

Sec. 3-3.3 - Barrancas overlay (Barr-OL).

- (a) *Purpose.* The Barrancas overlay (Barr-OL) district establishes supplemental land use regulations to support the objectives of the adopted Barrancas area community redevelopment plan. The intent of the additional land use controls is to enhance the character of an area changed by the realignment of Barrancas Avenue and undergoing revitalization, and to alleviate the harmful effects of industrial pollutants on the waters of Bayou Chico.
- (b) *Waterfront mixed-use area.*
 - (1) *Function.* Within the Barr-OL overlay district a waterfront mixed-use (WMU) area is established to take advantage of the deep water characteristics of Bayou Chico and preserve commercial and recreational waterfront. The intent of the area is to promote more consistent shoreline development and encourage residential uses along and around the waterfront; protect unique natural resources within and around the bayou; and preserve and encourage water-dependent and water-related support uses that do not degrade the natural resources of the bayou or prevent their restoration.
 - (2) *Location.* The WMU area generally includes all land bounded on the north and east by the waters of Bayou Chico, and on the south and west by Olde Barrancas Avenue, Weis Lane, and Lakewood Road extending northwest from Weis Lane. The area extends from the east line of Lot 10, Block 3 of Lakewood subdivision (PB 2, P 30-E) to the east line of lots 5 and E of Brent Island subdivision (PB 4, P 78), but excludes: the area bounded by Lakewood Road, Audusson Avenue, and Browns Lane; Millwood Terrace subdivision (PB 12, P 22); and the area of a 13-lot development (Marina Villas, LLC) on the west side of Mahogany Mill Road and contiguous with the north side of Millwood Terrace. The waterfront mixed-use area is officially defined within the geographical information system (GIS) of the county.
- (c) *Permitted uses.* Permitted uses vary by location within the Barr-OL district.
 - (1) *District-wide.* The following uses, if permitted by the underlying zoning district, are modified as noted throughout the overlay district:
 - a. For any mix of permitted residential and nonresidential uses within the same building the non-residential uses shall occupy the first or bottom floor(s) and the residential uses shall occupy the second or upper floors.
 - b. Motor vehicle service and repair is limited to small-scale (gross floor area 6,000 square feet or less per lot) minor services and repair, indoor only.
 - c. Multifamily dwellings shall be in condominium form of ownership.
 - d. Sidewalk sales and tent sales are allowed only as temporary events accessory to the permitted retail uses within the overlay and shall be conducted immediately adjacent to the principal business for no more than 14 days within a calendar year. The business shall make all necessary arrangements to keep public rights-of-way unobstructed and obtain all required permits.
 - (2) *Within WMU.* The following uses are permitted within the WMU area, regardless of their status in the underlying zoning district:
 - a. Water-dependent uses.
 - 1. Boat maintenance and repair yards that comply with the best management practices of the Florida Clean Boatyard Program of the Florida Department of Environmental Protection (FDEP).
 - 2. Expansion of existing bulk product facilities and terminal facilities (as defined in Florida Statutes) if the expansion is no closer than 300 feet to any residential use and provides noise and visual buffering from adjacent parcels and public rights-of-way.
 - 3. Commercial storage of boats.
 - 4. Commercial marine transport and excursion services, including ferries, captained charter services, sport fishing, and water taxis.
 - 5. Harbor and marine supplies and services, and ship chandleries, including the fueling of vessels.
 - 6. Marinas that comply with the best management practices of the Florida Clean Marina Program of the FDEP, including those berthing tugboats, fireboats, and pilot boats and providing similar services.
 - 7. Public landings for the loading and unloading of boats and ships.
 - 8. Marine research, education, and laboratory facilities.
 - 9. Seafood packaging and distribution for sales.
 - b. Water-related support uses.
 - 1. Fabrication of marine-related goods.
 - 2. Fabrication, repair, and storage of fishing equipment.
 - 3. Marine products wholesaling, distribution, and retailing.
 - 4. Marine repair services and machine shops.
 - c. Other uses. Residential uses, including multifamily, but not required to be part of a predominantly commercial development.
- (d) *Conditional uses.* The Barr-OL district does not modify the conditional uses of any underlying zoning districts except for those uses prohibited by the overlay.
- (e) *Prohibited uses.* Prohibited uses vary by location within the Barr-OL district.
 - (1) *District-wide.* The following uses are prohibited throughout the overlay district regardless of their status in the underlying zoning

district:

- a. Billboards.
 - b. Boarding or rooming houses.
 - c. Campgrounds or recreational vehicle parks.
 - d. Carnival type amusements and amusement arcades.
 - e. Commercial storage of boats, except within the waterfront mixed-use (WMU) area.
 - f. Commercial outdoor storage of recreational vehicles.
 - g. Deposit boxes for donation of used items.
 - h. Fortune tellers, palm readers, psychics, and similar personal services.
 - i. Manufactured (mobile) homes and manufactured home subdivisions and parks.
 - j. Motor vehicle painting and outdoor motor vehicle repair or storage.
 - k. Pawn shops and check cashing services.
 - l. Self-storage facilities.
 - m. Warehouses, distribution and wholesale, except within the WMU area.
- (2) *Within WMU.* The following uses are prohibited within the WMU area, regardless of their status in the underlying zoning district:
- a. Heavy industry, including salvage yards, materials recovery facilities, mineral extraction, concrete and asphalt batch plants, sewage treatment plants, chemical plants, and new bulk product facilities or terminal facilities as defined in F.S. ch. 376.
 - b. Facilities for marine pollution control, oil spill cleanup, and servicing of marine sanitation devices.
 - c. Storage facilities for any materials that are toxic or hazardous substances or nutrients (i.e., elements or compounds essential as raw material for organic growth and development, such as carbon, nitrogen, or phosphorus), or that become one when left to stand or when exposed to water, but not including petroleum and petroleum related products regulated by the Florida Pollutant Discharge Prevention and Control Act.
- (f) *Site and building requirements.* Site and building requirements vary by location within the Barr-OL district.
- (1) *District-wide.* The following requirements apply throughout the overlay district:
- a. *Structure height.* Except within the WMU area, a maximum structure height of 45 feet above highest adjacent grade. Any lower height required by use or underlying zoning district shall govern.
 - b. *Materials and colors.* Building materials and colors shall avoid adverse visual impacts on surrounding properties. Accessory structures shall use the same or similar materials, color, and style of the primary structure's facade if visible from a public way.
 - c. *Street orientation.* Buildings shall create desirable pedestrian environments between the buildings and adjacent streets through clear and visible orientation to the streets.
- (2) *Within MDR or HDR zoning.* The following requirements apply if the underlying zoning is medium density residential (MDR) or high density residential (HDR):
- a. *Entry.* The front facade of a residential building shall include the primary entry door, be street facing, and include a porch or stoop that complies with the following:
 1. *Front porches.* Front porches shall be a minimum of six feet deep and ten feet wide for two-story houses and four feet deep and ten feet wide for one-story houses and should otherwise match the scale of the primary facade.
 2. *Stoops.* Where buildings are elevated above grade, stoops providing connections to building entrances or porches shall be a minimum of five feet wide.
 - b. *Parking.* All off-street parking shall be located in the rear yard or within a garage. For single-family detached dwellings, off-street parking can be located in a driveway, carport, or garage. For residential uses, any front-facing attached garage shall be set back an additional ten feet from the primary front facade and shall not exceed 25 percent of the width of that facade if the lot width is greater than 40 feet. All other garages must face the side or rear of the parcel.
- (3) *Within HDMU or commercial zoning.* The following requirements apply if the underlying zoning is high density mixed-use (HDMU) or commercial (Com):
- a. *Structure setbacks.* Front and side structure setbacks shall be consistent with adjacent structures. Rear setbacks shall be as required by the underlying zoning district. Where setback patterns are not clearly established, buildings shall be built to within ten feet of property lines.
 - b. *Building orientation.* Buildings shall be oriented so that the principal facades are parallel or nearly parallel to the streets they face. On corner sites, buildings shall occupy the corner.
 - c. *Entry.* Entrances shall be well lit, visible from the street, and easily accessible. Walkways separate from driveways shall lead to front doors where practical.
 - d. *Parking.* Off-street parking areas shall be connected by walkways to the buildings they serve and comply with the following:

1. *Residential.* Parking for residential uses shall be located in the rear yard or within a garage. Any front facing attached garage shall be set back at least eight feet from the primary front facade and not exceed 25 percent of that facade if the lot width is greater than 40 feet.
 2. *Nonresidential.* Parking for nonresidential uses shall be located in the rear or side yards unless provided as shared central parking through an easement or common ownership among contiguous properties. Curb cuts for such shared parking shall be limited to one 20-foot wide access. Liner buildings or landscaping shall be used to screen parking from view from the street.
- e. *Screening.* All service and loading areas shall be entirely screened from off-site view.
- f. *Scale.* Buildings shall be designed in proportions to reflect human pedestrian scale and movement, and to encourage interest at the street level, which is best achieved when the ratio of street (not right-of-way) width to building height is between 1:2 and 1:3.
- g. *Outdoor dining.* Outdoor dining areas shall be appropriately separated from public walkways and streets using railings, wrought iron fences, landscaping, or other suitable materials such that a minimum unobstructed pedestrian path at least six feet wide is allowed along public rights-of-way.
- (4) *Within WMU area.* The following requirements apply within the waterfront mixed-use (WMU) area:
- a. *Structure height.* A maximum structure height of 100 feet above highest adjacent grade.
 - b. *Structure setbacks.* For all principal structures, minimum setbacks of ten feet on each side, including any group of attached townhouses. For structures exceeding 35 feet above highest adjacent grade, an additional two feet for each additional ten feet in height.

Front porches, stoops, and balconies that extend beyond the primary building plane may encroach to within five feet of the property line. Steps leading to a front porch or stoop may encroach further, but not beyond the property line or onto public sidewalks.

Front and side setback lines should be consistent with adjacent structures. Where setback lines are not clearly established, buildings shall be built to within ten feet of property lines.
 - c. *Building orientation.* 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.
 - d. *Entry.* Walkways separate from driveways shall lead to front doors where practical.
 - e. *Parking.* Parking and other non-habitable areas may comprise the first two floors of a mixed-use structure. Off-street parking areas shall be connected by walkways to the buildings they serve and comply with the following:
 1. *Residential.* Parking for residential uses shall be located in the rear yard or within a garage. Any front facing attached garage shall be set back at least ten feet from the primary front facade and not exceed 25 percent of that facade if the lot width is greater than 40 feet.
 2. *Parking structures.* Access to parking structures shall be limited to the side or rear of the structures and their street facades shall be concealed by liner buildings or be screened so as to provide the appearance of being an occupied use; i.e., with articulated building fronts, windows, etc.
 - f. *Screening.* All service and loading areas and outdoor storage shall be entirely screened from off-site view by opaque fencing consisting of chain link fence with slats or privacy fence of wood, PVC, or vinyl, or by concrete or stucco walls.
 - g. *Signs.* Site signage is limited to one freestanding monument sign per development parcel, scaled primarily for pedestrians, and not to exceed 100 square feet in area and 12 feet in height, except for multi-tenant development where the sign may be up to 300 square feet. Sign colors, materials, and lighting shall avoid adverse visual impacts on surrounding properties. Wall signs shall not obstruct design details, windows, or cornices of the buildings to which they are attached. For individual tenants in a multi-tenant development, wall signs shall not exceed 20 square feet per sign.
 - h. *Resource protection.*
 1. *Natural features.* Natural features shall be protected and integrated into site design and development where possible.
 2. *Shorelines.* Natural vegetated shoreline erosion control solutions shall be implemented where there is a high likelihood of success and effectiveness. County evaluation of shoreline protection shall consider bathymetry, wave climate, sediment quality, and adjacent and surrounding shorelines.
 3. *Septic tanks.* If septic tanks are permitted they shall be located at least 100 feet from the mean high water line (MHWL) of the bayou.
 - i. *Dock materials.* All docks, bulkheads, and seawalls constructed of treated wood products should use products registered for marine use by the U.S. Environmental Protection Agency or the Florida Department of Agriculture and Consumer Services. Other recommended materials include concrete, coated steel, recycled plastic, PVC, vinyl, and fiberglass.

