

ORDINANCE NO. 15-03

AN ORDINANCE OF THE TOWN OF REDINGTON SHORES, FLORIDA, PERTAINING TO LAND DEVELOPMENT REGULATIONS; AMENDING SECTION 90-107 OF THE "CODE OF THE TOWN OF REDINGTON SHORES, FLORIDA" PERTAINING TO THE GULF BOULEVARD OVERLAY DISTRICT; AMENDING SECTION 90-108 OF THE "CODE OF THE TOWN OF REDINGTON SHORES, FLORIDA", PERTAINING TO PARKING REGULATIONS AND REQUIREMENTS; AMENDING PART 7, ARTICLE XXXII OF THE "CODE OF THE TOWN OF REDINGTON SHORES, FLORIDA" PERTAINING TO CONCURRENCY MANAGEMENT; DELETING IN ITS ENTIRETY PART 7, ARTICLE XXXIII PERTAINING TO THE PROPORTIONATE FAIR-SHARE PROGRAM; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCES IN THE "CODE OF THE TOWN OF REDINGTON SHORES, FLORIDA"; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF REDINGTON SHORES, FLORIDA:

SECTION 1. That Section 90-107 of the Code of the Town of Redington Shores, Florida, is hereby amended as follows:

Sec. 90-107. - GBO Gulf Boulevard Overlay District.

A. Purpose.

- (1) It is the purpose of the Gulf Boulevard Overlay District (GBOD) to establish a unifying set of development design standards that guide infill and redevelopment activities occurring within the town on properties located adjacent to portions of Gulf Boulevard. See Figure 90-107-A for the GBOD limits.
- (2) Implementation of the design standards will create a pedestrian-friendly and aesthetically cohesive town; a desirable place to live, work, and play that is known for its distinctive coastal character. This coastal character is fostered through a building's size and mass, placement, relationship to other buildings and ancillary facilities, and overall appearance.
- (3) Further, the objectives of the overlay district are:
 - (a) To preserve, enhance or create public spaces that are distinctive, accessible and desirable.
 - (b) To create compact concentrations of compatible uses, through the development of multiple uses within the same buildings, parcels or blocks.
 - (c) To create safe and welcoming pedestrian environments, particularly along and near Gulf Boulevard, through the use of streetscaping, shading, protection from weather, traffic calming, and effective architectural design.

- (d) To create unifying design treatments throughout the district through attention to the placement, configuration and architectural detail of new construction.



Figure 90-107-A

- B. Definitions. For the purpose of this district, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "building" includes the word "premises"; and the word "shall" is mandatory and not discretionary. Said definitions are as follows:

Alignment—The configuration of the building facades cooperating to define open space in much the same way as walls define a room.

Arcade—A series of arches linked together, usually as an element of a building and covering a sidewalk.

Arcade frontage—Certain lines designed for arcades on the ground story. The arcade length is measured as the distance along the building facade. The depth is measured back from the building facade. The height is measured from the sidewalk to the ceiling of the arcade.

Awning—An ancillary lightweight structure of wood, metal or canvas, cantilevered from a building facade and providing shade to the building windows, doorway openings, and spatial containment for pedestrians.

Back building—An ancillary segment of a building extending from a principal building into a rear yard. A back building may connect the main building to an outbuilding.

Balcony—An unenclosed, habitable structure, usually cantilevered from a facade or an elevation, providing private outdoor space to an apartment.

Bands of windows—A horizontal series of three windows or more, separated only by mullions, that forms a horizontal band across the facade of a building.

Bays—Openings formed by the supports of the arcade or colonnade.

Build-to line—A line appearing graphically on the site development plan and/or stated as a setback dimension, along which a building facade must be placed.

Canopy sign (awning sign)—A sign that is mounted on, painted to, or otherwise attached to an awning.

Canopy tree—A large-scale deciduous or evergreen shade tree used as part of streetscape plantings to define space, buildings, and shade sidewalks.

Cap—A horizontal cross member at the top of a window frame in semicircles, arches, or triangular shapes.

Colonnade—A series of columns similar to an arcade but spanned by straight lintels instead of arches (see "gallery").

Configuration, building—The three-dimensional form of a building, including the form and materials of roofs, walls, openings, and other elements.

Cornice—Any crowning projection.

Crosswalk—The axis of pedestrians crossing a thoroughfare. The crosswalk typically to connect sidewalks at the corners of blocks.

Detached single-family house—A freestanding building, designed for or occupied exclusively by one family.

Diagonal parking—A pattern of parking where the vehicle is stored at an angle to the curblin.

Door, entry—A primary entrance that provides security at the main building entry point.

Driveway—A vehicular accessway within a private lot connecting a garage to a thoroughfare.

Dwelling, multifamily—A dwelling where three or more dwelling units are contained in one structure on a single lot or parcel and attached by common vertical walls.

Dwelling, single-family detached—A dwelling unit on a single parcel or parcels attached to one or more one-family dwellings connected by common vertical walls.

Dwelling, single-family attached—A one-family dwelling on a single lot attached to two or more one-family dwellings that are on single lots attached by common vertical walls.

Eave—The junction of the wall of a building and an overhanging roof. To avoid discouraging pitched roofs, the designated maximum building height should be measured to the eave, and not the ridge of the roof.

Facade, primary—The elevations of a building usually set parallel to a frontage line.

Fenestration—The arrangement, proportioning, and design of windows and doors in a building.

Frontage lot—That portion of a lot, between the facade and the lot line, that fronts onto a public open space or a thoroughfare.

Frontage width—The measure of the lot line that coincides with the right-of-way of a thoroughfare. In a corner condition, a frontage width is measured at the more important of the two thoroughfares.

Gable—The orientation of a pitched roof that shows the vertical, triangular side rather than the sloped.

Gallery—A roofed promenade where the columns are set at regular intervals.

Garage door ratio—The vertical surface area of the garage (the doors and their surrounds) relative to the rest of the facade.

Gate—An exterior door connecting one outdoor space within another.

Green—A public open space available for unstructured recreation, generally contained by building facades, landscaped with grassy areas and trees.

Head-in parking—A pattern of parking where the vehicle is stored at a ninety-degree angle to the curblines.

Lawn—Grassed lands controlled by mowing. A lawn is a uniform, durable groundcover suitable for playing fields.

Liner building—A building conceived specifically to mask a parking lot or a parking structure from the frontage.

Lintel—A supporting wood or stone beam across the top of an opening, such as that of a window or door.

Live-work building—A townhouse or stand-alone structure, generally owner-occupied, with the first story available as commercial space. This space is controlled by the building's owner and may be leased to an independent business owner.

Loft—A high-ceilinged and internally well-lit dwelling with few partitions reaching the ceiling.

Loggia—An open-air room within the mass of a building, with ceiling and floors, but no wall on at least one side.

Main building—The principal building on a lot, disposed to provide the facade on the frontage.

Mullion—A vertical member dividing a window or opening.

Off-street parking—A parking area located within a lot, generally to the rear of a building frontage, masking it from the public space.

On-street parking—A single line of parking located along the curblines of a thoroughfare, accessible directly from a moving lane.

Out building—A secondary building associated with a principal building by ownership and shared lot.

Parallel parking—A pattern of parking where the vehicle is stored parallel to the curblines. Parallel parking permits a narrower street section and creates the most positive sidewalk experience of the possible patterns, but it requires a difficult driving maneuver and provides the lowest density of parking per linear foot of street frontage.

Parapet—A low guarding wall at any point of sudden drop, such as the edge of a terrace, roof or balcony.

Park—A large open area available for recreation, usually located at the neighborhood edge, and fronted by buildings. Its landscape comprises paved paths and trails, some open lawn, trees and open shelters, all naturalistically disposed and requiring limited maintenance.

Passage—A pedestrian connector passing between buildings.

Pedestrian shed—A determinant of urban size, defined as the area described by a radius equaling the distance that can be covered by a five-minute or one-quarter-mile walk at an easy pace.

Pedestrian way—The portion of the thoroughfare right-of-way that is dedicated to uses other than vehicular movement and parking. The pedestrian way includes the sidewalks, arcades, and planting areas of streetscapes.

Placement, building—The location of a building on its lot. Placement is determined by dimensional setback or build-to requirements measured from the lot boundary lines.

Playground—A small open area specifically designed and equipped for the play of small children. A playground is usually fenced and may include an open shelter.

Plaza—A public space set at the intersection of important streets, set aside for civic purposes and/or commercial activities.

Porch—An open-air room appended to the mass of a building with floor and roof, but no walls on at least two sides.

Public realm (space)—Those parts of the urban fabric that are held in common, such as plazas, squares, parks, thoroughfares and civic buildings.

Rear lane—A vehicular accessway located to the rear of a lot providing access to parking and outbuildings as well as easements for utilities. Rear lanes are paved as lightly as possible, to driveway standards or with shell.

Retail frontage—Certain frontage lines designated for mandatory retail on the regulating plan. These building facades are subject to special adaptation for retail use at the ground story.

Roof—That element of a building that covers the top of a building, as the walls cover the sides.

Roof overhang—The overhead cantilever of an architectural element beyond the building wall.

Roof slope—The angle of the roof, usually stated as a ratio of the vertical to the horizontal (e.g., "4:12" that is, a four-foot vertical rise across each twelve-foot horizontal run).

Shared parking—The policy wherein day/night and weekday/weekend schedules of two or more uses allow the parking to be shared by more than one use or building.

Sign, monument—A sign not attached to a building, where the entire base of the sign is in contact with or close to the ground, and the sign is independent of any other structure.

Sign, wall—A sign applied directly to the exterior face of a building, with the exposed face within the plane of the facade or parallel to the facade. This category includes those signs painted onto or applied directly to the surface of a building's exterior face.

Streetscaping—An assemblage of landscapes, walks, and curbs between the private lot line and the public right-of-way or vehicular frontage.

Thoroughfare—An urban element that provides a major part of the public open space as well as moving lanes for vehicles. A thoroughfare is endowed with two attributes: capacity and character.

- (1) Thoroughfare capacity — The number of vehicles that can move safely through a segment of a thoroughfare within a given time period.
- (2) Thoroughfare character — The suitability of a thoroughfare as a setting for pedestrian activities and as a location for a variety of building types.

Vehicular circulation—The combination of moving and parking lanes within thoroughfares. The network of thoroughfares also constitutes the majority of the public realm available to pedestrians.

Vehicular way—The portion of the thoroughfare that is occupied by vehicles, usually consisting of the moving lanes and the parking lanes. The vehicular way, together with the pedestrian way, fills the right-of-way.

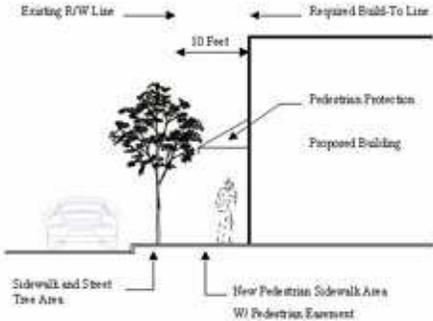
Vertical height—The height as measured to the highest point of a building or specific component.

Walk—A lightly paved path of grass, gravel or sand within a garden or open space.

- C. Permitted uses. Uses within the GBOD shall be limited as identified within the underlying zoning districts included in this chapter.
- D. Special uses. Special uses within the GBOD shall be limited as identified within the underlying zoning districts included in this chapter.
- E. Building placement standards. All improvements newly constructed buildings and substantial building renovations exceeding 50 percent appraised value identified within this section shall meet the intent of FEMA regulations through the standards and requirements of the PCCLB coastal construction code and Part 2, ~~sections 90-43, 90-56 and 90-58,~~ of the town's Code.
 - (1) General requirements. ~~e~~Enhance the harmony and character of the community by establishing standards for placement and detailing among the various structures.
 - (2) Build-to and setback requirements.
 - (a) All ~~newly constructed buildings and substantial building renovations exceeding 50 percent appraised value~~ commercial and mixed use structures adjacent to the Gulf Boulevard right-of-way shall may be built with their primary facade located along a build-to line, measured ten feet from the right-of-way line, or such greater distance as may be required if necessary to accommodate large palms or shade trees planted street-side in order to be

consistent with other plantings in the surrounding area. See Figure 90-107-B.

Figure 90-107-B



- (b) All newly constructed commercial and mixed use buildings adjacent to Gulf Boulevard shall may have an arcade, gallery, porch, or awning to provide pedestrian protection. Buildings taller than two stories shall provide balconies on all floors above the first floor. See Figure 90-107-C.

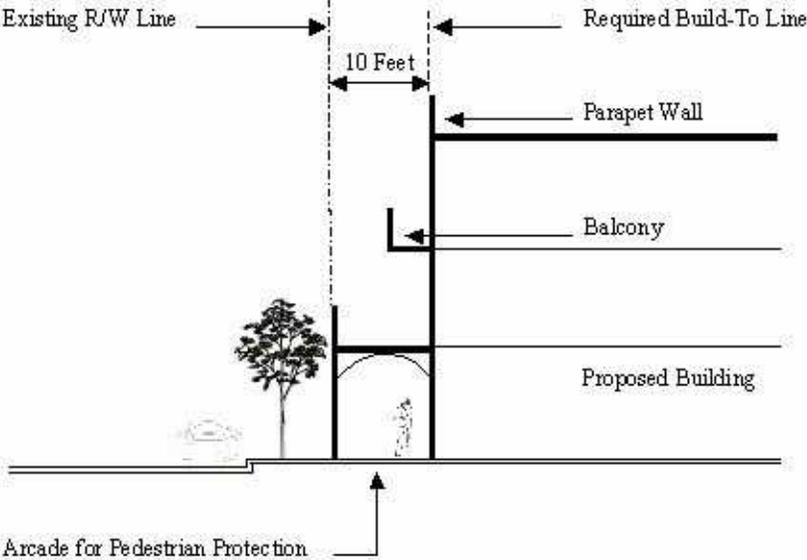
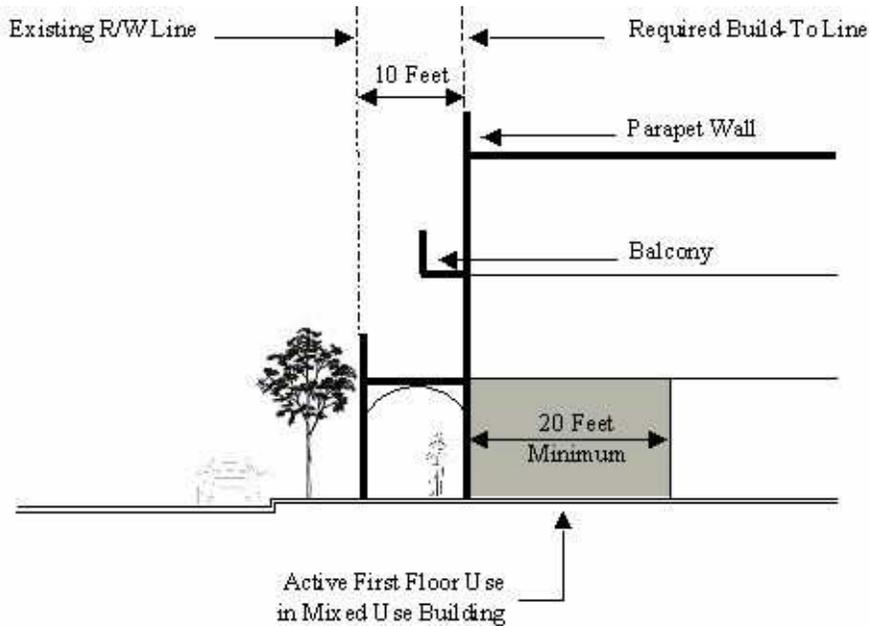


Figure 90-107-C

- (3) Building ground floor use requirements.
 - (a) The ground floor of all newly constructed commercial and mixed use buildings located along Gulf Boulevard shall may include street-front retail, restaurants, office, commercial, civic or other residential or nonresidential uses as limited by the underlying zoning district provisions listed in this chapter.

- (b) Ground floor nonresidential development areas shall be a minimum of 20 feet in depth from the primary facade of the building. See Figure 90-107-D.
- (c) All development areas shall be constructed according to necessary standards for protection from flooding.

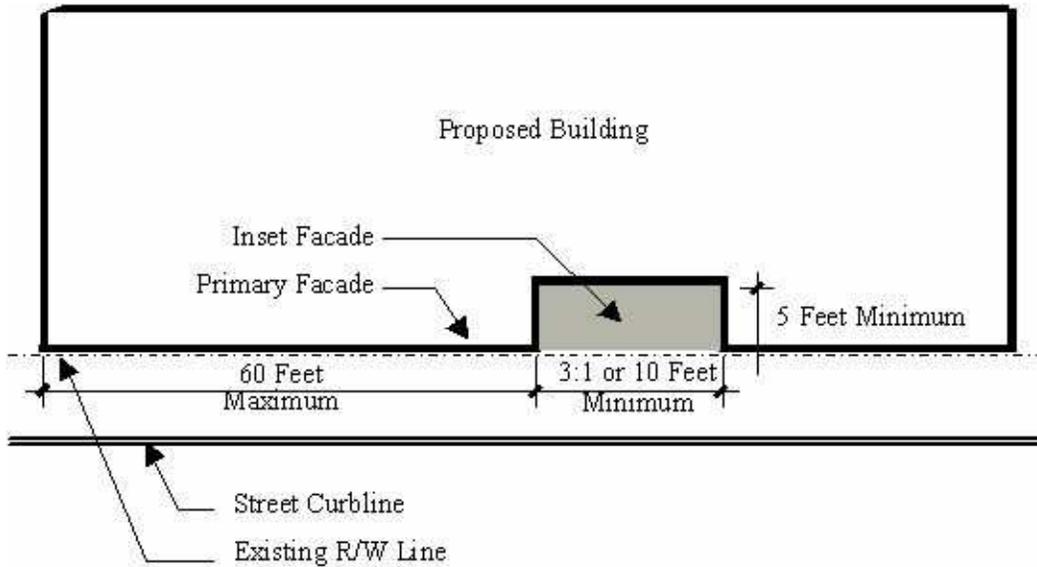
Figure 90-107-D



(4) Building width requirements.

- (a) The maximum continuous facade of any building fronting the Gulf Boulevard right-of-way shall be 60 feet. See Figure 90-107-E.
- (b) Buildings wider than 60 feet must be architecturally defined as a series of smaller, repetitive units, with insets located within the primary facades.
- (c) The inset facade shall be recessed a minimum of five feet from the front of the primary facade.
- (d) The ratio of the width of a primary facade to an inset facade shall be no greater than three to one (3:1), or a minimum of ten (10) feet.

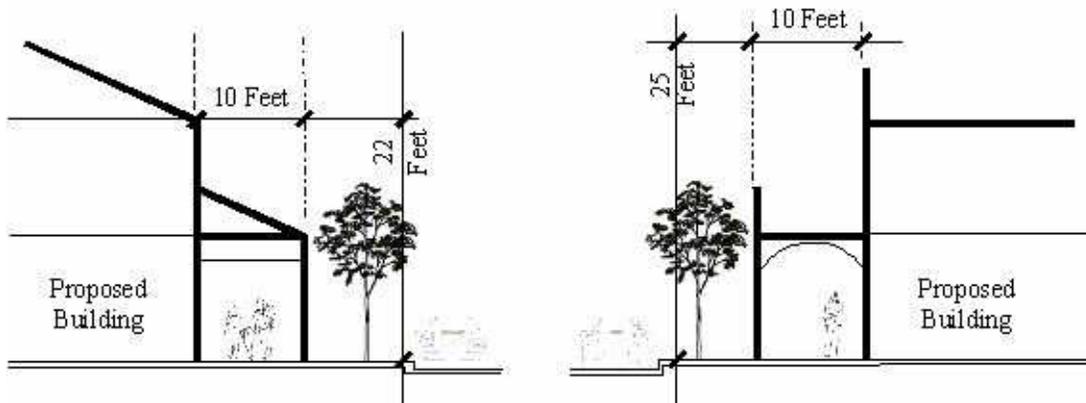
Figure 90-107-E



(5) Building height requirements.

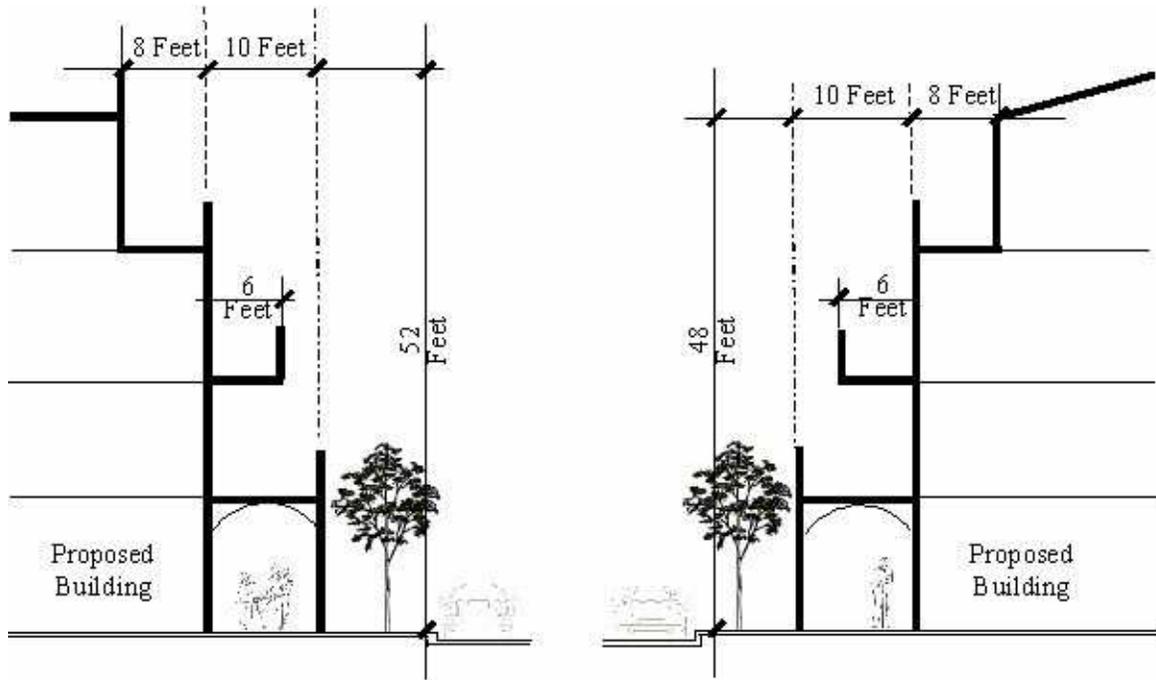
- (a) All newly constructed buildings located along Gulf Boulevard shall be a minimum of two stories in height, and measure no greater than 25 feet, as measured from right-of-way finished grade to the top of the parapet on a flat roof or 22 feet as measured to the top edge of the eave on a pitched roof. See Figure 90-107-F.

Figure 90-107-F



- (b) All newly constructed buildings located along Gulf Boulevard shall may be a maximum of four stories in height, and measure no greater than 52 feet, as measured from right-of-way finished grade to the top of the parapet on a flat roof or 48 feet as measured to the top edge of the eave on a pitched roof. See Figure 90-107-G.

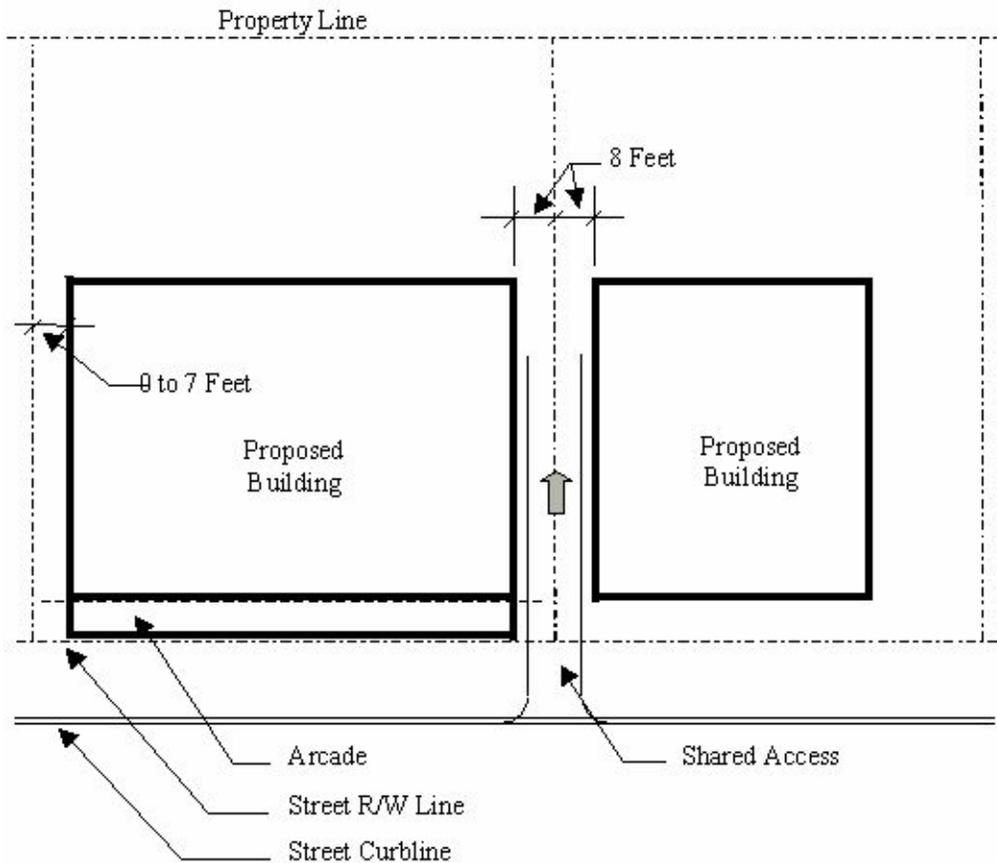
Figure 90-107-G



- (c) If the building is four stories, the primary facade of the highest floor must be set back eight feet from the primary facade of the lower three stories. Balconies on the third floor may extend up to six feet from the build-to line towards the right-of-way line.
 - (d) A newly constructed one-story building may be permitted for commercial uses if it meets the requirements for minimum building heights and the finished floor level is located at sidewalk level.
 - (e) The maximum interior height dimension for the first floor story of a building shall be 14 feet, as measured from the finished floor to the finished ceiling. First floor ceiling-to-floor heights in all newly constructed multistory buildings must be greater than the ceiling-to-floor height of any upper floor.
- (6) Building setback requirements.
- (a) Side yard setbacks.
 - [1] A minimum seven-foot-wide building setback shall be provided for all parcels fronting Gulf Boulevard. The setback may be reduced to 0 feet on one side in cases where shared access is provided on the opposite side yard, and building construction design and techniques do not impact adjacent properties. See Figure 90-107-H.

Adjacent parcel sideyard setbacks may be dedicated as a one-way access lane for the parcels, if a minimum sixteen-foot clear width between side-walls exists, property owner easements are identified and recorded in the public records of Pinellas County, and access management and site plan approval provisions are approved by the town.

Figure 90-107-H



(b) Rear yard setbacks.

- [1] A minimum 25-foot wide building setback shall be provided for all parcels that are adjacent to an accessible right-of-way, or the rear or side yard lot line of another parcel.

A minimum 45-foot wide building setback shall be provided for parcels adjacent to a public waterway.

- [3] Alternative design solutions may be proposed for the narrow lot depth parcels located adjacent to the Boca Ceiga Bay. Reduction of this setback may be approved by the town if an acceptable alternative design solution is provided.

F. All newly constructed Building configuration standards.

(1) Buildings fronting gulf boulevard general requirements.

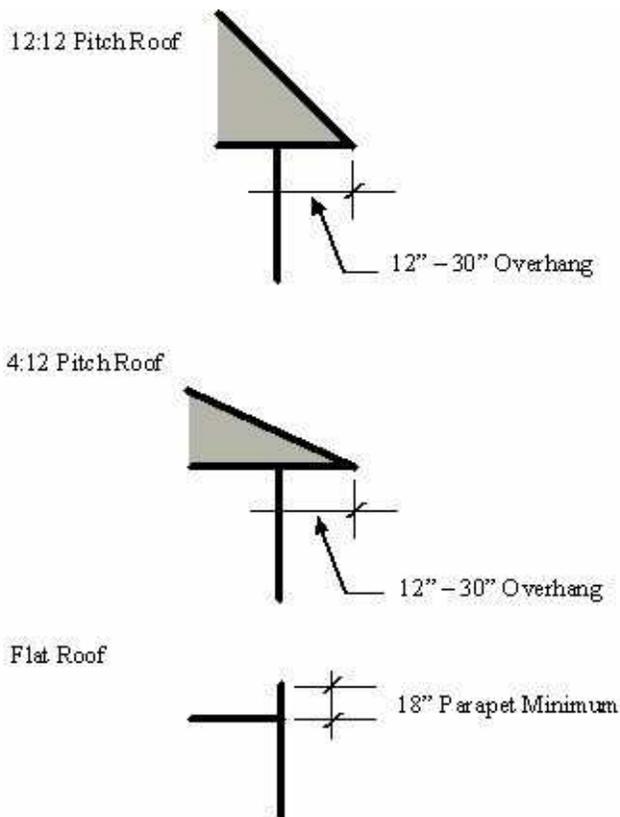
- (a) ~~A "Spanish" or "Mediterranean"~~ An approved architectural building character type is required, with a preference towards masonry structures.

- (b) Structures shall include stucco exterior coating, pitched roofing, arcades with semicircular arches, and other standard motifs and details appropriate for tropical and subtropical climates.
 - (c) A building canopy, awning or similar form of weather protection ~~must~~ may be provided, with a minimum projection of six feet over the fronting walk.
- (2) Nonresidential and mixed-use buildings.
- (a) Building materials and techniques.
 - [1] Nonresidential and mixed-use buildings fronting Gulf Boulevard shall be constructed using brick, cast concrete, stucco, stone or other masonry material similar to those listed if appearance and durability is approved by the town.

Regular or decorative concrete block may be used on building walls not visible from a public street.
 - [3] All ancillary structures shall be clad in materials similar to the primary structure.
 - [4] All stucco surfaces shall be knockdown finished.
 - [5] All window installations shall be set to the inside of the building facade wall.
 - [6] Any overhanging eave lines may expose rafters.
 - [7] All rooftop equipment shall be enclosed in building material that matches the structures of the main building or is visually compatible with the structure. Rooftop equipment shall not be visible from Gulf Boulevard.
 - (b) Building roofs.
 - [1] Pitched roofs shall be clad in Spanish tiles, barrel tiles, colored standing seam metal, slate or similar materials.

Main roofs on buildings shall be, where possible, symmetrical hips or gables with a pitch of between 4:12 and 12:12. See Figure 90-107-I.
 - [3] All pitched roofs must have an overhang of at least 12 inches and can extend to a maximum of 30 inches beyond the face of the facade.
 - [4] Flat roofs are permissible on nonresidential or mixed-use buildings. Flat roofs must be raked at the minimum slope necessary to shed water and meet other construction requirements.
 - [5] Buildings with flat roofs must include parapets that shall be no less than 18 inches in height and not greater than 36 inches in height, measured along the face of the facade. The top of this parapet shall be no less than 18 inches higher than the adjacent finished roof surface. Building parapets shall be treated as unique topping elements on the facades of flat roof buildings. Special attention shall be used in articulations, signage, details, inlays, friezes or other appropriate design elements.

Figure 90-107-I



(c) Building windows and doors.

- [1] A minimum of 50 percent of the linear dimension of the building's primary facade shall include windows or doors. Primary facade walls shall not continue uninterrupted without a window or functional public access doorway for a distance greater than 12 feet.

First-floor windows shall be clear or transparent glass. Mirrored or reflective glass of any kind is prohibited. Stained glass shall be used sparingly in special cases primarily as an architectural accent.

- [3] Window sills shall be located no higher than 42 inches above building finish floor level.
- [4] Window headers shall be located no lower than eight feet above adjacent building finish floor level.
- [5] Window types shall include bay, casement, clerestory, dormer, and double hung. Single-pane and tilt windows are permissible if the glass panes have mullions within.
- [6] The minimum vertical proportion of a window shall be 1.5 times its width.
- [7] Bands of windows are permissible.
- [8] Window treatments shall include caps, lintels, and sills.

[9] The principal doorway or building entrance inset for public entry into a building shall be from Gulf Boulevard. Corner entrances may occur where appropriate on corner lots.

[10] Door types shall include entry, French, patio, and storm.

(d) Building chimneys.

[1] Exterior chimneys shall be finished in brick, stucco or stone.

Chimney hoods and caps shall be terracotta, brick, or stucco.

[3] Chimney shafts shall be integrated to the design of the building.

(e) Building arcades, galleries, porches, and awnings.

[1] All newly constructed buildings located along Gulf Boulevard shall include physical extensions (i.e., other than minimum limits of required arcades) that project into the intermediate zone between the build-to line and the edge of the public right-of-way that serve for additional pedestrian protection.

[a] These extensions shall include arches, galleries, porches, awnings, or other physical extensions from the primary facade.

[b] These extensions shall extend no less than one-third the length of the primary facade and must, at a minimum, provide protection for all entries into the building that are not covered by an arcade. It is recommended that additional protection be provided for all openings, including windows.

Awnings must extend a minimum of six feet from the primary facade of the building.

[3] Porches must extend a minimum of seven feet in width from the primary facade.

[4] All buildings greater than two stories in height, and with a primary facade greater than 60 feet in width, must have a continuous arcade or colonnade for the full length of that facade.

[a] The front (exterior) edge of an arcade shall sit along the Gulf Boulevard right-of-way line.

[b] The interior dimension of an arcade shall be a minimum of eight feet wide. See Figure 90-107-J.

[c] The proportions of the arcade bays shall be vertical and at least ten percent greater than the width of the bay at its widest point. The minimum height for an arcade bay opening shall be ten feet. The minimum width for an arcade bay opening shall be eight feet.

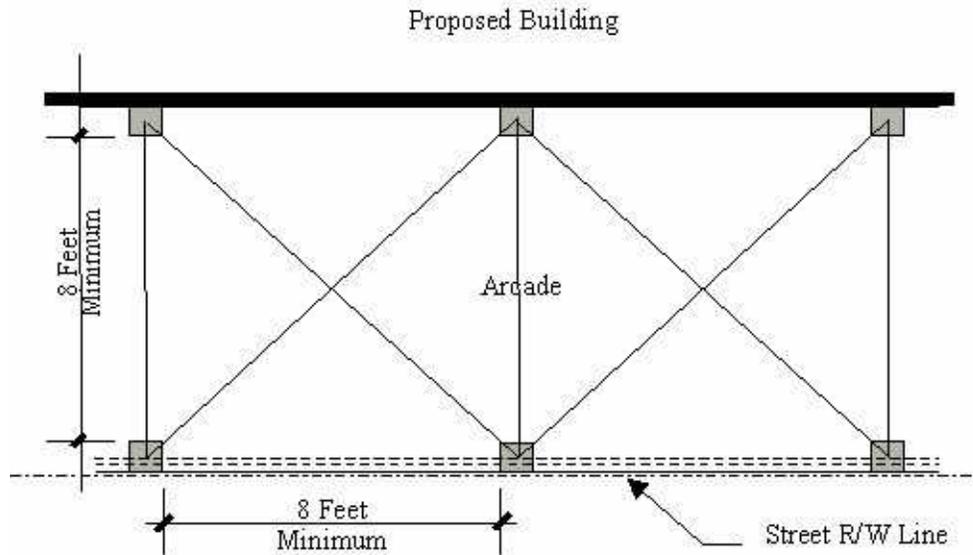
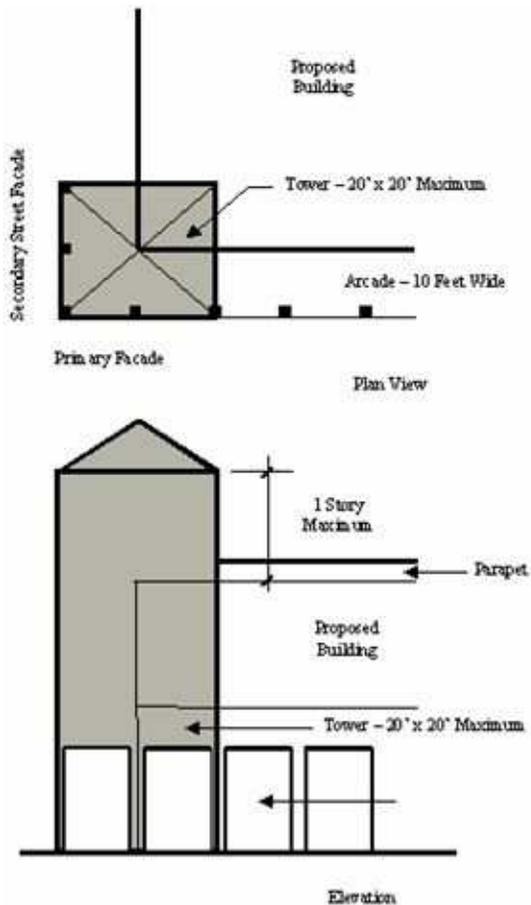


Figure 90-107-J

- [5] Towers are permitted at the corners of buildings that are located at the intersection of Gulf Boulevard and any connecting street. See Figure 90-107-K.
 - [a] The design of a tower shall be architecturally continuous with the primary building.
 - [b] A tower shall be built above the intersecting primary facade and intersecting street facade, and may extend up to one story above the maximum primary building height.
 - [c] A tower must have a square footprint whose width cannot be greater than 1/6th the width of the building, and a maximum of 20 feet.
 - [d] A tower may be accessible, or inhabited if compliant with other provision of this Code.
 - [e] Towers shall be constructed with sufficient open space at ground level in order that such tower not constitute sight line obstructions.

Figure 90-107-K



(3) Single-family residential buildings.

(a) Materials and techniques.

- [1] Residential building walls shall be wood clapboard, primed board, brick, stone, stucco, approved vinyl siding, Hardiplank, or similar approved material.

Garden (freestanding exterior) walls may be of brick, stone or stucco matching the main building.

- [3] Residential roofs, including the roofs of porches, shall be clad in wood shingles, standing seam metal, slate, barrel tile, asphalt shingles or a similar approved material.

- [4] All rooftop equipment shall be enclosed in building materials that match the materials of the main building, or are otherwise compatible with the design of the structure.

(b) Front yard porches.

- [1] Usable porches shall be a dominant element.

Porches shall be at least six feet in depth and located along at least 50 percent of the primary facade of the building. A greater percentage of

primary facade length is recommended, as well as the location of porches on one or more side facades if possible.

(c) Garage doors.

- [1] Garage doors that are facing the right-of-way shall be designed with individual door openings for each vehicular space.

The visible width of the garage, when viewed from the right-of-way, shall be no more than 40% of the lot width. For sites that include frontage on both Gulf Boulevard and an ancillary side street, ingress and egress shall occur from the side street. For narrow sites with only frontage on Gulf Boulevard where the forty-percent maximum width limits site design options, up to two twelve-foot wide garage doors are allowed.

- [3] Where driveways and garages are located on the Gulf Boulevard frontage, the garage opening shall be set back a minimum of 20 feet from the right-of-way line.
- [4] Where driveways and garages face other street frontages, the garage opening shall be set back a minimum of 15 feet from the right-of-way line.
- [5] When the side of a single-family residence faces another street frontage, and the driveways and garage occur to the side, the side yard setback shall be a mandatory 20 feet for the frontage containing the garages and/or car ports.

(d) Roofs.

- [1] Main roofs on buildings shall be symmetrical hips or gables with a pitch of between 4:12 and 12:12.

All pitched roofs must have an overhang of at least 12 inches and can extend to a maximum of 30 inches beyond the facade, and may extend into required setbacks.

(e) Walls.

- [1] Two different wall materials may be combined horizontally on the facades of the building, with the heavier material (i.e., masonry, brick, stucco, stone, etc.) installed below.

When two materials are combined horizontally on one facade and terminate at the outside corner of the facade, both materials must continue for a minimum distance of three feet around the corner onto the side facade.

- [3] Moldings or other elements shall be used to indicate the transition at the joint between a wall and an overhanging pitch roof.

- (f) Windows and doors. Moldings or other surrounds on windows and doorways shall be used.

- (g) Chimneys. Exterior chimneys shall be finished in brick, stucco or stone.

G. Public realm design. The creation of compatible public realm design elements along the Gulf Boulevard parcels located within the GBOD limits may be considered as a responsibility of both private developer and town, depending upon the identified application. Ultimately, private redevelopment projects must demonstrate that they meet local requirements for approval. The town shall seek implementation of the identified standards, through town funding, private developer contribution as appropriate fair share, or combination thereof where possible.

(1) General street design. The private developer(s) shall design and construct public realm improvements to Gulf Boulevard to implement the provisions of this section.

(a) Streets shall be designed as the primary public space within the community and shall be designed to the scale of the pedestrian.

(b) Gulf Boulevard shall be designed to include appropriately selected street trees planted in a manner appropriate to their placement and function.

[1] Gulf Boulevard shall have trees that complement the facades of the structures, that provide for visual access to storefronts and signage, and that shade the sidewalks.

Residential streets shall provide for an appropriate street canopy, designed to shade both street and sidewalk during summer months and serve as a visual buffer between street and the adjacent dwellings.

[3] Required shade trees shall provide 14 feet six inches of clearance over the roadway.

(c) On-street parking is preferred and shall be provided wherever possible. Use of on-street parking shall credit towards on-site parking requirements.

(d) Within designated areas of Gulf Boulevard, parallel parking shall be acceptable if approved by the Florida Department of Transportation.

(e) Within all other areas, on-street parking is allowed except where expressly prohibited.

(2) Traffic calming.

(a) Every opportunity should be taken to implement the full compliment of traffic calming techniques within the town as follows:

[1] Narrowing the visual field.

Narrowing or deflecting the roadway.

[3] Altering the height of the roadway surface.

(b) This is particularly important along the length of Gulf Boulevard, where the use of such techniques will need to be negotiated between the town, private developers, and the Florida Department of Transportation, as appropriate.

(c) On other streets located within the town, however, the town and private developers should implement these techniques on an incremental basis as timing, demand, and resources permit.

- (3) Curb cuts.
 - (a) Adjacent properties shall be designed to share ingress and egress points where possible to reduce the number and interval of existing curb cuts in the town through cross-access easements.
 - (b) Corner properties with ingress and egress to intersecting streets shall have access occur from the secondary intersecting street as opposed to Gulf Boulevard right-of-way.
 - (c) Continuous, paved right-of-way access should be eliminated and parking redesigned throughout the entire length of Gulf Boulevard right-of-way.
- (4) Bicycles. New development should be designed to enhance mobility within the town through increased design emphasis for bicyclists from both within and outside the community.
 - (a) Indicate through signage, lanes and street markings, desirable locations for bicycle use.
 - (b) Provide bicycle storage racks and other facilities for temporarily storing bicycles on private property and in the public realm.
- (5) Mass transit. New development activity that exceeds a minimum of 50 percent of the existing property appraised value should be designed to support trolley/bus stop locations within the community. These locations and facilities will link with adjacent commercial, restaurant or civic uses through construction of covered waiting areas.
- (6) Sidewalks. New development activity that exceeds a minimum of 50 percent of the existing property appraised value shall improve and/or enhance existing sidewalks within the GBOD along Gulf Boulevard and intersecting secondary streets fronting the project.
 - (a) A minimum eight-foot wide sidewalk shall be provided along Gulf Boulevard.
 - (b) A minimum five-foot-wide sidewalk shall be provided along intersecting secondary streets.
 - (c) The paved areas along Gulf Boulevard should be thought of as including three distinct elements: the edge area closest to the street and/or parking; the central area used primarily for walking; the area closest to the private property lines used for access to these properties, window shopping, and outdoor dining.

[1] The edge area, adjacent to the roadway, should be used for street trees, street furniture, lighting fixtures, trash receptacles, and other elements. This band should be between two feet and four feet wide, depending on the size, type and nature of the trees and/or street furniture placed there. All street furnishings, palms and shade trees must maintain a minimum of four-foot offset to the face of the curb.

The central area should be dedicated to pedestrian use. Surfaces should be durable, and not overly ornate. Few, if any, impediments should be

found within the realm, which should be at least five feet wide and might extend to be as large as eight feet in high traffic areas.

[3] The area closest to the private property lines should allow enough space for people to stop and stand and look at these properties. A portion of the build-to line setback may support outdoor cafe seating. At a minimum, this element of the sidewalk should be at least two feet wide.

[4] A combination of the sidewalk areas identified in subsection G.(6)(c)[2] and [3] above may be approved by the town for use as part of outdoor cafe seating.

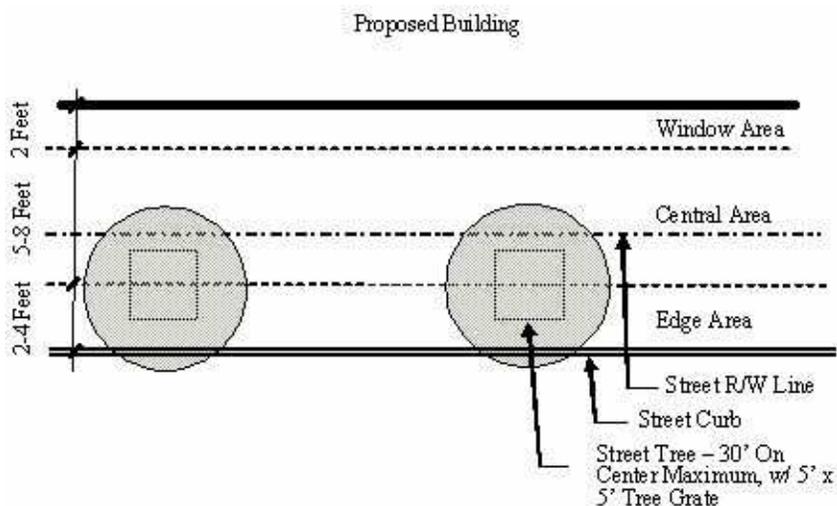
(7) Street trees. Street trees shall be planted along all primary streets within the town. New development shall install and maintain the installations. See Figure 90-107-L.

(a) Street trees should be installed a maximum of 30 feet on center, and be located within planting strips or tree wells. Such trees may require a variance from the Florida Department of Transportation Design Engineer if located within the limits of clear sight.

(b) The minimum width for all planting strips is five feet.

(c) The minimum dimensions for tree wells are five feet by five feet, and shall utilize tree grates to permit pedestrian access.

Figure 90-107-L



(8) Lighting. New development shall include lights that are installed as part of a single unified fixture comprising both pedestrian and street lighting.

(a) All lights shall be designed, installed and maintained to protect sea turtle nesting patterns.

(b) Additional pedestrian lights shall be located at critical intersections or high-intensity areas, as warranted on an as-needed basis.

(c) All site lighting shall be designed to eliminate glare to adjacent properties, minimize spill over by providing shielding and other appropriate design and construction techniques.

H. See also chapter 90, parts 1 and 2; section 90-108 and section 90-138; chapter 133, article I, business tax and business tax receipts; and § 90-113, satellite antennas.

SECTION 2. In all other respects, the provisions of Chapter 90-107 of the Land Development Regulations of the "Code of the Town of Redington Shores" not hereby amended or modified, shall remain in full force and effect.

SECTION 3. That Section 90-108 of the Code of the Town of Redington Shores, Florida, is hereby amended as follows:

Sec. 90-108. - Parking regulations and requirements.

All off-street parking and loading shall conform to the following requirements:

- A. Locations. Off-street parking or loading lots may be developed in any required side, front or rear ~~yard other than waterfront~~ yards. Parking garages shall conform to the minimum yard requirements for principal buildings of the district in which they are located. Required parking may be off the site of the principal structure and separated from the site of the principal structure by up to ~~4,000~~ 400 feet; ~~however, in no cases shall required off site parking be separated from the principal structure by Gulf Boulevard and must meet and be approved under the standards of this Sec. K.(4)(e).~~
- B. Lot surfaces/drainage. Parking lots designed for 20 or more vehicles shall be designed for storm runoff pollution control. Appropriate pollution control facilities may include pervious bituminous concrete surfaces and on-site retention of stormwater. Performance criteria shall be included in the site plan application.
- C. Dimensions. Each parking space shall measure a minimum of ten feet wide and 20 feet deep, exclusive of maneuver space. The marking of parking spaces is required in lots designed for more than four vehicles. The developer, at his or her option, may increase the number of parking spaces by designating and marking up to 25 percent of the required spaces for smaller vehicles. Spaces for smaller vehicles shall measure a minimum of nine feet wide and 20 feet deep, exclusive of maneuver space. Total required space for parking will, however, be based on the ten-foot-by-twenty-foot dimension plus maneuver space for normal vehicles for the required number of spaces.
- D. Vehicular access. Vehicular access to street, pedestrian areas and landscaped areas shall be restricted and controlled by curbs or concrete bumpers. Unrestricted access to streets shall not exceed 25 feet per access point.
- E. Illumination. Lots shall be adequately illuminated if designed for use by more than four vehicles after dark.
- F. Egress. Excluding single-family and duplex residences, all off-street parking areas shall be designed so that no vehicle is required to back into a public or private street or through drive to obtain egress. For the purposes of this provision,

drives or aisles serving more than 25 vehicles and which are not internal to a parking bay but serve one or more parking bays are considered to be through drives.

- G. Landscaping. Eight percent of the area of parking lots shall be devoted to landscaping encompassing trees and shrubs and a mechanical irrigation system. Landscaping arrangement shall contribute both to buffering between adjacent properties and to effective traffic control for safety.
- H. Loading areas. Loading areas shall comprise one space for every commercial or multiple-residence building of 5,000 square feet or more, plus one additional space for each additional 25,000 square feet of gross building space. Each loading space shall be at least 400 square feet in area.
- I. Residential zone restriction. A garage designed for more than three vehicles is not permitted as an accessory use for a single-family dwelling.
- J. Off-street parking areas.

(1) The schedule of off-street parking shall be as follows:

Use	Required Spaces
Business and professional offices, retail	1 for each 200 square feet of floor area used for transacting business
Churches, auditoriums and places of assembly	1 for each 3 seats
Funeral homes	1 for each 100 square feet of parlor space
Hospitals and guest houses	1 for each 2 patients, or rooms for rent
Hotels and motels	1 for each sleeping room, plus 1 for every 3 units or fraction thereof
Medical or dental offices	8 for each doctor
Residential dwellings	2 per dwelling unit
Restaurants, taverns, nightclubs	1 for each 4 seats, plus 1 for every 3 employees, but in no event less than 1 for each 50 square feet devoted to patron use, plus 1 for each 400 square feet of other space
Social halls, clubs and lodges	1 for each 200 square feet of floor area

- (2) For combined permitted uses located in a single enterprise, required parking shall be calculated separately. However, if under the site plan review procedures described in section 90-110 it can be demonstrated that separate calculation will result in more parking than is necessary because of shared clientele or because of nonoverlapping hours of use, the requirements may be adjusted accordingly.
- K. Gulf Boulevard Overlay District (GBOD) parking standards. ~~To fully implement the urban design guideline for the identified GBOD contained within this chapter,~~ ~~†~~ The following parking standards are provided for use within the district limits where appropriate.
- (1) General conditions. Parking lots shall not ~~dominate the primary facade,~~ interrupt key pedestrian routes, or otherwise negatively impact Gulf Boulevard. The Building Official shall review and make recommendation to the Planning and Zoning Board during site plan review process.
- (2) Location.
- (a) Vehicular parking areas ~~should~~ may be located at the rear of buildings or within the interior of blocks. However, vehicular parking areas may be approved by the town in side yard areas and/or fronting right-of-way where needed.
- (b) When located alongside a building, the vehicular parking areas shall not occupy more than one-third of the entire lot or block frontage, whichever is smaller.
- ~~(c) Multifamily residential parking shall not directly face onto Gulf Boulevard.~~
- ~~(d) All single family residential shall utilize alley access where possible.~~
- ~~(e) On street parking is preferred and shall be provided wherever possible. Use of on street parking shall credit up to ten percent towards the total on site parking requirements.~~
- ~~(f) Within designated areas of Gulf Boulevard, parallel parking shall be acceptable if coordinated and approved by the Florida Department of Transportation.~~
- ~~(g) Within all other areas, on street parking is allowed except where expressly prohibited.~~
- (3) Landscaping. All landscaping shall meet or exceed provisions within this chapter. Additionally:
- (a) All parking areas will be screened from public rights-of-way by landscape plantings and/or masonry walls.
- (b) Screening shall be a minimum of three feet in height at time of installation and be designed to accommodate either FDOT or town safe visibility criteria at access points.
- (4) Shared parking.

- (a) All nonresidential uses within the GBOD can meet their parking requirements through the use of non-designated on-street parking (in front of the individual use as a credit to one-half car per full space towards required parking count) or designated spaces located within accessible public private lots with available extra space to designate to the intended users, and an agreement as outlined in this Sec. (4)(e).
 - (b) All designated spaces must be located in lots ~~or on-street~~ within a reasonable walking distance, a maximum of 400 feet from the primary entrance of the use, and approved by the building official ~~town~~ from 400 feet of the primary entrance of the use.
 - (c) ~~Other~~ Nonresidential uses may also meet their requirements through the use of a valet service that has access to off-site parking spaces (~~public and private~~) sufficient to accommodate the need of the combined uses, based upon town approval.
 - (d) All residential uses must accommodate required parking on-site. However, for upper-story residential apartments located within mixed-use buildings, parking requirements may be met with designated spaces in adjacent shared parking lots.
 - (e) The joint use of shared off-street parking spaces must be designated by agreement between the users and the owner. The applicant shall submit a detailed traffic report prepared by a professional engineer using the Institute of Traffic Engineers (ITE) latest edition for trip generation and shared parking use. The report will identify the specific uses, hours of operation and stipulations acceptable to the town. Such shared use agreements shall be subject to final approval by the Town Commission and after execution, recorded by the requesting party with each parcel of property involved so as to run with the land.
- (5) Trash dumpsters.
- (a) All trash dumpsters shall be stored and screened from the Gulf Boulevard right-of-way and adjacent residential uses.
 - (b) Trash dumpsters shall be located in an accessible service area and enclosed within an opaque fence/wall with gates. Such gates shall remain closed at all times other than when being picked up.

SECTION 4. In all other respects, the provisions of Chapter 90-108 of the Land Development Regulations of the “Code of the Town of Redington Shores” not hereby amended or modified, shall remain in full force and effect.

SECTION 5. That Part 7, Concurrency Management; Proportionate Fair-Share Program, Article XXXII, Concurrency Management System, of the Code of the Town of Redington Shores, Florida, is hereby amended as follows:

PART 7. – CONCURRENCY MANAGEMENT; ~~PROPORTIONATE FAIR SHARE PROGRAM~~

ARTICLE XXXII. – CONCURRENCY MANAGEMENT SYSTEM.

Sec. 90-170. - Definitions.

As used in this article, the following terms shall have the meanings indicated:

Acceptance of or accepted application for development—An application for development contains sufficient information, pursuant to existing regulations, to allow continuing review under this division or other regulatory ordinances.

Application for development—Any documentation which contains a specific plan for development, including the densities and intensities of development, where applicable, that is presented by any person for the purpose of obtaining a development order or development permit.

Approved final site plan—Any site development plan that has been accepted, reviewed, and approved by the town.

Certificate of concurrency—The certificates issued by the Town of Redington Shores upon finding that an application for a development permit will not result in the reduction of the level of service standards set forth in the comprehensive plan for public facilities and services.

Comprehensive plan—The Comprehensive Plan adopted by Ordinance No. 89-11 on September 12, 1989, by the Board of Commissioners pursuant to F.S. pt. II, ch. 163, as said plan may be amended from time to time.

Concurrency—That the necessary public facilities and services to maintain the adopted level of service standards are available when the impacts of development occur.

Concurrency management monitoring system—The data collection, processing and analysis performed by the town to determine levels of service for public facilities and services. Data maintained by the concurrency management monitoring system shall be the most current information available to the town.

Concurrency management system—The procedures and processes utilized by the Town of Redington Shores to determine that development permits, when issued, will not result in the reduction of the level of service standards set forth in the Comprehensive Plan for the Town of Redington Shores.

Currently available revenue sources—An existing source and amount of revenue available to the town.

Development—Any construction, reconstruction or any use of real property which requires issuance of a development permit.

Development permit—Any approved final site plan, building permit, zoning clearance, rezoning, special exception, variance, conditional use, or any other official action of the town having the effect of permitting the development of land.

Final local development order—A building permit issued on or after April 1, 1990.

Level of service (LOS)—A measure of performance and/or of demand versus available capacity of public services and facilities.

Public facilities and services—The public facilities and services for which level of service standards have been established in the comprehensive plan:

- A. Potable water.
- B. Wastewater.
- C. Solid waste.
- D. Recreation/open space.
- E. Stormwater management.
- F. ~~Transportation.~~

Sec. 90-171. - General requirements for concurrency review.

A certificate of concurrency shall be required prior to the issuance of a building permit. A certificate of concurrency shall automatically expire simultaneously with the expiration of the building permit to which it applies. In the event that a time extension is granted prior to the expiration of a building permit, then the accompanying certificate of concurrency shall be automatically renewed for the length of the time extension.

Sec. 90-172. - Level of service standards.

Levels of service standards shall be as follows:

Service	Level of Standards
Potable water	LOS - 150 gallons/day/capita (nonresidential is included)
	Number of gallons required determined by multiplying the LOS x buildout population

	Maximum demand of buildout population: 557,550 gallons/day (3,717 x 150 gallons) (Pinellas County has committed to provide service.)
Solid waste	LOS - 6.5 pounds/day/capita (nonresidential is included)
	Number of pounds produced is determined by multiplying the LOS x buildout population
	Maximum demand of buildout population: 24,160 pounds/day (3,717 x 6.5 pounds) (Pinellas County has committed to provide service.)
Sanitary sewers	LOS - 109 gpcd (nonresidential is included)
	Number of gallons required determined by multiplying the LOS x buildout population
	Maximum demand of buildout population: 405,153 gallons/day (3,717 x 109 gallons) (Pinellas County has committed to provide service.)
Parks and recreation	LOS minipark: 1/2,500 Existing: 3 parks Required: 1.48 parks Possible growth: 3,800 residents
	LOS neighborhood park: 1/5,000 Existing: 1 park Required: 0.74 Possible growth: 1,283 residents
	LOS community park: 1/10,000 Existing: 1 park Required: 0.37 Possible growth: 6,283 residents
Stormwater	25-year; 24 hours
Transportation	LOS-D

Sec. 90-173. - Exempt development.

If a proposed development relates to land use of such a low intensity as to have minimal effect, if any, upon the level of service standards set forth in the comprehensive plan, the development shall be exempt from concurrency review. ~~All developments not exceeding the established threshold of 140 trips (ADT) are exempt from concurrency review.~~

Sec. 90-174. - Concurrency evaluation.

The Town of Redington Shores permits single-family and multifamily residential development, tourist accommodations and commercial/office uses. All services/facilities, with the exception of parks and recreation and stormwater management, are provided by Pinellas County. Pinellas County has either committed to provide the facilities/services (water, wastewater, solid waste) or has established a threshold for concurrency review which exceeds the town's demand (140 trips). Accordingly, based on the limited development potential of the town and the ability to meet projected demand for both parks and recreation and stormwater management, the concurrency management system for the Town of Redington Shores will be limited to a yearly monitoring of capacity draw down and an update of facility consumption with the five-year evaluation and appraisal report.

Sec. 90-175. - Applicability.

The concurrency management system, as contained in this article, is mandated by F.S. § 163.3202 to provide that public facilities and services meet or exceed the level of service standards set forth in the Comprehensive Plan. The Comprehensive Plan was adopted as the Comprehensive Plan of Redington Shores on September 12, 1989, and the application of the concurrency management system shall be effective as to all building permits issued on or after April 1, 1990.

SECTION 6. In all other respects, the provisions of Part 7, Article XXXII, of the Land Development Regulations of the "Code of the Town of Redington Shores" not hereby amended or modified, shall remain in full force and effect.

SECTION 7. That Part 7, Article XXXIII, of the Land Development Regulations of the "Code of the Town of Redington Shores" is hereby deleted in its entirety, as follows:

~~ARTICLE XXXIII. - PROPORTIONATE FAIR-SHARE PROGRAM~~

~~Sec. 90-176. - Purpose and intent.~~

~~The purpose of this article is to establish a method whereby the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors, to be known as the "Proportionate Fair Share Program," as required by and in a manner consistent with F.S. § 163.3180(16).~~

~~Sec. 90-177. - Findings.~~

~~The commission finds and determines that transportation capacity is a commodity that has a value to both the public and private sectors and the town proportionate fair share program:~~

~~A. - Provides a method by which the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors;~~

~~B. — Allows developers to proceed under certain conditions, notwithstanding the failure of transportation concurrency, by contributing their proportionate fair share of the cost of a transportation facility;~~

~~C. — Contributes to the provision of adequate public facilities for future growth and promotes a strong commitment to comprehensive facilities planning, thereby reducing the potential for moratoria or unacceptable levels of traffic congestion;~~

~~D. — Maximizes the use of public funds for adequate transportation facilities to serve future growth, and may, in certain circumstances, allow the town to expedite transportation improvements by supplementing funds currently allocated for transportation improvements in the CIP.~~

~~E. — Is adopted pursuant to and is consistent with F.S. § 163.3180(16).~~

~~Sec. 90-178. — Applicability.~~

~~The proportionate fair share program shall apply to all developments in the town that have been notified of a lack of capacity to satisfy transportation concurrency on a transportation facility in the town's concurrency management system, including transportation facilities maintained by FDOT or another jurisdiction that are relied upon for concurrency determinations, pursuant to the requirements of subsection E. The proportionate fair share program does not apply to developments of regional impact (DRIs) using proportionate fair share under F.S. § 163.3180(12), or to developments exempted from concurrency as provided in section 90-173.~~

~~Sec. 90-179. — Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~Acceptance of or accepted application for development — An application for development contains sufficient information, pursuant to existing regulations, to allow continuing review under this division or other regulatory ordinances.~~

~~Application for development — Any documentation which contains a specific plan for development, including the densities and intensities of development, where applicable, that is presented by any person for the purpose of obtaining a development order or development permit.~~

~~Approved final site plan — Any site development plan that has been accepted, reviewed, and approved by the town.~~

~~Backlogged roadways—Roads not designated as constrained that are operating at peak-hour level of service E or F and/or a volume-to-capacity of 0.9 or higher and that are not programmed for construction in the first three years of either the department of transportation's adopted work program or the six-year schedule of improvements within the county capital improvements element.~~

~~Certificate of concurrency—That document issued by the town building official, or his designee, that is a prerequisite for the issuance of any building permit.~~

~~Concurrency—That the necessary public facilities and services to maintain the adopted level of service standards are available when the impacts of development occur.~~

~~Concurrency management corridor—Road corridors designated in this section as constrained, congestion containment, or long-term concurrency management.~~

~~Concurrency management monitoring system—The data collection, processing and analysis performed by the town to determine levels of service for public facilities and services. Data maintained by the concurrency management monitoring system shall be the most current information available to the town.~~

~~Concurrency management system—The procedure and process that the town utilizes to ensure that building permits issued by the town shall not result in an unacceptable degradation of the adopted level of service adopted in section 90-172.~~

~~Congestion containment corridor—These include roads that operate with deficient levels of service where improvements may be planned or scheduled, beyond the next three years, to alleviate the substandard LOS conditions.~~

~~Constrained roadway—A roadway, regardless of transportation needs, which is constrained from adding additional capacity. A roadway may be physically constrained or policy constrained. Physical barriers occur when intensive land use development is immediately adjacent to highways making roadway expansion cost prohibitive, or when a facility has reached the maximum through-lane standards. Policy barriers are based on concerns about the impacts of roadway expansion on the environment, neighborhoods and/or local communities. Constrained facilities may be more specifically defined through subsequent amendments to this article.~~

~~Corridor—The area within one-half mile of the center line and within a one-half-mile arc radius beyond the terminus of the road segment center line, and includes properties that are subject to at least one of the following conditions:~~

~~A.——Sole direct access. A condition where the only means of site ingress/egress is directly onto the road facility, regardless of the distance of that site from the facility.~~

~~B.— Direct access. A condition in which one or more existing or potential site ingress/egress points makes a direct connection to the road facility and the site is within one-half mile of the road facility.~~

~~C.— Sole indirect access. A condition where the only point of site ingress/egress is onto a public nonarterial roadway which makes its first and shortest arterial level connection onto a road facility regardless of the distance of that site from the facility. This definition is subject to change by amendment of this article upon review of anticipated traffic analysis consistent with the comprehensive plan and procedures of this article.~~

~~Currently available revenue sources—An existing source and amount of revenue available to the town.~~

~~Deficient facility—A road operating below the adopted level of service standard. Deficient facilities operate at level of service E and F and/or a volume to capacity (v/c) ratio of 0.9 or higher.~~

~~Development permit—Any approved final site plan, building permit, zoning clearance, rezoning, special exception, variance, conditional use, or any other official action of the town having the effect of permitting the development of land.~~

~~Financial feasibility—According to F.S. ch. 163, means that sufficient revenues are currently available or will be available from committed funding sources for the first three years, or will be available from committed or planned funding sources for years four and five, of a five-year capital improvement schedule for financing capital improvements, such as ad valorem taxes, bonds, state and federal funds, tax revenues, impact fees, and developer contributions, which are adequate to fund the projected costs of the capital improvements identified in the comprehensive plan necessary to ensure that adopted level of service standards are achieved and maintained within the period covered by the five-year schedule of capital improvements. The requirement that level of service standards be achieved and maintained shall not apply if the proportionate share process set forth in F.S. § 163.3180(12) and (16) is used.~~

~~Florida intrastate highway system (FIHS)—A statewide system of limited access facilities and controlled access facilities developed for high speed and high volume traffic movements and managed by FDOT to meet standards and criteria established for the FIHS.~~

~~Level of service (LOS)—A measure of performance and/or of demand versus available capacity of public services and facilities. Regarding roadways, LOS is based primarily on travel speeds on a scale of A through F. Roads operating at LOS A are at optimum efficiency with the lower grade roads reflecting travel conditions that are progressively worse. For the purposes of this article and the town concurrency management system, LOS reported for roadways is based on peak hour conditions. Level of service E and F~~

~~roads and/or roads with a volume to capacity (v/c) ratio of 0.9 or more are operating below the adopted level of service standard established in the comprehensive plan.~~

~~Long-term concurrency management corridor—A road designated for application of long-term concurrency management provisions which are designed to correct existing level of service deficiencies over a planning period of up to 15 years through the establishment of priorities, implementation of a long-term schedule of capital improvements and through commitment of local resources, such as earmarked impact fee revenues, intended to reduce backlogged conditions.~~

~~Proportionate fair share—A provision that allows for development projects to mitigate their impacts through fair share contributions to facilities identified for capacity improvements in the capital improvement program.~~

~~Public facilities and services—Those necessary public facilities and services covered by a comprehensive plan element for which level of service standards have been adopted by the town. The necessary public facilities and services are: potable water, solid waste, sanitary sewers, parks and recreation, and stormwater, and transportation.~~

~~Transportation concurrency—Transportation facilities needed to serve new development shall be in place or under actual construction within three years after the local government approves a building permit or its functional equivalent that results in traffic generation [F.S. § 163.3180(2)(c)].~~

~~Transportation concurrency management area—A compact geographic area with existing or proposed multiple viable alternative travel paths or modes for common trips. An area-wide level of service standard may be established for specified facilities, and must be maintained, as a basis for the issuance of development orders and permits within one or more designated concurrency management areas.~~

~~Transportation management plan—As developed by an applicant representing a proposed development, is submitted in conjunction with individual site plans seeking to utilize transportation management strategies to mitigate development impacts, protect roadway capacity and to increase mobility. These strategies include, but are not limited to, density/intensity reductions, project phasing, access controls, capital improvements and/or incentives encouraging mass transit, bicycle or pedestrian travel, ride-sharing or roadway improvements.~~

~~Transportation regional incentive program (TRIP)—A funding program created to improve regionally significant transportation facilities in regional transportation areas. State funds are available throughout Florida to provide incentives for local governments and the private sector to help pay for critically needed projects that benefit regional travel and commerce.~~

~~Volume to capacity (V/C) ratio—The rate of traffic flow of an intersection approach or group of lanes during a specific time interval divided by the capacity of the approach or group of lanes. Volume to capacity ratios provide a measure of traffic congestion and are utilized in the concurrency management system to identify congested road segments and to minimize the transportation impacts of development projects that affect them.~~

~~Sec. 90-180.—General requirements.~~

~~A.—An applicant may choose to satisfy the transportation concurrency requirements of the town by making a proportionate fair share contribution, pursuant to the following requirements:~~

~~(1)—The proposed development is consistent with the comprehensive plan and applicable land development regulations.~~

~~(2)—The five-year schedule of capital improvements in the town CIE or the long-term schedule of capital improvements for an adopted long-term CMS includes a transportation improvement(s) that, upon completion, will satisfy the requirements of the town transportation CMS. The provisions of section 90-180-B. may apply if a project or projects needed to satisfy concurrency are not presently contained within the town CIE or an adopted long-term schedule of capital improvements.~~

~~B.—The town may choose to allow an applicant to satisfy transportation concurrency through the proportionate fair share program by contributing to an improvement that, upon completion, will satisfy the requirements of the town's transportation CMS, but is not contained in the five-year schedule of capital improvements in the CIE or a long-term schedule of capital improvements for an adopted long-term CMS, where the following apply:~~

~~(1)—The town adopts, by resolution or ordinance, a commitment to add the improvement to the five-year schedule of capital improvements in the CIE or long-term schedule of capital improvements for an adopted long-term CMS no later than the next regularly scheduled update. To qualify for consideration under this section, the proposed improvement must be reviewed by the town commission, and be determined to be financially feasible pursuant to F.S. § 163.3180(16)(b)1, consistent with the comprehensive plan, and in compliance with the provisions of this article. Financial feasibility for this section means that additional contributions, payments or funding sources are reasonably anticipated during a period not to exceed ten years to fully mitigate impacts on the transportation facilities.~~

~~(2)—If the funds allocated for the five-year schedule of capital improvements in the town CIE are insufficient to fully fund construction of a transportation improvement required by the CMS, the town may still enter into a binding proportionate fair share agreement with the applicant authorizing construction of that amount of development on which the~~

~~proportionate fair share is calculated if the proportionate fair share amount in such agreement is sufficient to pay for one or more improvements which will, in the opinion of the governmental entity or entities maintaining the transportation facilities, significantly benefit the impacted transportation system.~~

~~C. — Any improvement project proposed to meet the developer's fair share obligation must meet design standards of the town for locally maintained roadways and those of the FDOT for the state highway system.~~

~~Sec. 90-181. — Application process.~~

~~A. — Upon notification of a lack of capacity to satisfy transportation concurrency, the applicant shall also be notified in writing of the opportunity to satisfy transportation concurrency through the Proportionate Fair Share Program pursuant to the requirements of section 90-180.~~

~~B. — Prior to submitting an application for a proportionate fair share agreement, a preapplication meeting shall be held to discuss eligibility, application submittal requirements, potential mitigation options, and related issues. If the impacted facility is on the strategic intermodal system (SIS), then the FDOT will be notified and invited to participate in the preapplication meeting.~~

~~C. — Eligible applicants shall submit an application to the town that includes an application fee of \$750.00 and the following:~~

- ~~(1) — Name, address and phone number of owner(s), developer and agent;~~
- ~~(2) — Property location, including parcel identification numbers;~~
- ~~(3) — Legal description and survey of property;~~
- ~~(4) — Project description, including type, intensity and amount of development;~~
- ~~(5) — Phasing schedule, if applicable;~~
- ~~(6) — Description of requested proportionate fair share mitigation method(s); and~~
- ~~(7) — Copy of concurrency application.~~

~~D. — The town building official shall review the application and certify that the application is sufficient and complete within 15 business days. If an application is determined to be insufficient, incomplete or inconsistent with the general requirements of the proportionate fair share program as indicated in section 90-180, then the applicant will be notified in writing of the reasons for such deficiencies within 15 business days of submittal of the application. If such deficiencies are not remedied by the applicant within 30 days of receipt of the written notification, then the application will be deemed abandoned. The~~

~~commission may, in its discretion, grant an extension of time not to exceed 60 days to cure such deficiencies, provided that the applicant has shown good cause for the extension and has taken reasonable steps to effect a cure.~~

~~E. Pursuant to F.S. § 163.3180(16)(e), proposed proportionate fair share mitigation for development impacts to facilities on the SIS requires the concurrency of the FDOT. The applicant shall submit evidence of an agreement between the applicant and the FDOT for inclusion in the proportionate fair share agreement.~~

~~F. When an application is deemed sufficient, complete, and eligible, the applicant shall be advised in writing and a proposed proportionate fair share obligation and a binding agreement will be prepared by the applicant with direction from the town and delivered to the appropriate parties for review, including a copy to the FDOT for any proposed proportionate fair share mitigation on a SIS facility, no later than 60 days from the date at which the applicant received the notification of a sufficient application and no fewer than 14 days prior to the Commission meeting when the agreement will be considered.~~

~~G. The town shall notify the applicant regarding the date of the commission meeting when the agreement will be considered for final approval. No proportionate fair share agreement will be effective until approved by the town commission.~~

~~Sec. 90-182. Determining proportionate fair share obligation.~~

~~A. Proportionate fair share mitigation for concurrency impacts may include, without limitation, separately or collectively, private funds, contributions of land, and construction and contribution of facilities. [Note: This language is as provided in F.S. § 163.3180(16)(c)].~~

~~B. A development shall not be required to pay more than its proportionate fair share. The fair market value of the proportionate fair share mitigation for the impacted facilities shall not differ regardless of the method of mitigation. [Note: This language is as provided in F.S. § 163.3180(16)(c).]~~

~~C. The methodology used to calculate an applicant's proportionate fair share obligation shall be as provided for in F.S. § 163.3180(12), as follows:~~

~~(1) The cumulative number of trips from the proposed development expected to reach roadways during peak hours from the complete build out of a stage or phase being approved, divided by the change in the peak-hour maximum service volume (MSV) of roadways resulting from construction of an improvement necessary to maintain the adopted LOS, multiplied by the construction cost, at the time of developer payment, of the improvement necessary to maintain the adopted LOS; or~~

~~(2) — Proportionate Fair Share = [(Development Trips_i)/(SV Increase_i)] × Cost_i~~

Where:

~~Development Trips_i = Those trips from the stage or phase of development under review that are assigned to roadway segment "i" and have triggered a deficiency per the CMS;~~

~~SV Increase_i = Service volume increase provided by the eligible improvement to roadway segment "i" per section 90-182C;~~

~~Cost_i = Adjusted cost of the improvement to segment "i." Cost shall include all improvements and associated costs, such as design, right of way acquisition, planning, engineering, inspection, and physical development costs directly associated with construction at the anticipated cost in the year it will be incurred.~~

~~D. — For the purposes of determining proportionate fair share obligations, the town shall determine improvement costs based upon the actual cost of the improvement as obtained from the CIE, the MPO/TIP or the FDOT Work Program. Where such information is not available, improvement cost shall be determined using one of the following methods:~~

~~(1) — An analysis by the town of costs by cross-section type that incorporates data from recent projects and is updated annually; or~~

~~(2) — The most recent issue of FDOT Transportation Costs, as adjusted based upon the type of cross section (urban or rural); locally available data from recent projects on acquisition, drainage and utility costs; and significant changes in the cost of materials due to unforeseeable events. Cost estimates for state road improvements not included in the adopted FDOT Work Program shall be determined using this method in coordination with the FDOT District.~~

~~E. — If the town has accepted an improvement project proposed by the applicant, then the value of the improvement shall be determined using one of the methods provided in this section.~~

~~F. — If the town has accepted right of way dedication for the proportionate fair share payment, credit for the dedication of the non-site-related right-of-way shall be valued on the date of the dedication at five percent of the most recent assessed value by the county property appraiser or, at the option of the applicant, by fair market value established by an independent appraisal approved by the town and at no expense to the town. The applicant shall supply a drawing and legal description of the land and a certificate of title or title search of the land to the town at no expense to the town. If the estimated value of the right-of-way dedication proposed by the applicant is less than the estimated total proportionate fair share obligation for that development, then the applicant must also pay the difference.~~

~~Sec. 90-183. — Impact fee credit for proportionate fair share mitigation.~~

~~A. — Proportionate fair share contributions shall be applied as a credit against impact fees consistent with the terms of the impact fee section of the Pinellas County Impact Fee Code.~~

~~B. — Impact fee credits for the proportionate fair share contribution will be determined when the transportation impact fee obligation is calculated for the proposed development. Impact fees owed by the applicant will be reduced per the proportionate fair share agreement as they become due per the impact fee section of the Pinellas County Land Development Code. If the applicant's proportionate fair share obligation is less than the development's anticipated road impact fee for the specific stage or phase of development under review, then the applicant or its successor must pay the remaining impact fee amount to the town.~~

~~Sec. 90-184. — Proportionate fair share agreements.~~

~~A. — Upon execution of a proportionate fair share agreement (agreement) the applicant shall receive a town certificate of concurrency. Should the applicant fail to apply for a building permit within 12 months or timeframe provided in the local CMS of the execution of the agreement, then the agreement shall be considered null and void, and the applicant shall be required to reapply.~~

~~B. — Payment of the proportionate fair share contribution is due in full prior to issuance of the final development order or recording of the final plat and shall be nonrefundable. If the payment is submitted more than 12 months from the date of execution of the agreement, then the proportionate fair share cost shall be recalculated at the time of payment based on the best estimate of the construction cost of the required improvement at the time of payment, pursuant to section 90-182, and adjusted accordingly.~~

~~C. — All developer improvements authorized under this article must be completed prior to issuance of a development permit, or as otherwise established in a binding agreement that is accompanied by a security instrument that is sufficient to ensure the completion of all required improvements. It is the intent of this section that any required improvements be completed before issuance of building permits or certificates of occupancy.~~

~~D. — Dedication of necessary rights of way for facility improvements pursuant to a proportionate fair share agreement must be completed prior to issuance of the final development order or recording of the final plat.~~

~~E. — Any requested change to a development project subsequent to a development order may be subject to additional proportionate fair share contributions to the extent the change would generate additional traffic that would require mitigation.~~

~~F.— Applicants may submit a letter to withdraw from the proportionate fair share agreement at any time prior to the execution of the agreement. The application fee and any associated advertising costs to the town will be nonrefundable.~~

~~G.— The town may enter into proportionate fair share agreements for selected corridor improvements to facilitate collaboration among multiple applicants on improvements to a shared transportation facility.~~

~~Sec. 90-185.— Appropriation of fair share revenues.~~

~~A.— Proportionate fair share revenues shall be placed in the appropriate project account for funding of scheduled improvements in the town CIE, or as otherwise established in the terms of the proportionate fair share agreement. At the discretion of the town, proportionate fair share revenues may be used for operational improvements prior to construction of the capacity project from which the proportionate fair share revenues were derived. Proportionate fair share revenues may also be used as the 50 percent local match for funding under the FDOT TRIP.~~

~~B.— In the event a scheduled facility improvement is removed from the CIE, then the revenues collected for its construction may be applied toward the construction of another improvement within that same corridor or sector that would mitigate the impacts of development.~~

~~C.— Where an impacted regional facility has been designated as a regionally significant transportation facility in an adopted regional transportation plan as provided in F.S. § 339.155, the town may coordinate with other impacted jurisdictions and agencies to apply proportionate fair share contributions and public contributions to seek funding for improving the impacted regional facility under the FDOT TRIP. Such coordination shall be ratified by the town through an interlocal agreement that establishes a procedure for earmarking of the developer contributions for this purpose.~~

~~D.— Where an applicant constructs a transportation facility that exceeds the applicant's proportionate fair share obligation calculated under section 90-182, the city/county shall reimburse the applicant for the excess contribution using one or more of the following methods:~~

~~(1)— An impact fee credit account may be established for the applicant in the amount of the excess contribution, a portion or all of which may be assigned and reassigned under the terms and conditions acceptable to the town.~~

~~(2)— An account may be established for the applicant for the purpose of reimbursing the applicant for the excess contribution with proportionate fair share payments from future applicants on the facility.~~

~~(3) — The town may compensate the applicant for the excess contribution through payment or some combination of means acceptable to the town and the applicant.~~

~~Sec. 90-186. — Cross-jurisdictional impacts.~~

~~A. — In the interest of intergovernmental coordination and to reflect the shared responsibilities for managing development and concurrency, the city/county may enter an agreement with one or more adjacent local governments to address cross-jurisdictional impacts of development on regional transportation facilities. The agreement shall provide for application of the methodology in this section to address the cross-jurisdictional transportation impacts of development.~~

~~B. — A development application submitted to the city/county subject to a transportation concurrency determination meeting all of the following criteria shall be subject to this section:~~

~~(1) — All or part of the proposed development is located within [fill in number] mile(s) of the area which is under the jurisdiction, for transportation concurrency, of an adjacent local government and/or FDOT; and~~

~~(2) — Using its own concurrency analysis procedures, the town concludes that the additional traffic from the proposed development would use five percent or more of the adopted peak-hour LOS maximum service volume of a regional transportation facility within the concurrency jurisdiction of the adjacent local government and/or FDOT ("impacted regional facility"); and~~

~~(3) — The impacted regional facility is projected to be operating below the level-of-service standard, adopted by the adjacent local government and/or FDOT, when the traffic from the proposed development is included.~~

~~C. — Upon identification of an impacted regional facility, the town shall notify the applicant and the affected adjacent local government in writing of the opportunity to derive an additional proportionate fair-share contribution, based on the projected impacts of the proposed development on the impacted adjacent facility.~~

~~(1) — The adjacent local government shall have up to 90 days in which to notify the town of a proposed specific proportionate fair share obligation, and the intended use of the funds when received. The adjacent local government must provide reasonable justification that both the amount of the payment and its intended use comply with the requirements of F.S. § 163.3180(16). Should the adjacent local government decline proportionate fair share mitigation under this section, then the provisions of this section would not apply and the applicant would be subject only to the proportionate fair share requirements of the town.~~

(2) — If the subject application is subsequently approved by the town, the approval shall include a condition that the applicant provides, prior to the issuance of any building permit covered by that application, evidence that the proportionate fair share obligation to the adjacent local government has been satisfied. The town may require the adjacent local government to declare, in a resolution, ordinance, or equivalent document, its intent for the use of the concurrency funds to be paid by the applicant.

FIGURE 2-A
PROPERLY CONSTRUCTED BARRIER

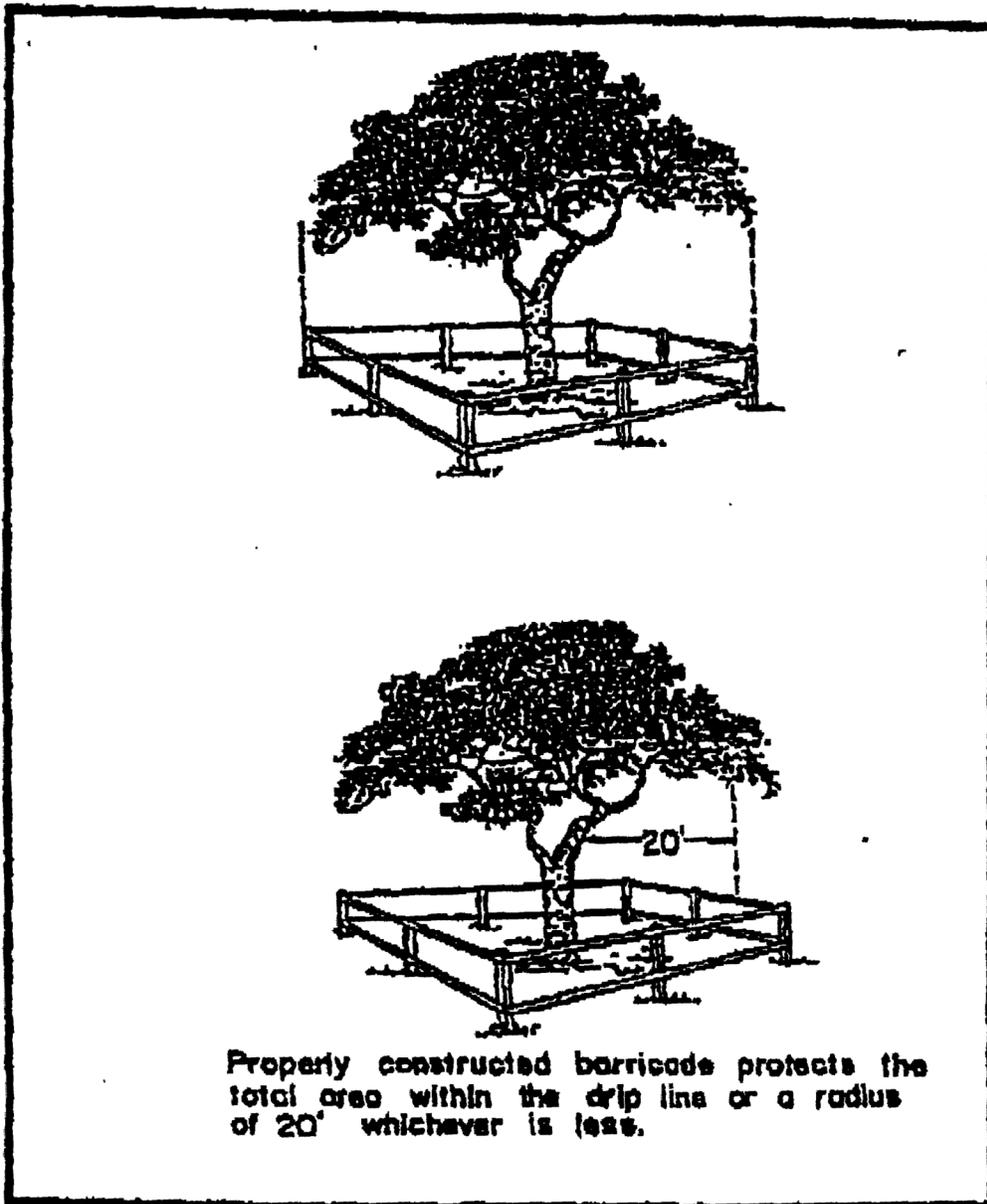


FIGURE 2-B
USE OF DRAIN TILES

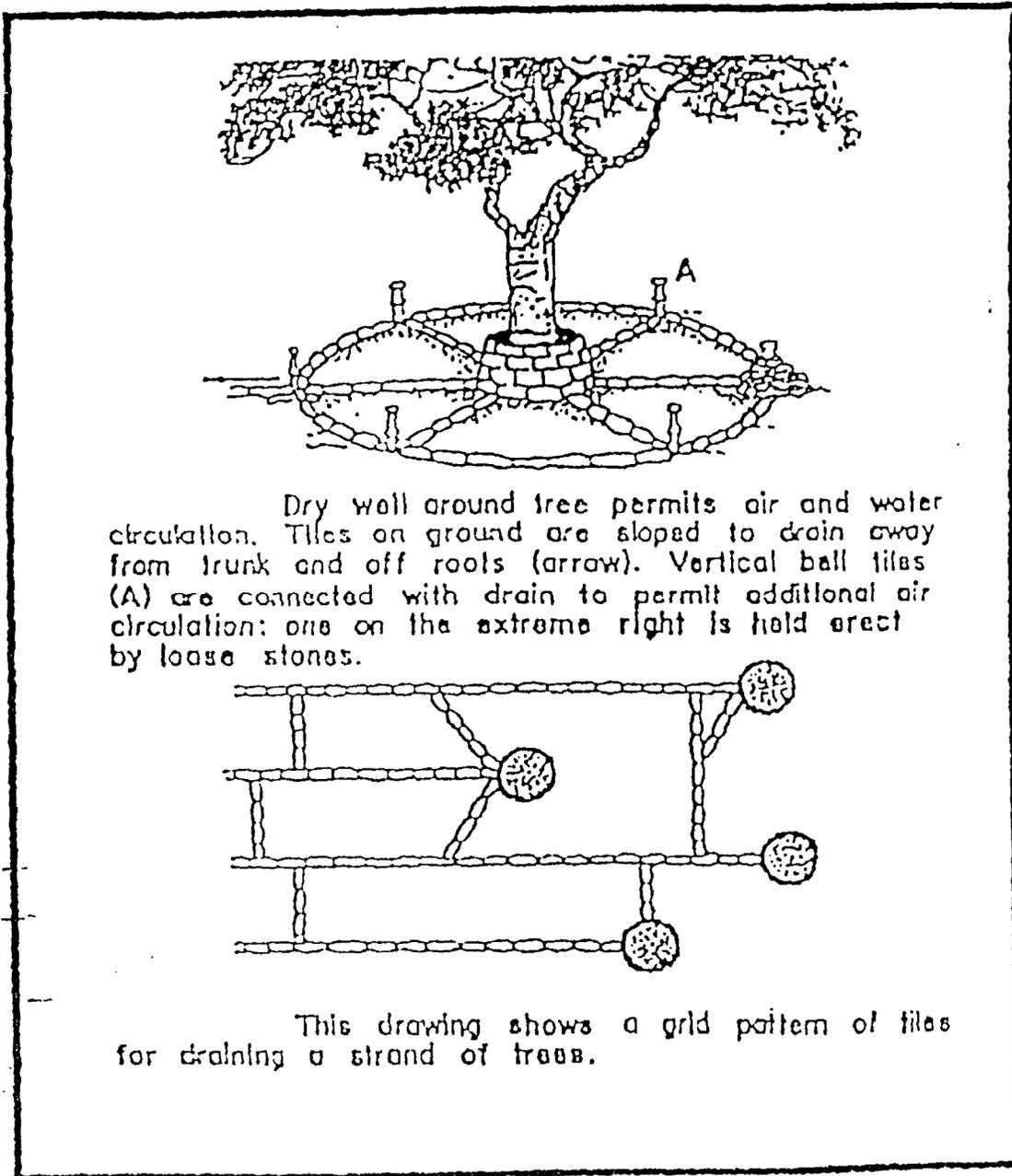


FIGURE 2-C
RAISING THE GRADE

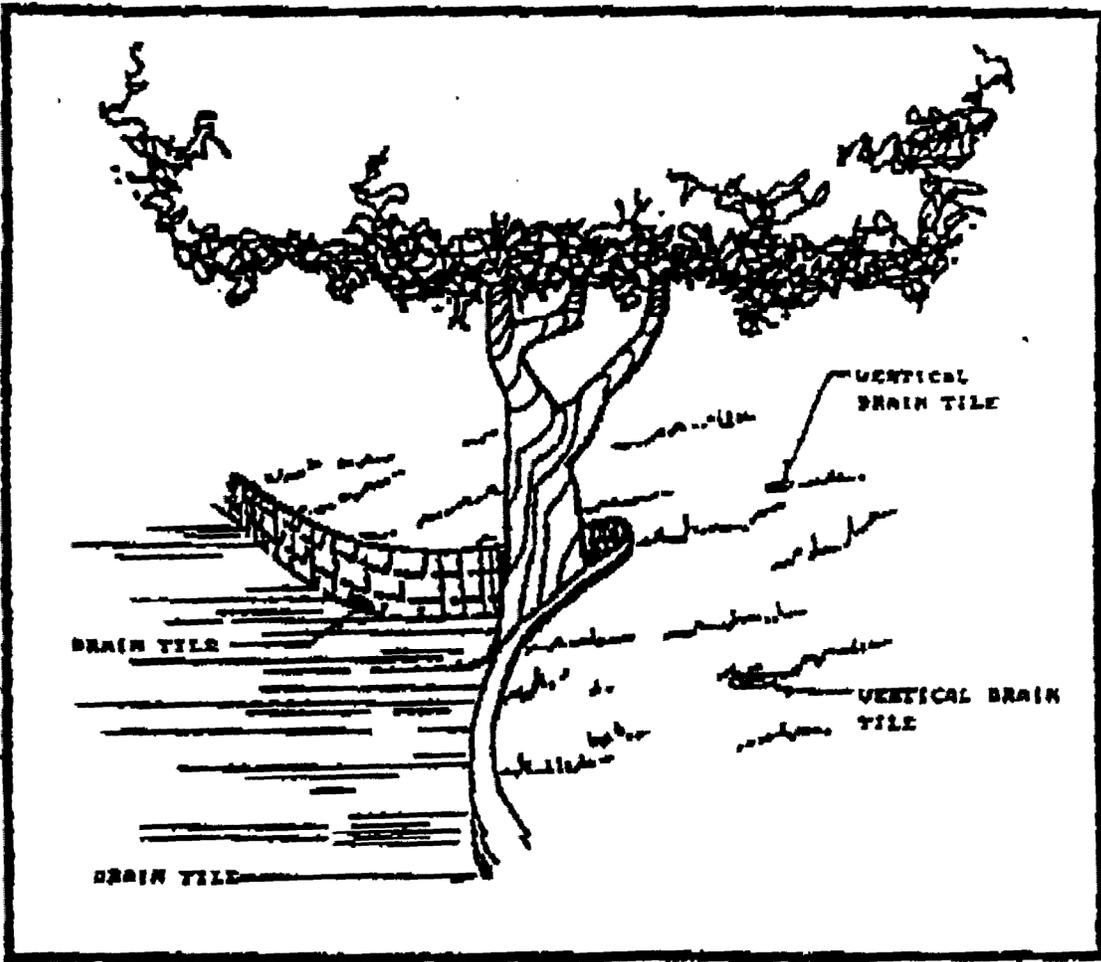


FIGURE 2-D
RAISING THE GRADE

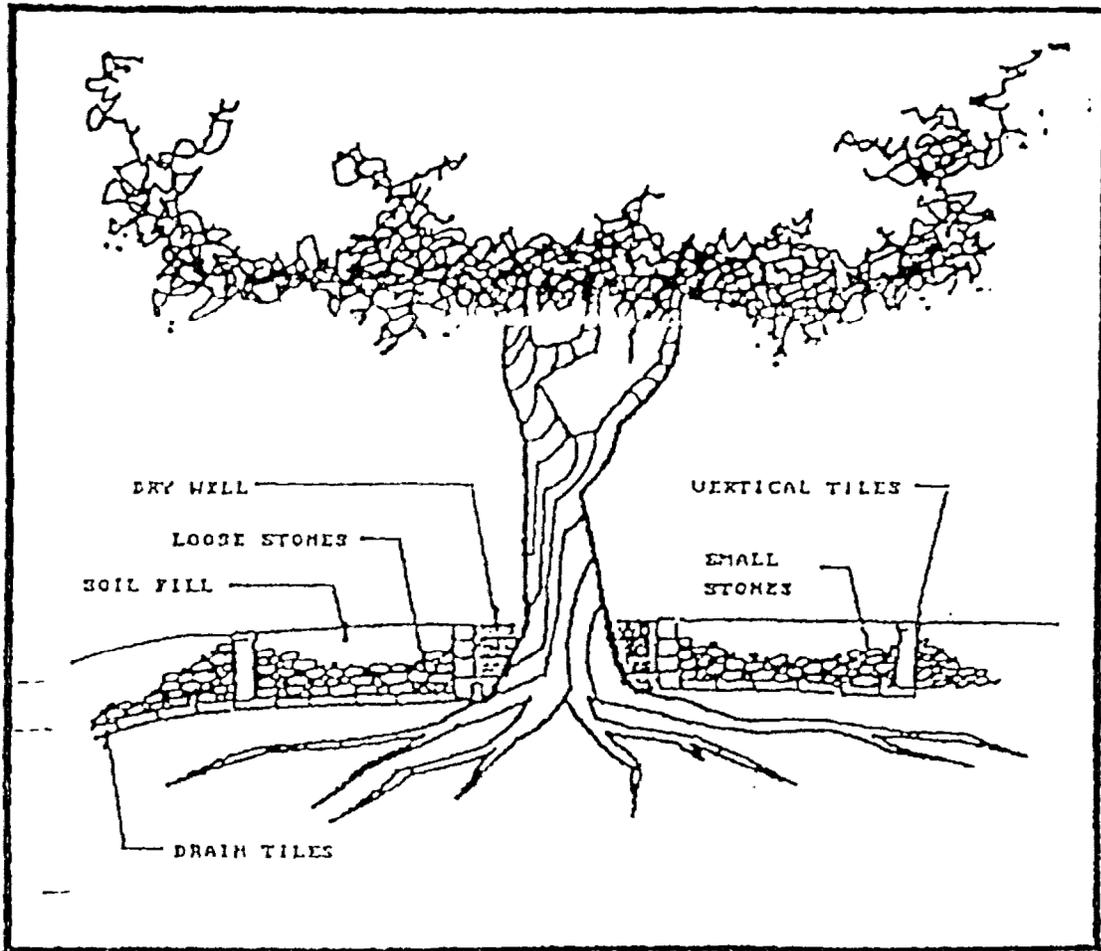
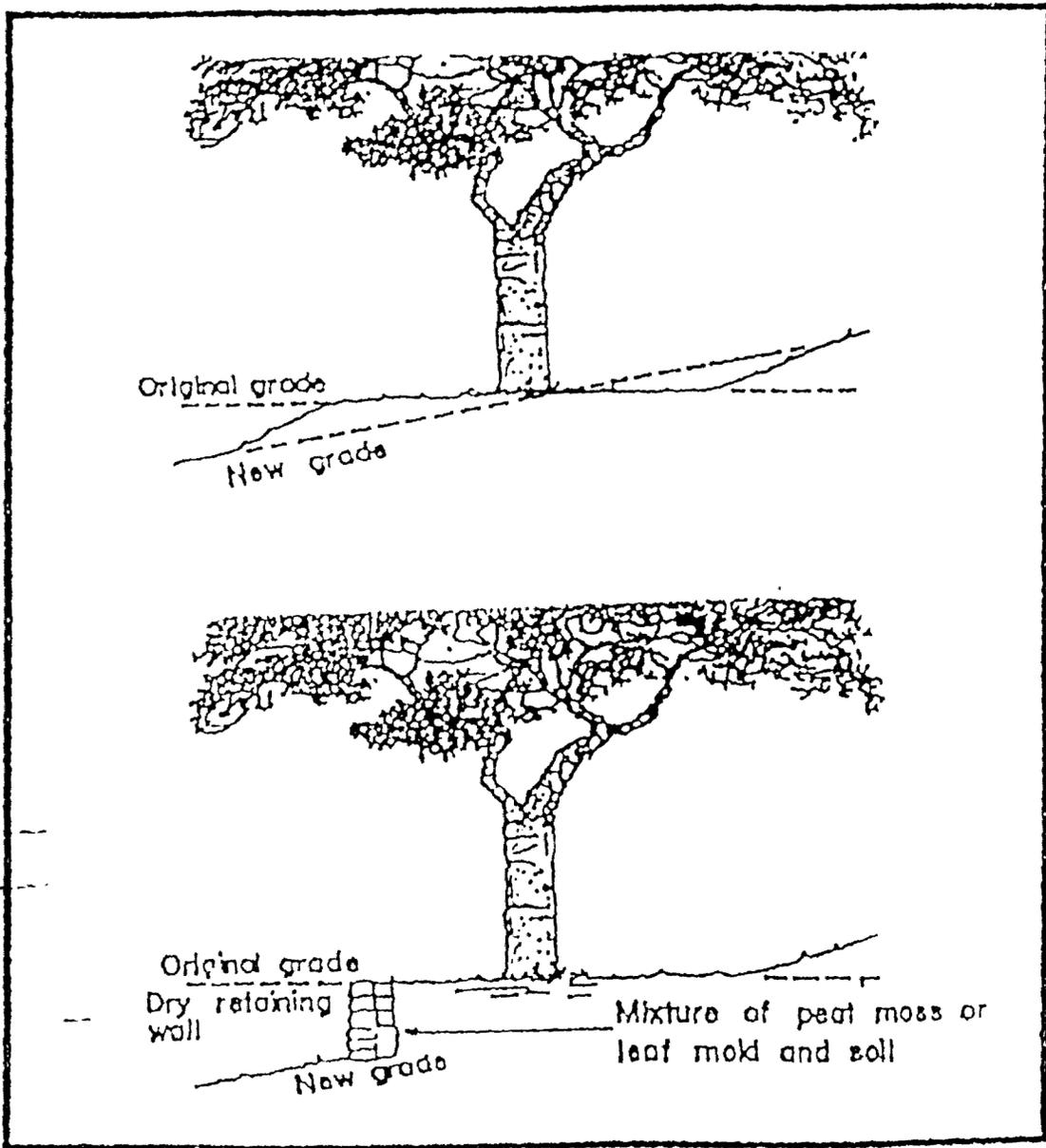


FIGURE 2-E
LOWERING THE GRADE



SECTION 8. The provisions of this Ordinance and all parts and sub-parts thereof shall be deemed to be severable and independent of each other, and in the event any portion or subsection of this Ordinance is found to be invalid or unenforceable, such findings shall not affect any remaining portions of this Ordinance.

SECTION 9. It is the intention of the Town Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the "Code of the Town of Redington Shores" and the publisher of the Code of Ordinances may renumber, reclassify or otherwise insert this Ordinance in an appropriate place to accomplish such intention.

SECTION 10. This Ordinance shall take effect immediately upon its final passage.

FIRST READING on the 13th day of January, 2016.

SECOND READING on the 10th day of February, 2016.

PUBLIC HEARING on the 13th day of January, 2016.

SECOND PUBLIC HEARING on the 10th day of February, 2016.

PUBLISHED in the Tampa Bay Times on the 1st day of January, 2016 and on the 5th day of February, 2016.

MAYOR/COMMISSIONER

ATTEST:

Town Clerk