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**CITY OF INDIAN ROCKS BEACH
ORDINANCE NO. 2012-04**

An Ordinance of the City Commission of the City of Indian Rocks Beach, Florida, amending Chapter 110, Zoning; Article I, In General; Section 110-1, Definitions; amending Chapter 110, Zoning; Article III, District Designation and Regulations; Division 1, Generally; Section 110-131, Establishment of zoning districts; amending Chapter 110, Zoning; Article III, District Designation and Regulations; Division 1, Generally; by adding Section 110-131.11 Planned Development District - PDD; providing for a planned development district; providing for severability; providing for inclusion in the code; providing for other modifications that may arise from review of the ordinance at the public hearings and with responsible authorities; providing for repeal of ordinances or parts of ordinances in conflict herewith to the extent of such conflict; and providing for an effective date.

WHEREAS, Chapter 163, Florida Statutes, establishes the right and power of cities to provide for the health, welfare, and safety of the existing and future residents by enacting and enforcing land development regulations; and

WHEREAS, these amendments further the achievement of City's Comprehensive Plan Policies; and

WHEREAS, on May 17, 2012, the Indian Rocks Beach Local Planning Agency reviewed this Ordinance and found it to be consistent with the City's adopted Comprehensive Plan and made a favorable recommendation to the City Commission; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF INDIAN ROCKS BEACH, FLORIDA, that:

Section 1. Chapter 110, Zoning, Article I, In General, Section 110-1, Definitions, of the Code of the City of Indian Rocks Beach, Florida, is hereby amended to read as follows:

Section 110-1, Definitions.

Planned development district means a zoning district designed to be maintained and operated as a single unit which may or may not have certain facilities in common, such as yards and open spaces, recreation areas, garages and public areas. PDD rezoning applications may be considered for any property lying within the geographic boundaries of the business district triangle overlay zone as those boundaries are defined by Section 110-135 (b). Planned development districts are not allowed elsewhere in the City of Indian Rocks Beach.

46 **Section 2. Chapter 110**, Zoning, Article III, District Designation and Regulations,
 47 Division 1, Generally, Section 110-131, Establishment of zoning districts, of the Code of
 48 the City of Indian Rocks Beach, Florida, is hereby amended to read as follows:
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50 **Section 110-131. Establishment of zoning districts**
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52 For the purpose of protecting, promoting and improving the public health, safety
 53 and general welfare of the community and in order to regulate the location of buildings,
 54 the height and size of buildings hereafter erected or structured, the setbacks and other
 55 open space requirements, the city is hereby divided into the following zoning districts,
 56 together with the appropriate land use categories as defined in the comprehensive plan:
 57

<i>Zoning District*</i>			<i>Land Use Category</i>
(1)	S	Single-Family Residential	Residential Urban (0-7.5 UPA)
(2)	RM-1	Medium Density Residential (duplex)	Residential Medium (0-15 UPA)
(3)	RM-2	Medium Density Residential (three or more units)	Residential Medium (0-15 UPA)
(4)	CT	High Density Commercial Tourist	Resort Facilities High (0-3- UPA; maximum FAR of 0.50; maximum ISR of 0.70)
(5)	P-1	Professional Office	Residential/Office General (0-15 UPA; maximum FAR of 0.40; maximum ISR of 0.70)
(6)	NMU	Neighborhood Mixed Use	5 UPA; maximum FAR of 0.50; maximum ISR of 0.70
(7)	B	Business	Commercial General (0-18 UPA; maximum FAR of 0.55; maximum ISR of 0.70)
(8)	R/OS	Recreation/Open Space	Recreation/Open Space (maximum FAR of 0.25; maximum ISR of 0.60)
(9)	P	Preservation	Preservation/Conservation (maximum FAR of 0.10; maximum ISR of 0.20)
(10)	P/SP	Public/Semipublic	Institutional (maximum FAR of 0.65; maximum ISR of 0.85) or Transportation/Utility (maximum FAR of 0.70; maximum ISR of 0.90)
(11)		Business District Triangle Overlay ("The Narrows")	Commercial General (0-18 UPA; maximum FAR of 0.55; maximum ISR of 0.70)

(12)	PUD	Planned Unit Development	Residential Medium (0-15 UPA) when used with RM-2 zoning and Resort Facilities High (0-30 UPA; maximum FAR of 0.50; maximum ISR of 0.70) when used with CT zoning
(13)	<u>PDD</u>	<u>Planned Development District</u>	<u>Density, Intensity and Impervious Surface Ratio per the corresponding land use category.</u>

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- * Under no circumstances shall the density, intensity or uses permitted be inconsistent with that allowed on the city's future land use plan. If the zoning district used contains a more restrictive standard than that found in the city's land use plan, the more restrictive standard shall apply. Mixed uses shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated to their respective proportion to the total lot area.

Section 3. Chapter 110, Zoning; Article III, District Designation and Regulations; Division 1, Generally; of the Code of Ordinances, City of Indian Rocks Beach, Florida, is hereby amended by adding a section to be numbered 110-131.11 Planned Development District - PDD; which section reads as follows:

Sec. 110-131.11 PLANNED DEVELOPMENT ZONING DISTRICT - PDD

A. Definition; purpose and intent.

The purpose of a planned development district is to encourage flexibility in the design of the built environment and development of land; to facilitate the adequate and economical provision of streets, utilities and public spaces; and to preserve the natural and scenic qualities of open spaces. This district shall foster and encourage context-sensitive buildings and creative and innovative land development techniques. Applications for a Planned Development District are allowed only in the Business District Triangle Overlay area of Indian Rocks Beach.

B. Permitted uses.

The permitted uses in the Planned Development District shall be as provided for and approved in the application for rezoning and shall conform in all respects to the uses and standards of the underlying future land use category.

C. Accessory uses.

93 The accessory uses in the Planned Development District shall be as provided for and
94 approved in the application for rezoning and shall conform in all respects to the uses
95 and standards of the underlying future land use category.

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98 **D. Special exception uses.**

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100 Upon application for a special exception to the board of adjustment and city commission
101 and favorable action thereon, special exception uses in the Planned Development
102 District shall be as provided for and approved in the application for rezoning and shall
103 conform in all respects to the uses and standards of the underlying future land use
104 category.

105
106 **E. Minimum building site area requirements.**

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108 (1). The minimum building site area requirements in the Planned Development District
109 shall be as provided for and approved in the application for rezoning and shall conform
110 in all respects to the uses and standards of the underlying future land use category.

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112 (2) Density: The maximum density in the Planned Development District shall be as
113 provided for and approved in the application for rezoning and shall conform in all
114 respects to the uses and standards of the underlying future land use category.

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116 (3) Minimum unit size: The minimum unit size in the Planned Development District shall
117 be as provided for and approved in the application for rezoning and shall conform in all
118 respects to the uses and standards of the underlying future land use category.

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121 **F. Setback requirements.**

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123 The minimum setbacks in the Planned Development District shall be as provided for
124 and approved in the application for rezoning and shall conform in all respects to the
125 uses and standards of the underlying future land use category.

126
127 **G. Maximum building height.**

128
129 For buildings constructed on pilings, the maximum height of pilings is 10 feet. The
130 maximum height of a building above pilings is 40 feet. Otherwise, the maximum height
131 of a building is 50 feet.

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133 **H. Maximum floor area ratio.**

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135 Maximum floor area ratio in the Planned Development District shall be as provided for
136 and approved in the application for rezoning and shall conform in all respects to the
137 uses of the underlying future land use category.

139 **I. Impervious surface ratio (ISR).**

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141 Maximum impervious surface ratio (ISR) in the Planned Development District shall be
142 as provided for and approved in the application for rezoning and shall conform in all
143 respects to the uses of the underlying future land use category.
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145 **J. Required Parking**

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147 The required number of parking spaces required in the Planned Development District
148 shall be as provided for and approved in the application for rezoning and shall conform
149 in all respects to the uses and standards of the underlying future land use category.
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151 **K. Required Landscaping**

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153 Required landscaping in the Planned Development District shall be as provided for and
154 approved in the application for rezoning and shall conform in all respects to the uses
155 and standards of the underlying future land use category.
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157 **L. Signs**

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159 Signs shall be as provided for in the Indian Rocks Beach Code of Ordinances.
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161 **M. Swimming Pools**

162
163 Swimming pools in the Planned Development District shall be as provided for and
164 approved in the application for rezoning and shall conform in all respects to the uses
165 and standards of the underlying future land use category.
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167 **N. Miscellaneous Zoning and Land Development Regulation Requirements**

168
169 All other zoning and land development regulations requirements shall apply in the
170 Planned Development District.
171

172
173 **O. Procedure for review and approval**

174
175 (1) A rezoning application shall be filed by or on behalf of the landowner with the
176 city manager or designee. Maps and reports shall be submitted and be of sufficient
177 detail to indicate conformance with the standards for reviewing planned development
178 districts.
179

- 180 A. Protection of unique, natural topographical features on the site;
181 B. Protection and preservation of environmentally sensitive features;
182 C. Development of common areas, open space or recreational areas accessible to
183 the residents or users of the development by way of sidewalks, footpaths or
184 combined walkways/bikeways;

- 185 D. Efficient use of the land including the reduction of land areas disturbed for utilities
186 and motor vehicle access;
187 E. Creation of innovative residential and business environments;
188 F. Reduction in alteration of the natural site features through the design and
189 situation of individual lots, streets and buildings;
190 G. Diversity and originality in lot layout;
191 H. Utilization of individual building designs which achieve an enhanced relationship
192 between the development and the land; and,
193 I. Relationship to surrounding properties.
194
195

196 **P. Compliance with development standards.**
197

198 (a) A planned development district rezoning application shall include the following
199 written and graphic materials specified.
200

201 (b) The rezoning application shall include the following written and graphic
202 materials:
203

204 (1) Written materials shall include, but not be limited to, the following:
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206 (a) Legal description of the total development parcel proposed for
207 development including exact location and a statement of present and
208 proposed ownership;

209 (b) Statement of development concept, including the planning objectives
210 and the character of the development to be achieved;

211 (c) Development schedule indicating the appropriate date when
212 construction can be expected to begin and be completed, including
213 initiation and completion dates of separate stages of a phased
214 development;

215 (d) Statement of intentions regarding the future selling or leasing of all or
216 portions of the development, such as land area, dwelling units, and
217 public facilities;

218 (e) Statement of financing plan, including projected sources and amounts
219 of funds;

220 (f) Statement of how utilities and other public works will be provided,
221 including design standards;

222 (g) The impact of the development on existing city services outside the
223 development.

224 (h) Purpose statement, permitted uses, accessory uses, description of
225 landscaping, parking and other zoning and land development
226 standards.

227 (i) Building elevations.
228

229 (2) Quantitative data including, but not limited to, the following:
230

- 231 (a) Parcel size;
- 232 (b) Proposed lot coverage of structures;
- 233 (c) Floor area ratio;
- 234 (d) Total amount of usable open space, both private and public;
- 235 (e) Total number and type of dwelling units by number of bedrooms;
- 236 (f) Residential and temporary lodging densities;
- 237 (g) Total amount in square footage of nonresidential construction by type
- 238 of use;
- 239 (h) Number of parking spaces to be provided by use;
- 240 (i) Number and types of public facilities

241

242 (3) Graphic materials shall include, but not limited to, the following:

243

- 244 (a) Map of existing site conditions, including contours, water course,
- 245 floodplains, unique nature features, existing vegetation, soil types,
- 246 existing buildings;
- 247 (b) Map of existing on site and surrounding land use;
- 248 (c) Existing and proposed lot lines
- 249 (d) Location and size of gross floor area of all existing and proposed
- 250 buildings, structures, and other improvements including maximum
- 251 heights, types of dwelling units, and nonresidential structures by use;
- 252 (e) Location and size in square feet of all usable open space and areas to
- 253 be conveyed, dedicated, or reserved as common open spaces, public
- 254 parks, recreational areas, school sites, and similar public and semi-
- 255 public uses;
- 256 (f) The existing and proposed circulation system of arterial, collector, and
- 257 local streets, including off-street parking areas, service areas, loading
- 258 areas, and all points of access to existing public rights of way;
- 259 (g) Proposed pedestrian circulation system;
- 260 (h) Existing and proposed utility systems including sanitary sewers, storm
- 261 sewers, and water, electric, gas, and telephone lines;
- 262 (i) General landscape plan indicating the treatment of materials used for
- 263 private and common open spaces;
- 264 (j) Description of adjacent land areas, including land uses, zoning,
- 265 densities, circulation systems, public facilities, and unique natural
- 266 features of the landscape;
- 267 (k) Proposed treatment of the perimeter of the development, including
- 268 materials and techniques used such as screens, fences, and walls.

269

270 **Q. General development standards.**

271

272 (a) The planned development district shall be compatible with the regulations for

273 the Comprehensive Plan land use category in which it is to be located.

274

275 (b) The planned development district shall provide for an effective and unified

276 treatment of the development possibilities on the project site, making appropriate

277 provisions for the preservation of scenic features and amenities of the site and the
278 surrounding area.

279
280 (c) The planned development district shall be designed, planned and developed
281 to harmonize with any existing or proposed development in the area surrounding the
282 project site.

283
284 **R. Arrangement of buildings.**

285
286 (a) All buildings in the layout and design shall be integrated into one cohesive
287 master plan for the development.

288
289 (b) The site design shall incorporate and connect pedestrian, bicycle and
290 vehicular movement and access into the surrounding area.

291
292 (c) Individual buildings shall be related to each other in design, masses,
293 materials, placement and connections to provide visually and physically integrated
294 development.

295
296 (d) Treatment of the sides and rear of all buildings within the planned
297 development shall be compatible in amenity and appearance to treatment given to
298 street frontages of the same buildings.

299
300 (e) All buildings shall be arranged so as to avoid undue exposure to
301 concentrated loading or parking facilities wherever possible and shall be oriented as to
302 preserve visual and audible privacy between adjacent buildings.

303
304 (f) All buildings shall be arranged so as to be accessible to emergency vehicles.

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307 **SECTION 4.** In all other respects, the provisions of the Land Development Regulations
308 of the City of Indian Rocks Beach, Florida not hereby amended or modified, shall
309 remain in full force and effect.

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311 **SECTION 5.** It is the intention of the Indian Rocks Beach City Commission that each
312 provision hereof be considered separable, and that the invalidity of any provision of this
313 Ordinance shall not affect the validity of any other provision of this Ordinance or
314 Chapter 110 of the City of Indian Rocks Beach Code of Ordinances.

315
316 **SECTION 6.** It is the intention of the Indian Rocks Beach City Commission that such
317 amended Ordinance be included in the Land Development Regulations of the City of
318 Indian Rocks Beach, Florida and the publisher of the Land Development Regulations
319 may renumber or reclassify such other provisions of the Land Development Regulations
320 to accomplish such intention.

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323 **SECTION 7.** This Ordinance shall become effective immediately upon final passage as
324 allowed by law.

325
326 **PUBLISHED in the Tampa Bay Times on the 15th day of August 2012.**

327
328 **FIRST READING AND PUBLIC HEARING** on the 28th day of August 2012.

329
330 **PUBLISHED in the Tampa Bay Times on the 31st day of October 2012.**

331
332 **ADOPTED ON SECOND READING AND FINAL PUBLIC HEARING** on the 13th day
333 of November 2012.

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338 R.B. Johnson, Mayor-Commissioner

339
340 ATTEST:

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342 _____
343 Deanne Bulino O'Reilly, MMC, City Clerk

344 Approved as to form and legal sufficiency:

345
346 By: _____
347 Maura J. Kiefer, City Attorney

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