

CHAPTER 29 - ARTICLE I GENERAL ZONING REGULATIONS

Sec. 29-1. Title and Purpose.

(a) This chapter shall be known as the "Zoning Ordinance." The provisions of this chapter shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare.

(b) The purpose of this chapter is to promote the orderly and efficient development of the City of St. Petersburg, in accordance with the goals, objectives and policies of the comprehensive plan; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; promote or enhance aesthetics; to prevent the overcrowding of land; to avoid undue concentration of population; to protect natural and historic resources; and to facilitate adequate and concurrent provision of transportation, water, sewerage, schools, parks and other public improvements, facilities and services.

(c) These regulations have been made with reasonable consideration, among other things, as to the character of the districts as hereinafter provided for, and their peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land, air, and water throughout the City, consistent with the goals, objectives and policies of the Comprehensive Plan.

Sec. 29-2. Definitions.

For the purposes of enforcement of this chapter, certain terms and words used herein shall be interpreted or defined as follows:

The word "person" shall have that definition as contained in chapter 1, section 1-2. Except as otherwise noted, all other words shall have the meaning normally attributed to them.

The word "shall" is mandatory and not directory.

The present tense includes the future tense.

The singular number includes the plural; and the plural, the singular.

Abandoned

(a) For a grandfathered use, means a use that has lost its grandfathered status because it meets one or more of the following conditions:

- (1) Not occupied due to violations of building, nuisance, or other public health, welfare, and safety codes for a continuous period of one (1) year or for intermittent periods amounting to one (1) year or more within any two (2) year period;

- (2) Not occupied for a continuous period of two (2) years.
 - (3) No occupational license issued to the property or the unit(s) that are the subject to abandonment for a continuous period of two (2) years or for intermittent periods amounting to two (2) years or more within any three (3) year period.
- (b) For a nonconforming use, means a use that has lost its nonconforming status because it meets one or more of the following conditions:
- (1) Not occupied due to violations of building, nuisance, or other public health, welfare, and safety codes for a continuous period of one year or for intermittent periods amounting to six months or more within any 18-month period.
 - (2) No occupational license issued to the property for a continuous period of one year or for intermittent periods amounting to one year or more within any two-year period.
 - (3) Not occupied for a continuous period of one year.
- (c) For purposes of this definition, an intermittent period shall be construed as any period when City-furnished utilities are discontinued or utility payments are delinquent or the combination of the two occur for a continuous period of six months or more.

Accessory, as applied to a building, structure or use, indicates that such building, structure or use is customarily subordinate or incidental to the principal use of the building or premises. When accessory and principal uses are under a continuous (solid) roof, or within five feet of each other at the closest point, the entire structure shall meet setbacks required for the principal structure or use.

Activity Center means areas in the City designated in the Comprehensive Plan as suitable for higher intensity uses because of accessibility, location and availability of infrastructure.

Adult Day Care Center means a place which provides care for five or more adults, unrelated to the operator on a daily or less frequent basis, but not as a place of residence.

Alley means a right-of-way providing a secondary means of access and service to abutting property.

Ancillary Nonresidential Use means off-street parking, drainage retention areas and open space buffer areas for adjacent, contiguous, nonresidential uses.

Automotive Retail/Service Establishments means buildings designed and used for the retail sale of automotive parts and accessories, as well as for minor automotive service and repair. Such uses shall not include the development of a car wash or the sale of gasoline or other fuels, and all uses shall be conducted within enclosed buildings.

Bed and Breakfast (B&B) means a building of a residential character other than a hotel, motel, resort or boarding house, which provides daily overnight accommodation and morning meal services to transients in return for payment.

Birth Center means a facility of not more than six beds which is limited to prenatal, labor, delivery, postpartum care and related medical services, under the guidance and supervision of active practitioners of obstetrics, as licensed by the State of Florida, and where inpatient care is permissible.

Blood Plasma Center means a building and premises used for the extraction of blood plasma from human beings and the sale or transfer of such blood plasma. This shall not include blood banks in which primarily whole blood is extracted from donors and used, transferred or sold, or antibody centers drawing less than 50 pints of blood per week. An antibody center shall be defined as a center where blood is drawn only from selected donors who have already developed certain blood group antibodies in their blood, and where the blood so drawn is used only for the development of hyperimmune globin used to prevent Rh disease of the new born, or to produce diagnostic serum to be used by blood banks and hospitals to type donors and patient's blood for transfusion purposes.

Boarding House. See "Dwelling."

Body-piercing Studio means an establishment whose business activity, either in terms of operation or as held out to the public, is the practice of creating an opening in the body of a person for the purpose of inserting jewelry or other decoration, and inserting jewelry or other decoration.

Building means a structure consisting of walls and a roof, built of permanent construction, and shall be impervious to the elements.

Building Expansion means any enlargement or extension of a building, which provides additional gross floor area. An enlargement or extension into an existing carport, pedestrian covered walkway, off-street parking and loading area, courtyard, or similar structure or area which changes the use of that area shall be considered a building expansion.

Children's Day Care Center means a place which possesses all required licenses to provide care for six or more children unrelated to the operator on a daily or less frequent basis, but not as a place of residence.

Coastal High Hazard Area means as defined in Coastal Management Element of the Comprehensive Plan.

Commercial Equipment means any vehicle and/or equipment not contained within the definition of "domestic equipment" which is designed or used for a commercial or industrial function, or which contains exterior commercial advertising.

Commercial Recreation, for the purpose of these regulations, consists of tennis courts, racquet ball courts, handball courts, golf driving ranges, miniature golf courses, swimming pools, theaters involving more than 100 temporary or fixed audience seats or having more than 3,500 square feet of total floor area, performing arts venues, roller rinks, skateboard facilities, waterslides, batting and archery facilities, bowling alleys, amusement parks; entertainment, game or amusement facilities housing 10 or more games or amusement devices. Uses falling below the thresholds indicated in this definition shall be considered outright permitted uses where "commercial recreation" is a Special Exception.

Community Building and Use means a nonprofit organization whose primary purpose is to provide a service which benefits the general public.

Community Residential Home. (This definition shall apply to section 29-219.) "Community Residential Home"

means a dwelling unit licensed to serve clients of the Department of Health and Rehabilitative Services, which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

Community Service Club means not for profit clubs, whose primary function is to provide social and humanitarian services to the community (i.e., Women's Club, League of Women Voters, Garden Club, Junior League, Jaycees, Kiwanis, Masons, Rotary Club, Shriners and others of a similar nature).

Comprehensive Plan means the Plan, and any amendments thereto, that meets the requirements of F.S. §§ 163.3177 and 163.3178, adopted by the St. Petersburg City Council.

Countywide Land Planning Agency means per section 5(13) of 88-464, Laws of Florida, as amended, the Pinellas County Planning Council shall act as the countywide land planning agency for Pinellas County. This does not prevent the Pinellas Board of County Commissioners from designating a "Local Planning Agency" for the County.

Countywide Planning Authority (CPA) means the Board of County Commissioners of Pinellas County, acting in their capacity as the Countywide Planning Authority, under 88-464, Laws of Florida, as amended.

Density means the number of dwelling units per buildable land area, as defined in the zoning district regulations, excluding public rights-of-way and areas beyond the mean high water line and excluding areas which are not buildable according to State and federal regulations.

Domestic Equipment, in connection with allowable parking on a residential lot or on a street in a residential district, means accessory equipment not designed, used or intended to be used for commercial purposes and shall be limited to the following types of equipment: all portable structures built or designed to be carried on a chassis and operated or transported whether or not self-propelled, including, but not limited to: motor homes, mobile homes, campers, travel trailers, recreational vehicles, tent trailers, pop-out campers, pick-up campers, houseboats, boats, boat trailers and utility trailers. The term "domestic equipment" does not include self-propelled vehicles designed and licensed for use on the public roadways of 20 feet or less in overall length and seven feet or less in overall height.

Dwelling Unit means living space for a family with cooking, bathroom and sleeping facilities.

Dwelling, Boarding House, means a building other than a hotel where lodging and meals for three or more persons are furnished for compensation. A boarding house is made of boarding units. A boarding unit shall consist of not more than one room, excluding bathroom, containing no kitchen facilities or plumbing or electrical service which would make possible the conversion to a kitchen, and which is designed and intended for occupancy by no more than two persons. A boarding house may contain boarding and dwelling units but the majority of units and over 50 percent of the floor area must be for boarding units.

Dwelling, Child Foster Home, means a family care facility, regulated or required to be licensed or regulated by the State of Florida Department of Health and Rehabilitative Services (HRS), which provides, in a single-family home setting, care and supervision pursuant to State licensing for persons not requiring a special treatment program and under 18 years of age and which is not occupied solely by persons related to each other by blood, adoption or marriage and living together as a family. Such a facility having not more than one person not related to the other occupants by blood, adoption or marriage shall be a permitted use. A child foster home having more than one person not related to the other occupants shall be conditionally permitted under the same district

regulations as single-family residences and be conditionally permitted within any existing single-family residence having grandfathered status under section 29-50(h)(3). Cumulative maximum density for all such facilities within a 500-foot radius shall not exceed ten (10) clients. No one facility shall have more than five (5) clients. Variances to these requirements may be granted by the Environmental Development Commission. Said distance shall be measured by a straight line from property line to property line. Clients residing in permitted as well as conditionally permitted homes shall be counted when determining density.

Dwelling, Garage Apartment, means a dwelling unit which is an accessory building constructed in connection with a private garage or a private garage converted into a dwelling unit, which dwelling unit shall not occupy more than 50 percent of the total floor area of such accessory building.

Dwelling, Guest House, means a dwelling in which not more than two sleeping rooms are for rent, to accommodate not more than four guests or tenants, and in which rental of rooms is incidental to the principal use of the property as a private dwelling. A guest house shall only be located within the primary residential structure.

Dwelling, Multiple Family, means a residence designed for or occupied by two or more families (on the basis of monthly, or longer occupancies, or ownership of individual units) with separate cooking, bathroom and sleeping facilities for each unit. Motels, hotels, and other transient accommodation uses shall not be considered to be multiple family dwellings, but shall be permitted only in those zoning districts where expressly allowed. Minimum gross floor area requirements for multiple family dwellings are as follows:

Efficiency/studio unit	375 square feet
One bedroom unit	500 square feet
Two bedroom unit	750 square feet

For dwelling units of more than two bedrooms, an additional 200 square feet of dwelling area is required for each additional bedroom.

Dwelling, Retirement Home, means a home constituting a place of residence which contains common, centralized eating facilities, and in which residency units, as used in connection with the above use, are intended to mean individual rooms or quarters occupied by one or two persons with or without individual cooking facilities. For purposes of determining maximum height, maximum lot coverage by structure, and minimum open green space and recreational area, the terms residency unit and dwelling unit shall be synonymous.

Dwelling, Rooming House, means a building where lodging only is provided in three or more rooms, for compensation, for five or more guests or tenants. A rooming house is made up of rooming units. Rooming units shall consist of not more than one room, excluding bathroom, contain no kitchen facilities or plumbing or electrical service which would make possible the conversion to a kitchen, and which is designed and intended for occupancy by no more than two persons. A rooming house may contain rooming and dwelling units but the majority of units and over 50 percent of the floor area must be for rooming units.

Dwelling, Single-Family, means a detached residence designed for or occupied exclusively by one family.

Filling Station means building and premises where retail gasoline and diesel sales is the sole operation.

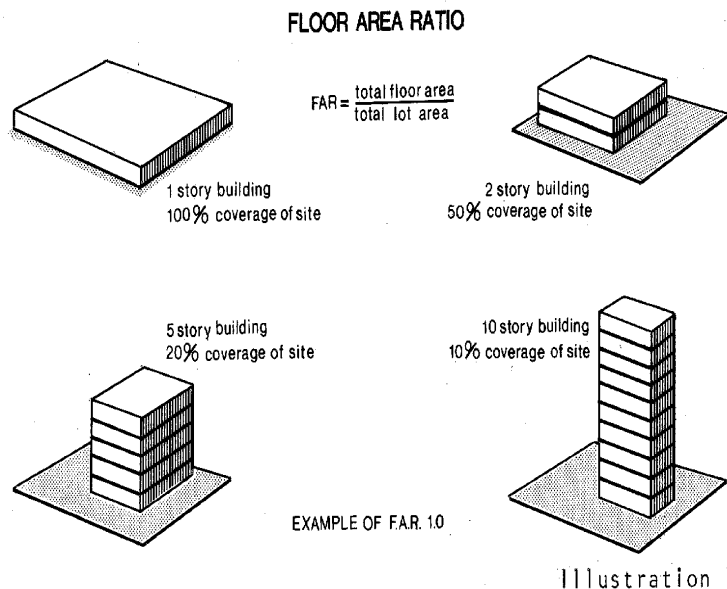
Fleet Based Service or Fleet Based Service Establishment means an establishment using one or more light commercial or fleet vehicles to provide primarily off-site/mobile services including, but not limited to, pest control, cable television, plumbing, irrigation, electrical, air conditioning, lawn care, mobile detailing, tree service, locksmith, taxi, and limousine services.

For the purposes of this definition, "light commercial or fleet vehicles" are 20 feet or less in overall length and seven feet or less in height, except in districts where larger vehicles are expressly permitted.

Floor Area Ratio (FAR) means a measurement of the intensity of building development on a site. A floor area ratio is the relationship between the gross floor area on a site and the gross land area. The FAR is calculated by adding together the gross floor areas of all buildings on the site and dividing by the gross land area. For example, a floor area ratio of 1.0 means one square foot of building may be constructed for each square foot of lot area. The gross floor area of a building clearly designed for parking shall not be included in the floor area ratio calculation.

Garages, Service and Repair, means buildings and premises designed or used for purposes indicated under "service station" and/or major repairs. Body work and painting shall be conducted within fully enclosed buildings. All motorized vehicles not in safe operating condition shall be kept in fully enclosed buildings.

Grandfathered Uses means those principal uses and those accessory uses dependent on a principle use which are not permitted in the district but which have been found to have a degree of compatibility with the uses in the district and which were legally permitted principal and accessory uses at that location.



Gross Floor Area means the sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces or loading space for motor vehicles.

Gross Land Area means the gross land area for the purpose of computing density/intensity shall be that total land area within the property boundaries of the subject parcel, and specifically exclusive of any submerged land or public road right-of-way.

Height means, for buildings, the vertical distance from the mean elevation of the existing grade to the highest finished roof surface for a building with a flat roof, or the vertical distance from the mean elevation of the existing grade to a point representing the midpoint between the peak and eave heights of the main roof structure for a building with a pitched roof. Where minimum floor elevations in flood prone areas have been established by law, the building height shall be measured as though the required minimum floor elevations constitute the mean elevation of existing grade. For structures other than buildings, height means the vertical distance from the mean elevation of the existing grade to the highest point of the structure above such existing grade. (See Sections 29-193 and 29-194 for exceptions to height limits.)

Home Occupation means the use of the dwelling unit for an occupation which is incidental and secondary to its use for residential purposes.

Hotel means a building containing transient accommodation units available for the accommodation of persons more than 3 times in any consecutive 365-day period, each for a term less than monthly, in which meals may or may not be provided, and in which principal access to all transient accommodation units is through an inside lobby or office supervised by a person in charge at all hours. The term includes, but is not limited to, transient accommodation units, without regard to whether such units are available on a rental basis or by other forms of agreement or property ownership.

Impervious Surface means that a surface has been compacted or covered with a layer of material so that it is highly resistant to or prevents infiltration by stormwater. It includes, but is not limited to, roofed area and surfaces such as compacted sand, limerock, or clay, as well as conventionally surfaced streets, sidewalks, parking lots, and other similar surfaces.

Impervious Surface Ratio (ISR) means a measurement of the intensity of hard surfaced development on a site. An impervious surface ratio is the relationship between the total impervious surface area on a site and the gross land area. The ISR is calculated by dividing the square footage of the area of all impervious surfaces on the site by the square footage of the gross land area.

Joint or Multiple Use with Filling or Service Stations means the sale of gasoline and oil in connection with another permitted or permissible use.

Junkyard means a place, structure, lot or parcel of land where junk, waste, discarded, salvaged or similar materials such as old metals, wood, lumber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, etc., are bought, sold, exchanged, baled, packed, disassembled or handled, including auto wrecking or salvage yards, used lumber yards, house wrecking yards and yards or places for storage or handling of salvaged house wrecking and structural steel materials. This definition shall not include pawn shops and establishments for the sale, purchase or storage of operative second hand cars, salvaged machinery, used furniture, radios, stoves, refrigerators or similar household goods and appliances, nor shall it apply to the possessing of used, discarded, or salvaged materials as part of manufacturing operations.

Kenel means the keeping of more than five adult dogs or 10 adult cats on site. A combination of dogs and cats may be kept on site with cats being permitted on a two to one ratio with dogs but the total count of dogs and cats

shall not exceed the equivalent of the maximum number of dogs. "Adult" means having attained the age of one calendar year or greater.

Landfill means a solid waste disposal facility, which is an area of land or an excavation where wastes are or have been placed for disposal, for which a permit, other than a general permit, is required by Section 403.707, Florida Statutes (relating to solid waste management facility permitting).

Land Development Regulations means ordinances enacted by the City of St. Petersburg for the regulation of any aspect of development and includes but is not limited to any zoning, subdivision, sign, drainage, or other regulations controlling the development of land.

Light/Manufacturing/Assembly (Class A) means a use engaged in the manufacture (predominantly from previously prepared materials) of finished products or parts, including processing, fabrication, assembly, treatment, packaging, storage, sales and distribution of such products. This use shall not include or allow for any exterior storage or exterior processing of equipment or materials of any kind. (This definition is as provided in the St. Petersburg Comprehensive Plan and shall not be amended until and unless the Comprehensive Plan definition is amended.)

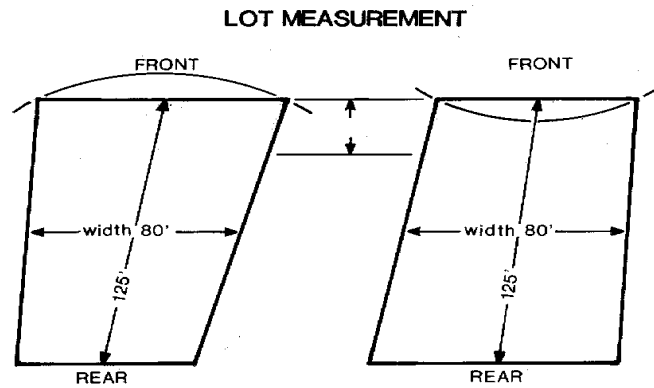
Licensed Premises when used to describe an alcoholic beverage use, means as defined in Section 561.01, Florida Statutes.

Lot includes tract or parcel and means the least fractional part of subdivided lands having limited fixed boundaries, and an assigned number, letter or other name through which it may be identified. A lot shall have frontage on an improved public street (which shall not be an alley) or on an officially approved private street. For zoning purposes, a lot may consist of:

- (1) A combination of complete lots of record.
- (2) A combination of complete lots of record and portions of lots of record.
- (3) Portions of lots of record, provided that such lots or combinations of lots are of sufficient size to meet the requirements of this chapter for the district in which located and no such portion falls below the average size of the lots of record in the block in question.
- (4) Single lots of record.
- (5) Parcels of land defined by metes and bounds description where such parcels are in conformity with this chapter and other ordinances of the City of St. Petersburg.

Lot Measurements means:

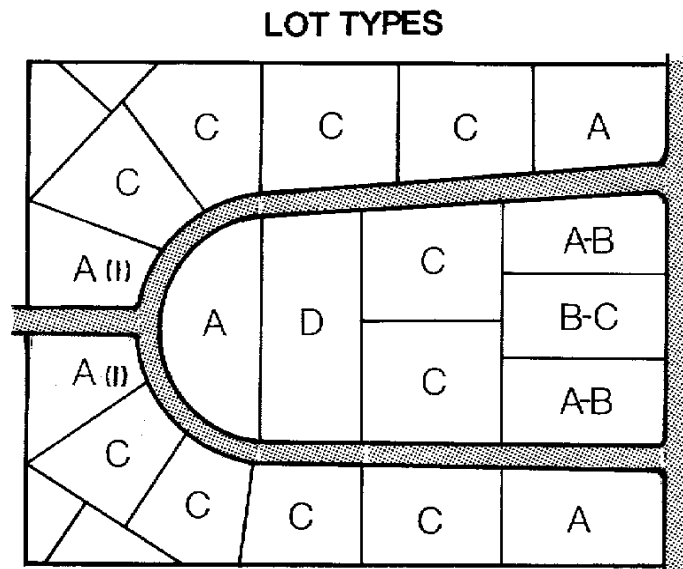
- (1) Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
- (2) Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot measured parallel to a line established by joining the foremost points of the side lot lines and at half the depth of the lot. Depth and width measurements are illustrated by the following diagrams.



The lots above meet requirements for an 80-foot lot width and a 125-foot lot depth.

Lot of Record is a parcel of land defined by reference to a plat recorded in the Official Records of Pinellas County, Florida.

Lot Types means the following diagram illustrates the terminology used in this chapter with reference to corner lots, reverse frontage lots, interior lots and through lots.



Refer to Illustration No. 2 for "A" through "D".

- (1) "A" *Corner Lot* means a lot located at the intersection of two or more intersecting streets. For the purpose of this chapter, a lot abutting upon a curved street or streets shall be considered a corner lot if straight

lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

- (2) "*B*" *Reversed Frontage Lot* means a lot in which the frontage is at right angles, or approximately right angles, to the general pattern in the area involved. A reversed frontage lot may also be a corner lot or an interior lot.
- (3) "*C*" *Interior Lot* means a lot other than a corner lot, with only one frontage on a street other than an alley.
- (4) "*D*" *Through Lot* means a lot other than a corner lot, with frontage on more than one street other than an alley or limited access street. Through lots with frontage on two streets may be referred to as double-frontage lots.

Where through lots meet the requirements of a single-tier lot, as defined in the Subdivision Ordinance, and are prohibited access to a street by plat language and a five-foot high permanent ornamental wall or fence, an accessory structure may be permitted to within 10 feet of the front property line of the restricted front yard.

On all other single-tier through lots, one frontage may be considered the rear yard when 50 percent or more of all developed lots within that block of through lots have established that frontage as a rear yard by both building design and usage.

Mayor means the manager for the City of St. Petersburg, or other person duly designated to act in such person's behalf. Any reference to any other City employee designated to perform any functions (for example: Planning Director, Engineering Director, etc.) shall mean the person so designated by the Mayor to perform that function.

Month or monthly means or refers to 30 consecutive calendar days or one calendar month, whichever is less.

Motel means a building in which transient accommodation units are available for the accommodation of persons more than 3 times in any consecutive 365-day period, each for a term less than monthly, in which a majority of the units have direct entrances from the outside, and in which parking spaces are oriented to the units in such a manner as to facilitate direct access from such units to the automobiles of the occupants. The term includes, but is not limited to, transient accommodation units, without regard to whether such units are available on a rental basis or by other forms of agreement or property ownership.

Nonconforming means a structure, land or premises, individually or in combination, the use, dimension, or other characteristics of which were established and lawful prior to passage of this chapter or amendment hereof, but which would not be permitted to be built or used in the same manner under the terms of this chapter or amendment hereof. A nonconforming use is a use which has been found to be incompatible with uses permitted in the district.

Nongovernmental Educational Facilities means elementary schools, middle schools and high schools operated by an entity other than the Pinellas County School District.

Nursing Home means any facility which provides nursing services as defined in F.S. ch. 464. Facility means any institution, building, residence, private home or other place, whether operated for profit or not, including those places operated by a county or municipality, which undertakes through its ownership or management to provide

for a period exceeding 24-hours nursing care, personal care, or custodial care for persons not related to the owner or manager by blood or marriage, who by reason of illness, physical infirmity, or advanced age require such services, but shall not include any place providing care and treatment primarily for the acutely ill.

Office means a room, studio, suite or building in which a person transacts his business or carries on his stated occupation. However, this term does not include any facility involving manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair or storage of materials, goods and products; or the sale or delivery of any materials, goods or products which are physically located on the premises. The term includes administrative, business and professional offices, and radio and television studios, as well as medical (including counseling and treatment), dental and governmental offices.

Office Services or Office Service Establishment means an establishment that provides support services for the operational needs of office uses including, but not limited to, shipping, facsimile transmission, copying, and printing services and the sale or rental of office supplies, equipment or furniture or combination thereof. The term does not include temporary employment offices or temporary labor employment offices.

Open Space when required by this chapter for development within any of the CBD zoning districts includes, but is not necessarily limited to, ground-level courtyards, plazas, sidewalks, and landscaped areas that are open to the public for pedestrian use and enjoyment and linked to pedestrian facilities within rights-of-way. The term also includes private ground-level recreational amenities where such amenities are required to achieve a particular floor area ratio bonus as prescribed by certain CBD districts. The term does not include parking spaces, driveways, alleys, and other vehicular use areas nor does the term include required vehicular use landscaping areas.

Outdoor Storage means the use of lot or a parcel of land where raw materials or finished goods, other than those kept in a junk yard, are stored outdoors.

Parking Area means any public or private land area designed and used for parking motor vehicles including parking lots, garages, private driveways and allowed or legally designated areas of public streets.

Performing Arts Venue means a building or buildings for housing the visual and/or performing arts, including orchestra performances, music, theater, dance, and ballet. (Movie theaters that have serial showings of first run movies are not included in this definition.)

Permeable Parking Area means a maintained parking area other than concrete or asphalt constructed in such a way as to allow the absorption of stormwater thus reducing the amount of stormwater runoff occurring on site. Acceptable design of permeable parking areas shall be determined by the Planning Director or Environmental Development Commission. Gravel is not an acceptable material for permeable parking areas.

Personal Services or Personal Service Establishment means an establishment that provides individual and personal service functions. Personal services include, but are not limited to, such functions as hair and beauty care facilities, nail and tanning salons, day spas, licensed massage establishments, dry cleaning and laundry service (collection and distribution only), shoe shine and repair, dressmaking, tailoring and garment repair shops. The term does not include tattoo parlors or body piercing studios.

POD means the person officially designated in writing by the Mayor to perform the duties described in that portion of the St. Petersburg City Code.

Probation/Parole/Correction Office shall mean a principal use which is a government or non-governmental, non-residential office use which supervises, case manages, oversees or regulates persons who come to the office who are under court ordered supervision from the federal or state (including county) court system. These uses shall not be considered an 'office' or 'governmental use'.

Premises means a lot or parcel, or a lot or parcel and the structures and improvements thereon.

Preservation Area means all lands designated as "Preservation" on the Future Land Use Map.

Private Clubs, for the purpose of these zoning regulations, when applicable to noncommercial districts, pertains to and includes those associations and organizations of a fraternal or social character not operated for profit. The term "private club" shall not include casinos, nightclubs, bottle clubs and similar uses in districts where such uses are not permitted or permissible.

Public Educational Facilities means elementary schools, special education facilities, alternative education facilities, middle schools, high schools, and area vocational-technical schools of the Pinellas County School District.

Public/Semipublic Uses means those primary and secondary uses listed under the Preservation, Recreation/Open Space, Institutional, and Transportation/Utility Future Land Use Plan categories.

Pushcart Vending means retail sales from an approved pushcart vending unit. See section 29-213.

Recycling Center means facilities used in the collection of recyclable materials for delivery to a processing facility.

Research/Development Use means a use devoted to investigation in the natural, physical, or social sciences, or engineering and development as an extension of investigation, with the objective of creating an end product.

Resident means any of the following: an aged person, as defined in F.S. § 400.618(3); a physically disabled or handicapped person as defined in F.S. § 760.22(5)(a); a developmentally disabled person as defined in F.S. §393.063(6); a nondangerous mentally ill person as defined in F.S. § 394.455(3); or a child as defined in F.S. §39.01(8) and (10). (This definition shall apply to section 29-219.)

Residential District or Residential Property Line mean those lots where a principal residential use exists, or where principal residential use is permitted, as in RS-E through RM-150, including MH-P and MH-S.

Residential Equivalent Use means a residential-like accommodation other than a dwelling unit, including, but not limited to, a group home, nursing home and comparable assisted living facility. No such use shall be required or eligible to employ the residential equivalent standards for density/intensity for any household that qualifies as a dwelling unit. This use shall not include any type of use authorized by 419, F.S., Community Residential Homes, which is entitled to be treated as a dwelling unit.

Residential Uses means, for the purpose of these regulations, single-family, child foster home, community residential home, garage apartment, duplex, multifamily, town house, boarding and rooming house, domiciliary and retirement home, and nursing home, which are available for occupancy on no less than a monthly basis or for less than a monthly basis three (3) or fewer times in any consecutive 365-day period. A use which meets the definition of "transient accommodations use" shall not be deemed a residential use for the purposes of this

chapter, but shall be permitted only in those zoning districts where such transient accommodation use is expressly allowed.

Satellite Antenna means any parabolic or spherical antenna which receives television or other signals from orbiting satellites or other devices. The height of a ground-mounted antenna shall be defined as the distance between the highest point of the antenna structure and the highest point of the finished grade adjacent to the antenna structure. The height of a roof-mounted antenna shall be defined as the distance between the highest point of the antenna structure and the highest point of the finished grade of the roof adjacent to the antenna structure. A satellite antenna shall be considered as an accessory structure when it is not part of a public utility. A web or mesh type antenna is an antenna primarily constructed of a web or mesh material so that it does not substantially impair visibility.

Service Establishment means an establishment for servicing, repairing, or installing articles or tangible personal property including, but not limited to, the following: self service laundromat, dry cleaning, catering, tattoo parlors, and body piercing studios; services and repair of radios, televisions, computers and related equipment, and sound reproduction systems; locksmith shops; and small appliance service or repair shops. The term also includes office services and personal services, which are defined in this section.

Service Station means building and premises where petroleum based and/or other fuels and automobile accessories are sold. All accessory service and minor repair operations listed below shall occur within buildings. Service bay doors shall not face any residential district or use.

- (1) Sale and servicing of spark plugs, batteries and distributors.
- (2) Tire repair and servicing, but no recapping.
- (3) Replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, floor mats, seat covers, wiper blades, windshield wipers, and replacement of grease retainers and wheel bearings.
- (4) Radiator cleaning and flushing.
- (5) Washing and polishing, without specialized mechanical equipment.
- (6) Greasing and lubrication.
- (7) Exchanging fuel oil pumps and installing fuel lines.
- (8) Minor servicing and replacing of carburetors.
- (9) Emergency wiring repairs.
- (10) Adjustment and repair of brakes and alignment of wheels and headlights.
- (11) Minor adjustment of engines, not involving removal of the head and/or crank case, or racing the motor.
- (12) Accessory commercial, not to exceed 25 percent of the total floor area which includes all areas under a canopy or roof and all pump areas of the principal use to which it is accessory.
- (13) The sale of cut flowers.
- (14) To display and store for solely rental purposes trailers, operable motor vehicles and cartop carriers, subject to the following limitations:
 - a. Where the service station premises consists of an area less than 10,000 square feet, the maximum number of items which may be displayed or stored is six, of which no more than three items can be operable motor vehicles.
 - b. Where the service station premises consists of an area of 10,000 square feet to 20,000 square feet, the maximum number of items which may be displayed or stored is 10, of which no more than five items can be operable motor vehicles.

- c. Where the service station premises consists of an area of over 20,000 square feet, the maximum number of items which may be displayed or stored is 10, of which no more than seven items can be operable motor vehicles.
- d. No vehicle or equipment shall be parked or placed within the setback area along the street.

Sidewalk Sales and Display means sidewalk sales, inventory reduction or liquidation sales, distressed merchandise sales, and seasonal merchandise sales which are clearly accessory to, or a promotion of, the permitted or Special Exception use permitted for the site. Only merchandise which is normally sold, or stocked by the permitted use on the site shall be sold and/or promoted.

Signs. See chapter 16, article XI (sign ordinance).

Site Improvement means any physical improvement that changes the existing condition of a developed or undeveloped site. Site improvements include, but are not limited to, buildings, structures, parking and vehicular use areas, retention areas, site grading, landscaping and irrigation, signage, and other such improvements.

Social Service Agency means a use whose primary purpose is to enhance the social welfare and improve the living conditions of society. Such uses include but are not limited to administrative offices, treatment and counseling offices, personal care services/drop-in center, short-term/emergency housing, supply pantries, food centers, and long term housing facilities. This term does not include community residential homes or churches or probation/parole/correction offices.

Sponsoring Agency means an agency or unit of government, a profit or nonprofit agency, or any other person or organization which intends to establish or operate a Community Residential Home. (This definition shall apply to section 29-219.)

Street includes any access way such as a street, road, lane, highway, avenue, boulevard, alley, parkway, viaduct, circle, court, terrace, place or cul-de-sac, and also includes all of the land lying between the right-of-way lines as delineated on a plat showing such streets, whether improved or unimproved, but shall not include those access ways such as easements and rights-of-way intended solely for limited utility purposes, such as for electric power lines, gas lines, telephone lines, water lines, drainage and sanitary sewers, and easements of ingress and egress.

Street Line means the right-of-way line of a street.

Structure means anything, excluding paving, constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Structures shall include but not be limited to buildings, walls, screened enclosures, fences, advertising signs, billboards, poster panels, swimming pools, decks, arbors, and exterior mechanical equipment, such as air conditioning compressors, fuel tanks, fans and pumps.

Submerged Land means the land area situated below the mean high water line of a standing body of water, including ocean, estuary, lake, pond, river or stream. For the purpose of this definition, drainage retention areas to be created as a function of development and wetlands shall not be considered submerged land.

Tattoo Parlor means an establishment whose business activity, either in terms of operation or as held out to the public, is the practice of placing designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substance that results in the permanent coloration of the skin, by means of the use of needles or other instruments designed to contact or puncture the skin.

Temporary Employment Office means an office or agency where prospective employees gather to seek temporary employment (excluding temporary construction, industrial, or similar temporary labor positions).

Temporary Labor Employment Office means an office or agency where prospective employees gather to seek temporary construction or industrial labor positions, or similar positions of temporary employment.

Transfer of Development Rights (TDR) means the transfer of the right to build on land in one zoning district to land in another district where such transfer is permitted.

Transient means a person having the right to occupy a hotel, motel or other transient accommodation unit for a term less than monthly.

Transient accommodation unit means a room or rooms, or other living quarters, within a transient accommodations use which is designed to be occupied as a single unit by one or more persons.

Transient accommodation uses means a building containing one or more transient accommodation units, one or more of which is occupied by one or more persons, or offered or advertised as being available for such occupancy, when the right of occupancy is for a term less than monthly, such right of occupancy being available more than three (3) times in any consecutive 365-day period. The determination that a property is being used as a transient accommodation use shall be made without regard to the form of ownership of the property or unit, or whether the occupant has a direct or an indirect ownership interest in the property or unit; and without regard to whether the right of occupancy arises from a rental agreement, other agreement, or the payment of consideration.

(1) The term includes but is not limited to hotels, motels, recreational vehicle parks, tourist lodging facilities, resort condominiums, resort dwellings, vacation resorts, and dwelling units occupied or available for occupancy on an interval ownership or "time share" basis, when any of the foregoing are made available for occupancy more than three (3) times in any consecutive 365-day period and the right of occupancy is for a term less than monthly.

(2) The term does not include any of the following uses if such use otherwise complies with the applicable requirements of the city and is licensed by the State of Florida, if such licensing is required by law: Bed and breakfast homes, community residential homes, nursing homes, rehabilitation facilities for persons with drug, alcohol, or physical impairments, respite care facilities for persons with terminal illnesses and their families, short-term/emergency housing or long term housing where allowed by Section 29-228, and child foster homes. The term does not include a "guest house dwelling," as defined by Section 29-2, when one or both of the sleeping rooms are located as a permitted accessory use within and incidental to the primary residential structure, and the primary residential structure is owned by a natural person and occupied by the owner. A use which is otherwise a residential use will not be deemed a "transient accommodations use" solely because it is occupied by members of the owner's family, a housekeeper or caretaker, or guests who reside on the premises without paying rent or other consideration for such occupancy.

(3) Nothing herein shall be construed as prohibiting the owner of a residential dwelling unit from occupying the dwelling unit as infrequently as the owner may desire.

Wireless Communication Antenna (WCA) means an antenna at a fixed location used for the transmission or reception of wireless communication signals, excluding those antennas used exclusively for dispatch communications by public emergency agencies, ham radio antennas, satellite antennas, those antennas which receive video programming services via multipoint distribution services which are one meter or less in diameter, and those antennas which receive television broadcast signals.

Wireless Communication Support Facility (WCSF) means a monopole, guyed or a lattice type tower greater than fifteen feet in height (designed for the attachment of or as support for wireless communication antennas or other antennas.

Yards means a required open space on the same lot with a structure. Such open space shall be unoccupied and shall be unobstructed by any portion of any structure from ground level upward, with exception of those uses identified in sections 27-217 and 27-220.

Sec. 29-3. Portions of Chapter Severable.

If any part or parts, section or subsection, sentence, clause or phrase of this chapter is for any reason declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this chapter.

Sec. 29-4. Effective Date.

This chapter shall become effective immediately upon its adoption.

Sec. 29-5. Division of City into Zoning Districts; Official Zoning Map.

(a) To achieve the purposes stated, the City of St. Petersburg is divided by this chapter into zoning districts, hereafter known as districts. These districts are shown on the Official Zoning Map of the City of St. Petersburg. All districts are defined in section 29-246 which section shall be known as the schedule of district regulations. Regulations for the individual districts appear in article V of this chapter. The Official Zoning Map shall be maintained in the Office of the Clerk of City Council.

(b) The Official Zoning Map, retained in the office of the Clerk Council, is hereby declared to be a part of this chapter and is to be maintained as an official public record open to the public. In the event of amendment of any district boundaries set forth on the Official Zoning Map, in the name of the district or other matters shown on the map, the change to the map shall be made by the Engineering Department and forwarded to the Clerk of the City Council, with a note as to the date of the amendment, to be incorporated into the Official Zoning Map. All amendments to the official zoning map shall be consistent with the Future Land Use Map of the Comprehensive Plan.

(c) Rules for Interpreting District Boundaries. Where uncertainty exists with respect to the boundaries of the district, as shown on the Official Zoning Map, the following rules shall apply:

- (1) Where district boundaries are indicated as following the centerlines of streets, highways or alleys, such centerlines shall be construed to be such boundaries.
- (2) Where district boundaries are indicated as approximately parallel to the centerlines of streets or highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Official Zoning Map. If no distance is indicated specifically on the Zoning Map, the scale of the map shall determine.
- (3) Where district boundaries run to, but do not extend into water areas, they shall be considered to run into such water areas in a straight line, continuing the prevailing direction of the boundary as it approaches the water, until they intersect other district boundaries or the corporate limits of the City. Boundaries which run through watercourses, lakes and other water areas shall be assumed to be located midway in such water areas, unless otherwise indicated.

- (4) Where district boundaries are indicated as following platted lot lines, the lot lines shall be construed to be the district boundaries.
- (5) Where district boundaries are indicated by specific dimensions, such specific dimensions shall control.
- (6) Where district boundaries divide platted lots or cross unsubdivided property and where no specific dimensions are indicated on the Official Zoning Map, the scale of the Official Zoning Map shall control.
- (7) Where the street or property layout or other physical features existing on the grounds are at variance with the Official Zoning Map or where other uncertainties exist as to interpretation of the Official Zoning Map, the Mayor shall interpret the map in such a manner as to carry out the intent and purpose of this chapter.

Sec. 29-6. Zoning Map Adopted.

- (a) The Official Zoning Map of the City, and incorporated herein by reference, is hereby adopted as part of this chapter and shall be maintained in the office of the Clerk of City Council and not henceforth reproduced as part of this chapter.
- (b) A copy of the Zoning Map may be purchased in the Engineering Department of the City of St. Petersburg.

Sec. 29-7. Classification of Areas under Water, and of Other Areas Not Elsewhere Classified.

All areas within the corporate limits of the City which are under water or not elsewhere classified and are not shown as included within any district shall be subject to all of the regulations of the district which immediately adjoins the area. If the area adjoins two or more districts, the boundaries of each district shall be construed to extend into the area in a straight line until they meet the boundaries of another district or the corporate limit of the City. Water areas shall not be used for density credit in order to increase density on the upland.

Sec. 29-8. District Regulations; Purposes and Matters Regulated; application of Regulations; Schedule of District Regulations.

- (a) **Purposes.** The regulations and restrictions herein prescribed are in furtherance of the general purposes set forth in section 29-1 and have the specific objectives of:
 - (1) Reducing, or eliminating, elements of present and future harmful incompatibility between uses permitted in the same district or neighboring districts.
 - (2) Segregating uses which cannot be made reasonably compatible into separate districts.
 - (3) Encouraging and promoting proper, orderly and efficient development of land according to the needs of the general public, as set forth in the goals, objectives and policies of the Comprehensive Plan.
- (b) **Matters Regulated.** Matters regulated include but are not limited to:
 - (1) Use of land and water for residential, commercial, industrial and other purposes.
 - (2) Size of lots, yards and other spaces.
 - (3) Maximum coverage of lots by buildings and other structures and by uses.

- (4) Height, size, location, erection and construction, reconstruction, alteration and use of buildings and other structures for residential, commercial, industrial and other purposes.
- (5) Density of population and intensity of uses.
- (6) Provision of public facilities and services concurrent with the impacts of development.
- (7) Protection of natural and historic resources.

(c) **Application of Regulations.** Except as hereinafter provided, no structure shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any structure or land be used or occupied which does not comply with all the regulations established by this chapter for the district in which the building or land is located. No part of a yard or other open space, or parking or loading space required about any building for the purpose of complying with the provisions of this chapter shall be included as part of a yard or other open space, or parking or loading space similarly required for another building.

In no case shall there be more than one main structure and the customary accessory structures on one lot when single-family usage is the principal use. No yard, or lot, now existing, or hereafter created, shall be reduced in dimensions or area below the minimum requirements herein for the district in which located. No structure shall be erected on a lot heretofore or hereafter reduced below minimum dimensions or area required by law, nor shall such lot be offered for sale or sold, except to be used in such combination with adjacent lots as will produce conformity with the requirements of this chapter, provided, however, this requirement shall not apply to a lot which was of record (either by a plat or by a deed describing the lot by metes and bounds or otherwise) in the office of the Clerk of the Circuit Court, Pinellas County, Florida, on February 21, 1945 (the date of final passage of a former Zoning Ordinance containing similar provisions).

Within each district, regulations herein set forth shall be minimum regulations, and shall apply uniformly to each class or kind of building or land, and may specify: uses permitted, uses permissible (if reasonable requirements of a special nature are met to reduce or eliminate harmful incompatibility), off-street parking and loading requirements, and uses or characteristics of uses prohibited.

(d) **Schedule of District Regulations.** Except for regulations applying to more than one district (which appear in article IV (and elsewhere)) regulations for the individual districts appear in the schedule of district regulations (article V).

Sec. 29-9. Conflicts with Other Ordinances, Covenants, or Agreements.

Wherever higher or more restrictive standards are established by the provisions of any other applicable statute, chapter, or regulation than are established by the provisions of this chapter, that regulation shall govern. This chapter is not intended to interfere with, abrogate or annul any easement, covenant or other agreements between parties, except that if this chapter imposes a greater restriction, this chapter shall control.

Sec. 29-10. Major Street Map.

This map is to be used only for purposes as outlined in this chapter and is not considered to constitute an official street map.

Secs. 29-11—29-40. Reserved.

