a part of the total required buffer. The required buffering distance between land uses on adjoining lots is set forth in the buffer matrix. Mechanical/air conditioning equipment, outdoor storage areas and parking areas shall not be located within the required buffers.

Compliance with this section is required in all cases of new construction, change of use or expansion of use or structure.

Buffer Matrix

Proposed Use	Abutting Use		
	Dwelling, single- or two-family Single-family dwelling or duplex	Dwelling, multiple- family Multifamily dwelling with three or more units	Nonresidential use
Dwelling, single- or two-family Single-family dwelling or duplex	0	0	0

Dwelling, multiple family Multifamily dwelling with three or more units	5	0	15
Nonresidential use	15	10	0

Sec. 1510. Definitions.

For purposes of this ordinance, the following terms shall have the meaning given in this section:

Accessory structure. A structure that is clearly subordinate or incidental to, but customarily related to, a principal structure located on the same parcel.

Ancillary nonresidential. Off-street parking ~~drainage retention areas and open space buffer areas~~ and trash receptacle areas for adjacent, contiguous, nonresidential use.

Community commercial. Commercial establishments that generally serve the day-to-day ~~commercial and personal service~~ needs of the community, including restaurants, convenience goods and services, and personal and professional services.; Specific examples may include, but are not limited to, tobacco shops, retail clothing store, newsstands, bakeries, delicatessens, meat and seafood markets, produce markets, barber and beauty shops, seamstress shops, shoe repair and shining shops, dry cleaning and laundry pickup facilities. A community commercial use shall not include a medical marijuana dispensing facility or other medical marijuana facility as defined within this section.

Density. The measure of permitted residential development expressed as a maximum number of dwelling units per acre of net land area.

Dock. Any structure, otherwise known as a pier, wharf or loading platform, which is constructed on pilings over open water, or which is supported by flotation on the water.

Duplex. A building containing two (2) dwelling units, which are either attached side-by-side or stacked vertically, and are located on a single lot. Each unit is intended for occupancy as a separate household with its own kitchen and bathroom facilities.

Dwelling Unit. One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household. This use shall include any type of use of such dwelling units the Town is required by law to permit.

Floor area, gross. The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces or loading space for motor vehicles.

Floor area ratio (FAR). A measurement of the intensity of building development on a site. A floor area ratio is the relationship between the gross floor area on a site and the gross land area. The FAR is calculated by adding together the gross floor areas of all buildings on the site and dividing by the gross land area.

~~*Gross land area.* Gross land area for the purposes of computing density/intensity shall be the total land area within the property boundaries of the subject parcel, and specifically exclusive of any submerged land or public right of way.~~

Impervious surface. A surface that has been compacted or covered with a layer of material so that it is highly ~~resistent~~resistant to or prevents infiltration by stormwater. It includes: surfaces such as limerock, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar surfaces.

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

Intensity. The measure of permitted development expressed as a maximum impervious surface ratio and/or floor area ratio per acre of net land area.

Lot and/or parcel of record. A ~~"lot and/or parcel of record" is defined as:~~ a lot and/or parcel which on April 1, 1990, was part of a subdivision, the plat of which had been recorded in the office of the Clerk of the Circuit Court of Pinellas County, or any lot or parcel of land, whether or not part of a subdivision that had been officially recorded by a deed in the office of the clerk, provided such lot and/or parcel was of a size which met the minimum ~~dimension-standards~~ standards for lots or parcels in the district in which it was located at the time of recording or was recorded prior to the effective date of zoning. ~~in the area where the lot and/or parcel shall have a minimum lot and/or parcel size of 5,808 square feet, and each such lot and/or parcel shall have direct access to and abut a public roadway. For all those newly created lots in residential districts, street frontage shall be a minimum of 60 feet frontage, and no platted lot shall be reduced in size from that currently platted. The above requirement shall not limit the right to rebuild on existing platted lots.~~

Lot line. Shall have the same meaning as property line as defined within this section.

Marijuana. Marijuana shall have the meaning given cannabis in F.S. § 893.02(3).

Medical marijuana dispensing facility. A facility that is operated by an approved dispensing organization holding all necessary licenses and permits from which medical cannabis, cannabis-based products, or cannabis plants as permitted through F.S. § 381.986 are delivered, purchased, possessed, or dispensed for medical purposes and operated in accordance with all local, federal, and state laws. Per Florida Administrative Code Rule 64-4.001 (11)(c) "any area designated in the application where derivative product is dispensed at retail." Medical cannabis dispensing facilities do not include cultivation facilities or processing facilities as defined in Florida Administrative Code Rule 64-4.001 (11)(c). "Medical marijuana treatment center" means any entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers and is registered by the department of health.

Medical marijuana facility. Any authorized medical marijuana treatment center, medical marijuana dispensing facilities, or any other facility that dispenses, processes, cultivates, distributes, sells, or engages in any other activity that involves or is related to medical marijuana pursuant to the Florida Right to Medical Marijuana Initiative, Amendment 2 or any other provision of state law.

Multifamily dwelling. A building or portion thereof containing three (3) or more dwelling units, which may be located in a single structure or multiple buildings on the same lot, and designed to be occupied by separate households, with each unit having its own kitchen and bathroom facilities.

Gross-Net land area. ~~Gross-Net~~ land area for the purposes of computing density/intensity shall be the total land area within the property boundaries of the subject parcel, and specifically exclusive of any submerged land or public right-of-way.

Off-street parking space. A designated area located outside of public rights-of-way, intended for the parking of motor vehicles. This space is typically situated on private property, such as driveways or garages, and is designed to ensure that vehicles are parked without encroaching upon public streets or sidewalks.

Office Use. An occupation or service providing primarily an administrative, professional or clerical service and not involving the sale of merchandise; examples of which include legal, real estate, design, and financial services, and like uses.

Open space. That portion of a lot(s) that is not occupied by a structure(s) or vehicular use area. Open space includes lands used for active and passive recreation.

Personal service – An occupation or service attending primarily to one's personal care or apparel; examples of which include hair and beauty care, clothing repair or alteration, or dry cleaning/laundry service.

Principal structure. A structure, or combination of structures of primary importance on the premises, and that contains the primary use associated with the premises. The primary use is characterized by identifying the main activity taking place on the premises.

Property line. The lines delineating the property boundaries of a lot, including:

- Front property line. The boundary line extending between the side lot lines across the street frontage of the lot.
- Rear property line. The boundary line which is generally most distant from and most closely parallel to the front property line.
- Side property line. Any boundary line which is neither the front nor the rear property line.

Public storage garages. Facility intended for the use, service and incidental repair of publicly-owned motor vehicles, which may include the incidental sale of articles or items of merchandise related to such use.

Public/semi-public institutional use. Those facilities and services of a public, private, or quasi-public nature, including educational, governmental, civic, and religious uses, such as schools, courthouses, community centers, and churches. A public/semi-public institutional use shall not include a medical marijuana dispensing facility or other medical marijuana facility as defined within this section.

Residential use. A dwelling unit including, single-family, multifamily, and mobile home dwelling unit.

Screening wall. A wall or enclosure located parallel to the side lot line or side wall of a dwelling.

Setback. The minimum distance which a building or other structure must be set back from a front, side, or rear property line.

Single-family dwelling. A detached building designed for or occupied exclusively by one person or one family.

Submerged land. The land area situated below the mean high water line of a standing body of water, including ~~ocean~~ gulf, bay, estuary, lake, pond, river or stream. For the purpose of this definition, retention areas that are a function of development and wetlands shall not be considered submerged land.

Vertical conveyance. An elevator, dumbwaiter, escalator, moving sidewalk, platform lift, or stairway chairlift, consistent with Florida Statutes § 399.01.

Wing wall. A wall or enclosure built at a right angle with the dwelling wall or side property line of the lot.

Yard. An area on a lot between the lot line and the nearest principal structure, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided in this Appendix A, including:

- Front yard. A yard extending between side property lines across the front of a lot adjoining a street. On corner lots, the front yard shall be provided parallel to all streets upon which the lot fronts.

- Rear yard. A yard extending across the rear of a lot between the side property lines. On all lots except corner lots, the rear yard shall be opposite the front yard.

- Side yard. The area on each side of a principal structure between the structure and the side property line, and between front setback line and rear setback line.

Sec. 1611. Nonconforming uses.

- (a) *Building existing at the time this ordinance becomes effective; alteration or change of use.* ~~The lawful use of a building, which use existed at the time of the effective date of this ordinance [Ordinance No. 90-2],~~ A building or structure that was lawfully established and maintained in compliance with all applicable regulations in effect at the time of its inception may be continued although such use does not conform to the provisions hereof. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or of a more restricted classification. Whenever a nonconforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use.
- (b) *Buildings becoming nonconforming through zoning change.* Whenever the use of a building becomes nonconforming through a change in the zoning ordinance or district boundaries, such use may be continued; and if no structural alterations are made, it may be changed to another nonconforming use of the same or of a more restricted classification.

- (c) *Discontinuance of a nonconforming use.* In the event that a nonconforming use of any building or place is discontinued for a period of six months, the use of the same shall thereafter conform to the use permitted in the district in which it is located.
- (d) *Alteration of building housing nonpermitted use.* No existing building devoted to a use not permitted by this ordinance [Ordinance No. 90-2] in the district in which such building is located shall be enlarged, extended, reconstructed or structurally altered unless such a use is changed to a use permitted in the district in which such building is located.

Sec. 127. Exceptions to nonconforming uses, structures and lots.

- (a) *Act of God.* If an act of God or other force beyond the control of the owner occurs which destroys or damages a nonconforming building or any portion of a nonconforming building, such building or portion thereof may be rebuilt as it existed prior to the destruction or damage on the same lot or parcel on which it was constructed within the same footprint as long as it complies with all other existing regulatory codes and provisions of the land development regulations, and the permit for said construction is applied for within 36 months of the date ~~when that~~ the destruction or damage occurred.

For purposes of this section, vertical extension of an existing roofed or covered patio to meet elevation requirements shall not be deemed an increase in encroachment or creation of a new nonconformity, provided that the encroaching portion remains an open porch and is not made a part of the enclosed structure.

- (b) *Tear down.* Where a lawful building exists at the time of the effective date of the ordinance from which this section derives, and subsequently the owner of record desires to tear down said building and rebuild a new building, but would no longer be able to by reason of restrictions on area, lot coverage, or setbacks or of the subject lot, said new building may be constructed within the same footprint so long as it complies with all other existing regulatory codes and provisions of the land development regulations and remains otherwise lawful, and the permit for said construction is applied for within 18 months of ~~when the date that~~ the permit to tear down the ~~home-building~~ is issued.

Section 2. Pursuant to Florida Statutes § 166.041(4)(a), prior to the date the public notice of the public hearing for this Ordinance was published, the Town prepared and posted on its website a business impact estimate which included: a) a summary of the Ordinance, a statement of the public purpose to be served by the Ordinance, b) an estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the Town, c) an estimate of direct compliance costs that businesses may reasonably incur due to the Ordinance, d) identification of any new charge or fee on businesses created by the Ordinance or for which businesses will be financially responsible, e) an estimate of the Town's regulatory costs and of revenues from any new charges or fees imposed on businesses to cover such costs, and f) a good faith estimate of the number of businesses likely to be impacted by the Ordinance.

Section 3. For purposes of codification of any existing section of the Redington Beach Code herein amended, words underlined represent additions to original text, words ~~stricken~~ are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 4. If any section, subsection, sentence, clause, provision or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 5. The Codifier shall codify the substantive amendments to the Redington Beach Code contained in Section 1 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 6. Pursuant to Florida Statutes § 166.041(4), this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING on the ___ day of _____, 2026, by the Board of Commissioners of the Town of Redington Beach, Florida.

ADOPTED ON SECOND AND FINAL READING on the ___ day of _____, 2026, by the Board of Commissioners of the Town of Redington Beach, Florida.

Attest:

David Will, Mayor

Adriana Nieves, Town Clerk

Draft Zoning Map

Town of Redington Beach Zoning Map



- Zoning Districts**
- Multifamily
 - Mixed Use 1
 - Mixed Use 2
 - Public/Semi-Public
 - Recreation/Open Space
 - Single-Family



Amended Through:
Ordinance [No.] - [Effective Date]

Mayor

Town Clerk

Draft Appendix A – clean version

APPENDIX A - ZONING

Sec. 1. Purpose of regulations.

For the purpose of promoting the health, safety, and general welfare; to secure safety from fire, panic or other dangers; to provide adequate light and air; to prevent the overcrowding of land, and avoidance of undue concentration of population in the Town of Redington Beach, the corporate limits and areas of the Town of Redington Beach are hereby divided into zoning districts, and with regulations and restrictions for each of such districts as hereinafter set forth.

All land use and land development shall be in accordance with the town's comprehensive plan and these regulations. Where these regulations differ from the town's comprehensive plan the more restrictive of the two (2) shall be applied.

Sec. 2. Zoning districts.

- (a) *Establishment of zoning districts.* The Town of Redington Beach is hereby divided into six (6) zoning districts, known and designated as follows:

Zoning District	Symbol
Multifamily	MF
Mixed Use 1	MU-1
Mixed Use 2	MU-2
Recreation/Open Space	R/OS
Public/Semi-Public	P/SP
Single-Family	SF

- (b) *Establishment of zoning map.* The locations and boundaries of the enumerated zoning districts are established as shown on the adopted Zoning Map of the Town of Redington Beach. The zoning map is hereby made a part of this Appendix A, Section 2. The zoning map shall be identified by the signature of the mayor, attested by the town clerk and bear the seal of the town. The official zoning map shall be maintained on display in the Town Hall.

Except where referenced on the zoning map to a street boundary line or other designated line by dimensions shown on such map, the zoning district boundary lines are intended to follow property lines or the center line of street or alleys or rights-of-way as they existed at the time of the adoption of the map or any amendments of the same.

- (c) *Correlation of zoning districts and future land use plan categories.* The table below shows the correlation between the town's zoning districts and future land use plan categories, as established in the town's comprehensive plan. Maximum densities, intensities, and permitted uses of land parcels within each zoning district are governed by the underlying future land use category, unless further restricted by these land development regulations.

Future Land Use Category	MF	MU-1	MU-2	R/OS	P/SP	SF
Residential Urban						X
Residential Medium	X			X		X
Residential/Office/Retail		X	X			
Institutional					X	X
Recreation/Open Space				X		X
Preservation						X

Sec. 3. District regulations.

(a) Multifamily (MF)

(1) *Purpose and Intent.* The MF zoning district is hereby zoned for development with single-family and multifamily dwellings.

(2) *Permitted uses.*

A. Principal structures include single-family and multifamily dwellings. In addition, a real estate brokerage and properly allied lines of business may be conducted in building located on the tract at the northeast corner of 163rd Avenue and Gulf Boulevard, as such building is now constructed, this latter exception being made for the reason that such property was and is lacking in conformance with the zoning provisions hereof at the time of the introduction and passage of this ordinance.

B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation.

(3) *Maximum development potential.* The MF zoning district may be located in the Residential Medium future land use category. The uses and development potential of a parcel of land within the MF district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive.

A. The maximum residential density is fifteen (15) dwelling units per net land acre.

B. The maximum impervious surface ratio is 0.65.

(4) *Other standards.* In the event any building extends beyond the rear line of any particular lot and is constructed upon two (2) lots backing up to each other, such building shall be architecturally provided with a double front, one of which fronts shall face upon each of the streets which the two (2) lots respectively face upon, in such manner as to eliminate any rear yard area facing upon a street.

(b) Mixed Use 1 (MU-1)

(1) *Purpose and Intent.* The MU-1 zoning district is hereby zoned for development with single-family and multifamily dwellings, and business uses.

- (2) *Permitted uses.*
 - A. Principal structures include single-family dwellings, multifamily dwellings, community commercial, and offices, or other businesses excluding manufacturing, industrial, medical marijuana facilities, or the handling or sale of beer, wine or other intoxicating beverages.
 - B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation.
 - (3) *Maximum development potential.* The MU-1 zoning district may be located in the Residential/Office/Retail future land use category. The uses and development potential of a parcel of land within the MU-1 district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive.
 - A. The maximum residential density is fifteen (15) dwelling units per net land acre.
 - B. The maximum impervious surface ratio for residential uses is 0.65.
 - C. The maximum impervious surface ratio for nonresidential uses is 0.85.
 - D. The maximum floor area ratio for nonresidential uses is 0.40.
 - E. Mixed residential and nonresidential uses shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the land area of the property.
- (c) Mixed Use 2 (MU-2)
- (1) *Purpose and Intent.* The MU-2 zoning district is hereby zoned for development with public/semi-public institutional uses, single-family and multifamily dwellings.
 - (2) *Permitted uses.*
 - A. Principal structures include single-family dwellings, multifamily dwellings, and uses related to public/semi-public institutional uses, including public storage garages.
 - B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation.
 - (3) *Maximum development potential.* The MU-2 zoning district may be located in the Residential/Office/Retail future land use category. The uses and development potential of a parcel of land within the MU-2 district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive.
 - A. The maximum residential density is fifteen (15) dwelling units per net land acre.
 - B. The maximum impervious surface ratio for residential uses is 0.65.
 - C. The maximum impervious surface ratio for nonresidential uses is 0.85.
 - D. The maximum floor area ratio for nonresidential uses is 0.40.

E. Mixed residential and nonresidential uses shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the land area of the property.

(d) Recreation/Open Space (R/OS)

- (1) *Purpose and Intent.* The R/OS zoning district is hereby zoned for use as open space or recreational uses, whether public or private.
- (2) *Permitted uses.*
 - A. Principal uses include public or private open space, public or private parks, public recreation facilities, or public beach or water access.
 - B. Special exception uses include wireless communications towers subject to the provisions of Chapter 6, Article IX, Division 2 of the Town of Redington Beach Code of Ordinances.
- (3) *Maximum development potential.* The R/OS zoning district may be located in more than one future land use category. The uses and development potential of a parcel of land within the R/OS district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive. Intensity standards for the future land use categories that apply to the R/OS zoning district are as follows:

Future Land Use Category	Impervious Surface Ratio	Floor Area Ratio
Recreation/Open Space	0.60	0.25
Residential Medium	0.65	No applicable standard

(e) Public/Semi-Public (P/SP)

- (1) *Purpose and Intent.* The P/SP zoning district is hereby zoned for public or semi-public institutional uses.
- (2) *Permitted uses.*
 - A. Principal structures include public or semi-public institutional facilities such as public buildings, schools, churches, social service agencies, municipal office buildings, public safety facilities, other community service facilities, ancillary nonresidential uses, and single-family dwellings.
 - B. Special exception uses include wireless communications towers subject to the provisions of Chapter 6, Article IX, Division 2 of the Town of Redington Beach Code of Ordinances.
 - C. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation.
- (3) *Maximum development potential.* The P/SP zoning district may be located in the Institutional future land use category. The uses and development potential of a parcel of

land within the P/SP district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive. The applicable density/intensity standards are as follows:

- A. Public/semi-public or ancillary nonresidential uses: Shall not exceed a maximum area of three (3) acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate future land use plan amendment and corresponding zoning map amendment.
- B. The maximum impervious surface ratio for nonresidential uses is 0.70.
- C. The maximum floor area ratio for nonresidential uses is 0.40.

(f) Single-Family (SF)

- (1) *Purpose and Intent.* The SF zoning district is hereby zoned for the construction of single-family dwellings, and the use of such structures for single-family residential purposes.
- (2) *Permitted uses.*
 - A. Principal structures include single-family dwellings subject to general zoning regulations and restrictions set forth in Section 5 of this Appendix A.
 - B. Accessory structures include detached garages, storage sheds, gazebos, docks, pool enclosures, or similar uses which are located on the same property as a principal structure and are directly related to its operation.
- (3) *Maximum development potential.* The SF zoning district may be located in more than one future land use category. The uses and development potential of a parcel of land within the SF district shall be determined by the underlying future land use category as well as the standards found within these land development regulations, whichever is more restrictive. Density and intensity standards for the future land use categories that apply to the SF zoning district are as follows:

Future Land Use Category	Residential Density (dwelling units per net land acre)	Impervious Surface Ratio	Floor Area Ratio
Residential Urban	7.5	0.65	No applicable standard
Residential Medium	15	0.65	No applicable standard
Institutional	No applicable standard	0.85	0.65
Recreation/Open Space	No applicable standard	0.60	0.25
Preservation	No applicable standard	0.20	0.10

Sec. 4. Density.

No zoning district within the Town of Redington Beach, Florida, shall have a maximum density standard that exceeds fifteen (15) units per acre; and the board of adjustment and the board of commissioners shall allow no exception or variance whatsoever from this section.

Sec. 5. Building regulations.

(a) Building Size

(1) Minimum floor area.

- A. For lots fronting the Gulf of America or Boca Ciega Bay, the minimum floor area of a single-family dwelling shall be thirteen hundred (1,300) square feet, including the outside walls of the building, but not including open or screened breezeways, porches or garage space.
- B. For all other lots, the minimum floor area of a single-family dwelling shall be one thousand (1,000) square feet, including the outside walls of the building, but not including open or screened breezeways, porches or garage space.
- C. For multifamily dwellings, the minimum size of each living unit shall be eight hundred (800) square feet for one (1) bedroom units, nine hundred fifty (950) square feet for two (2) bedroom units, and twelve hundred (1,200) square feet for three (3) bedroom units, including the outside walls of the building, but not including any open or screened breezeways, porches or balconies.

(2) Maximum height.

- A. The maximum height for a single-family dwelling with a flat or built-up roof shall be thirty-five (35) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM"), measured at the highest point of the roof.
- B. The maximum height for a single-family dwelling with a hip, gable or gambrel roof, or other type roof with a ridge line, shall be thirty-five (35) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM"), measured by the median height of the roof, as set forth in section 6-58 of the Town of Redington Beach Code of Ordinances.
- C. The maximum height for a principal structure other than a single-family dwelling shall be fifty (50) feet above the base flood elevation as established by the Federal Emergency Management Agency's Flood Insurance Rate Maps ("FIRM").
- D. For all structures, a preconstruction elevation plan drawn by registered or licensed architects or engineers must be executed prior to issuance of a permit to build.

(b) Setbacks

Except as specified in subsections (1) through (5) below, no building, nor any portion thereof, including porches, balconies, cornices or other permanently fixed decorations, shall be constructed within an established front, side, or rear setback.

- (1) *Front setback.* Front setbacks apply to all buildings constructed within the town, and shall be relative to the front property line of the subject parcel as defined in Section 10 of this Appendix A.
 - A. For lots bordering Gulf Boulevard, the front setback line shall be located fifty-three (53) feet from the center of State Road No. 699, as now actually constructed.
 - B. For all other lots, the front setback line shall be located twenty (20) feet from the property line abutting the building lot.
 - C. On a corner lot facing upon two (2) streets, the provisions of subsection (b)(2) apply.
- (2) *Front setbacks on corner lots.* For any building constructed on a corner lot facing upon two (2) streets, the following provisions shall apply:
 - A. The shorter of the two street-facing property lines shall be the primary front property line, and shall be subject to the provisions of subsection (b)(1) above.
 - B. The longer of the two street-facing property lines shall be the secondary front property line. The secondary front setback shall be located ten (10) feet from the property line.
 - C. Side and rear setbacks on corner lots are subject to the provisions of subsections (b)(3) and (b)(4) below, respectively.
- (3) *Side setback.* Side setbacks apply to all buildings other than commercial or office constructed within the town, and shall be relative to the side property line of the subject parcel as defined in Section 10 of this Appendix A.
 - A. For a multifamily dwelling, the side setback line shall be located ten (10) feet from the side property line.
 - B. For all other applicable buildings, the side setback line shall be located seven and one-half (7½) feet from the side property line.
- (4) *Rear setback.* Rear setbacks apply to all buildings other than commercial or office constructed within the town, and unless otherwise specified, shall be relative to the rear property line of the subject parcel as defined in Section 10 of this Appendix A.
 - A. For Lots 1 through 6 of Block 1 of the Redington Beach Homes Subdivision, the rear setback line facing the Gulf of America shall be located one hundred eighty-three (183) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually constructed.

- B. For lots lying between Gulf Boulevard and the Gulf of America other than those specified in subsection A above, the setback line on the side of the property facing the Gulf shall be located one hundred seventy-three (173) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually constructed.
 - C. For all lots fronting on Gulf Boulevard other than those specified in subsections A and B above, the rear setback line shall be located fifty-three (53) feet from the center of State Road No. 699 (or Gulf Boulevard), as now actually constructed.
 - D. For lots bordering on Boca Ciega Bay, the setback line on the side of the property facing the Bay shall be located twenty-five (25) feet from the Bay-fronting property line, the mean high tide mark, or the center of seawall cap, whichever is more restrictive.
 - E. For all lots other than those specified in subsections A through D above, the rear setback line shall be located fifteen (15) feet from the rear property line.
- (5) *Exceptions to required setbacks.* An encroachment to the setbacks provided in subsections (1) through (4) above are permitted for the following:
- A. Eaves may encroach an additional two and one half (2½) feet into the otherwise applicable setbacks.
 - B. For a single-family house taller than one story or elevated pursuant to Chapter 10, Article IV, the following encroachments are permitted for the purpose of providing pedestrian access to the building:
 - 1. Stairs may encroach up to four and one-half (4.5) feet into any required setback.
 - 2. Elevators or other automated vertical conveyance consistent with Section R321 (*Elevators and Platform Lifts*) of the Florida Building Code, Residential, may encroach up to four and one-half (4.5) feet into a required side or rear setback.

Any encroachment authorized by this subsection shall be limited to the minimum extent necessary to provide building access, including utility meter access where required by the applicable utility provider.

Sec. 6. Wing walls and screening walls.

No single-family dwelling within the Town of Redington Beach shall have a wing wall or screening wall (as distinguished from fences as regulated in Chapter 6, Article X), except in side yards as defined in Section 10 of this Appendix A, and subject to the following regulations:

- (a) *Wing wall standards.* A wing wall shall have a maximum height above grade, as established by the building official, of six (6) feet, and shall have an opening three (3) feet wide and the entire height of wall at any location in the length of the wall, and the opening may have a gate or door closure. Not more than one wing wall shall be built in each of the two (2) side yards.

- (b) *Screening wall standards.* A screening wall shall have a six-foot maximum height above grade and a maximum length of twelve (12) feet. A screening wall may be built in either of the side yards of a dwelling but not in both.
- (c) *Wing and screening wall material.* Wing walls or screening walls may be of masonry, wood, metal or other suitable material, and shall be supported and anchored to resist overturning due to wind pressure.

Sec. 7. Lot/parcel standards.

- (a) *Newly created lots, generally.* A newly created lot and/or parcel shall have a minimum size of 5,808 square feet, and each such lot and/or parcel shall have direct access to and abut a public roadway.
- (b) *Newly created residential lots.* For newly created lots in residential districts, street frontage shall be a minimum of 60 feet.
- (c) *Existing platted lots.* No platted lot shall be reduced in size from that currently platted. This shall not limit the right to rebuild on existing platted lots.

Sec. 8. Off-street parking and loading.

- (a) *General provisions.* An off-street parking space shall consist of a minimum net area of two hundred (200) square feet with minimum dimensions of ten (10) feet by twenty (20) feet for the parking of an automobile, exclusive of access drives or aisles which should be a minimum of twenty (20) feet wide. The minimum width of a driveway to a parking area shall be ten (10) feet. These provisions notwithstanding, whenever the plans for a parking area are prepared to allow parallel or angle parking, such plans shall be submitted to the building official. A variance from the strict provisions aforesaid may be granted if the building official finds that such plans have been so engineered as to provide adequate space for each car intended to be parked on the property, that access and maneuvering space is, in fact, reasonable and adequate for the purpose intended, and that easements and fire lanes are not encroached upon.
- (b) *Number of parking spaces required.* Parking requirements shall be met at the time any building or structure is erected, enlarged or increased in density or intensity, or a change of use results in an increase in the minimum number of parking spaces required. Minimum off-street automobile parking space, with adequate provisions for ingress and egress by automobiles of standard size, shall be provided as follows:

(1) Dwelling Structure for Permanent Occupants:

Dwelling Units	Parking Space Required per Unit
1 - 19	2
20 - 49	1.8
50 - 99	1.7
100 - 149	1.6
150 or more	1.5

plus two (2) spaces for the resident owner or manager, plus one additional space for each employee other than the manager and his family members.

- (2) Community Commercial Use (excluding restaurants): One space for each two hundred (200) square feet, or fraction thereof, of floor space in sales area.
 - (3) Office Building: One space for each two hundred (200) square feet, or fraction thereof, of floor area used for office purposes.
 - (4) Restaurant: One space for each sixty (60) square feet of floor space in dining area.
 - (5) Where the application of the ordinance formulas results in a total number of spaces plus a fraction, the fraction shall require one additional space.
- (c) *Location.* Parking spaces for all dwellings shall be located not more than three hundred (300) feet distant as measured along the nearest pedestrian walkway.
 - (d) *Off-street loading.* Commercial operations shall provide sufficient space so as not to hinder the free movement of vehicles and pedestrians over a sidewalk, right-of-way, alley easement or fire lane during loading and off-loading operations.

Sec. 9. Buffers.

- (a) *Purpose and intent.* The purpose and intent of this section is to reduce the impacts of a use of land on adjacent uses which are of a significantly different character.
- (b) *Buffers required.* A buffer consists of a horizontal distance from a property line which may only be occupied by drainage areas, utilities and landscaping materials. Any required setback is a part of the total required buffer. The required buffering distance between land uses on adjoining lots is set forth in the buffer matrix. Mechanical/air conditioning equipment, outdoor storage areas and parking areas shall not be located within the required buffers.

Compliance with this section is required in all cases of new construction, change of use or expansion of use or structure.

Buffer Matrix

Proposed Use	Abutting Use		
	Single-family dwelling or duplex	Multifamily dwelling with three or more units	Nonresidential use
Single-family dwelling or duplex	0	0	0
Multifamily dwelling with three or more units	5	0	15
Nonresidential use	15	10	0

Sec. 10. Definitions.

For purposes of this ordinance, the following terms shall have the meaning given in this section:

Accessory structure. A structure that is clearly subordinate or incidental to, but customarily related to, a principal structure located on the same parcel.

Ancillary nonresidential. Off-street parking and trash receptacle areas for adjacent, contiguous, nonresidential use.

Community commercial. Commercial establishments that generally serve the day-to-day needs of the community, including restaurants, convenience goods and services, and personal and professional services. Specific examples may include, but are not limited to, tobacco shops, retail clothing store, newsstands, bakeries, delicatessens, meat and seafood markets, produce markets, barber and beauty shops, seamstress shops, shoe repair and shining shops, dry cleaning and laundry pickup facilities. A community commercial use shall not include a medical marijuana dispensing facility or other medical marijuana facility as defined within this section.

Density. The measure of permitted residential development expressed as a maximum number of dwelling units per acre of net land area.

Dock. Any structure, otherwise known as a pier, wharf or loading platform, which is constructed on pilings over open water, or which is supported by flotation on the water.

Duplex. A building containing two (2) dwelling units, which are either attached side-by-side or stacked vertically, and are located on a single lot. Each unit is intended for occupancy as a separate household with its own kitchen and bathroom facilities.

Dwelling Unit. One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household. This use shall include any type of use of such dwelling units the Town is required by law to permit.

Floor area, gross. The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces or loading space for motor vehicles.

Floor area ratio (FAR). A measurement of the intensity of building development on a site. A floor area ratio is the relationship between the gross floor area on a site and the gross land area. The FAR is calculated by adding together the gross floor areas of all buildings on the site and dividing by the gross land area.

Impervious surface. A surface that has been compacted or covered with a layer of material so that it is highly resistant to or prevents infiltration by stormwater. It includes surfaces such as limerock, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar surfaces.

Impervious surface ratio (ISR). A measure of the intensity of hard surfaced development on a site. An impervious surface ratio is the relationship between the total impervious surface area on

a site and the net land area. The ISR is calculated by dividing the square footage of the area of all impervious surfaces on the site by the square footage of the net land area.

Intensity. The measure of permitted development expressed as a maximum impervious surface ratio and/or floor area ratio per acre of net land area.

Lot and/or parcel of record. A lot and/or parcel which on April 1, 1990, was part of a subdivision, the plat of which had been recorded in the office of the Clerk of the Circuit Court of Pinellas County, or any lot or parcel of land, whether or not part of a subdivision that had been officially recorded by a deed in the office of the clerk, provided such lot and/or parcel was of a size which met the minimum standards for lots or parcels in the district in which it was located at the time of recording or was recorded prior to the effective date of zoning.

Lot line. Shall have the same meaning as property line as defined within this section.

Marijuana. Marijuana shall have the meaning given cannabis in F.S. § 893.02(3).

Medical marijuana dispensing facility. A facility that is operated by an approved dispensing organization holding all necessary licenses and permits from which medical cannabis, cannabis-based products, or cannabis plants as permitted through F.S. § 381.986 are delivered, purchased, possessed, or dispensed for medical purposes and operated in accordance with all local, federal, and state laws. Per Florida Administrative Code Rule 64-4.001 (11)(c) "any area designated in the application where derivative product is dispensed at retail." Medical cannabis dispensing facilities do not include cultivation facilities or processing facilities as defined in Florida Administrative Code Rule 64-4.001 (11)(c). "Medical marijuana treatment center" means any entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers and is registered by the department of health.

Medical marijuana facility. Any authorized medical marijuana treatment center, medical marijuana dispensing facilities, or any other facility that dispenses, processes, cultivates, distributes, sells, or engages in any other activity that involves or is related to medical marijuana pursuant to the Florida Right to Medical Marijuana Initiative, Amendment 2 or any other provision of state law.

Multifamily dwelling. A building or portion thereof containing three (3) or more dwelling units, which may be located in a single structure or multiple buildings on the same lot, and designed to be occupied by separate households, with each unit having its own kitchen and bathroom facilities.

Net land area. Net land area for the purposes of computing density/intensity shall be the total land area within the property boundaries of the subject parcel, and specifically exclusive of any submerged land or public right-of-way. *Off-street parking space.* A designated area located outside of public rights-of-way, intended for the parking of motor vehicles. This space is typically situated on private property, such as driveways or garages, and is designed to ensure that vehicles are parked without encroaching upon public streets or sidewalks.

Office Use. An occupation or service providing primarily an administrative, professional or clerical service and not involving the sale of merchandise; examples of which include legal, real estate, design, and financial services, and like uses.

Open space. That portion of a lot(s) that is not occupied by a structure(s) or vehicular use area. Open space includes lands used for active and passive recreation.

Personal service – An occupation or service attending primarily to one’s personal care or apparel; examples of which include hair and beauty care, clothing repair or alteration, or dry cleaning/laundry service.

Principal structure. A structure, or combination of structures of primary importance on the premises, and that contains the primary use associated with the premises. The primary use is characterized by identifying the main activity taking place on the premises.

Property line. The lines delineating the property boundaries of a lot, including:

- *Front property line.* The boundary line extending between the side lot lines across the street frontage of the lot.
- *Rear property line.* The boundary line which is generally most distant from and most closely parallel to the front property line.
- *Side property line.* Any boundary line which is neither the front nor the rear property line.

Public storage garages. Facility intended for the use, service and incidental repair of publicly-owned motor vehicles, which may include the incidental sale of articles or items of merchandise related to such use.

Public/semi-public institutional use. Those facilities and services of a public, private, or quasi-public nature, including educational, governmental, civic, and religious uses, such as schools, courthouses, community centers, and churches. A public/semi-public institutional use shall not include a medical marijuana dispensing facility or other medical marijuana facility as defined within this section.

Residential use. A dwelling unit including, single-family, multifamily, and mobile home dwelling unit.

Screening wall. A wall or enclosure located parallel to the side lot line or side wall of a dwelling.

Setback. The minimum distance which a building or other structure must be set back from a front, side, or rear property line.

Single-family dwelling. A detached building designed for or occupied exclusively by one person or one family.

Submerged land. The land area situated below the mean high water line of a standing body of water, including gulf, bay, estuary, lake, pond, river or stream. For the purpose of this definition, retention areas that are a function of development and wetlands shall not be considered submerged land.

Vertical conveyance. An elevator, dumbwaiter, escalator, moving sidewalk, platform lift, or stairway chairlift, consistent with Florida Statutes § 399.01.

Wing wall. A wall or enclosure built at a right angle with the dwelling wall or side property line of the lot.

Yard. An area on a lot between the lot line and the nearest principal structure, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided in this Appendix A, including:

- *Front yard.* A yard extending between side property lines across the front of a lot adjoining a street. On corner lots, the front yard shall be provided parallel to all streets upon which the lot fronts.
- *Rear yard.* A yard extending across the rear of a lot between the side property lines. On all lots except corner lots, the rear yard shall be opposite the front yard.
- *Side yard.* The area on each side of a principal structure between the structure and the side property line, and between front setback line and rear setback line.

Sec. 11. Nonconforming uses.

- (a) *Building existing at the time this ordinance becomes effective; alteration or change of use.* A building or structure that was lawfully established and maintained in compliance with all applicable regulations in effect at the time of its inception may be continued although such use does not conform to the provisions hereof. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or of a more restricted classification. Whenever a nonconforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use.
- (b) *Buildings becoming nonconforming through zoning change.* Whenever the use of a building becomes nonconforming through a change in the zoning ordinance or district boundaries, such use may be continued; and if no structural alterations are made, it may be changed to another nonconforming use of the same or of a more restricted classification.
- (c) *Discontinuance of a nonconforming use.* In the event that a nonconforming use of any building or place is discontinued for a period of six months, the use of the same shall thereafter conform to the use permitted in the district in which it is located.
- (d) *Alteration of building housing nonpermitted use.* No existing building devoted to a use not permitted by this ordinance [Ordinance No. 90-2] in the district in which such building is located shall be enlarged, extended, reconstructed or structurally altered unless such a use is changed to a use permitted in the district in which such building is located.

Sec. 12. Exceptions to nonconforming uses, structures and lots.

- (a) *Act of God.* If an act of God or other force beyond the control of the owner occurs which destroys or damages a nonconforming building or any portion of a nonconforming building, such building or portion thereof may be rebuilt as it existed prior to the destruction or damage on the same lot or parcel on which it was constructed within the same footprint as long as it complies with all other existing regulatory codes and provisions of the land development regulations, and the permit for said construction is applied for within 36 months of the date that the destruction or damage occurred.

For purposes of this section, vertical extension of an existing roofed or covered patio to meet elevation requirements shall not be deemed an increase in encroachment or creation of a new nonconformity, provided that the encroaching portion remains an open porch and is not made a part of the enclosed structure.

- (b) *Tear down.* Where a lawful building exists at the time of the effective date of the ordinance from which this section derives, and subsequently the owner of record desires to tear down said building and rebuild a new building, but would no longer be able to by reason of restrictions on area, lot coverage, or setbacks or of the subject lot, said new building may be constructed within the same footprint so long as it complies with all other existing regulatory codes and provisions of the land development regulations and remains otherwise lawful, and the permit for said construction is applied for within 18 months of the date that the permit to tear down the building is issued.

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