

1.7. Zoning Map Amendments (Quasi-Judicial Application)

1.7.1. Purpose and Intent

- A. A zoning map amendment is undertaken to accommodate changes to the official zoning map for changed conditions or changes in public policy, to implement the Comprehensive Plan, or to advance the general welfare of the City.

1.7.2. Specific Application Requirements

- A. At minimum, a zoning map amendment application shall include, as part of or in addition to the requirements set out in Section 1.2:
 - 1. Narrative explaining justification for the zoning map amendment.
 - 2. All data and maps required to support conclusions made in responses to specific findings in Sec. 1.7.~~43~~.
 - 3. Any additional information deemed necessary by the Zoning Administrator to conduct a full analysis of the impact of the proposed amendment on the LDR.

1.7.3. Planned District Zoning Amendments

- A. **Purpose and Intent.** The planned district zoning district shall be utilized to promote efficient and economical land use, appropriate and harmonious variety in physical development, creative design, and the protection of adjacent and nearby existing and future city development. Regulations for planned district zoning districts are intended to accomplish the purpose of zoning, subdivision regulations and other applicable city regulations on a unified development approach rather than on a lot by lot basis. In view of the substantial public advantages of the planned zoning district, it is the intent of the city to promote and encourage development in this form where tracts suitable in size, location and character for the uses and structures proposed are to be planned and developed as a unified and coordinated development.
- B. **Additional Application Requirements.**
 - 1. Evidence of unified control of all land within the proposed planned district zoning district.
 - 2. The applicant shall, by ordinance or separate written, signed, and notarized Development Agreement, agree to:
 - a. Proceed with the proposed development according to the provisions of this chapter and such conditions as may be set forth as a condition of approval for the development;
 - b. Provide agreements, contracts, deed restrictions and sureties acceptable to Council for completion of the development according to the provisions and plans approved at the time of acceptance of the area for a Planned District, and for continuing operation and

3.6.2. Electric Vehicles and Charging Standards

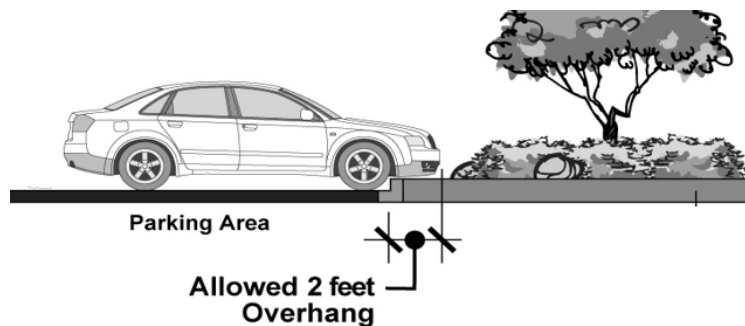
A. Purpose, Intent, and Applicability

1. **Purpose and Intent.** Electric vehicles are an important emerging technology, as recognized by the Legislature of the State of Florida, and the intent of this Code is to adequately accommodate them.
2. **Applicability.** Provision for electric vehicle charging must be provided in accordance with this Code. Government facilities allowing public access and ~~M~~multifamily housing with fifty (50) or more parking spaces ~~is-are~~ required to provide elective-electric vehicle parking at the point of new development or redevelopment subject to the standards of this section (see Tables 3.6.1 to 3.6.6). Voluntary installations of electric vehicle parking spaces by non-residential uses shall follow the standards set out in this section.

B. Parking and Charging Standards

1. **Parking.**
 - a. Electric vehicle parking spaces shall, at a minimum, be equipped with an electric vehicle charging station rated at electric vehicle charging Level 2 or higher.
 - b. Electric vehicle parking spaces shall be painted green, or shall be marked by green painted lines or curbs.
 - c. Each electric vehicle parking space shall be marked by a sign designating the parking space as an electric vehicle parking space, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) of the Federal Highway Administration.
2. **Fees.** Nothing herein shall prohibit the charging of a fee for the use of an electric vehicle charging station by a resident, guest, invitee, or employee.
3. **ADA Accessible Spaces.** A minimum of one (1) electric vehicle parking space must be located adjacent to a required accessible parking space such that the electric vehicle charging station can be shared between an accessible parking space and an electric vehicle parking space. An accessway between the two spaces shall be provided at a minimum width of five (5) feet. The accessible parking space shall be designated as an EV reserved space. Electric Vehicle Supply Equipment (EVSE) accessible spaces should have all relevant parts located within accessible reach, and in a barrier-free access aisle for the user to move freely between the EVSE and the electric vehicle.
4. **Lighting.** Site lighting, shielded and projected downward in accordance with Section 3.9, Lighting, shall be provided where an electric vehicle charging station is installed.
5. **Equipment Standards and Protection.**
 - a. Battery charging station outlets and connector devices shall be between 36 inches and 48 inches from the surface where mounted. Equipment mounted on pedestals, lighting

Figure 3.7.5.4 Encroachment into Divider Medians



5. **Curbing and Wheel Stops.** Concrete curbing shall be provided within all parking areas to prevent vehicles from encroaching onto and overhanging required plantings, sidewalks, rights-of-way or adjacent property. Wheel stops shall be consistent with Section 3.64.54.: Design Standards.
6. **Protection of Existing Native Plant Communities.** Consistent with the standards for preservation of existing trees and plant communities in Chapter 89, Section 3: Tree Preservation, Protection and Replacement, credit for applicable plant material may be approved by the Director in determining allowance to modify parking and access aisles. In the case of a tree that may be counted towards a tree preservation credit, said tree must be graded by a licensed arborist and approved by City staff to be in good health.
7. **Lighting.** Parking lot lighting shall not be located such that it prevents the installation of required trees, or that required trees will block lighting. Parking lot lighting layout and heights shall meet the standards as set forth in Section 3.97: Lighting.

6.7. Residential Garage Sales

- A. Purpose and Intent.** This section is intended to establish frequency and duration standards and a registration procedure for garage sales. Garage sales are considered a temporary use. In lieu of a temporary use permit, a registration procedure, described below, shall be the means to monitor and enforce the standards of this section.
- B. Definition of a Garage Sale.** For the purpose of this section the term garage sale shall mean the sale of personal belongings or household effects (e.g. furniture, tools, clothing, etc.) at the seller's premises, typically held in a garage and/or yard. The term garage sale shall be considered equivalent with the terms yard sale, estate sale and other terms that convey the same meaning.
- C. Garage Sale Standards.** Garage sales conducted in the city shall comply with the following standards:
1. Garage sales shall be allowed in residential districts as defined in Section 2: Zoning.
 2. Any one address in a residential district shall have no more than four (4) garage sales during a calendar year and the duration of such garage sales shall not exceed three (3) consecutive days.
 3. Garage sales shall be open to the public no earlier than 7:00 a.m. and no later than 6:00 p.m.
 4. Placement of temporary signs shall be subject to the standards contained in Section 3.53: Signs.
- D. Registration Procedure.** The resident of the premises in which a garage sale will be held shall register the temporary use with the city no later than three business days in advance of the first day of the garage sale in accordance with the registration procedure established by the planning and zoning department.

7.3. Manager of Historic Resources

- A. General Duties and Responsibilities.** The City Manager shall appoint a Historic Resources Manager (HRM) who shall serve as the City's Historic Preservation Officer and provide needed expertise and advice to the HAPB on historic preservation matters. The HRM will be responsible for processing all National and Local Register applications, developing and maintaining the inventory of historic architectural properties, providing educational opportunities regarding historic preservation, and furthering public participation in local historic preservation and architectural programs. The HRM will also perform such other duties, activities, and reporting as necessary to help the City maintain a CLG designation.
- B. Specific Review Authority.** The HRM shall also be responsible for reviewing and approving all requests for alterations, additions, and renovations for non-Nolen Era properties ~~than that~~ are included on the Local Register using the appropriate guidelines promulgated by the Secretary of the Interior. Any appeals of the HRM's decisions shall be heard by the HAPB. The HRM may also defer decisions on proposed changes to non-Nolen Era properties to the HAPB.

- G.** Upon receipt of a nomination form, including necessary documentation, the following review process shall occur:
- 1.** The ~~HPM-HRM~~ shall review the nomination for completeness and accuracy. If the ~~HPM-HRM~~ determines the nomination is incomplete or inaccurate, the applicant shall be so notified and provided an opportunity to revise the nomination.
 - 2.** Once a nomination is accepted as complete and accurate, City staff shall schedule a public hearing for consideration of the nomination within ninety (90) days at a regular meeting of the HAPB. Notice shall be provided consistent with Section 1.2.E.2. & 3. The ninety (90) days may be extended by written consent of the property owner.
 - 3.** The HAPB shall consider the criteria set forth in Section 7.7.C. and render a recommendation to City Council including a determination of suitability for inclusion on the Local Register. The recommendation to City Council shall include specific findings and conclusions as to why the nomination does or does not meet the appropriate criteria.
 - 4.** The City Council shall be the final decision authority on nominations to the Local Register. The City Council shall consider HAPB's recommendation at its next available regular meeting.
 - 5.** Whenever City Council denies a nomination, no further nomination shall be filed for the same historical resource for a period of one year from the date of such denial. The time limit stated herein may be waived by the Council when this action is deemed necessary in the best interests of the City.
- H.** Local Register designations may be amended or rescinded through the same procedures for establishing the designation in subsection G. above.

8.5 Nonconforming Structures

- A. Maintenance and Repair of Nonconforming Structures.** Nonconforming structures may be maintained or repaired so long as there is no increase in floor area. All maintenance and repair related to life-safety issues or changes to the Florida Building Code, as confirmed by the building official, are not subject to the limitation on additional square footage.
- B. Replacement and Restoration of Nonconforming Structures.**
1. Nonconforming structures destroyed or rendered unusable by an act of government, fire, natural disaster or other such loss that is not a direct result of the action or intent of the owner, lessee, tenant, or other interest in the property, may be replaced or restored to a safe pre-disaster condition, including but not limited to the same density, intensity, square footage per unit for residential properties, building setbacks, building height, and architectural design and uses. Modifications required to comply with current FEMA National Flood Insurance Program and Florida Building Code regulations shall be allowed. Otherwise, nonconforming structures may only be replaced or restored in compliance with the provisions of this Code.
- ~~2.1. If replacement, restoration or alteration of a nonconforming structure beyond its original configuration requires a modification of Code standards, then the appropriate height exception, design alternative, or variance must be sought.~~
- C. Alteration of Nonconforming Structures.** A nonconforming structure may be altered provided:
1. Such alteration is restricted to the same lot on which the structure existed when the nonconforming situation was created.
 2. Such alteration does not result in increased or new nonconformities.
 3. When structures are nonconforming in setbacks due to the provisions of this Code, alterations may be made to such structures provided there is no increase in the setback(s) encroachment, and all other setbacks meet the requirements of this Code. However, this does not preclude the ability to obtain a variance, through the appropriate procedure provided for in this Code, to address the nonconforming setbacks or generally allow reduced setbacks.
- ~~D. If replacement, restoration or alteration of a nonconforming structure beyond its original configuration requires a modification of Code standards, then the appropriate height exception, design alternative, or variance must be sought.~~

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1.15.3. Minor Site and Development Plan

A. Purpose and Intent. Minor site and development plans are designed to ensure that development is carried out in compliance with this LDR, other applicable codes and ordinances, and the Comprehensive Plan. The limited nature, scope, and impact of such development activities are deemed to be minimal and may be administratively processed by staff.

B. Applicability.

B-1. A minor site and development plan is required for development and redevelopment of property, or to amend an approved site and development plan when all of the following apply:

1.a. The thresholds of Section 1.9 are not met.

2.b. The requirements of the Comprehensive Plan and LDR are clearly met.

3.c. It is unlikely, in the opinion of the Director, to have an impact on neighboring properties.

2. Minor revisions to approved landscape plans may be approved administratively by the Director.

3. Owing to the nature, scope, or possible cumulative impacts of a land development project, the Director may require any project to be processed as a major site and development plan application to be reviewed and acted upon by the Commission, consistent with Section 1.9. If there is doubt as to which category is applicable, the category requiring greater review shall be required.

C. Specific Application Requirements. In addition to the requirements set out in Section 1.2, at minimum, an application for a minor site and development plan must contain the following:

1. Site plan that contains the overall project layout; includes the title of the project and the name and contact information for the developer, property owner, and all applicable engineers, architects, planners, and any other professionals providing information as part of the project documents; date and north arrow; and is based on an exact survey of the property drawn to a scale of sufficient size to show existing and proposed information:
 - a. The boundaries of the project, any existing streets, buildings or other structures, watercourses, easements and section lines;
 - b. Access and traffic flow and how vehicular traffic will be separated from pedestrian and other types of traffic;
 - c. Off-street parking and off-street loading areas with typical cross sections;
 - d. Landscaped areas with standards and typical cross sections;
 - e. Typical lighting components and photometric plan.
 - f. Location of compatibility requirements with typical cross sections (if any);
 - g. Refuse collection areas;

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1.15.4. *Minor Preliminary Plat Amendment*

- A. Purpose and Intent.** The purpose of a minor preliminary plat amendment permit is to allow for changes in an approved subdivision without requiring a replat. All changes resulting from a minor amendment must be compliant with the applicable Binding Master Plan or zoning district requirements.
- B. Applicability.** A minor preliminary plat amendment shall be required for changes to lot size, street layout/design, lakes, open space, landscaping, and land use areas associated with an approved preliminary plat. Revisions and adjustments to these features may be permitted by the Director upon a determination that the proposed revisions or adjustments are minor and would not necessitate a public hearing before the Commission.

1.10.1. Preliminary Plat (Quasi-Judicial Application)

- A. Purpose and Intent.** The preliminary plat provides the City the opportunity to review, and the public an opportunity to comment on, a proposed subdivision layout prior to construction of infrastructure and other physical improvements. A preliminary plat provides the map or delineated representation indicating the proposed layout of a subdivision consistent with the Comprehensive Plan and zoning for the subject property.
- B. Application Requirements.** Site improvements such as parking lot improvements, utility design (stormwater, reclaimed water, water and wastewater), paving and grading plan, and best management plans shall be signed and sealed by a state-licensed professional engineer on each sheet. Landscaping plan shall be signed and sealed by a state-licensed landscape architect ~~and/or a state-licensed professional engineer~~. The application shall, at minimum, include the following, as part of or in addition to the requirements set out in Section 1.2:
1. A preliminary plat plan set containing the title of the project and the names, addresses and telephone numbers of the project planner, utility suppliers, the engineer of record and the surveyor of record, and date and north arrow. The preliminary plat plan set must be based on an exact survey of the property drawn to a scale of sufficient size to show:
 - a. Boundaries of the project, along with any existing streets, buildings, watercourses, easements, and section lines;
 - b. Location of all existing and proposed buildings and structures;
 - c. Location of proposed use areas;
 - d. Natural features, such as lakes, marshes, swamps, watercourses, land subject to flooding and wooded areas;
 - e. The proposed location and width of streets, alleys and easements; all lot dimensions proposed street names; and cross-sections of each street type;
 - f. Access and traffic flow and how vehicular traffic will be separated from pedestrian and other types of traffic;
 - g. Tracts or parcels for off-street parking and off-street loading areas;
 - h. Tracts or parcels dedicated for recreation use or amenities;
 - i. Landscaping plan, including types, sizes and location of vegetation and decorative shrubbery, showing provisions for irrigation and maintenance, and showing all existing trees, identifying those trees to be removed, including calculations for required tree inches, protections, and mitigation consistent with Chapter 89 of this LDR, and including a separate sheet showing the landscape plan with a utility overlay;
 - j. Analysis of compatibility requirements demonstrating compliance with Section 4 of this LDR;
 - k. Refuse collection areas (if applicable);

3.5.2. Exempt Signs

- A. Types of Exempt Signs.** The following signs may be erected in any zoning district without securing a permit, subject to meeting all requirements of this Code:
1. Any sign integrated into or on an ATM, coin-operated machine, gasoline pump, telephone booth, vending machine, or similar equipment or machine.
 2. A sign carried by a person.
 3. Professional nameplates or occupational buildings signs not exceeding two square feet in area.
 4. Memorial signs or names of buildings that do not exceed four square feet in area.
 5. Government signs located in public right-of-way or on public property.
 6. Vehicle signs, provided the vehicle is operable, has a current State of Florida registration, is regularly used by the business, and does not meet any definition of a prohibited vehicle sign in 3.5.1.B.19.
 7. One flagpole per property is allowed. The flagpole must be no higher than the maximum height for the zoning district, as measured at ground level. Flagpoles shall be no closer than ten feet from the property line.
 8. Murals on buildings or structures are exempt, provided the mural does not advertise or promote any product, business logo, or business. Murals that provide a depiction or rendering of scenery, recreation, habitat, or leisure activities are exempt. Murals which advertise or promote a product, business logo, or business shall be categorized as a wall sign.
 9. Historic designation or registry signs (e.g. John Nolen Historic District, Golden Beach) or similar.
 10. Portable signs (may also be referred to as “sandwich board” or “sidewalk” signs). Portable signs shall be:
 - a. Non-illuminated;
 - b. Sufficient to meet adopted accessibility standards with respect to sidewalks and travel widths, obstructions, etc.;
 - c. Removed at close of business daily;
 - d. Limited to one per business;
 - e. Located within 10 feet of the business entrance; and
 - f. No greater than 6 square feet in area.
 11. Directional signs (entrance, exit, drive-thru, etc.) on nonresidential use lots are exempt, subject to the following standards:

- a. The name and/or logo of the business or organization may be included on the face of the sign, provided that at least one-half of the area of the sign face provides directional information.
- b. A nonresidential lot or parcel shall have only one directional sign at any entrance to the lot located within the front setback. The directional sign shall provide directional information for no more than one business or organization. The maximum area of such signs shall be four square feet.
- c. The number of directional signs outside the front yard shall not be limited and the maximum area of such signs shall be two square feet.

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12. Window signs, subject to the following:

- 13.a. May only be placed on windows with primary street frontage;
- 14.b. Shall not exceed a maximum of two signs per tenant of any building;
- 15.c. Shall have a total maximum area of 25% of the window, except an upper story total maximum area may increase by 10 percent; and
- 16.d. Shall have a maximum height per sign of 2 feet and a maximum width per sign of 10 feet, except the height and width of an upper story sign may increase by 10 percent.

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7. Window Signs

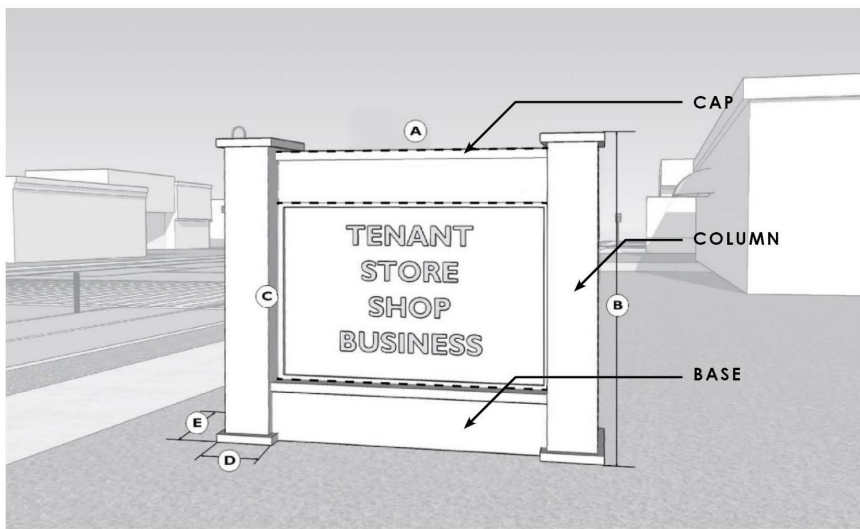


1.—Description	A window sign is an on-premise sign attached flat but parallel to the inside of a window or is within 12" of the inside of the window.
2.—Location and Number	Window signs may only be placed on windows with primary street frontage. A maximum of two signs are allowed per tenant of any building.
3.—Size	A.—Area: Maximum 25% of the window A.—Height: Maximum 2' A.—Width: Maximum 10'
4.—Miscellaneous	The area (A) and height (B) of window signs located in an upper story may increase by 10 percent. Window signs include posters, bulletins, or non-flashing illuminated signs, which may be displayed on the interior or exterior surface of a window or door.

8.7. Sculpture Signs.

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2. Monument Signs



1. Description	A freestanding ground sign with a supporting structure with two columns on the end of the sign. A monument sign is not attached, supported or suspended to or from any building or structure. All monument signs shall include <u>three separate and distinct features</u> : base, cap, and columns. <u>Each of these features must be distinguishable by form, finish, or other means besides color.</u> All ground signs shall be in the form of monument signs, except directory signs, and shall include the physical address on the sign.
2. Location and Number	1 sign per frontage maximum.
3. Size	<p>Sign Area and Height:</p> <p><u>A.</u> Sign Width: Maximum 10'.</p> <p><u>A-B.</u> Sign Height: Maximum 9' if adjacent to a roadway with a posted speed limit of <u>30 mph or less AND less than four lanes; otherwise, maximum 15'.</u></p> <p><u>B-C.</u> Column Height: Maximum 15'.</p> <p><u>C-D.</u> Sign Area: Maximum 75 square feet.</p> <p><u>D-E.</u> Column Width: <u>Minimum 6"/Maximum 16".</u></p> <p><u>E-F.</u> Column Length: Maximum 18".</p>

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7.8.1. Certificate of Architectural Compliance (CAC)

A. Applicability.

1. A CAC is required for the following within the HV and VT districts:
 - a. All new structures, including accessory structures.
 - b. New carports and canopies.
 - c. Any exterior alteration to a street or alley facing elevation which requires a building permit, unless exempted by this section.
 - d. When there is an alteration to a facade or elevation that requires a CAC (excluding a minor alteration where a minor alteration is \$7,500 or less to construct, not including design and permit fees), then the entire elevation or facade shall be brought into compliance with the regulations. Other elevations or facades are not required to be brought into compliance at that time.
 - e. Any color change to a nonresidential or multifamily residential structure. For properties within the HV District, color changes for single family and single family attached structures must comply with the colors of the VHP but are not required to obtain a CAC. For properties within the VT District, color regulations do not apply to single family and attached single family structures.
2. A CAC will also be required for all Nolen-Era properties included on the Local Register.

B. Exceptions.

1. No CAC shall be required for the following:
 - a. Detached single family and attached single family residential properties in the VT District not on the Local Register.
 - b. Minor maintenance and repair work where such work does not require a building permit in either the HV or VT District.
 - c. Accessory structures that are screened to adjoining properties or rights-of-way with a wall or fence or intervening principal structure.
 - d. Screened enclosures where such enclosures are screened by a fence or wall from adjacent rights-of-way.
 - e. Signs in either the HV or VT District.
 - e-f. Actions required to repair damage to a structure caused by natural forces, fire, or other events beyond the control of the owner unless the total cost of the repairs (which include material and labor) exceeds 50 percent of the market value of the structure as it existed prior to the damage as determined by the Sarasota County Property Appraiser or as determined by a more recent appraisal.
 - f-g. Replacement of only windows and doors provided there is no change in the size of the openings and provided the replacement doors and windows comply with the VHP.

h. Structures in either the HV or VT District that are not constructed in the VHP style but are on the Local Register are subject to review by the Historic Resources Manager.

g.i. Structures in either the HV or VT District that are not constructed in the VHP style but are historically significant or substantially constructed in a different architecturally significant style (such as, but not limited to, the Sarasota School of Architecture).

h.j. The Director or designee shall determine whether an exception applies and may defer such a decision to the HAPB.

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7.10.9. *Fences and Walls*

- A. **Height.** Fences and walls shall be between three (3) and six (6) feet in height or as specified by the zoning district and provide a continuous straight edge along the top of the fence or wall.
- B. **Materials.** Walls shall be of a masonry (with stucco), natural stone or combination of multiple materials similar to the material and style of the façade of the primary building. Fence materials are limited to painted decorative aluminum, solid wooden (shadow box or similar style) or non-white vinyl fences.

C.1. Placement. Wooden and vinyl fences are permitted in side and rear yards only. ~~Fences~~ and shall be set back a minimum of four feet from the intersection of the front wall facing the street and the finished side of the fence shall face the abutting property.

D.C. Variation. Fences and walls shall provide variation in wall plane and include unique character by incorporation of openings, pilasters, or trim.

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Table 2.2.2.A. RSF Development Standards Table

RSF Development Standards Table					
		RSF-1	RSF-2	RSF-3	RSF-4
Building Height (max)		35'			
Building Height Exception Standards		No Height Exceptions may be granted			
Building Placement (Setbacks) (min)	Front (Street)	20'			
	Side	18' combination of sides		15' combination of sides	
		8'		6'	
	Rear	10'			
	Waterfront	20'			
Lot	Width (min)	100'	80'	75'	50'
	Area (min)	15,000 sq. ft.	10,000 sq. ft.	7,500sq. ft.	5,000 sq. ft.
	Coverage (max)	35%			
Density (dwelling units per acre)		2.5	3.5	4.55.0	5.5

4. Permitted Exceptions to Setbacks.

- a. Roof overhangs, up to a maximum of three (3) feet, are permitted into a setback.
- b. Stairwells and balconies shall not intrude into a setback. A design alternative may be approved by the Planning Commission as part of a preliminary plat, so long as stairwells and balconies do not overhang more than a maximum of three (3) feet into a setback.
- c. Fences, walls, and landscaping are permitted to be located up to the property line.

~~5. **Mechanical Equipment.** Mechanical equipment (including any heating, cooling, venting, pool or spa equipment, and similar equipment or appurtenance serving a structure), attached decks, poles, posts, children's play equipment and other customary yard accessories, ornaments, statuary and furniture are permitted in a yard subject to height limitations and requirements limiting obstructions to visibility, and shall not be any closer than three (3) feet from the property line.~~

d. Side yard setback exceptions. Where lots of record existed prior to the effective date of the ordinance from which this chapter is derived, which lots do not meet the minimum width requirements set out in this chapter, then for such lots, and only for such lots, the following minimum side yard setbacks are set out:

<u>District</u>	<u>Lot Width (feet)</u>	<u>Side Yard (feet)</u>
<u>RSF-1</u>	<u>Over 70 to 90</u>	<u>8</u>
<u>RSF-1</u>	<u>Up to 70</u>	<u>6</u>
<u>RSF-2</u>	<u>Up to 70</u>	<u>6</u>
<u>RSF-3</u>	<u>Over 50 to 70</u>	<u>6</u>
<u>RSF-3</u>	<u>Up to 50</u>	<u>5</u>
<u>RSF-4</u>	<u>Up to 50</u>	<u>5</u>
<u>OPI</u>	<u>Up to 50</u>	<u>5</u>
<u>OPI</u>	<u>Over 50 to 70</u>	<u>6</u>
<u>OPI</u>	<u>Over 70 to 90</u>	<u>8</u>

~~a.~~

B. Yards. Yards are different from building setbacks as they define the types of uses and activities that are permitted within lots as defined by the front, side, and rear yards. A yard shall be defined as an unoccupied area that is open and unobstructed from the ground except where otherwise permitted by this Code, on the same lot as a principal building.

- 1. **Yard (Front).** The area of the lot that extends between the side lot lines, from the front lot line to the building. Vehicle parking is allowed in the front yard only when permitted in Section 3.4: Parking. Each lot shall identify its front yard. Easements shall not be considered a public right-of-way or private street for the purpose of designating a front yard and front setback. Swimming pools may only be permitted in the front yard through a variance as defined in Section 1.13: Variances.

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- 2. **Yard (Side).** The area of the lot that extends from the front yard line to the rear yard line and from the building to the side property line.
- 3. **Yard (Rear).** The area of the lot that extends between the side lot lines, from the rear lot line to the building.
- 4. **Yard (Waterfront).** The area of a waterfront lot that extends from the mean high-water line of the adjacent water body to the building. For the purpose of this definition, any yard abutting a waterfront (the Gulf of Mexico, Roberts Bay, the Intracoastal Waterway, and any channels that access these bodies of water) shall be considered a waterfront. Stormwater facilities and retention ponds shall not be considered in this definition.

5. Permitted Exceptions to Yards.

- a. Attached **unroofed** decks, poles, posts, children’s play equipment and other customary yard accessories, ornaments, statuary and furniture are permitted in a yard subject to height limitations and requirements limiting obstructions to visibility, and shall not be any closer than three (3) feet from the property line.

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~~a. 4. Side yard exceptions. Where lots of record existed prior to the effective date of the ordinance from which this chapter is derived, which lots do not meet the minimum width requirements set out in this chapter, then for such lots, and only for such lots, the following minimum side yards are set out:~~

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District	Lot Width (feet)	Side Yard (feet)
RSF-1	Over 70 to 90	8
RSF-1	Up to 70	6
RSF-2	Up to 70	6
RSF-3	Over 50 to 70	6
RSF-3	Up to 50	5
RSF-4	Up to 50	5
OP1	Up to 50	5
OP1	Over 50 to 70	6
OP1	Over 70 to 90	8

B. Parking and Charging Standards

1. Parking.

- a. Electric vehicle parking spaces shall, at a minimum, be equipped with an electric vehicle charging station rated at electric vehicle charging Level 2 or higher.
- b. Electric vehicle parking spaces shall be painted green, or shall be marked by green painted lines or curbs.
- c. Each electric vehicle parking space shall be marked by a sign designating the parking space as an electric vehicle parking space, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) of the Federal Highway Administration.

2. Fees.

Nothing herein shall prohibit the charging of a fee for the use of an electric vehicle charging station by a resident, guest, invitee, or employee.

3. ADA Accessible Spaces.

A minimum of one (1) electric vehicle parking space must be located adjacent to a required accessible parking space such that the electric vehicle charging station can be shared between an accessible parking space and an electric vehicle parking space. An accessway between the two spaces shall be provided at a minimum width of five (5) feet. The accessible parking space shall be designated as an EV reserved space. Electric Vehicle Supply Equipment (EVSE) accessible spaces should have all relevant parts located within accessible reach, and in a barrier-free access aisle for the user to move freely between the EVSE and the electric vehicle. A design alternative may be proposed where an alternative configuration of spaces would still achieve the intent of this subsection.

4. Lighting.

Site lighting, shielded and projected downward in accordance with Section 3.9, Lighting, shall be provided where an electric vehicle charging station is installed. Design alternatives may be proposed where facilities are not open for use during hours of darkness.

5. Equipment Standards and Protection.

- a. Battery charging station outlets and connector devices shall be between 36 inches and 48 inches from the surface where mounted. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designed and located so as to not impede pedestrian travel or create trip hazards on sidewalks. Adequate battery charging station protection, such as concrete-filled steel bollards, shall be used. Curbing may be used in lieu of bollards if the battery charging station is set back a minimum of 24 inches from the face of the curb.
- b. Electric vehicle charging stations shall contain a retraction device, coiled cord, or a fixture to hang cords and connectors above the ground surface.

6. Required signage.

- a.—Information shall be posted identifying voltage and amperage levels and any type of use, fees, or safety information related to the electric vehicle charging station.

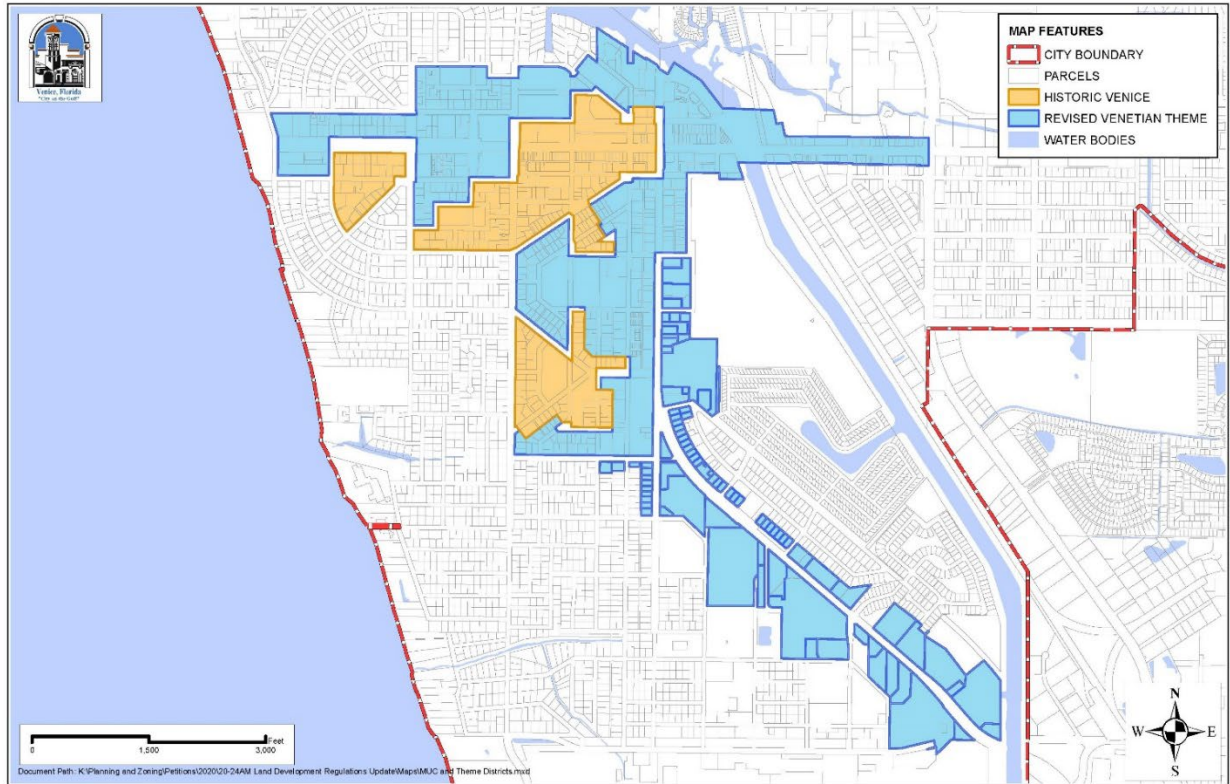
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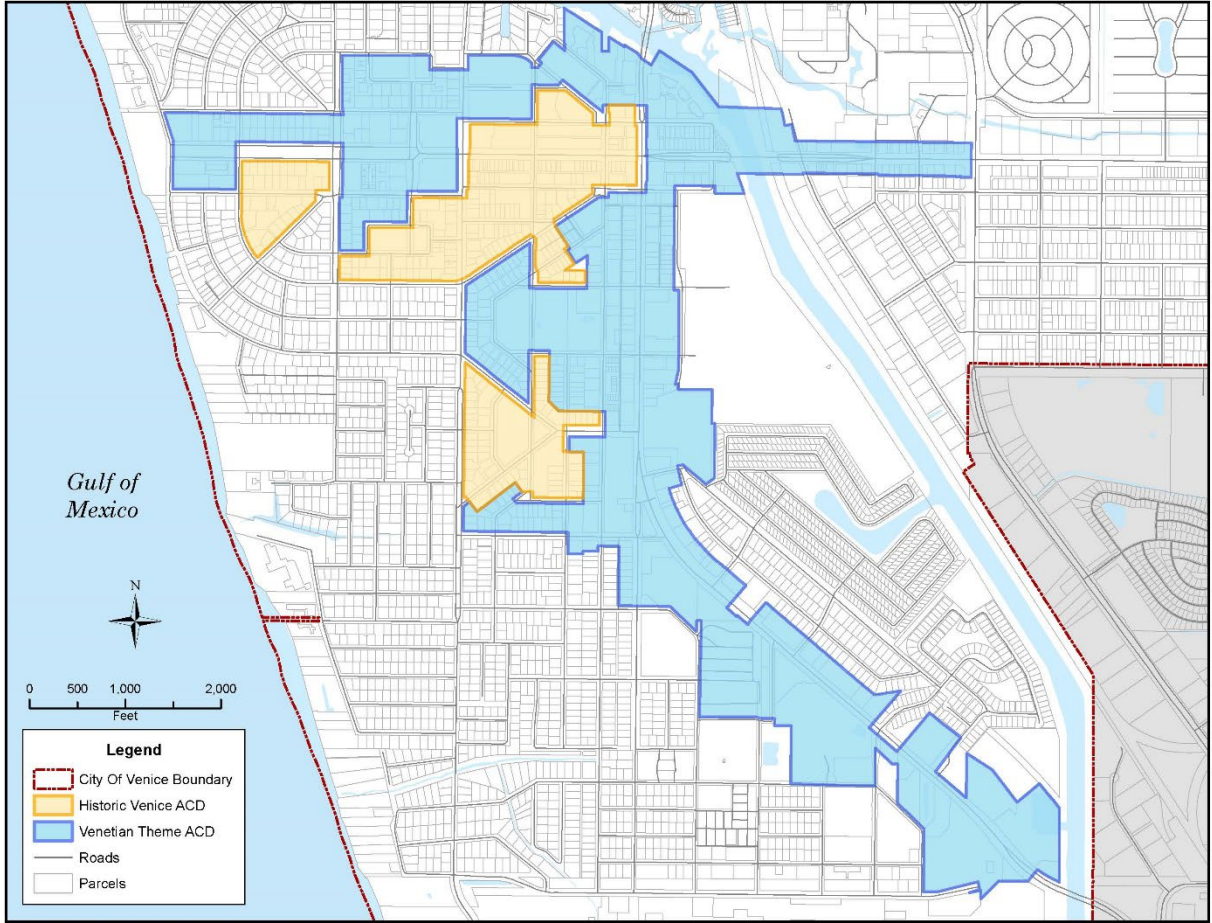
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6.2.2. Exemptions

- A.** The following items are exempt from the provisions of this section:
- 1.** Amateur radio antenna with an overall height of 50 feet or less. Any such structure may be developed only in accordance with the provisions of this Code and per zoning district standards defined in Section 2: Zoning.
 - 2.** Satellite earth stations, other than broadcast, developed in accordance with the standards and regulations of this LDC and per zoning districts defined in Section 2: Zoning.
 - 3.** Maintenance of existing wireless telecommunications facilities that does not include the placement or replacement of a wireless telecommunications facility.
 - 4.** Replacement or modification of telecommunications antennas, ancillary appurtenances or other equipment with facilities that are substantially similar or of the same or smaller size, and that do not substantially change the physical dimensions of the wireless telecommunications facility when viewed from ground level from surrounding properties.
 - 5.** Wireless telecommunications facilities erected as a temporary use, which receive a temporary use permit.
 - 6.** Wireless telecommunications facilities erected upon the declaration of a state of emergency by a federal, state, or local government. However, no wireless telecommunications facility will be exempt pursuant to this paragraph unless City staff makes a determination of public necessity for the facility. The written determination must be submitted to the Director. No wireless telecommunications facility will be exempt from the provisions of this section beyond the duration of the state of emergency, and such facility must be removed within 90 days of the termination of the state of emergency.
 - ~~**7.** Co-location of telecommunications antennas on existing telecommunications antenna support structures that:
 - ~~**a.** Do not increase the height of the existing structure, as measured to the highest point of any part of the structure or any existing antenna attached to the structure;~~
 - ~~**b.** Do not increase the approved ground wireless telecommunication facility site; and~~
 - ~~**c.** Are of a design and configuration consistent with all of the applicable design and aesthetic regulations, restrictions or conditions, if any, applied to the first telecommunications antenna placed on the structure or applied to the structure itself.~~~~

Figure 7.6.3. Architectural Control Districts Overlay Map





- B.** All parcels or lots, whether improved or unimproved, shall comply with the following requirements:
- 1.** The premises shall be kept in clean and sanitary condition, including yards, lawn, courts and driveways. ~~Any dead or dying landscaping must be replaced and maintained.~~ Uneven or damaged surfaces with or without holes must be repaired. On a vacant lot or parcel adjacent to property with existing residential structures, any dead or dying trees or palms must be removed or maintained so as not to be a hazard to the residential structures on the adjacent property.
 - 2.** The premises shall be kept free from the excessive growth of weeds, grass and other flora.
 - 3.** Any parcel or lot previously improved or occupied shall be graded and maintained so as to prevent the accumulation of stagnant water thereon, except for permitted storm water management detention/retention purposes.
 - 4.** Unauthorized motor vehicles are prohibited from parking on or driving across any portion of a vacant lot, except for areas designated for such use by the City through an approved site and development plan or other applicable permit.
 - 5.** The premises shall be kept reasonably free from rodents, insects and vermin.
 - 6.** The roof of every building or structure shall be well drained of rainwater.
 - 7.** All exterior surfaces shall be properly maintained and protected from the elements by paint or other approved protective coating applied in a workmanlike fashion.
 - 8.** Any unauthorized, obsolete, non-complying or deteriorated signs, posters and graffiti shall be removed.
 - 9.** All signs must be maintained and comply with the provisions of the Land Development Code.
 - 10.** If vacant or unoccupied, all entrances and all other openings of a building or structure shall be secured and maintained including, but not limited to, windows, doorways, and swimming pool areas.

3.3. Responsibilities for Nonresidential Properties: Structures, Vacant Buildings, Vacant Structures, and Vacant or Unimproved Lots.

- A.** All nonresidential structures, vacant buildings, and vacant structures shall comply with the following:
- 1.** All nonresidential structures shall be watertight, weather-tight, insect-proof and in good repair.
 - 2.** Every foundation, exterior wall and roof shall be reasonably watertight, weather-tight and rodent-proof, shall adequately support the building at all times, and shall be in a workmanlike state of maintenance and repair.

3. Every interior partition, wall, floor and ceiling shall be reasonably tight and maintained in a workmanlike state of repair and in a clean and sanitary condition
 4. Every window and exterior door shall be reasonably weather-tight, watertight, rodent-proof and shall be maintained in sound condition and repair, and secured with proper hardware.
 5. Every inside and outside stairway, every porch, and every appurtenance thereto shall be constructed to be safe to use and capable of supporting the load that normal use may cause to be placed thereon, and shall be maintained in sound condition and repair.
 6. Every supplied plumbing fixture and water and waste pipe shall be properly installed and maintained in sanitary working condition, free from defect, leaks, and obstruction.
 7. Every toilet, restroom and bathroom floor shall be constructed and maintained so as to be reasonably impervious to water, and such floors shall be kept in a clean and sanitary condition.
 8. Every supplied facility, piece of equipment or utility which is required under this Chapter shall be so constructed and installed that it will function safely, and effectively, and shall be maintained in good working condition.
 9. All exterior surfaces shall be protected from decay by painting or other protective covering or treatment. Substantial evidence of molding or chipping of the exterior surface will be required to be treated, repainted or both. All siding shall be weather-resistant and watertight.
 10. Exterior Lighting. All outdoor lighting shall ensure that non-vehicular light sources that shine into the eye of drivers of vehicles or pedestrians which could impair safe traverse are prohibited; and all lighting shall be shielded and aimed at owner's premises or sidewalk and shall not create an adverse effect on adjacent properties.
 11. Accessory Structures. Garages, storage buildings and all other accessory structures shall be maintained in good repair and sound structural condition.
 12. Signs shall be maintained in good condition. If the property is vacant, the sign faces shall be replaced with blank panels (permit required).
 13. Parking facilities shall be maintained in good condition. Parking shall be limited to designated areas (striped parking spaces) as permitted, and said areas must be clearly marked. At no time should the rights-of-way be utilized for storage or parking of customer, employee or company vehicles parking, nor shall any item(s) be placed, abandoned or allowed to remain in any right-of-way unless otherwise permitted.
- B.** All parcels or lots, whether improved or unimproved, shall comply with the following requirements:
1. The premises shall be kept in clean and sanitary condition, including yards, lawn, courts and driveways. ~~Any dead or dying landscaping must be replaced and maintained.~~ Uneven

or damaged surfaces with or without holes must be repaired. On a vacant lot or parcel adjacent to property with existing residential structures, any dead or dying trees or palms must be removed or maintained so as not to be a hazard to the residential structures on the adjacent property.