

## Barrancas Overlay District

**6.07.00. Overlay districts (general).** *Intent and purpose of district.* This special overlay section is intended to provide an enhanced level of protection for land areas which provide primary access (gateways) to (1) major military installations, (2) redevelopment area commercial corridors, and (3) the unique scenic vista and environmental resources of the county.

### **6.07.02. Barrancas Overlay District**

*A. Intent and purpose of the district.* The Barrancas Overlay District is intended to provide an enhanced level of protection for land uses that are located in the Barrancas Community Redevelopment District, and to protect the unique environmental resources of Bayou Chico. This is a zoning overlay district and the regulations herein expand upon the existing zoning district's regulations otherwise imposed on individual parcels within the Barrancas Community Redevelopment District. The purpose of this district is to alleviate the harmful effects of industrial pollutants entering and degrading the quality of Bayou Chico and enhance the character of the area, which has been changed by the realignment of Barrancas Avenue, through appropriate land use controls.

*B. Applicability.* This zoning overlay district applies to all existing zoning districts located in the Barrancas Community Redevelopment District.

*C. Relationship to underlying zoning.* All of the use listings and site design requirements of the underlying zoning districts shall continue to apply unless modified by the following:

*D. Permitted uses.*

1. Antique shops allowed in R-6 and C-1 underlying zoning districts.
2. Bed and breakfast inns, as licensed under F.S. Ch. 509, allowed in R-4, R-6, C-1, and WMU underlying zoning districts.
3. Multifamily residential developments, allowed in R-4, R-6, C-1, and WMU underlying zoning districts, consisting of three (3) or more attached units are required to be condominium developments pursuant to the Condominium Act, F.S. Ch. 718. This does not apply to single-family attached homes such as duplexes, townhomes, or row houses.
4. Mixed-use developments, defined as where non-residential and residential uses occupy the same building. The non-residential use(s) shall contain the first or bottom floor and the residential use(s) contain the second or upper floor(s).

*E. Uses requiring management plan submittal.* The following uses shall require submission of a management plan to the CRA prior to development approval. The CRA must be notified of any amendments to a submitted management plan.

1. Private clubs and lodges.
2. Automobile repair shops, including indoor repair and restoration (not including painting) for ignition, fuel, brake and suspension systems or similar uses and sale of related products

necessary for automobile repair, gross floor area not to exceed 6,000 square feet. Outside repair and/or storage and automotive painting is prohibited.

F. *Management plan.* The applicant shall submit a management plan that addresses the following:

1. Proposed hours of operations.
2. Other similar properties managed by the applicant, if applicable.
3. Explanation of any franchise agreement.

G. *Prohibited uses.*

1. Automobile service stations that include the sale of gasoline. Outside repair and/or storage and automotive painting is prohibited.
2. Boarding and lodging houses, or other similar uses.
3. Commercial boat storage, except in the underlying WMU district.
4. Commercial RV Storage.
5. Campgrounds.
6. Carnival-type amusements and amusement arcades.
7. Fortune tellers, palm readers, psychics, etc.
8. Mini-warehouses.
9. Mobile homes and manufactured homes. (This does not prohibit the construction of modular homes; see Article 3 of this code.)
10. Mobile home/manufactured home parks.
11. Off-premises signs, billboards and other sign structures erected, located and maintained as provided for in Article 8 of this Code.
12. Pawn shops.
13. Used clothing deposit box.
14. Wholesale and/or distribution warehousing except in WMU underlying zoning district.

H. *Rezoning.* Surrounding uses, whether conforming or non-conforming should not be taken into consideration for the rezoning rationale.

I. *Site and building requirements.*

1. *Building height.* Except for properties within the WMU zoning district, no building or structure shall exceed 45 feet in height as defined in Section 3.02.00. Height for buildings with pitched roofs shall be measured to the bottom of the eaves. If a lower height is specified in an underlying zoning district, the lower height shall prevail.

2. *Building design.*

a. The choice of building materials and colors shall be compatible with the intent of this district and shall not have an adverse visual impact on surrounding properties.

b. For R-3 and R-4 zoning districts buildings shall be "street-oriented" to create a desirable pedestrian environment between the building and the street. Street orientation is defined as having a clear and visible orientation to the street. Street orientation should include:

(1) Garages. For residential uses, there shall be no front facing garages unless they are setback an additional eight feet from the primary front facade and do not exceed 25 percent of the street facing building facade. If the lot width is forty feet or less, the 25 percent requirement shall not apply. All other garages must face the side or rear of the parcel.

(2) Front entry. The front facade shall include the primary entry door, be street facing, and include a porch or stoop.

(a) Front porches. Front porches shall be a minimum six feet deep and ten feet wide. The scale of the front porch should be in scale with the primary facade.

(b) Stoops. Stoops provide connections to building entrances or porches where residential buildings are elevated above grade. Stoops shall be a minimum of five feet wide.

(3) Off-street parking. All off-street parking shall be located in the rear of the building that faces the public street or within a garage. For single-family detached residential dwellings, off street parking can be located in a carport, driveway or garage.

c. For R-6 and C-1 zoning districts buildings shall be "street-oriented" to create a desirable pedestrian environment between the building and the street. Street orientation is defined as having a clear and visible orientation to the street. Street orientation should include:

(1) Front and side setback lines should be consistent with adjacent structures. Rear setbacks shall be as required by the underlying zoning district. Where setback lines are not clearly established, buildings shall be built to within ten (10) feet of property lines.

(2) Buildings shall be oriented so that the principal facade is parallel or nearly parallel to the streets they face. On corner sites, buildings shall occupy the corner.

(3) Walkways that lead to front doors, separate from the driveway, are encouraged.

(4) Entrances shall be well lit, visible from the street and easily accessible.

(5) Off-street parking.

(a) For residential uses, all off-street parking shall be located in the rear of the building that faces the public street or within a garage. For single-family detached housing, off street parking can be located in a carport, driveway or garage. There shall be no front facing garages unless they are setback an additional ten feet from the primary front facade and do not exceed 25 percent of the street facing building facade. If the lot width is forty feet or less, the 25 percent requirement shall not apply.

(b) For commercial uses, off-street parking areas shall be located on the side or rear of the building unless a shared central parking facility is developed through an easement or common ownership among contiguous properties. Curb cuts shall be limited to one 20-foot access point for a shared central parking facility. Liner buildings or landscaping shall be used to screen parking from the street.

(c) Walkways shall be included in off-street parking areas.

(6) Buildings shall incorporate "human scale" design. That is, designed in proportions to reflect human pedestrian scale and movement, and to encourage interest at the street level. "Human scale" is best achieved when the street-to-building height ratio is 1:2 and does not exceed 1:3. (e.g. if the street is 24 feet wide, building height should not exceed 72 feet)

(7) All service and loading areas shall be entirely screened from view.

(8) Sidewalk sales and/or tent sales with temporary displays shall be permitted immediately adjacent to the business for no more than fourteen days in any one calendar year provided that all required permits are obtained and a traffic management and parking plan are presented to, and approved by, the traffic engineering department prior to events.

(9) Outdoor dining. Outdoor dining and seating shall be permitted. Dining areas shall be properly designated and appropriately separated from public walkways and streets using attractive materials such as railings, opaque wrought iron fences, landscaping, or other suitable material. Designated outdoor dining areas

adjacent to public right-of-way shall allow a minimum unobstructed sidewalk of six feet along the public right-of-way.

3. *Accessory Structures.* All accessory structures shall be located in the rear or side area and be a minimum of 5 feet inside the property boundary. All accessory structures shall meet the County landscaping, buffering, and screening requirements and shall use the same materials, color, and/or style of the primary façade if visible to the public from any road, driveway, right-of-way, or similar.

4. *Landscaping.*

a. See Section 7.01.00.

b. It is the proposed intent of this ordinance to encourage water conservation through proper plant selection, installation and maintenance practices. All commercial and industrial projects shall submit a landscape plan as part of the development review criteria. The plan will include plant species proposed, location of all plant material, including areas proposed for sod, areas of natural vegetation to be protected, and an irrigation plan. Native plant species are required. Sabal palm is considered a native plant species.

5. *Buffers and screening of outdoor storage.* See section 7.01.06 of this Code except the following revisions shall be applied to the Barrancas Redevelopment Area Overlay District.

a. Section 7.01.06.D.2. *Type.* Only fencing (may or may not be opaque) or walls made of concrete or stucco may supplement buffers. Specifically, old garage doors and pieces of tin do not qualify for fencing or wall materials; and

b. Section 7.01.06.E. *Screening of outdoor storage.* Opaque fencing shall mean chain link fence with slats, privacy wooden fence, or privacy PVC/vinyl fence. A six-foot concrete or stucco wall may also be used to screen outdoor storage.

6. *Natural features.* Natural features shall be protected and integrated into site design/development where possible. The applicant shall demonstrate how the development protects and incorporates existing vegetation.

7. *Crime prevention through environmental design.* Crime Prevention Through Environmental Design (CPTED) principles shall be used when designing any element within the district, including but not limited to site design, buildings, street design, signs, landscaping and parking. The following CPTED guidelines shall be considered when designing any element within the district.

a. *Territoriality.* All building entrances, parking areas, pathways and other elements should incorporate appropriate features that express ownership. The use of these features shall not conflict with the need for natural surveillance.

b. *Natural surveillance.* The site layout, building and landscape design shall promote the principles of natural surveillance. Physical features and activities should be oriented and designed in ways that maximize the ability to see throughout the site.

c. *Activity support.* The site layout and building design should encourage legitimate activity in public spaces.

d. *Access control.* To discourage crime, entrances and exits should be located and designed in a manner that incorporates natural surveillance techniques and area control measures.

#### 8. *Signs.*

a. See Article 8.

b. The choice of building signage shall be compatible with the intent of this district and shall not have an adverse visual impact on surrounding properties.

c. Free-standing on-premises signs shall be "human scaled". There shall be only one such sign per parcel and it shall not exceed 100 square feet per sign face and 12 feet in height; in the case of multi-use parcels, the sign shall not exceed 299 square feet. The sign face shall have colors, materials and lighting that are compatible with the general pattern existing in the Barrancas Redevelopment Area Overlay District. Freestanding signs shall be limited to monument signs. Attached signs or shingles may be permitted for individual businesses in a multi-use building. Such signs shall not exceed 20 square feet per sign face.

d. Billboards or pole signs are not permitted in this overlay district.

#### 9. *Locational criteria.* See Section 7.20.02.

10. *Exceptions.* Financial hardship alone is not a basis to grant an exception; however, it is recognized that there may be circumstances that require a departure from the requirements in this overlay district in order to be feasible. Possible grounds to be considered for granting exceptions to the ordinance include, but not limited to:

a. Safety

b. Unique site or building characteristics

c. Standards would have a negative effect on the use of the property

d. Public benefit