

City of Tarpon Springs, Florida
STAFF REPORT

October 7, 2018

TO: PLANNING AND ZONING BOARD

FROM: PLANNING AND ZONING DEPARTMENT

HEARING DATES: OCTOBER 15, 2018 (PLANNING & ZONING BOARD)
OCTOBER 16, 2018 (BOARD OF COMMISSIONERS) 1^S READING
NOVEMBER 6, 2018 (BOARD OF COMMISSIONERS) 2ND READING

SUBJECT: **APP-18-112: ORDINANCE 2018-25: SAP AMENDMENT SDC TRANSECT** AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING CERTAIN SECTIONS OF APPENDIX B (COMMUNITY REDEVELOPMENT AREA AND SPONGE DOCKS SMARTCODE), OF THE CODE OF ORDINANCES OF THE CITY OF TARPON SPRINGS, FLORIDA; BY AMENDING TABLE 4E(i) BUILDING FUNCTION, BY ALLOWING 49 SEATS FOR FOOD SERVICE ESTABLISHMENTS IN TRANSECTS WHERE RETAIL USE IS LIMITED, AMENDING TABLE 5A CODE SUMMARY, TO CHANGE THE BUILDING FUNCTION FROM LIMITED TO OPEN IN THE SDC TRANSECT, AND AMENDING TABLE 5B(xi) SDC MARINE INDUSTRIAL/COMMERCIAL, TO CHANGE THE BUILDING FUNCTION FROM LIMITED TO OPEN AND PROVIDING FOR SEVERABILITY; AND FOR AN EFFECTIVE DATE.

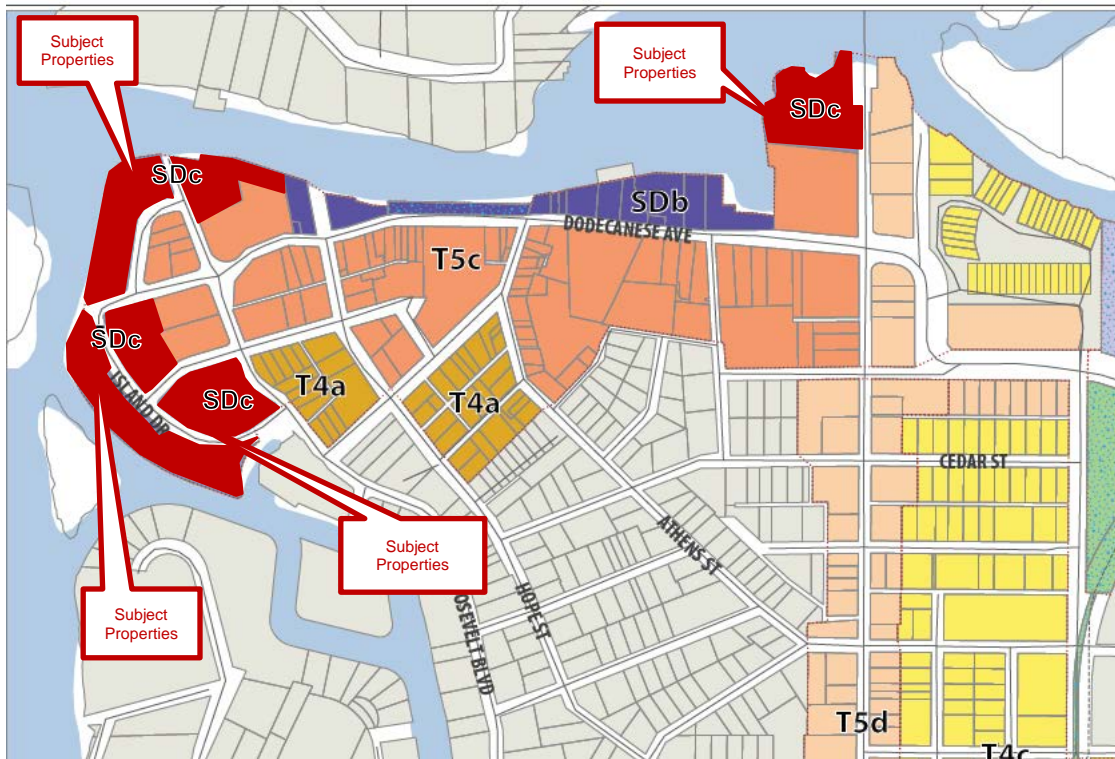
I. STAFF RECOMMENDATION

Staff recommends approval of Ordinance 2018-25 to amend Appendix B “Transect-Based Infill Code for the Sponge Docks and Community Redevelopment Area” of the Code of Ordinances.

II. BACKGROUND

The SDC transect is one of several transects located in the Sponge Docks character district, of the Sponge Docks and Community Redevelopment Area Special Area Plan adopted in 2011. “The Sponge Dock Character district is primarily comprised of tourist-oriented commercial business, restaurants, and industrial waterfront uses.” Businesses located in the area include Rusty Bellies, Gulfstar Fishing, and Holiday Seafood.

Map of SDc Areas within the Sponge Dock Character District



The “SD” or “Special District transects consist of areas that exhibit unique character that does not conform to the requirements of any transect zone. Each special district consists of a defining element: mixed use commercial center, marine tourist, marine industrial/commercial and civic/park.” The SDc transect is the Marine Industrial/Commercial district. Recently there has been increasing interest in redeveloping the area. At this time the criteria in the building function table and the transect tables is limiting commercial redevelopment in the area.

Staff is proposing several changes to encourage commercial redevelopment in the area:

- Table 4E(i) Building Function: Modify limited retail function to increase the number of seats from 40 to 49 for food service. This would make the Transect Code consistent with the Occupancy “B” category of the Florida Building Code, which most small restaurants or food service establishments are classified as currently under the Florida Building Code.
- Table 5A: Modify Retail Building Function of the SDc transect from “limited” to “open”. This change will allow removal of a barrier to development of commercial and restaurants in the SDc transect.
- Table 5B(xi): Modify Retail Building Function of the SDc transect from “limited” to “open”. This change will allow removal of a barrier to development of commercial and restaurants in the SDc transect.

List of Exhibits:

- 1) Ordinance 2018-25

ORDINANCE NO. 2018-25

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING CERTAIN SECTIONS OF APPENDIX B (COMMUNITY REDEVELOPMENT AREA AND SPONGE DOCKS SMARTCODE), OF THE CODE OF ORDINANCES OF THE CITY OF TARPON SPRINGS, FLORIDA; BY AMENDING TABLE 4E(i) BUILDING FUNCTION, BY ALLOWING 49 SEATS FOR FOOD SERVICE ESTABLISHMENTS IN TRANSECTS WHERE RETAIL USE IS LIMITED, AMENDING TABLE 5A CODE SUMMARY, TO CHANGE THE BUILDING FUNCTION FROM LIMITED TO OPEN IN THE SDC TRANSECT, AND AMENDING TABLE 5B(xi) SDC MARINE INDUSTRIAL/COMMERCIAL, TO CHANGE THE BUILDING FUNCTION FROM LIMITED TO OPEN AND PROVIDING FOR SEVERABILITY; AND FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners intends to promote redevelopment within the SDC transect, by amending the building function class from limited retail to open retail; and,

WHEREAS, the Board of Commissioners desires to increase the number of seats within the limited retail building function class on Table 4E(i) from 40 to 49 seats to allow for consistency with the Florida Building Code and to promote development of food establishments within the SDC transect; and,

WHEREAS, the Board of Commissioners of the City of Tarpon Springs has determined that amendment to APPENDIX B (Table 4E(i) Building Function, Table 5A Code Summary and Table 5B (xi) SDC Marine Industrial/Commercial), of the City of Tarpon Springs Code of Ordinances is necessary to make such a change and will promote redevelopment within the SDC transect.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS AS FOLLOWS:

SECTION 1 – That Appendix B, Table 4E(i) Building Function, Table 5A Code Summary and Table 5B (xi) SDC Marine Industrial/Commercial of the Code of Ordinances of the City of Tarpon Springs, Florida, shall be amended to read as follows: see attached Exhibits A-1 to A-3.

SECTION 2 – SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 3 –EFFECTIVE DATE

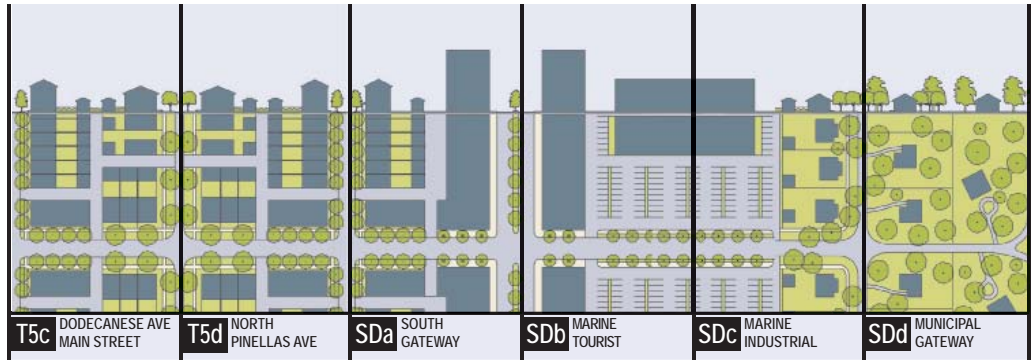
This Ordinance shall become effective upon adoption.

TABLE 4E(i). BUILDING FUNCTION

TABLE 4E(i): Building Function. This table categorizes Building Functions within Transect Zones and includes offstreet parking requirements except for Parking Location (see Section 4.7). For Specific Function and Use, see Table 4F.

RESIDENTIAL	<p>Restricted Residential: The number of dwellings on each Lot is restricted to one within a Principal Building and one within an Accessory Building. The dwellings within the Principal and Accessory Buildings shall require a minimum of 2 parking spaces and 1 parking space for each, respectively. Both dwellings shall be under single ownership. The habitable area of the Accessory Unit shall not exceed 500 sf, excluding the parking area.</p>	<p>Limited Residential: The number of dwellings on each Lot is limited by the requirement of 1.5 parking spaces for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11). An Accessory Building shall be limited to 1 dwelling and such dwelling shall require 1 parking space. The habitable area of the Accessory Unit shall not exceed 500 sf, excluding the parking area.</p>	<p>Open Residential: The number of dwellings on each Lot is limited by the requirement of 1.5 parking places for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11).</p>
LODGING	<p>Restricted Lodging: Lodging shall be restricted to Bed & Breakfast uses. The number of lodging units available on each Lot for lodging is limited to 3 lodging units per underlying unit of 'by right' residential density in addition to the parking requirement for the dwelling. The Lodging must be owner occupied. Food service may be provided in the a.m. The maximum length of stay shall not exceed 14 days.</p>	<p>Limited Lodging: Lodging shall be restricted to Bed & Breakfast and Inn uses. The number of lodging units available on each Lot for lodging is limited to 3 lodging units per underlying unit of 'by right' residential density. Food service may be provided in the a.m. The maximum length of stay shall not exceed 14 days.</p>	<p>Open Lodging: The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking place for each bedroom. Food service may be provided at all times. The area allocated for food service shall be calculated with parking according to Retail Function.</p>
OFFICE	<p>Restricted Office: Office use is restricted to home occupations or as an accessory use by the owner, with no more than one employee.</p>	<p>Limited Office: The building area available for office use on each Lot is limited to the first Story of the Principal Building and/or the Accessory Building, and by the requirement of 3.0 assigned parking places per 1,000 square feet of net office space. Office use is not permitted on Lots with primary frontage on 'C' Streets.</p>	<p>Open Office: The building area available for office use on each Lot is limited by the requirement of 3.0 assigned parking places per 1,000 square feet of net office space in all T-Zones except T5b which shall require 2.0 / 1,000 square feet. Office use is not permitted on Lots with primary frontage on 'C' Streets.</p>
RETAIL	<p>Restricted Retail: The building area available for Retail use is limited to the first Story of buildings at corner locations and by the requirement of 3.0 assigned parking places per 1,000 square feet of net Retail space. The specific use shall be further limited to neighborhood retail or food service seating no more than 20 and a maximum of 2,000 square feet per retail space. Retail uses are not permitted on Lots within T-Zones that have Building Functions designated as Restricted Retail and are further located within the Spring Bayou or Sponge Docks Character Districts, per the Special Area Plan Future Land Use Map designation.</p>	<p>Limited Retail: The building area available for Retail use is limited to the first Story of buildings and by the requirement of 3.0 assigned parking places per 1,000 square feet of net Retail space. The specific use shall be further limited to neighborhood retail or food service seating no more than 4049 and a maximum 5,000 square feet per retail space. Retail spaces under 1,500 square feet are exempt from parking requirements. Retail uses are not permitted on lots within the T-4c zone that are also within the Spring Bayou or Sponge Docks Character districts or on lots that solely front on a C or C' designated street.</p>	<p>Open Retail: The building area available for Retail use is limited by the requirement of 3.0 assigned parking places per 1,000 square feet of net Retail space. Retail spaces under 1,500 square feet are exempt from parking requirements.</p>
INDUSTRIAL	<p>Restricted Industrial: Industrial uses shall be approved by Warrant. Open storage is not permitted on the Lot and Industrial use operations shall be enclosed within the Building and, if necessary, screened from public rights-of-way and from adjacent non-industrial use properties. Parking requirements shall be determined by Warrant.</p>	<p>Limited Industrial: Industrial uses shall be approved by Warrant. Open storage is permitted on the Lot by Warrant and Industrial use operations shall be screened from public rights-of-way and from adjacent non-industrial use properties. Parking requirements shall be determined by Warrant.</p>	<p>Open Industrial: Industrial uses shall be approved by Warrant and may include open storage on the Lot. Industrial use operations shall be screened from public rights-of-way and from adjacent non-industrial use properties. Parking requirements shall be determined by Warrant.</p>
CIVIC	<p>Restricted Civic: Civic uses shall be approved and parking requirements shall be determined by Warrant. At least 50% of the total number of on-site parking places should be made available for non-civic use publicly available parking during off-peak or non-operational days and times. Civic uses with assembly functions such as but not limited to religious and auditorium uses shall be limited to a maximum of 200 seats.</p>	<p>Limited Civic: Civic uses shall be approved and parking requirements shall be determined by Warrant. At least 50% of the total number of on-site parking places should be made available for non-civic use publicly available parking during off-peak or non-operational days and times. Civic uses with assembly functions such as but not limited to religious and auditorium uses shall be limited to a maximum of 400 seats. Religious use belfries and steeples may be exempt from T-Zone height requirements.</p>	<p>Open Civic: Civic uses shall be approved and parking requirements shall be determined by Warrant. At least 50% of the total number of on-site parking places should be made available for non-civic use publicly available parking during off-peak or non-operational days and times. Religious use belfries and steeples may be exempt from T-Zone height requirements.</p>

TABLE 5A: Code Summary (continued).



BASE DENSITY (Based on Maps 5A & 5B and Special Area Plan (Ordinance 2010-26 Tables 3-1 through 3-10))

Max. By Right Density	14 dwelling units/acre	12 - 15 dwelling units/acre	18 dwelling units/acre	14 dwelling units/acre	14 dwelling units/acre	4 dwelling units/acre
Max. Transferred Density	22 dwelling units/acre	18 - 22 dwelling units/acre	24 dwelling units/acre	22 dwelling units/acre	18 dwelling units/acre	4 dwelling units/acre
Max. Building FAR	1.0	1.0 - 1.25	1.5	1.0	1.0	1.0
Max. Non-Residential FAR	0.65	0.5 - 1.0	1.0	0.65	0.75	0.75

THOROUGHFARES (see Chapter 2)

A	n/a	recommended	recommended	n/a	n/a	recommended
A'	recommended	n/a	n/a	recommended	recommended	n/a
B	recommended	recommended	recommended	recommended	recommended	recommended
B'	recommended	n/a	n/a	n/a	n/a	n/a
C	recommended	recommended	recommended	n/a	recommended	recommended
C'	recommended	n/a	n/a	n/a	n/a	recommended

CIVIC SPACES (see Table 2J)

Neighborhood Park	n/a	n/a	permitted	n/a	n/a	by warrant
Plaza	permitted	permitted	permitted	permitted	permitted	by warrant
Playground	n/a	n/a	permitted	n/a	n/a	by warrant

LOT WIDTH & LOT COVERAGE

Lot Width	n/a	n/a	n/a	n/a	n/a	by warrant
Lot Coverage	80% max	70% max	70% max	80% max	50% max	by warrant

SETBACKS - PRINCIPAL BUILDING

Front Setback (Principal)	0 ft. max	5 ft. min / 10 ft. max	5 ft. max	10 ft. max	35 ft. max	by warrant
Front Setback (Secondary)	0 ft. max	5 ft. max	18 ft. max	10 ft. max	35 ft. max	by warrant
Side Setback	n/a	n/a	n/a	n/a	n/a	by warrant
Rear Setback	5 ft. min/12 ft. min w/ alley	5 ft. min/12 ft. min w/ alley	n/a	10 ft. min	n/a	by warrant
Frontage Buildout	95% min	70% min	80% min	90% min	n/a	by warrant

BUILDING PLACEMENT (see Table 4A)

Edgeyard	n/a	n/a	n/a	n/a	permitted	by warrant
Sidyard	n/a	permitted	n/a	n/a	permitted	by warrant
Rearyard	permitted	permitted	permitted	permitted	permitted	by warrant
Courtyard	permitted	permitted	permitted	permitted	permitted	by warrant

BUILDING FORM - HEIGHT (see Table 4B) (for special hotel/inn height allowances, see Special Area Plan (Ordinance 2010-26))

Principal Building	3 stories max	3 stories max	5 stories max	2 stories max	2 stories max	3 stories max
Outbuilding	2 stories max	2 stories max	2 stories max	2 stories max	2 stories max	n/a

BUILDING FORM - PRIVATE FRONTAGES (see Table 4C)

Common Yard	n/a	n/a	permitted	n/a	n/a	by warrant
Porch & Fence	n/a	n/a	n/a	n/a	n/a	by warrant
Terrace or Light Court	permitted	recommended	permitted	permitted	permitted	by warrant
Forecourt	permitted	recommended	permitted	permitted	permitted	by warrant
Stoop	permitted	recommended	permitted	permitted	permitted	by warrant
Shopfront/Awning	mandatory	recommended	recommended	recommended	recommended	by warrant
Arcade/Gallery	recommended	recommended	recommended	recommended	n/a	by warrant
Parking	n/a	n/a	n/a	n/a	by warrant	by warrant

BUILDING FUNCTION (see Table 4E & Table 4F)

Residential	limited use	limited use	open use	limited use	restricted use	conditional use
Lodging	open use	open use	open use	restricted use	restricted use	conditional use
Office	open use	open use	open use	open use	limited use	conditional use
Retail	open use	open use	open use	limited use	limited open use	conditional use
Industrial	restricted use	n/a	restricted use	limited use	open use	conditional use
Civic	open use	open use	open use	open use	open use	open use

Chapter 4

Chapter 2, 3

PLACEMENT

FORM

FUNCTION

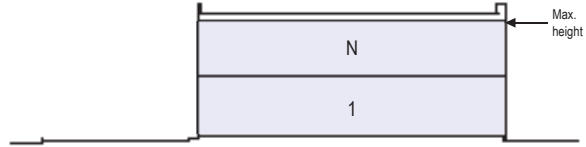
TABLE 5B(xi). SDC MARINE INDUSTRIAL/COMMERCIAL

SD	
BUILDING FUNCTION	
Residential	restricted use
Lodging	restricted use
Office	limited use
Retail	limited open use
Industrial	open use
Civic	open use
BUILDING HEIGHT	
Principal Building	2 stories max ¹
Outbuilding	2 stories max
LOT OCCUPATION	
Lot Width	n/a
Lot Coverage	50% max
BUILDING PLACEMENT	
Edgeyard	permitted
Sidyard	permitted
Rearyard	permitted
Courtyard	permitted
SETBACKS - PRINCIPAL BUILDING	
(g.1) Front Setback Primary	35 ft. max
(g.2) Front Setback Secondary	35 ft. max
(g.3) Side Setback	n/a
(g.4) Rear Setback	n/a
Frontage Buildout	n/a
SETBACKS - OUTBUILDING	
(h.1) Front Setback	n/a
(h.2) Side Setback	n/a
(h.3) Rear Setback	n/a
PRIVATE FRONTAGES	
Common Lawn	n/a
Porch & Fence	n/a
Terrace or L.C.	permitted
Forecourt	permitted
Stoop	permitted
Shopfront & Awning	recommended
Gallery / Arcade	n/a
Parking	by warrant
PARKING PROVISIONS	
See Table 4E(i) & Table 4E(ii)	
LOCAL HISTORIC DISTRICT	
n/a	

¹ for special hotel/inn height allowances, refer to applicable Character District standards in the Special Area Plan (Ordinance 2010-26) 3 stories by Conditional Use
 "N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

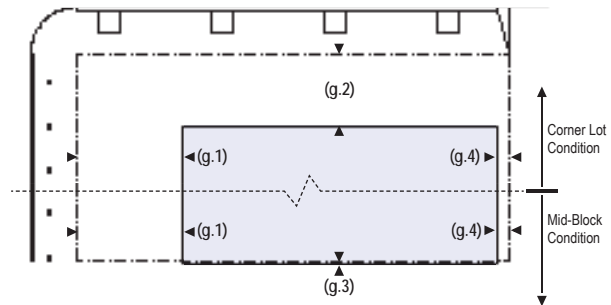
BUILDING HEIGHT

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed x feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of x ft with a maximum of x ft.
3. Height shall be measured to the eave or roof deck.



SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the first, second and third layers.
2. Covered parking shall be provided within the second and third layer.
3. Trash containers shall be stored within the third Layer.

