

a. ~~Large-scale development.~~ The setback for any building from Gulf Boulevard, excluding any secondary small-scale bonus commercial uses facing and adjacent to Gulf Boulevard and structured parking, shall be a minimum of 100 feet or one-third of the average depth of buildable site, measured from the Gulf Boulevard right-of-way line to the Florida Coastal Construction Control Line, as may be amended from time to time, whichever is less. However, in no event shall the front setback from Gulf Boulevard be less than 75 feet, subject to section 35.9(b) below for existing buildings to remain on-site as part of the overall unified development site plan.

b. ~~Entire site demolition.~~ All other development that is not large-scale development as defined in section 35.2 or any buildable site that is entirely demolished, shall provide a minimum setback from Gulf Boulevard of 75 feet, or one-quarter of the average depth of the buildable site, measured from the Gulf Boulevard right-of-way line to the Florida Coastal Construction Control Line, as may be amended from time to time, whichever is less. However, in no event shall the front setback from Gulf Boulevard be less than 60 feet.

c. ~~Secondary small-scale commercial any building containing small-scale bonus commercial uses~~ shall be setback a minimum of 20 feet from Gulf Boulevard. Building frontage shall occupy no less than 75 percent of the street frontage along Gulf Boulevard. Main building entrances shall be visible and directly accessible by the pedestrian from Gulf Boulevard and shall have a street-level storefront character in compliance with the General Redevelopment design standards contained in division 39.

(2) ~~Side yard.~~ All development shall provide a combined minimum side yard setback equal to at least 30 percent of the lot width, with a minimum of 20 feet on one side, not to exceed 60 feet combined for both side setbacks, subject to section 35.9(b) below for existing buildings to remain on-site as part of the overall unified development site plan.

All temporary lodging use development abutting beaches. For the purposes of this division only, any non-structural, active or passive recreational facilities shall be allowed to be placed within any portion of the side yard setback provided that if public beach access is located within the side yard setback, such access is maintained and integrated into the design and location of the active or passive recreational facilities provided. Such facilities may include, but are not limited to, swimming pools, tennis courts, playgrounds and parks.

(3) ~~Rear yard all development.~~ The rear yard setback for all development abutting the Gulf beaches shall be the Florida Coastal Construction Control Line or St. Pete Beach Coastal Construction Control Line, whichever is more restrictive.

Buildable sites that do not abut the Gulf beaches shall provide a minimum rear setback of 20 feet.

(4) ~~Side street.~~ All development that has parcel boundaries abutting a side street shall provide a minimum side street setback of 30 feet. For all buildable sites abutting Gulf Boulevard, all streets except Gulf Boulevard shall be defined as a side street for purposes of this division 35.

(b) ~~Partial site redevelopment.~~ All development that does not involve entire site demolition shall conform to the required setbacks set forth in section 35.9(a) above to the maximum extent practical and feasible. Non-conforming setbacks that exist on only those portions of the site where existing building(s) will remain as part of the overall redevelopment site plan shall be permitted; however, setback non-conformities shall not be increased, including by variance, for any new construction. In the case of side yard setbacks, if one side yard is adjacent to an existing building with a non-conforming setback, the minimum side yard setback for only that portion of the site immediately parallel to the location of the existing building or portion thereof resulting in the non-conforming setback, shall be increased from a minimum side yard setback of 20 feet to a

~~minimum side yard setback of 30 feet. This minimum side yard setback of 30 feet shall not include the non-conforming side yard setback distance; and further, all other areas of the site not affected by any existing building that may or may not comply with the setbacks provided herein, shall comply with all setbacks provided in section 35.9(a) above. Compliance with setback requirements shall not cause undue hardship upon the owner and/or applicant. For example, the owner and/or applicant shall not be required to remove, reconstruct, other otherwise alter existing paved surfaces or structures to comply with these setback requirements.~~

~~(Ord. No. 2008-11, § 1, 6-3-08)~~

Sec. 35.10. Temporary lodging amenity requirements and restrictions.

~~Within the LR Large Resort District, temporary lodging uses shall, at a minimum, comply with the following:~~

~~(a) Temporary lodging operational and occupancy restrictions, limitations and prohibitions. All temporary lodging uses shall be subject to the operational and occupancy restrictions, limitations and prohibitions provided in section 39.6 contained in division 39 of the LDC.~~

~~(b) Temporary lodging services and amenity requirements.~~

~~1. The following guest amenities are the minimum required for all new development of temporary lodging uses regardless of size or density:~~

~~a. Housekeeping services;~~

~~b. Swimming pool or spa;~~

~~1. Outdoor swimming pool(s) shall not be calculated as part of the floor area ratio permitted.~~

~~c. Fitness facility; and~~

~~d. Business center.~~

~~2. The following guest amenities are the minimum required for all large-scale development of temporary lodging use and one or more of these amenities are strongly encouraged for all other temporary lodging uses:~~

~~a. Concierge services;~~

~~b. Restaurants and other food services that include full service of a minimum of two meals daily open to the public as well as hotel guests;~~

~~c. Retail space serving hotel guests and the public; and~~

~~d. Meeting rooms or conference facilities available to serve the public and hotel guests.~~

~~3. Temporary lodging uses permitted prior to the adoption of these regulations are exempt from the requirements of this section 35.10(b).~~

~~(Ord. No. 2008-11, § 1, 6-3-08)~~

Sec. 35.11. Maximum impervious surface ratio (ISR).

~~(a) In general. The maximum impervious surface ratio for any new development or redevelopment project regardless of size shall be as follows:~~

~~(i) Temporary lodging use shall not exceed 0.85; or~~

~~(ii) Residential use shall not exceed 0.70; or~~

~~(iii) Combined temporary lodging and residential uses. In the event a portion of a development site is redeveloped in part as temporary lodging use and in part as residential use subject to the limitations and restrictions set forth in this division, the impervious surface ratio shall be provided for each use as required above on a pro-rated basis per acre dedicated to each use; and~~

~~(iv) Variances to exceed impervious surface ratio (ISR) requirements shall be prohibited.~~

~~(Ord. No. 2008-11, § 1, 6-3-08)~~

~~Sec. 35.12. Energy and environmental building and site design standards.~~

~~All development in the Large Resort District shall comply with a minimum of two of the eight standards contained in section 39.9 relating to energy and environmental design for new construction and major renovation. Any project that exceeds the minimum requirements of this section 35.12 and any minimum standards required to obtain two or more of the green building and green development certifications listed in section 39.9 located in division 39 of this Code, shall be eligible for, and receive credits against, community improvement impact fees provided for in division 41 and pursuant to section 39.9 of this Code.
(Ord. No. 2008-11, § 1, 6-3-08)~~

~~Sec. 35.13. Community involvement.~~

~~All development within the Large Resort District shall be subject to the community involvement requirements contained in division 39.
(Ord. No. 2008-11, § 1, 6-3-08)~~

~~Sec. 35.14. Other development standards and administrative site plan approval.~~

~~All other development, design, and landscape standards applicable to the use permitted in division 35, shall be required as part of the administrative site plan review and approval process provided in division 5, sections 5.1 and 5.2 of the Land Development Code. Such requirements and standards include, but are not limited to, those set forth in:~~

- ~~(a) Division 7, General Zoning Regulations; and~~
- ~~(b) Division 22, Landscape and Tree Protection; and~~
- ~~(c) Division 39, Community Redevelopment District General Standards; and~~
- ~~(d) Division 40, Affordable Housing; and~~
- ~~(e) Division 41 Impact Fees.~~

~~(Ord. No. 2008-11, § 1, 6-3-08)~~

Sec. 30.1. Purpose and intent.

The TC-1 Town Center Core District is established as the government and business center of the city and is intended to support medium to high intensity land uses. The Town Center Core District exists to accommodate neighborhood commercial uses and downtown residential development in a pedestrian-friendly environment. Residential uses will only be permitted as a component of a mixed-use development and shall not be allowed on the ground level of any structure.

Sec. 30.2. Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the TC-1 Town Center Core District are as follows:

- (a) Financial institutions without drive-through service.
- (b) Government buildings and other public or civic facilities, including parks and recreation facilities and transit stations and stops.
- (c) Office uses.
- (d) Personal service businesses such as barbershops, beauty shops, day spas, tailoring, garment alteration and repair, shoe repair, pet grooming, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact.
- (e) Printing and copying.
- (f) Residential uses as a component of mixed-use development only. Residential uses shall not be allowed on the ground floor level of any structure.
- (g) Eating and drinking establishments with or without outdoor seating. Drive-through service is not permitted.
- (h) Retail
- (i) Theaters, cinemas and other indoor commercial entertainment facilities.
- (j) Artist studios.
- (k) Grocery stores and pharmacies without drive through service.

Sec. 30.3. Permitted accessory uses and structures.

- (a) Electric vehicle charging stations.
- (b) Uses and structures, as regulated in sections 6.12 and 6.13, which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures and are not of a nature prohibited under section 30.5.
- (c) Home occupations, subject to the conditions set forth in section 6.5 of this Code.
- (d) Temporary uses under the provisions of section 6.11 of this Code.

Sec. 30.4. Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the TC-1 Town Center Core District are as follows:

- (a) Automobile service stations with related services. Such uses shall only be allowed on lots which front directly on 75th Avenue.
- (b) Financial institutions with drive-through service.
- (c) Pharmacies with drive-through service.
- (d) Public or private parking structures.
- (e) Bed and Breakfast Inns, subject to the following:

1. In addition to any density and intensity which may be allowed, the city shall also establish a reserve of units, not to exceed 50 total temporary lodging units for the entire Town Center Core District, which shall be allocated by ordinance of the city commission upon request of an individual property owner on a first come, first serve basis. Such allocation shall not exceed ten units per acre, or a total of ten units per redevelopment project. The remaining number of available reserve temporary lodging units shall be specified in each city commission ordinance allocating such units and each such ordinance shall provide that no units beyond those remaining available shall be allocated to any subsequent project. This limitation shall be absolute and shall apply regardless of the proposed size or density of the project requesting such allocation.

Sec. 30.5. Prohibited uses and structures.

- (a) All uses and structures not of a nature specifically or conditionally permitted herein are hereby prohibited in the TC-1 Town Center Core District.
- (b) Any use which has been determined under the provisions of Chapter 46 of the Code of Ordinances to be potentially noxious, dangerous or offensive to residents of the district or to those who pass by on public roadways, or are likely for other reasons to be incompatible with the character of the district, is hereby prohibited in the TC-1 Town Center Core District. Uses which are not listed as permitted shall be prohibited, including the following:
 - (a) Manufacturing, storage or distribution as a primary use, except artisanal uses.
 - (b) Enameling, painting, or plating, except as an artist's studio. Such use must be limited exclusively to the interior of the structure.
 - (c) Carting, moving or hauling yards.
 - (d) Prisons or halfway houses.
 - (e) The manufacture, storage, or disposal of any hazardous wastes or materials.
 - (f) Scrap yards.
 - (g) Kennels, except as an ancillary use to a police station, veterinary office, or dog grooming facility.

Sec. 30.6. Density and intensity.

- (a) Single use or multi-tenant non-residential uses shall not exceed a FAR of 1.00, exclusive of the area of any structured parking.
- (b) The residential density of mixed-use developments shall not exceed 15 units per acre.
- (c) Mixed-use developments with at least one level of residential use shall receive an additional FAR of 0.45, for a total allowable FAR of 1.45.
- (d) Both maximum commercial FAR and maximum residential density shall be available based upon the entire site area, and the presence of one shall not limit the density or intensity of the other.

Sec. 30.7. Building height.

- a. Twenty-eight (28) feet for an exclusively nonresidential uses; or
- b. Forty (40) feet for bed and breakfasts and buildings containing nonresidential uses mixed with residential uses.

Sec. 30.8. Setbacks.

a. Setbacks are as follows:

<u>Front yard:</u>	<u>0 feet minimum; 5 feet maximum on Corey Avenue</u>
	<u>5 feet minimum; 15 feet maximum on all other streets.</u>
<u>Side yard:</u>	<u>0 feet on Corey Avenue</u>
	<u>10 percent of lot width on each side on all other streets.</u>
<u>Rear yard</u>	<u>5 feet on Corey Avenue</u>
	<u>10 feet on all other streets.</u>

Sec. 30.9. Maximum impervious surface ratio.

Maximum impervious surface ratio (ISR) for all uses shall not exceed 0.90.

Section 30.10. Minimum Off-Street Parking Requirements

Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading.

Section 30.11 Landscaping

Shall be in accordance with the requirements of Division 22 of the Land Development Code, Landscaping and Tree Protection.

30.12 Design Requirements

Shall be in accordance with the requirements of Division 39.

34.12 Signs

Shall be in accordance with Division 26.

DIVISION 35 (LR) LARGE RESORT DISTRICT

Sec. 35.1. Purpose and intent.

The Large Resort District is intended to primarily support and encourage full-service integrated resort redevelopment projects to promote economic balance and compatibility of land uses. Large Resort District regulations provide higher density and intensity of temporary lodging use than provided in any other district in the city to support and encourage redevelopment of resort hotels and in consideration of the larger size and depth of the parcels that are adjacent to the Gulf beaches.

Sec. 35.2. Definitions.

The following terms are defined and shall apply to development and redevelopment within the Large Resort District only:

(a) Large-scale development. Shall mean development or redevelopment of a buildable site that:

1. Is three acres in size or greater; and
2. New construction exceeds 67 percent of the combined aggregate floor area of new and existing principal buildings, structured parking and accessory structures that constitute the entire unified development scheme on the buildable site.
3. Large scale development may also include secondary commercial uses pursuant to section 35.3.

(b) Small-scale development shall mean all other developments that fall below the thresholds of Large-scale development.

Sec. 35.3. Permitted principal and secondary uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this code, permitted uses and structures in the LR District are as follows:

(a) Primary uses.

- (1) Temporary lodging uses, including hotels, motels, resort condominium hotels;
- (2) Multi-family residential.

(b) Secondary uses.

Secondary commercial uses may be developed as an additional nonresidential use bonus floor area that is not located within the principal building, provided that the secondary commercial development is constructed with a minimum of 200 temporary lodging units. Secondary commercial uses include:

- (1) Retail;
- (2) Eating and drinking establishments, including bars and cocktail lounges, with or without outdoor seating;
- (3) Indoor commercial entertainment facilities;
- (4) Vehicles for hire;

Sec. 35.4. Permitted accessory uses and structures.

- (a) Uses and structures, as regulated in sections 6.12 and 6.13, which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures and are not of a nature prohibited under section 35.5.

- (b) A temporary lodging use may include accessory uses such as management office space, housekeeping facilities, security and maintenance areas, recreational facilities, restaurants, bars, and other eating and drinking establishments, guest office centers, concierge services, personal service uses, retail uses, meeting rooms and conference areas, fitness centers, spa facilities, parking structures, and other uses commonly associated with temporary lodging uses, subject to the intensity limits established in Section 35.7(d)(2).
- (c) Home occupations for residential uses only, subject to the conditions set forth in section 6.5 of this Code. Home occupational licensing shall be prohibited for any temporary lodging unit and any affordable workforce living accommodation.
- (d) Temporary structures under the provisions of section 6.11 of this Code.

Sec. 35.5. Prohibited uses and structures

- (a) All uses and structures not of a nature specifically or conditionally permitted herein are hereby prohibited in the LR District.

Sec. 35.6 Variances

- (a) Variances to any maximum development standard established in the comprehensive plan, including but not limited to density, intensity, impervious surface ratios, and height, shall not be granted.

Sec. 35.7. Density and Intensity.

- (a) Density limitations on temporary lodging uses mixed with residential uses. Residential and temporary lodging units are permitted to be developed as separate buildings within the same development site or combined within one building, provided that a minimum of 200 temporary lodging units shall be constructed on the development site subject to the height limitations provided in section 35.8. Density shall be calculated based upon the pro rata acreage allocated to each land use. Temporary lodging units existing, or approved to be developed or redeveloped in the LR District shall be prohibited from converting to residential dwelling units that exceed the density limitation of 15 residential dwelling units per acre based on the pro-rata acreage.
- (b) Density limitations on temporary lodging lockout units: For the purposes of this division, lockout temporary lodging units shall count against specified density limitations. A lockout unit shall be defined as a room or rooms with sanitary facilities, with or without cooking facilities, which is attached and has access to a temporary lodging unit by means of a door or doors that are lockable from within the lockout unit, and that has a separate lockable access to the public areas or corridors. A lockout unit is capable of being functionally separated from the temporary lodging unit to which it is attached and rented as a separate room.
- (c) Density.
 - (1) Existing and/or small scale development, as defined in section 35.2 above, shall not exceed the following density:
 - a. 50 temporary lodging accommodation units per acre; or
 - b. 15 residential units per acre.

(2) Large-scale development as defined in section 35.2 above shall not exceed the following density:

- a. 75 temporary lodging units per acre excluding any affordable housing bonus that may be approved pursuant to 35.7(b)(3) below; or
- b. 15 residential units per acre; or
- c. A combination of residential and temporary lodging units which shall be prorated on an acreage basis allocated to each use, provided that a minimum of 200 temporary lodging units will be constructed on the development site.

(3) Affordable housing density bonus. An affordable housing density bonus shall be permitted for large-scale temporary lodging use as follows:

- a. A temporary lodging unit density bonus shall be permitted up to, but shall not exceed an additional five bonus units per acre for every one affordable unit provided.
- b. Any on-site affordable workforce units shall be prohibited from being advertised or otherwise used for guest temporary lodging or home occupational licensing purposes and shall be exclusively used for providing affordable on-site living accommodations for employees eligible for low income or very low income status as defined by the applicable county and city rules and guidelines;
- c. A legally enforceable restrictive covenant in a form and content acceptable to the City shall be required as a condition of site plan approval and recorded in the public records of Pinellas County.

(d) Intensity.

- (1) Existing and small scale development. Floor area ratio shall not exceed 1.8.
- (2) Large-scale development Floor area ratio shall not exceed 2.6.
- (3) Secondary commercial as part of a large scale development: Secondary commercial uses permitted in section 35.3(b) shall not exceed an additional floor area ratio of 0.15 of the buildings site.
- (4) On-site parking structures are exempt from the floor area ratio limits.

Sec. 35.8. Building height.

(a) Restrictions and limitations. The maximum height for each use within the LR District shall not exceed:

- (1) Residential use only. Building height shall not exceed 50 feet.
- (2) Mixed temporary lodging/residential uses in same building. Building height shall not exceed 50 feet regardless of development site size for any building containing temporary lodging units and residential units.
- (3) Temporary lodging use only.
 - a. Development of a temporary lodging use that does not exceed 50 units per acre shall not exceed 100 feet.
 - b. Large-scale development of a temporary lodging use that exceeds 50 units per acre shall not exceed 146 feet.
- (4) Secondary bonus commercial uses. Buildings containing the secondary commercial uses described in section 35.3(b) shall not exceed a maximum height of 28 feet.

Sec. 35.9. Setbacks.

(a) Any conforming use or structure built prior to the adoption of these regulations is exempt from the setback requirements of 35.9. Additions to existing structures and all new construction shall comply with the required setbacks below:

(1) Front Yard:

- a. Large-scale development. The setback for any building, excluding any secondary small-scale bonus commercial uses facing and adjacent to the Gulf Boulevard right of way and parking structures located behind secondary commercial uses, shall be a minimum of 100 feet or one-third of the average depth of buildable site, measured from the front property line to the Florida Coastal Construction Control Line, as may be amended from time to time, whichever is less. However, in no event shall the front setback from Gulf Boulevard be less than 75 feet.
 - b. Small Scale development. All small scale development as defined in section 35.2(b) shall provide a minimum setback of 75 feet, or one-quarter of the average depth of the buildable site, measured from the front property line to the Florida Coastal Construction Control Line, as may be amended from time to time, whichever is less. However, in no event shall the front setback be less than 60 feet.
 - c. Secondary bonus commercial. Any building containing small-scale bonus commercial uses shall be setback 20 feet from Gulf Boulevard right of way. Main building entrances shall be visible and directly accessible by the pedestrian from Gulf Boulevard and shall have a street-level storefront character in compliance with the General Redevelopment design standards contained in division 39. Parking shall not be placed within the front yard setback or in front of the secondary commercial use.
 - d. Parking structures located behind secondary retail uses are exempt from the setbacks in 35.9 (a) (1) a.
- (2) Side yards for Large and Small scale development: Large and small scale development shall provide a combined minimum side yard setback equal to at least 30 percent of the lot width, with a minimum of 20 feet on one side, not to exceed 60 feet combined for both side setbacks.
 - (3) Side yards for Secondary bonus commercial uses: Secondary bonus commercial uses shall have a minimum 15 foot side yard setback.
 - (4) Rear yards. The rear yard setback for all development abutting the Gulf beaches shall be the Florida Coastal Construction Control Line or St. Pete Beach Coastal Construction Excavation Setback Line, whichever is more restrictive. Buildable sites that do not abut the Gulf beaches shall provide a minimum rear setback of 20 feet.
 - (5) Secondary front yards. All development that has parcel boundaries abutting a side street shall provide a minimum secondary front yard setback of 30 feet.

Sec. 35.10. Temporary lodging amenity requirements and restrictions.

Within the LR Large Resort District, temporary lodging uses shall, at a minimum, comply with the following:

(a) Temporary lodging operational and occupancy restrictions, limitations and prohibitions. All temporary lodging uses shall be subject to the operational and occupancy restrictions, limitations and prohibitions provided in Division 39 of the LDC.

(b) Temporary lodging services and amenity requirements.

- (1) The following guest amenities are the minimum required for all new development of temporary lodging uses regardless of size or density:
 - a. Housekeeping services;
 - b. Swimming pool or spa;
 - c. Fitness facility; and
 - d. Business center.
2. The following guest amenities are the minimum required for all large-scale development of temporary lodging use and one or more of these amenities are strongly encouraged for all other temporary lodging uses:
 - a. Concierge services;
 - b. Restaurants and other food services that include full service of a minimum of two meals daily open to the public as well as hotel guests;
 - c. Retail space serving hotel guests and the public; and
 - d. Meeting rooms or conference facilities available to serve the public and hotel guests.
3. Existing temporary lodging uses are exempt from the requirements of 35.10(b).

Sec. 35.11. Maximum impervious surface ratio (ISR).

(a) In general. The maximum impervious surface ratio for any new development or redevelopment project regardless of size shall be as follows:

- (1) Temporary lodging uses with or without secondary commercial uses shall not exceed 0.85; or
- (2) Residential use shall not exceed 0.70; or
- (3) Combined temporary lodging and residential uses. In the event a portion of a development site is redeveloped in part as temporary lodging use and in part as residential use subject to the limitations and restrictions set forth in this division, the impervious surface ratio shall be provided for each use as required above on a pro rated basis per acre dedicated to each use.

Section 35.12. Minimum Off-Street Parking Requirements

Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading.

Section 35.13 Landscaping

Shall be in accordance with the requirements of Division 22 of the Land Development Code, Landscaping and Tree Protection.

35.14 Design Requirements

Shall be in accordance with the requirements of Division 39.

35.15 Signs

Shall be in accordance with Division 26.