

Sec. 12-3-93. - Nonresidential parking in R-1AAA, R-1AA, R-1A, R-ZL, R-2A, R-2, PR-1AAA and PR-2 zoning districts.

- (a) *General conditions.* Accessory off-street parking facilities serving nonresidential uses of property in R-2, PR-2, R-NC, R-NCB C-1, PC-1, C-2, C-3 or SSD zones may be permitted in R-1AAA, PR-1AAA, R-1AA, R-1A, R-ZL, R-2A, R-2 or PR-2 zoning districts where such property is contiguous to such commercial zoned area or is separated therefrom by an alley, and may be authorized by the planning board, subject to the following conditions:
- (1) The parking lot shall be accessory to, and for use in connection with one or more existing nonresidential establishments located in adjoining districts or in connection with one or more existing professional or institutional office buildings or institutions. In the event that the use of the professional or institutional office building or institution or other nonresidential establishment changes or is abandoned for a period of not less than 180 days after the special use is approved, said approval will terminate automatically. This provision is in no way intended to prohibit the property owner from applying for approval for the changed use pursuant to applicable provisions of this Code.
 - (2) Said parking lot shall be used solely for the parking of vehicles. These vehicles shall be those of the customers and employees of the adjacent business.
 - (3) No commercial repair work or service of any kind shall be conducted on said parking lot.
 - (4) Parking lot plans are to be reviewed and approved by the city engineer. The city engineer shall base his or her approval of the plans upon sound engineering principles as well as the safety and general welfare of the citizens of the city.
 - (5) No sign of any kind other than signs designating entrances, exits, and conditions of use shall be maintained on said parking lot, and said sign shall not exceed 20 square feet in area.
 - (6) Said parking lot shall not encroach more than 150 feet into the residential zone.
 - (7) In addition to the foregoing requirements such parking lots shall conform to section 12-4-1 and chapter 12-6.
- (b) *Review and approval process.* All applications for nonresidential parking in residential zones shall comply with regulations established in section 12-3-120.

(Code 1986, § 12-2-64; Ord. No. 29-93, § 22, 11-18-1993; Ord. No. 3-94, § 7, 1-13-1994)

Sec. 12-4-1. - Off-street parking spaces requirements.

Off-street parking is required in all zoning districts, except as provided below. The following off-street parking is required by this chapter:

(1) *General provisions.*

- a. Area calculations based on gross square footage.
- b. Where the required number of parking spaces results in a fraction, the number of spaces required shall be construed to be the next whole number.
- c. Where parking spaces are required based on number of employees or students/clients, the number of employees must reflect the largest shift and the number of students/clients must reflect the maximum capacity allowed.
- d. For multiple land use developments, additional parking spaces will be required for each different land use and/or accessory use.
- e. Handicapped parking spaces are required as a percentage of total required parking spaces for all developments other than single-family, duplex or zero-lot-line residential.
- f. With respect to any parking lot that is required to be paved, the number of parking spaces required may be reduced by one, if the developer provides a bicycle rack or similar device that offers a secure parking area for at least five bicycles.
- g. The number of off-street parking spaces provided for buildings constructed prior to October 13, 1994, shall be deemed in compliance with the requirements of this Code, for as long as the same land use is maintained within the same building footprint. Effective October 13, 1994, off-street parking requirements set forth in subsection (2) of this section shall be required for the following development or redevelopment activities except as specifically exempted in subsections (1)j through k of this section:
 1. New construction.
 2. Construction of an addition to an existing building. Whenever a building is enlarged or increased in floor area, number of dwelling units, seating capacity, intensity, density or in any manner so as to create a need for a greater number of parking spaces than currently existing, such additional spaces must be provided in accordance with subsection (2) of this section. The required number of additional parking spaces must be provided concurrently with the building enlargement. In the event that additional parking spaces are required, and the resulting number of spaces required for the whole building (existing and new) exceeds ten spaces, the entire parking lot shall comply with the provisions of section 12-4-3.
 3. A change in land use in an existing building or portion of a building. Whenever a land use is changed to another land use requiring a greater number of parking spaces than that existing, such additional spaces must be provided in accordance with subsection

(2) of this section. The required number of additional parking spaces must be provided concurrently with the change in land use. In the event that additional parking spaces are required as a result of a change in land use for buildings constructed prior to October 13, 1994, the entire number of required parking spaces for the new land use must be provided in accordance with subsection (2) of this section. In the event that additional parking spaces are required, and the resulting number of spaces required for the new land use exceeds ten spaces, the entire parking lot shall comply with the provisions of section 12-4-3.

- h. Except as provided in subsections (4) and (5) of this section, all required parking spaces must be located on the same lot or parcel with the building or use served or on an adjacent lot or parcel owned or leased by the same owner of the building site for which the parking is required. If the required parking is provided on an adjacent property separated from the common boundary by a street, appropriate measures shall be undertaken to provide pedestrian safety. Such measures include, but are not limited to, pedestrian crosswalk, pedestrian crossing with automated traffic control, pedestrian overpass, and underground pedestrian tunnel.
- i. Off-street parking is not required in the HC-1 and HC-2 districts (see section 12-3-10(1)e.7.iii).
- j. Off-street parking is not required in the dense business area for residential land uses.
- k. New construction of buildings within the South Palafox business district that do not exceed 40 feet in height, or the renovation or change in land use of existing buildings that do not exceed 40 feet in height are exempt from the off-street parking requirements (see also section 12-3-13(4)f).
- l. New construction of buildings within the C-2A district that do not exceed 40 feet in height and 5,000 square feet in total floor area, or the renovation or change in land use of existing buildings that do not exceed 40 feet in height and 5,000 square feet in total floor area are exempt from the off-street parking requirements.

(2) *Parking requirements for specific land uses.* The following list of requirements shall apply for any land use that is permitted or that is granted a conditional use within any zoning district.

Amusement center	1 space/250 s.f.
Art gallery	1 space/500 s.f.
Auditorium	1 space/50 s.f. of assembly area
Bank	1 space/300 s.f.

Barbershop/beauty parlor	2 spaces/chair
Bed and breakfast	1 space for owner/manager plus 1 space/ sleeping room
Billiard hall	2 spaces/table
Boarding house	1 space for owner/manager plus 1 space/ sleeping room
Bowling alley	3 spaces/lane plus spaces required for accessory uses
Car wash	
Full-service	2 spaces/washing stall
Self-service	2 stacking spaces and 1 drying space per wash stall
Child care facility	1 space/300 s.f.
Church	1 space/4 fixed seats
Note: On-street parking within 500 feet of the building, except in residential districts, may be used towards fulfilling this requirement.	
Cocktail bar	1 space/75 s.f.
Community center	1 space/300 s.f.
Community residential home	1 space/2 beds
Convenience store	1 space/200 s.f. plus accessory uses
Dormitory/fraternity/sorority residence	1 space/2 beds

Dry-cleaning shop	1 space/500 s.f.
Funeral parlor/mortuary	1 space/200 s.f.
Game room	1 space/250 s.f.
Garage, repair	1 space/200 s.f.
Gas station	1 space/200 s.f.
Greenhouse	1 space/1,000 s.f. of lot area
Group home	1 space/2 beds
Gymnasium	1 space/50 s.f. of assembly area
Health spa	1 space/200 s.f.
Hospital	1.5 spaces/bed
Hotel	1 space/room
Industrial	1 space/500 s.f.
Kennel	1 space/1,000 s.f.
Laundromat	1 space/2 washing machines
Library	1 space/250 s.f.
Note: on-street parking within 500 feet of the building, except in residential districts, may be used toward this requirement.	
Lodging house	1 space for owner/manager plus 1 space/sleeping room
Manufacturing	1 space/500 s.f.

Marina	1 space/4 boat slips
Miniature golf course	1 space/hole
Mini-warehouse	4 spaces/1,000 s.f. of office
Motel	1 space/room
Museum	1 space/300 s.f.
Nightclub	1 space/75 s.f.
Nursery	1 space/1,000 s.f. of lot area
Nursing home	1 space/2 beds
Office	
General office	1 space/300 s.f.
Accessory office unit	1 space/300 s.f.
Government office	1 space/500 s.f.
<p>Note: On-street parking within 500 feet of the building, except in residential districts, may be used towards this requirement for non-employee parking only. In any event, one off-street parking space shall be required for each employee in the building.</p>	
Medical/dental office	1 space/200 s.f.
Open air market	1 space/300 s.f.
Printing or publishing firm	1 space/300 s.f.
Private club	1 space/100 s.f.
Racquetball club	1 space/court

Radio or television station	1 space/300 s.f.
Repair shop	1 space/300 s.f.
Residential	
Single-family, duplex and accessory residential unit	1 space/unit (public street) 2 spaces/unit (private street)
Multifamily, townhouse, manufactured home unit	1 space/unit
Rest home	1 space/2 beds
Restaurant	
Drive-in only	1 space/100 s.f.
Drive-through only	1 space/100 s.f.
Sit-down only	1 space/100 s.f. (including outdoor dining areas)
Combination drive-through/sit-down	1 space/100 s.f. (including outdoor dining and/or activity areas)
Retail sales/rental	
Boat	1 space/500 s.f.
Carpet	1 space/500 s.f.
Furniture	1 space/500 s.f.
Garment	1 space/300 s.f.
General	1 space/300 s.f.

Grocery store	1 space/300 s.f.
Hardware	1 space/500 s.f.
Home improvement	1 space/500 s.f.
Lumber and building materials	1 space/600 s.f.
Machinery and equipment	1 space/600 s.f.
School	
Business or trade	1 space/2 employees plus 1 space/200 s.f.
High school, college or junior college	1 space/2 employees plus 1 space/10 students
Kindergarten, elementary and middle/junior high school	1 space/2 employees plus 1 space/classroom
Self-service storage facility	4 spaces/1,000 s.f. of office plus 1 space/employee
Shopping center	1 space/300 s.f.
Skating rink	1 space/5 rated patron capacity
Stadium	1 space/5 seats
Studio	1 space/300 s.f.
Tavern	1 space/75 s.f.
Tennis club	1 space/court
Theater	1 space/6 seats

Vehicle sales/rental	1 space/400 s.f. sales area
Veterinary clinic or hospital	1 space/300 s.f.
Video arcade	1 space/300 s.f.
Warehousing	1 space/2,000 s.f.
Wholesale establishment	1 space/1,000 s.f.

- (3) *All other uses.* Any use not covered by this chapter shall require one parking space for each 300 square feet of gross floor area in the building.
- (4) *Off-site parking.* The off-street parking requirements set forth in subsection (2) of this section may be provided off-site through a shared parking facility or leased parking facility.
- a. Off-site parking may be provided as specified below:
1. Shared use parking facility shared by uses that have different principal operating hours. The schedule of operation of all such land uses shall provide that none of the uses sharing the facilities normally require off-street parking facilities at the same time as other uses sharing them. The total number of required off-street parking spaces shall be determined by the combined peak hour parking requirement for all uses sharing the facility.
 2. Off-site parking spaces that are leased on an annual basis from a private owner or public agency.
 3. Off-site parking spaces located on a site owned and controlled by the owner/developer of the building site for which the off-street parking is required.
 4. When a portion or all of the required off-street parking is provided pursuant to one of the options specified above in subsections (4)a through c of this section a written agreement shall be drawn in a form satisfactory to the city attorney and executed by all parties concerned assuring the continued availability of the off-site parking facilities for the use they are intended to serve. Such written agreement shall be required as a prerequisite for the approval of a building permit for the new development or redevelopment proposed for which the parking is required. Such written agreement shall be reviewed annually as a condition for renewal of a business license required in chapter 7-2. If a written agreement securing the number of parking

spaces is not provided as part of the annual business license certification, the license may be revoked by the city unless the required off-street parking is otherwise provided.

5. When a portion or all of the required off-street parking is provided pursuant to one of the options specified above in subsections (4)a through c of this section a sign directing business patrons to the off-street parking shall be required and shall be placed in a clearly visible location in accordance with the provisions of section 12-5-4(g)(3).
6. Off-site parking provided for businesses within the Brownsville Business Core must be located within the city limits.
7. Downtown Pensacola parking reductions described in Table 12.3-1 shall apply only to the community redevelopment agency's boundaries, as defined in Resolution No. 13-84.

TABLE 12.3-1. DOWNTOWN PENSACOLA CRA
PARKING REDUCTIONS

Educational	25%
Lodging	35%
Office	30%
Eating/drinking establishments	100%
Indoor amusement	40%
Services	50%
College	50%
Places of worship	50%
Indoor recreation	50%
Apparel/furniture	50%
Retail < 5,000 s.f.	60%

Community services	75%
Single-family and multifamily	Only 1 space/unit required

- b. Approval of off-site parking will be based upon consideration of the following factors:
1. The location of the business and the proposed off-site parking;
 2. The number of off-site parking spaces proposed;
 3. Intended users of the proposed off-site parking (i.e. employees, patrons or both);
 4. The distance of the proposed off-site parking measured along the shortest legal pedestrian route (i.e. along public sidewalks, crosswalks) from the nearest lot line of the building site for which the off-site parking is proposed to the nearest lot line of the off-site parking;
 5. Pedestrian safety;
 6. Nature of the business proposing the off-site parking;
 7. Potential conflicts/overlaps in any off-site shared parking arrangement;
 8. Recommendation of city attorney regarding the form of the written agreement specified in subsection (4)a.4 of this section.
- (5) The number of required parking spaces for the geographic areas and zoning districts identified in subsection (4) of this section may be reduced by the number of on-street parking spaces provided in accordance with the following criteria:
- a. The on-street parking space must be located between the extended property lines of the property requesting the reduction. If a parking space straddles two properties owned by different property owners each property may count the space towards the required parking. Where the right-of-way contains a median and parking is provided along the median, the property owner requesting the reduction may include those spaces provided they are located between the extended property lines and the centerline of the median.
 - b. The on-street parking spaces must remain open for use by the public.
- (6) New construction, additions to existing buildings and changes in land use of existing buildings within the dense business area resulting in an increase of parking requirements may comply with the parking requirements through an in-lieu payment approved by the city council.
- a. All funds collected through the in-lieu payment process shall be utilized for the express purpose of parking capital improvement projects within the dense business area.
 - b. The in-lieu payment will be calculated by the mayor and approved by the city council in accordance with the following formula:

In-lieu parking payment = (total spaces required to meet code - on-site spaces - approved off-site spaces - approved on-street parking spaces) × (in-lieu fee)

The in-lieu fee shall be based upon the cost of construction for parking spaces considering such factors as land acquisition, design fees, engineering, financing, construction, inspection, and other relevant factors.

(Code 1986, § 12-3-1; Ord. No. 6-93, § 21, 3-25-1993; Ord. No. 29-93, § 26, 11-18-1993; Ord. No. 44-94, § 6, 10-13-1994; Ord. No. 33-95, § 9, 8-10-1995; Ord. No. 8-99, § 7, 2-11-1999; Ord. No. 44-99, § 3, 11-18-1999; Ord. No. 6-02, § 2, 1-24-2002; Ord. No. 05-06, § 1, 2-9-2006; Ord. No. 16-10, § 212, 9-9-2010; Ord. No. 39-13, § 1, 11-14-2013; Ord. No. 12-14, § 1, 3-27-2014)

Sec. 12-6-2. - Applicability.

- (a) *Zoning districts.* The provisions of this chapter shall be applicable within the following zoning districts:
- (1) *Residential districts.*
 - a. R-1AAAAA through R-1A districts.
 - b. R-ZL (zero lot line dwelling district).
 - c. R-2A and R-2B (multiple-family).
 - (2) *Mixed residential districts.*
 - a. R-2 (residential/office).
 - b. R-NC (residential/neighborhood commercial).
 - (3) *Commercial districts.*
 - a. C-1 (local commercial).
 - b. C-2 (general commercial).
 - c. R-C (residential commercial).
 - d. C-3 (general commercial and limited industry).
 - (4) *Industrial districts.*
 - a. M-1 (wholesale/light industry).
 - b. M-2 (light industry).
 - (5) *Other districts.* The provisions of this chapter shall also be used as guidelines in reviewing site plans in site specific zoning and development (SSD) amendment applications, airport transition zone (ATZ-1 and ATZ-2) districts and in applications for special planned developments.
- (b) *Public institutional uses and churches.* The provisions of this chapter shall be applicable to public institutional uses and churches. Public institutional uses and churches located in R-1AAAAA through R-1A zones shall not be exempt from the provisions of this chapter. In addition, these uses shall conform with the requirements of subsection 12-6-3(1) and all other sections of this title applicable to the R-ZL, R-2A, R-2B and R-2 zones.
- (c) *Exemptions.* All single-family and duplex uses are exempt from the provisions of this chapter, except as provided for in section 12-3-56 (buffer yards), subsection (d) (heritage trees), section 12-6-6(4) (new subdivisions) and section 12-6-7(5) (heritage tree removal mitigation). The C-2A downtown retail commercial district is exempt from the provisions of this chapter, except as provided for in subsections 12-6-6(1), (5), (6), and (7). All healthcare related uses of property owned or controlled by an entity which is licensed as an acute care hospital under F.S. ch. 395, owned or controlled by a parent company of an entity which is licensed as an acute care hospital under F.S. ch. 395 are exempt from the provisions of this chapter, except as provided for in

section 12-6-3 and subsection 12-6-6(1), (3), (5), (6), and (7). In conjunction with the development of any such healthcare related use, a payment of \$5,000.00 per acre of new developed impervious surface area shall be made to the tree planting trust fund. The designated clear zone areas around the Pensacola Regional Airport and any other area identified by the airport manager and approved by the city council as critical to aircraft operations shall be exempt from this chapter.

- (d) *Heritage trees*. A protected tree identified by species in Appendix A of this chapter which is four times the minimum diameter breast height (DBH) or greater. Heritage trees are protected in all the zoning districts listed in this section 12-6-2, and for all land uses and are considered natural resources. Removal, cutting or pruning of heritage trees on proposed development sites may be permitted upon approval of a landscape and tree protection plan (section 12-6-4). Removal, cutting or pruning of heritage trees on developed property may be authorized per section 12-6-7. A permit will be required for removal or pruning of a heritage tree in all zoning districts listed in this section 12-6-2, and for all land uses, including single-family or duplex as set out in section 12-6-7.
- (e) *DBH*. All tree measurements shall be taken at diameter breast height (DBH), which is the diameter of the tree at four and one-half feet (54 inches) above ground. If the tree has a bump or branch at four and one-half feet above ground then DBH shall be measured immediately below the bump or branch. If the tree is growing vertically on a slope, DBH shall be measured from the midpoint of the trunk along the slope. If the tree is leaning, DBH shall be measured from the midpoint of the lean. If the tree forks below or near DBH the tree shall be measured at the narrowest part of the main stem below the fork. If the tree splits into more than one trunk close to ground level, DBH shall be determined by measuring each of the trunks separately and then taking the square root of the sum of all squared stem DBHs.
- (f) *City-designated arborist*. All references to the city's designated arborist shall be construed to mean the mayor's designee who is charged with administering and enforcing the provisions contained within this chapter, who shall have successfully completed the International Society of Arboriculture (ISA)'s Tree Risk Assessment Qualification (TRAQ), which qualifies a tree professional to use a standardized, systematic process for assessing risks presented by trees.
- (g) Notwithstanding any other provision of this chapter, the mitigation cost to a residential property owner (single-family and duplex uses) where the property is already developed shall not exceed \$1,000.00; provided, however, no mitigation cost shall be charged where statutorily prohibited. Mitigation costs for residential property owners on property being developed shall be assessed in accordance with section 12-6-6(2)e.
- (h) Prior to pruning or removal of any tree(s), any permit issued under this chapter must be posted promptly upon receipt, in the manner prescribed in section 12-6-4(4), in a conspicuous place on the property where the tree(s) is located.

(Code 1986, § 12-6-2; Ord. No. 50-00, § 5, 10-26-2000; Ord. No. 31-09, § 1, 9-10-2009; Ord. No. 31-09, § 1, 9-10-2009; Ord. No. 04-21, § 1, 2-25-2021)