

PROPOSED
ORDINANCE NO. 31-19

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 12-2-31 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AMENDING THE ACCESSORY USES AND STRUCTURES STANDARD; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 12-2-31 of the Code of the City of Pensacola, Florida is hereby amended to read as follows:

Sec. 12-2-31. – Accessory uses and structure standards.

In addition to the principal uses which are designated herein as being permitted within the several zoning districts established by this title, it is intended that certain uses which are customarily and clearly accessory to such principal uses, which do not include structures or structural features inconsistent with the principal uses, and which are provided electrical and plumbing service from the main building service shall also be permitted.

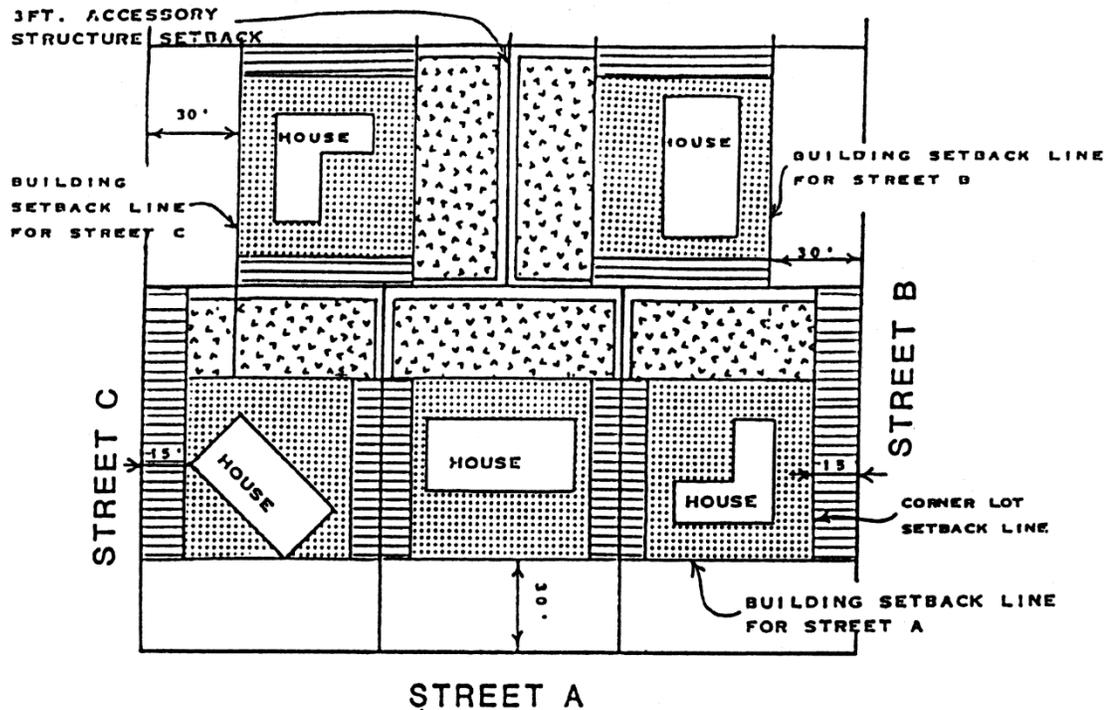
For the purposes of this chapter, therefore, each of the following uses is considered to be a customary accessory use, and as such, may be situated on the same lot with the principal use or uses to which it serves as an accessory.

- (A) *Uses and structures customarily accessory to dwellings.*
 - (a) Private garage.
 - (b) Open storage space or parking area for motor vehicles provided that such space shall not be used for more than one (1) commercial vehicle licensed by the State of Florida as one (1) ton or more in capacity per family residing on the premises.
 - (c) Shed or building for the storage of equipment.
 - (d) Children's playhouse.
 - (e) Private swimming pool, bathhouse or cabana, tennis courts, and private recreation for tenants of principal buildings.
 - (f) Structures designed and used for purposes of shelter in the event of manmade or natural catastrophes.
 - (g) Noncommercial flower, ornamental shrub or vegetable greenhouse.

- (h) Television antenna or satellite TV receiving dish.
 - (i) Attached or detached, uncovered decks.
 - (j) Solar panels.
 - (k) Screened enclosures.
- (B) *Uses customarily accessory to multi-family residential, retail business, office uses, and commercial recreation facilities.*
- (a) Completely enclosed building not to exceed forty-nine (49) percent of the floor area of the main structure for the storage of supplies, stock, merchandise or equipment for the principal business.
 - (b) Lounge as an accessory use to a package liquor store, not to exceed forty-nine (49) percent of the floor area of the package store.
 - (c) Lounge as an accessory use to a restaurant, not to exceed forty-nine (49) percent of the floor area of the restaurant.
 - (d) Car wash as an accessory use to a service station not to exceed forty-nine (49) percent of the square footage of the total site.
 - (e) Restaurants, cafes, coffee shops and small scale retail uses are permitted as an accessory use in multifamily developments over twenty (20) units in size, and office buildings over four thousand (4,000) square feet, Such accessory uses shall be clearly subordinate to the principal use, shall be located on the first floor within the multi-family or office structure, and shall not exceed ten (10) percent of the gross floor area of the structure in which it is located.
 - (f) Standards for accessory structures shall be as follows:
 - 1) The use shall be clearly incidental to the use of the principal building, and shall comply with all other city regulations. No accessory structure shall be used for activities not permitted in the zoning district except as noted above.
 - 2) No insignia or design of any kind may be painted or affixed to an accessory use or structure except such signs as are permitted in the provisions of Chapter 12-4.
 - 3) Detached vending and transaction machines shall meet the following restrictions:
 - a. Placement must be outside required landscape islands and stormwater management systems.
 - b. Anchoring to trees, traffic signs, fire hydrants, fire connectors, lift stations or other site infrastructure is prohibited.
 - c. Dispensers and service machines placed in parking lots shall have a finished exterior of brick, stucco, stone, metal or stained wood ~~or similar materials~~ and shall not contain windmills or similar objects.

- d. A sloped roof with a peak or parapet roof is ~~required~~ preferred to be affixed to dispensers placed in parking lots with shingle, tile or other roof material in accordance with Florida Building Codes. Screened mechanical rooftops, and other screening or railings with no more than 50% openings, may be used subject to approval by the Planning Board.
 - e. ~~Advertising, Signage advertising the products being dispensed or service being provided other than minimal signage with the logo and name of the item being dispensed or service provided is prohibited.~~ allowed. Advertising may not exceed 25% of the proposed street elevation.
- (C) *Uses customarily accessory to cemeteries.* A chapel is an accessory use to a cemetery.
- (D) *Residential accessory structures standards.*
- (a) Accessory structures shall not be permitted in any required front or required side yard except as exempted in this section. Accessory structures shall be permitted in a required rear yard. Figure 12-2.3 shows permitted locations for residential accessory structures.

FIGURE 12-2.3
PERMITTED LOCATION OF RESIDENTIAL ACCESSORY STRUCTURES



1. Permitted only in shaded areas noted as buildable area or required rear yard as shown above.
2. Shall occupy not more than twenty-five (25) percent of required rear yard area. For purposes of calculating this percentage in a corner lot rear yard, the yard shall be measured from the interior side lot line to the street right-of-way line.
3. Except for corner lots, accessory structures shall not be located closer than three (3) feet from a property line in a required rear yard.
4. No part of an accessory structure may be located any closer than four (4) feet to any part of the main dwelling unit. An open covered walkway no more than six (6) feet wide may connect the main structure to the accessory structure.
5. Maximum height shall be determined as follows:
 - (a) Accessory structures located within three (3) feet of the side and rear property lines shall have a maximum allowed height of fifteen (15) feet.
 - (b) Accessory structures exceeding fifteen (15) feet must meet the side yard setback requirements of the principal dwelling unit. For every additional one (1) foot that an accessory dwelling unit is setback from the rear property line above and beyond five (5) feet, an additional one (1) foot in height shall be

allowed up to a maximum allowed height of twenty (20) feet as measured at the roof peak.

6. Accessory dwelling units must meet the requirements set forth in section 12-2-52.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk