

ORDINANCE 2020-18

AN ORDINANCE OF THE TOWN OF LONGBOAT KEY, FLORIDA, MODIFYING AND AMENDING TITLE 15 LAND DEVELOPMENT CODE, CHAPTER 158, ZONING CODE; AMENDING SECTION 158.030, PERFORMANCE STANDARDS FOR SITE DEVELOPMENT PLAN; AMENDING SECTION 158.059; R-1IP (ISLAND PRESERVE RESIDENTIAL DISTRICT); AMENDING SECTION 158.060, R-1SF (SINGLE-FAMILY LOW-DENSITY ESTATE RESIDENTIAL DISTRICT); AMENDING SECTION 158.061, R-2SF (SINGLE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT), AMENDING SECTION 158.062, R-3SF (SINGLE-FAMILY LOW-MEDIUM-DENSITY RESIDENTIAL DISTRICT), AMENDING SECTION 158.063, R-4SF (SINGLE - FAMILY MEDIUM - DENSITY RESIDENTIAL DISTRICT), AMENDING SECTION 158.064, R-6SF (SINGLE-FAMILY HIGH-DENSITY RESIDENTIAL DISTRICT), AMENDING SECTION 158.065, R-3MX (LOW-MEDIUM-DENSITY MIXED RESIDENTIAL DISTRICT), AMENDING SECTION 158.066, R-4MX (MEDIUM-DENSITY MIXED RESIDENTIAL DISTRICT), AMENDING SECTION 158.067, R-6MX (HIGH-DENSITY MIXED RESIDENTIAL DISTRICT), AMENDING SECTION 158.068, OI (OFFICE-INSTITUTIONAL DISTRICT), AMENDING SECTION 158.069, C-1 (LIMITED COMMERCIAL DISTRICT), AMENDING SECTION 158.070, C-2 (GENERAL COMMERCIAL DISTRICT), AMENDING SECTION 158.071, C-3 (HIGHWAY-ORIENTED COMMERCIAL DISTRICT), AMENDING SECTION 158.072, M-1 (MARINE COMMERCIAL SERVICES DISTRICT), AMENDING SECTION 158.073, T-3 (LOW-MEDIUM-DENSITY TOURIST RESORT COMMERCIAL DISTRICT), AMENDING SECTION 158.074, T-6 (HIGH-DENSITY TOURIST RESORT COMMERCIAL DISTRICT), AMENDING SECTION 158.075, MUC-1 (MIXED USE COMMUNITY - BAY ISLES DISTRICT), AMENDING SECTION 158.076, MUC-2 (MIXED USED COMMUNITY - ISLANDSIDE DISTRICT), AMENDING SECTION 158.077, MUC-3 (MIXED USE COMMUNITY - PROMENADE/WATER CLUB), AMENDING SECTION 158.078, OS-A (OPEN SPACE - ACTIVE DISTRICT), AMENDING SECTION 158.079, OS-P (OPEN SPACE - PASSIVE DISTRICT), AMENDING SECTION 158.080, OS-C (OPEN SPACE - CONSERVATION DISTRICT), AMENDING SECTION 158.081, INS (COMMUNITY FACILITY INSTITUTIONAL DISTRICT), AMENDING SECTION 158.082, OVERVIEW OF CONFORMANCE OVERLAY REDEVELOPMENT DISTRICT (CORD), AMENDING SECTION 158.102, WALLS, FENCES, HEDGE, BERMS, LANDSCAPE LOGS, AND FIREWOOD, AMENDING SECTION 158.110, OUTDOOR DINING FOR RESTAURANTS, AND AMENDING SECTION 158.144, DEFINITIONS, TO CORRECT SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Town of Longboat Key (Town) is a barrier island with unique natural attributes; and

WHEREAS, the Town's Land Development Code serves to preserve and enhance the Town's character by ensuring that land uses are responsive to the social and economic

needs of the community and are consistent with the support capabilities of the natural and manmade systems; and

WHEREAS, the Town Commission adopted Ordinance 2018-24 on April 1, 2019, amending, reorganizing, and recodifying Chapter 158, Zoning Code; and

WHEREAS, subsequent to the adoption of Ordinance 2018-24 scrivener’s error have been identified in the Chapter 158, Zoning Code; and

WHEREAS, the Town of Longboat Key wishes to correct the scriveners errors to provide consistency throughout the Town’s Code of Ordinances; and

WHEREAS, on December 7, 2020, the Town Commission conducted a duly noticed initial public hearing on the proposed Zoning Code; and

WHEREAS, on January 5, 2021, the Town Commission conducted a duly noticed second public hearing on the proposed Zoning Code and the Town Commission approved the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The above recitals are true and correct and are hereby incorporated fully by reference.

SECTION 2. Section 158.030 (E) (6), is hereby modified to read:

(E) *Open Space and landscape.*

(6) The open space area requirements of this Section may be reduced through the use of pervious or semi-pervious parking as specified under Section 158.100 **(OR)**, Incentive For Pervious or Semi-Pervious Parking.

SECTION 3. Section 158.059 (C), is hereby modified to read:

158.59 R-1IP (Island Preserve Residential District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)

Max. Gross Density ^a	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^b	Min. Floor Area (sq. ft.)	Max. Height (ft.)	Max. Bldg. Coverage ^c	Min. Open Space ^d
1 du/5 ac.	217,800	100	100	30	30 total 15 min.	30	Gulf/Pass : 150 Canal: 30 Bay: 50	None	30	20%	50%

^a Density expressed in terms of dwelling or tourism units per acre is fractional and dependent upon lot sizes.

^b Refer to Section 158.094(C) for waterfront yard standards.

^c Refer to Section 158.095(B) **(12)(a)** for calculation of maximum building coverage for swimming pools.

^d Refer to Section 158.030(E) for calculation of open space and landscaping.

SECTION 4. Section 158.060 (C), is hereby modified to read:

158.60 R-1SF (Single-Family Low-Density Estate Residential District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.) ^a

Max. Gross Density ^b	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^c	Min. Floor Area (sq. ft.) ^d	Max. Height (ft.)	Max. Bldg. Coverage ^e	Min. Open Space ^f
1 du/ac.	30,000	100	100	20	25 total 10 min.	30	Gulf/ Pass: 150 Canal: 20 Bay: 20	2,000	30	20%	50%

^a Refer to Section 158.094 158.064(A)(1) for Village study overlay standards.

^b Density expressed in terms of dwelling or tourism units per acre is fractional and dependent upon lot sizes.

^c Refer to Section 158.094 (C) for waterfront yard standards.

^d Minimum floor area with respect to residential, hotel, motel or other tourism uses means minimum living area of the first habitable floor, not including garage.

^e Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.

^f Refer to Section 158.030(E) for calculation of open space and landscaping.

SECTION 5. Section 158.061 (C), is hereby modified to read:

158.61 R-2SF (Single-Family Low-Density Residential District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)

Max. Gross Density ^a	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^b	Min. Floor Area (sq. ft.) ^c	Max. Height (ft.)	Max. Bldg. Coverage ^d	Min. Open Space ^e
2 du/ac.	16,500	100	100	20	25 total 10 min.	25	Gulf/ Pass: 150 Canal: 20 Bay: 20	1,600	30	25%	50%

^a Density expressed in terms of dwelling or tourism units per acre is fractional and dependent upon lot sizes.

^b Refer to Section 158.094(C) for waterfront yard standards.

^c Minimum floor area with respect to residential, hotel, motel or other tourism uses means minimum living area of the first habitable floor, not including garage.

^d Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.

^e Refer to Section 158.030(E) for calculation of open space and landscaping.

SECTION 6. Section 158.062 (C), is hereby modified to read:

158.062 R-3SF (Single-Family Low-Medium-Density Residential District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)

Max. Gross Density ^a	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^b	Min. Floor Area (sq. ft.) ^c	Max. Height (ft.)	Max. Bldg. Coverage ^d	Min. Open Space ^e
3 du/ac.	15,000	100	100	20	25 total 10 min.	25	Gulf/ Pass: 150	1,600	30	25%	50%

Max. Gross Density ^a	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^b	Min. Floor Area (sq. ft.) ^c	Max. Height (ft.)	Max. Bldg. Coverage ^d	Min. Open Space ^e
							Canal: 20 Bay: 20				

- ^a Density expressed in terms of dwelling or tourism units per acre is fractional and dependent upon lot sizes.
- ^b Refer to Section 158.094(C) for waterfront yard standards.
- ^c Minimum floor area with respect to residential, hotel, motel or other tourism uses means minimum living area of the first habitable floor, not including garage.
- ^d Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.
- ^e Refer to Section 158.030(E) for calculation of open space and landscaping.

SECTION 7. Section 158.063 (C), is hereby modified to read:

158.63 R-4SF (Single-Family Medium-Density Residential District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)

Max. Gross Density ^a	Min. Area (sq. ft.) ^b	Min. Width (ft.)	Min. Depth (ft.) ^c	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^d	Min. Floor Area (sq. ft.) ^e	Max. Height (ft.)	Max. Bldg. Coverage ^f	Min. Open Space ^g
4 du/ac.	10,000 sq. ft. *(c)	100'	100' *(h)	20	20 total 8 min.	20	Gulf/ Pass: 150 Canal: 20 Bay: 20	1,600	30	30%	50%

- ^a Density expressed in terms of dwelling or tourism units per acre is fractional and dependent upon lot sizes.
- ^b In R-4SF districts all lots which existed on October 15, 1969, shall contain a minimum of 9,500 square feet of area with an average width between front and rear lines to be at least 80 feet with at least 40 feet fronting on the street.
- ^c In the Special Canal Waterfront Yard District for all lots abutting privately owned manmade residential canals, credit shall be given for lot depth and area by measuring lot depth to the middle of the canal. Under these circumstances, the required lot depth shall be reduced to a minimum of 80 feet. For purposes of determining all other provisions of this Code, including, but not limited to, lot coverage and setbacks, the road right-of-way, mean high-water line, bulkhead and bulkhead line shall be used in accordance with this Chapter in making those determinations.
- ^d Refer to Section 158.094(C) for waterfront yard standards.
- ^e Minimum floor area with respect to residential, hotel, motel or other tourism uses means minimum living area of the first habitable floor, not including garage.
- ^f Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.
- ^g Refer to Section 158.030(E) for calculation of open space and landscaping.

SECTION 8. Section 158.064 (C), is hereby modified to read:

158.64 R-6SF (Single-Family High-Density Residential District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.102 – Performance standards for Site Development Plans, for intensity standards, if applicable.)^a

Max. Gross Density ^b	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^c	Min. Floor Area (sq. ft.) ^d	Max. Height (ft.)	Max. Bldg. Coverage ^e	Min. Open Space ^f
6 du/ac.	7,000	60	90	20	20 total 8 min.	15	Gulf/ Pass: 150 Canal: 20 Bay: 20	1,000	30	30%	50%

^a Refer to Section 158.094 158.064(A)(1) for Village study overlay standards.

^b Density expressed in terms of dwelling or tourism units per acre is fractional and dependent upon lot sizes.

^c Refer to Section 158.094(C) for waterfront yard standards.

^d Minimum floor area with respect to residential, hotel, motel or other tourism uses means minimum living area of the first habitable floor, not including garage.

^e Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.

^f Refer to Section 158.030(E) for calculation of open space and landscaping.

SECTION 9. Section 158.065 (C), is hereby modified to read:

158.65 R-3MX (Low-Medium-Density Mixed Residential District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.) ^a

Use	Max. Gross Density ^b	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^c	Min. Floor Area (sq. ft.) ^d	Max. Height (ft.)	Max. Bldg. Coverage ^e	Min. Open Space ^f
Single-Family	3 units/ac	10,000	100	100	20	25 total 10 min.	25	Gulf/ Pass: 150 Canal: 20 Bay: 20	1,600	30	25%	50%
Two-Family	3 units/ac.	20,000	100	100	20	20 total 8 min.	20	Gulf/ Pass: 150 Canal: 20 Bay: 20	1,000 sq. ft./unit	30	25%	50%
Multi-Family ^g	3 units/ac.	25,000	100	125	30	35 total 15 min.	25	Gulf/ Pass: 150 Canal: 20 Bay: 20	750 sq. ft./bed-room plus 250 sq. ft. each addl. bed-room	30	20%	50%

^a Refer to Section 158.094 158.064(A)(1) for Village study overlay standards.

- ^b Density expressed in terms of dwelling or tourism units per acre is fractional and dependent upon lot sizes.
- ^c Refer to Section 158.094(C) for waterfront yard standards.
- ^d Minimum floor area with respect to residential, hotel, motel or other tourism uses means minimum living area of the first habitable floor, not including garage.
- ^e Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.
- ^f Refer to Section 158.030(E) for calculation of open space and landscaping.
- ^g Refer to Section 158.030(K) Supplemental controls for multifamily residential and tourism uses.

SECTION 10. Section 158.066 (C), is hereby modified to read:

158.066 - R-4MX (Medium-Density Mixed Residential District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)

Use	Max. Gross Density ^a	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^b	Min. Floor Area (sq. ft.) ^c	Max. Height (ft.)	Max. Bldg. Coverage ^d	Min. Open Space ^e
Single-Family	4 units/ac	10,000	100	100	20	20 total 8 min.	20	Gulf/ Pass: 150 Canal: 20 Bay: 20	1,600	30 ^f	30%	50%
Two-Family	4 units/ac	15,000	100	100	20	20 total 8 min.	20	Gulf/ Pass: 150 Canal: 20 Bay: 20	1,000 sq. ft./unit	30 ^f	25%	50%
Multi-Family ^e	4 units/ac	25,000	100	125	40	35 total 15 min.	25	Gulf/ Pass: 150 Canal: 20 Bay: 20	750 sq. ft./bed-room plus 250 sq. ft. each addl. bed-room	35 ^f	30%	50%

- ^a Density expressed in terms of dwelling or tourism units per acre is fractional and dependent upon lot sizes.
- ^b Refer to Section 158.094(C) for waterfront yard standards.
- ^c Minimum floor area with respect to residential, hotel, motel or other tourism uses means minimum living area of the first habitable floor, not including garage.
- ^d Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.
- ^e Refer to Section 158.030(E) for calculation of open space and landscaping.
- ^f Refer to Section 158.030(K) Supplemental controls for multifamily residential and tourism uses.

SECTION 11. Section 158.067 (C), is hereby modified to read:

158.067 - R-6MX (High-Density Mixed Residential District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.102 – Performance standards for Site Development Plans, for intensity standards, if applicable.)

Use	Max. Gross Density ^a	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^b	Min. Floor Area (sq. ft.) ^c	Max. Height (ft.)	Max. Bldg. Coverage ^d	Min. Open Space ^e
Single-Family	6 units/ac.	10,000	100	100	20	20 total 8 min.	20	Gulf/ Pass: 150 Canal: 20 Bay: 20	1,600	30 ^f	30%	50%
Two-Family	6 units/ac.	15,000	125	100	20	20 total 8 min.	20	Gulf/ Pass: 150 Canal: 20 Bay: 20	1,000 sq. ft./ unit	30 ^f	25%	50%
Multi-Family ^e	6 units/ac.	30,000	150	150	50	80 total 30 min.	30	Gulf/ Pass: 150 Canal: 20 Bay: 20	750 sq. ft./ bed-room plus 250 sq. ft. each addl. bed-room	50 ^f	30%	50%

- ^a Density expressed in terms of dwelling or tourism units per acre is fractional and dependent upon lot sizes.
- ^b Refer to Section 158.094(C) for waterfront yard standards.
- ^c Minimum floor area with respect to residential, hotel, motel or other tourism uses means minimum living area of the first habitable floor, not including garage.
- ^d Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.
- ^e Refer to Section 158.030(F) for calculation of open space and landscaping.
- ^f Refer to Section 158.030(L) Supplemental controls for multifamily residential and tourism uses.

SECTION 12. Section 158.068 (C), is hereby modified to read:

158.068 - OI (Office-Institutional District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)^a

Max. Gross Density	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^b	Min. Floor Area (sq. ft.)	Max. Height (ft.)	Max. Bldg. Coverage ^c	Min. Open Space ^d
N.A.	20,000	100	150	45	40 total 15 min.	20	Gulf/ Pass: 150 Canal: 20 Bay: 20	N.A.	30 ^f	30% 40% with PUD- MUC	20%

- ^a Refer to Section 158.036 for Planned Unit Development (PUD) standards.
- ^b Refer to Section 158.094(C) for waterfront yard standards.

- ^c Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.
- ^d Refer to Section 158.026(E) for calculation of open space and landscaping.

SECTION 13. Section 158.069 (C), is hereby modified to read:

158.69 – C-1 (Limited Commercial District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)^a

Max. Gross Density	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.) ^b	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^c	Min. Floor Area (sq. ft.)	Max. Height (ft.)	Max. Bldg. Coverage ^d	Min. Open Space ^e
N.A.	10,000	75	125	45 or 20 if all parking is located behind the front face of the building	15 total 15 min. (a)	20	Gulf/ Pass: 150 Canal: 20 Bay: 20	N.A.	30	30% 40% with PUD- MUC	20%

- ^a Refer to Section 158.036 for Planned Unit Development (PUD) standards.
- ^b If commercial use adjoins another commercial use or district, no side yard setback is required; however, if one is provided, it shall be 15 feet. If commercial use adjoins a residential use or district, the minimum side yard setback shall be 30 feet.
- ^c Refer to Section 158.094(C) for waterfront yard standards.
- ^d Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.
- ^e Refer to Section 158.030(E) for calculation of open space and landscaping.

SECTION 14. Section 158.070 (C), is hereby modified to read:

158.70 – C-2 (General Commercial District).

(D) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)^a

Max. Gross Density	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.) ^b	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^c	Min. Floor Area (sq. ft.)	Max. Height (ft.)	Max. Bldg. Coverage ^d	Min. Open Space ^e
N.A.	30,000	150	200	35 or 20 if all parking is located behind the front face of the building	50 total 20 min.	25	Gulf/ Pass: 150 Canal: 20 Bay: 20	N.A.	40	30% 40% with PUD- MUC	20%

- ^a Refer to Section 158.036 for Planned Unit Development (PUD) standards.

- ^b If commercial use adjoins another commercial use or district, no side yard setback is required; however, if one is provided, it shall be 15 feet. If commercial use adjoins a residential use or district, the minimum side yard setback shall be 30 feet.
- ^c Refer to Section 158.094(C) for waterfront yard standards.
- ^d Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.
- ^e Refer to Section 158.030(E) for calculation of open space and landscaping.

SECTION 15. Section 158.071 (C), is hereby modified to read:

158.71 – C-3 (Highway-Oriented Commercial District).

(E) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)^a

Max. Gross Density	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.) ^b	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^c	Min. Floor Area (sq. ft.)	Max. Height (ft.)	Max. Bldg. Coverage ^d	Min. Open Space ^e
N.A.	30,000	150	175	35 or 20 if all parking is located behind the front face of the building	50 total 20 min.	25	Gulf/Pass: 150 Canal: 20 Bay: 20	N.A.	40	40% 50% with PUD-MUC	20%

- ^a Refer to Section 158.036 for Planned Unit Development (PUD) standards.
- ^b If commercial use adjoins another commercial use or district, no side yard setback is required; however, if one is provided, it shall be 15 feet. If commercial use adjoins a residential use or district, the minimum side yard setback shall be 30 feet.
- ^c Refer to Section 158.094(C) for waterfront yard standards.
- ^d Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.
- ^e Refer to Section 158.030(E) for calculation of open space and landscaping.

SECTION 16. Section 158.072 (C), is hereby modified to read:

158.72 – M-1 (Marine Commercial Services District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)^a

Max. Gross Density	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.) ^b	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^c	Min. Floor Area (sq. ft.)	Max. Height (ft.)	Max. Bldg. Coverage ^d	Min. Open Space ^e
N.A.	30,000	150	175	45	50 total 20 min.	25	Gulf/Pass: 150 Canal: 20 Bay: 20	N.A.	30	40% 50% with PUD-MUC	20%

- ^a Refer to Section 158.036 for Planned Unit Development (PUD) standards.
- ^b If commercial use adjoins another commercial use or district, no side yard setback is required; however, if one is provided, it shall be 15 feet. If commercial use adjoins a residential use or district, the minimum side yard setback shall be 30 feet.
- ^c Refer to Section 158.094(C) for waterfront yard standards.
- ^d Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.

^e Refer to Section 158.030(E) for calculation of open space and landscaping.

SECTION 17. Section 158.073 (C), is hereby modified to read:

158.73 – T-3 (Low-Medium-Density Tourist Resort Commercial District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)^a

Use	Max. Gross Density ^b	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Water front Yard (ft.) ^c	Min. Floor Area (sq. ft.) ^d	Max. Height (ft.)	Max. Bldg. Coverage ^e	Min. Open Space ^f
Multi-Family ^g	3 units/ac.	25,000	100	125	40	35 total 15 min.	25	Gulf/Pass : 150 Canal: 20 Bay: 20	750 sq. ft./unit plus 250 sq. ft. for each addl. bedroom above one	40	25% 35% with PUD	50%
Tourism Units (Including time-share units) ^f	3 units/ac.	40,000	150	250	45	50 total 20 min.	25	Gulf/Pass : 150 Canal: 20 Bay: 20	300 sq. ft./unit plus 125 sq. ft. for each addl. bedroom above one	40	25% 35% with PUD	50%

^a Refer to Section 158.036 for Planned Unit Development (PUD) standards.

^b Density expressed in terms of dwelling or tourism units per acre is fractional and dependent upon lot sizes.

^c Refer to Section 158.094(C) for waterfront yard standards.

^d Minimum floor area with respect to residential, hotel, motel or other tourism uses means minimum living area of the first habitable floor, not including garage.

^e Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.

^f Refer to Section 158.030(E) for calculation of open space and landscaping.

^g Refer to Section 158.030(K) Supplemental controls for multifamily residential and tourism uses.

SECTION 18. Section 158.074 (C), is hereby modified to read:

158.74 – T-6 (High-Density Tourist Resort Commercial District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)^a

Use	Max. Gross Density ^b	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Water front Yard (ft.) ^c	Min. Floor Area (sq. ft.) ^d	Max. Height (ft.)	Max. Bldg. Coverage ^e	Min. Open Space ^f
Multi-Family ^e	6 units/ac	30,000	150	150	50	80 total 30 min.	30	Gulf/Pass: 150 Canal: 20 Bay: 20	750 sq. ft./unit plus 250 sq. ft. for each addl. bed-room above one	50	30% 40% with PUD	50%
Tourism Units (Including time-share units) ^f	6 units/ac	55,000	175	300	50	80 total 30 min.	30	Gulf/Pass: 150 Canal: 20 Bay: 20	300 sq. ft./unit plus 125 sq. ft. for each addl. bed-room above one	50	30% 40% with PUD	50%

- ^a Refer to Section 158.036 for Planned Unit Development (PUD) standards.
- ^b Density expressed in terms of dwelling or tourism units per acre is fractional and dependent upon lot sizes.
- ^c Refer to Section 158.094(C) for waterfront yard standards.
- ^d Minimum floor area with respect to residential, hotel, motel or other tourism uses means minimum living area of the first habitable floor, not including garage.
- ^e Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.
- ^f Refer to Section 158.030(E) for calculation of open space and landscaping.
- ^g Refer to Section 158.030(K) Supplemental controls for multifamily residential and tourism uses.

SECTION 19. Section 158.075 (C), is hereby modified to read:

158.75 – MUC-1 (Mixed Use Community – Bay Isles District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)^a

Use	Max. Gross Density ^b	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Water front Yard (ft.) ^c	Min. Floor Area (sq. ft.) ^d	Max. Height (ft.)	Max. Bldg. Coverage ^e
Single-Family	3.26 units/ac.	10,000	100	100	20	20 total 8 min.	20	Gulf/Pass: 150 Canal: 20	1,600	50	30% ^f

Use	Max. Gross Density ^b	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Water front Yard (ft.) ^c	Min. Floor Area (sq. ft.) ^d	Max. Height (ft.)	Max. Bldg. Cover- age ^e
								Bay: 20			
Two-Family	3.26 units/ac	15,000	125	100	20	20 total 8 min.	20	Gulf/ Pass: 150 Canal: 20 Bay: 20	1,000 sq. ft./unit plus 750 sq. ft. for each addl. bed-room above one	50 65 with PUD	30% 40% with PUD
Multi-Family and other permitted buildings ^g	3.26 units/ac	30,000	150	150	50	80 total 30 min.	30	Gulf/ Pass: 150 Canal: 20 Bay: 20	1,000 sq. ft./unit plus 250 sq. ft. for each addl. bed-room above one	50 65 with PUD	30% 40% with PUD

^a Refer to Section 158.036 for Planned Unit Development (PUD) standards.

^b Density expressed in terms of dwelling or tourism units per acre is fractional and dependent upon lot sizes.

^c Refer to Section 158.094(C) for waterfront yard standards.

^d Minimum floor area with respect to residential, hotel, motel or other tourism uses means minimum living area of the first habitable floor, not including garage.

^e Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.

^f The maximum ground coverage by all buildings or structures (principal and accessory) shall be limited to 15 percent when one or more of the buildings or structures on the lot is 70 or more feet in height.

^g Refer to Section 158.030(K) Supplemental controls for multifamily residential and tourism uses.

SECTION 20. Section 158.076 (C), is hereby modified to read:
158.76 – MUC-2 (Mixed Used Community – Islandside District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)^a

Use	Max. Gross Density ^b	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^c	Min. Floor Area (sq. ft.) ^d	Max. Height (ft.)	Max. Bldg. Coverage ^e
Single-Family	5.05 units/ac.	10,000	100	100	20	20 total 8 min.	20	Gulf/ Pass: 150 Canal: 20 Bay: 20	1,600	50	30% ^f
Two-Family	5.05 units/ac.	15,000	125	100	20	20 total 8 min.	20	Gulf/ Pass: 150 Canal: 20 Bay: 20	1,000 sq. ft./unit plus 750 sq. ft. for each addl. bedroom above one	50	30% 40% with PUD
Multi-Family and other permitted building ^g	5.05 units/ac.	30,000	150	150	50	80 total 30 min.		Gulf/ Pass: 150 Canal: 20 Bay: 20	1,000 sq. ft./unit plus 250 sq. ft. for each addl. bedroom above one	50 130 87 with PUD	30% 40% with PUD

^a Refer to Section 158.036 for Planned Unit Development (PUD) standards.

^b Density expressed in terms of dwelling or tourism units per acre is fractional and dependent upon lot sizes.

^c Refer to Section 158.094(C) for waterfront yard standards.

^d Minimum floor area with respect to residential, hotel, motel or other tourism uses means minimum living area of the first habitable floor, not including garage.

^e Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.

^f The maximum ground coverage by all buildings or structures (principal and accessory) shall be limited to 15 percent when one or more of the buildings or structures on the lot is 70 or more feet in height.

^g Refer to Section 158.030(K) Supplemental controls for multifamily residential and tourism uses.

SECTION 21. Section 158.077 (C), is hereby modified to read:

158.77 – MUC-3 (Mixed Use Community – Promenade/Water Club District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)^a

Use	Max. Gross Density ^b	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^c	Min. Floor Area (sq. ft.) ^d	Max. Height (ft.)	Max. Bldg. Coverage ^e
Multi-Family and other permitted buildings ^g	11.26 units/ac.	30,000	150	150	50	80 total 30 min.	30	Gulf/ Pass: 150 Canal: 20 Bay: 20	750 sq. ft./unit plus 250 sq. ft. for each addl. bedroom above one	50 120 with PUD-MUC	30% ^f

^a Refer to Section 158.036 for Planned Unit Development (PUD) standards.

^b Density expressed in terms of dwelling or tourism units per acre is fractional and dependent upon lot sizes.

^c Refer to Section 158.094(C) for waterfront yard standards.

^d Minimum floor area with respect to residential, hotel, motel or other tourism uses means minimum living area of the first habitable floor, not including garage.

^e Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.

^f The maximum ground coverage by all buildings or structures (principal and accessory) shall be limited to 15 percent when one or more of the buildings or structures on the lot is 70 or more feet in height.

^g Refer to Section 158.030(K) Supplemental controls for multifamily residential and tourism uses.

SECTION 22. Section 158.078 (C), is hereby modified to read:

158.078 - OS-A (Open Space - Active District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 - Performance standards for Site Development Plans, for intensity standards, if applicable.)

Max. Gross Density ^b	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^{a,c}	Min. Floor Area (sq. ft.)	Max. Height (ft.)	Max. Impervious Surface Coverage
N.A.	N.A.	N.A.	N.A.	45	40 total 15 min.	20	Gulf/Pass: 150; Canal: 20; Bay: 20	N.A.	30	30%

^a Refer to Section 158.094(C) for waterfront yard standards.

SECTION 23. Section 158.079 (C), is hereby modified to read:

158.079 - OS-P (Open Space – Passive District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 - Performance standards for Site Development Plans, for intensity standards, if applicable.)

Max. Gross Density	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^{ae}	Min. Floor Area (sq. ft.)	Max. Height (ft.)	Max. Impervious Surface Coverage
N.A.	N.A.	N.A.	N.A.	45	40 total 15 min.	20	Gulf/Pass: 150; Canal: 20; Bay: 20	N.A.	15	15%

a Refer to Section 158.094(C) for waterfront yard standards.

SECTION 24. Section 158.080 (C), is hereby modified to read:

158.080 - OS-C (Open Space - Conservation District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 - Performance standards for Site Development Plans, for intensity standards, if applicable)

Max. Gross Density	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Waterfront Yard (ft.) ^{ae}	Min. Floor Area (sq. ft.)	Max. Height (ft.)	Max. Impervious Surface Coverage
N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	0

a Refer to Section 158.094(C) for waterfront yard standards.

SECTION 25. Section 158.081 (C), is hereby modified to read:

158.81 – INS (Community Facility Institutional District).

(C) *Lot, Yard, and Bulk Regulations.* (Note: Also refer to Section 158.030 – Performance standards for Site Development Plans, for intensity standards, if applicable.)^a

Max. Gross Density	Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Min. Street (ft.)	Min. Side Yard (ft.)	Min. Rear Yard (ft.)	Min. Water-front Yard (ft.) ^b	Min. Floor Area (sq. ft.)	Max. Height (ft.)	Max. Building Coverage ^c	Min. Open Space ^d
N.A.	20,000	100	150	45	40 total 15 min.	20	Gulf/ Pass: 150 Canal: 20 Bay: 20	N.A.	30	30% 40% with PUD	20%

^a Refer to Section 158.036 for Planned Unit Development (PUD) standards.

^b Refer to Section 158.094(C) for waterfront yard standards.

^c Refer to Section 158.095(B)(12)(a) for calculation of maximum building coverage for swimming pools.

^d Refer to Section 158.030(F) for calculation of open space and landscaping.

SECTION 26. Section 158.082 (A), is hereby modified to read:

158.82 – Height regulations.

- (A) No building or structure shall have an aggregate height of a greater number of feet than is permitted in Article IV Section 158.145 of the Longboat Key Zoning Code for the zoning district in which the building or structure is located, except as noted in Subsection (C) below.

SECTION 27. Section 158.102, is hereby modified to read:

158.102 – Walls, fences, hedge, berms, landscape logs and firewood.

- (C) *Waterfront yard.* All walls, fences, or hedges within a required waterfront yard shall not exceed three feet in height [except as provided in Section 158.094 (C)(5)].

SECTION 28. Section 158.110 (A) (6), is hereby modified to read:

158.110 - Outdoor dining for restaurants.

- (A) (6) All outdoor dining areas shall meet the regulations for parking under section 158.100 as may be modified by subsection 158.046(A)(1).

SECTION 29. Section 158.144, is hereby modified to read:

158.144 – Definitions

For the purpose of this Chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning:

"Open space." Area comprised of permeable open surfaces excluding principal structures and impermeable surfaces. For the purpose of calculating residential, nonresidential and mixed use open space requirements of this Chapter, "open space" shall not include impermeable surface as defined in Section 158.144; parking lots and driveways, whether paved or unpaved; swimming pool shells and decks; or any at-grade impermeable feature. Active recreation areas may be counted as open space. Other active recreation areas which are not defined as impermeable surface as defined in Section 158.144 and not covered by an impermeable structure shall be included as open space. (158.102(F)) Pervious and semi-pervious parking may be counted toward meeting open space standards subject to the requirements of Section 158.100(OR), Incentives for Pervious and Semi-Pervious Parking.

SECTION 30. Repeal of Ordinances in Conflict. All other ordinances of the Town of Longboat Key, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

SECTION 31. Codification. This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Longboat Key upon adoption.

SECTION 32. Effective Date. This Ordinance shall take effect immediately upon its adoption, as provided by law.

Passed on first reading and public hearing the 7th day of December, 2020.

Adopted on second reading and public hearing the 5th day of January, 2021.

ATTEST:

/s/ Trish Shinkle
Trish Shinkle, Town Clerk

/s/ Kenneth Schneier
Kenneth Schneier, Mayor