

ORDINANCE NO. 2018-06

AN ORDINANCE RELATING TO TOWNHOUSE DEVELOPMENT WITHIN THE CITY OF BELLEAIR BLUFFS; AMENDING SECTION 102-10, DEFINITIONS, OF THE LAND DEVELOPMENT CODE TO PROVIDE A DEFINITION OF TOWNHOUSE; AMENDING SECTION 102-45, RESIDENTIAL URBAN DISTRICT, OF THE LAND DEVELOPMENT CODE TO INCLUDE TOWNHOUSES AS A PERMITTED USE AND PROVIDING DEVELOPMENT STANDARDS FOR TOWNHOUSES IN THIS DISTRICT; AMENDING SECTION 102-46, RESIDENTIAL MEDIUM DISTRICT, OF THE LAND DEVELOPMENT CODE TO INCLUDE TOWNHOUSES AS A PERMITTED USE AND PROVIDING DEVELOPMENT STANDARDS FOR TOWNHOUSES IN THIS DISTRICT; AMENDING SECTION 102-48, RESIDENTIAL/OFFICE GENERAL DISTRICT OF THE LAND DEVELOPMENT CODE TO INCLUDE TOWNHOUSES AS A PERMITTED USE AND PROVIDING DEVELOPMENT STANDARDS FOR TOWNHOUSES IN THIS DISTRICT; AMENDING SECTION 102-49, RESIDENTIAL/OFFICE/RETAIL DISTRICT, OF THE LAND DEVELOPMENT CODE TO INCLUDE TOWNHOUSES AS A PERMITTED USE AND PROVIDING DEVELOPMENT STANDARDS FOR TOWNHOUSES IN THIS DISTRICT; AMENDING SECTION 102-50, COMMERCIAL GENERAL DISTRICT, OF THE LAND DEVELOPMENT CODE TO CLARIFY THAT TOWNHOUSES ARE NOT PERMITTED IN THIS DISTRICT; AMENDING SECTION 102-181, SITE PLAN REQUIREMENTS, OF THE LAND DEVELOPMENT CODE TO PROVIDE FOR A REVIEW AND APPROVAL PROCESS FOR TOWNHOUSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Belleair Bluffs (the City) desires to allow the development of townhouses within certain areas of the City.

WHEREAS, the City desires to establish area, lot width, height, setback, and maximum units per building standards for townhouse development.

WHEREAS, the City desires to establish a review process for townhouse development.

WHEREAS, the City finds the regulatory revisions adopted hereby will advance the public health, safety, and welfare of the City.

NOW, THEREFORE, BE IT ORDANED by the City Commission of the City of Belleair Bluffs, Florida, as follows:

Section 1. That Section 102-10 of the City of Belleair Bluffs Land Development Code is hereby amended to add the following definition:

TOWNHOUSE – A single-family dwelling that is attached to one or more single-family dwelling or dwellings by a common wall or walls, with each dwelling unit located on its own parcel of land.

Section 2. That Section 102-45 of the City of Belleair Bluffs Land Development Code is hereby amended as follows:

Sec. 102-45. - Residential Urban District.

This district is comprised of areas where the development of single-family dwellings, duplexes, ~~or~~ triplexes, or townhouses is appropriate. It is intended that such areas be located in or near urbanized areas where good transportation facilities and urban services are readily available. This district shall include all areas indicated on the Land Use Map as Residential Urban District (RU).

A. Permitted uses. Within any Residential Urban District, only the following uses shall be permitted:

(1) Single-family dwellings (under the same conditions as those stated in the Residential Low District, unless otherwise stated in the Residential Urban District).

(2) Two-family dwellings.

(3) Three-family dwellings.

(4) Townhouses.

~~(4)~~(5) Accessory uses. Customary accessory uses, in accord with the requirements therefor, include but are not limited to:

(a) Home occupations.

(b) Garages.

(c) Storage sheds.

B. Conditional uses. Upon application to and favorable action by the City Commissioners, pursuant to § 102-17, the following conditional uses may be permitted:

(1) Utility substations. Utility substation use shall not exceed a maximum area of three acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate plan and corresponding Land Use Map amendment.

(2) Government building and public uses. Public/semipublic uses shall not exceed a maximum of three acres. Each use or contiguous like uses in excess of this threshold shall require an appropriate plan and corresponding plan map amendment.

C. Property development regulations.

(1) Building height regulations. No structure shall exceed 25 feet in height unless otherwise provided herein.

(2) Minimum building site requirements. Minimum building site regulations shall be as follows:

(a) Area:

[1] ~~Six thousand~~ 6,000 square feet for a single-family dwelling.

[2] ~~Twelve thousand~~ 12,000 square feet for a two-family dwelling.

[3] ~~Eighteen thousand~~ 18,000 square feet for a three-family dwelling.

[4] 6,000 square feet for a townhouse end unit. 5,808 square feet for a townhouse interior unit. The development of townhouses on sites that contain legally existing, nonconforming two-family or three-family dwellings are not subject to these minimum area standards but shall instead be subject to the Special Requirements of Section 102-45.G(4) below.

(b) Width: ~~70 feet.~~

[1] 70 feet for single-family, two-family, and three-family dwellings.

[2] 35 feet for townhouse end units. 28 feet for townhouse interior units.

(c) Depth: 80 feet.

(3) Accessory structures. Accessory structures shall be governed as follows:

(a) Not more than ~~two~~ one accessory ~~structures~~ structure shall be permitted on any lot or parcel.

(b) A detached accessory structure shall not be closer than five feet to the main structure or closer than five feet to any other accessory structure on the same lot or parcel.

(c) No detached accessory structure shall be located upon the front 1/3 of the lot or parcel.

(d) No utility or storage shed shall be greater in area than 100 square feet.

(e) All accessory structures shall conform to required setbacks.

D. Setback requirements. The following minimum setbacks shall be required:

(1) Front: 25 feet from the front lot line to a building line.

(2) Side: ~~7 1/2 feet, measured~~ Measured from the side lot line to a building line.

(a) 7 ½ feet.

(b) 0 feet for townhouse interior side(s).

(3) Rear: 10 feet, measured from the rear lot line to a building line.

E. Minimum living area. The minimum living area of residential dwelling units for two families shall be 2,000 square feet, and the minimum living area for three-family dwelling units shall be 3,000 square feet. In no instance shall a unit in either a two- or three-family dwelling be less than 850 square feet in each living area.

- F. Parking requirements. Each residential dwelling unit shall have provisions for two off-street parking areas for each family dwelling unit, i.e., four off-street parking areas for two-family dwelling units and six off-street parking areas for three-family dwelling units, and these parking areas shall be located on the same lot, parcel or tract as the residential dwelling structure.
- G. Special requirements.
 - (1) Maximum density. The density of the Residential Urban District shall not exceed 7 1/2 dwelling units per acre of land.
 - (2) Nonresidential uses. Nonresidential uses shall not exceed a floor area ratio (FAR) of 0.40 nor an impervious surface ratio (ISR) of 0.40.
 - (3) Townhouses shall be limited to no more than three attached units per townhouse building.
 - (4) Sites that contain legally existing, nonconforming two-family or three-family dwellings may be redeveloped or subdivided as two-unit or three-unit townhouses notwithstanding the minimum area requirements of this district as long as the total number of proposed townhouse dwelling units will not exceed the existing number of dwelling units on the site, and the proposed setbacks for the townhouse units will not be any closer to the property lines than those of the existing structure.

Section 3. That Section 102-46 of the City of Belleair Bluffs Land Development Code is hereby amended as follows:

Sec. 102-46. - Residential Medium District.

This district is intended to provide for a range of residential structures, including but not limited to a single-family dwelling, duplex, triplex, townhouses, and up to eight-family dwellings. The district shall include all those areas indicated on the Land Use Map as Residential Medium District (RM).

- A. Permitted uses. Within any Residential Medium District, only the following uses shall be permitted:
 - (1) Single-family dwellings (under the same conditions as those stated in the Residential Low District, unless otherwise stated in the Residential Medium District).
 - (2) Two-family dwellings or three-family dwellings (under the same conditions as those stated in the Residential Urban District, unless otherwise stated in the Residential Medium District).
 - (3) Townhouses.
 - (3)(4) Multiple dwellings with a maximum of eight dwelling units.

~~(4)~~(5) Group homes (licensed from the Florida Department of Health and Rehabilitation).

~~(5)~~(6) Accessory uses. Customary accessory uses, in accord with the requirements therefor, include but are not limited to:

- (a) Home occupations.
- (b) Garages.
- (c) Storage sheds.

B. Property development regulations for multiple dwellings.

(1) Building height regulations. No structure shall exceed 25 feet in height unless otherwise provided herein.

(2) Minimum building site requirements. Minimum building site requirements shall be as follows:

(a) Area:

[1] Single-Family Dwellings. 6,000 square feet.

[2] Two-Family and Three-Family Dwellings. 2,925 square feet per unit.

[3] Townhouses. 2,925 square feet for end units. 2,904 square feet for interior units.

[4] ~~11,700 square feet minimum~~ Multiple Dwellings. 2,925 square feet per unit for the first four dwelling units. For each additional dwelling unit, the minimum lot area shall be increased by 2,950 square feet, i.e., an eight-dwelling unit structure must be sited on a minimum lot of 23,500 square feet.

(b) Width: ~~70 feet~~. The width of the lot shall be measured at the front building setback line.

[1] 70 feet for all permitted uses except townhouses.

[2] 35 feet for townhouse end units. 28 feet for townhouse interior units.

(c) Depth: 80 feet.

(3) Accessory structures. Accessory structures shall be governed as follows:

- (a) Not more than ~~two~~ **one** accessory ~~structures~~ **structure** shall be permitted on any lot or parcel.
- (b) A detached accessory structure shall not be closer than five feet to the main structure or closer than five feet to any other accessory structure on the same lot or parcel.

- (c) No detached accessory structure shall be located upon the front 1/3 of the lot or parcel.
 - (d) No utility or storage shed shall be greater in area than 100 square feet.
 - (e) All accessory structures shall conform to required setbacks.
- C. Setback requirements. The following minimum setbacks shall be required:
 - (1) Front: 25 feet from the front lot line to a building line.
 - (2) Side: ~~15 feet, measured~~ Measured from the side lot line to a building line.
 - (a) 15 feet.
 - (b) 0 feet for townhouse interior side(s).
 - (3) Rear: 15 feet, measured from the rear lot line to a building line.
- D. Minimum living area. Each multiple dwelling shall provide for a minimum of 750 square feet of living area for a one-bedroom unit; a minimum of 900 square feet of living area for a two-bedroom unit; and an additional 100 square feet for each bedroom over two per unit.
- E. Parking requirements. Each multiple dwelling shall have provisions for 1 1/2 off-street parking spaces per dwelling unit, and these parking spaces shall be located on the same lot, parcel or tract as the residential dwelling structure.
- F. Special requirements.
 - (1) Maximum density. The density of the Residential Medium District shall not exceed 15 residential dwelling units per acre of land.
 - (2) Group home uses. Group home uses shall not exceed an equivalent of 3.0 beds per permitted dwelling unit, at 15.0 units per acre.
 - (3) Townhouses shall be limited to no more than eight attached units per townhouse building.

Section 4. That Section 102-48 of the City of Belleair Bluffs Land Development Code is hereby amended as follows:

Sec. 102-48. - Residential/Office General District.

The purpose of this district is to permit professional office buildings in an area of medium-density residential structures. It is intended that this district shall be located in areas where high-intensity uses would not be appropriate. This district shall include those areas indicated on the Land Use Map as Residential/Office General (ROG).

- A. Permitted uses. Within any Residential/Office General District, the following uses are permitted:

- (1) Dwelling units defined in the Residential Low, Residential Urban and Residential Medium Districts subject to the conditions therein specified for each such district; office uses for professions and businesses conducting business within an office building, providing primarily a service and not involving the sale of merchandise, other than as is incidental and clearly secondary to the professional or business service being provided; and personal service uses consistent with the neighborhood scale, mixed use character of the district.
- B. Prohibited uses. No retail or general commercial use shall be permitted within the Residential/Office General District.
- C. Property development regulations.
 - (1) Building height regulations. No structure shall exceed 25 feet in height.
 - (2) Minimum building site requirements. Minimum building site requirements shall be as follows:
 - (a) Area:
 - [1] 7,500 square feet.
 - [2] Townhouses. 2,925 square feet for end units. 2,904 square feet for interior units.
 - (b) Width: ~~70 feet.~~ The width of the lot shall be measured at the front building line.
 - [1] 70 feet for all permitted uses except townhouses.
 - [2] 35 feet for townhouse end units. 28 feet for townhouse interior units.
 - (c) Depth: 80 feet.
 - (3) Mixed uses shall not exceed, in combination, the respective number of dwelling units per acre of land and floor area ratio permitted, when allocated in their respective proportion of the gross land area of the property.
- D. Setback requirements. The following minimum setbacks shall be required:
 - (1) Front: 25 feet from the front lot line to a building line.
 - (2) Side: ~~7 1/2 feet, measured~~ Measured from the side lot line to a building line.
 - (a) 7 ½ feet.
 - (b) 0 feet for townhouse interior side(s).
 - (3) Rear: 15 feet, measured from the rear lot line to a building line.
- E. Parking requirements.
 - (1) Dwelling units. Those requirements stated in the respective Residential Low, Residential Urban or Residential Medium Categories shall apply as the use dictates.
 - (2) Office units. Those requirements stated in § 102-93 as the use and floor use dictates.
- F. Special requirements.

- (1) Maximum density. The density of the Residential/Office General District shall not exceed 15 dwelling units per acre of land. The proposed density on any individual property shall be reviewed by ~~the Pinellas Planning Council-Forward Pinellas~~.
- (2) Nonresidential uses. Nonresidential uses shall not exceed a floor area ratio (FAR) of 0.40 nor an impervious surface ratio (ISR) of 0.50.
- (3) Ancillary nonresidential uses. Ancillary nonresidential uses shall not exceed a maximum area of three acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate plan and corresponding Future Land Use Map amendment.
- (4) Special buffering requirements.
 - (a) For any personal service use which adjoins a property in a residential land use category, the following special buffer requirements shall apply to the property in the Residential/Office General District:
 - [1] There shall be established and maintained a minimum open, unpaved green space of 20 feet from any adjoining residential property line, which area shall be open and unobstructed except for the landscaping and fence or wall as provided for in Subsection F(4)(a)[2] and [3] which follows;
 - [2] The 20 feet of open, unpaved green space shall be landscaped in accord with the provisions of § 102-126C of this code; and
 - [3] In addition, there shall be constructed a solid wood fence or masonry wall, a minimum of six feet in height, not closer than three feet to and along the entirety of any adjoining residential property line, and otherwise in compliance with Article XIX, Fences, of this chapter.
 - (b) This buffer requirement does not apply when the subject property is separated from the proximate residential classification by a public right-of-way.
 - (c) The required buffer may be reviewed by ~~the Pinellas Planning Council-Forward Pinellas~~ to insure compliance with the above requirements.
- (5) Streetscape requirements. For all properties in the Residential/Office General District, a minimum of 50% of the required front yard setback area shall be established and maintained in open, unpaved green space and otherwise landscaped in accord with the provisions of § 102-126C of this code.
- (6) Change of use. Any change of use from residential to office or personal service use and any change of use from office to personal service use shall be subject to the following:
 - (a) Site plan review as set forth in Article XXV, Site Plan Review, of this chapter;
 - (b) The special buffering requirements of Subsection F(4) above, which special buffering requirements shall not be eligible for or granted any variance under the terms of this code to reduce said buffering requirements; and

- (c) The process and criteria for variance as provided in Article IV, § 102-16, of this code for any variance that may be sought to those requirements of this district that are eligible for consideration of such variance under the terms of this code.
- (7) Personal service uses. No such use in the Residential/Office General District shall exceed 5,000 square feet; and no combination of such uses in any single multitenant office building or, in the alternative, in any group of office buildings that are integral to and function as part of a unified project, shall exceed 10% of the total floor area of said building(s).

(8) Townhouses shall be limited to no more than eight attached units per townhouse building.

Section 5. That Section 102-49 of the City of Belleair Bluffs Land Development Code is hereby amended as follows:

Sec. 102-49. - Residential/Office/Retail District.

The purpose of this district is to permit office buildings and retail establishments along with residential structures. It is intended that this district shall be located in areas designed to provide a mixed-use character including residential, office and local, neighborhood scale personal service and convenience retail goods; and to recognize such areas as primarily well-suited for such neighborhood mixed use consistent with the need, scale and pedestrian oriented character of adjoining residential areas which they serve. This district shall include those areas indicated on the Future Land Use Map as Residential/Office/Retail (ROR).

- A. Permitted uses. Within the Residential/Office/Retail District, the following uses shall be permitted:
 - (1) Dwelling units permitted in the Residential Low, Residential Urban and Residential Medium Districts, subject to the conditions therein specified for each such district; office uses permitted in the Residential/Office General District; and neighborhood scale personal service and retail uses.
- B. Prohibited uses. Within the Residential/Office/Retail District, the following uses shall be prohibited:
 - (1) Gasoline service station or automobile service or repair.
 - (2) Storage or warehouse use.
 - (3) Any use with a drive-through window or facility, other than a financial institution.
- C. Property development regulations.
 - (1) Building height regulations. No structure shall exceed 30 feet and two stories in height.
 - (2) Minimum building site regulations. Minimum building site regulations shall be as follows:
 - (a) Area:

- [1] Residential uses: those requirements stated in the respective residential use categories.
 - [2] Office uses: those requirements stated in the Residential/Office General District applicable to the office use.
 - [3] Personal service and retail uses: 10,000 square feet.
- (b) Width:
 - [1] Residential uses: those requirements stated in the respective residential use categories.
 - [2] Office uses: those requirements stated in the Residential/Office General District applicable to the office use.
 - [3] Personal service and retail uses: a minimum of 100 feet, measured at the building setback line.
- (3) Mixed uses shall not exceed, in combination, the respective number of dwelling units per acre of land and floor area ratio permitted, when allocated in their respective proportion of the gross land area of the property.
- D. Maximum building area. No office, personal service, retail or combination structure first floor area shall exceed 50% of the total lot area. Further, no single building or combination of buildings comprising a single use shall exceed 12,000 square feet in floor area.
- E. Setback requirements.
 - (1) The following minimum setbacks shall be required:
 - (a) Front: 25 feet from the front lot line to a building line.
 - (b) Side: ~~15 feet, measured~~ Measured from the side lot line to a building line.
 - [1] 15 feet.
 - [2] 0 feet for townhouse interior side(s).
 - (c) Rear: 15 feet, measured from the rear lot line to a building line.
 - (2) In addition, the minimum required side and rear setback for any personal service or retail use which adjoins a property in a residential land use category shall be 25 feet.
- F. Parking requirements.
 - (1) Dwelling units. Those requirements stated in the respective Residential Low, Residential Urban or Residential Medium Districts shall apply as the use dictates.
 - (2) Office uses. Those requirements stated in § 102-93 as the use and floor area dictates.
 - (3) Personal service and retail uses. Those requirements stated in § 102-93 as the use and floor area dictates.
- G. Exterior storage. Exterior storage in this district shall be prohibited.

- H. Hours of operation. Any office, personal service, retail or combination structure in this district shall observe the following hours of operation. Any such structure located within 250 feet of a residential structure in the shortest direct line between any such use and said residential structure shall be closed to the general public between the hours of 12:01 a.m. and 6:00 a.m. of any day except for the purposes dictated in § 102-38B of this code.
- I. Special requirements.
- (1) Maximum density. The density of the Residential/Office/Retail District shall not exceed 15 dwelling units per acre of land.
 - (2) Nonresidential uses. Nonresidential uses shall not exceed a floor area ratio (FAR) of 0.30 nor an impervious surface ratio (ISR) of 0.50.
 - (3) Ancillary nonresidential uses. Ancillary nonresidential uses shall not exceed a maximum area of three acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate plan and corresponding Future Land Use Map amendment.
 - (4) Special buffering requirements.
 - (a) For any personal service or retail use which adjoins a property in a residential land use category, the following special buffer requirements shall apply to the property in the Residential/Office/Retail District:
 - [1] There shall be established and maintained a minimum open, unpaved green space of 20 feet from any adjoining residential property line, which area shall be open and unobstructed except for the landscaping and fence or wall as provided for in Subsection I(4)(a)[2] and [3] which follows;
 - [2] The 20 feet of open, unpaved green space shall be landscaped in accord with the provisions of § 102-126C of this code; and
 - [3] In addition, there shall be constructed a solid wood fence or masonry wall, a minimum of six feet in height, not closer than three feet to and along the entirety of any adjoining residential property line, and otherwise in compliance with Article XIX, Fences, of this chapter.
 - (b) This buffering requirement does not apply when the subject property is separated from the proximate residential classification by a public right-of-way.
 - (5) Streetscape requirements. For all properties in the Residential/Office/Retail District, a minimum of 50% of the required front yard setback area shall be established and maintained in open, unpaved green space and otherwise landscaped in accord with the provisions of § 102-126C of this code.
 - (6) Change of use. Any change of use from residential to office, personal service or retail use and any change of use from office to personal service or retail use shall be subject to the following:
 - (a) Site plan review as set forth in Article XXV, Site Plan Review, of this chapter;

- (b) The special buffering requirements of Subsection I(4) above, which special buffering requirements shall not be eligible for or granted any variance under the terms of this code to reduce said buffering requirements; and
- (c) The process and criteria for variance as provided in Article IV, § 102-16, of this code for any variance that may be sought to those requirements of this district that are eligible for consideration of such variance under the terms of this code.

(7) Townhouses shall be limited to no more than eight attached units per townhouse building.

Section 6. That Section 102-50 of the City of Belleair Bluffs Land Development Code is hereby amended as follows:

Sec. 102-50. - Commercial General District.

The purpose of this district is to establish a commercial center at the juncture of the arterial roadway system that provides for a full range of commercial and service facilities to serve the needs of the community in a manner that encourages a consolidated and vital commercial center and discourages strip commercial activity beyond the center. This district shall include those areas on the Future Land Use Map designated as Commercial General (CG).

- A. Permitted uses. Within any Commercial General District, the following uses shall be permitted:
 - (1) Those uses defined in the Residential/Office General District, with the exception of townhouses which are not permitted in the Commercial General District.
 - (2) Those uses defined in the Residential/Office/Retail District, with the exception of townhouses which are not permitted in the Commercial General District.
 - (3) Other uses, including, but not limited to, retail uses with drive-through facilities, shopping centers and general retail merchandise outlets which do not involve the manufacturing or processing of products on the premises.
 - (4) Storage garage or facilities, provided that such facilities shall be used only for storage of materials and/or vehicles and which said storage facilities shall in no way be used for manufacturing or fabricating purposes. Such use shall be located within an enclosed building and any exterior storage shall be incidental to and not exceed 20 percent of the area of the building to which it is an accessory.
 - (5) Gasoline service stations, including the sale of grease, oil and similar automotive products, which said stations may render limited mechanical services, including lubrication, washing, tire changing, oil changing, belt changing, radiator hose changing, spark plug changing and minor repairs and minor accessory installations. Special provisions regarding service stations shall include:
 - (a) Setback requirement for service stations. All pump islands shall be set back at least 15 feet from any road right-of-way line.

- (b) Exception to setback requirement for service stations. Where the road right-of-way line is defined herein as a proposed right-of-way line, as set forth, rather than a presently existing road right-of-way line, a special exception may be granted by the Board of Adjustment whereby the setback of service station signs, light standards and pump islands shall be measured from the existing road right-of-way line. Such conditional use will be granted upon a finding by the Board that such a placement of these facilities shall have no adverse affect on public safety or traffic conditions, and further conditioned upon the owner of said facilities adequately demonstrating to the Board that it is his intention and will be his responsibility to move said facilities at his own expense when the particular road in question may be widened.
- (c) Curb breaks for service stations. The number of curb breaks for one establishment shall not exceed two for each 100 linear feet of street frontage, each having a minimum width of 30 feet and each located not closer than 15 feet to the point of intersection of the right-of-way lines. Where the intersection of two right-of-way lines is defined as an arc, the point of measurement of said fifteen-foot distance shall be the midpoint of said arc and shall be measured along a straight line from said point.
- (d) Fencing for service stations. Where a service station site abuts a residential district, a solid fence at least six feet in height shall be constructed on the service station site within five feet of the residential district boundary line. Said fence shall be constructed parallel to the residential district boundary line and shall, at all points, project past and beyond the setback yard requirements for the residential district. The intent herein contained is to provide that said fence shall project to a point past the building line such that the service station structure and use shall be completely shielded from the residential district. The six foot fence height above may be increased to a maximum of eight feet with Board of Adjustment approval following a discretionary review of the requested height increase request by ~~the Pinellas Planning Council.~~ Forward Pinellas.

B. Property development regulations.

- (1) Building height regulations. No structure shall exceed 40 feet in height.
- (2) Minimum building site requirements. Minimum building site requirements shall be as follows:
 - (a) Area: 20,000 square feet.
 - (b) Width: 100 feet. The width of the lot shall be measured at the front building line.
 - (c) Depth: 100 feet.
- (3) Mixed uses shall not exceed, in combination, the respective number of dwelling units per acre of land and floor area ratio permitted, when allocated in their respective proportion of the gross land area of the property.

C. Setback requirements.

- (1) The following minimum setbacks shall be required:

- (a) Front: 25 feet from the front lot line to a building line.
 - (b) Side: 7.5 feet, measured from the side lot line to a building line.
 - (c) Rear: six feet, measured from the rear lot line to a building line.
- (2) In addition, the minimum required side and rear setback for any personal service, retail or general commercial use which adjoins a property in a residential land use category shall be 25 feet.
- D. Maximum density. The maximum density for residential units in the Commercial General District shall not exceed 24 dwelling units per acre of land.
- E. Storage in this category shall be governed by the following conditions:
 - (1) There shall not be allowed within this district the storage of lumber, containers, trash, garbage, refuse or other materials unless such storage shall have been approved by the Planning Official and Fire Chief; and in all events, any allowed storage shall be in approved enclosures, boxes or bins, and all such storage shall be maintained in such a manner as not to be readily visible to the public in general.
 - (2) Any allowed storage shall be maintained in an orderly manner, in containers of adequate size to meet the needs of the immediate use; and no storage of any kind shall be allowed on vacant lots.
- F. Hours of operation. Every personal service, retail or general commercial use located within 250 feet of a residential structure, measured in the shortest direct line between any such use and said residential structure, shall be closed to the public between the hours of 12:01 a.m. and 6:00 a.m. of any day, except for the purposes dictated in § 102-40 of this code, relating to the sale of alcoholic beverages.
- G. Special requirements.
 - (1) Ancillary nonresidential uses. Ancillary nonresidential uses shall not exceed a maximum area of five acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate plan and corresponding Future Land Use Map amendment.
 - (2) Maximum intensity. No use in the Commercial General District shall exceed a floor area ratio (FAR) of 0.45 nor an impervious surface ratio (ISR) of 0.50.
 - (3) Public/semipublic uses. Public/semipublic uses shall not exceed a maximum area of five acres. Such use or contiguous like uses in excess of this threshold shall require an appropriate plan and corresponding Future Land Use Map amendment.
 - (4) Special buffering requirements.
 - (a) For any personal service, retail or general commercial use which adjoins a property in a residential land use category, the following special buffer requirements shall apply to the property in the Commercial General District:
 - [1] There shall be established and maintained a minimum open, unpaved green space of 20 feet from any adjoining residential property line, which area shall be open and unobstructed except for the landscaping

and fence or wall as provided for in Subsection G(4)(a)[2] and [3] which follows;

[2] The 20 feet of open, unpaved green space shall be landscaped in accord with the provisions of § 102-126C of this code; and

[3] In addition, there shall be constructed a solid wood fence or masonry wall, a minimum of six feet in height, not closer than three feet to and along the entirety of any adjoining residential property line, and otherwise in compliance with Article XIX, Fences, of this chapter.

(b) This buffer requirement does not apply when the subject property is separated from the proximate residential classification by a public right-of-way.

(5) Streetscape requirements. For all properties in the Commercial General District, a minimum of 50% of the required front yard setback area shall be established and maintained in open, unpaved green space and otherwise landscaped in accord with the provisions of § 102-126C of this code.

(6) Change of use. For any change of use involving building expansion or relocation, or parking and loading area expansion or relocation, the process and criteria for variance as provided in Article IV, § 102-16, of this code shall be applicable for any variance that may be sought to those requirements of this district that are eligible for consideration of such variance under the terms of this code.

Section 7. That Section 102-181 of the City of Belleair Bluffs Land Development Code is hereby amended as follows:

Sec. 102-181. - Requirements.

A. It shall be a requirement of this code that site plan review and approval as set forth in this article shall be required for the following types of projects:

(1) All development or redevelopment that comprises one-half acre or more of land area; and

(2) Any change of use from residential to office use or from residential or office to personal service use in each of the Residential/Office General and Residential/Office/Retail Districts; and any change of use to retail use in the Residential/Office/Retail District.

(3) Any development of or subdivision for townhouses.

B. Failure to comply with a certified site plan or any of the conditions upon which such approval was contingent, including time limits for performance, shall be cause to deny issuance of a building permit or, where a permit has been issued pursuant to a certified site plan, to render such building permit invalid. Any action, construction, development or use of property undertaken in violation of the provisions of this article for a certified site plan shall constitute a violation of this code.

Section 8. For purposes of codification of any existing section of the Belleair Bluffs Code herein amended, words underlined represent additions to original text, words ~~stricken~~ are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 9. The Codifier shall codify the substantive amendments to the Belleair Bluffs Code contained in Sections 1 through 7 of this Ordinance as provided for therein, and shall not codify any other sections not designated for codification.

Section 10. Pursuant to Florida Statutes Section 166.041(4), this Ordinance shall take effect at 12:01 a.m. on the tenth day after its adoption.

DULY ADOPTED with a quorum present and voting this ____ day of _____, 2018.

BELLEAIR BLUFFS, FLORIDA

By: _____
Mayor Chris Arbutine, Sr.

ATTEST: CITY CLERK

By: _____
Alexis A. Silcox
City Clerk

PASSED ON FIRST READING: November 20, 2018
AYE: C. Arbutine, J. Barkley, J. Nazario, T. Shimkus, S. Sofer

PLANNING BOARD MEETING: December 10, 2018
AYE:

PASSED ON SECOND READING: December 10, 2018
AYE: