

# **DOWNTOWN** **PALM HARBOR** **FORM-BASED CODE**

**DRAFT as of 10.07.19**

**THIS CODE WAS PREPARED BY:**

PINELLAS COUNTY PLANNING DEPARTMENT



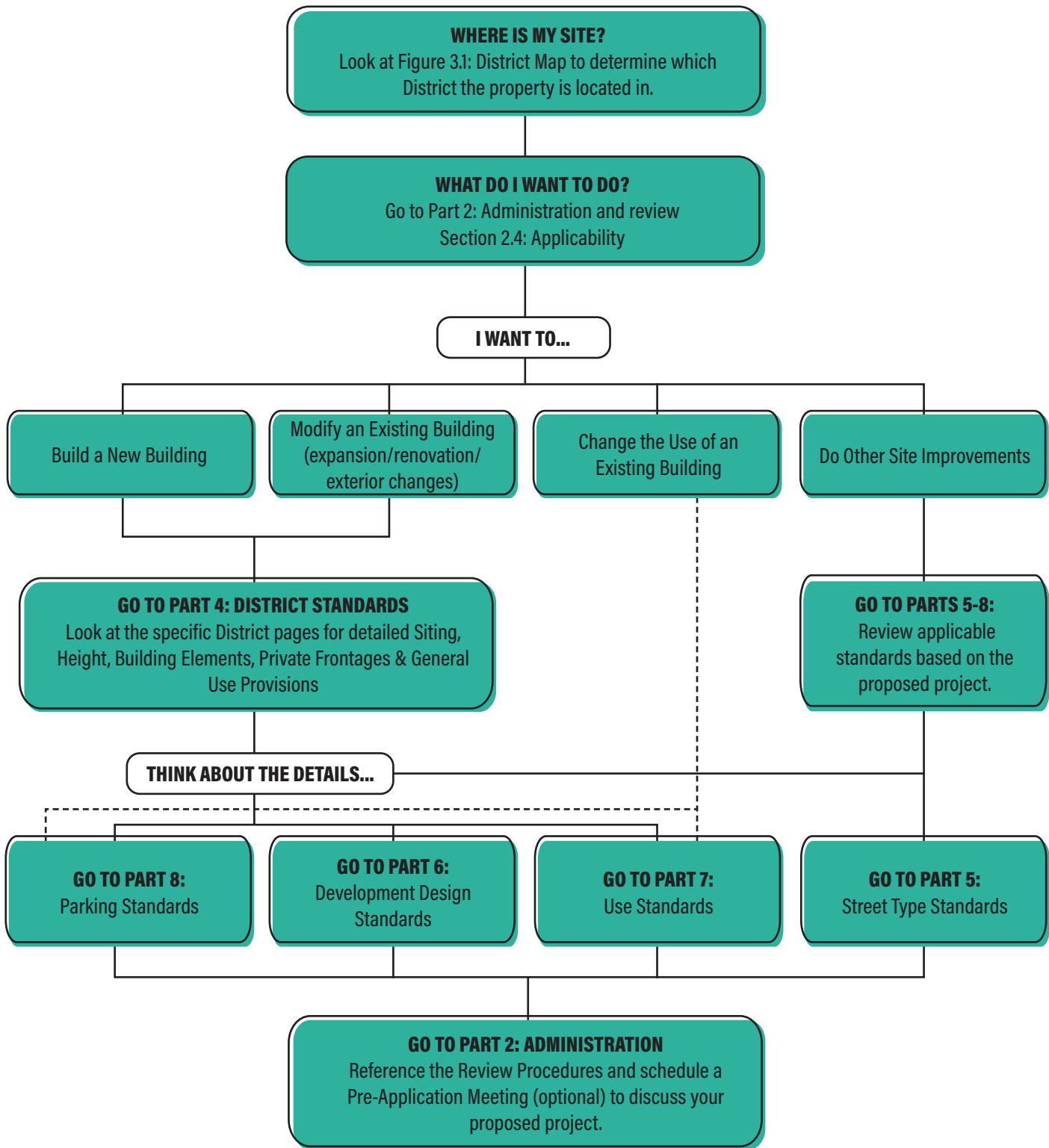
**SPECIAL THANKS TO:**

PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS  
PINELLAS COUNTY HISTORIC PRESERVATION BOARD  
KIMLEY-HORN  
PALM HARBOR COMMUNITY

**PORTIONS OF THE DOWNTOWN PALM HARBOR FBC WERE BASED ON METHODOLOGY & DATA PREPARED  
IN:**

**SMARTCODE v9.2 BY DUANY PLATTER ZYBERK & CO.**

# HOW TO USE THIS CODE



*This flow chart is intended to serve as a general overview of this Code's review process, but is not a part of this Code. Use and Development within Downtown Palm Harbor is governed by the provisions of this Code.*

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# **PART 1**

## **GENERAL PROVISIONS**

**SECTION 1.1    Title**

**SECTION 1.2    Effective Date**

**SECTION 1.3    Application**

**SECTION 1.4    Relationship to Land Development Code**

**SECTION 1.5    Severability**

**SECTION 1.6    Components of this Code**

# PART 1: GENERAL PROVISIONS

## 1.1 TITLE

This Code is known as the "Downtown Palm Harbor Form-Based Code." This Code may also be referenced herein as the "Code".

## 1.2 EFFECTIVE DATE

The effective date of the Downtown Palm Harbor Form-Based Code is \_\_\_\_\_.

## 1.3 APPLICATION

- A. The provisions established within this Form-Based Code shall apply to all development/redevelopment within the Downtown Palm Harbor Neighborhood Activity Center Future Land Use Map designation, which is referred to herein as the Downtown Palm Harbor Form-Based District. Affected parcels are designated on the District Map ([Figure 3.1](#)). No development shall be undertaken without prior approval and the issuance of the appropriate permit(s) pursuant to the applicable provisions of this Code, except as provided herein.
- B. Provisions of this Code expressed as "shall" when required; "should" when recommended; and "may" when optional. Provisions of this Code expressed as "typical" describe normal characteristics, but are not limited to those "typical" descriptions as long as the overall intent of the provision is being met.
- C. Graphic illustrations, illustrative intents, and photographic images used throughout this Code are intended to graphically portray the regulatory standards and overall intents established within this Code. These images shall be considered guidelines as opposed to regulatory standards. Where in conflict, numerical metrics shall take precedence over graphic metrics.
- D. [Section 6.3: Downtown Palm Harbor Historic Properties](#), recognizes the historic significance and architectural character of the Downtown Palm Harbor Historic District. It includes considerations addressing contributing historic properties, buildings of historical merit, and areas of archeological potential.
- E. Compliance with this Code is intended to occur over time, as redevelopment and new development occur. These regulations are intended for new development, expansion and remodeling. Existing structures and uses are allowed to continue and normal repair and maintenance is encouraged. The County also recognizes that some sites may be difficult to develop in compliance with the provisions of this Code and provides for Waiver and Adjustment procedures within certain parameters.
- F. [Part 9: Definitions](#) contains regulatory language that is integral to the implementation and intent of this Code. Those terms not defined in [Part 9](#), shall be accorded their commonly accepted meanings. In the event of conflicts between these definitions and those of the Pinellas County Land Development Code, those of this Code shall take precedence.

## **1.4 RELATIONSHIP TO LAND DEVELOPMENT CODE**

This Code is an appendix to the Pinellas County Land Development Code (LDC). The provisions of this Code supersede those of **Chapter 138 (in its entirety), Section 154-110, Section 154-120, and Section 154-121 of the LDC**, except where the LDC is specifically referenced within this Code. When any provision of this Code conflicts with a provision of the LDC, this Code shall take precedence, except for Contributing Historic Properties as described in **Section 6.3** of this Code. Such properties shall refer primarily to **Chapter 146: Historic Properties of the Land Development Code**. For all other issues not covered by this Code, the existing LDC shall continue to be applicable.

## **1.5 SEVERABILITY**

It is declared to be the intent of the Board of County Commissioners that, if any part, article, division, section, subsection, sentence, clause, phrase, or provision of this Code is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Code.

## **1.6 COMPONENTS OF THIS CODE**

This Code places a primary emphasis on physical form and placemaking, with a secondary focus on land uses. The regulatory sections of this Code are described below:

### **A. PART 2: ADMINISTRATION**

Administration describes review processes for development approval within the Downtown Palm Harbor Form-Based District.

### **B. PART 3: DISTRICT MAP**

The District Map serves as the principal tool for implementing this Code. The District Map designates a specific District to every property located within the Downtown Palm Harbor Form-Based District.

### **C. PART 4: DISTRICT STANDARDS**

District Standards establish the standards for development/redevelopment of properties within Downtown Palm Harbor, with a focus on building placement, height, and functional elements. The applicable standards for a site are determined by the District in which the site is located, as designated on the District Map.

### **D. PART 5: STREET TYPE STANDARDS**

Street Type Standards establish design and dimensional standards for the construction of new streets, retrofit of existing streets, and/or pedestrian and bicycle facilities required with the redevelopment/development of properties. The applicable standards are determined by Street Type classification as designated on the Street Type Map within the Street Type Standards Section.

## **E. PART 6: DEVELOPMENT DESIGN STANDARDS**

Development Design Standards establish site, building, landscaping, and signage standards for Downtown Palm Harbor properties. These standards are intended to provide a safe, functional, and attractive built environment and circulation pattern for all users and transportation modes.

## **F. PART 7: USE STANDARDS**

Use Standards describe provisions for specific land uses and designate allowable uses within each District. The Use Standards are intended to be simplistic, while still acknowledging the relationship between neighboring land uses.

## **G. PART 8: PARKING STANDARDS**

Parking Standards establish the amount, type, and design elements for vehicle and bicycle parking. These standards are intended to encourage compact development patterns, accommodate redevelopment, and recognize alternative methods of parking and modes of transportation that in turn can reduce the abundance of vehicular parking.

## **H. PART 9: DEFINITIONS**

This section provides a list of terms used throughout the Code and are integral to the implementation and intent of this Code. Certain terms are used in very specific ways, often excluding some of the meanings of common usage.

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# **PART 2**

## **ADMINISTRATION**

**SECTION 2.1 Authority**

**SECTION 2.2 Review Types**

**SECTION 2.3 Review Procedures**

**SECTION 2.4 Applicability**

**SECTION 2.5 Nonconforming Situations**

**SECTION 2.6 Variances, Waivers, & Administrative Adjustments**

**SECTION 2.7 Zoning Clearances, Code Interpretations, & Site Plans**

**SECTION 2.8 Enforcement**

# PART 2: ADMINISTRATION

## 2.1 AUTHORITY

- A. The Code Administrator is responsible for administration and enforcement of this Code.
- B. The Code Administrator may designate a County staff member to represent the Code Administrator in any function assigned by this Code. The Code Administrator remains responsible for any final action.

## 2.2 REVIEW TYPES

- A. **Table 2.1:** Review Types, establishes three (3) review types for the purpose of interpreting and applying the provisions of this Code. These are used in reviewing and recommending, and/or taking final action on land development, land use permits, applications, and other procedures established in this Code.
- B. Development, land usage, and/or property modification shall obtain approval through one (1) or more review types as established in **Table 2.1: Review Types**. For Contributing Historic Structures, as designated on the District Map, additional review and approval shall be required per Chapter 146 - Historic Preservation of the Pinellas County Land Development Code.

**TABLE 2.1: REVIEW TYPES**

REVIEW TYPE	REQUEST / APPLICATION	DECISION-MAKING BODY	APPEAL AUTHORITY
<b>Type 1A</b> <i>"Permitted by Right"</i>	Type 1A Uses/Designations Site Plans Code Interpretations Verification of Nonconforming Situations Administrative Adjustments (up to 10%) Signs Zoning Clearance Letters	Department Review	1 <sup>st</sup> Appeal - Board of Adjustments & Appeals (BAA)  2 <sup>nd</sup> Appeal - Circuit Court
<b>Type 1B</b> <i>"Permitted by Warrant"</i>	Type 1B Uses/Designations Administrative Adjustments (up to 20%) Waivers	Development Review Committee (DRC)	1 <sup>st</sup> Appeal - Board of Adjustments & Appeals (BAA)  2 <sup>nd</sup> Appeal - Circuit Court
<b>Type 2</b> <i>"Public Hearing Process"</i>	Type 2 Uses/Designations Variances Alternative Private Frontage Types (per Section 4.3(B))	Board of Adjustments & Appeals (BAA)	Circuit Court

## 2.3 REVIEW PROCEDURES

- A. Any development, land usage, or property modification in the Downtown Palm Harbor Form-Based District shall be applicable to the review procedures established in this section, with the exception of Contributing Historic Structures, as designated on the District Map.
- B. Contributing Historic Structures and their associated properties shall be subject only to **Part 7: Use Standards**, along with the accompanying **Table 7.1: Permitted Land Uses**, of this Code. Such structures and properties are also and primarily subject to Chapter 146 - Historical Preservation, of the Pinellas County Land Development Code, which includes a

required Certificate of Appropriateness prior to the issuance of development permits. If there is conflict between this Code and Chapter 146, the standards and requirements of Chapter 146 shall take precedent.

### C. TYPE 1A REVIEW

1. A Type 1A review is an administrative process to ensure that development projects, land usages, and activities comply with the minimum provisions of this Code. The Type 1A process is intended to be a clear and objective review.
2. **Figure 2.1:** Type 1A Review Procedure outlines the general review process for a Type 1A submittal.

### D. TYPE 1B REVIEW

1. A Type 1B review enables the Development Review Committee (DRC) to determine the appropriateness of Type 1B uses/designations, administrative adjustments up to 20%, and waivers based on the overall intent of the provisions within this Code, and when applicable, the context of the subject property.
2. **Figure 2.2:** Type 1B Review Procedure outlines the general review process for a Type 1B submittal.

### E. TYPE 2 REVIEW

1. A Type 2 Review is a public hearing process to ensure that development projects, land usages, and activities comply with the minimum provisions of this Code and are consistent with the Pinellas County Comprehensive Plan. A Type 2 process requires the Board of Adjustments and Appeals (BAA) to determine the appropriateness of Type 2 uses/designations established within this Code and variances from the standards of this Code.
2. **Figure 2.3:** Type 2 Review Procedure outlines the general review process for a Type 2 submittal.

### F. OTHER REQUESTS

Applications and other requests within the Downtown Palm Harbor Form-Based District that are not covered within this Code, such as subdivision plat approvals, shall follow the applicable review procedures established in the current adoption of the Pinellas County Land Development Code.

## 2.4 APPLICABILITY

### A. NEW & INFILL DEVELOPMENT

New and infill development includes the construction of a new primary building proposed on a vacant or improved land parcel. The regulations of this Code, in their entirety, shall apply to all new and infill development.

Figure 2.1: Type 1A Review Procedure

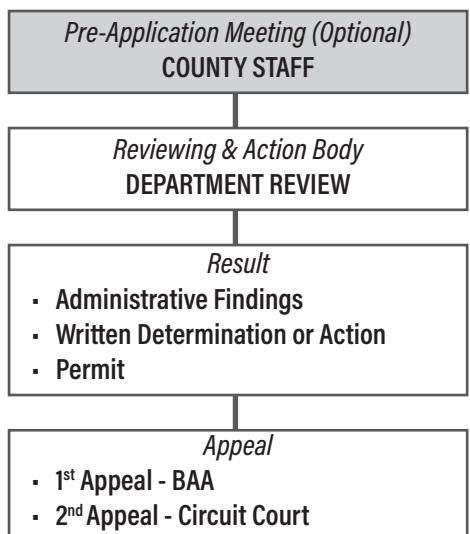


Figure 2.2: Type 1B Review Procedure

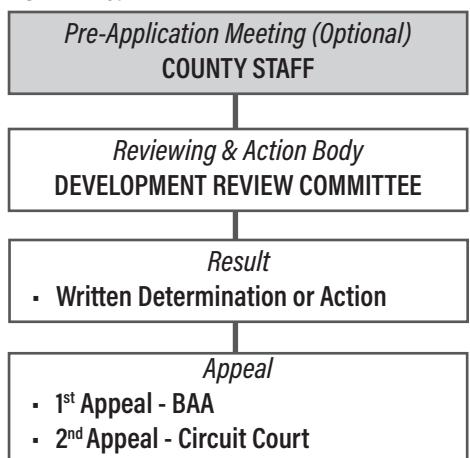


Figure 2.3: Type 2 Review Procedure



## B. NEW ADDITIONS

New additions include the expansion of the building footprint or interior floor area of an existing building, which may impact the exterior appearance of a building. They are subject to all applicable provisions of this Code relative to new additions, including the standards as established in [Section 6.4](#): Building Design Standards. New additions may also be subject to the standards and requirements established for exterior remodels, where appropriate.

## C. REMODELS

1. *Exterior:* Exterior remodels include substantial changes to the exterior appearance of an existing building. They are subject to all applicable provisions of this Code relative to exterior remodels, including the standards as established in [Section 6.4](#): Building Design Standards. Exterior remodels may also be subject to the standards and requirements established for new additions, where appropriate.
2. *Interior.* These regulations shall not apply to interior remodeling of existing buildings.

## D. EXTERIOR RENOVATIONS

Exterior renovations include like-kind repair or replacement of an architectural feature or element in a manner that does not alter or modify the exterior appearance of the building, as determined by the Code Administrator. A building in the District extant before the adoption of this Code may retain its existing exterior appearance and continue to serve its useful and functional life as achieved through routine maintenance.

## E. EXCEPTIONS

1. *Existing Zoning Clearances & Building Permits.* The provisions of this form-based code shall not affect development for which has been granted zoning clearance or a building permit has been issued on or before the effective date of this Code, provided that such zoning clearance or building permit was lawfully issued and remains in full force and effect. If the zoning clearance or building permit expires, any further development on that site shall occur only in conformance with the applicable regulations of this Code.
2. *Existing Buildings & Uses.* Existing buildings and uses that do not conform to the provisions of this Code may continue as they are. However, if a non-permitted use ceases (according to [Section 2.5\(A\)](#): Nonconforming Uses & Structures of this section) the use shall not be reestablished.
3. *Repair & Maintenance.* Normal repair and maintenance may be performed on existing buildings without requiring compliance with this Code. [For example, repairing a broken window would not require compliance with the Building Design Standards.]

## 2.5 NONCONFORMING USES & STRUCTURES

### A. GENERAL

1. Nonconforming uses and structures are:
  - a. Those created prior to the effective date of this Code, and/or
  - b. Those situations caused by the adoption and amendment of the Pinellas County Comprehensive Plan, Downtown Palm Harbor Form-Based Code, Pinellas County Code, and/or State Statutes that make a previously conforming use or structure nonconforming.
2. *Continuation of Nonconformities.* Legal nonconforming uses and structures are permitted to continue with normal repair and maintenance. This shall not be used as grounds for adding other prohibited uses or structures on the site or in the area, nor enlarging them by means of extension or expansion, except as specifically provided in this section.
3. *Change of Ownership.* Change of management, ownership, or tenancy of a nonconforming use or structure shall not affect its nonconforming status; provided such use's intensity does not change, as determined by the Code Administrator.
4. *Nonconforming Status.* It is the intent that all the rights and obligations associated with a nonconforming status shall run with the land and are not affected by a change in ownership or tenancy, unless the nonconformity is abandoned or deteriorated. Nonconformities shall be considered abandoned or deteriorated according to the following:
  - a. *Nonconforming Uses.* When a nonconforming use of land or structure has been abandoned for more than 180 consecutive days, its future use shall conform to the uses permitted in the District in which the site is located.
  - b. *Nonconforming Structures.* A nonconforming structure which is hereafter damaged or destroyed in excess of 50 percent or more of its appraised valuation for tax purposes may not be reconstructed, repaired, or restored.
5. *Maintenance & Repair.* A nonconforming structure may be maintained and repaired subject to the following:
  - a. Any physical change to the structure shall not increase the degree of nonconformity unless otherwise permitted by this Code.
  - b. Any nonconforming structure or portion thereof declared to be unsafe, by the County Administrator or designee, may be restored to a safe condition. However, when the structure is deemed deteriorated, repairs shall occur in accordance to the respective District standards (**Part 4**) within this Code.
  - c. All interior, utility, accessibility, and/or life-safety alterations and repairs are permitted.

6. *Illegal Uses & Structures.* Nothing in this section shall be deemed to allow the use, change in use, repair, alteration, expansion, enlargement, or reconstruction of an illegal use or structure. Any such illegal use shall be discontinued, and any such illegal structure shall be removed.
7. *Modification & Expansion.* Nonconforming structures may be expanded in a manner that conforms to the District Standards and other applicable sections of this Code and does not increase the degree of nonconformance.

## **B. REDEVELOPMENT & RE-ESTABLISHMENT OF NONCONFORMING USES/STRUCTURES**

A property may be redeveloped and/or re-established with a non-conforming use/structures subject to the following:

1. *Residential Nonconforming Use/Structure.* A verified residential nonconforming use or structure that is destroyed or damaged in excess of 50 percent of its appraised valuation for tax purposes by an act of nature or accident may be re-established or reconstructed up to its previously existing lawfully established density, subject to the following:
  - a. The re-established use or reconstructed structure must be located within a Future Land Use Map Category and District that permits residential uses.
  - b. The re-established use or reconstructed structure must otherwise conform to the regulations of the applicable District and other relevant county codes. Whereas, variances, waivers, and administrative adjustments may be sought as allowed by this Code.
2. *All Other Nonconforming Situations.* A verified nonresidential nonconforming use/structure or a verified residential nonconforming use/structure that does not meet the criteria of [Section 2.5\(B\)\(1\)](#), (above), may be redeveloped, re-established, or reconstructed in full or in part pursuant to a Type 2 Review.
3. *States of Emergency Exception.* The provisions of this section shall be applicable to any preexisting, nonconforming situation which has incurred damage from a state of emergency caused by a natural disaster or other catastrophic event that is declared and recognized by the County Administrator. The structure and use may be replaced/re-established at the location and intensity/density which the structure was established prior to the state of emergency.

## **C. ADAPTIVE REUSE PROJECTS**

The purpose of this Section is to foster the renovation and reuse of structures that have significant historical, architectural or cultural value to Lealman. This Section recognizes that many existing structures located within the Districts, as established by this Code, will not conform to all the standards and guidelines in this Code. The following development standards shall apply to adaptive reuse projects:

1. *Applicability.*
  - a. The provisions of this section shall apply to the redevelopment and reuse of buildings that pre-date 1980, and have qualities of significance and integrity through either a significant contribution to history, association with significant persons, or embody distinctive characteristics.

- b. To be considered an adaptive reuse project, the existing total building floor area and building height can only be increased up to 20%

2. *Siting Regulations.*

- a. Building siting standards shall not apply to existing buildings associated with an adaptive reuse project, but shall apply to any building additions.
  - i. *Side/Rear Setback.* For building additions/expansions, the minimum side/rear setback for an adaptive reuse project shall be equal to the existing building setback, or equal to the side/rear setback for the District in which the site is located, whichever is less.
- b. *Parking Setback.* The use of an existing dedicated parking area shall have no additional requirements. New parking areas shall meet the requirements of the District in which the site's located.

#### **D. NONCONFORMING SIGNS**

Any sign, lawfully established prior to the effective date of this Code that no longer meets the development standards shall be deemed a legal nonconforming sign. For the purposes of this Section, a sign shall include the sign face and any supports, poles, frames, or other associated lighting, electrical, mechanical, and structural features. The continuation of legal nonconforming signs shall be consistent with the following:

- 1. *Increases in Nonconformity.* No nonconforming sign shall be enlarged or altered in terms of face area, height, or any other aspect that increased the degree of nonconformity.
- 2. *Alterations.* Any nonconforming sign that is intentionally altered, moved, or replaced shall comply with [Section 6.5](#) of this Code. Nonconforming signs that are required to be or altered due to government action or damage resulting from fire, flood, other natural disaster, or a criminal act may be restored to their nonconforming condition. Nonconforming signs that are temporarily removed for painting or other maintenance shall retain their legal nonconforming status, so long as the sign is replaced within a period of 60 days from the date of its removal.
- 3. *Sign Faces & Messages.* Sign faces and/or messages on a nonconforming sign may be altered, replaced, repainted, and repaired provided that the degree of nonconformity is not increased.

#### **2.6 VARIANCES, WAIVERS, & ADMINISTRATIVE ADJUSTMENTS**

The provisions set forth in this Code apply to a diverse area. The County recognizes some sites may be difficult to develop in compliance with these regulations. The variance, waivers, and adjustments review processes provide a mechanism for these regulations to be modified relieve a property owner who, because of property characteristics beyond his or her control, is unable to meet a dimensional requirement. These reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of this Code. Each variance, waiver, or adjustment shall be considered unique and shall not set precedence for other requests.

## A. GENERAL

1. A variance, waiver, or adjustment may not be granted to the following:
  - a. Density and intensity limitations of the Pinellas County Comprehensive Plan.
  - b. Land usage restrictions of the Pinellas County Comprehensive Plan.
  - c. Review and procedural requirements of this Code.
  - d. State and federal rules, regulations, and standards.
2. *Required Information.* The following is required to be submitted for these requests:
  - a. A proposed site development diagram (concept plan) drawn to scale.
  - b. A survey and/or current aerial photograph of the subject site and adjustment properties.
  - c. A written explanation and justification of the requested variance, waiver, and/or administrative adjustment.
  - d. A written response for each of the criteria for granting variances, waivers and/or adjustments as listed in this section.
  - e. Other supplemental information as required by the Code Administrator or designee.
3. *Initiation of Construction.* A variance, waiver, or administrative adjustment issued under these provisions shall automatically expire within two years from the date of granting such approval if construction of the project has not commenced and continued in good faith. All site plans and building permits must be obtained within those 2 years; and granting of any variance, waiver, and/or administrative adjustment shall not be deemed as automatic approval for any such permit or site plan required.
4. *Extensions.* The Code Administrator may grant an extension of up to one year upon a showing of good cause, provided the request for extension is submitted in writing stating the reason for extension and is received prior to the expiration of the variance, waiver, and/or administrative adjustment.

## B. VARIANCES

1. A variance is a request to lessen or remove certain dimensional standards of the form-based code for a particular property or structure.
2. *Review Procedure.* A variance from this Code shall be processed as a Type 2 Review which is in a public hearing setting by the Board of Adjustments and Appeals (BAA). All variances are subject to the criteria established in [Table 2.2: Variance, Waivers, & Administrative Adjustments Criteria](#).

## C. WAIVERS

1. A waiver is an approved elimination of a particular technical standard(s) based on a site constraint, and/or the ability to meet the intent by another means. Waivers generally have minimal or no impact on a neighboring property.
2. Subject to the criteria established in [Table 2.2: Variances, Waivers, & Adjustments Criteria](#), the approval authority may grant the following waivers to this Code:
  - a. Site access standards and requirements may be waived to respond to site constraints and/or respond to existing development conditions.
  - b. Sidewalk connections may be waived to respond to site constraints and/or respond to existing development conditions that would make the connections impractical or unsafe.
  - c. Landscaping and buffering standards may be waived for specific areas on a site when other vegetation is present and provides the same purpose. Landscaping standards may be waived for portions of a site to respond to government security and surveillance mandates.
  - d. Other similar technical standards as determined by the Code Administrator. However, waivers pertaining to ADA standards are not permitted.
3. *Review Procedure.* Waivers shall be processed as a Type 1A Review; however, based on the degree of the request, the Code Administrator may forward a waiver request to the Development Review Committee as a Type 1B Review process.

## D. ADMINISTRATIVE ADJUSTMENTS

1. An administrative adjustment is an approved adjustment or reduction to certain dimensional standards and/or technical requirements of this Code based on a site constraint, and/or the ability to meet the intent by other means. Administrative Adjustments may have some impact on a neighboring property.
2. Subject to the criteria established in [Table 2.2: Variances, Waivers, & Adjustments Criteria](#), the standards of this Code may be adjusted up to 20 percent.
3. *Review Procedure.* Administrative adjustments shall be processed as a Type 1A Review for up to 10 percent and Type 1B for up to 20 percent adjustments.

## E. CRITERIA

The reviewing body shall determine the following criteria described in **Table 2.2: Variance, Waivers, & Administrative Adjustments Criteria**, have been satisfied in order to authorize such approval.

**TABLE 2.2: VARIANCE, WAIVERS, & ADMINISTRATIVE ADJUSTMENTS CRITERIA**

CRITERIA	VARIANCE	WAIVER	ADJUSTMENT
(a) <i>Special Conditions.</i> That special conditions and circumstances exist which are peculiar to the land, structure, or building involved.	X		
(b) <i>Unnecessary Hardship.</i> That literal interpretation of the provisions of this Code would deprive or make it practically difficult for the applicant to achieve the same proportion of development potential commonly enjoyed by other properties in the same District under the terms of this section. The hardship shall not be self-imposed.	X		
(c) <i>Minimum Code Deviation Necessary.</i> That the granting of the request is the minimum code deviation that will make possible the reasonable use of the land, building, or structure.	X	X	X
(d) <i>Consistency with the FBC.</i> That the granting of the request will be in harmony with the general intent, purpose, and spirit of this code.	X	X	X
(e) <i>Consistency with the Comprehensive Plan.</i> That the granting of the request will be consistent with the intent and limits of the Comprehensive Plan.	X		
(f) <i>Detriment to Public Welfare.</i> That such request will not be injurious to the area involved or otherwise detrimental to the public welfare.	X		

## 2.7 ZONING CLEARANCES, CODE INTERPRETATIONS, & SITE PLANS

### A. ZONING CLEARANCE

1. A Zoning Clearance determines if an application is in conformance with the provisions of this Code or as permitted by special approval. It is required and should be obtained prior to any property use, development activity or land disturbance. Zoning Clearance is often performed in conjunction with the plan review process for building permits, site plans, and/or pre-application meetings.
2. A Zoning Clearance shall be determined by the Code Administrator.
  - a. The issuance of a Zoning Clearance does not exempt an applicant from complying with all laws properly affecting the use of development of land.
  - b. This clearance is required regardless of any other provision of this Section.
  - c. Failure to obtain such clearance may be deemed a violation of this Section.

3. *Issuance & Conditions.*

- a. Zoning Clearances shall be determined as part of the Type 1A and Type 1B Review. The resulting determination may require that the applicant make site modifications and/or secure the required review type approval for the requested outcome.
- b. The Code Administrator or designee may request additional information pertaining to the project in order to conduct a thorough review and ensure full compliance with this Code.

**B. CODE INTERPRETATION**

1. Any member of the public may request a code interpretation of any provision in the Downtown Palm Harbor Form-Based Code, upon filing a written request.

2. A code interpretation is intended for cases and situations where the standards and requirements are not clear and/or there is opportunity for interpretation.

3. *Issuance & Conditions.*

a. Code interpretations shall be issued by the Code Administrator as a part of a Type 1A Review.

b. All requests for code interpretations may include:

i. A legal description, address, and/or parcel identification of the property for which the request is made.

ii. A description of the requested interpretation as it relates to a development, review process, and/or use of land.

iii. A conceptual plan or drawing illustrating the request when applicable. Plans shall be drawn to scale and show the property boundaries, proposed improvements, and connections to the roadway system.

c. The Code Administrator shall review the relevant code sections and the Comprehensive Plan in reaching a determination. The code interpretation shall not be used to circumvent adopted policy or code requirement.

**C. SITE PLANS**

1. *Applicability.* Site plans shall be required for the following:

a. As required per Section 6.4: Building Design Standards.

b. All development that requires new or revised stormwater management facilities.

c. All new roadways and streets.

2. *Requirements.*

a. Site plans shall demonstrate full compliance with the provisions of this Code and any condition imposed by any decision-making authority for the use.

- b. A site plan shall be provided as a site plan set, per County procedures.
- c. Site plan elements shall be prepared by:
  - i. Property surveyors and new legal descriptions shall be prepared by a licensed professional surveyor to conduct work in the State of Florida.
  - ii. Development plans, grading plans, utility plans and similar plans shall be prepared by an appropriate professional licensed to conduct work in the State of Florida.
- d. After receiving site plan approval, the applicant shall submit updated copies of the site plan, containing all data and information required as follows:
  - i. Final site plans, development designs, reports, or similar items that reflect the written approval.
  - ii. A Notice of Intent (NOI) issued by the Florida Department of Environmental Protection (FDEP) for activities regulated under the National Pollutant Discharge Elimination System (NPDES) program as amended.

3. *Time Limits.*

- a. A site plan approval shall only remain valid for a period of 12 months, unless construction of the project commences within 12 months of such approval and continues in good faith.
- b. The Code Administrator shall be authorized to extend any site plan approval for two additional 12-month period subject to the following:
  - i. No changes to the site plan are required when the applicable development standards have not changed since the original approval.
  - ii. At the Code Administrator's discretion, the site plan shall be updated to incorporate applicable development standards that have been changed since the original approval.
- c. At the Code Administrator's discretion, any site plan not approved within one year from the date of the initial submittal shall be reviewed for compliance with all site plan requirements in effect on the date of approval of such plan.

4. *Fees.* Fees for site plan review shall be established by the Board of County Commissions. A schedule of fees is available in the designated County Department.

## 2.8 ENFORCEMENT PROCEDURES

Enforcement of this Code shall be consistent with the following procedures. Any person may report a violation of this Code.

- A. Inspectors for the County's Code Enforcement Department shall have the authority to investigate alleged violations of this Code.

- B. Investigations may be based upon statements of complaints or upon inspections performed by County department personnel.
- C. In conducting investigations of alleged violations of this Code, departmental inspectors shall have the authority, where otherwise lawful, to inspect property, obtain the signed statements of prospective witnesses, photograph violations, and do such other gathering of evidence as is necessary for the complete investigation of an alleged zoning violation.
- D. Where violations of this Code are found to exist during the course of any construction of other activity requiring a permit, a stop work order may be issued by the County Building Department, or any department referenced in this Section, and work shall thereafter cease until the violation is corrected.
- E. Where it is determined that a violation of this Code exists, the County's Code Enforcement inspectors shall attempt to contact the violator and direct compliance with the provisions of this Code. The County Administrator may refer matters to the proper agency for other county, state, and/or federal law violations not covered by this Code.
- F. The owner(s) of property subject to this Code shall be responsible for compliance with this Code with respect to their property. Enforcement action taken by the County or State may be brought against the owner(s) and/or persons or entities in control of the property, including a contractor working on the property.
- G. Any person or entity that violates any provision of this Code shall be deemed guilty of an infraction of a county ordinance and upon conviction thereof, shall be punished by a fine not to exceed \$1,000.00 or as allowed by Florida State Statutes. Each day a violation continues to exist constitutes a separate offense. Nothing contained in this Section shall prohibit the County or State from bringing an appropriate civil action to ensure compliance with this Code or from utilizing the procedures found in Article VIII of Chapter 2 of the Pinellas County Code.
- H. Where this Code provides for permitted uses or activities, a violation of the particular section which provides for the permitted use or activity shall occur if dissimilar uses or activities are existing on the subject property. Failure to obtain a permit, site plan or clearance from the County, as required in this Section, shall be considered a violation of the particular provision requiring the permit, site plan, or clearance.

**DPH FBC**

# **PART 3**

## **DISTRICT MAP**

**SECTION 3.1 Intent**

**SECTION 3.2 Districts**

# PART 3: DISTRICT MAP

## 3.1 INTENT

- A. The District Map serves as the principal tool for implementing this Form-Based Code.
- B. The District Map establishes four Districts that have been assigned to each property within the Downtown Palm Harbor Neighborhood Activity Center Future Land Use Map designation.

## 3.2 DISTRICTS

There are four Districts within Downtown Palm Harbor, see the District Map ([Figure 3.1](#)).

Development and redevelopment shall comply with the standards and overall intent established for each District.

### A. CENTRAL DISTRICT (DPH-1)

The 'Central District' serves as the core of the Downtown area, promoting a mix of uses that encourage day- and night-time activity. Development within this District is characterized by street-oriented buildings with uses that encourage pedestrian activity. Comfortable pedestrian movement is supported by on-street parking, wide sidewalks, enhanced crosswalks, pedestrian amenities and cohesive wayfinding to help promote a dynamic public realm.

### B. WEST DISTRICT (DPH-2)

The 'West District' serves to connect the waterfront recreation amenities to the Pinellas Trail and the downtown central business district with a mixture of residential housing and neighborhood-supportive uses.

### C. NEIGHBORHOOD DISTRICT (DPH-3)

The 'Neighborhood District' is predominately residential in appearance, but multi-use in function and serves to transition between the Central District and the primarily single-family residential areas outside of the Downtown Palm Harbor Activity Center. This District supports a mix of small to medium building types that allow more definition between public and private areas, as well as, small-scaled neighborhood and civic uses. District standards along Alternate U.S. 19 support the placement of community-scaled commercial uses.

### D. BOULEVARD DISTRICT (DPH-4)

The 'Boulevard District,' fronting along Omaha Street, is predominately residential in function and serves as a transition between the downtown core to the west, and the primarily single-family residential area to the east. This District supports a mix of residential types, as well as, office uses that fit in with the mostly residential character of the District.

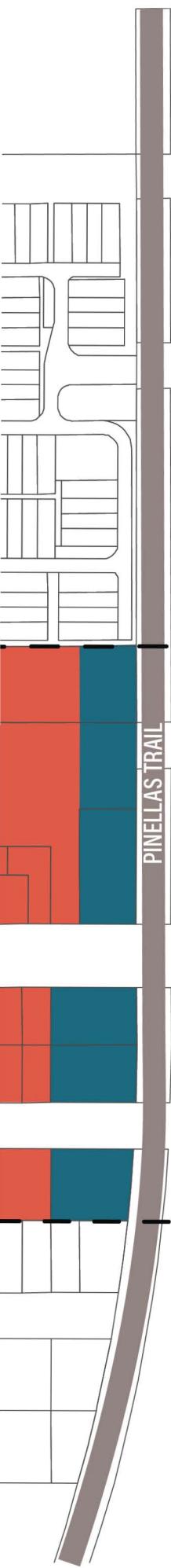
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FIGURE 3.1: DISTRICT MAP

# DOWNTOWN PALM HARBOR DISTRICT MAP

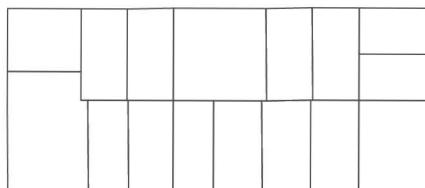
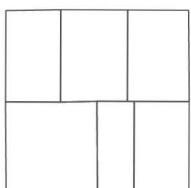
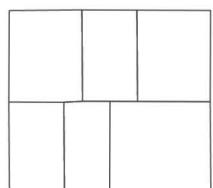
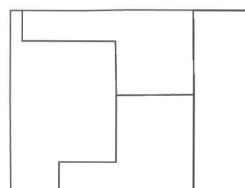
- CENTRAL DISTRICT
- WEST DISTRICT
- NEIGHBORHOOD DISTRICT
- BOULEVARD DISTRICT
- — — DISTRICT BOUNDARY
- ★ CONTRIBUTING HISTORIC  
STRUCTURE
- BUILDING OF HISTORICAL  
MERIT



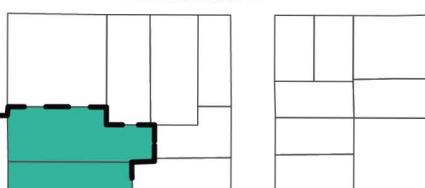
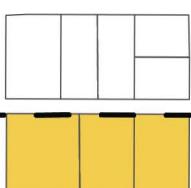
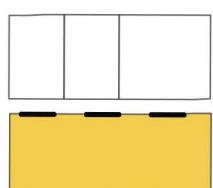
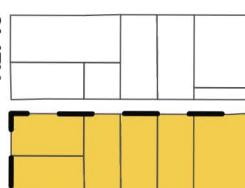


ALT 19

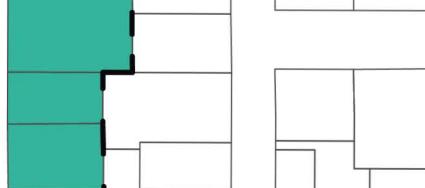
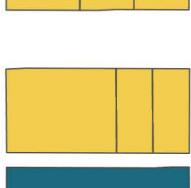
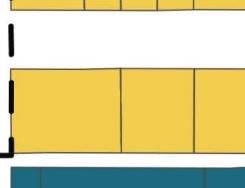
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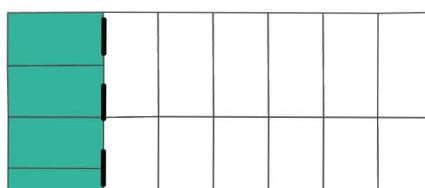
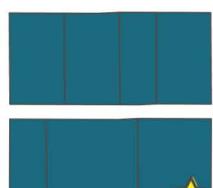
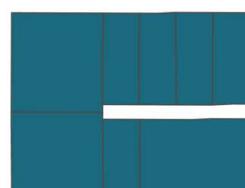
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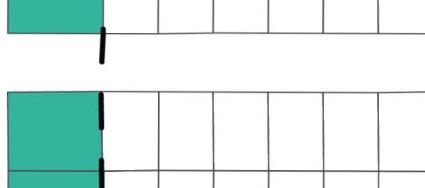
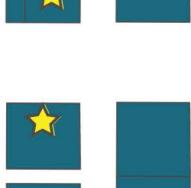
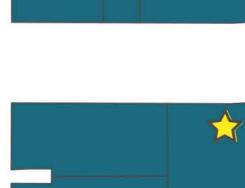
INDIANA AVE



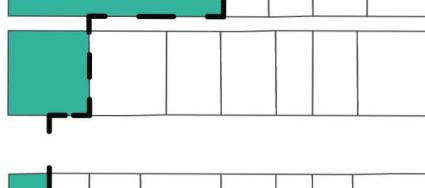
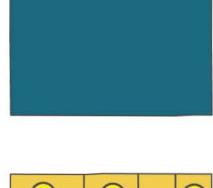
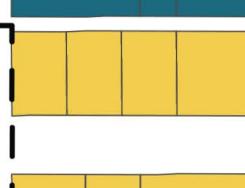
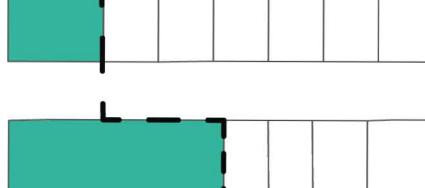
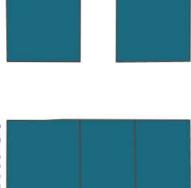
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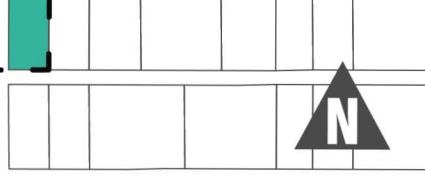
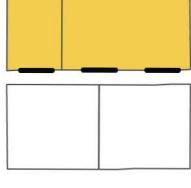
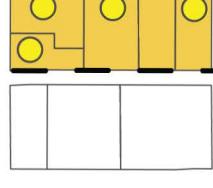
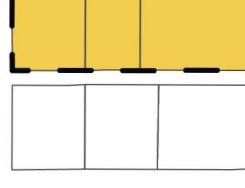
FLORIDA AVE



GEORGIA AVE



MICHIGAN AVE



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**DPH FBC**

# **PART 4**

## **DISTRICT STANDARDS**

**SECTION 4.1 Intent**

**SECTION 4.2 General Provisions**

**SECTION 4.3 Private Frontage Standards**

**SECTION 4.4 Districts**

**SECTION 4.4.1 Central District (DPH-1)**

**SECTION 4.4.2 West District (DPH-2)**

**SECTION 4.4.3 Neighborhood District (DPH-3)**

**SECTION 4.4.4 Boulevard District (DPH-4)**

# PART 4: DISTRICT STANDARDS

## 4.1 INTENT

- A. The District Standards are intended to shape the physical and functional character of the street-space of the Downtown Palm Harbor Form-Based District, with the goal of creating an active, pedestrian-friendly public realm. The form and function standards for building frontages not only frame the street-space, but also allow for greater flexibility behind the building's facade. The District Standards are intended to aim for minimal regulation necessary to achieve this goal.
- B. The District Map identifies the various Districts for all properties located within the Downtown Palm Harbor Form-Based District.
- C. The District Standards establish the standards for development and redevelopment of properties, with a focus on building placement, height, and functional elements, such as fenestration (windows and doors), porches, and stoops.

## 4.2 GENERAL PROVISIONS

The following provisions apply to all Districts, unless otherwise specified within this Code:

### A. LOTS WITH MULTIPLE STREET FRONTAGES

1. For corner and through lots (multiple-frontage lots), each public street (not including alleys) shall be treated as a front for the determination of setbacks. (See [Figure 4.1](#))
2. For multiple frontage lots, a primary frontage shall be the street frontage with the highest classified street type, as determined by the Street Type Standards Map ([Figure 5.1](#)). If the street types are the same, the applicant may choose the primary and secondary frontage.
3. Structures may not extend beyond the minimum front setback requirement along any secondary frontage. The maximum setback shall be met along any secondary frontage either by a structure, fence/wall, hedge row, or of a similar treatment.

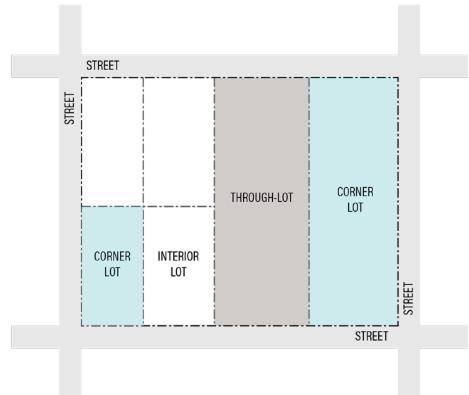
### B. BUILDING SIZE

The maximum building footprints for each District shall comply with the Floor Area Ratio (FAR) allowances established in the Downtown Palm Harbor Master Plan.

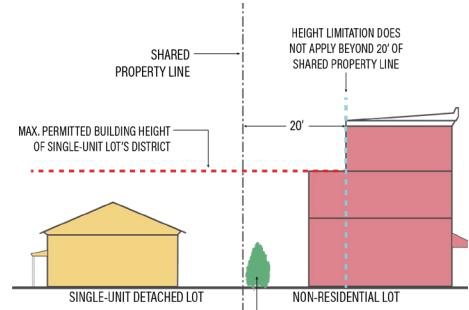
### C. NEIGHBORHOOD MANNERS

1. *Height.* When a non-residential lot shares a property line with an existing single-unit, detached residential lot, the maximum height of the non-residential structure shall not exceed the permitted by right height of the residential property's District. This limitation only applies to the portions of the non-residential structure within 20 feet of the shared property line. (See [Figure 4.2](#))
2. *Setback.* When a nonresidential or multi-unit residential lot shares a property line with an existing single-unit detached lot, a minimum 5 foot building setback shall apply from the shared property line(s).

*Figure 4.1: Lot Types*



*Figure 4.2: Neighborhood Manners*

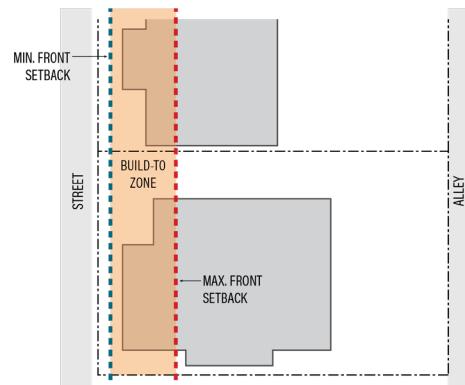


3. *Residential Buffer.* A buffer, meeting the requirements of **Section 6.5(C)**, shall be provided along any shared rear or side property line of a non-residential lot and a single-unit, detached residential lot. A buffer is not required between the front building facade and an abutting street or any portions that abut an alley. The buffer shall be provided entirely on the non-residential property at the time of development/redevelopment/expansion. (See **Figure 4.2**)

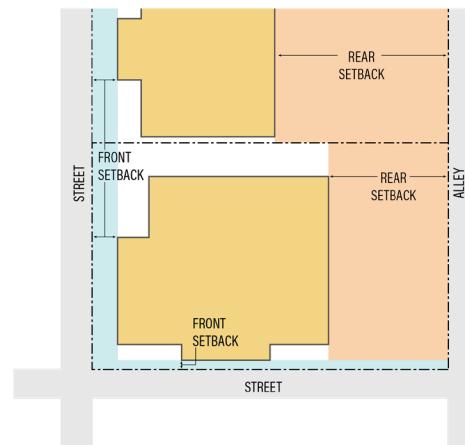
#### D. SITING

5. The area between the minimum and maximum front setback, is considered the Build-to Area. The minimum Building Frontage requirement shall be met entirely within the Build-to Area along a site's primary frontage. (See **Figure 4.3**)
6. Setbacks shall be measured by the shortest dimension, running from the property line to the nearest wall of a structure. (See **Figure 4.4**)
7. All front setbacks shall be measured from any proposed right-of-way line that has been established by the applicable governing body.
8. All vehicle parking shall be located at or behind the parking setback line (as established for each District), except where parking is provided below grade or on-street. Parking setback requirements shall apply to all public street frontages.
9. No part of any building may project beyond a designated minimum setback, except for overhanging eaves, awnings, bay windows, stoops, steps, accessible ramps, or other similar minor appurtenances.
10. Setback standards shall include the following encroachments, allowances, and/or limitations:
  - a. Porches and decks are subject to the applicable District front building setback(s).
  - b. Overhanging eaves, awning, bay windows, stoops, steps, cornices, chimneys, accessible ramps, or other similar minor appurtenances may project into a required setback no more than three (3) feet and shall not extend over adjacent property.
  - c. Swimming pools, as measured from the water's edge shall either have a side/rear setback of eight (8) feet or the minimum rear setback of the District, whichever is less.
  - d. Screen-only enclosures and outdoor kitchens are permitted a side and rear setback of five (5) feet or the minimum side or rear setback of the District in which the property is located, whichever is less.
  - e. Arbors and pergolas 100 square feet or less in size are not subject to setback standards provided that intersection site visibility standards, per **Section 6.2(B)(5)**, are addressed through structure placement/design. Columns as part of such structures shall be reviewed for a visibility issues on a case-by-case basis.

*Figure 4.3: Build-to Area*



*Figure 4.4: Setback Measurement*



- f. Mechanical equipment such as air conditioning units, pool equipment and generators shall not exceed 75 DB and should be placed adjacent to the structure, however a minimum three (3) foot separation shall be required from the property line.
- g. Outside, unenclosed stairways may extend four (4) feet into any required yard but not closer to any side lot line than a distance of five (5) feet.

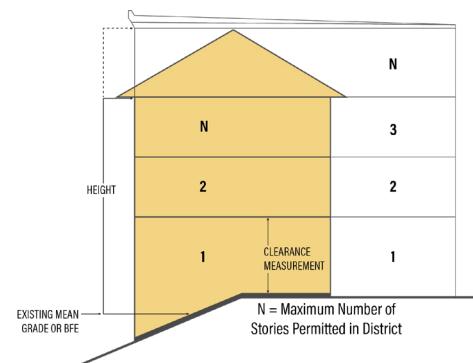
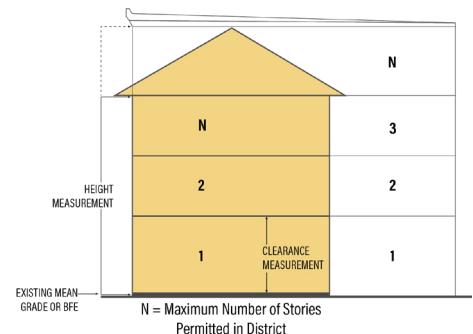
7. Setback standards shall not supersede or allow easement encroachment. The following shall apply:

- a. No portion of any structure shall be located within the area of a recorded public easement unless authorized by the county and/or other easement holder.
- b. Easement encroachment may not be authorized as a variance.

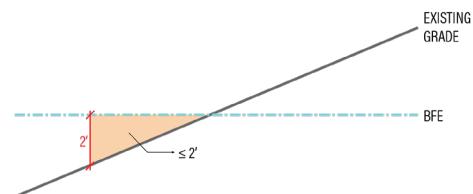
## E. HEIGHT

1. The height of all buildings is measured in stories, with not to exceed maximum heights measured in feet from the existing grade, unless otherwise stated within this Code. (See [Figure 4.5](#))
2. Height shall be measured based on the following provisions; other exemptions of this section may be allowed:
  - a. For flat roofs, height means the vertical distance from the mean (average) elevation of the existing grade to the height of the finished roof structure.
  - b. For pitched roofs, height means the vertical distance from the mean (average) elevation of the existing grade to the eave of the roof.
  - c. *Base Flood Elevation*. When a structure is in an area of special flood hazard, height shall be measured from the base flood elevation (BFE) including two (2) feet of additional freeboard, as required by local ordinance, based on the following:
    - i. When the existing grade is two (2) feet or less than the BFE (See [Figure 4.6](#)), the finished floor elevation of the lowest habitable story of the building shall be raised to at least the minimum required height, by utilizing the following options:
      1. *Option 1: Raised Site*. Fill may be used to raise the building site up to a four (4)-foot maximum height as measured from the existing grade. Along frontages where a public sidewalk is present or required, a retaining wall shall be used where the site is raised.
      2. *Option 2: Raised Base*. A foundation wall may be used to raise the base of the ground (finished) floor up to a maximum of five (5) feet above the existing grade (See [Figure 4.8](#)) (Note that buildings containing ground floor residential uses already require a minimum 2-foot raised ground floor elevation. See Height Tables in District Standards).

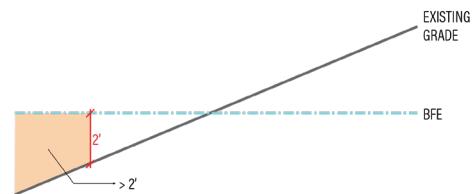
*Figure 4.5: Height Measurement Flat & Sloped Sites*



*Figure 4.6: BFE Less than or Equal to 2'*



*Figure 4.7: BFE Greater than 2'*



- 3. *Option 1 & 2 Combined:* A combination of Options 1 and 2 may be used to achieve at least the minimum required elevation. (Note that buildings containing ground floor residential uses already required a minimum 2-foot raised ground floor elevation. See Height Tables in District Standards).
- ii. When the existing grade is greater than two (2) feet below the BFE (See Figure 4.7), the finished floor elevation of the lowest habitable story of the building shall be raised to at least the minimum height by utilizing the following options:
  - 1. *Option 2: Raised Base.* A foundation wall may be used to raise the base of the ground (finished) floor up to a maximum of five (5) feet above the existing grade. (See Figure 4.9) (Note buildings containing ground floor residential uses already require a minimum 2-foot minimum raised ground floor elevation. See Height Tables in District Standards).
  - 2. *Option 1 & 2 Combined.* A combination of Options 1 and 2 may be used to achieve at least the minimum required elevation. (See Figure 4.10) (Note buildings containing ground floor residential uses already require a minimum 2-foot raised ground floor elevation. See Height Tables in District Standards).
  - 3. *Option 3: Sub-Story.* A sub-story may be used to raise the finished, habitable building space at or above the required elevation. A minimum clearance height of eight (8) and maximum of twelve (12) feet, as measured from the ground floor elevation, shall be permitted. A sub-story may be used as uninhabitable space for vehicular parking, cold storage and similar uses, subject to standards and requirements of the Pinellas County Building Code.
- 3. Chimneys, water, fire, radio and television towers, smokestacks, flagpoles and similar structures and their necessary mechanical appurtenances, such as elevator shafts, ventilation equipment, etc., may be erected to a maximum of 20-feet above the height limits established in this Code.
- 4. Parapet walls constructed on buildings with flat roofs shall be permitted to extend no higher than four (4) feet over the maximum height specified for the District in which the building is located. Portions of the parapet walls, fences, or other building elements that are intended to screen mechanical equipment or similar features shall be exempt from height limits to the extent that they provide screening.
- 5. Ground/Upper story clearance is measured from the finished floor elevation to the ceiling of each story.
- 6. One-story structures, except for single-unit, detached structures, shall have a minimum ground story clearance of 14 feet.
- 7. Where sidewalks are covered (awnings, arcade, etc.), there shall be a minimum interior clearance height of 10 feet.
- 8. Building heights do not include rooftop gardens, patios, or similar functions without permanent structural covers or elements.

Figure 4.8: Raised Site



Figure 4.9: Raised Base



Figure 4.10: Sub-Story



## F. ELEMENTS

1. Fenestration (facade transparency) is measured by the area of all doors and windows of a particular story level divided by the total facade area of that story level. The total facade area is calculated by the height between finished floors multiplied by the width of the facade. (See [Figure 4.11](#))
2. Doors, whether opaque or transparent, may be counted towards the minimum fenestration requirement.
3. Mullions, muntins, window and door frames may be counted towards the minimum fenestration requirement.
4. Sub-stories, when included per [Section 4.2\(E\)\(2\)\(c\)](#), shall be exempt from those requirements.

*Figure 4.11: Fenestration*



## 4.3 PRIVATE FRONTAGE STANDARDS

Frontage types provide the standards of how a building individually shapes and frames the overall streetscape. These frontage types comprise the area between the building facades and the front property lines. For multiple-frontage lots, the Private Frontage requirements is only applicable to the primary frontage(s). Allowable private frontage types are identified for each District.

### A. PRIVATE FRONTAGE OBJECTIVES

Frontages shall be designed and maintained to achieve the following objectives:

1. Support the intended physical environment of each District designation.
2. Support active and continuous pedestrian-oriented environments of each District designation.
3. Provide a physical transition between the public right-of-way and each building that shapes the public realm for each District designation.

### B. PERMITTED PRIVATE FRONTAGE TYPES

The Permitted Private Frontages Table ([Table 4.1](#)) identifies the permitted frontage types for each District designation. Along a lot's primary frontage(s), all buildings shall comply with the private frontage types established in this section of the code. If a building utilizes more than one private frontage type, all types shall be permitted, as shown in [Table 4.1: Permitted Private Frontage Types](#). Frontage types not identified as permitted may be permitted under a Type 2 review and approval process as described in [Section 2.3\(C\)](#).

## 4.4 DISTRICTS

Sections 4.4.1 - 4.4.4 detail the siting, height, and elements standards; permitted private frontages; and permitted land use categories for each District established by this Code.

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TABLE 4.1: PERMITTED PRIVATE FRONTAGE TYPES

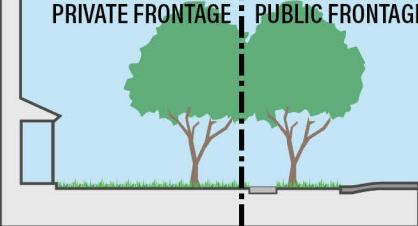
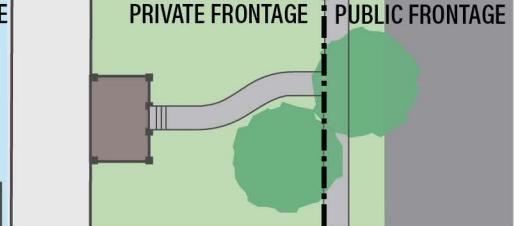
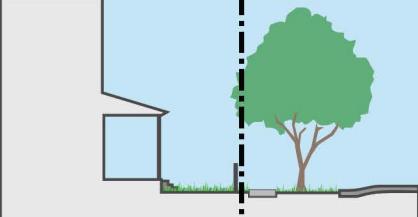
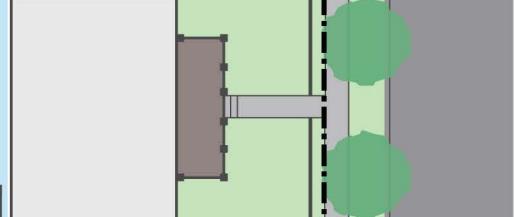
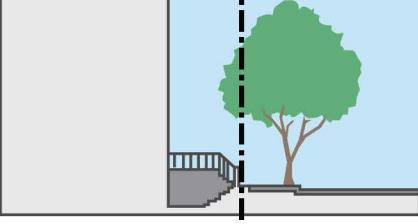
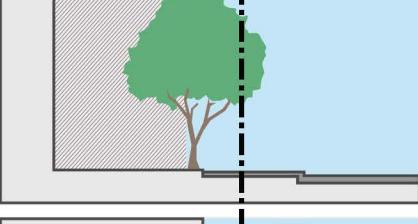
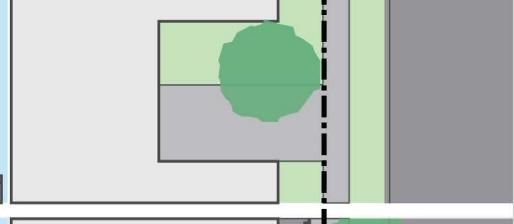
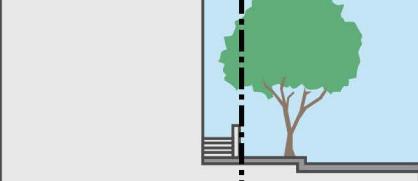
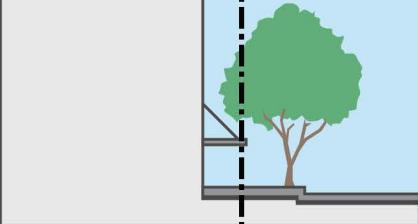
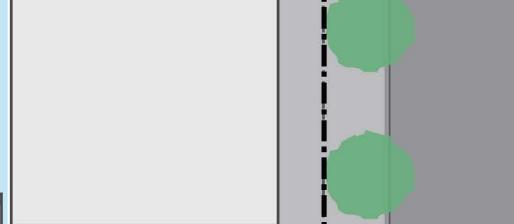
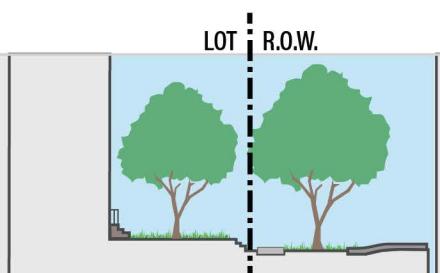
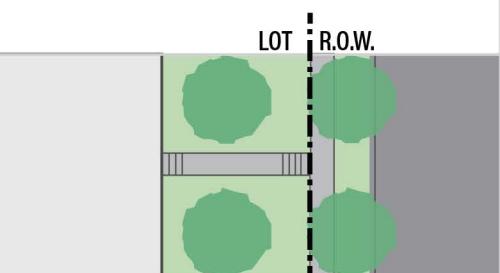
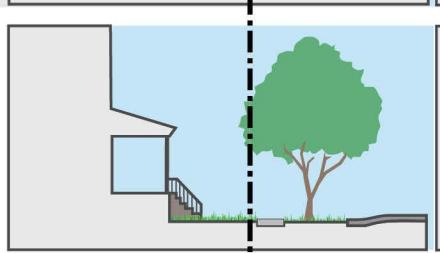
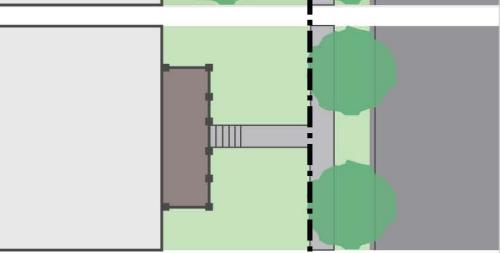
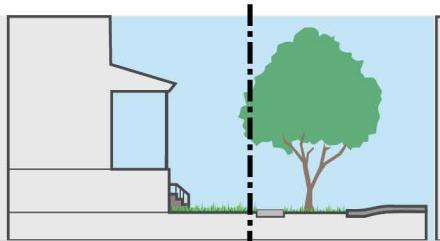
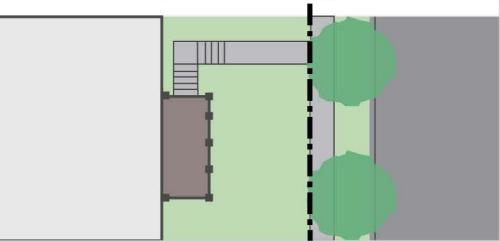
COMMON YARD	PRIVATE FRONTAGE	R.O.W.	PRIVATE FRONTAGE	R.O.W.
PORCH & FENCE	<p>Facade is setback from the property line creating a front yard that is visually continuous with adjacent yards, supporting a common landscape.</p> 			
DOORYARD	<p>Facade is setback from property line with an attached porch. A fence (optional) at the property line maintains street spatial definition.</p> 			
COURTYARD	<p>Facade is setback from the property line by an elevated landing to buffer residential uses from sidewalks and streets.</p> 			
STOOP	<p>A portion of the facade is at or near the property line with central portion(s) set back. This frontage type is permitted to be in conjunction with other frontage types. A central courtyard is recommended for residential use.</p> 			
SHOPFRONT	<p>Facade is close to the property line and the first story is elevated. Entrances are typically stairs or landings. This type is recommended for ground-floor residential.</p> 			
GALLERY	<p>Facade is near the property line with entrances at sidewalk grade, typically with awnings. Facade can sit back slightly from the property line to allow for an activated public space, such as outdoor seating. This type is conventionally for retail use.</p> 			



TABLE 4.1: PERMITTED PRIVATE FRONTAGE TYPES (CONTINUED)

<p>RAISED SITE</p> <p>Refer to Section 4.2(E)(2)(c)(i) &amp; (ii)</p>		
<p>RAISED BASE</p> <p>Refer to Section 4.2(E)(2)(c)(i) &amp; (ii)</p>		
<p>SUB-STORY</p> <p>Refer to Section 4.2(E)(2)(c)(i) &amp; (ii)</p>		

<b>CENTRAL (DPH-1)</b>	<b>WEST (DPH-2)</b>	<b>NEIGHBORHOOD (DPH-3)</b>	<b>BOULEVARD (DPH-4)</b>
 (When permitted per Section 4.2(E)(2)(c))	 (When permitted per Section 4.2(E)(2)(c))		
 (When permitted per Section 4.2(E)(2)(c))	 (When permitted per Section 4.2(E)(2)(c))		
 (When permitted per Section 4.2(E)(2)(c))	 (When permitted per Section 4.2(E)(2)(c))		

## 4.4.1 CENTRAL DISTRICT (DPH-1)

### A. INTENT

The 'Central District' serves as the core of the Downtown area, promoting a mix of uses that encourage day- and night-time activity. Development within this District is characterized by street-oriented buildings with uses that encourage pedestrian activity. Comfortable pedestrian movement is supported by on-street parking, wide sidewalks, enhanced crosswalks, pedestrian amenities and cohesive wayfinding to help promote a dynamic public realm.

### B. SITING

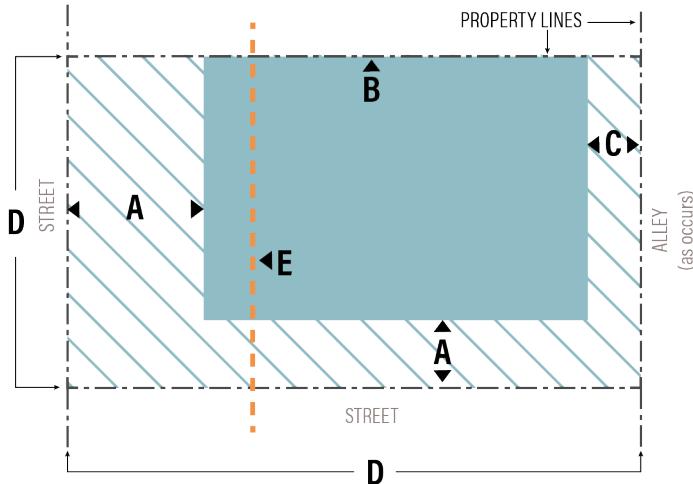


TABLE 4.2

REQUIREMENT	MIN.	MAX.
<b>A</b> Front Setback Florida Avenue Georgia/Nebraska Avenues	0 ft 5 ft	15 ft 20 ft
<b>B</b> Side Setback	-	-
<b>C</b> Rear Setback <sup>1</sup>	5 ft	-
<b>D</b> Building Frontage <sup>2</sup> Florida Avenue Georgia/Nebraska Avenues	70% 60%	-
<b>E</b> Surface Parking Setback	20 ft	-

TABLE NOTES:

1. When an alley is present, the minimum rear setback shall be 15 feet, measured from the centerline of the alley.
2. Landscaping, or a similar treatment, shall be required along the remaining frontage that is not occupied by a structure.

### C. HEIGHT

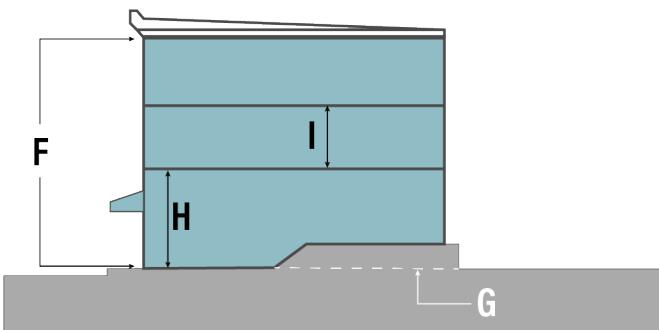


TABLE 4.3<sup>1</sup>

REQUIREMENT	MIN.	MAX.
<b>F</b> Building Height <sup>2,3</sup>	1 story	3 stories
<b>G</b> Ground Floor Elevation (Residential Uses)	2 ft	-
<b>H</b> Ground Story Clearance Single Story Buildings	12 ft 14 ft	22 ft 22 ft
<b>I</b> Upper Story Clearance	9 ft	12 ft

TABLE NOTES:

1. Properties in areas of special flood hazard are exempt from meeting the requirements of G. and H. in Table 4.3 and shall be subject to the additional height provisions of Section 4.2(E)(2)(c).
2. For the purposes of calculating maximum permitted building height in stories, a Sub-Story shall be considered a Story. Sub-Stories may be permitted per the provisions of Section 4.2(E)(2)(c).
3. Buildings shall not exceed a maximum height of 45 feet.

## D. ELEMENTS

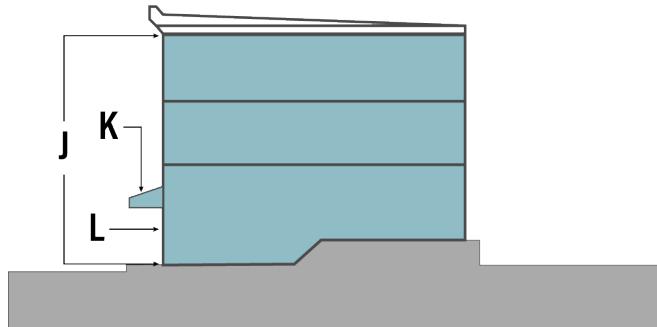


TABLE 4.4

REQUIREMENT 1					
J	Fenestration			MIN.	MAX.
		Ground Story	Nonresidential	60%	90%
		Upper Story(ies)	Residential	30%	90%
		Any Use		20%	90%
K	Building Projections	If provided, shall project from the building facade a minimum of 5 ft. and shall maintain a minimum 10 ft. clearance over any sidewalk.			
L	Doors/Entries	A minimum of one functioning entry door per storefront/residential unit shall have direct access to the primary frontage(s). A shared courtyard may serve as the primary frontage access.			

TABLE NOTES:

1. Sub-Stories, when included per Section 4.2(E)(2)(c), shall be exempt from these requirements.

## E. PRIVATE FRONTAGE TYPES

TABLE 4.5

FRONTAGE TYPES (REFER TO TABLE 4.1)	
Common Yard	Not Permitted
Porch & Fence	Not Permitted
Dooryard	Not Permitted
Courtyard	Permitted (Except Florida Ave.)
Stoop	Permitted (Except Florida Ave.)
Shopfront	Permitted
Gallery	Permitted
Raised Site	When Permitted per Section 4.2(E)(2)(c)
Raised Base	When Permitted per Section 4.2(E)(2)(c)
Sub-Story	When Permitted per Section 4.2(E)(2)(c)

## F. GENERAL USE CATEGORIES<sup>1</sup>

- Residential<sup>2</sup>
- Lodging
- Office
- Retail
- Automotive Dependent<sup>2</sup>
- Industrial<sup>2</sup>
- Civil Support<sup>2</sup>
- Civic

1. Refer to Permitted Use Table for full list of permitted uses within each use category listed.
2. Uses within this category are typically limited.

## 4.4.2 WEST DISTRICT (DPH-2)

### A. INTENT

The 'West District' serves to connect the waterfront recreation amenities to the Pinellas Trail and the downtown central business district with a mixture of residential housing and limited neighborhood-supportive retail and office-type uses.

### B. SITING

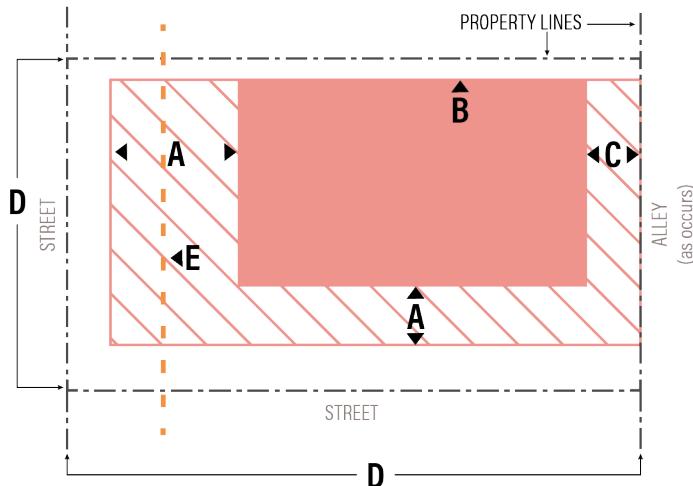


TABLE 4.6

REQUIREMENT	MIN.	MAX.
A Front Setback (Generally) Florida Avenue	10 ft 5 ft	25 ft 20 ft
B Side Setback	5 ft	-
C Rear Setback <sup>1</sup>	10 ft	-
D Building Frontage (Generally) Florida Avenue	50% 60%	-
E Surface Parking Setback	10 ft	-

TABLE NOTES:

- When an alley is present, the minimum rear setback shall be 15 feet, measured from the centerline of the alley.

### C. HEIGHT

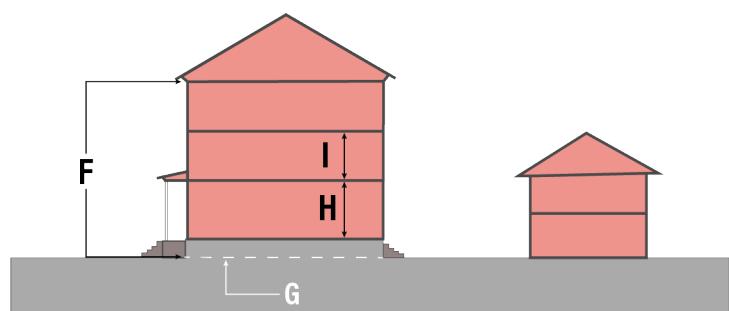


TABLE 4.7<sup>1</sup>

REQUIREMENT	MIN.	MAX.
F Building Height <sup>2,3</sup>	1 story	3 stories
G Ground Floor Elevation (Residential Uses)	2 ft	-
H Ground Story Clearance Florida Avenue Single Story Building	- 12 ft 14 ft	16 ft 18 ft 22 ft
I Upper Story Clearance	-	12 ft

TABLE NOTES:

- Properties in areas of special flood hazard are exempt from meeting the requirements of G. and H. in Table 4.7 and shall be subject to the additional height provisions of Section 4.2(E)(2)(c).
- For the purposes of calculating maximum permitted building height in stories, a Sub-Story shall be considered a Story. Sub-Stories may be permitted per the provisions of Section 4.2(E)(2)(c).
- Buildings shall not exceed a maximum height of 40 feet.

## D. ELEMENTS

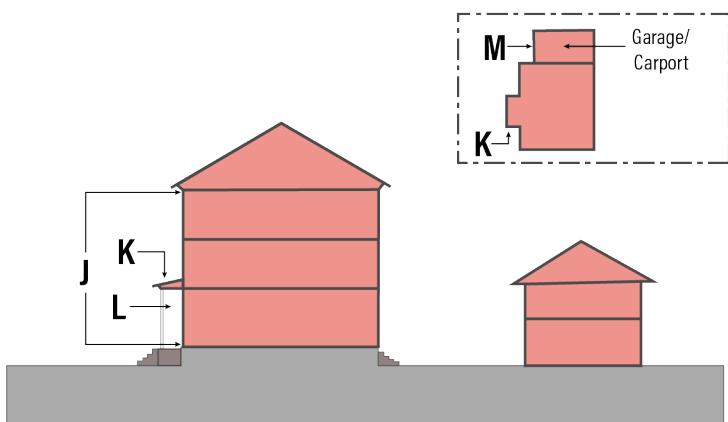


TABLE 4.8

REQUIREMENT <sup>1</sup>				
			MIN.	MAX.
Florida Avenue				
J Fenestration	Ground Story	Nonresidential	40%	90%
	Residential		20%	90%
K Building Projections	Upper Story(ies)	Any Use	20%	90%
	All Other Streets			
L Doors/Entries	Ground Story	Any Use	30%	90%
	Upper Story(ies)	Any Use	20%	90%
M Garage/Carport Setback	A front porch/stoop/overhang shall be provided for any ground story residential unit entry. This front projection shall have a width not less than 25% of the front facade width.			
A minimum of one functioning entry door per storefront/residential unit shall have direct access to the primary frontage(s). A shared courtyard may serve as the primary frontage access.				
Garages/carparks where the vehicle entry faces a public street shall be setback a minimum of 10 feet from the front facade of the primary structure.				

TABLE NOTES:

1. Sub-Stories, when included per Section 4.2(E)(2)(c), shall be exempt from these requirements.

## E. PRIVATE FRONTAGE TYPES

TABLE 4.9

FRONTAGE TYPES (REFER TO TABLE 4.1)

Common Yard	Not Permitted
Porch & Fence	Permitted
Dooryard	Permitted
Courtyard	Permitted
Stoop	Permitted
Shopfront	Permitted
Gallery	Permitted
Raised Site	When Permitted per Section 4.2(E)(2)(c)
Raised Base	When Permitted per Section 4.2(E)(2)(c)
Sub-Story	When Permitted per Section 4.2(E)(2)(c)

## F. GENERAL USE CATEGORIES<sup>1</sup>

- Residential
- Lodging<sup>2</sup>
- Office
- Retail<sup>2</sup>
- Automotive Dependent<sup>2</sup>
- Industrial<sup>2</sup>
- Civil Support
- Civic

1. Refer to Permitted Use Table for full list of permitted uses within each use category listed.
2. Uses within this category are typically limited.

## 4.4.3 NEIGHBORHOOD DISTRICT (DPH-3)

### A. INTENT

The 'Neighborhood District' is predominately residential in appearance, but multi-use in function and serves to transition between the Central District and the primarily single-family residential areas outside of the Downtown Palm Harbor Activity Center. This District supports a mix of small to medium building types that allow more definition between public and private areas, as well as, small-scaled neighborhood and civic uses. District standards along Alternate U.S. 19 support the placement of community-scaled commercial uses.

### B. SITING

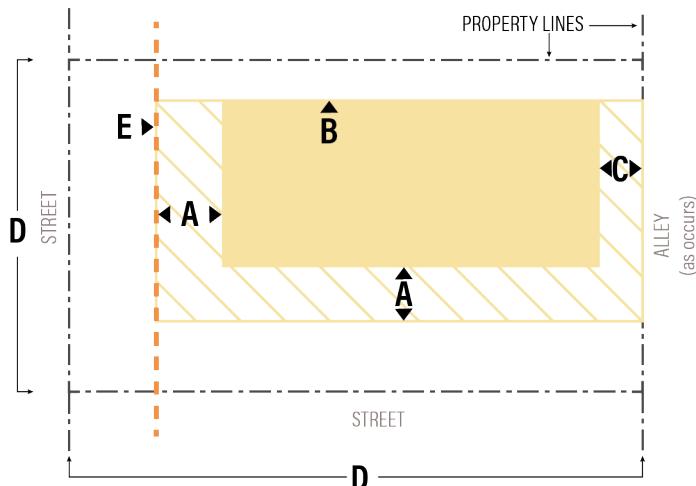


TABLE 4.10

REQUIREMENT	MIN.	MAX.
A Front Setback	10 ft	25 ft
B Side Setback	5 ft	-
C Rear Setback <sup>1</sup>	10 ft	-
D Building Frontage	50%	-
E Surface Parking Setback	10 ft	-

TABLE NOTES:

1. When an alley is present, the minimum rear setback shall be 15 feet, measured from the centerline of the alley.

### C. HEIGHT

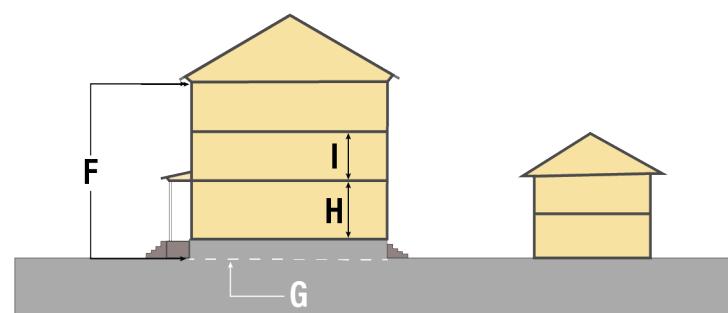


TABLE 4.11

REQUIREMENT	MIN.	MAX.
F Building Height <sup>1</sup>	1 story	3 stories
G Ground Floor Elevation (Residential Uses)	2 ft	-
H Ground Story Clearance	-	16 ft
I Upper Story Clearance	-	12 ft

TABLE NOTES:

1. Buildings shall not exceed a maximum height of 40 feet.

## D. ELEMENTS

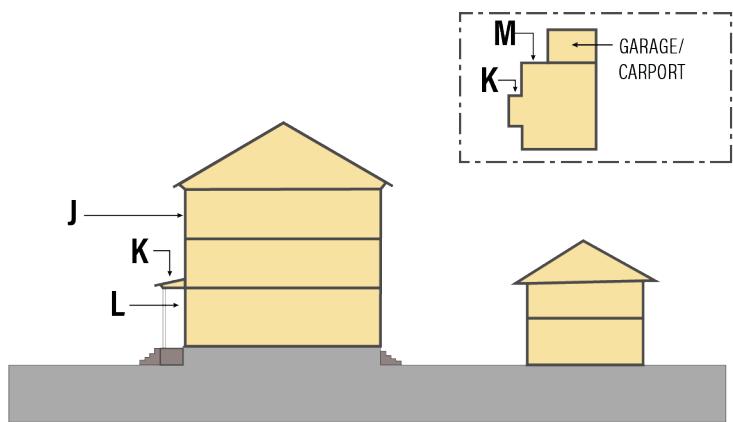


TABLE 4.12

REQUIREMENT			
		MIN.	MAX.
<b>J</b> Fenestration	All Stories	20%	70%
<b>K</b> Building Projections	A front porch/stoop/overhang shall be provided for any ground story residential unit entry. This front projection shall have a width not less than 25% of the front facade width.		
<b>L</b> Doors/Entries	A minimum of one functioning entry door per storefront/residential unit shall have direct access to the primary frontage(s).		
<b>M</b> Garage/Carport Setback	Garages/carparks where the vehicle entry faces a public street shall be setback a minimum of 10 feet from the front facade of the primary structure.		

## E. PRIVATE FRONTAGE TYPES

TABLE 4.13

### FRONTAGE TYPES (REFER TO TABLE 4.1)

Common Yard	Not Permitted
Porch & Fence	Permitted
Dooryard	Permitted
Courtyard	Permitted
Stoop	Permitted
Shopfront	Permitted
Gallery	Not Permitted
Raised Site	Not Permitted
Raised Base	Not Permitted
Sub-Story	Not Permitted

## F. GENERAL USE CATEGORIES<sup>1</sup>

- Residential
- Lodging<sup>2</sup>
- Office
- Retail<sup>2</sup>
- Automotive Dependent
- Industrial<sup>2</sup>
- Civil Support<sup>2</sup>
- Civic<sup>2</sup>

1. Refer to Permitted Use Table for full list of permitted uses within each use category listed.

2. Uses within this category are typically limited.

## 4.4.4 BOULEVARD DISTRICT (DPH-4)

### A. INTENT

The 'Boulevard District' fronting along Omaha Street, is predominantly residential in function and serves as a transition between the downtown core to the west, and the primarily single-family residential area to the east. This District supports a mix of residential types, as well as, office uses that fit in with the mostly residential character of the District.

### B. SITING

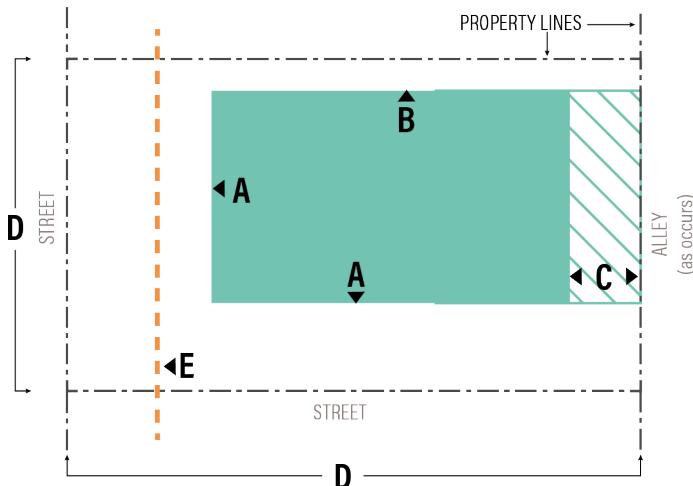


TABLE 4.14

REQUIREMENT	MIN.	MAX.
A Front Setback	15 ft	-
B Side Setback	5 ft	-
C Rear Setback <sup>1</sup>	15 ft	-
D Building Frontage	50%	-
E Surface Parking Setback	10 ft	-

TABLE NOTES:

1. When an alley is present, the minimum rear setback shall be 15 feet, measured from the centerline of the alley.

### C. HEIGHT

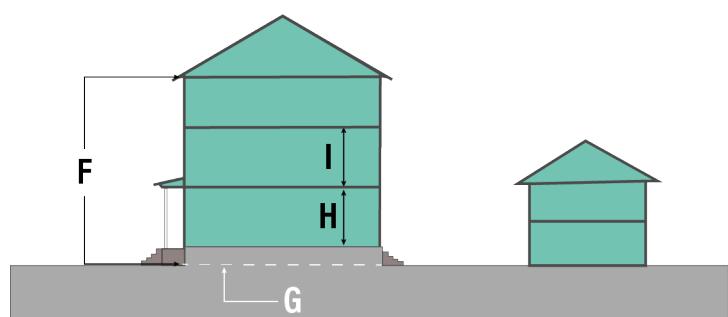


TABLE 4.15

REQUIREMENT	MIN.	MAX.
F Building Height <sup>1</sup>	1 story	3 stories
G Ground Floor Elevation (Residential Uses)	2 ft	-
H Ground Story Clearance	-	14 ft
I Upper Story Clearance	-	14 ft

TABLE NOTES:

1. Buildings shall not exceed a maximum height of 40 feet.

## D. ELEMENTS

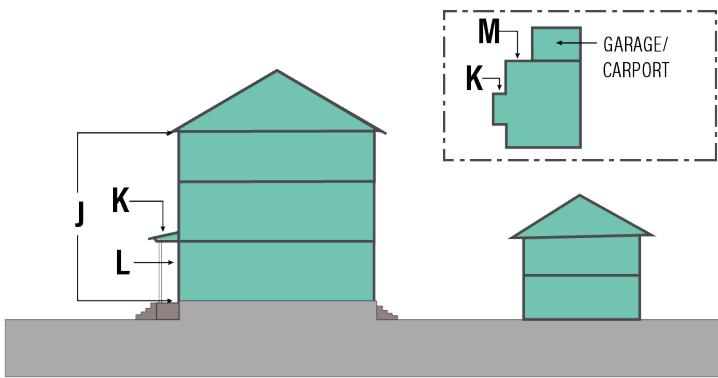


TABLE 4.16

REQUIREMENT				
		MIN.	MAX.	
<b>J</b>	Fenestration			
All Stories			20%      70%	
<b>K</b>	Building Projections	A front porch/stoop/overhang shall be provided for any ground story residential unit entry. This front projection shall have a width not less than 25% of the front facade width.		
<b>L</b>	Doors/Entries	A minimum of one functioning entry door per storefront/residential unit shall have direct access to the primary frontage(s).		
<b>M</b>	Garage/Carport Setback	Garages/carports where the vehicle entry faces a public street shall be setback a minimum of 10 feet from the front facade of the primary structure.		

## E. PRIVATE FRONTAGE TYPES

TABLE 4.17

FRONTAGE TYPES (REFER TO TABLE 4.1)

Common Yard	Permitted
Porch & Fence	Permitted
Dooryard	Permitted
Courtyard	Permitted
Stoop	Permitted
Shopfront	Not Permitted
Gallery	Not Permitted
Raised Site	Not Permitted
Raised Base	Not Permitted
Sub-Story	Not Permitted

## F. GENERAL USE CATEGORIES<sup>1</sup>

- Residential
- Lodging<sup>2</sup>
- Office
- Retail<sup>2</sup>
- Civic<sup>2</sup>

1. Refer to Permitted Use Table for full list of permitted uses within each use category listed.

2. Uses within this category are typically limited.

**DPH FBC**

# **PART 5**

## **STREET TYPE STANDARDS**

**SECTION 5.1 Intent**

**SECTION 5.2 Street Types**

**SECTION 5.3 Design Elements & Dimensional Standards**

**SECTION 5.4 Construction Standards**

# PART 5: STREET TYPE STANDARDS

## 5.1 INTENT

- A. The Street Type Standards are intended to establish standards for streets and other transportation facilities that promote a multimodal transportation system that serves a variety of users, including pedestrians, bicyclists, transit, and motorists.
- B. The Street Type Map identifies the functional classifications of all streets within the Downtown Palm Harbor Form-Based District.
- C. The Street Type Standards establish design and dimensional standards for the construction of new streets, retrofit of existing streets, and/or pedestrian and bicycle facilities required with the redevelopment/development of properties.

## 5.2 STREET TYPES

### A. CLASSIFICATION

The Street Type Map ([Figure 5.1](#)) identifies streets within Downtown Palm Harbor as one of the following functional classifications.

1. *Urban Arterial*. A route providing service to an urban area that is relatively continuous, of relatively higher traffic volume, and high mobility importance. Urban Arterials are characterized by slower traffic speeds with pedestrian infrastructure, such as sidewalks and multi-modal paths.
2. *Collector*. A route providing service which is of relatively moderate traffic volume and trip length. Collector roadways also collect and distribute traffic between local and arterial streets and serve as a linkage between land access and mobility needs.
3. *Local*. A route providing service which is relatively low traffic volume, short average trip length, and high land access for abutting properties. Local streets are further classified as major or minor.
  - a. *Major Local*. Major locals provide basic access in higher density residential neighborhoods and commercial and industrial areas.
  - b. *Minor Local*. Minor locals provide basic access in lower density residential neighborhoods and commercial and industrial areas.
4. *Alleys*. A route that provides service access behind/along-side individual properties; alleys provide very short access between the property and higher classified streets. Alleys serve as an important access to private property, parking, utilities, and trash collection.

### B. HIERARCHY

Street Type classifications shall be ordered in the following hierarchy: Urban Arterial; Collector; Major Local; Minor Local; Alleys.

## 5.3 DESIGN ELEMENTS & DIMENSIONAL STANDARDS

All street design elements shall meet with the standards in **Table 5.1: Street Design Elements & Dimensional Standards**.

**TABLE 5.1: STREET DESIGN ELEMENTS & DIMENSIONAL STANDARDS**

DESIGN ELEMENTS	STREET TYPE CLASSIFICATION				
	URBAN ARTERIAL	COLLECTOR	MAJOR LOCAL	MINOR LOCAL	ALLEY
<b>TRAVEL LANES</b>	REQUIRED	REQUIRED	REQUIRED	REQUIRED	REQUIRED
Minimum Width	11 ft	11 ft	10 ft	10 ft	20 ft
Maximum Width	12 ft	-	-	-	-
Number of Travel Lanes	2 - 4	2 - 4	2	2	2
<b>STREET PARKING</b>	OPTIONAL	OPTIONAL	OPTIONAL	OPTIONAL	-
Parallel - Minimum Width	9 ft	8 ft	8 ft	8 ft	-
Angled / 90° - Minimum Width	19 ft	18 ft	18 ft	18 ft	-
<b>CURBS</b>	Required where sidewalks abut travel lanes.				
Design Standards	Based on Pinellas County Standard Detail Manual requirements.				
<b>PLANTER STRIP</b>	OPTIONAL <sup>1</sup>	OPTIONAL <sup>1</sup>	REQUIRED <sup>1</sup>	REQUIRED <sup>1</sup>	OPTIONAL <sup>1</sup>
Minimum Width	5 ft	5 ft	5 ft	5 ft	5 ft
<b>STREET TREES</b>	OPTIONAL <sup>2</sup>	OPTIONAL <sup>2</sup>	REQUIRED <sup>2</sup>	REQUIRED <sup>2</sup>	-
Design Standards	All Street Trees shall comply with Section _____ of the Landscape Design Standards.				
<b>SIDEWALK</b>	REQUIRED <sup>3</sup>	REQUIRED <sup>3</sup>	REQUIRED <sup>3</sup>	REQUIRED <sup>3</sup>	OPTIONAL <sup>3</sup>
Preferred Width	10 ft	8 ft	6 ft	6 ft	-
Minimum Width	6 ft	6 ft	5 ft	5 ft	-
<b>MULTIMODAL TRAILS &amp; PATHWAYS</b>	OPTIONAL	OPTIONAL	OPTIONAL	OPTIONAL	-
Preferred Width	15 ft	15 ft	15 ft	15 ft	-
Minimum Width	8 ft	8 ft	8 ft	8 ft	-
<b>DESIGNATED BICYCLE FACILITIES</b>	REQUIRED <sup>4</sup>	REQUIRED <sup>4</sup>	OPTIONAL <sup>4</sup>	OPTIONAL <sup>4</sup>	OPTIONAL <sup>1</sup>

**NOTES:**

1. The planter strip shall be placed between the edge of pavement and the public sidewalk. The planter strip may be replaced with additional sidewalk area. The planter strip may be omitted at intersections. Planter strips may be provided as Low Impact Development (LID) stormwater management features.
2. Street trees may be planted within a planter strip between the edge of pavement and the public sidewalk or within planters within a sidewalk.
3. Sidewalks may not be required on the side of the street where a multimodal trail or pathway is present.
4. Physical separation of bicycle facilities is required for streets with posted speeds above 35 MPH.

## 5.4 CONSTRUCTION STANDARDS

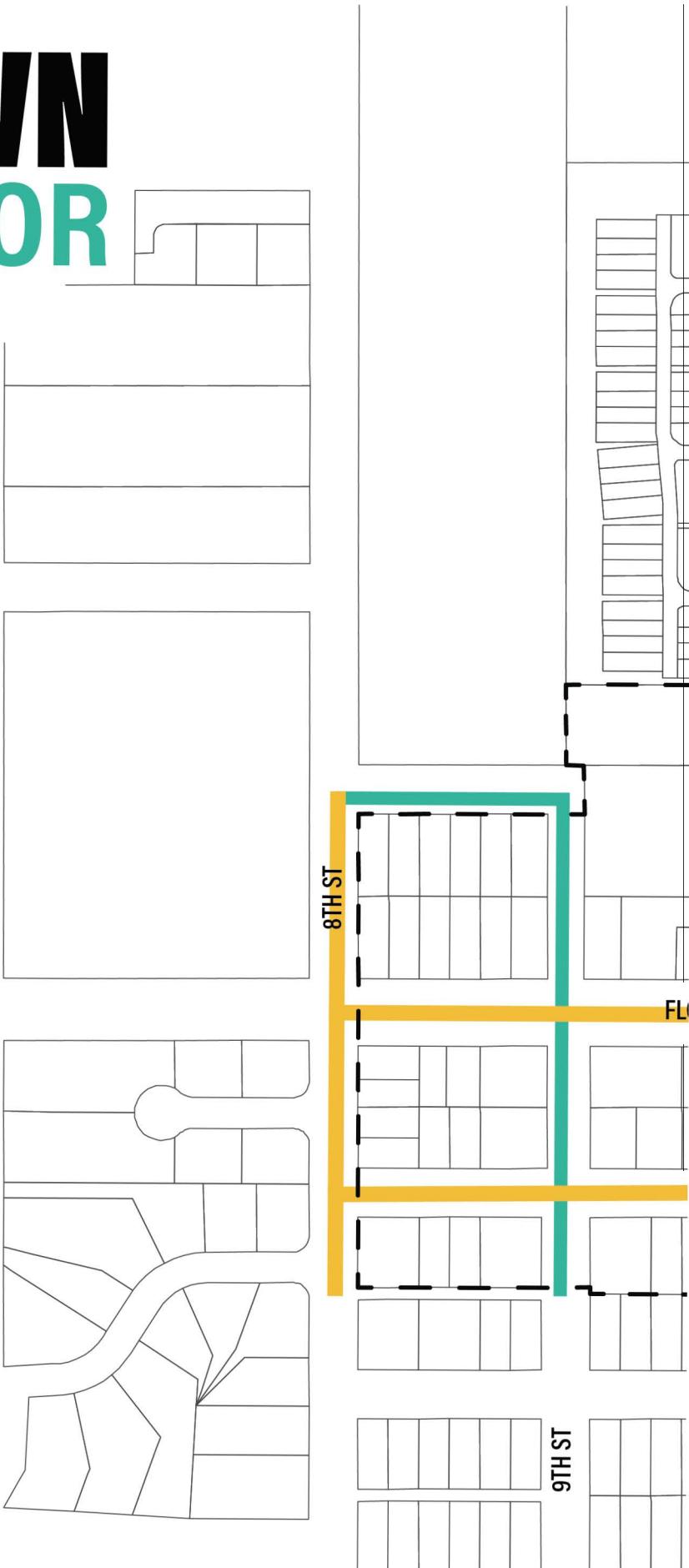
All new streets and sidewalks shall comply with the construction standards set forth in Chapter 154, Article III, Division 3 of the Pinellas County Land Development Code.

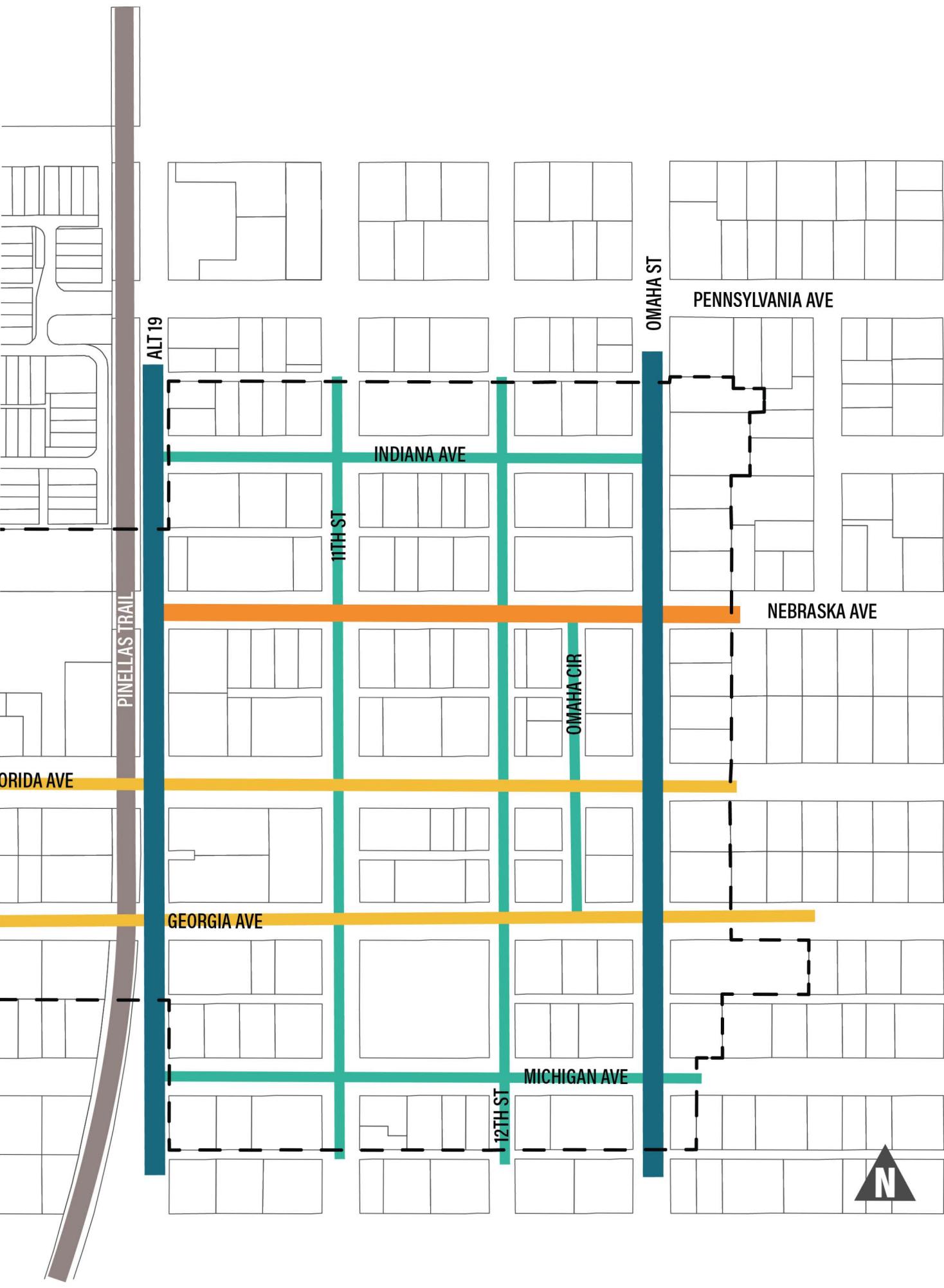
FIGURE 5.1: STREET TYPE MAP

# DOWNTOWN PALM HARBOR

## STREET TYPES MAP

- URBAN ARTERIAL
- COLLECTOR
- LOCAL MAJOR
- LOCAL MINOR
- - - DISTRICT BOUNDARY





**DPH FBC**

# **PART 6**

# **DEVELOPMENT DESIGN STANDARDS**

**SECTION 6.1 Intent**

**SECTION 6.2 Site Design Standards**

**SECTION 6.3 Downtown Palm Harbor Historic Properties**

**SECTION 6.4 Building Design Standards**

**SECTION 6.5 Landscape Design Standards**

**SECTION 6.6 Sign Design Standards**

# PART 6: DEVELOPMENT DESIGN STANDARDS

## 6.1 INTENT

- A. The Development Design Standards establish site, building, landscaping, and signage standards for the development/redevelopment of properties within the Districts.
- B. These standards are intended to preserve and build on the existing development pattern and architectural character in order to promote a walkable, pedestrian-focused community.
- C. The Development Design Standards are further intended to provide a safe, functional, and attractive built environment and circulation pattern for all users and transportation modes.

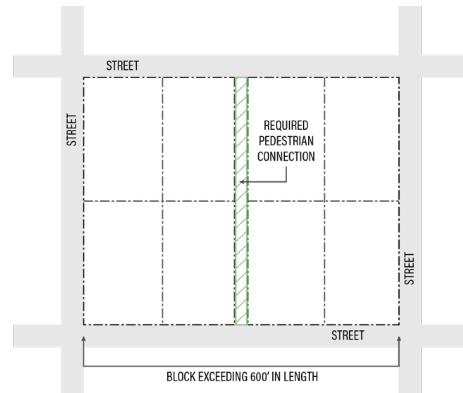
## 6.2 SITE DESIGN STANDARDS

The following 'Site Design Standards' apply to all new development and the redevelopment of properties within Downtown Palm Harbor.

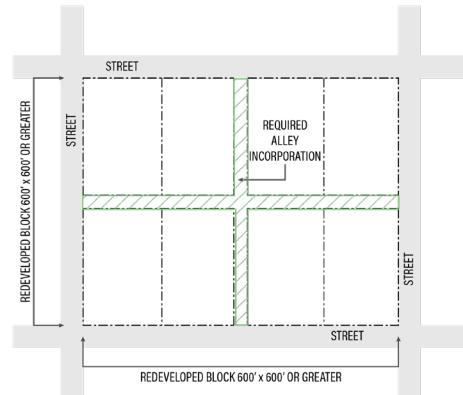
### A. GENERAL

1. *Existing Street Preservation.* The vacating of public streets and alleys shall be discouraged in order to preserve the existing street network, unless new public streets and alleys are constructed that serve the function of those vacated.
2. *New Streets.* The construction of any new public streets shall align with and follow the existing gridded street network. Cul-de-sacs shall be avoided where possible, as determined by the Code Administrator.
3. *Blocks & Lots.*
  - a. All lots shall front on at least one public street.
  - b. All lots and/or contiguous lots that are situated between 2 parallel public streets shall be considered a block. No block shall have a length greater than 600 feet without providing pedestrian through-access to another public street, pedestrian pathway, or public space/facility. (See [Figure 6.1](#))
4. *Alleys.*
  - a. In situations where an existing alleyway is unimproved, the alley shall be cleared and/or improved up to the access point(s) of the development.
  - b. An alley shall be maintained at a minimum of 20 feet in width.
  - c. The development/redevelopment of a lot or combination of contiguous lots, with a minimum dimension of 600 feet by 600 feet, shall incorporate the use of dedicated alley(s) into the development design, where possible as determined by the Code Administrator. Where there is an existing alley network, the construction of any new alley shall align with that existing network pattern.
5. *Outdoor Pedestrian Areas.* Structures, landscaping, and/or another method shall be provided around outdoor pedestrian use areas, such as outdoor dining areas, to provide shade and reduce heat island effects.

*Figure 6.1: Block Length*



*Figure 6.2: Alley Incorporation*



6. *Service & Loading.* All service areas and loading docks shall be located behind the front facade line of the primary structure they are intended to serve and shall be screened, **per Section 6.5(D)**, from adjacent streets and properties.
7. *Dumpster Enclosure.* All dumpsters, recycling, and other similar containers shall be screened from view of all public streets and adjacent properties. The screening shall be a fence/wall that is a minimum of 6 feet in height and 100% opaque. The fence/wall shall be constructed of wood (at least 1.5" in thickness), masonry, or of a similar material. Chain link fence with interwoven plastic strips or other similar fencing is not permitted.
8. *Stormwater Management.*
  - a. *Regional Drainage.* Properties located within Downtown Palm Harbor's regional drainage area are not subject to on-site stormwater retention requirements. (See **Figure 6.3: Regional Drainage Area Map**)
  - b. All development located outside of Downtown Palm Harbor's regional drainage area shall comply with the Pinellas County Stormwater Manual of current adoption.
  - c. Underground exfiltration trenches, open-bottomed underground storage, below-building detention vaults and retention systems, or Low Impact Development stormwater management systems, such as rain gardens, vegetation swales, or pervious pavers are permitted to be located anywhere on site. Traditional stormwater facilities, such as dry/wet retention/detention ponds are not permitted to be located in front of the primary building on the property. These types of facilities shall be located to the rear and side of buildings.
9. *Fence/Wall Standards.*
  - a. *Height.* The maximum height for any fence/wall located within the front yard is 3 feet and 8 feet in any side or rear yard. Pool enclosures must meet minimum height requirements per the Florida Building Code.
  - b. *Location.* Fences may be constructed up to the property lines, except when there is a site visibility conflict per **Section 6.2(C)(5)**.
  - c. *Material.*
    - i. Fences/walls facing a public street shall be constructed of decorative materials, such as wood or aluminum pickets, wrought iron, or of a similar material. Chain link fencing shall be prohibited along street frontages.
    - ii. Rear or interior side yard fences/walls shall be constructed of wrought iron, brick, wood, or aluminum. Structural elements of the fence/wall shall face inward to the subject property.
    - iii. Materials such as, or similar to, barbed wire, electric, razor, or chicken wire shall be prohibited.

FIGURE 6.3: REGIONAL DRAINAGE AREA MAP

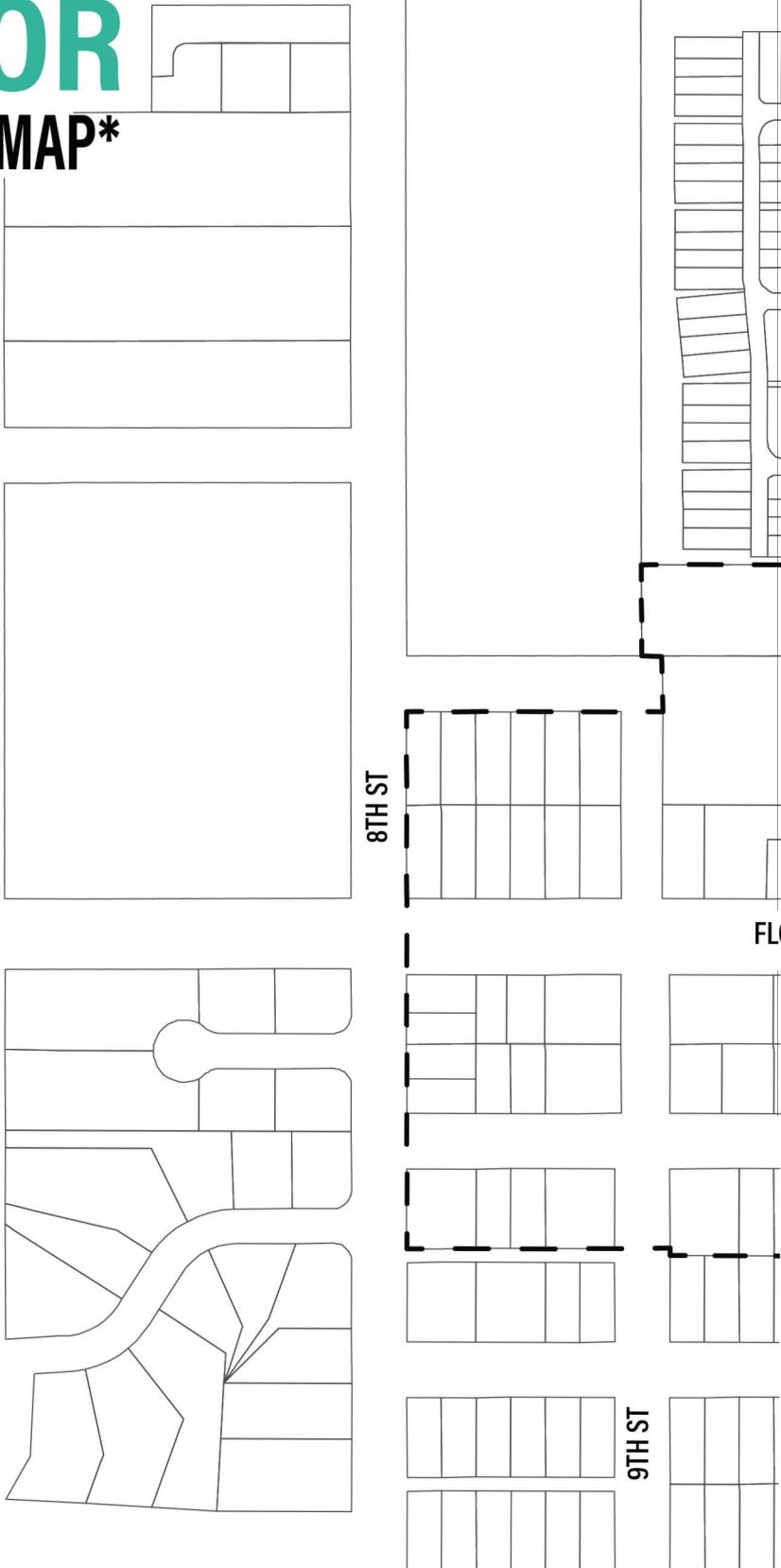
# DOWNTOWN PALM HARBOR REGIONAL DRAINAGE AREA MAP\*



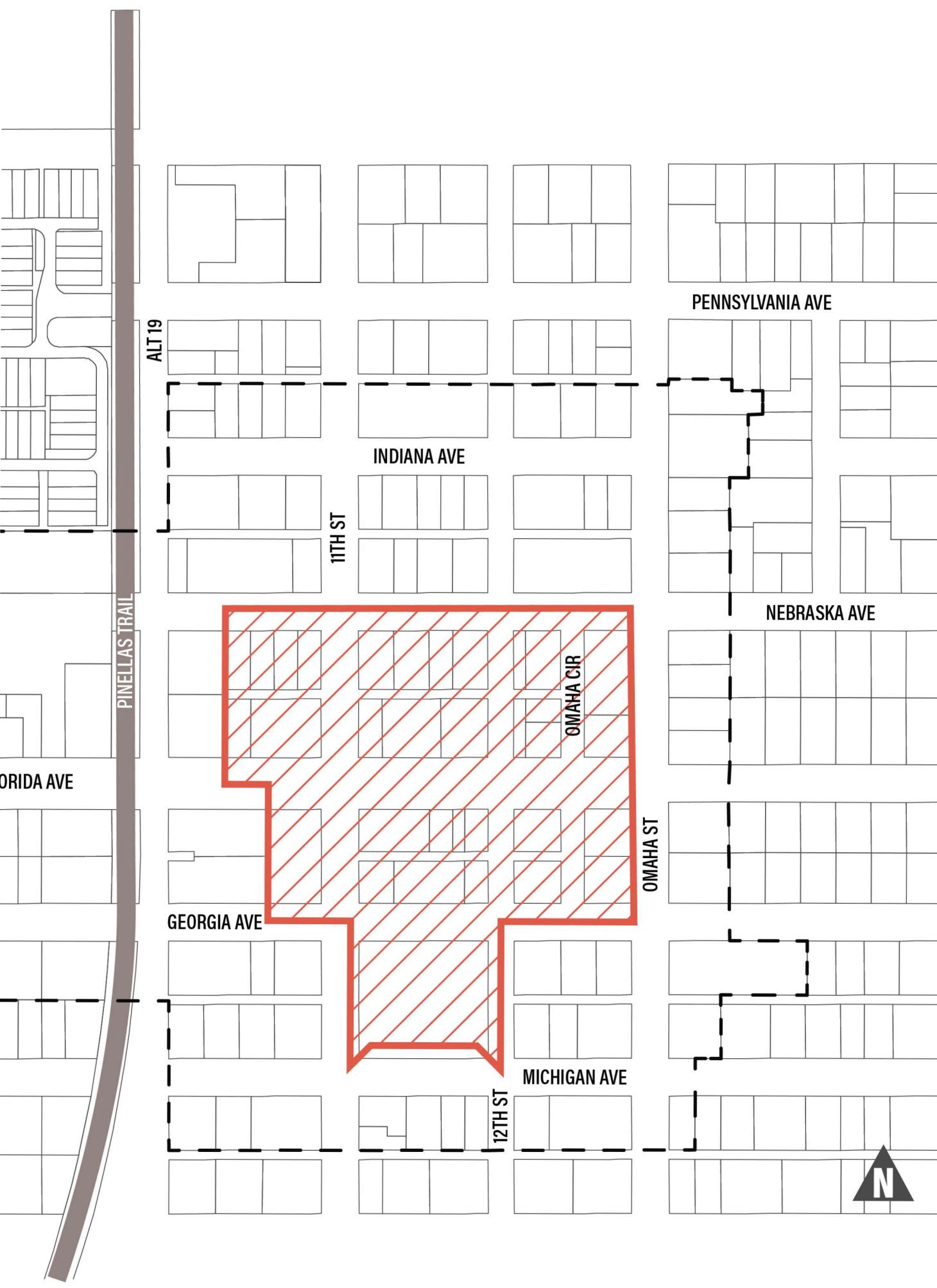
REGIONAL DRAINAGE  
AREA BOUNDARY

— — — FORM-BASED CODE  
DISTRICT BOUNDARY

\* Area permitted for 100% imperviousness and not requiring treatment or attenuation.



NOTE: This map is a graphic depiction of the Regional Drainage Area.  
Please contact Pinellas County Public Works for official Drainage Map.



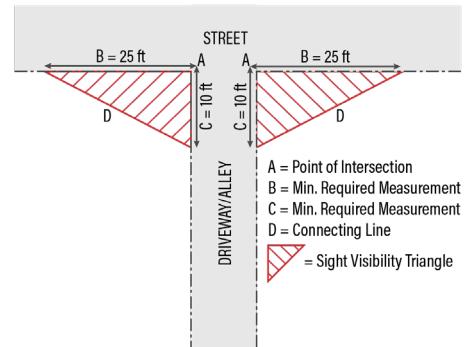
## B. ACCESS

1. *Pedestrian Access.*
  - a. Where public sidewalks are required along a roadway, per **Table 5.1**, but do not exist along a property's frontage(s), sidewalks shall be constructed within the public ROW or dedicated easement at the time of site development/redevelopment. Sidewalk widths and design features shall be consistent with **Part 5 of this Code**.
  - b. Pedestrian walkways shall be provided for access from public sidewalks to building entries, parking lots/structures behind or to the side of structures, and to connect to walkways on adjacent properties in order to create a continuous pedestrian network.
  - c. Any pedestrian walkway that crosses a parking or vehicular area, including nonresidential driveways, shall be clearly delineated with striping, contrasting pavement materials, textured or raised pavement, or of a similar treatment.
  - d. Where properties are adjacent to existing/future trails or transit stop, pedestrian and/or bicycle connections shall be incorporated into the development/redevelopment project.
2. *Primary Vehicular Access.*
  - a. All vehicular access shall be provided from a public alley, where alleys are present or when constructed as part of a new development/redevelopment.
  - b. When alley access is not available, vehicular access shall be provided from the lowest classified street type, per **Figure 5.1: Street Type Map**, subject to final review and determination by the Code Administrator.
  - c. Cross access easements are encouraged in order to provide access between adjacent properties. These easements are permitted to provide primary access to a property.
3. *Access & Drive Consolidation.*
  - a. Wherever possible, curb cuts and driveways shall be consolidated and located in a way to minimize pedestrian conflicts with vehicular movement. Adjacent properties are encouraged to share drive access to further minimize curb cuts.
  - b. If a property gains vehicular access from an existing shared driveway, access shall continue to be shared or further consolidated in the event of redevelopment of the subject property.
4. *New Curb Cuts & Driveways.*
  - a. New curb cuts and driveways shall be aligned with existing or planned entrances on the opposite side of the street where possible.
  - b. No access point from a property to a public street shall exceed 24 feet in total width.

## 5. Intersection Sight Visibility.

- a. Whenever a driveway/alley intersects with an arterial, collector, or major local street, sight visibility triangles shall be provided on all corners of the intersection that meet the following standards:
  - i. The sight visibility triangle is formed with 2 sides, being 25 feet in length along the street rights-of-way lines ("B") and 10 feet along the driveway/alley rights-of-way ("C"), measured from their point of intersection ("A"), and the third side being a line connecting the ends of the other 2 sides ("D").
  - ii. Within required sight visibility triangle(s), unobstructed sight lines and cross visibility shall be maintained between a height of 3 feet and 8 feet above pavement.
  - iii. *Exemptions:*
    1. Transparent fences including chain link, wrought iron, and similar styles may be exempt so long as visibility is maintained through the fence.
    2. Governmental signage and sign posts in the right-of-way.
    3. Fire hydrants, benches, and traffic control devices in the right-of-way.
    4. Utility poles and one utility transmission or control device in the right-of-way.
- b. Where a driveway/alley intersects with a major local street, the Code Administrator may consider intersection warning devices alternative to sight visibility triangles, such as mirrors, audible warning/flashling signals, or similar. The Code Administrator may review and administratively approve such alternative devices at their discretion and on a case-by-case basis.
- c. For all other intersections, design or engineering methods that ensure clear visibility and safety shall be required. This shall be reviewed as part of the site plan review.

Figure 6.4: Sight Visibility Triangle



## 6.3 DOWNTOWN PALM HARBOR HISTORIC PROPERTIES

The historic significance and architectural character established in the creation of the Downtown Palm Harbor Historic District shall continue to be recognized and shall be used as the source and inspiration for site and building improvements as outlined in these development design standards. Historic properties within Downtown Palm Harbor shall be considered as follows:

### A. CONTRIBUTING HISTORIC PROPERTY

Buildings, structures and sites in the Downtown Palm Harbor Historic District designated as a 'Contributing Property' as per Chapter 146 of the Land Development Code and as depicted on the District Map, shall retain this status and are not subject to the

requirements or procedures outlined in this Code, with the exception of **Part 7: Use Standards**. Certificate of Appropriateness requirements and procedures as outlined in Chapter 146 remain in effect. For the purposes of implementing this section, the phrase "Contributing Historic Property" shall be synonymous with the definition of 'Contributing Property' as defined in Chapter 146.

#### **B. BUILDING OF HISTORICAL MERIT**

A building or structure in the Downtown Palm Harbor Form-Based District identified as a "Building of Historical Merit" as depicted on the District Map shall comply with Certificate of Appropriateness requirements and procedures as outlined in Chapter 146, only in the event that demolition of all or part of the historic portion of the building or structure is proposed. Otherwise, said building, structure, and any other new construction shall be subject to the requirements and procedures outlined in this Code.

It is the intent that buildings of historical merit eventually be designated by the Board of County Commissioners as contributing properties consistent with Chapter 146. As of the date of adoption of this Code, the properties identified as buildings of historical merit are:

1. 816 11th Street
2. 875 12th Street
3. 909 Florida Avenue
4. 1106 Michigan Avenue
5. 1112 Michigan Avenue

#### **C. ARCHEOLOGICALLY SENSITIVE AREAS**

Properties in Downtown Palm Harbor where buildings and structures of historical importance once stood and have since been buried, demolished or removed shall be further evaluated for archeological sensitivity. When a project is proposed that involves substantial earth disturbing activity such as may be associated with demolition, redevelopment, new construction, or the installation of utilities or a pool, the completion of an archeological survey may be requested prior to the start of any other project work. The intent shall be to document and record significant features and deposits prior to destruction using established archeological best practices and procedures with report made to the Pinellas County Historic Preservation Board.

### **6.4 BUILDING DESIGN STANDARDS**

The following Building Design Standards apply to all buildings and structures located within the Downtown Palm Harbor Form-Based District except for contributing historic structures as depicted on the District Map whereby the issuance of a Certificate of Appropriateness consistent with Chapter 146 is required. Applicants shall also refer to any guidelines as may be adopted by the Pinellas County Historic Preservation Board identifying appropriate architectural treatments for exterior remodel, renovations, additions, and new development & infill building projects.

## **A. EXTERIOR RENOVATION**

Any building in the District extant before the adoption of this Code may retain its existing exterior appearance and continue to serve its useful and functional life as achieved through routine maintenance.

1. An exterior renovation shall be defined as the like-kind repair or replacement of an architectural feature or element in a manner that does not alter or modify the exterior appearance of the building as determined by the Code Administrator.
2. Exterior architectural features and elements to be considered as part of the review of proposed work for exterior renovations shall include roof materials, wall treatments, windows, doors, foundation treatments, trim-work, ornamentation, and other attached appurtenances.

## **B. EXTERIOR REMODEL**

When substantial changes are proposed to the exterior appearance of an existing building, these improvements shall be consistent with the overall character of the District and shall conform to the building design standards and intent set forth herein.

1. An exterior remodel includes the coverage, removal, replacement or addition of any architectural feature or element in a manner that substantially alters or modifies the exterior appearance of the building as determined by the Code Administrator. The expansion of the footprint or floor area of an existing building shall not be considered as an exterior remodel.
2. Exterior architectural features and elements to be considered as part of the review of proposed work for exterior remodels shall include roof materials, wall treatments, windows, doors, foundation treatments, trim-work, ornamentation, and other attached appurtenances.
3. Additional information may be requested of the applicant by the Code Administrator beyond what is required for routine permits requested by Pinellas County in order to make a final determination of project compliance with the standards and requirements set forth herein.
4. The design intent for an exterior remodel shall be compatible with one of the following:
  - a. The existing architectural character and features of the building in which they are a part;
  - b. Contributing historic properties;
  - c. Buildings of historical merit; or
  - d. Buildings that have existed in the past during the period of significance for this historic district.

### **C. NEW ADDITION**

When expansion of the building footprint or interior floor area of an existing building is proposed, the exterior appearance of the addition shall be consistent with the architectural character and features of the building in which it is part unless an exterior remodel is also proposed.

1. An existing building proposed to be raised above its current base floor elevation shall also conform to the requirements of this subsection.
2. Exterior architectural features and elements to be considered as part of the review of proposed work for new additions shall include height, placement, setbacks, roof form, wall treatments, windows, doors, foundation treatments, trim-work, ornamentation, and other attached appurtenances.
3. The following information shall be submitted by the applicant for the proposed project with completeness to be determined by the Code Administrator:
  - a. A site plan showing the entire footprint of the existing building, placement of the proposed new addition, and required setbacks depicted;
  - b. Existing floor plan and applicable building elevation drawings;
  - c. Proposed floor plan and applicable building elevation drawings;
  - d. Windows and doors schedule;
  - e. Materials description;
  - f. Visual representation of the appearance of architectural elements, features and materials such as product cutsheets and samples; and
  - g. Any additional information determined necessary by the Code Administrator as may be needed to complete the review.
4. The design intent for a new addition is that it is subordinate to the existing structure in height, placement and massing.

### **D. NEW & INFILL DEVELOPMENT**

When new construction is proposed on a vacant or improved land parcel, the exterior appearance of the structure(s) shall be consistent with the overall character of the District and conform to the building design standards and intent set forth herein.

1. The Code Administrator shall review plans, drawings and specifications for proposed new and infill development to determine compatibility with contributing historic properties; **guidelines adopted by the Pinellas County Historic Preservation Board**; and the standards established in this subsection.
2. The following information shall be submitted by the applicant for the proposed project with completeness to be determined by the Code Administrator:
  - a. A site plan showing the footprint of the proposed building(s) with required setbacks depicted and existing buildings on adjacent land parcels;
  - b. Proposed floor plans and drawings for all building elevations;

- c. Windows and doors schedule;
- d. Materials description;
- e. Visual representation of the appearance of architectural elements, features and materials such as product cutsheets and samples; and
- f. Any additional information requested by the Code Administrator as may be needed to complete the administrative review.

3. The design intent for a new and infill building shall include:

- a. Similarity with adjacent buildings in scale and massing;
- b. Compatibility with the architectural character and features of contributing historic properties, buildings of historical concern, or buildings that have existed in the past during the period of significance for this historic district; and
- c. Conformance to the following building forms, as depicted in **Section 6.4(G)** (**Table 6.1**):
  - i. Front-parapet form (Central District Only) with:
    - 1. Recessed or flush storefront; and
    - 2. 1-story gallery, 2-story gallery, canopy or awning on the facade.
  - ii. Front-gable form (Central District Only) with:
    - 1. Recessed or flush storefront entrances; and
    - 2. 1-story gallery, 2-story gallery, canopy, or awning on the facade.
  - iii. Front-gable & tower or side-gable & tower form (Central and Boulevard Districts) with:
    - 1. Recessed entrance in tower base; or
    - 2. 1-story gallery or 2-story gallery on the facade.
  - iv. Cross-gable form (all Districts) with:
    - 1. Recessed entrance; or
    - 2. Integrated or projecting gallery or full-width porch on the facade.
  - v. Gable-on-hip form (all Districts) with:
    - 1. Recessed entrance on the facade; or
    - 2. Integrated or projecting full-width porch on the facade.
  - vi. Clipped-gable form (Boulevard, Neighborhood and West Districts) with:
    - 1. Projecting partial-width or wraparound porch.
  - vii. Pyramidal-hipped form (Boulevard, Neighborhood and West Districts) with:

1. Integrated or projecting wraparound porch; or
2. Integrated or projecting full-width porch on the facade.

viii. Front-gable or side-gable form (Boulevard, Neighborhood, and West Districts) with:

1. Projecting gable entrance porch; or
2. Integrated or projecting full-width porch on the facade.

ix. Infill buildings in the West District may be constructed with a first-floor height raised above the ground surface in order to comply with building code requirements for the Special Flood Hazard Area (See also [Section 4.2\(E\): Height](#)).

4. In the event that the Code Administrator has issued a final determination that the proposed project, as a whole or in part, is incompatible with the standards outlined herein, and with the guidelines adopted by the Historic Preservation Board, an appeal may be filed with the Historic Preservation Board following the requirements set forth in [\[provide code reference\]](#).

## **E. ACCESSORY BUILDINGS**

1. An accessory building shall be as defined in [Part 9: Definitions](#).
2. Exterior architectural features and elements to be considered as part of the review of proposed work for components of an accessory building visible from a street shall include roof type, wall treatment, and materials.
3. The design intent for components of an accessory building visible from a street is to be compatible with the architectural character and features of the primary building on the property.
4. Additional information may be requested of the applicant by the Code Administrator beyond what is required for routine permits requested by Pinellas County in order to make a final determination of project compliance with the standards and requirements set forth herein.

## **F. MECHANICAL EQUIPMENT & UTILITIES**

1. All mechanical equipment and utility functions (e.g. electrical conduits, meters, HVAC equipment, etc.) shall be located a minimum of 10 feet behind the front facade of the primary structure.
2. Mechanical equipment that could otherwise be visible from a street shall be screened with a material that is compatible with the architecture of the primary structure.

## **G. EXAMPLES OF BUILDING FORMS**

The typical features in [Table 6.1: Building Form Examples](#) are intended to generally describe the range in scale and components of each building form and type and are for illustrative purposes. The following table ([Table 6.1](#)) provides an overview of the allowed Building Forms and identifies which District each is permitted.

TABLE 6.1: BUILDING FORM EXAMPLES

BUILDING FORM	ILLUSTRATIVE EXAMPLES	BUILDING FORM	ILLUSTRATIVE EXAMPLES
<b>FRONT-PARAPET</b> ...form with recessed storefront entrance and 2-story gallery.		<b>CROSS-GABLE</b> ...form with recessed entrance and no porch.	
<b>FRONT-PARAPET</b> ...form with recessed storefront entrance and no gallery.		<b>CLIPPED-GABLE</b> ...form with projecting partial-width porch.	
<b>FRONT-GABLE</b> ...form with recessed storefront entrance and 1-story gallery.		<b>PYRAMIDAL-HIPPED</b> ...form with wraparound porch	
<b>FRONT-GABLE</b> ...form with flush storefront entrance and awning.		<b>GABLE-ON-HIP</b> ...form with integrated wraparound porch.	
<b>FRONT-GABLE &amp; TOWER</b> ...form with recessed entrance.		<b>SIDE-GABLE</b> ...form with projecting gable entrance porch.	
<b>SIDE-GABLE &amp; TOWER</b> ...form with 2-story gallery.			

DPH-1 DPH-2 DPH-3 DPH-4

## 6.5 LANDSCAPE DESIGN STANDARDS

### A. LANDSCAPE AREAS

Landscaping shall be required within the following 3 areas. Landscape material may be planted anywhere within each of the landscape area, as long as the minimum required amount is met within each area.

1. *Site Landscaping.* A minimum of 1 shade tree, or 2 accent or palm trees, shall be planted for every 1,500 square feet of lot area, up to 50% of the total lot area, in all Districts.
2. *Foundation Landscaping.*
  - a. A minimum of 1 accent trees and 10 shrubs/plants/ornamental grasses shall be planted per 50 linear feet along the base of street-facing facades. This standard applies to all non-residential and multi-unit residential uses. This standard does not apply in the Central District.
  - b. Planting areas shall be a minimum of 5 feet in width.
  - c. Portions of structures that sit closer than 5 feet to the front property lines are exempt from this requirement.
3. *Parking Lot Landscaping.*
  - a. *Parking Lot Frontage Landscaping.*
    - i. A continuous semi-opaque or opaque fence/wall that complements the building's design and style that is a minimum of 3 feet in height shall be required along all parking areas adjacent to or visible from a public street.
    - ii. Shade trees and/or plantings shall be distributed along the front of the required fence/wall. Plantings may consist of wall vines, shrubs, plants, and/or ornamental grasses.
  - b. *Interior Parking Lot Landscaping.* Interior landscape areas must be provided within parking lots consisting of more than 25 parking spaces.
    - i. Landscape islands and peninsulas with a surface area equal to 5% of the area of the parking surface shall be provided.
    - ii. All required landscaped islands must be a minimum of 300 square feet in area, and all landscaped peninsulas shall be a minimum of 150 square feet in area.
    - iii. A minimum of 1 shade tree shall be required for every 150 square feet of interior landscape area required, with a minimum of 1 shade tree required per island or peninsula.

Figure 6.5: Landscape Areas

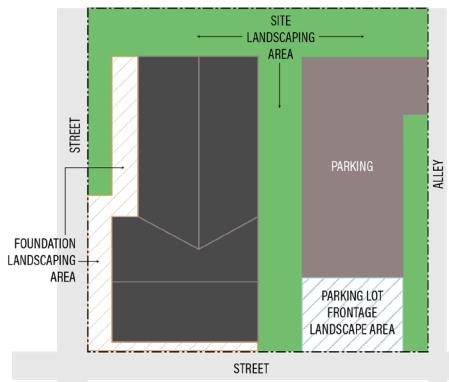
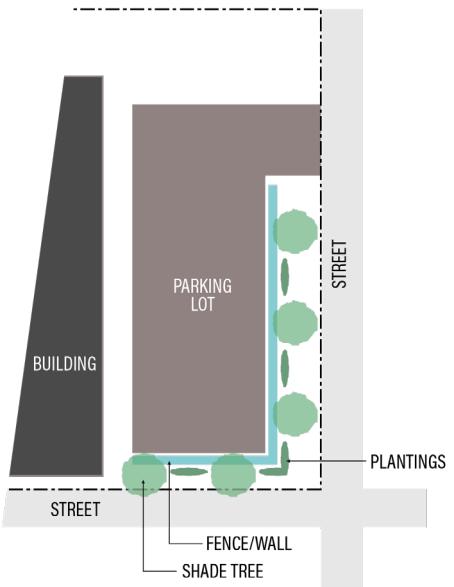


Figure 6.6: Parking Lot Frontage Landscaping Example



## **B. EXISTING TREE PRESERVATION**

1. Existing non-invasive trees and native palms shall be protected, when determined to be healthy by the applicable County staff or a certified arborist, or replaced. Any impacts to protected trees shall include mitigating actions such as replacement or relocation. Protected trees may count towards the minimum Site Landscaping requirements. When replanting or relocation is not possible due to planned site improvements, as an alternative, the applicant may contribute to the County tree bank as described in Section 166-57 of the Land Development Code. Such alternative may be reviewed and approved at the discretion of the Code Administrator. Protected trees shall include:
  - a. Any existing healthy tree with a diameter breast height (DBH) of 4 inches or larger, measured at a height of 4.5 feet above the ground (undesirable tree species are exempt);
  - b. All Buttonwood, Mangroves.
2. The tree removal/replacement standards established in Section 138-3654(a)(2 through 5) and Table 138.3654a of the Pinellas County Land Development Code shall apply.

## **C. STREET TREES**

Street trees are highly encouraged to be incorporated into the development/redevelopment, as determined practical by the street right-of-way owner.

1. In general, street trees shall be of consistent size, spacing, and like species, in order to achieve a "tree-lined boulevard" appearance.
2. The planting area shall be a minimum of 5 feet in width. Alternatively, street trees may be planted within appropriately sized tree wells in sidewalks.
3. Street trees shall be shade trees. Where site conditions render shade trees impractical, accent or palm trees may be allowed.
4. Spacing for street trees shall be between 20 - 40 feet on center.
5. Owners of private property are responsible for the maintenance of trees planted in or extending into the abutting rights-of-way.
6. Street trees may count towards the minimum Site, Foundation, or Parking Lot Frontage Landscaping requirements, where applicable.

## **D. BUFFERS**

When buffering/screening is required, the property that triggers the requirement shall provide the following:

1. A 6 foot high opaque fence or wall, or
2. A 10 foot wide landscape buffer that includes a continuous hedge row; or
3. Other screening/buffering methods provided that the resulting situation meets the buffering intent, as determined by the Code Administrator.

## E. PLANT SPECIFICATIONS

1. **Size.** All required plant material shall meet the minimum size specifications at the time of planting, as specified in **Table 6.2**.
2. **Undesirable Species.** The undesired plant species list, as established in Section 138-3653 of the Pinellas County Land Development Code, shall apply to all properties within the form-based district.
3. **Approved Plant List.** The approved plant list, as established in Section 138-3664 of the Pinellas County Land Development Code, shall apply to all properties within the form-based district.

**TABLE 6.2: MINIMUM PLANT SPECIFICATION REQUIREMENTS**

PLANT	SIZE (AT INSTALLATION)	ADDITIONAL STANDARDS
Shade Tree	2.0" Caliper	<ul style="list-style-type: none"> <li>Species diversity is preferred over monoculture.</li> <li>Must be planted a minimum of 5 feet from any impervious area, unless located within a tree well.</li> </ul>
Accent Tree	1.5" Caliper per Stem and 8' in Height	<ul style="list-style-type: none"> <li>No more than 25% of required trees may be accent trees.</li> </ul>
Palm Tree	12' Clear Trunk Height	<ul style="list-style-type: none"> <li>No more than 25% of required trees may be palm trees.</li> </ul>
Shrubs	3-Gallon and 15" in Height	<ul style="list-style-type: none"> <li>Species diversity is preferred over monoculture.</li> <li>Maintained at a minimum of 36" in height.</li> </ul>
Ornamental Grasses	1-Gallon	N/A
Buffer Plantings	Min. 24" in Height	<ul style="list-style-type: none"> <li>Shrubs shall be planted a maximum of 24" on center and maintained so as to form a continuous, unbroken, solid visual screen.</li> <li>Plantings shall be at least 48" in height within a maximum of 2 years of planting.</li> </ul>

## 6.6 SIGN DESIGN STANDARDS

The following 'Sign Design Standards' apply to all signage for all Districts within Downtown Palm Harbor.

### A. PERMITTED SIGNS

**Table 6.3:** Permitted Signs Table identifies the allowable sign types and requirements for each District designation.

TABLE 6.3: PERMITTED SIGNS TABLE

		DISTRICTS						
		CENTRAL (DPH-1)		WEST (DPH-2)	NEIGHBORHOOD (DPH-3)		BOULEVARD (DPH-4)	
SIGN TYPE & REQUIREMENT		ALT 19	OTHER	ALT 19	OTHER	ADDITIONAL STANDARDS		
Freestanding Signs (Review Type)		1A	1A	1B	1A	-	1B	Central (Alt 19): Only applies to Alt 19 frontages; West: Florida Ave - Between Alt 19 and 9th St. only; Boulevard: Omaha Street only.
Maximum Number (Per Public Street Frontage)		1	1	1	1	-	1	West and Boulevard: 1 sign per lot, regardless of multiple frontages.
Maximum Area (Square Feet Per Sign Face)		40	20	15	40	-	20	
Maximum Height (Feet)		15	6	6	15	-	6	
Attached Signs (Review Type)		1A	1A	1A	1A	1A	1A	Attached signs include all wall, canopy, awning, projecting, permanent window, integral roof, and similar signs.
Maximum Total Area for all Attached Signs (Whichever is Less)	Building Frontage (Square Feet per Linear Foot)	2	2	1.5	2	1.5	1.5	
	Sign Area (Square Feet)	75	50	25	75	25	25	
Sandwich Boards (Review Type)		1A	1A	1A	1A	-	-	Must be located within 10 feet of a main entrance.
Maximum Number (Per Tenant)		1	1	1	1	-	-	
Maximum Area (Square Feet Per Sign Face)		8	8	8	8	-	-	
Maximum Height (Feet)		3.5	3.5	3.5	3.5	-	-	
<b>Temporary Signs</b> - Temporary signs are permitted within all Districts and are not subject to permitting as long as the signs meet the provisions listed below. Temporary signs are permitted to be displayed for a maximum of 30 calendar days at a time.								
Maximum Number (Per Lot)		2	2	2	2	2	2	
Maximum Area (Square Feet per Sign)		32	16	16	16	16	16	
Maximum Height (Feet)		5	5	5	5	5	5	

## B. GENERAL PROVISIONS

1. *Sign Style.* Signage shall be scaled and designed for a pedestrian-oriented area and not for high speed automobile traffic.
2. *Sign Setback.* The leading edge of a sign shall be setback from any public right-of-way a minimum of 3 feet for any sign equal to or less than 75 square feet in area. No freestanding sign shall be placed closer than 5 feet to any side or rear property line.
3. *Sign Measurement.*
  - a. *Area.*
    - i. The area of a sign shall be the smallest square, circle, rectangle, or other geometric figure, or combination thereof, that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material, color forming and integral part of the display or used to differentiate the sign from the backdrop or structure against which it is placed. The computation of a sign area does not include any bracing, fence or wall that is reasonably necessary to support the sign.
    - ii. The area of a sign shall be computed on a per sign face basis and all requirements with respect to sign area reference the area of a single face of a sign. A double-faced sign shall be permitted to have the allowed area for a single-faced sign on each of the two faces of the double-faced sign.
  - b. *Height.* The height of a freestanding sign shall be the vertical distance from the base of the sign at ground level to the highest point of the sign structure. In cases where the ground level cannot reasonably be determined, sign height shall be derived on the assumption that the elevation of the ground at the base of the sign is equal to the average elevation at the front property line.
4. *Sign Illumination.*
  - a. The light from any externally lit illuminated sign shall be shaded, shielded, or directed away from adjoining parcels.
  - b. No sign shall have blinking, flashing, or fluttering lights or other illumination devices which have changing light intensity, brightness, color, or direction.
  - c. No colored lights shall be used at any location or in any manner so as to be confused with, construed as, or interfere with traffic control devices.
  - d. Neither the direct nor the reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares.
5. *Electronic Changeable Message Signs.* Electronic changeable message signs are prohibited.

Figure 6.7: Sign Area Measurement

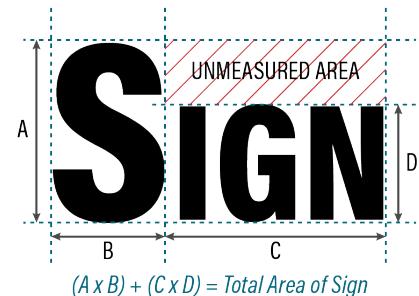
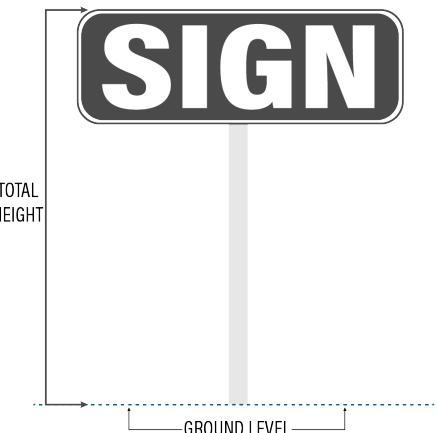


Figure 6.8: Sign Height Measurement



6. *Sign Location.* Signs shall not be located on a property that is separate and distinct from the commercial establishment, product, merchandise, service or entertainment to which they are intended to draw attention. In no instance shall this be interpreted as prohibiting a non-commercial message from being displayed on any property.

#### C. EXEMPT SIGNS

The following types of signs are exempt from the permitting process and other provisions within this section, except relating to construction, illumination, and safety:

1. Address Numbers.
2. Real Estate Signs.
3. Artwork, which includes drawings, pictures, symbols, paintings, or sculptures which in no way identify a product or business and which are not displayed in conjunction with a commercial, for-profit or nonprofit enterprise.
4. Government and public signs, including by not limited to, community identity and entrance signs, signs for special community events, commemorative and historic signs, and coordinated countywide trail-blazing signs that provide direction to a place of interest.
5. A maximum of 3 noncommercial flags are permitted on each lot.
6. On-site directional signs. No individual sign shall exceed 4 square feet in area.

**DPH FBC**

# **PART 7**

## **USE STANDARDS**

**SECTION 7.1 Intent**

**SECTION 7.2 Permitted Uses**

**SECTION 7.3 Use Determination**

**SECTION 7.4 Specific Use Standards**

**SECTION 7.5 Use Definitions**

# PART 7: USE STANDARDS

## 7.1 INTENT

- A. The Use Standards are intended to describe provisions for specific land uses. These standards are further intended to be simplistic, while still acknowledging the relationship between neighboring land uses.
- B. Allowable land uses are identified for each District, as described in [Table 7.1: Permitted Land Uses](#).

## 7.2 PERMITTED USES

Land use categories have been established in order to sort land uses based on similar characteristics, such as type and amount of activity, type of customers or residents, how goods and services are delivered, site conditions, and impact on surrounding areas. The categories include the following: Residential, Lodging, Office, Retail, Automotive, Industrial, Civil Support and Civic.

### A. PRIMARY USES

1. A lot may contain more than one primary use.
2. Permitted primary uses are listed in the Permitted Use Table ([Table 7.1](#)) organized by District.

### B. ACCESSORY USES

Accessory uses are allowed in conjunction with a permitted primary use, if the accessory use:

1. Is subordinate to and services the primary use;
2. Is subordinate in area, extent, and purpose to the primary use;
3. Contributes to the comfort, convenience or necessities of the users or occupants of the primary use; and
4. Is located on the same lot as the primary use, provided such use is in keeping with the purpose and intent of the district in which it is located.

### C. TEMPORARY USES

Temporary uses established in combination or separately independent of any permanent use, are permitted in any District, provided that the proposed use is a permitted use.

Temporary uses shall not be permitted within the Neighborhood or Boulevard Districts unless the use will be located on the site of an existing non-residential establishment. All temporary uses are subject to the following standards:

1. No parcel shall be occupied by a temporary use for more than 60 days in any calendar year.
2. No zoning clearance or permit is required for a temporary use, unless a structure is located on the property.
3. Nothing herein shall relieve an operator of a temporary use from complying with other applicable codes, ordinances, and regulations; such as electricity or plumbing permits.

## 7.3 USE DETERMINATION

### A. ADMINISTRATOR RESPONSIBILITY

B. The **Code Administrator** is responsible for categorizing all land uses. If a proposed use is not listed within a use category, but is similar in character and function to another listed use, the **Code Administrator** shall treat the proposed use under that use's category. If a proposed use is not listed in a use category, and is not similar to any other listed use, the use shall be prohibited.

### C. UNLISTED LAND USES

When determining whether a proposed use is similar to another listed use, the **Code Administrator** shall consider the following criteria:

1. The characteristics of the proposed use in comparison to other permitted uses.
2. The potential impact on surrounding properties.
3. The overall intent of the District in which it is located.

**TABLE 7.1: PERMITTED LAND USES**

USE CATEGORY	DISTRICTS														ADDITIONAL STANDARDS (Section 7.4)	
	CENTRAL (DPH-1)				WEST (DPH-2)				NEIGHBOHOOD (DPH-3)				BOULEVARD (DPH-4)			
	FLORIDA AVENUE		OTHER STREETS		FLORIDA AVENUE		OTHER STREETS		ALT 19		OTHER STREETS					
USE CATEGORY	G	U	G	U	G	U	G	U	G	U	G	U	G	U		
<b>RESIDENTIAL</b>																
Single-Unit Residential, Attached					1A	1A	1A	1A	1B	1B	1A	1A	1A	1A	Y	
Single-Unit Residential, Detached					1B	1B	1A	1A			1A	1A	1A	1A		
Duplex/Semi-Detached Unit					1B	1B	1A	1A	1B	1B	1A	1A	1A	1A		
Multi-Unit Residential		1A	1B	1A	1B	1B	2	2	1A	1A	2	2	1B	1B	Y	
Accessory Dwelling Unit (ADU)		1B	1B	1A	1A	1A	1A	1A	1B	1B	1A	1A	1A	1A	Y	
Group Living		1B		1B	2	1B	2	2	2	2	2	2	2	2	Y	
<b>LODGING</b>																
Bed & Breakfast		1A	1A	1A	1B	1A	2	2	2	2	2	2	2	2		
Hotel		1A	1B	1A	2	2			2	2						
Short-Term Vacation Rentals		1B	1B	1B	1B	1B	2	2	1B	1B	2	2	1B	1B	Y	
<b>OFFICE</b>																
Office Building		1A	1A	1A	1A	1A	2	2	1A	1A			2	2		
Live/Work		1B	1B	1B	1B	1B	2	2	1B	1B	2	2	1B	1B		
<b>RETAIL</b>																
Retail Building	1A	1A	1A	1A	1B	1B			1B	1B						
Food/Drink Establishment (<20 Seats)	1A	1A	1A	1A	1B	1B			1B	1B					Y	
Food/Drink Establishment (>20 Seats)	1A	1A	1A	1A	2	2			1B	1B					Y	
Grocery / Market	1A	1A	1A	1A	1B	1B			1A	1A	2	2				
Microbrewery/Winery/Distillery	1A	1A	1A	1A	1B	1B			1B	1B						
Greenhouse/Urban Farming			2	2	1A	1A	1A	1A	1A	1A	1A	1A	1A	1A		
Medical Clinic		1B	1B	1B	2	2			1B	1B						
Vet Clinic (No Outdoor Kennel)		1A	1A	1A	1A	1A	2	2	1A	1A						

G = Ground / 1st Floor of Building      U = Upper Stories (2nd Floor or Above) of Building

1A = Permitted By Right/Type 1A Review    1B = Permitted By Warrant/Type 1B Review    2 = Permitted By Warrant/Type 2 Review    a = Accessory Use    Blank = Not Permitted

TABLE 7.1: PERMITTED LAND USES

USE CATEGORY	DISTRICTS														ADDITIONAL STANDARDS (Section 7.4)	
	CENTRAL (DPH-1)				WEST (DPH-2)				NEIGHBOHOOD (DPH-3)				BOULEVARD (DPH-4)			
	FLORIDA AVENUE		OTHER STREETS		FLORIDA AVENUE		OTHER STREETS		ALT 19		OTHER STREETS		G	U		
USE CATEGORY	G	U	G	U	G	U	G	U	G	U	G	U	G	U	ADDITIONAL STANDARDS (Section 7.4)	
<b>AUTOMOTIVE DEPENDENT</b>																
Drive-Thru Facility (Bank Only)			2	2	2	2			2	2					Y	
Parking, Structure	a	1A	a	1A	2	1B			1B	1B	2	2			Y	
Parking, Surface Lot			1B	1B	1B	1B	1B	1B	1A	1A	1B	1B				
<b>INDUSTRIAL</b>																
Workshop/Artisan	1B	1A	1A	1A	1A	1A	2	2	1A	1A					Y	
Warehouse									a	a						
Laboratory		1B		1B	2	2			2	2						
<b>CIVIL SUPPORT</b>																
Public Safety / Government Facility			2	2	1B	1B	2	2	2	2						
<b>CIVIC</b>																
Recreation/Fitness, Indoor	1A	1A	1A	1A	1A	1A	2	2	1A	1A					Y	
Recreation/Civic Space, Outdoor			1B	1B	1B	1B	2	2			1B	1B	2	2	Y	
Playground	a	a	1B	1B	1B	1B	1A	1A			1A	1A	1B	1B		
Daycare (Adult/Child)		1A	2	1A	1B	1A	1B	1B	1B	1A	1B	1B	1B	1B		
School (Preschool - 12)			1B	2	2	2	2	2	2	2	2	2	2	2		
School (Trade/College)		1A	2	1A	1B	1B			1B	1B						
Library/Museum	1A	1A	1A	1A	1A	1A	1B	1B	1A	1A	1B	1B	1B	1B		
Passenger Terminal	1B	1B	1B	1B	1B	1B			1B	1B			1B	1B		
Live Theater/Cinema	1A	1A	1A	1A	1A	1A			1B	1B						
Assembly		1A	2	1A	1B	1A	2	2	1B	1B	2	2	2	2		

G = Ground / 1st Floor of Building      U = Upper Stories (2nd Floor or Above) of Building

1A = Permitted By Right/Type 1A Review    1B = Permitted By Warrant/Type 1B Review    2 = Permitted By Warrant/Type 2 Review    a = Accessory Use    Blank = Not Permitted

## 7.4 SPECIFIC USE STANDARDS

The specific use standards listed within each use category are intended to ensure such uses are consistent with the overall intent of this Code, while also being compatible with the surrounding neighborhoods in which they are located.

### A. RESIDENTIAL

1. *Single-unit attached and multi-unit residential developments* with ground story residential units may fulfill the Doors/Entries Element requirement with a shared internal courtyard that provides the direct access to the primary frontage(s), as opposed to individual access from the street to each individual dwelling unit.

2. *Multi-Unit Residential Developments*, shall provide a minimum of 10 percent of the site area to be reserved and/or improved as usable open space. Required common open space shall be usable for parks, recreation, and/or retained for natural resource protection. Rooftop decks, balconies, porches or similar outdoor spaces may count towards this requirement.
3. *Accessory Dwelling Units (ADUs)*, are intended to provide additional housing that is incidental to a primary dwelling while ensuring that the intended district character is protected. ADUs include, but are not limited to, guest housing, security residence, and/or affordable housing options. ADUs, shall be subject to the following:
  - a. Accessory dwelling units shall not exceed 750 square feet in area.
  - b. Only one ADU per parcel of ownership is permitted.
  - c. Either the primary dwelling or the ADU must be owner-occupied.
  - d. All applicable district regulations pertaining to setbacks and lot coverage provisions shall be met.
  - e. Separate metered utility connections for the ADU may be permitted.
  - f. Mobile homes and recreational vehicles shall not be used as ADUs.
  - g. Any ADU must meet the minimum requirements for a dwelling unit in accordance with the Florida Building Code.
4. *Group Living Facilities*, such as an Assisted Living Facility, Group Home, or Congregate Care Facilities, provide a living environment where various levels of services are provided to assist in an individual's daily needs. Group living facilities are subject to the following:
  - a. Facilities shall be developed with at least 10 percent of the site area to be reserved and/or improved as common open space. Required common open space shall be usable for parks, recreation, and/or retained for natural resource protection. Rooftop decks, balconies, porches or similar outdoor spaces may count towards this requirement.
  - b. Group living facilities may be constructed/established as a variety of housing types.
  - c. Group living facilities are not permitted within a designated Coastal High Hazard Storm Area.

## B. LODGING

1. *Short Term Vacation Rentals*, are intended to allow for an individual dwelling unit to be rented to an individual or party at a lease term that is less than one month while protecting the immediate vicinity from associated negative impacts relating to traffic, noise, safety, and maintenance. Short-term vacation rentals generally occur in typical residential units and mostly within residential neighborhoods. The following standards shall apply to short term vacation rentals consisting of individual dwelling units and the rental for said unit is more than 3 times in a calendar year for periods of 30 days or less:

- a. *Maximum Occupancy* shall be no more than 2 persons per bedroom plus two persons in one common area, not to exceed more than ten persons total per unit, whichever is less.
- b. *Parking*. A minimum of one off-street parking space shall be provided for every three occupants. Garage spaces count towards minimum requirement if available to the occupant(s). Front lawn parking does not count towards the minimum requirement.
- c. *Noise*. Quiet hours are to be observed between 10:00 p.m. and 9:00 a.m. daily or as superseded by any county noise regulation.
- d. *Responsible Party*. The property owner or designee shall be available in a timely manner to respond to inspections, complaints, or other problems related to the short-term vacation rental property. The duties of the short-term vacation responsible party are to:
  - i. Be available by telephone at the posted phone number to handle any issues arising from the short term vacation rental use;
  - ii. If necessary, be willing and able to come to the short term vacation rental unit following notification from an occupant, owner, law enforcement, or county official to address issues related to the short-term vacation rental;
  - iii. Be authorized to receive service of any legal notice on behalf of the owner for violations of this section; and
  - iv. Otherwise regularly monitor the short-term vacation rental unit to assure compliance with the requirements of this section.
- e. *Posting Short-Term Vacation Rental Information*. On the back of, or next to, the main entrance door or on the refrigerator, there shall be provided as a single page the following information:
  - i. The name, address, and phone number of the short term rental vacation rental responsible party;
  - ii. The maximum occupancy of the unit, per [Section 74\(B\)\(1\)\(a\)](#), above;
  - iii. The maximum number of vehicles that can be parked at the unit, per [Section 74\(B\)\(1\)\(b\)](#), above; along with a sketch of the location of the off-street parking spaces;
  - iv. Noise standards, per [Section 7](#), above;
  - v. The days of trash pickup and recycling; and
  - vi. The location of the nearest hospital.
- f. *Fines*. Any person convicted of violating any provisions of [Section 74\(B\)\(1\)](#) may be punishable by a fine of up to \$300.00, per violation, per day.

## C. OFFICE

1. *Live/Work.*
  - a. The residential and commercial space must be occupied by the same tenant, and no portion of the live/work unit may be rented or sold separately.
  - b. The commercial component of live/work units are intended for use by the following occupations: accountants; architects; artists and artisans; attorneys; computer software and multimedia related professionals; consultants; engineers; fashion, graphic, interior, and other designers; hair stylists; home-based office workers; insurance, real estate and travel agents; one-on-one instructors; photographers, and similar occupations, as determined by the Code Administrator.
  - c. The commercial component shall not detract from, or otherwise be a nuisance to, the residential character or appearance of the dwelling units.
  - d. The commercial component shall be restricted inside the primary building or within an accessory structure on-site. There shall be no exterior storage of products, equipment, employee vehicles, or materials related to the commercial use.
  - e. Traffic generated by on-site customers, vendors, or delivery services for the commercial use shall not generate vehicular traffic in excess of normal residential traffic.
  - f. A maximum of 2 business vehicles associated with the commercial use are permitted to be parked on-site. These vehicles are limited to standard sized commercial trucks, vans, or other similar vehicles and may not be parked within the front yard, unless they are on a driveway.
  - g. The commercial use shall not require increased exterior lighting that would detract from the residential character.
  - h. The commercial use shall not generate external noise, odor, glare, vibration, or electrical interference detectable to the normal sensory perception by adjacent neighbors.
  - i. No explosive, toxic, combustible or flammable materials in excess of what would be allowed incidental to normal residential use shall be stored or used on the premises.

## D. RETAIL

1. *Food/Drink Establishments*, may be permitted outside dining/seating areas subject to the following standards:
  - a. Seating areas shall be delineated and designated on an approved site plan.
  - b. Seating areas may only occupy a public sidewalk when a right-of-way permit or equivalent thereof is obtained from the applicable right-of-way owner.
  - c. When outdoor seating/dining areas are permitted on the public sidewalk, a minimum 5 foot wide walkway clearance area shall be provided.

## E. AUTOMOTIVE DEPENDENT

1. *Drive-Thru Facility (Bank Only).*
  - a. Drive-thru service windows shall be located to the rear of the primary building on the property.
  - b. Minimum Stacking Spaces = 3 spaces (Per Customer Kiosk)
  - c. Stacking lanes shall be configured to ensure queuing vehicles do not block driveways, access to parking, pedestrian walkways/crossings, or extend into the public right-of-way.
  - d. Stacking lanes adjacent to pedestrian walkways shall be screened by landscaping and/or a decorative wall, with a height of 24 to 36 inches.
2. *Parking Structure.* When developed as an accessory use on the ground / 1st floor of a building within the Central District, the parking structure shall be interior to permitted uses developed as liner building spaces, effectively screening the ground / 1st floor of the parking structure from public frontage viewpoints.

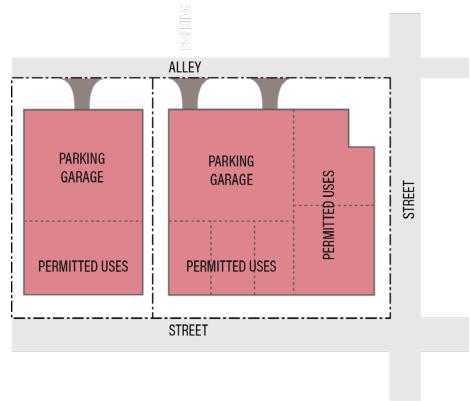
## F. INDUSTRIAL

1. *Workshop/Artisan.* Ground / 1st floor building uses on Florida Avenue and in the Central District shall include a retail sales component.

## G. CIVIC

1. *Recreation/Fitness/Civic Space (Indoor or Outdoor).*
  - a. No outdoor activity area may encroach into the required district setbacks, with the exception of trails and pathways.
  - b. Outdoor activity areas, with the exception of passive outdoor areas, shall be set back at least 30 feet from any adjacent residential property.
  - c. Outdoor lighting shall be designed such that direct sources of illumination are not visible beyond the property lines. Lights shall be directed away from adjacent residential uses.

Figure 7.1: Parking Structure: Accessory Use in Central District



## 7.5 USE DEFINITIONS

### A. RESIDENTIAL

1. *Accessory Dwelling Unit.* An independently functioning dwelling unit which is an accessory use to the principal use on the same lot and which has a separate kitchen with a cooking stove. These uses are something referred to as "garage apartments," "Mother-in-Law Apartments," and/or "carriage houses."
2. *Duplex/Semi-Detached Unit.* A building that contains two dwelling units on a lot that shares a portion of common walls or common floor/ceiling.
3. *Group Living (includes Assisted Living Facilities, Group Homes, Congregate Care Facilities).* Any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, regardless of whether operated for profit, which through its ownership or management provides housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator.
4. *Multi-Unit Residential.* Three or more dwelling units, attached to each other by a stacking arrangement and with common vertical and horizontal walls, where primary access to those units is shared.
5. *Single-Unit Residential, Attached.* A dwelling unit on a single lot or on multiple lots with zero lot lines, attached to one or more single-unit dwellings by a common vertical wall, where individual primary access is provided to each unit.
6. *Single-Unit Residential, Detached.* A dwelling unit in a single structure, on a single lot, not attached to any other dwelling by any means.

### B. LODGING

1. *Bed and Breakfast.* A residential structure, with no more than 15 sleeping rooms, which has been modified to serve as a transient public lodging establishment, which provides the accommodation and meal services generally offered by a bed and breakfast inn, and which is recognized as a bed and breakfast inn in the community in which it is situated or by the hospitality industry.
2. *Hotel.* A building or group of buildings containing lodging units intended primarily for rental or lease to short-term visitors by the day or week, and which may provide accessory services such as restaurants, meeting rooms and recreation facilities. Does not include condo hotels.
3. *Short-Term Vacation Rentals.* An individual dwelling unit that is rented to an individual or party more than 3 times per calendar year for a lease term that is no more than 30 consecutive days.

### C. OFFICE

1. *Live/Work*. A structure or portion of a structure combining residential living space with an integrated workspace intended to be used by one of the residents.
2. *Office Building*. A building or group of buildings utilized for typical office uses, such as administrative, executive, professional, research, doctor, dental, or other similar entities.

### D. RETAIL

1. *Food/Drink Establishment*. An establishment serving food and/or beverages prepared on the premises, which are generally intended for immediate consumption.
2. *Greenhouse/Urban Farming*. A structure, primarily of glass, in which temperature and humidity can be controlled for the cultivation or protection of plants that is used for urban farming, which is the growing, processing, and distribution of food and other products.
3. *Grocery/Market*. Retailers of food and grocery supplies. May include flower shops, pharmacies, bakeries, branch banks, and other complementary and incidental uses.
4. *Medical Clinic*. A facility engaged in the examination, diagnosis, and treatment of medical related conditions. Medical clinics can offer urgent/immediate care services, but do not include overnight facilities for patients.
5. *Microbrewery/Winery/Distillery*. A facility used for the production and packaging of malt beverages, wine, and/or spirits for the distribution, retail, or wholesale, on or off-premise, with a capacity of not more than 15,000 barrels of beer/cider; 100,000 gallons of wine; or 15,000 gallons of spirits per year. The development may include other uses such as a restaurant, tasting room, or live entertainment.
6. *Retail Building*. A building or group of buildings in which business activities customarily provide retail convenience goods and the sale of merchandise to end users.
7. *Vet Clinic*. A place designed or prepared to provide medical attention to or care for dogs, cats, and other pets in return for compensation, but do not contain any outdoor kennels for boarding animal containment.

### E. AUTOMOTIVE DEPENDENT

1. *Drive-Thru Facility (Bank Only)*. A bank that is designed to enable customers in parked vehicles to transact business with persons inside of the principal building.
2. *Parking*. Surface or structured parking areas that are a primary use on a lot or parcel.

## F. INDUSTRIAL

1. *Laboratory.* A place providing the opportunity for experimentation, observation, or practice in a field of study.
2. *Warehouse.* Establishments that ship, store, and distribute, but do not sell, goods within completely enclosed structures. Warehouse uses may provide a range of services related to the distribution of goods, such as labeling, breaking bulk, inventory control and management, light assembly, order entry and fulfillment, packaging, pick and pack, price marking and ticketing, and transportation arrangement. Bonded warehousing and storage services are included in this category.
3. *Workshop/Artisan.* Establishments that typically produce high-quality or distinctive products generally in small quantities, usually by hand or using traditional methods. Examples include, but are not limited to, glass blowing, jewelry making, woodworking, baking and traditional food product making.

## G. CIVIL SUPPORT

1. *Public Safety.* Facilities that provide government services, safety and emergency services, such as police stations, fire departments, or ambulance stations.

## H. CIVIC

1. *Assembly.* Facilities that provide shelter for public gathering and communal activities, including places of worship, or other assembly structures, including community halls, reception halls, wedding halls and other similar facilities that provide a gathering place for community functions.
2. *Day Care (Adult/Child).* Any children's center, day nursery, nursery school, kindergarten, or family day care home as defined by Florida law.
3. *Library/Museum.* A civic building utilized for the reading, referencing, or lending of literary and artistic materials and/or devoted to the acquisition, conservation, study exhibition, and educational interpretation of objects having scientific, historical, or artistic value.
4. *Live Theater/Cinema.* A building, room, or outdoor structure used for the presentation of live plays, films, or other dramatic performances and/or an establishment used for showing movies or motion pictures.
5. *Passenger Terminal.* Premises used by an establishment for the boarding or discharge of people being transported by bus, train, or boat. This does not include individual transit shelters, such as a typical bus stop.
6. *Playground.* An open space, generally less than 1 acre, designed and equipped for the play of children. A playground is usually fenced and may include an open shelter.

7. *Recreation/Fitness (Indoor)*. Privately owned indoor facilities focused on offering amusement, recreation, personal instruction, and/or equipment or facilities for exercising and improving physical fitness; such as schools of dance, gymnastics, martial arts, athletic courts, skating rinks, batting cages, or other similar indoor activities and establishments.
8. *Recreation/Fitness/Civic Space (Outdoor)*. Privately owned outdoor facilities focused on offering amusement, recreation, personal instruction, and/or equipment or facilities for exercising, public gathering and/or improving physical fitness; such as outdoor swimming pools, skateboard parks, arenas, plazas, parks or other similar activities and establishments.
9. *School (PreK-12)*. An institution for pre-kindergarten, kindergarten, elementary, middle, and high school education.
10. *School (Trade/College)*. An institution of higher education and/or for vocational or professional training for trades. Trade/Colleges also include related facilities, such as classroom buildings, libraries, laboratories, dormitories, administration, and dining halls that are incorporated into a unified campus.
11. *Government Facility*. Offices and other facilities such as city halls, courts, and similar buildings and structures used for administrative, legislative and judicial governmental functions.

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# **PART 8**

## **PARKING STANDARDS**

**SECTION 8.1 Intent**

**SECTION 8.2 Minimum Parking, Generally**

**SECTION 8.3 Parking Reductions**

**SECTION 8.4 Specific Parking Standards**

**SECTION 8.5 Off-Street Loading**

# PART 8: PARKING STANDARDS

## 8.1 INTENT

- A. The Parking Standards establish the amount, type, and design elements for vehicle and bicycle parking, as well as off-street loading areas.
- B. These standards are intended to encourage compact development patterns, to accommodate redevelopment, and recognize existing public on-and off-street parking available in the area. These standards are also intended to recognize alternative methods of parking and modes of transportation that in turn can reduce the abundance of vehicular parking.

## 8.2 MINIMUM PARKING, GENERALLY

### A. OFF-STREET PARKING

The minimum number of off-street vehicle parking spaces is listed in [Table 8.2: Parking Standards](#), based on land use.

### B. BICYCLE PARKING

The minimum number of bicycle parking spaces is listed in [Table 8.2: Parking Standards](#), based on land use. Whenever the table indicates two numerical standards, the larger resulting quantity shall apply.

### C. ACCESSIBLE PARKING

The use/development shall provide motor vehicle parking quantities as listed in [Table 8.1: Accessible Parking Standards](#). The number of accessible spaces shall be a part of required parking for the use/development, not in addition to. Marked on-street parking spaces designed and designated as accessible spaces located directly adjacent to a subject property line may be included in the calculation of required accessible parking.

**TABLE 8.1: ACCESSIBLE PARKING SPACES**

TOTAL SPACES IN LOT	MINIMUM ACCESSIBLE VEHICLE SPACES
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20 plus 1 for each 100 spaces over 1,000

General Notes:  
A minimum of 4 accessible spaces for the disabled shall be provided at a hospital or physical rehabilitation center.

**TABLE 8.2: PARKING STANDARDS**

USE CATEGORY	MIN. VEHICLE SPACES		MIN. BICYCLE SPACES
<b>RESIDENTIAL</b>			
Single-Unit Residential, Detached	1.5 per unit		N/A
Accessory Dwelling Unit (ADU)	N/A		N/A
Group Living	0.33 per unit		N/A
All Other Residential Uses	1.5 per unit		2, or 1 per 20 units (Multi-Unit Residential Only)
<b>LODGING</b>			
Bed & Breakfast	1.0 + 0.5 per room		N/A
Short-Term Vacation Rentals	Subject to applicable Residential Parking Requirements.		N/A
All Other Lodging Uses	1.0 per room		2, or 1 per 20 rooms
<b>OFFICE</b>	<b>WEST DISTRICT</b>	<b>OTHER DISTRICTS<sup>1</sup></b>	
Office Building	4.0 per 1,000 sqft	3.0 per 1,000 sqft or 0.75 per Employee, whichever is greater	2, or 1 per 10,000sqft
Live/Work	1.0 per unit + 2.0 per 1,000 sqft of non-residential area	1.0 per unit + 2.0 per 1,000 sqft of non-residential area	2, or 1 per 10,000sqft of non-residential area
<b>RETAIL</b>	<b>WEST DISTRICT</b>	<b>OTHER DISTRICTS<sup>1</sup></b>	
Food/Drink Establishment	7.0 per 1,000 sqft	4.0 per 1,000 sqft	2, or 1 per 5,000 sqft
Microbrewery/Winery/Distillery	7.0 per 1,000 sqft	4.0 per 1,000 sqft	2, or 1 per 5,000 sqft
Greenhouse/Urban Farming	1 per 10,000 sqft	1 per 10,000 sqft	2, or 1 per 5,000 sqft
Medical Clinic	4.0 per 1,000 sqft	3.0 per 1,000 sqft	2, or 1 per 10,000 sqft
Vet Clinic (No Outdoor Kennel)	4.0 per 1,000 sqft	3.0 per 1,000 sqft	2, or 1 per 10,000 sqft
All Other Retail Uses	4.0 per 1,000 sqft	3.0 per 1,000 sqft	2, or 1 per 5,000 sqft
<b>AUTOMOTIVE DEPENDENT</b>			
Drive-Thru Facility	6.0 per 1,000 sqft		2, or 1 per 5,000 sqft
<b>INDUSTRIAL</b>			
Workshop/Artsian	2.0 per 1,000 sqft		2, or 1 per 15,000 sqft
Warehouse	0.5 per 1,000 sqft		2, or 1 per 40,000sqft
Laboratory	2.0 per 1,000 sqft		2, or 1 per 15,000 sqft
<b>CIVIL SUPPORT</b>			
Public Safety/Government Facility	4.0 per 1,000 sqft		2, or 1 per 10,000 sqft
<b>CIVIC</b>			
Recreation/Fitness (Indoor/Outdoor)	4.5 per 1,000 sqft		2, or 1 per 5,000 sqft
Playground	N/A		4 per acre
Daycare (Adult/Child)	2.25 per 1,000 sqft		2, or 1 per 10,000 sqft
School (Preschool - 12)	0.15 per student (based on building capacity)		5 per classroom
School (Trade/College)	0.5 per student (based on building capacity)		5 per classroom
Library/Museum	2.0 per 1,000 sqft		2, or 1 per 5,000 sqft
Passenger Terminal	N/A		N/A
Live Theater/Cinema	1.0 per 2 seats		2, or 1 per 5,000 sqft
Assembly (General or Religious)	6.0 per 1,000 sqft		2, or 1 per 10,000 sqft

4. For Central District, See [Section 8.3\(B\)](#).

#### D. EXISTING PARKING CONFIGURATION

For properties within the Downtown Palm Harbor Activity Center that have existing buildings, as of \_\_\_\_\_, 2020, the off-street parking arrangement in existence on that date for each building shall continue to be recognized by the county as meeting the minimum parking requirements of this Code. Such existing building square foot area may be renovated and redeveloped with a structure that is of similar size to the existing building square foot area without providing any additional off-street parking spaces. However, this recognition of existing parking arrangements shall not apply if there is additional building square footage or a change in use that increases the required number of off-street parking spaces. Parking shall be provided, as required by this Code, for any increase in building square foot area, or for the increased number of parking spaces required by a change in use.

#### E. CALCULATIONS

1. When computing vehicle/bicycle parking spaces based on usable floor area (UFA), the use areas located inside all building or similar structures shall be included in the required parking calculation. UFA excludes any floor area used for incidental service, storage, mechanical equipment rooms, restrooms, motor vehicle parking (e.g. garages) and other similar areas. Where these areas are not yet defined, UFA shall be considered to be 85% of the gross floor area (GFA).
2. The minimum of required vehicle/bicycle parking spaces is based on the primary uses on a site. When there are two or more primary uses on a site, the required vehicle/bicycle parking for the site is the sum of the required spaces for each. Accessory uses are exempt from minimum parking requirements.
3. When units or measurements determining the number of required off-street parking spaces result in a fractional space, then such fraction equal to or greater than one-half shall require a full off-street parking space.

### 8.3 PARKING REDUCTIONS

#### A. MIXED-USE SHARED PARKING

When any parking area is used for two or more uses, the minimum total number of required off-street parking spaces is permitted a reduced total amount of required parking spaces based on the following methodology:

1. Determine the minimum parking quantities, per use, in accordance with [Table 8.2: Parking Standards](#) to get the total minimum parking quantity required.
2. Take the total minimum parking quantity required and divide it by the number that intersects with the two applicable, corresponding use functions in [Table 8.3: Shared Parking Matrix](#).
3. Use this number as the required minimum number of motor vehicle parking spaces that shall be provided at any given time. (See [Table 8.4](#) for an example of a mixed-use shared parking calculation scenario). When uses are located on separate lots/parcels from where the parking is located, a legal instrument shall be provided to ensure long term legal use of the parking facility by the subject users (e.g. parking agreement, easement or the like). The legal instrument must be approved by the County attorney.

4. If there are more than 2 primary uses on site, the 2 uses with the highest parking requirement shall be used when calculating the mixed-use shared parking reduction.

**TABLE 8.3: SHARED PARKING MATRIX**

USE FUNCTION	with	USE FUNCTION
RESIDENTIAL		RESIDENTIAL
LODGING		LODGING
OFFICE		OFFICE
RETAIL/AUTOMOTIVE		RETAIL/AUTOMOTIVE
INDUSTRIAL		INDUSTRIAL
CIVIL SUPPORT/CIVIC		CIVIL SUPPORT/CIVIC
	1	
	1.1	
	1.1	
	1.4	
	1.4	
	1.2	
	1.7	
	1.7	
	1.2	
	1.3	
	1.3	
	1.2	
	1.2	
	1.2	
	1.2	
	1.2	
	1.2	
	1	

**TABLE 8.4: MIXED-USE SHARED PARKING EXAMPLE**

USE		AREA/DWELLING UNITS	CODE REQUIREMENT	TOTAL SPACES REQUIRED PER USE
1	Retail	2,000 sqft.	3 spaces per 1,000 sqft.	6
2	Residential	6 Dwelling Units	1.5 spaces per unit	9

***Mixed-Use Shared Parking Equation:***

*(Use 1 Required Parking Spaces ÷ Matrix Ratio) + (Use 2 Required Parking Spaces ÷ Ratio) = Reduced Total Parking*

USE		REQUIRED SPACES	MATRIX RATIO	TOTAL SPACES REQUIRED BOTH USES
1	Retail	6	1.2	12.5 Spaces
2	Residential	9	1.2	

## B. CENTRAL DISTRICT

1. *Intent.* It is intended to provide safe and efficient parking in the Central District while recognizing the unique conditions in Downtown Palm Harbor. The combination of a walkable, pedestrian-scaled, mixed-use downtown within close proximity to residents, the proximity and accessibility of the Pinellas Trail for convenient travel by walking and bicycling, plentiful wide sidewalks and ease of access to businesses, and the availability of public on-street and off-street parking throughout the downtown allow for a reduced off-street parking requirement for comparable uses in conventional zoning districts.
2. *Minimum Parking.* The minimum number of off-street vehicle parking spaces as listed in **Table 8.2: Parking Standards**, shall apply to the Central District with the following exceptions for Retail:
  - a. Retail (buildings with one retail tenant space)
    - i. First 2,000 sqft = 0.0 spaces
    - ii. Over 2,000 sqft = 2.0 spaces per 1,000 sqft
  - b. Retail (buildings with two or more retail tenant spaces)
    - i. First 4,000 sqft. = 0.0 spaces
    - ii. Over 4,000 sqft = 2.0 spaces per 1,000 sqft
  - c. Outdoor Seating (specific to a Food/Drink Establishment)
    - i. First 400 sqft = 0.0 spaces
    - ii. Over 400 sqft = 4.0 per 1,000 sqft
  - d. Outdoor Display (specific to Retail Uses)
    - i. First 400 sqft = 0.0 spaces
    - ii. Over 400 sqft = 4.0 per 1,000 sqft
    - iii. Includes outdoor work, display, and sales for retail goods, wares and merchandise, where permitted.
3. *In Lieu Parking Program Reductions - Office and Retail.* Office and Retail uses may be granted parking space reduction(s) through the Downtown Palm Harbor In Lieu Parking Program.
  - a. To apply for a reduction, applicants shall submit a written request to the Code Administrator explaining the need for the reduction and pay a \$\_\_\_\_\_ fee per parking space.
  - b. The Code Administrator will review such requests and, if granted, the fee will be deposited into the Downtown Palm Harbor In Lieu Parking Program for future use as described in this Section.

- c. The granting of such reductions will be determined by the Code Administrator on a case-by-case basis.
- d. *Use of Funds.*
  - i. Monies collected through the Downtown Palm Harbor In Lieu Parking Program shall be used by the County to support strategies to address parking supply increases and parking demand reductions. Such strategies may include, but are not limited to, the building of new surface and structured public parking, property acquisition to support additional public parking, parking-related technology investments and installations, multimodal infrastructure investments and installations, infrastructure improvements, parking-related plans and studies.
  - ii. The use of Program funds shall require the County to demonstrate the value added by a proposed strategy for alleviating vehicular parking demand in the Central District through 'best practices' research, data, and analysis.
- e. If a request is denied, the County shall return the fee submitted with the application to the applicant in a timely manner.

4. *Public Parking Bank - Office and Retail.*

- a. *Purpose and Intent.* A Public Parking Bank has been established as a tracking mechanism to facilitate and account for the granting of parking space reductions for Retail uses in the Central District without compromising the overall parking supply through the application of the minimum retail parking requirements.
- b. *Parking Utilization Study.* The Public Parking Bank tracks the supply of surplus public parking spaces typically available in the downtown area during an average peak-hour parking demand timeframe, as determined from the 2017-2018 parking utilization study conducted by Pinellas County.
- c. *Retail Market Demand Study.* The number of parking space reductions available in the Public Parking Bank is far less than the number of spaces that would typically be demanded from additional retail in the Downtown Palm Harbor Central District through Year 2030, as determined by the 2018 Retail Market Demand Study. The Study concluded that the area could support approximately 50,000 square feet of (mostly smaller-scale) additional retail through the Year 2030. This would equate to a corresponding need for approximately 200 additional parking spaces.
- d. *Tracking Reductions.* As Central District Retail use parking space reductions are granted per **Section 8.3(B)(2)**, the County will track such spaces by reducing the overall number of surplus spaces in the Public Parking Bank.
- e. *Future Reevaluation.* When the Bank is reduced to 20% of the initial total number of spaces, the County will reevaluate Retail use parking reduction provisions within the Central District to determine the need for additional regulations on the supply of parking.

### C. ALL DISTRICTS

The minimum vehicle parking space quantity required for each site may be permitted a reduced parking amount with the utilization of one or more of the following (cannot exceed a total of 75% reduction):

1. *On-Street and/or Public Parking.*
  - a. Any provided on-street parking that abuts a property may be counted towards satisfying the minimum vehicle parking standard. Adjacent on-street parking spaces shall remain public and may not be solely dedicated to a specific business. Any on-street parking space that abuts multiple properties shall only be counted for the property where the majority of the space abuts.
  - b. Properties, with the exception of single-unit residential properties, are permitted to count 20% of any public spaces located within 600 feet toward meeting the minimum number of required parking spaces. Public spaces include on-street parking not adjacent to the subject property and/or public parking lots/structures.
2. *Rideshare/Dropoff Space.* For each designated on-site rideshare/drop-off space that is provided, a reduction of 5 vehicle parking spaces is permitted.
3. *Valet Parking.* For sites with designated on-site valet parking service provided, a reduction of 5 vehicular parking spaces is permitted.
4. *Tree Preservation.* Where healthy trees and/or tree stands exist and are preserved within a proposed parking area, the use/development may be permitted up to a 20% reduction.

## 8.4 SPECIFIC PARKING STANDARDS

### A. ON-STREET PARKING

On-street parking is encouraged and may be provided along the abutting street(s) when permissible by the roadway facility owner (i.e. local government, developer, or property owners) and subject to the following:

1. Street parking that abuts the site may count towards satisfying the minimum parking requirement, in addition to 20% of any public spaces within 600 feet.
2. Street parking spaces shall remain available to the general public.
3. Certain roadway improvements may be required to accommodate street parking.
4. Due to physical constraints and/or roadway classifications, some roadways may not allow, or be suited for, street parking.

### B. OFF-STREET PARKING

1. *Location.*
  - a. All off-street parking areas shall be located at or behind any required parking setback line, as established in Part 4: District Standards, except for residential driveways.

- b. All or portions of the required off-street vehicle parking may be provided on a separate site located generally within 600 feet. The off-site location shall be either under the same ownership or officially allowed to be used by a lease agreement or other legal instruments. The off-site location shall be readily accessible by walking, transit, and/or shuttle service.
- c. The required number of accessible parking spaces shall be provided on-site or as designated on-street spaces that are adjacent to the site and directly accessible to a building entrance.

2. Size. The minimum dimensional requirements for parking spaces and drive aisles are listed in the following table, **Table 8.5: Dimensional Requirements**.

**TABLE 8.5: DIMENSIONAL REQUIREMENTS**

Parking Space Type		
	Minimum Width	Minimum Depth
Parallel	9 feet	22 feet
45, 60, or 90 Degree	9 feet	18 feet
Compact Space <sup>1</sup>	8 feet	16 feet
Tandem Space	9 feet	34 feet
Interior Drive Aisles		
	Minimum Width	
One-Way Traffic	12 feet	
Two-Way Traffic	20 feet	

General Notes:

1. Compact spaces may be used to satisfy up to 20 percent of the minimum required spaces for a site.

3. *Construction Requirements.*

- a. *Surface Material.*
  - i. Pervious surfaces approved by the County, such as grid pavers, grass, gravel, or crushed shell, are encouraged for surface parking lots.
  - ii. Non-paved surfaces of parking areas and associated drives shall be stabilized and provided with appropriate dust control.
  - iii. All accessible parking spaces and accessways shall be paved with asphalt, concrete or similar hard-surface material approved by the County.
- b. *Side/Rear Setback.* All parking spaces and driveways adjacent to single-unit residential properties shall maintain a minimum setback of 5 feet from all side and rear property lines. A setback is not required along alleys or for shared parking lots with cross access between separate properties.
- c. *Wheel Stops.* All landscape areas and pedestrian walkways which are perpendicular to parked vehicles shall be protected with wheel stops within each space to prevent vehicles from overhanging the landscaped area or walkway.

### C. RESIDENTIAL PARKING

1. *Tandem Parking.*
  - a. Tandem parking shall be permitted to be used for single-unit residential and multi-unit residential projects.
  - b. For multi-unit projects, up to 75% of the total off-street parking spaces provided may incorporate tandem parking. A tandem space shall be assigned to only one dwelling unit.
2. *Residential Driveway/Garage Parking.* When permitted to access a public street, a residential driveway shall comply with the following:
  - a. The portions of the driveway that connect to the public right-of-way may not exceed 20 feet in width.
  - b. Driveways that are used for parking shall provide at least 20 feet of depth, as measured from the adjacent street right-of-way, to prevent vehicles overhanging public sidewalks and/or streets.
  - c. The portion of the driveway located within the right-of-way shall be constructed of materials approved by the County.

### D. ACCESSIBLE PARKING

All accessible parking spaces shall be designed and constructed in compliance with the following:

1. *Minimum Size (Diagonal or Perpendicular Spaces).* 12 feet wide x 18 feet deep
2. *Access.*
  - a. All accessible spaces for the disabled shall be provided with a curb cut or curb ramp to a pathway, a minimum of 44 inches wide, to provide access to the building served. The stall shall be located so that users will not be compelled to maneuver behind parking vehicles. Two accessible parking spaces may share a common access aisle.
  - b. All accessible spaces shall have an adjacent access aisle measuring at least 60 inches wide. Parking access aisles shall be part of the accessible route to the building or facility entrance.
3. *Location.* When considering all of the parking on the site, the designated accessible spaces should be located closest to the primary building entrance. If there are multiple entrances or multiple retail stores, the accessible spaces must be dispersed to provide parking at the nearest building entrance.
4. *Surface Materials and Markings.*
  - a. All accessible spaces and accessways shall be paved with asphalt, concrete or similar hard-surface material approved by the County.
  - b. Accessible parking spaces shall be posted with a permanent above-grade

- sign bearing the international symbol of accessibility and the caption "parking by disable permit only."
- c. Each such parking space must be prominently outlined in blue paint. The property owner shall be responsible to repaint the spaces as necessary.

## **E. BICYCLE PARKING**

- 1. *Location.*
  - a. Bicycle parking shall be within 100 feet of a main entrance to the building.
  - b. For sites with more than one primary building, the bicycle parking shall be distributed evenly amongst the primary buildings and shall be within 100 feet of a main entrance.
- 2. *Bicycle Rack Design.*
  - a. Bicycle racks or similar features shall be provided with the primary purpose to allow bicycles to be securely attached to the apparatus. Sign poles, planters, and utility lines shall not be considered bicycle parking racks or used to satisfy the bicycle parking requirement.
  - b. Bicycle rack design shall accommodate a high security, U-shaped lock.
  - c. Bicycle racks shall be securely anchored to the ground, a building, or a paved surface.
  - d. Bicycle racks shall be constructed using decorative, durable finishes that are not damaged by the constant abrasion from bicycles.

## **8.5 OFF-STREET LOADING**

### **A. GENERAL**

- 1. No loading facilities are required.
- 2. Where provided, loading facilities shall be located to the rear or side of buildings and screened from view of any public street or space.
- 3. In no case shall the use of any loading space hinder the movement of vehicles and pedestrians over a street, alley, or sidewalk.

**DPH FBC**

# **PART 9**

## **DEFINITIONS**

# PART 9: DEFINITIONS

## A

**Accessory Dwelling Unit (ADU).** An independently functioning dwelling unit which is accessory to the primary use on the same lot and which has a separate kitchen with a cooking stove. These uses are sometimes referred to as "garage apartments," "Mother-in-Law Apartments," and/or "carriage houses."

**Accessory.** The term applied to a building, structure, or use which:

1. Is subordinate to and serves a primary building or primary use;
2. Is subordinate in area, extent, and purpose to the primary building or primary use served;
3. Contributes to the comfort, convenience or necessities of the users or occupants of the primary building or primary use; and
4. Is located on the same lot as the primary building or primary use and is in keeping with the purpose and intent of the District in which it is located.

**Activated Public Space.** An area located within the street-space that provides a place for active public interaction and activity, such as outdoor dining areas, plazas, or civic greens.

**Adaptive Reuse.** The renovation and reuse of pre-existing structures (such as a warehouse or residential home) for new purposes.

**Alley.** A route that provides service access behind/along-side individual properties and provides very short access between the property and higher classified roadways. Alleys serve as an important access to private property, parking, utilities, and trash collection.

**Alternative Energy Facility.** Public/private facilities that provide energy services that are alternative to fossil fuels, such as hydroelectric, wind, geothermal, or solar power.

**Appurtenance.** A minor element of a larger structure, such as a bay window, stairs, or light post.

**Architecturally Compatible.** Being constructed and/or designed to be complimentary to the architectural style and materials of a building.

**Arterial Street.** A route providing service to an urban area that is relatively continuous and of higher traffic volume, long average trip length, and high mobility importance.

**Artwork.** Drawings, pictures, symbols, paintings or sculptures which in no way identify a product or business and which are not displayed in conjunction with a commercial, for-profit or nonprofit enterprise.

**Assembly Use.** Facilities that provide shelter for public gathering and communal activities, including places of worship, or other assembly structures, including community halls, reception halls, wedding halls, and other similar facilities that provide a gathering place for community functions.

**Attached.** A building that is structurally connected to another building by a foundation, wall, or roof line.

**Automobile Sales/Rental.** Any building and premises which displays, demonstrates, sells, rents, or leases automobiles, motorcycles, pickup trucks, or other similar vehicles which includes a showroom enclosed within a building and open display area.

**Automobile Service/Repair.** Any modification, reconditioning, restructuring, rebuilding, or routine service of a motor vehicle or a motor vehicle component.

**Awning.** A roof-like covering, usually made of canvas or metal, and often adjustable, placed over a sidewalk, windows, or doors to provide protection from sun and rain.

## B

**Balcony.** An exterior platform attached to the upper floors of the building facade.

**Bed and Breakfast.** A residential structure, with no more than 15 sleeping rooms, which has been modified to serve as a transient public lodging establishment, which provides the accommodation and meal service generally offered by a bed and breakfast inn, and which is recognized as a bed and breakfast inn in the community in which it is situated or by the hospitality industry.

**Block.** An increment of land comprised of lots, alleys, and tracts bounded and not traversed by streets (pedestrian pathways are permitted).

**Buffer.** A strip of land, a fence/wall, and/or area or landscaping between one land use and another design and intended to separate those uses.

**Building.** Any structure having a roof supported by columns or walls designed or built for the support, shelter, or protection of persons, animals or property of any kind. When separated by division walls from the ground up and without openings, each portion of such building may be deemed as separate buildings and/or uses.

**Build-to Area.** The area between the designated minimum and maximum front setback requirements of a property, in which the minimum Building Frontage requirement shall be met entirely.

**Building Articulation.** The fragmentation of building form and surface in order to break up large, otherwise featureless spaces, masses or volumes into more human scaled components.

**Building Frontage.** The length of the facade of a building along the front property line(s) located within the Build-to Area.

**Building Projection.** Any element that extends beyond the front facade of a building, such as a porch, stoop, or awning.

## C

**Cemetery.** Land used or intended to be used for the permanent interment of human or pet remains. A cemetery may contain land or earth interment, mausoleum, vault, or crypt interment; a columbarium, ossuary, scattering garden, or other structure or place used or intended to be used for the interment or disposition of cremated human or pet remains; or any combination of one or more of such structures or places, as defined by Florida Law.

**Clearance.** The area between the finished floor and the ceiling of each story.

**Code Administrator.** The individual or group responsible for the implementation and enforcement of this Form-Based Code.

**Collector Street.** A route providing service which is of relatively moderate traffic volume and trip length. Collector roadways also collect and distribute traffic between local and arterial roads and serve as a linkage between land access and mobility needs.

**Common Lot Lines.** Lot lines shared by adjacent private lots.

**Corner Lot.** A lot that fronts on two or more streets and is located at the intersection of those streets.

**Courtyard.** A central portion of a building's facade that is set back, creating an open area typically utilized as a common entrance to multiple business/residences and/or shared open space.

## D

**Daycare (Adult/Child).** Any children's center, day nursery, nursery school, kindergarten, or family day care home as defined by Florida law.

**Detached.** A building that has no structural connection with another structure.

**Development Standards.** Regulations provided by this Code that provide specific conditions for the development/redevelopment and use of buildings and property. Development standards may also be referred to as development requirements or development regulations.

**District Map.** The implementing site plan for the development/redevelopment of the Downtown Palm Harbor Form-Based District that assigns a District designation to each property. Each designation then provides specific information for the disposition of buildings on a site and how it relates to the adjacent street-spaces, the overall district, and surrounding neighborhoods.

**Drive-Thru Facility.** An establishment, such as a bank, designed to enable customers in parked vehicles to transact business with persons inside of the primary building.

**Duplex/Semi-Detached Unit.** A building that contains two dwelling units on a lot that shares a portion of common walls or common floor/ceiling.

**Dwelling Unit.** Any structure or portion thereof designed for or used for residential purposes as a self-sufficient, individual unit, and having permanently installed sleeping, cooking, and sanitary facilities.

## E

**Easement.** A grant by a property owner to specific persons, the general public, corporations, utilities, or others for the purpose of providing services or access to and/or across the property.

**Eave.** The part of a roof that meets or overhangs the walls of a building.

## F

**Facade.** The building elevation facing a street. Building walls facing private interior courts, common lot lines, alleys, and common drives are not facades.

**Fence.** Any structure, solid or otherwise, which is a barrier and is used as a boundary or means of protection, confinement, or concealment.

**Fence, Decorative.** A fence that is made of PVC fence material, wrought iron, or aluminum pickets, or is a painted or stained shadow-box or board-on-board type fence.

**Fenestration (Facade Transparency).** Openings in the building wall, including windows and doors, allowing light and views between interior (private realm) and exterior (public realm). Fenestration is the measure of glass area (including mullions and similar window frame elements) and/or open area.

**Floor Area Ratio (FAR).** A ratio of square footage of gross building floor area to square footage of land area.

**Food/Drink Establishment.** An establishment serving food and/or beverages prepared on the premises, which are generally intended for immediate consumption.

**Form-Based Code.** A land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. A form-based code is a regulation, not a mere guideline.

**Foundation.** The supporting member of a wall or structure.

**Freeboard.** A factor of safety expressed in feet above a base flood elevation for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

**Frontage.** The location where a lot or other parcel abuts a street.

**Front Setback.** The horizontal distance between a structure's facade wall and the adjacent street right-of-way.

**Front Yard.** The horizontal space between the nearest wall of a building to the front lot line, extending to the side lines of the lot, and measured as the shortest distance from the wall to the front lot line.

**Fuel Station.** A structure, building, or premise or any portion thereof where a flammable fluid is stored, housed, and sold for supply to motor vehicles; and does not include any accessory motor vehicle servicing.

## G

**Greenhouse/Urban Farming.** A structure, primarily of glass, in which temperature and humidity can be controlled for the cultivation or protection of plants that is used for urban farming, which is the growing, processing, and distribution of food and other products.

**Government Facility.** Offices and other facilities such as city halls, courts, and similar buildings and structures used for administration, legislative and judicial governmental functions.

**Grocery/Market.** Retailers of food and grocery supplies, sometimes also including flower shops, pharmacies, bakeries, branch banks, and other complementary and incidental uses.

**Ground Floor Elevation.** The elevation of the ground level of a structure above the adjacent finished grade.

**Group Living.** Any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, regardless of whether operated for profit, which through its ownership or management provides housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator. Group living includes assisted living facilities (ALFs), group homes, and congregate care facilities.

**Gross Floor Area.** The total square footage of all areas within a structure.

## H

**Hedge Row.** A continuous arrangement of shrubs for the purpose of screening or dividing spaces which are planted and maintained to create an open space or provide a buffer.

**Height, Building.** Generally, the vertical distance measured up to the eave of the roof on a building from the adjacent grade level.

**Historic Buildings, Structures, and Sites.** Buildings, structures, and sites designated as a "Contributing Property" as per Chapter 146 of the Pinellas County Land Development Code.

**Home Occupation.** An accessory use in a residential area consisting of an occupation or activity performed entirely within a dwelling or authorized accessory structure. The home occupation is to be clearly incidental and secondary to the use of the dwelling purposes and shall not change the residential character thereof.

**Hospital.** An establishment, typically operating 24 hours a day, providing medical, diagnostic, and treatment services including physician, nursing, specialized accommodations, emergency medical services, and other health services to in-patients.

**Hotel.** A building or group of buildings containing lodging units intended primarily for rental or lease to short-term visitors by the day or week, and which may provide accessory services such as restaurants, meeting rooms, and recreation facilities. Does not include condo hotels.

## I

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

**Infill.** The development of vacant parcels/lots within previously built areas. These areas are already served by public infrastructure, such as transportation, water, wastewater, and other utilities.

**Inn.** A structure, with no more than 15 sleeping rooms, providing temporary short-term lodging accommodations. Individual rooms shall not contain any kitchen facilities, and must be accessed through a central internal lobby, foyer, or office.

**J**

**K**

**Kennel.** Any property where 5 or more dogs, cats, or other similar animals over the age of 4 months are kept, raised, cared for, trained, sold, bred, boarded, treated, or groomed for commercial purposes.

**L**

**Laboratory.** A place providing the opportunity for experimentation, observation, or practice in a field of study.

**Library/Museum.** A civic building utilized for the reading, referencing, or lending of literary and artistic materials and/or devoted to the acquisition, conservation, study exhibition, and educational interpretation of objects having scientific, historical, or artistic value.

**Live Theater/Cinema.** A building, room, or outdoor structure used for the presentation of live plays, films, or other dramatic performances and/or an establishment used for showing movies or motion pictures.

**Live/Work.** A structure or portion of a structure combining residential living space with an integrated workspace intended to be used by one of the residents.

**Local Street.** A route providing service which is of relatively low traffic volume, short average trip length, and high land access for abutting properties. Local roadways are further classified as major or minor.

**Local Street, Major.** Major locals provide basic access in higher density residential neighborhoods and commercial and industrial areas.

**Local Street, Minor.** Minor locals provide basic access in lower density residential neighborhoods and commercial and industrial areas.

**Lot.** An area of land designated on a recorded plat as an individual tract.

**Lot, Corner.** A lot that fronts on two or more streets and is located at the intersection of two or more streets.

**Lot, Through.** A lot that fronts on two or more streets, but not at the immediate intersection of those streets.

**Lot, Multi-Frontage.** A lot with more than one public street frontage, such as a corner or through lot.

**Lot Coverage.** The portion of any lot occupied by permanent structures and hard, impervious surfaces. Lot coverage does not include pervious surfaces, such as crushed shell, gravel, or grass pavers.

**Low Impact Development (LID).** Systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality and associated aquatic habitat. LID systems include, but are not limited to, rain gardens, bio-swales, vegetable swales, or pervious pavers.

## M

**Manufacturing/Production, Heavy.** A use engaged in the base processing and manufacturing of materials or products predominately from extracted raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

**Manufacturing/Production, Light.** Establishments engaged in the manufacturing, compounding, processing, packaging, storage, assembly, production, and/or treatment of finished or semi-finished products from previously prepared materials. Fabrication, assembly, processing, finishing work, or packaging, employing only electric or other substantially noiseless and inoffensive motor power, utilizing hand labor or quiet machinery and processes, and free from neighborhood disturbing agents such as odors, gas, fumes, smoke, cinders, refuse matter, electromagnetic radiation, heat or vibration; and with no outside storage of materials or finished goods.

**Medical Clinic.** A facility engaged in the examination, diagnosis, and treatment of medical related conditions. Medical clinics can offer urgent/immediate care services, but do not include overnight facilities for patients.

**Microbrewery/Winery/Distillery.** A facility used for the production and packaging of malt beverages, wine, and/or spirits for the distribution, retail, or wholesale on or off-premise, with a capacity of not more than 15,000 barrels of beer/cider; 100,000 gallons of wine; or 15,000 gallons of spirits per year. The development could include other uses such as a restaurant, tasting room, or live entertainment.

**Mixed-Use.** A combination of uses on a single property.

**Multi-Frontage Lot.** A lot with more than one public street frontage, such as a corner or through lot.

**Multi-Unit Residential.** Three or more dwelling units, attached to each other by a stacking arrangement and with common vertical and horizontal walls, where primary access to those units is shared.

**Mural.** Artwork that is executed directly on a wall of a building and are not displayed in conjunction with a commercial, for-profit or nonprofit enterprise.

## N

**Neighborhood Grocery/Market.** A smaller-scaled facility specializing in the retail sales of food, typically specializing in fresh produce and/or meat products. A neighborhood grocery/ market is distinguished from a grocery store/market in that they typically do not include accessory flower shops, pharmacies, bakeries, branch banks, etc.

**Non-Conforming.** A use, structure, lot or parcel, or combination thereof, that was lawfully established according to the rules and regulations in force at the time of its establishment, but would be prohibited, restricted or further regulated under the terms of this code.

**Non-Contributing Buildings, Structures, and Sites.** Buildings, structures, and sites not designated as a "Contributing Property" as per Chapter 146 of the Pinellas County Land Development Code.

## 0

**Office Building.** A building or group of buildings utilized for typical office uses, such as administrative, executive, professional, research, doctor, dental, or other similar entities.

## P

**Parcel.** Any individual tract of land under unified ownership.

**Parking, Compact Space.** A parking space dimensionally sized to accommodate a compact motor vehicle.

**Parking, Rideshare/Drop-Off Space.** A designated area and/or parking space(s) solely dedicated for pickup and drop-off of customers and employees.

**Parking, Tandem Space.** A single parking space designed to accommodate two motor vehicles parked back to back of one another.

**Parking, Use.** Surface or structured parking areas that are a primary use on a lot or parcel.

**Parking Setback Line.** The minimum setback for all on-site parking, as established for each District. No vehicles are permitted to be parked in front of the parking setback line on-site.

**Passenger Terminal.** Premises used by an establishment for the boarding or discharge of people being transported by bus, train, or boat. This does not include individual transit shelters, such as a typical bus stop.

**Pedestrian-Oriented.** Designed and scaled in a way to accommodate and increase the comfort and safety of pedestrians.

**Pervious.** A surface material that allows water to pass through, such as crushed shell, gravel, or grass pavers.

**Playground.** An open space, generally less than 1 acre, designed and equipped for the play of children. A playground is usually fenced and may include an open shelter.

**Porch.** A structure that extends along the outside of a building consisting of a floor that is typically raised above the finished horizontal elevation of the lot. The porch is unenclosed except for a balustrade and the flooring and may be roofed or open to the sky. When located within the front yard, the porch typically provides a primary access into the structure. When provided primary access, the design elements of the porch are typically consistent with those of the attached structure and include the finish materials of any exterior surface, stem wall materials and/or foundation skirting.

**Primary.** The most dominant use, building, or structure on a lot or parcel.

**Primary Frontage.** The street frontage of a lot with the highest Street Type Classification.

**Public Realm.** The public realm comprises the streets, sidewalks, squares, parks, green spaces and other outdoor places that require no key to access them and are available for everyone to use and enjoy.

**Public Safety, Use.** Facilities that provide safety and emergency services, such as police stations, fire departments, or ambulance stations.

## Q

## R

**Rear/Side Yard.** The horizontal space between the nearest wall of a building to the rear or side property line.

**Recreation/Fitness (Indoor).** Privately owned indoor facilities focused on offering amusement, recreation, personal instruction, and/or equipment or facilities for exercising and improving physical fitness; such as schools or dance, gymnastics, martial arts, athletic courts, skating rinks, batting cages, or other similar indoor activities and establishments.

**Recreation/Fitness (Outdoor).** Privately owned outdoor facilities focused on offering amusement, recreation, personal instruction, and/or equipment or facilities for exercising and improving physical fitness; such as outdoor swimming pools, skateboard parks, arenas, or other similar activities and establishments.

**Redevelopment.** Includes the reconstruction, conversion, structural alteration, relocation or enlargement of an existing building on a previously developed property.

**Retail Building.** A building or group of buildings in which business activities customarily provide retail convenience goods and the sale of merchandise to end users.

**Right-of-Way (ROW).** The area of a highway, road, street, or way reserved for public use, whether established by prescription, dedication, gift, purchase, eminent domain, or any other legal means.

## S

**School, Pre-K - 12.** An institution for pre-kindergarten, kindergarten, elementary, middle, and high school education.

**School, Trade/College.** An institution of higher education and/or for vocational or professional training for trades. Trade/Colleges also include related facilities, such as classroom buildings, libraries, laboratories, dormitories, administration, and dining halls that are incorporated into a unified campus.

**Secondary Frontage.** Any street frontage adjacent to a lot/parcel other than the primary frontage.

**Setback.** The horizontal distance between a structure and another structure, a property line, a right-of-way line, a body of water or other specific point.

**Setback, Front.** The horizontal distance between a structure's facade wall and the adjacent street right-of-way.

**Setback, Side/Rear.** The horizontal distance between a structure's walls and a rear or side property line.

**Shade Tree.** Typically a deciduous tree, but also may include coniferous trees with spreading canopies such as pine species native to Florida.

**Short-Term Vacation Rental.** An individual dwelling unit that is rented to an individual or party more than 3 times per calendar year for a lease term that is no more than 30 consecutive days.

**Shrub.** A woody plant that is smaller than a tree and has several main stems arising at or near the ground.

**Side/Rear Yard.** The horizontal space between the nearest wall of a building to the rear or side property line.

**Sign.** Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, architectural style or design or writing to advertise, attract attention, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public. "Sign" includes the sign structure.

**Sign, Attached.** Any sign attached to, on, or supported by any part of a building (e.g. walls, integral roof, awning, windows, projecting or canopy) which encloses or covers usable space.

**Sign, Electronic Changeable Message.** A sign or portion of a sign that displays electronic static images, static graphics, static pictures, or non-pictorial text information in which each alphanumeric character, graphic, or symbol is defined by a small number of metric elements using different combinations of light emitting diodes, fiber optics, light bulbs, liquid crystal or any other emerging illumination technology within the display area. Electronic changeable messages include computer programmable, microprocessor-controlled electronic displays. Electronic changeable messages include images or messages with these characteristics projected onto buildings or other objects. Electronic changeable message sign shall not include any sign that does not maintain a static image for a minimum dwell time of 60 seconds or such other minimum dwell time that is expressly permitted under this Code.

**Sign, Freestanding.** Any sign supported by structures or supports that are placed on or anchored in the ground and that are independent of any building or other structure.

**Sign, Projecting.** Any sign affixed perpendicularly to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

**Sign, Sandwich Board.** A portable sign which is ordinarily in the shape of an "A" or some variation thereof.

**Sign, Temporary.** Any sign that is not a permanent sign and shall include a sign formerly or commonly associated with a temporary use or structure, a temporary election sign, a temporary political sign, a temporary free expression sign, a temporary real estate sign, a temporary directional sign, a temporary construction sign, a temporary grand opening sign, or any other temporary sign unless otherwise provided herein. The term "temporary sign" shall not include any substitution of message on an existing lawful sign or sign structure.

**Sign Structure.** Any structure which is design specifically for the purpose of supporting a sign, has supported or is capable of supporting a sign. This definition shall include any

decorative covers, braces, wires, supports, or components attached to or placed around the sign structure.

**Single-Unit Residential, Attached.** A dwelling unit on a single lot or on multiple lots with zero lot lines, attached to one or more single-unit dwellings by a common vertical wall, where individual access is provided to each unit.

**Single-Unit Residential, Detached.** A dwelling unit in a single structure, on a single lot, not attached to any other dwelling by any means.

**Stacking Space.** The parking spaces within a drive-thru queue to accommodate waiting vehicles.

**Stoop.** An entry platform on the facade of a building. Stoops may be roofed but are not enclosed.

**Stormwater.** The flow of water which results from, and which occurs immediately following a rainfall event.

**Story.** That portion of a building (both habitable space and parking areas) included between the surface of any floor and the surface of the floor next above it, or if there is not floor above, the space between the floor and ceiling above it.

**Street.** A public right-of-way intended for the use of vehicular and pedestrian traffic.

**Street-Space.** All space between fronting buildings (streets, squares, plazas, pedestrian pathways, civic greens, sidewalks, quadrangles, parks) - including any transit service operator passenger platform - but not garage entries or alleys.

**Street Tree.** A planted tree that is an element of the street-space.

**Structural Alteration.** Any extension, reduction, enlargement or rebuilding of the structural components of a building or structure. This shall not include any routine plumbing, electrical, or mechanical repairs.

**Structure.** Any building or other object that is constructed or erected that requires location on or under the ground or is attached to something on the ground. Such term includes a movable structure, while it is located on land, which can be used for housing, business, commercial, agriculture, or office purposes, either temporarily or permanently, including all caging designed to contain livestock. This definition shall include all decks which exceed one foot in height. Fences a maximum of six feet high, sidewalks, patio slabs, driveways, containers (tanks) covered by other codes, and utility poles are not considered structures except for permit requirements.

## T

**Temporary.** Established for a limited and fixed period of time with the intent to discontinue upon the expiration of the time period.

**Through Lot.** A lot that fronts on two or more streets, but not at the immediate intersection of those streets.

**Tree.** A woody plant with an expected mature height of 35 feet or more and possessing either a single trunk or multiple trunks. Trees are often described in subcategories by common attributes and the functions they serve, such as: accent tree or shade tree.

**Tree, Accent.** An understory tree planted primarily for its aesthetic value and as a landscape focal point, as opposed to its function of shading or screening even though it may perform all three functions.

**Tree, Shade.** Typically a deciduous tree, but also may include coniferous trees with spreading canopies such as pine species native to Florida.

**Truck Maintenance/Fueling.** A facility designed and used to provide services to the trucking industry including, but not limited to, fuel stations, repair shops, truck washes, restaurants, convenience stores, weight scales, and shower facilities, all as part of a unified facility.

## U

**Urban Arterial Street.** A route providing service to an urban area that is relatively continuous and of higher traffic volume. Urban arterials are characterized by slower traffic speeds with pedestrian infrastructure, such as sidewalks and multimodal paths.

**Urban Housing.** Housing types typically found in urban areas, including, but not limited to upper story apartments, townhomes, rowhouses, mid-rise apartments, and multiplex buildings.

**Usable Floor Area (UFA).** All usable areas located within a structure, excluding any floor area used for incidental service, storage, mechanical equipment rooms, restrooms, parking areas (such as garages) and other similar areas. Where these areas have not yet been designated, UFA shall be considered to be 85% of the gross floor area.

**Use, Accessory.** The term applied to a use that:

1. Is subordinate to and serves a primary use;
2. Is subordinate in area, extent, and purpose to the primary use served;
3. Contributes to the comfort, convenience or necessities of the users or occupants of the primary use; and
4. Is located on the same lot as the primary use, provided such use is in keeping with the purpose and intent of the District in which it is located.

**Use, Primary.** The most dominant use on a lot or parcel.

**Use, Temporary.** A land use established for a limited and fixed period of time with the intent to discontinue such use upon the expiration of the time period.

**Utility Plant/Substation.** A building, structure, or property used for the distribution or transmission of utilities such as water, gas, electricity, or sewer.

## V

**Vet Clinic.** A place designed or prepared to provide medical attention to or care for dogs, cats, and other pets in return for compensation, but do not contain any outdoor kennels for boarding animal containment.

## W

**Wall, Decorative.** A wall that is made of masonry with a stucco finish; has a finish of natural materials, such as brick, stone, or glass block; or has a finish which is accepted of use in the industry.

**Warehouse.** Establishments that ship, store, and distribute, but do not sell goods within completely enclosed structures. Warehouse uses may provide a range of services related to the distribution of goods, such as labeling, breaking bulk, inventory control and management, light assembly, order entry and fulfillment, packaging, pick and pack, price marking and ticketing, and transportation arrangement. Bonded warehousing and storage services are included in this category.

**Workshop/Arts.** Establishments that typically produce high-quality or distinctive products generally in small quantities, usually by hand or using traditional methods. Examples include, but are not limited to, glass blowing, jewelry making, woodworking, baking and traditional food product making.

## X

## Y

**Yard, Front.** The horizontal space between the nearest wall of a building to the front lot line, extending to the side lines of the lot, and measured as the shortest distance from that wall to the front lot line.

**Yard, Side/Rear.** The horizontal space between the nearest wall of a building to the rear or side property line.

## Z

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