

City of Pass Christian

Agenda Memorandum

To: Planning Commission

From: Bill Spivey, City Planner

Date of Meeting: May 25, 2021

Project Number: PD-5-2021

Applicant: The Planning & Zoning Department, City of Pass Christian

Project Description: Planning Commission Approval for the following Text Amendments to the Pass Christian Development Code, Version 2.0, Adopted August 18, 2020: Updates to Building Setbacks; Encroachments into Setbacks; Minimum Size of Principal Buildings; Minimum Fence Standards; Parking Standards; Swimming Pool Setbacks; Prohibited Signage; Add Definitions for Sight Triangle, Electronic Message Board, Front Yard, Side Yard, Rear Yard, Arterials, Collectors and Local Roads. The Planning Commission reserves the right to make further changes to its Text Amendments of the Development Code Ordinance based upon the outcome of the Public Hearings.

1. BUILDING SETBACKS

Reason for Update: Several of the setbacks in Transects T4+, T5C and T5H feature no minimum or three (3) feet as the required setback for the Front, Side or Rear setback. The 2018 International Fire Code requires a minimum building setback of five (5) feet since any structure built within five (5) feet or less of the property line requires compliance to 2018 International Fire Code Standards.

Modifications: Change any setback featuring no minimum or three (3) feet to five (5) feet and delete “for corner lots.”

SECTION 5.4.11b – T4+

SETBACKS - PRINCIPAL BUILDING Elevated 4 ft or less above grade		
	Current	Proposed
a. Front Setback	No min.	10 ft
b. Side Setback	No min.	5 ft
on 2nd Frontage	No min.	5 ft
c. Rear Setback	3 ft min.	5 ft
for corner lots	3 ft min.	Delete

SETBACKS - OUTBUILDING Elevated 4 ft or less above grade		
	Current	Proposed
a. Front Setback	Within 3rd Layer	
b. Side Setback	No min.	5 ft
on 2nd Frontage	No min.	5 ft
c. Rear Setback	3 ft min.	5 ft
for corner lots	3 ft min.	Delete

SETBACKS - PRINCIPAL BUILDING Elevated more than 4 ft above grade		
	Current	Proposed
a. Front Setback	10 ft	
b. Side Setback	No min.	5 ft
on 2nd Frontage	10 ft	
c. Rear Setback	3 ft min.	5 ft
for corner lots	3 ft min.	Delete

SETBACKS - OUTBUILDING Elevated more than 4 ft above grade		
	Current	Proposed
a. Front Setback	Within 3rd Layer	
b. Side Setback	No min.	5 ft
on 2nd Frontage	10 ft	
c. Rear Setback	3 ft min.	5 ft
for corner lots	3 ft min.	Delete

SECTION 5.5.11a – T5C

SETBACKS - PRINCIPAL BUILDING Elevated 4 ft or less above grade		
	Current	Proposed
a. Front Setback	No min.	5 ft
b. Side Setback	No min.	5 ft
on 2nd Frontage	No min.	5 ft
c. Rear Setback	3 ft min.	5 ft
for corner lots	3 ft min.	Delete

SETBACKS - OUTBUILDING Elevated 4 ft or less above grade		
	Current	Proposed
a. Front Setback	Within 3rd Layer	
b. Side Setback	No min.	5 ft
on 2nd Frontage	No min.	5 ft
c. Rear Setback	3 ft min.	5 ft
for corner lots	3 ft min.	Delete

SETBACKS - PRINCIPAL BUILDING Elevated more than 4 ft above grade		
	Current	Proposed
a. Front Setback	10 ft	
b. Side Setback	No min.	5 ft
on 2nd Frontage	10 ft	
c. Rear Setback	3 ft min.	5 ft
for corner lots	5 ft	Delete

SETBACKS - OUTBUILDING Elevated more than 4 ft above grade		
	Current	Proposed
a. Front Setback	Within 3rd Layer	
b. Side Setback	No min.	5 ft
on 2nd Frontage	10 ft	
c. Rear Setback	3 ft min.	5 ft
for corner lots	5 ft min.	Delete

SECTION 5.5.11b – T5H

SETBACKS - PRINCIPAL BUILDING Elevated 4 ft or less above grade		
	Current	Proposed
a. Front Setback	No min.	5 ft
b. Side Setback	No min.	5 ft
on 2nd Frontage	No min.	5 ft
c. Rear Setback	3 ft min.	5 ft
for corner lots	3 ft min.	Delete

SETBACKS - OUTBUILDING Elevated 4 ft or less above grade		
	Current	Proposed
a. Front Setback	Within 3rd Layer	
b. Side Setback	No min.	5 ft
on 2nd Frontage	No min.	5 ft
c. Rear Setback	3 ft min.	5 ft
for corner lots	3 ft min.	Delete

SETBACKS - PRINCIPAL BUILDING Elevated more than 4 ft above grade		
	Current	Proposed
a. Front Setback	10 ft	
b. Side Setback	No min.	5 ft
on 2nd Frontage	10 ft	
c. Rear Setback	3 ft min.	5 ft
for corner lots	5 ft	Delete

SETBACKS - OUTBUILDING Elevated more than 4 ft above grade		
	Current	Proposed
a. Front Setback	Within 3rd Layer	
b. Side Setback	No min.	5 ft
on 2nd Frontage	10 ft	
c. Rear Setback	3 ft min.	5 ft
for corner lots	5 ft min.	Delete

2. ENCROACHMENTS INTO SETBACKS

Reason for Update: The Allowable Encroachments into any setback in each Transect vary and are difficult to find in the Development Code 2.0. The Update will create a new Section for Allowable Encroachments which will apply to all Transects and Special Districts including the Harbor District.

Modifications: Delete Sections 5.3.2b, 5.4.2.b and 5.5.2.b and replaced with following new Section:

SECTION ___: ALLOWABLE ENCROACHMENTS

Every part of every required setback area shall remain open and unobstructed from the ground to the sky except as otherwise allowed in Table ___: Allowable Setback Area Encroachments, or elsewhere in the Development Code 2.0.

TABLE ___: ALLOWABLE SETBACK AREA ENCROACHMENTS*	
Feature	Extents and Limitations
Open balconies, fire escapes, or stairways	May extend to within five (5) feet of the property line in a required setback area.
Bay windows	May extend up to three feet into any required setback area if no more than nine feet wide.
Chimneys or fireplaces	May extend up to three feet into any required setback area.
Elevators/Lifts	May not be located in the Front Setback or within twenty (20) feet of the front wall of the primary building.
Moveable awnings	May extend up to three feet into any required setback area.
Roof eaves and overhangs, or marquees	May extend up to three feet into any required setback area.
Sills or entablatures	May extend up to 12 inches into any required setback area.
Uncovered porches, stoops, decks, patios, terraces, or walkways	May extend into or be located in any required setback area if less than 12 inches higher than ground level; may extend up to three feet into any required setback area if more than 12 inches, but less than 30 inches, higher than ground level.
Signs, projecting or free-standing	May extend into or be located in any required setback area in accordance with Section ___, Signage.
* All allowable encroachments are subject to the 2018 International Fire Code.	

TABLE ____: Continued	
Feature	Extents and Limitations
Carports, attached or detached	May extend into or be located in a required side setback area, but not within three feet of a side lot line—provided that the carport is located behind the rear line of the principal building and that the combined length of a detached carport attached to another building shall not exceed 40 feet (Carports attached to the detached accessory front or side of the principal building shall comply with the same setback requirements applicable to the principal building.)
Flagpoles	May be located in any required setback area if less than 20 feet high, set back from side and rear lot lines by at least ten feet, and set back from front and corner side lot lines by a distance equal to the flagpole height.
Lighting fixtures	May be located in any required setback area if less than 20 feet high.
Fences or walls	May be located in any setback area, subject to the limitations in Section ____, Fencing and Screening.
Accessory structures other than those listed above	May be located in a side or rear setback area, subject to the limitations in Section ____, Accessory Structures.
Vegetation and landscaping features such as retaining walls, fountains, ponds, and similar landscaping features	May be located in any required setback area.
* All allowable encroachments are subject to the 2018 International Fire Code.	

3. FENCE AND SCREENING STANDARDS

Reason for Update: The Current Fence and Screening Standards are located under the Architectural Standards for each Transect and Special District. The Update will create a new Section for Fencing and Screening Regulations which will apply to all Transects and Special Districts including the Harbor District.

Modifications:

All the sections in the Development Code 2.0 referencing fencing and screening will be deleted and replaced with the following:

SECTION ____: FENCING AND SCREENING

(A) Purpose

The purpose of this section is to regulate the location, height, and appearance of fences and walls to maintain visual harmony within neighborhoods and the City, protect adjacent properties from

the indiscriminate placement and unsightliness of fences and walls, and ensure the safety, security, and privacy of properties.

(B) Applicability

The provisions of this section shall apply to all construction, substantial reconstruction, or replacement of fences, walls or screening not required for support of a principal or accessory structure, or any other linear barrier intended to delineate different portions of a lot. If there is any inconsistency between the fencing or wall provisions of this section and any screening standard; Screening, shall control.

(C) General Requirements for Fences and Walls

- (1) Location** - Fences are permitted on the property line between two or more parcels of land held in private ownership.
 - (a) The only exception is along Donlin Avenue, Courtenay Avenue, Hackett Lane and Lang Avenue between East Second Street and East Scenic Drive. On these streets only, any fencing, wall or screening abutting the Public Right-of-Way has to be setback from the property line the height of the fence. For example, if the fence is six (6) feet in height, the fence must be setback six (6) feet from the property line abutting the street.
- (2) Temporary Fences** - Temporary fences for construction sites or a similar purpose shall comply with the requirements of the building code adopted by the City and all applicable standards.
- (3) Fences and Walls Near Fire Hydrants** - Fences and walls shall not be located within five (5) feet of a fire hydrant in accordance with the Fire Code.
- (4) Fences in Easements** - Fences shall be prohibited within utility easements except to the extent approved by the Director of Public Works after finding the fence would not impede the purpose or function of the easement. The City shall not be responsible for damage to, or the repair, or replacement of fences that must be removed to access such easements. In no instance shall this provision be construed to prevent fencing around stormwater retention or detention facilities that may be required by the Development Code 2.0.
- (5) Blocking Natural Drainage Flow** - No fence shall be installed to block or divert a natural drainage flow on to or off any other land.
- (6) Fences on Retaining Walls or Berms** - If a fence is constructed on top of a wall or berm, the combined height of the fence and wall or berm shall not exceed the maximum height that would apply to the fence or wall alone without approval of the Planning Office.
- (7) Fences and Walls within Buffers** - Fences and walls shall be installed so as not to disturb or damage existing vegetation or installed plant material within perimeter or riparian buffers.
- (8) Integration with Other Required Landscaping** - Required landscape screening for fences or walls may be integrated into the landscaping required for vehicular use area screening or perimeter buffers, provided the landscaping standards are maintained.
- (9) Customary Materials** - Fences and walls shall be constructed of any combination of treated wood posts and planks, rot-resistant wood (such as cypress or redwood), wrought iron, decorative metal materials, brick, stone, masonry materials, or products designed to resemble these materials. Where certain materials are specified for types of screening or buffering fences or walls, all other fence materials are prohibited.

(D) Height Requirements for Fences and Walls

All fences and walls shall conform to the following standards unless exempted by Section ____: Exemptions, and except as otherwise provided in Section ____: Sight Triangles at Driveway Intersections, and Section ____: Sight Triangles at Street Intersections. In all cases, heights are measured from natural grade.

(1) Residential Uses - Except for required screening, fences and walls for residential uses shall not exceed a height of four feet in front yards and along a secondary frontage to the front wall of the structure. Fences for residential uses shall not exceed a height of eight (8) feet along the remainder of a secondary frontage, side and/or rear yards.

(2) Non-Residential Uses - Except for required screening, fences and walls for non-residential uses shall not be permitted in the required setback in the front and/or along a secondary frontage. Fences for non-residential uses shall not exceed a height of eight (8) feet in the remainder of a front, secondary frontage, side and/or rear yards.

(3) Exemptions

a. **Required Screening** - A fence or wall provided to meet Screening standards is exempted from the height standards of this subsection, but in no case shall the fence or wall exceed a height of eight (8) feet.

b. **Recreational Fencing** - Customary fencing provided as a part of a permitted tennis court, athletic field, or other recreational facility shall be exempt from the height restrictions of this subsection.

c. **Public Safety Use Fences and Walls** - Major utilities, wireless communication towers, government facilities, and other public safety uses shall be allowed to increase maximum fence or wall heights to ten feet in front, side, and rear yards, unless further increased through an approved security plan.

d. **Security Plan Fences and Walls** - An owner or tenant or a representative of a public agency responsible for a public facility may submit to the Planning Department a site security plan proposing fences or walls taller than those permitted by this section, or the use of barbed or concertina wire atop a fence or wall. The Planning Department shall approve or approve with conditions the site security plan and its proposed exemption of fences or walls from the standards of this subsection, on finding that:

1. The condition, location, or use of the land, or the history of activity in the area, indicates the land or any materials stored or used on it are in significantly greater danger of theft or damage than surrounding land; and
2. The proposed taller fences or walls, or use of barbed or concertina wire, will not have a significant adverse effect on the security, functioning, appearance, or value of adjacent lands or the surrounding area.

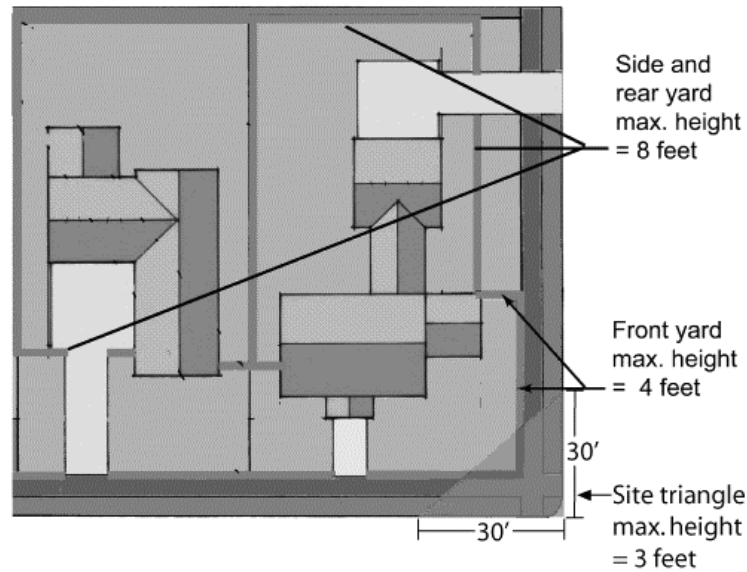


Figure ____: Fence Height

(E) Perimeter Fences and Walls Abutting Public Rights-of-Way

Fences or walls located within 15 feet of a public right-of-way shall:

- (1) Be located outside the public right-of-way.
- (2) Be of a uniform style.
- (3) For fences below forty-eight (48) inches, the fence can be constructed of wood board, aluminum, wrought iron, or materially substantially resembling wrought iron and shall be at least 75% visually open above forty-eight (48) inches above grade.; and
- (4) Include breaks, offsets, access points, or other design details in the fence or wall plane at least every 200 feet

(F) Appearance

- (1) **Finished Side to Outside** - Wherever a fence or wall is installed, if one side of the fence or wall appears more "finished" than the other (e.g., one side has visible support framing and the other does not), then the more "finished" side of the fence shall face the perimeter of the lot abutting a public right-of-way rather than the interior of the lot.
- (2) **Compatibility of Materials along a Single Lot Side** - All fencing or wall segments located along a single lot side shall be composed of a uniform style and colors compatible with other parts of the fence and with the associated buildings.

(G) Visibility Clearance - Fences and walls shall be placed outside of required sight triangles or areas needed for visibility.

(H) Prohibited Fences

- (1) **Barbed Wire, Concertina Wire, and Above-ground Electrified Fences** - In all zoning districts, fences using barbed or concertina wire and above-ground electrified fences shall be prohibited unless used in association with agricultural activities or allowed through an approved security plan. Underground electric fences designed for control of domestic animals are allowed.

(2) Debris, Junk, Rolled Plastic, Sheet Metal, Plywood, or Other Waste Materials - Fences or walls made of debris, junk, rolled plastic, sheet metal, plywood, or waste materials are prohibited in all zoning districts unless such materials have been recycled and reprocessed, for marketing to the public, as building materials that resemble new building materials (e.g., picket fencing made from recycled plastic and fiber).

(I) MAINTENANCE REQUIRED - All fences, walls, screening, and associated landscaping shall be maintained in good repair and in a safe and attractive condition—including, but not limited to, the repair or replacement of missing, decayed, or broken structural and decorative elements.

(J) SCREENING

(1) General Requirements – In addition to the other forms of required landscaping, screening shall be required to conceal specific areas of high visual or auditory impact or hazardous areas from off-site views. Such areas shall be screened at all times, unless otherwise specified, regardless of adjacent uses, districts, or other proximate landscaping material.

(2) Items to be screened

The following areas shall be screened in accordance with this section.

- (a) Large waste receptacles (e.g., dumpsters and cardboard recycling containers) and refuse collection areas.
- (b) Loading and service areas.
- (c) Elevators/Lifts if within twenty (20) feet of the front wall of the primary structure.
- (d) Outdoor storage areas (including, but not limited to, inoperable vehicles, appliances, tires, manufactured homes, building materials, equipment, raw materials, and above-ground storage tanks) located within 200 feet of a public right-of-way; and
- (e) Ground-level and elevated mechanical equipment and utility meters if visible from a public right-of-way.
- (f) For any structure elevated more than four (4) feet above grade, the following Screening requirements shall be met:
 - 1. Below the first Story, the Primary Frontage shall be screened from view to provide not less than 75% opacity on average when viewed. The screening may align with the front porch or the front facade of the structure at the rear of the front porch.
 - 2. Along a Secondary Frontage or Side Yard, the first twenty (20) feet of each Elevation below the first Story shall be screened from view to provide not less than 75% opacity on average when viewed.
 - 3. There is no screening requirement below the First Story for the Rear Elevation.
 - 4. Materials used for such screening shall comply with the requirements of this Code for exterior finish materials.

(3) Screening Methods

The following items are permitted for use as screening materials, and more than one method may be used on a development site.

- (a) Vegetative materials that provide a fully opaque screen to the minimum height necessary to fully screen the facility from off-site views; or
- (b) An opaque fence or wall consistent with the Fence and Wall requirements.
- (c) Alternative screening materials that are not listed, or alternative configurations, may be proposed as part of an alternative landscaping plan if the alternative materials or configuration provide an equivalent or superior screening function.

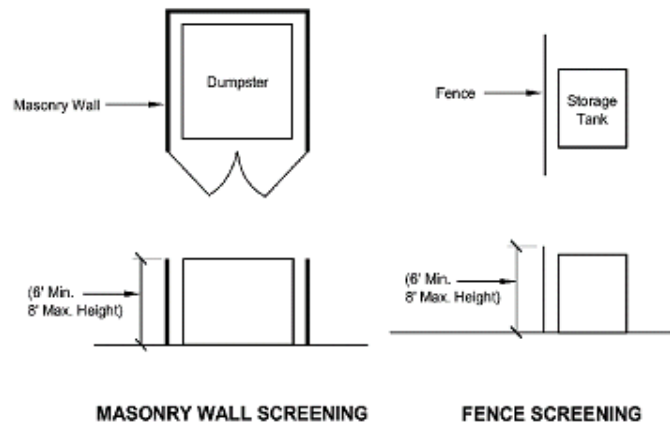


Figure __: Screening Methods (Detail)

4. MINIMUM SIZE OF PRINCIPAL BUILDINGS

Reason for Update: The addition of a minimum size for a principal residential building within the City of Pass Christian will help maintain property values and encourage the construction of larger residences for full-time residents.

Modifications:

The word “Residential” will be inserted into 5.3.2.g.

- g. Minimum size for a principal residential building within the T3E Zone shall be 3,000 square feet of Enclosed Habitable Floor Space. Minimum size for a principal residential building within the T3R shall be 1,000 square feet of Enclosed Habitable Floor Space.

The following phrase will be added to Section 5.4.2 Building Configuration:

- h. Minimum size for a principal residential building within the T4L, T4+ & T4C Zones shall be 1,000 square feet of Enclosed Habitable Floor Space.

The following phrase will be added to Section 5.5.2 Building Configuration:

- h. Minimum size for a principal residential building within the T5C & T5H Zones shall be 1,000 square feet of Enclosed Habitable Floor Space.

5. PARKING STANDARDS

Reason for Update: The addition of a minimum size for a principal building within the City of Pass Christian will help maintain property values and rising construction cost are making smaller homes less cost effective.

Modifications: Table 11 – Building Function Intensity and Table 12 – Parking Calculation will be deleted and replaced with a new Table ___ - Minimum Number of Off-Street Parking Spaces and additional parking information.

SECTION ___: PARKING STANDARDS

(A) Parking Plan Required

If a proposed development subject to Site Plan approval or subdivision approval is required to provide more than three (3) off-street parking spaces, a parking plan shall be submitted with the application for Site Plan approval or subdivision approval, as appropriate. The parking plan shall accurately designate the required parking spaces, access aisles, driveways, and the relation of the off-street parking facilities to the development they are designed to serve, including how the parking facilities coordinate with the vehicular and pedestrian access and circulation systems for the development.

(B) Minimum Number of Off-Street Parking Spaces

Unless otherwise expressly stated in this section, the minimum number of off-street parking spaces shall be provided in the accordance with Table ___ - Minimum Number of Off-Street Parking Spaces.

(C) Parking Lot Requirements

These standards are applicable for the following development conditions:

- (1) All parking lots of 10 or more spaces.
- (2) Parking lots under expansion and creating a total of 10 or more spaces.
- (3) Parking Lot and Driveway Entrances.
 - a. One-way: Min. 12 ft. min. and Max. 14 ft. wide
 - b. Two-way: Maximum 24 feet wide
- (4) Gravel driveways shall have a concrete apron that is a minimum of eight feet from the property to the edge of pavement at the street. The design of the apron shall prevent loose gravel from being deposited on the sidewalk and roadway.
- (5) Vehicular and pedestrian cross-access shall be provided to adjacent properties.
- (6) Entrances and exits should be clearly defined with appropriate signage.
- (7) Unlimited access across the frontage of a property is not permitted.

TABLE ____: MINIMUM NUMBER OF OFF-STREET PARKING SPACES

USE CATEGORY	USE TYPE	MINIMUM NUMBER OF PARKING SPACES
Dwelling	Single-family	2 spaces per dwelling unit + 1 space for every 2 bedrooms over 3
	Two-family	
	Townhouse	
	Multiple-family	1.5 spaces per efficiency & 1 bedroom dwelling units; 2 spaces for 2 or more bedroom dwelling units
	Live-Work	Minimum for Dwelling + 1 additional space per employee
Lodging	Bed & Breakfast (5 room max)	2 spaces + 1 per guest bedroom
	Hotel, Motel or Inn	1 space per guest room
	Recreational Vehicle Park or Campground	1 space for each RV/Camping space + 1 space per employee on largest shift
	Short-Term Rental	1 per bedroom
Retail	Animal Daycare, Training, or Kennel	1 space for each 500 sf of gross floor area
	Art, Music, or Dance Studio	1 space for each 400 sf of gross floor area
	Art Gallery	1 space for each 500 sf of gross floor area
	Bank or Financial Institution	1 space for each 300 sf of gross floor area
	Book or Media Shop	1 space for each 300 sf of gross floor area
	Convenience Store, with or without Gas Sales	1 space for each 250 sf of gross floor area
	Drug Store or Pharmacy	1 space for each 250 sf of gross floor area
	Dry Cleaning or Laundry Drop-Off Establishment	1 space for each 250 sf of gross floor area
	Funeral Home or Mortuary	1 space for every 4 seats in main assembly room
	Gas Station	1 space for each 300 sf of gross floor area + 1 per gas pump
	General Retail or Grocery Store	1 space for each 250 sf of gross floor area
	Laundromat	1 space for each 250 sf of gross floor area
	Liquor Store	1 space for each 250 sf of gross floor area
	Personal Services & repair shops (such as beauty & barber shops, shoe repair, day spa, dry cleaning and coin-operated cleaners, pet grooming, etc.)	1 space for each 250 sf of gross floor area
	Veterinary Clinic	1 space for each 400 sf of gross floor area

TABLE ____: MINIMUM NUMBER OF OFF-STREET PARKING SPACES

USE CATEGORY	USE TYPE	MINIMUM NUMBER OF PARKING SPACES
Eating and Drinking Establishments	Bar or Pub	1 space for each 100 sf of gross floor area
	Brewpub	1 space for each 150 sf of gross floor area
	Nightclub	1 space for each 100 sf of gross floor area
	Restaurant	1 space for each 150 sf of gross floor area or 1 space for every 4 seats whichever is greater
Community Services	Community Center	1 space for each 300 sf of gross floor area
	Library	1 space for each 500 sf of gross floor area
	Museum	1 space for each 500 sf of gross floor area
	Private Clubs or Lodges	1 space for each 50 sf of total area in the main auditorium, assembly hall, dining room in such building plus 1 space per sleeping room
	Religious Assembly	1 space for each 4 seats in the building or structure, based on maximum seating capacity
Civil		
	Conference/Convention Center	1 space for each 4 seats in the building or structure, based on maximum seating capacity
	Fire Station	N/A
	Government Maintenance, Storage, or Distribution Facility	1 space for each 600 sf of gross floor area
	Government Office or Building	1 space for each 300 sf of gross floor area
	Passenger Terminal, Passenger Station	1 space per 100 sf of passenger waiting area
	Police Station	N/A
	Post Office	1 space for each 300 sf of gross floor area
Recreational/ Entertainment, Outdoor	Arena, Stadium or Amphitheater	1 space for each 4 seats in the building or structure, based on maximum seating capacity
	Athletic Field or Clubhouse	1 space for each 250 sf of gross floor area + 1 space for every 4 persons of maximum outdoor facility capacity
	Golf Course/Driving Range (Private or Public)	1 space for each 250 sf of gross floor area + 1 space per hole

TABLE ____: MINIMUM NUMBER OF OFF-STREET PARKING SPACES

USE CATEGORY	USE TYPE	MINIMUM NUMBER OF PARKING SPACES
Recreational/ Entertainment, Outdoor	Other Recreational/Entertainment, Outdoor	1 space for each 250 sf of gross floor area + 1 space for every 4 persons of maximum outdoor facility capacity
	Outdoor Auditorium	1 space for each 4 seats in the building or structure, based on maximum seating capacity
	Shooting Range	1 space for each employee on largest shift + 1 space per target lane
Recreational/ Entertainment, Indoor	Health club or exercise club	1 space for each 250 sf of gross floor area
	Movie or Live Theater	1 space for each 4 seats in the building or structure, based on maximum seating capacity
Parks and Public Spaces	Cemetery or Mausoleum	1 per employee of largest shift
	Marina	2 spaces + 1 space for each boat slip
	Park (Private or Public)	1 space for each 250 sf + 1 per 4 persons of maximum outdoor facility capacity
	Public Boat Launch	20 spaces
Office	Business Service	1 space for every 300 sf of gross floor area
	Financial Services	1 space for every 300 sf of gross floor area
	Professional Services	1 space for every 300 sf of gross floor area
	Research & Development	1 space for every 2 employees on largest shift
	Sales	1 space for every 300 sf of gross floor area
Auto/Marine	Auto Parts Sales	1 space for each 300 sf of gross floor area
	Auto Service	3 spaces plus 2 spaces for each service bay
	Auto Wrecker Service	1 space for each employee on the largest shift
	Auto, Heavy Equipment or Boat Sales	1 space per 300 sf of gross floor area plus 1 space for 5,000 sf of outdoor display area
	Boat Repair and Service	1 space for each 250 sf of gross floor area
	Car Wash or Auto Detailing	1 space for each employee on the largest shift
	Tire/Muffler Sales and Mounting	3 spaces plus 2 spaces for each service bay
Education	Business colleges and trade schools	1 space for each 2 student seats at maximum enrollment
	Childcare Center	1 space for each 5 children, plus off-street loading and unloading space
	College	1 space per 2 students + per employee on largest shift
	Elementary School	1 space per employee + 10 visitor spaces
	High School	1 per employee + 1 per 3 students
	Junior High or Middle School	1 space per employee + 10 visitor spaces

TABLE ____: MINIMUM NUMBER OF OFF-STREET PARKING SPACES		
USE CATEGORY	USE TYPE	MINIMUM NUMBER OF PARKING SPACES
Industrial, Manufacturing, or Warehousing	Boat Manufacturing	1 space for every 2 employees on largest shift
	Boat Storage	1 space for every 3 units
	Junkyard	1 space for every 1,000 sf of storage area
	Mini-warehouse & Self-Storage	4 spaces plus 1 space for 300 sf of office space
	Other Industrial Production & Manufacturing	1 space for every 2 employees on largest shift
	Outdoor Storage	1 space for every 1,000 sf of storage area
	Retail Manufacturing	1 space for every 2 employees on largest shift
	Seafood Processing	1 space for every 2 employees on largest shift
	Warehouse	1 space per employee on largest shift
	Wholesale, warehouse industrial and manufacturing establishments	1 parking space for each 400 sf of gross floor area plus 1 space for each vehicle to be stored or stopped simultaneously
Agriculture	All other agricultural uses	N/A
	Equestrian Facility	1 per 5 stalls
	Plant Nursery	1 per 300 sf of building + 1 per 1,000 sf of outdoor plant nursery area
Institutional and Health Care Facilities	Medical & Dental Clinics	1 space for each 250 sf of office space
	Nursing Home	1 space for each three (3) beds
	Outpatient facility	1 space for each three (3) beds
	Public Health Center	1 space for each 300 sf of gross floor area
	Hospital	1 space for each patient bed, plus 1 space for each 300 sf of gross floor area
	Group Home	1 per employee + 1 per 3 resident adults
	Adult Day Care	1 space for each 5 adult, plus off-street loading and unloading space
	Assisted Living Facility	1 space for each three (3) beds
	Blood/Tissue Collection Facility	1 space for each 300 sf of gross floor area

(8) Interior Design of Parking Lots.

- (a) *Surfaces.* Required parking must be solidly surfaced with asphalt, concrete or gravel. Alternative permeable solid surfaces may be allowed at the discretion of the Planning Office and Code Enforcement.
- (b) *Setback.* Parking lots shall be setback from property lines five (5) feet.
- (c) *Parking Spaces.*

- i. Dimensions and number. Required parking spaces shall conform to those set out in Section ____.
- ii. Marking. Parking spaces shall be delineated by white striping unless otherwise required by ADA. Reflective striping is encouraged.

(d) Standards for Parking Islands.

- i. Landscaping of Parking Islands.
 - a. Interior Parking Islands. An island with a minimum width of five (5) feet inside the curb shall be required for each interior row of ten (10) parking spaces along a parking aisle.
 - b. Parking Island Trees. Required parking lot islands shall contain a minimum of two (2) trees per island. Tree placement shall be designed so that, at the maturity of 10 years, the minimum tree canopy coverage of all parking spaces will be 40 percent. Trees may be selected from a list approved by the Tree Protection Board (See Appendix) and shall be fifteen (15) gallons or greater. Each tree planting area shall have a three-foot depth of quality, root growing soil.
 - c. Landscaped areas shall be at least 75 percent covered with grass or another surface approved by the Planning Department. Planting shall be established prior to building occupancy.

(di) Parking Lot Perimeter Design.

- i. A landscaped buffer at least five feet wide shall be installed around the perimeter of all parking lots that abut the public right-of-way; except as provided in the applicable front setback requirements.
- ii. In this buffer, a tree is required every 30 linear feet or fraction thereof.
- iii. Landscaped areas shall be at least 75 percent covered with grass or another surface approved by the Planning Department. Planting shall be established prior to building occupancy.

(D) Uses with Variable Parking Demand Characteristics

Uses listed in Table ___ - Minimum Number of Off-Street Parking Spaces that refer to this subsection have widely varying parking and loading demand characteristics, making it difficult to establish a single appropriate off-street parking or loading standard for each. On receiving a development application for such a proposed use, the Planning Department is authorized to:

- 1) Apply the minimum off-street parking space requirement specified in Table ___ for the listed use that is deemed most similar to the proposed use; or
- 2) Establish the minimum off-street parking space requirement by reference to standard parking resources published by the National Parking Association or the American Planning Association; or
- 3) Establish the minimum off-street parking space requirement based on a parking demand study prepared by the applicant that estimates parking demand based on the recommendations of the Institute of Traffic Engineers (ITE) or other acceptable source of parking demand data, and includes relevant data collected from uses or combinations of uses that are the same or comparable to the proposed use in terms of density, scale, bulk, area, type of activity, and location.

(D) Multiple Uses

Unless otherwise approved, development containing more than one use shall provide parking spaces in an amount equal to the total of the requirements applied to all individual uses. This provision shall not limit the opportunity to reduce the minimum number of required off-street parking spaces through approval of an alternative parking plan that justifies the feasibility of shared parking or a transportation demand management plan. Any alternative parking plan will require the approval of the Planning Commission.

(E) Off-Site Parking

Allow off-site parking to meet up to one hundred (100) percent of the required off-street parking, as long as the off-site has parking in excess of its required parking and the amount of required parking spaces being reduced on-site is equal to the amount of excess spaces being provided off-site. The off-site must be located within six hundred (600) feet measured along and following a reasonable and safe walking route from the nearest main entrance of the building or use to the off-site parking area; may be on land separated by a public right-of-way, except for East & West Beach Boulevard/Highway 90. Off-Site parking is only permitted for non-residential uses. On-Site Parking for residential uses must be meet On-Site. All other requirements for a recorded parking agreement shall apply.

(F) Maximum Number of Off-Street Parking Spaces

For commercial or mixed-use properties, the number of off-street parking spaces shall not exceed 125 percent of the minimum number of parking spaces required, except that additional parking spaces may be allowed through approval of an alternative parking plan by the Planning Commission.

(G) Calculation of Off-Street Parking Space Requirements

(1) Fractions

When computation of the number of required parking spaces results in a fraction, the result shall be rounded upward to the next highest whole number.

(2) Seat-Based Standards

Where the minimum off-street parking space requirement is based on the number of seats, all computations shall be based on the design capacity of the areas used for seating.

(3) Floor-Area-Based Standards

Except as otherwise provided in this section, where the minimum off-street parking space requirement is based on square feet of floor area, all computations shall be based on gross floor area.

(4) Occupancy or Capacity Based Standards

Except as otherwise provided in this section, where the minimum off-street parking space requirement is based on the number of employees, students, or residents, all computations shall be based on the largest number of persons working on any single shift (for employees), maximum enrollment (for students), or the maximum fire-rated capacity (for residents), whichever is applicable.

(5) On-Street Parking

Except as otherwise provided in this section, on-street parking on public or private streets, driveways, or drives shall not be used to satisfy the off-street parking standards of this section without approval of the Planning Commission.

(6) Driveways Used to Satisfy Requirements

For single-family detached dwellings and two- to four-family dwellings, driveways may be used to satisfy minimum off-street parking space requirements, provided sufficient space is available to satisfy the standards of this section and this Ordinance.

(H) Parking spaces for the handicapped

Parking spaces shall be provided for the handicapped in accordance with the following provisions:

(1) The number of handicapped parking spaces to be provided shall be as follows:

Total Number of Parking Spaces	Number of Handicapped Parking Spaces Required
0—40	1
41—80	2
81—120	3
121—160	4
161—300	5
301—400	6
401—500	7
over 500	7 + 1 for every 200 parking spaces over 500.

- (2) Accessible passenger loading zones shall include a vehicular pull-up space at least fourteen (14) feet wide and twenty-three (23) feet long with a parallel access aisle that is at least five feet wide, extending the length of the pull-up space, and adjoins an accessible route of travel to an accessible building entrance or an accessible parking facility entrance, as appropriate. Alternatively, two spaces can be provided within a twenty-three-foot-wide area, striped to provide a nine-foot-wide parking space on each side and a five-foot loading and unloading area in the center.

6. SWIMMING POOL SETBACKS

Reason for Update: The current minimum setback for a swimming pool is three (3) feet and needs to be increased to five (5) feet to match the Minimum Setback of an outbuilding.

Modifications: Changing the three (3) feet Minimum Setback to five (5) feet from the inside lip of the pool.

Swimming Pool: Swimming Pools must adhere to the same Setbacks as listed in each Transect Zone's Building Disposition Section, the Principal Building's Front Setback, and the Outbuilding's side and rear Setback, with a Minimum Setback of three *five (5)* feet and no Maximum Setback. Setbacks are measured ~~to the~~ *from the inside* lip of the pool; at grade decking ~~may be in the setbacks~~ *must meet the Minimum Setback of an Outbuilding.*

7. PROHIBITED SIGNS

Reason for Update: The current language in Section 5.15.9 Prohibited Signs needed some clarifications in relation to Electronic Variable Message Boards and Neon.

Modifications: Add additional language.

5.15.9 Prohibited Signs

Prohibited Signs are not permitted in all Transects Zones and Special Districts including the Harbor District unless an exception is listed below. To be grandfathered, a Prohibited Sign must be permitted, installed and operational by July 1, 2021.

- a) Bench Signs;
- b) Cloth, paper, vinyl, canvas, and placard advertising Signs (with exceptions as listed in ___ and ___);
- c) Signs affixed to utility poles and trees;
- d) Signs on vehicles used primarily for advertising and not transportation;
- e) Manual or electronic movable letter signs;
- f) Any type of electronic signs *including Electronic Variable Message Signs (EVM).*
- g) Portable signs;
- h) Rooftop signs;
- i) Signs using rotating or flashing lights, animation or motion;
- j) Billboards (except in the Industrial-Marine Special District);
- k) *Neon and similar-style lighting.*

(8) DEFINITIONS

Reason for Update: Definitions for Sight Triangle, Electronic Message Board, Front Yard, Side Yard, Rear Yard, Arterial, Collector and Local Road are being added to the Development Code.

Modifications: Add definitions for Sight Triangle, Electronic Message Board, Front Yard, Side Yard & Rear Yard and delete the definitions for First Layer, Second Layer, Third Layer, and Fourth Layer.

Sight Triangle: A triangular area at each corner of intersecting roadways, or at the intersection of a roadway and driveway, within which the structures and vegetation are regulated to ensure safe sight distance for drivers of vehicles approaching the intersection. A sight triangle is measured from the point where the extended curb or edge-of-pavement line of a roadway meets the extended curb or edge-of-pavement line of the intersecting roadway or the edge of the driveway, to a point a certain distance along the initial roadway curb or edge-of-pavement line, and then diagonally to a point a certain distance along the along the curb or edge-of-pavement line of the other roadway or the edge of the driveway.

Electronic Variable Message Sign (EVM) shall mean a sign with a self-luminous sign panel able to depict any kind of light, color, or message change, ranging from static images to full-motion video.

Front Yard: Is an open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the primary building.

Side Yard: Is an open space between a primary building and the side lot line, extending between the front wall and rear wall of the primary building, the width of which is the horizontal distance from the nearest point of the side lot line to the nearest point of the primary building.

Rear Yard: Is an open space extending the full width of the lot the depth of which is the minimum horizontal distance between the rear lot line and the nearest line of the primary building.

Arterials include interstates and expressways, as well as roads that carry most of the traffic entering and leaving urban areas. Access is controlled or limited, which allows for high traffic volumes and speeds.

Collectors provide traffic circulation within residential, commercial, and industrial areas and carry trips to and from arterials.

Local roads include most residential and other "small" streets.