

Case No. LDR-22-01, Proposed Land Development Code Amendments

CHAPTER 134 – GENERAL AND ADMINISTRATIVE PROVISIONS		
Code Section	How it is Changing	Reason for Change
ARTICLE VII – Procedural Requirements for Entering into Development Agreements		
134-296. General Requirements for Notices and Hearings	Allows advertising of the required public notice by Internet website per Florida State Statutes	Provides flexibility for how the required public notice is advertised for Development Agreements.

CHAPTER 138 – ZONING		
Code Section	How it is Changing	Reason for Change
ARTICLE 1 – In General		
138-1. Definitions and Rules of Construction	Adding, amending, and deleting various definitions for Chapter 138.	Adding/amending for clarification and State legislative changes and deleting to remove terms no longer used.
ARTICLE II – Administration and Enforcement		
Table 138-77. Review Type and Approval	Allowing all waivers to be Type 1 Path A administrative review.	Enhanced simplicity and efficiency.
	Removing walkthrough site plans.	The term is outdated.
	Adding non-traditional pets and variances per Chapter 158, Floodplain Management as Type 1 Path B DRC review.	Enhanced clarity and internal code consistency.
	Other wording changes.	Enhanced clarity.
Table 138.81.a. Type 1 Reviewing Authorities by Application and Request Type	Same as Table 138-77 above.	Same as above.
Table 138.81.b. Type 1 Review Procedure	Same as Table 138-77 above. Also adding completeness/sufficiency and technical reviews in the DRC results section.	Same as above.
Table 138-85. Type 5 Review	Adding Minor Plats. Changing first level of review from DRC to Staff.	Enhanced flexibility and efficiency.
138-176. Uses Requiring Site Plan Review	Amending language regarding what requires site plan review.	Enhanced flexibility and efficiency. Generally increasing the threshold as to what requires full site plan review.
138-178. Site Plan Requirements	Requiring a statement from utility servicing companies that the respective utility is available for a proposed development.	This requirement was inadvertently removed during the 2018 Code update.
Table 138-231.a. Criteria for Granting of Variances, Waivers, and/or Administrative Adjustments	Adjusting (adding and removing) which criteria apply to the review of waiver requests.	Better aligns the criteria that is most relevant to the review of waiver requests, which are primarily technical in nature.

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CHAPTER 138 – ZONING		
Code Section	How it is Changing	Reason for Change
138-235. Variances	Adding language to clarify that variances to specific use standards apply to those standards involving numerical/ dimensional requirements or design criteria.	Clarification.
	Removing redundant floodplain language.	Removes a redundancy.
138-236. Variances from Floodplain Standards	Amending language regarding floodplain variance review.	Removes redundancy and enhances internal code consistency.
138-237. Waivers and Administrative Adjustments	Adding accessory structure building size to the list of dimensional requirements that may be administratively adjusted. Adding language to reflect changes to Table 138-77.	Enhances flexibility and internal code consistency.
138-252. Notice Requirements	Adding language to reflect recent State legislative changes to newspaper notice requirements.	Enhances flexibility and efficiency and reduces costs. Allows for the option to post public hearing notices on the County’s website instead of in the newspaper.
138-253. Notice Types	Same as above plus removing a requirement that mailed notices for public hearings be the sole responsibility of the County.	Same as above and allows for the option to shift to applicants the responsibility of mailing required notices, which is common practice in many other jurisdictions.
ARTICLE III – Zoning and Land Uses		
Table 138-355. Table of Uses for Zoning Districts	Changing “Home Occupation” to “Home-Based Business”	Response to a State preemption.
	Combining “Kennel/Pet Care Indoor” and “Kennel/Pet Care Outdoor” as there is little to no difference as to how they are regulated.	Removing redundancy.
	Changing “Land Filling or Excavations of More than 1,000 Cubic Yards” from a Type 2 use to a Type 1 use.	Enhances efficiency and removes redundant work regarding a highly technical and time-consuming review.
	Adding ‘Farm Animals’ as allowable accessory uses in the LI (Limited Institutional) and GI (General Institutional) zoning districts.	Clarifies that farm animals are allowable as part of educational facilities and programs.
138-356. Uses Defined	Adding, amending, and deleting use definitions as necessary.	Clarification and internal code consistency.

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CHAPTER 138 – ZONING		
Code Section	How it is Changing	Reason for Change
ARTICLE IV – Residential and Agricultural Districts		
138-386.2. R-5, Urban Residential District - Additional Requirements and Clarifications	Adding language that single family attached units are not considered to be multifamily use.	Clarification.
	Exempting single family detached and two-family dwellings from certain design criteria.	Response to a State preemption.
138-395.1. RPD, Residential Planned Development District – Development Parameters	Changing ‘platted lots’ to ‘legal lots of record’.	Enhances flexibility by allowing both platted and unplatted RPD zoned lots to be developed under R-4 zoning standards if they do not have an approved Development Master Plan.
ARTICLE IX – Specific Use Standards		
138-3215. Dwellings	Exempting single family detached and two-family dwellings from certain design criteria.	Response to a State preemption.
138-3218. Home Occupation	Changing the term to Home-Based Business and amending the regulatory language.	Response to a State preemption.
138-3232. Short Term Vacation Rentals	Adding language that short-term vacation rentals within single family detached homes require a zoning clearance.	Clarification.
138-3244. Car Wash and Detailing	Amending the criteria regarding which car wash vacuum systems must be fully enclosed.	Clarification and enhanced flexibility.
138-3247. Food Carts/Food Trucks	Removing language involving food trucks being only temporary from the purpose statement.	Clarification and internal code consistency. Food trucks can be either temporary or permanent.
138.3248. Health Club/Fitness Center	Removing the limitation that health clubs/fitness centers can only be in a CRA when in certain zoning districts.	Enhances flexibility.
138-3249. Kennel/Pet Care	Adding animal daycare as an allowed activity.	Clarification and enhances flexibility.
138-3250. Model Dwelling Units and Pre-construction Sales Offices	Removing language that can be interpreted that model dwelling units can only occur in single family subdivisions.	Clarification and flexibility. Model dwelling units should also be allowable in multifamily developments.
138-3281. Commercial Recreation	Removing the limitation that commercial recreation uses can only be in a CRA when in certain zoning districts.	Enhances flexibility.

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Code Section	How it is Changing	Reason for Change
138-3340. Excavation Pits and Quarries, 1,000 or More Cubic Yards	Removing reference to Type-2 Use approval.	Maintaining internal code consistency.
138-3341. Land Excavation or Fill	Removing requirement that a site plan must be submitted prior to a zoning clearance for cases involving between five and fewer than 1,000 cubic yards of fill.	Enhances flexibility. Maintains reference to site plan requirements per the general site plan sections of the Code.
138-3350. Farm Animals	Adding language that allows farm animals as accessory to an educational/instructional use.	Clarification and internal code consistency.
ARTICLE X – Community Design Standards		
138-3502. Boundary Lines and Survey	Adding language clarifying the acceptable age of surveys.	Clarification.
138-3505. Setback Measurements, Allowances, and Restrictions	Adding language to help clarify pool setback requirements on lots that front multiple streets.	Clarification.
	Adding language clarifying how the mean high-water mark on water bodies is measured.	Clarification.
	Amending language to clarify how setbacks for outside stairways and mechanical equipment such as A/C units are measured.	Clarification.
138-3507. Dumpsters and Trash Enclosures	Adding language to clarify that dumpsters are not permitted within a public right-of-way.	Sight visibility triangles are a transportation related issue and better suited for placement in the Transportation Design Manual.
	Exempting dumpsters that were legally placed prior to 1990 from the current Code standards.	Enhances flexibility.
138-3509. Outdoor Lighting	Removing exemptions for certain incandescent and fluorescent lighting from having to meet current Code standards.	This addresses a common cause of code enforcement complaints.
138-3510. Residential Accessory Structures and Uses	Adding language to make clear that attached garages and accessory dwelling units are not subject to the size restrictions of this section.	Enhances flexibility.
138-3602. Motor Vehicle Parking	Fixing a numbering error. There were two subsection (d)s.	Corrects an error.
138-3660. Scenic Noncommercial Corridor Landscaping Standards	Inserting a landscaping section for scenic noncommercial corridors into the Code.	The County has been enforcing enhanced landscaping standards along designated Scenic

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Code Section	How it is Changing	Reason for Change
		Noncommercial Corridors for many years. These standards are based on the Pinellas County Comprehensive Plan and the Countywide Rules. Adding these to the Land Development Code enhances its consistency with these Plans/Rules.
Table 138-3660.a. Scenic Noncommercial Corridor Buffer Standards Matrix	Same as above.	Same as above.
138-3702. Fences and Walls General Requirements	Amending language regarding fence/wall height limitations within the front setback. The changes keep the height requirements the same but conveys them in a simplified way.	Clarification/simplification.
138-3705. Fences and Walls Measurement of Height	Correcting a wording error.	Wording correction.
138-3756. Permitted Signs and Standards by Zoning Classifications	Removing an inadvertently placed sentence.	Wording correction. Maintains internal code consistency.

CHAPTER 154 – SITE DEVELOPMENT, RIGHT-OF-WAY IMPROVEMENTS, SUBDIVISIONS, & PLATTING		
Code Section	How it is Changing	Reason for Change
ARTICLE I – In General		
154-2. Definitions	Adding, amending, and deleting various definitions for Chapter 154 related to plats and subdivisions.	Changes are needed to reflect other amendments to the Code that enhance flexibility and clarification. Updated definitions facilitate internal code consistency.
ARTICLE IV – Access Management		
154-200 – Relocation of Installation by Owner or Permittee.	Making clear that the County may replace or repair irrigation components adjacent to single family properties encountered during road repair activities.	Clarification.
154-231 – Required (Right-of-Way Permit)	Adding language to make clear what can and cannot be done within a public right-of-way (e.g., landscaping, irrigation, sidewalk pressure washing, etc.).	Clarification.
ARTICLE V – Subdivisions, Platting, and Vacations		

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CHAPTER 154 – SITE DEVELOPMENT, RIGHT-OF-WAY IMPROVEMENTS, SUBDIVISIONS, & PLATTING		
Code Section	How it is Changing	Reason for Change
154-261 – Requirements (Lot Line Adjustments and Lot Splits)	Adding language to clarify how lots may be split – the required process, how many times, etc.	Clarification.
154-263 – Plat Review and Approval Process	Adding language to clarify the plat review and approval process for preliminary plats and minor plats.	Clarification.
154-264 – Platting Requirements and Information	Adding references for exemptions and other applicable procedures for minor plats.	Clarification and enhanced flexibility.
154-265 – Minor Platting Requirements, Procedures, and Restrictions	Adding Section for minor plats, which is the subdivision of land into not more than four (4) lots.	Introduces flexibility for proposed small subdivisions.
154-271 – Review and Approval Processes (Right-of-Way Vacations and Easement Terminations)	Clarifying the review path for certain easement vacations.	Enhanced flexibility and clarification.

CHAPTER 158 – FLOODPLAIN MANAGEMENT		
Code Section	How it is Changing	Reason for Change
ARTICLE III – Flood Resistant Development		
158-243. Accessory Structures	Amending language to update terminology regarding flood hazard areas.	Corrects terminology.