



Section 15.1 Duplex and Triplex Dwelling Units

15.1.1 Purpose – This Section outlines the development process, requirements, and incentives available to construct duplex and triplex units. It is intended to implement, in part, Ordinance No. 94-08, as amended, entitled, "Affordable Housing Incentive Plan." It is further the intent of this subsection to ensure compatibility with adjacent neighborhoods, protect the property values of existing homeowners, and enhance the quality of life.

The provision of home ownership is a major emphasis of Largo's housing incentive program; however, an equally important objective of the City's housing efforts is to promote quality livable housing conditions for people to rent at an affordable price. These provisions are designed to provide development opportunities for vacant infill lots and should not provide for, or promote, the disinvestment or conversion of existing single-family detached dwellings. Finally, it is the intent of this Section to design duplex and triplex units to be compatible with the surrounding residential neighborhood.

15.1.2 Applicability – These supplemental standards pertain only to the following dwelling unit types:

A. Duplex – A structure containing two (2) dwelling units.

B. Triplex – A structure containing three (3) dwelling units.

C. Not applicable -

(1) Multifamily – These supplemental standards are not applicable to multifamily residential developments of four (4) dwelling units or more.

(2) New development – These supplemental standards are infill standards that do not apply to new development. All new development must comply with the minimum lot size requirements of the underlying land use.

15.1.3 Locational restrictions – Duplex and triplex structures shall be allowed where indicated on Table 6-1 and 6-2 of this CDC. These structures are not permitted in platted single-family subdivisions, where the physical character of the neighborhood is clearly single-family detached in nature. However, they are permitted in those areas which have an existing mix of dwelling types already in existence. Construction and reconstruction of these dwelling types requires full compliance with these supplemental standards.

15.1.4 Density and Intensity

A. Density – Maximum permissible density of dwelling units developed under these standards may exceed the density limits of the underlying land use

classification, provided the lot area provisions for the development are met.

B. Lot area – Minimum lot area standards are established for all new residential developments. The minimum lot area standards for residential uses developed under the provisions of this subsection do not vary from one land use designation to another.

(1) A minimum lot area of 3,500 square feet per unit is required. The minimum permissible lot area requirement by structure type is:

a. Duplex: 7,000 square feet; and

b. Triplex: 10,500 square feet;

(2) If an existing lot does not have the minimum area required for a duplex or triplex unit, it may acquire land from an adjacent lot only if the adjacent lot will remain conforming with respect to all standards of this CDC, and both lots are replatted in accordance with the requirements of this CDC.

15.1.5 Design standards – In order to promote the long term economic viability of neighborhoods, duplex and triplex dwelling units shall be designed to blend with surrounding single-family dwelling units. The development of any residential duplex and triplex dwelling unit shall meet all applicable residential performance standards of this CDC and the following requirements:

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A. Parking and access standards

- (1) Parking for a minimum of two vehicles shall be provided per dwelling unit.
- (2) Parking areas for each unit shall be designed to replicate a single-family residential driveway.
- (3) A garage or carport must be provided for each unit. Although garages are preferred, a carport is permitted in cases where seventy (70) percent or more of the adjacent residential units within three hundred (300) feet (1/2 city block) on both sides and across the street from the subject property have carports.
- (4) Parking lots in front of the subject property shall not be permitted.

B. Building frontage

- (1) Minimum width - The minimum building width of a duplex or triplex shall be no less than the average building width for the existing residential lots within 300 feet (1/2 city block) on both sides and across the street from the subject property.
- (2) Facade – The building facade shall have the appearance of a single-family home with symmetrically placed windows and at least one entry door facing the street. Structures shall not be built sideways into the lot where a blank wall is the only part of the structure visible from the street. The

purpose of this requirement is to ensure that the structure has the appearance of a single-family home regardless of the number of dwelling units within the structure.

- (3) Private space - To promote a sense of private space for each unit, the residential design must incorporate private patios not visible from the adjacent streets or similar private spaces which are internally orientated to the living space for each unit.

C. Low-maintenance building materials - Use of low-maintenance building materials in construction of residential dwelling units shall be required, where possible. Achieving the intent of this provision will be assessed by the Building Official or the Development Controls Officer (DCO) during the building plan review. For example: decorative plastic fencing is preferred over wood fencing, and aluminum siding is preferred over wood siding (except in the context of historic preservation improvements).

D. Landscaping

- (1) All landscaping standards for single-family homes shall apply to duplex and triplex units.
- (2) The use of drought-tolerant native plantings is encouraged to ensure minimum maintenance requirements.

15.1.6 Permitting Requirements

A. Design review

- (1) All proposed duplex or triplex units must submit a site plan and architectural elevations of all sides visible from adjacent roadways for evaluation by the Development Review Committee (DRC), during a full scale site plan review, to ensure compliance with design standards and neighborhood compatibility requirements of this CDC.
- (2) Review, comment, and endorsement of the schematic design by the DRC is a prerequisite of building plan review and approval. DRC comments shall be included in the building design prior to submission for Building Permit review.

B. Appeals

- (1) The stipulations set forth from the DRC review shall be considered requirements of the Development Permit, subject to appeal to the DCO.
- (2) The decision of the DCO shall be considered an administrative review which may be appealed to the Planning Board through the Appeal of Administrative Decision procedures of this CDC by the applicant or an intervening party.

15.1.7 Prohibited Conversions and Disinvestment of Property

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A. No conversion of an existing single-family home to a duplex or triplex is permitted. Single-family units, regardless of structural condition, can only be redeveloped as single-family dwelling units.

B. Disinvestment, such as withholding maintenance, in a single-family residential dwelling unit for the purpose of converting it to a duplex or triplex is strictly prohibited.

C. Vacant residential lots may be redeveloped with a duplex or triplex structure only if vacant for a period of five (5) years or more. The subsequent redevelopment must be in full compliance with this Section.

Section 15.2 Residential Care Facilities (Including Assisted Living Facilities, Community Residential Homes, Halfway Houses/Rehabilitation Facilities and similar uses.)

15.2.1 Purpose – To set forth standards for the protection of the health, safety, and welfare of the residents of a facility and the community at large. Residential Care Facilities allow persons who are unable to live independently to remain in the community. Nothing contained herein is intended nor shall be construed to discriminate against any particular race, religious view, sex, national origin, familial status, or any person with a disability as that term is defined in 42 U.S.C. §12102, or to treat

similarly situated property differently based on the abilities or disabilities of potential occupants, nor shall it be construed as a policy against or refusal to make reasonable accommodations in City rules, policies, practices, or services when such accommodations are requested and when such accommodations would be necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling. All requests for reasonable accommodation to these standards shall be made in writing to the City Manager and the City Manager may, after determining that the request qualifies for a reasonable accommodation, grant such accommodations which would not fundamentally alter the nature of the City’s zoning regulations, and would not impose an undue financial or administrative burden. All requests for reasonable accommodations will be determined on a case-by-case basis.

15.2.2 Applicability - These standards are supplementary to the performance standards of this CDC. Included among Residential Care Facilities are Assisted Living Facilities, Community Residential Homes, Halfway Houses/Rehabilitation Facilities and similar uses. These uses may be predominantly residential in nature, providing care to a small number of persons in a single-family home or institutional-type facilities. All facilities, regardless of

the number of clients, are subject to the City's Business Tax Receipt requirements, applicable State of Florida Regulatory agency requirements, and all applicable construction standards included in Chapter 18 of this CDC. If the development consists of bonafide dwelling units, rather than sleeping quarters only, and does not provide the types of personal care normally associated with a Residential Care Facility, such as shared dining, transportation, recreational programs, on-site medical treatment, social services, then it is not subject to these supplemental standards, but must comply with the requirements for residential developments of this CDC.

15.2.3 Restrictions

A. Residential Care Facilities are not allowed in coastal high hazard areas, regardless of the number of clients served.

B. Facilities located in or adjacent to residential areas shall conform to the character of the surrounding neighborhood. This applies to design, density, lot size, landscaping, or other factors affecting the neighborhood character. This will prevent disruption of a neighborhood due to the introduction of a dissimilar structure.

C. The following locational restrictions shall apply depending on the total number of clients served by

the facility. See Table 6-2: Allowable Uses Within Land Uses in the CRD.

(1) Assisted Living Facilities:

- a. Six (6) or fewer clients - Facilities of six (6) or fewer clients are allowable within all residential, Institutional, and mixed use land classifications.
- b. Seven (7) to fourteen (14) clients - Facilities of this size are allowable only within RLM, RM, RH, Institutional, and mixed use land use classifications.
- c. More than fourteen (14) clients – Facilities with more than fourteen (14) clients are allowed as a conditional use within RM, RH, CN, CG, Institutional and mixed use land classifications.

(2) Community Residential Homes: (See definition for facilities included in this category)

- a. Six (6) or fewer clients – Facilities of six (6) or fewer clients are allowable within all residential, Institutional, and mixed use land classifications.
- b. Seven (7) to fourteen(14) clients – Facilities of this size are allowable only within RLM, RM, RH, Institutional, and mixed use land classifications.
- c. More than fourteen (14) clients – Facilities with more than fourteen (14) clients are allowed as conditional use within RM, RH, CN, CG, Institutional and mixed use land classifications.

(3) Half-way House/Rehabilitation Facility

- a. Six (6) or fewer clients – Facilities of six (6) or fewer clients are allowable within Institutional land use classifications, and are allowed as conditional use within CN, CG and mixed use land classifications.
- b. Seven or more clients – Facilities with more than seven (7) or more clients are allowed as a conditional use within CN, CG, Institutional and mixed use land classifications.

15.2.4 Review Procedures

- A.** Six (6) or fewer clients - Facilities licensed under Chapter 419, F.S., provides that a facility housing six (6) or fewer clients is the functional equivalent of a single-family home and is, therefore, allowable in a single or multifamily residential area and is not subject to either a Level I or II administrative review. If the facility is not licensed under Chapter 419, F.S., and is conditionally allowed, it shall be subject to review by the Planning Board (Level III).
- B.** Seven (7) to fourteen (14) clients – Where allowable, these facilities shall be administratively reviewed (Level I or II). If the facility is conditionally allowed, it shall be subject to review by the Planning Board (Level III).

C. More than fourteen (14) clients – Where allowable, facilities housing more than fourteen (14) clients shall be subject to review by the Planning Board (Level III).

15.2.5 Additional Standards

A. Density – Densities shall be calculated using a residential equivalency standard of two and one-half (2.5) beds equals one dwelling unit.

B. Parkland and Recreation Facilities Impact Fee – The required impact fee for Residential Care Facilities shall be due as provided for in Chapter 8 Section 8.6.2.

C. Signs – All signs of a Residential Care Facility with six (6) or fewer clients shall conform to the same sign regulations and requirements for residential uses within the land use category applied to the property.

D. Parking – The DCO may authorize a reasonable reduction in the total number of required parking spaces upon submittal of a parking demand analysis which is based upon the mobility of the clients served and the medical accommodations provided. The following conditions must be met:

- (1) Sufficient data to demonstrate limited access and usage of vehicles by clients must be submitted to the City and found to be valid by the City Engineer. The information submitted shall include the following:

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- a. The marketing of the facility, i.e., type of clients expected to be housed;
- b. The types of medical care services provided;
- c. The expected mobility of residents;
- d. Number of employees on the largest working shift; and
- e. Expected visitation rate and visitor policies.

(2) Although the number of parking spaces may be initially reduced, a land area sufficient to provide the total required number of parking spaces shall be reserved in case of the future conversion or modification of the facility. In no case shall the reserved area be used as the minimum required buffer, parkland, or retention area.

(3) Retention area requirements shall be calculated based upon the assumption that the required parking area is to be paved. An allowable alternative is to reserve an area to accommodate retention, in the event of paving.

E. Accessory use – Residential Care Facilities having more than fourteen (14) clients may include on-site medical offices to serve the health care needs of both on-site residents and off-site patients of the resident physician(s) subject to review by the Planning Board

as a conditional use. In addition, the following restrictions shall apply:

(1) The on-site medical offices must be clearly incidental to the Residential Care Facility. The maximum floor area devoted to the on-site medical offices shall be no more than ten (10) percent of the gross floor area of the assisted living facility, or 3,500 square feet, whichever is less;

(2) Signage shall be limited to Address/Occupant Identification Displays, as required by Chapter 12, and shall be located on the wall only. No freestanding signs identifying the occupants shall be allowed;

(3) The Residential Care Facility shall dedicate parking spaces to the on-site medical offices based on the parking requirements for medical offices provided in Section 9.5; and

(4) The addition of on-site medical offices to an existing Residential Care Facility having more than fourteen (14) clients must receive site plan approval as per Chapter 3.

Section 15.3 Manufactured Housing (Mobile Homes and RV Parks)

15.3.1 Purpose – To recognize the importance of manufactured housing in the provision of low- and moderate-cost housing in the community and to protect the health, safety, and welfare of the

community by setting forth necessary criteria for appropriate location and use of both mobile homes and recreational vehicle (RV) parks.

15.3.2 Applicability – This Section applies to all mobile home units, mobile home communities, and long term installation of recreational vehicles such as recreational vehicle (RV) parks.

15.3.3 Locational Restrictions – Mobile homes shall be allowed only within mobile home developments. Mobile home developments are allowed only on a property with the Residential Urban land use designation. No mobile home developments or RV parks shall be allowed within the Category 1 Hurricane Evacuation Zone (coastal high hazard area) as defined by the Hurricane Evacuation Level A boundary map prepared by Pinellas County Department of Emergency Management, nor within the City’s Community Redevelopment Districts.

15.3.4 Allowed Units – Only mobile homes certified as meeting U.S. Department of Housing and Urban Development (HUD) mobile home construction and safety standards as indicated by a red certification label on the exterior of each transportable section, or determined upon inspection by a licensed engineer, to be in compliance with the all relevant housing codes and determined safe and fit for residential occupancy, shall be allowed. Criteria for determining condition

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shall be the same as those applied to housing inspections (see Chapter 18 of this CDC).

15.3.5 Prohibited Units – Mobile homes which do not meet the criteria of Section 15.3.4 shall be considered nonconforming under this CDC and shall not be permitted to be relocated within the City.

15.3.6 Permitting Procedures – Developments which have received City approval may replace or install units up to the maximum approved number of units without site plan review. All mobile home units must obtain a Development Permit prior to placement within the City of Largo.

A. Mobile home developments and RV parks

(1) New developments – An application for approval of a new mobile home development or an RV park shall be reviewed by the Planning Board (Level III Review) and shall be developed in accordance with the performance standards of this CDC applicable to single-family residential infill standards.

(2) Expansion of an existing development – Expansion of an approved mobile home development by fewer than nine (9) lots above the maximum number of units indicated on an approved site plan shall be administratively reviewed (Level I Review). An expansion of nine (9) or more units shall be reviewed

by the Planning Board (Level III Review) as a conditional use.

(3) Redevelopment after a natural or man made disaster – Mobile home developments redeveloping after a natural or man made disaster which have had fifty (50) percent or more of the units destroyed shall provide hurricane shelter space, as required in this Section and shall be required to come into compliance with Section 15.3.7 Development Standards.

B. Individual units

(1) All units - All units must comply with anchor and tie-down installation standards in accordance with the Department of Highway Safety and Motor Vehicles Chapter 15C-1.

(2) Pre-Owned Units -

a. Prior to relocation, a mobile home shall be inspected by a licensed engineer, to be in compliance with the all relevant housing codes and safe and fit for residential occupancy.

b. Following relocation, a second inspection shall be performed by a licensed engineer to verify that the mobile home remains in a safe and fit condition. A Certificate of Occupancy shall not be issued until these conditions are met.

C. Coastal high hazard area

(1) If within a coastal high hazard area, only units located within existing mobile home developments, where the land is under single ownership, may be replaced.

(2) Mobile Home units located on individually platted lots shall be replaced with standard housing construction material such as single-family homes, regardless of lot size.

D. Floodplain – New and replacement units within existing mobile home developments located in FIRM Zones A1-30, AH, or AE, and units which have been substantially damaged from flooding shall:

(1) Be elevated such that the lowest floor of the unit is at least one (1) foot above the base flood elevation for the site; and

(2) Must be anchored to an adequately constructed foundation to resist flotation, collapse, and lateral movement in accordance with the standards set forth in Chapter 15C-1 of the Florida Administrative Code.

E. Recreational vehicles – Recreational vehicles are subject to the following additional requirements:

(1) The RV may only remain on a site for fewer than 180 consecutive days; and

(2) The RV must be fully licensed and ready for highway use. A recreational vehicle is ready for

highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect-type utilities and security devices, and has no permanently attached additions.

15.3.7 Development Standards – New mobile home developments and RV parks shall be designed and developed in accordance with all standards applicable to single-family subdivisions, and the following standards:

A. Minimum lot size - The minimum land area shall be fifteen (15) acres.

B. Setbacks

(1) Every mobile home shall be located at least eight (8) feet from any internal abutting street.

(2) The minimum setback distance between a mobile home (including allowable accessory buildings) and a side or rear lot line shall be seven and one-half (7.5) feet. This distance shall be measured at the narrowest space between the structure and the lot line, whether the living unit itself or an allowable accessory building (e.g., carport, storage building).

(3) If there are no individual lots designated, the minimum distance between structures shall be ten (10) feet.

C. Hurricane shelters – Effective January 1, 1995, hurricane shelter space shall be provided at a ratio of ten (10) square feet per resident. The shelter area shall meet all the following requirements:

(1) Be certified for a wind load capacity to meet the requirements of the Florida Building Code 6th Edition (2017);

(2) Meet the American Red Cross (ARC) standard for hurricane shelters as outlined in ARC publications 3031 and 4496;

(3) Be equipped with storm shutters or comparable window protection as outlined in the Florida Building Code 6th Edition (2017) for such protective devices; and

(4) Have a base floor elevation high enough to avoid storm surge from a Category 3 hurricane.

In addition, the shelter shall:

(5) Contain sanitary sewer facilities;

(6) Be equipped with a power supply capable of operating 110 and 220 volt appliances for a minimum of 72 hours; and

(7) Contain adequate potable water supplies as outlined by the ARC.

The mobile home development owner shall also be required to coordinate with the City of Largo Emergency Management Coordinator and the ARC on the necessary supplies for the shelter. Furthermore, the owner shall cooperate with authorities in assisting all residents of the mobile home development to promptly evacuate upon the issuance of an evacuation order for that area.

Nothing in this Section shall be construed as requiring the mobile home development owner to admit the general public into the above-referenced hurricane shelter.

15.3.8 Conversion

A. Conversion to a condo or cooperative – The conversion of a mobile home development to a condominium or cooperative may be allowed, subject to City approval of deed restrictions and platting requirements.

B. Conversion to a single-family subdivision – The conversion of a mobile home development to a single-family subdivision may be allowed if the platted lots meet the minimum lot area requirements for the respective land use classification. Fee simple ownership of lots less than the minimum area may be allowed, subject to approval of deed restrictions and platting requirements.

Section 15.4 Commercial Campgrounds

15.4.1 Purpose - To provide development standards for the proper location of commercial campground uses.

15.4.2 Applicability - This Section applies to commercial campgrounds, not including long term RV parks, which are considered heavy commercial uses. No permanent or long-term installation of units on individual rental sites shall be allowed. Commercial campgrounds that allow permanent or long-term installations shall be subject to the supplemental standards for manufactured housing including mobile home developments and RV parks contained in Section 15.3.

15.4.3 Standards - The location and development of commercial campgrounds shall be subject to the following standards:

- (1) Commercial campgrounds shall be reviewed by the Planning Board (Level III Review).
- (2) The minimum land area shall be five (5) acres.
- (3) The net density shall not exceed fifteen (15) rental sites/acre; however, this standard shall not apply to those portions of commercial campgrounds devoted to tent camping.

(4) Each rental site shall be a minimum of one thousand five hundred (1,500) square feet in area.

(5) Sufficient separation shall be maintained between units to permit access by emergency vehicles as specified in the Florida Fire Prevention Code and the adequate provision of light and air, as specified in other applicable codes referenced in Chapter 18.

(6) Permanent structural additions such as carports, canopies, storage buildings, pavers, cement slabs, decks etc., shall not be permitted on individual rental sites.

(7) A minimum of five (5) percent of the gross site area shall be allocated for recreation/open space activities.

(8) A central service building containing the necessary toilet and other plumbing fixtures specified by the Florida State Board of Health shall be provided within four hundred (400) feet of each rental site.

(9) Only *temporary* potable water, sanitary sewer, and electrical connections shall be provided to individual rental sites. No permanent connections are allowed.

(10) All performance standards applicable to single-family subdivisions with regard to drainage, streets, signage and fire department access shall apply.

Section 15.5 Telecommunications Antennas and Towers

15.5.1 Purpose - To promote the use of existing structures or the joint use of new towers outside of residential areas in order to minimize adverse visual impacts while allowing telecommunication service providers to furnish services quickly, effectively, and efficiently.

15.5.2 Applicability - The requirements of this Section shall govern the construction of telecommunication towers and antennas within the City.

15.5.3 Determination of Need - Prior to submitting an application for placement of a new telecommunication tower, copies of documents supporting the representation that an existing tower with a suitable location is not available shall be submitted to the Development Controls Officer (DCO). The DCO shall review the information provided and prepare a report containing a positive or negative determination of the availability of other alternative sites based upon application content, outside engineering review, and the regulations contained in this CDC. Actual costs incurred by the City to verify applicant's representations that a new communication tower is required shall be borne by the applicant. Such costs shall be in addition to the normal site review charges. The costs may include the review of the applicant's supporting documents by a registered engineer specializing in the technical aspects of communication tower siting.

Evidence submitted to demonstrate that no existing structure or tower can accommodate the proposed antenna shall, at a minimum, include a discussion of all applicable issues including:

A. Existing towers or structures geographic location –

The applicant must demonstrate that there are no existing towers or structures located within the relevant geographic area that meet applicant's engineering requirements.

B. Existing towers or structures height –

Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.

C. Existing towers or structures structural strength –

Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.

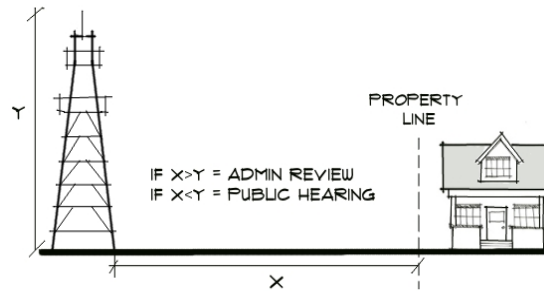
D. Electromagnetic interference –

The applicant's proposed antenna would cause electromagnetic interference with, or would be interfered with by, other antennas if placed on an existing tower or structure.

E. Structure sharing costs –

The fees/costs required of the owner or service provider to share an existing tower or structure, for a time period of twenty-five (25) years, exceed the cost of constructing a new tower.

Figure 15-1: Tower Spacing Adjacent to Single Family Development



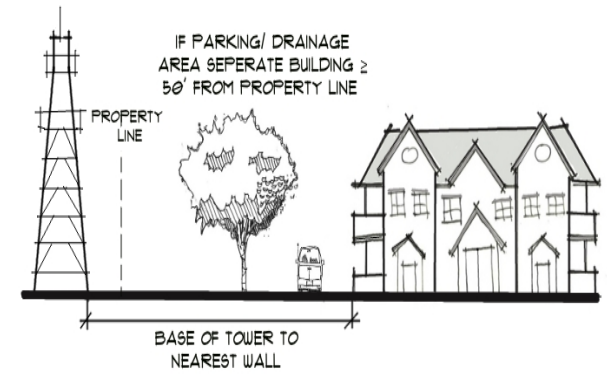
F. Modification costs – The financial feasibility of modifying or replacing an existing tower to accommodate the proposed antenna.

G. Other factors – Other limiting factors that render existing towers and structures unsuitable.

15.5.4 Application Requirements - Upon determination by the DCO that no acceptable alternative for a new communication tower exists, the applicant shall address the following issues and provide appropriate documents and drawings in compliance with the design standards provided in this Section and any applicable performance standards of this CDC.

A. Information to other service providers – To promote co-location of antenna arrays anticipated to be installed by other providers, applications for new communication towers shall include evidence that a good faith effort has been made to inform other

Figure 15-2: Tower Spacing Adjacent to Buffered Multifamily Development



service providers of the pending construction of a new communication tower.

B. Geographic area description – All applications shall include a description of the geographic area in which the proposed antenna array must be located to meet engineering requirements of the system.

C. Federal Communications Commission (FCC) license copy – A copy of the FCC license in effect for the service area must be submitted.

D. Prior approval from relevant entities – Locating of telecommunication facilities including, but not limited to, antennas and towers in the public rights-of-way are subject to prior approval by the City of a lease, license, permit, or other specific grants of authority to utilize said rights-of-way for such purpose.

E. Justification of new tower (if applicable) - Where new telecommunication towers are proposed within

one mile of an existing tower, justification for the new tower must be provided on the application. For purposes of this section, existing towers shall mean those located within the City as well as those located outside the City.

F. Radiation standards – All applicants shall provide evidence that the proposed antennas do not exceed radiation standards established by the FCC. Documented certification received from the FCC may serve as the required evidence.

15.5.5 Review Procedures

A. Administrative review -

(1) Towers adjacent to residential land use – Towers to be located adjacent to residential land uses will be reviewed administratively when the distance from the base of the tower to the property line is equal to or greater than the ultimate height of the tower, measured from the finished ground elevation to the highest attached part of the structure. Towers where the ultimate height of the tower will be greater than the distance from the base of the tower structure to the property line shall require a public hearing and review by the Planning Board (see Figure 15-1).

B. Towers adjacent to buffered multifamily development – For multifamily developments, where required parking or drainage separates any building

(with living units) more than fifty (50) feet from the property line, the distance shall be measured from the base of the tower to the nearest wall of a structure containing a typical dwelling unit (see Figure 15-2).

C. Future height increase – A tower that is originally built to less than the maximum approved height may be increased to its ultimate height without further development review. However, a Building Permit will be required prior to implementing the height increase.

15.5.6 Stealth Antenna Facilities

A. Permitted location – Stealth antenna facilities shall be allowed in all land use designations and in public rights-of-way. Stealth antennas may be installed in rights-of-way, utility easements, and on existing structures such as buildings, light poles, electrical power poles, or other freestanding structures, provided the antenna, measured from the top of the antenna to the lowest member of the support structure, adds no more than twenty (20) feet to the height of the existing structure and provided all other applicable standards are met. The installation of an antenna on a building which is nonconforming shall not be deemed to constitute the expansion of a nonconforming use.

B. Qualification – To qualify as a stealth facility, illustrations or pictures of facilities similar to that

proposed must be presented at the time of application for a development permit.

C. Final determination – Stealth antenna facilities shall be reviewed administratively. The DCO or his/her designee shall make the final determination as to whether the proposed facility qualifies as a stealth facility.

15.5.7 Non-Stealth Antenna Facilities – Antennas not qualifying as stealth facilities shall comply with the locational restrictions and design standards.

A. Locational restrictions -

(1) Non-stealth antennas are allowed in all nonresidential land use designations and the Residential Medium and Residential High land use designation.

(2) In no case shall a commercial telecommunications antenna, not qualifying as a stealth facility, be installed or constructed on a single-family residential structure, lot, or parcel.

B. Design standards -

(1) The antenna and associated electrical and mechanical equipment must be of neutral color that is identical to or compatible with the color of the supporting structure, so as to make the antenna and

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equipment as visually unobtrusive as possible, unless otherwise required by the FCC or FAA.

(2) Equipment cabinets similar in size and type to traffic signal control boxes may be placed in proximity to the pole within rights-of-way, but must be outside required sight triangles.

(3) No lighting shall be permitted unless required by the Federal Aviation Authority (FAA) or FCC.

(4) No advertising shall be permitted on antennas, equipment, or support structures.

15.5.8 Communication Towers - The construction of new communication towers shall be in compliance with the following requirements.

A. Location – The proposed location must have a Commercial, Mixed Use, Industrial, Recreation/Open Space, or Public/Semi-Public land use designation.

B. Design standards -

(1) Setbacks

a. Telecommunication towers must be set back from all property lines no less than five (5) feet for each ten (10) feet of vertical height.

b. Equipment cabinets measuring one hundred (100) square feet or less may be set back three feet from the property line. Equipment buildings exceeding one

hundred (100) square feet shall be subject to the setback standards listed above.

(2) Height – It is the express preference of the Largo City Commission that each new communication tower be designed and constructed so as to accommodate more than one antenna array through co-location. However, it is recognized that co-location is not technically feasible in all cases and that co-location requires an increase in height and mass of a tower. Total heights shall be measured from the finished ground elevation to the top of the highest supporting structure.

a. Towers designed for single users shall not exceed ninety (90) feet in height.

b. Towers designed for two users shall not exceed one hundred and forty (140) feet in height.

c. Towers designed for three or more users shall not exceed one hundred and ninety (190) feet in height.

(3) Locational restrictions - New telecommunication towers and all associated facilities shall not be located within any recorded easement or right-of-way, unless otherwise allowed in this Section.

(4) Down guys or anchors - Tower guys or anchors shall be located on the same parcel as the tower to which they are attached and shall not cross property

lines or be located off-site. Guy anchors shall not be located within applicable setbacks or buffers.

(5) Parking – Each new communication facility shall provide one (1) parking space. The space may be on-site or off-site but within three hundred (300) feet. If located off-site, the applicant must include documentation from the land owner establishing the right to use the parking space. Required spaces on the off-site parcel shall not be decreased by the telecommunication facility space.

(6) Towers and supporting structures – Towers and supporting structures shall be a neutral, non-glare color or finish, so as to reduce visual obtrusiveness, and shall meet applicable standards of the FAA.

(7) Equipment buildings - Equipment buildings shall be enclosed by security fencing not less than eight (8) feet in height, which shall be equipped with an appropriate anti-climbing device.

Equipment cabinets may be freestanding without fencing or located within equipment building enclosures.

(8) Landscaping and buffering -

a. Telecommunication facilities are considered transportation/utility uses and must comply to the applicable buffer and landscaping standards of this CDC (Chapter 10).

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b. Landscaping shall be required around the perimeter of the telecommunication tower and all associated facilities, installed on the outside of fences. The DCO may waive this requirement for those sides of the proposed telecommunication facility that are located outside of public view.

(9) Signage – No tower shall be used for advertising of any type. However, the name of the facility owner with an emergency contact number and one or more "No Trespassing" signs shall be affixed to the security fence with occupant signs not exceeding one (1) square foot in area each. Placement of signs, other than those described, is strictly prohibited.

(10) Parcel/lot size -

a. There is no minimum required lot or parcel size on land leased for internal placement of a telecommunication facility where the land's primary use is other than the tower.

b. Minimum required parcel or lot size on land where a telecommunication facility is the primary use shall be five thousand (5,000) square feet, except in the Transportation/Utility category which has no minimum.

15.5.9 Replacement - Change-out and replacement towers may be constructed in the same location as the original tower, including within easements and/or

rights-of-way, up to fifty (50) feet from the original location, so long as there is compliance with required setbacks and all other applicable standards of this Section.

15.5.10 Telecommunication Facilities on City-Owned Property

A. Siting on City-owned properties – The siting of new telecommunication facilities is encouraged on appropriate City-owned properties. Table 15-1 lists City-owned properties that may be considered. This list is not exhaustive and other sites may be considered. Locating of telecommunication facilities on City-owned property requires approval by the City of a lease, which indicates the grant of authority to utilize City-owned property for such purpose.

B. Expedited review – Applications for telecommunication facilities sited on City-owned property shall have an expedited review.

C. Waiver request – All new tower justification, setback, fencing, and landscaping standards shall apply unless waived by the DCO. Written justification for a requested waiver shall accompany the siting application.

D. Building standards and lease requirements – The telecommunication facility owner shall comply with all applicable building standards and lease

requirements, including indemnification of the City from any liability resulting from natural or man-made events.

15.5.11 Federal Requirements, Safety Standards, and Inspections

(1) Communication towers and antennas must meet current standards and regulations of the FAA, FCC, and any other agency of the federal revised standards and regulations shall constitute grounds for removal of the tower or antenna at the owners expense.

(2) Towers and antennas must be constructed, installed, and maintained in accordance with applicable building and associated codes and engineering specifications and, in addition, must meet the standards set forth by the Electronic Industries Association. If the Building Official at any time finds that the structural integrity of a telecommunication facility constitutes a hazard to persons or property, the owner of the facility shall be given written notice of the condition.

The owner will have up to thirty (30) days to remove the hazard or make the telecommunication facility structurally sound in accordance with the standards set forth in the applicable codes as determined by the Building Official.

Table 15-1: City-Owned Property

LOCATION	DESCRIPTION	LAND USE
Vonn Rd	Effluent reuse tank site	T/U
119 th St	Whitesell Field	R/OS
Starkey Rd	Effluent tank site	IL
8 th Ave. SW	Public Works Complex (1 existing)	T/U
Loins Club Rd	Northeast Park (1existing)	R/OS
Lake Ave.	Football complex	R/OS
Belcher Rd.	Soccer complex	R/OS
8 th Ave. SW	Old land fill	R/OS
145 th St. N	Old paragon site	R/OS
Belcher Rd.	Fire Station #42	I
Ulmerton Rd.	Fire Station #38	I

(3) Every two (2) years from the date of original building permit issuance, telecommunication tower facility owners shall inspect the facilities and submit to the City certification of structural integrity and electrical and radio frequency compliance with applicable law at the time of the certification and shall be signed by an engineer licensed to practice in the State of Florida. Failure to inspect and provide the required certification shall result in inspection by the City with costs being borne by the facility owner.

15.5.12 Removal of Abandoned Telecommunication Facilities - Any telecommunication facility which is not operated for a period of twelve (12) consecutive months shall be considered abandoned. The Building Official shall determine the date of abandonment. Upon written demand by the City, the owner of an abandoned telecommunication facility or the land owner shall remove it according to the schedule set by the DCO. Cost of removal shall be borne by the original telecommunication facility applicant or land owner. Upon removal, all previous development permits shall expire, and any future applications for construction of a new telecommunication facility shall be processed as if no previous facility had been constructed on the site.

15.5.13 Application and Approval Procedures

A. Applications for installation of new antennas or antenna arrays, and applications for antenna co-location installations not requiring new communication towers, shall be reviewed by the Building Official or his/her designee and a development permit issued upon a determination that the applicant has complied with all appropriate standards.

B. Applications for minor modifications to existing telecommunication facilities, specifically applications requesting to increase or decrease the height of

existing towers by no more than twenty (20) percent, change-out an existing tower with a new one, or similar activities, shall be processed and development permits issued by the Building Official or his designee provided there is compliance with all other applicable standards.

15.5.14 Appeals – A decision by the DCO that an acceptable alternative to a new communication tower is available may be appealed to the Planning Board, per the requirements contained in Section 4.5.

Section 15.6 Religious Institutions

15.6.1 Purpose - To allow the exercise of religion as protected by the First Amendment of the U.S. Constitution while safeguarding the rights of established businesses in the community.

15.6.2 Applicability: All religious institutions, as defined in Chapter 20.

15.6.3 Restrictions

A. Storefront religious institutions

(1) Amendments to a storefront religious institution shall not generate more traffic or other impacts that would result in a shopping center to exceed the permitted capacity for parking and other development standards.

(2) If one or more religious institutions will occupy a combined total of ten (10) percent or more of the gross leasable floor area of a shopping center or structure, the site must undergo the site plan review process.

(3) Establishment of a storefront religious institution in an existing shopping center does not require site plan review.

(4) The location of a religious institution shall be allowed within three hundred (300) feet of an existing conforming adult use or an alcohol licensed premise. However, the conforming status of the adult use or alcohol licensed premise shall cease upon vacation of the premises for one hundred eighty (180) days or more.

B. Development standards – The development of a religious institution shall undergo compatibility review and may be subject to more stringent requirements than provided under the performance standards of this CDC in order to mitigate potential impacts of traffic circulation, parking, and noise.

C. Accessory uses - Only those uses specifically allowed within each land use designation, as provided in *Table 6-1* of this CDC, shall be allowed as accessory uses to religious institutions.

Examples:

(a) Within the Residential Low Medium land use designation, a religious institution, such as a church, may have a day care center as an accessory use, but it shall not be allowed to have a halfway house or homeless shelter as an accessory use.

(b) Within the Commercial General land use designation, a religious institution may have a day care center, a single ancillary dwelling unit, a halfway house, and/or homeless shelter as an accessory use.

Section 15.7 Light Manufacturing (Class A Uses)

15.7.1 Purpose – To protect less intensive surrounding uses from the potential negative impacts of light manufacturing uses.

15.7.2 Applicability – Light manufacturing involves the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, storage, sales, and distribution of such products.

15.7.3 Standards – This type of use is typically not externally identifiable as a manufacturing use due to the relatively "clean" and self-contained nature of its operation. The following standards shall supplement the other standards of this CDC:

A. Noise standards – All uses must be in compliance with noise standards contained in the City Code of Ordinances.

B. Adjacent commercial space – If a light manufacturing use is proposed for an existing commercial structure which immediately abuts, or has a common wall with a less intensive commercial use, adequate building modifications will be required to attenuate any potential impact to the adjacent commercial space.

C. Exterior storage – Outdoor activities are allowed only if approved as part of the site plan review process. All outdoor activities is limited to no more than fifty (50) percent of the total site area, excluding all area that is required for buffers, parking, and vehicular access.

D. Deed restriction – Applicants for development of a light manufacturing use on commercially designated land, who cannot meet general commercial standards, shall be required to execute a deed restriction limiting future uses to those consistent with or less intensive than the manufacturing use, which shall be recorded in the official records for Pinellas County.

Section 15.8 Property Designated as Residential High (RH) - Development on a parcel of land with the RH land use designation shall be governed by the following restrictions:

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A. Direct road access – Development shall have direct access to at least one principal/minor arterial road;

B. Maximum dwelling units per acre – Any development exceeding twenty-four (24) dwelling units per acre shall require a Development Agreement. No development shall exceed thirty (30) dwelling units per acre;

C. Placement within an activity center – All developments shall be located within either the Ulmerton Road/Seminole Boulevard (Largo Mall) or the Highway 19/Roosevelt Boulevard Major Activity Centers, as depicted in the City of Largo Strategic Action Plan and defined by the City of Largo Comprehensive Plan;

D. Intersection proximity - All developments shall be located within a half-mile radius of the intersections between principal/minor arterial roads. Upon petition by the applicant, the Development Control Officer (DCO) may waive the half-mile radius requirement provided the applicant clearly demonstrates the proposed development is compatible with the surrounding land use;

E. Setbacks from residential – Building setbacks from a shared property line with single family homes or a low density (7.5 dwelling units per acre or less) residential FLUM designation shall be a minimum of fifteen (15) feet. The setback area shall consist of

landscaped green space. Parking, driveways and loading areas are not permitted within this setback area;

F. Building height step-downs – Buildings adjacent to single family homes or a property with a low density (7.5 dwelling units per acre or less) residential FLUM designation shall be buffered, in accordance with Chapter 10 of the CDC, and stepped down in height to minimize impacts on the single family homes or future low density development;

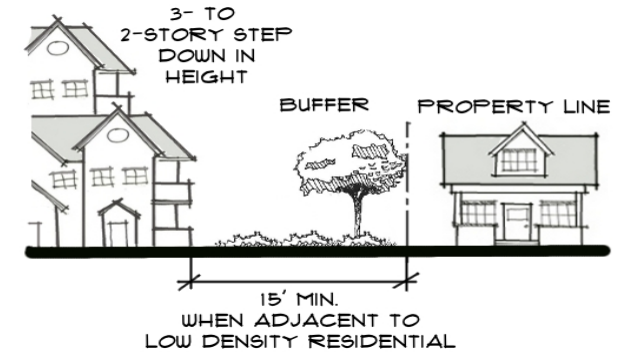
G. Transit facility – A bus transit facility shall be provided to serve the proposed development, unless the applicant can adequately demonstrate there are sufficient transit facilities present near the site to serve the proposed development or the Pinellas Suncoast Transit Authority (PSTA) determines such a transit facility is not economically viable or desirable;

H. Sidewalk connection – A direct sidewalk connection from the proposed development shall be provided connecting to the public sidewalk network;

I. Plan support – Only proposed developments that support the redevelopment policies contained within the City's Comprehensive Plan and Strategic Plan shall be considered for the RH designation; and

J. Neighborhood information meeting – Development subject to site plan review as defined in the CDC

Figure 15-3: RH Property Next to Low Density Residential



located adjacent to residential properties shall have a neighborhood information meeting with surrounding property owners, in accordance with Subsection 3.3.2 of this CDC.

Section 15.9 Drive-Thru Facilities

15.9.1 Applicability – A drive-thru facility is a commercial facility which provides a service directly to a motor vehicle or where the customer drives a motor vehicle onto the premise and to a window or mechanical device through or by which the customer is serviced without exiting the vehicle. Fueling stations, or the accessory functions of a car wash and/or vacuum cleaning stations are not considered drive-thru facilities.

15.9.2 General Placement – Drive-thru facilities must be placed to the rear or interior of the site. Drive-thru

facilities may be placed adjacent to streets if one or more of the following conditions is present:

A. The rear or interior side of the site is less than thirty (30) feet from an adjacent residential property line as measured at the narrowest point between the residential property line to the closest point of the drive-thru lane.

B. Location in the rear or interior side of the site is impractical due to the physical constraints of the lot or concerns regarding vehicle and pedestrian safety.

15.9.3 Design Standards

A. Stacking lane requirements – Drive-thru lanes shall be constructed with the necessary vehicle stacking capacity so that vehicles using drive-thru lane do not overflow into the on-site parking aisles, public street right-of-way or public streets.

(1) Number – All facilities must provide no fewer than three (3) stacking spaces total (includes two stacking spaces plus one space per window).

(2) Dimensions – Stacking spaces shall be a minimum of ten (10) feet wide by twenty (20) feet long.

(3) Location – Stacking lanes shall not conflict with the following:

a. Parking space access;

- b. Required loading and trash storage areas; or
- c. Pedestrian access ways.

B. Bypass lane(s), ingress and egress locations - The location of bypass, ingress and egress locations shall be determined at the time of site plan review and as approved by the City Engineer. If required, bypass lane(s) shall be at least nine (9) feet wide.

C. Drive-thru entrance – The entrance into the drive-thru lanes shall not conflict with general access to the site.

15.9.4 Compatibility Standards

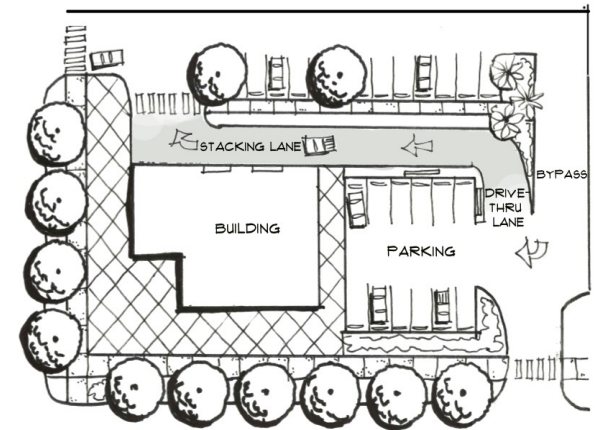
A. Residential separation – The minimum distance from a drive-thru lane to any residential area shall be thirty (30) feet as measured at the narrowest point between the residential property line to the closest point of the drive-thru lane.

B. Residential alleys or driveways – Alleys or driveways in residential areas adjacent to drive-thru facilities shall not be used for circulation of customer traffic.

C. Other issues – More strict development standards may be applied to properly mitigate site specific compatibility problems.

15.9.5 Design Standards in the West Bay Drive Community Redevelopment District – In addition to

Figure 15-4: Conceptual Drive-Thru Site Plan



the requirements of Section 15.9.1-4, drive-thrus within the West Bay Drive CRD must meet the following standards:

A. Placement of drive-thru service window(s), bays or lanes and all stacking lanes – shall be located as far as practical from any street or major pedestrian route and shall be located at the rear and/or side of the building.

B. Pedestrian circulation

(1) Pedestrian circulation within the site shall be well marked, both for the operator of a vehicle and for the pedestrian.

(2) The design of drive-through facilities shall allow for convenient, comfortable, and safe pedestrian

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movement between the building and street sidewalks and transit stops.

C. Architecture and site design – The architecture and site design within the West Bay Drive CRD shall conform with the design standards contained in the West Bay Drive Community District Redevelopment Plan, 2010 edition.

D. Restrictions – Between Missouri Avenue/ Seminole Boulevard and Clearwater Largo Road, there shall be no entrances or exits to drive-thrus onto West Bay Drive.

15.9.6 Determination of compliance – The DCO shall be authorized to determine compliance with the provisions of this Section. The DCO may approve a site plan that varies from these standards in order to accommodate unique site features or to provide a more innovative site design, provided that the DCO finds that the alternative plan fulfills the purpose and intent of this Section.

Section 15.10 Temporary Recreational Vehicle Storage

A. Purpose – To set forth standards that will allow the safe, convenient, temporary storage of recreational vehicles within residential land uses, while preserving and protecting the aesthetics of the City's residential neighborhoods. In terms of this subsection of the

Code “temporary” shall mean for a period not to exceed one (1) year.

B. Standards – Temporary recreational vehicle storage is allowed in all residential and nonresidential areas, subject to meeting all appropriate performance standards. In addition, all of the following standards shall be met as conditions for approval:

- (1) A neighborhood information meeting shall be required.
- (2) All temporary recreational vehicle storage areas shall be required to be fenced or otherwise secured to provide security. All fences shall conform to the accessory use requirements for fences.
- (3) Proper maintenance of the site including erosion control and tree protection standards of this CDC shall be applied to the property. Failure to comply will result in the revocation of approval.
- (4) The site shall be used only for storage purposes, and none of the recreational vehicles on-site shall be used for residential purposes. No sewer, water, or other utility hookup to the stored recreational vehicles shall be permitted.
- (5) A Business Tax Receipt shall be required.
- (6) At the end of one (1) year, approval of the use may be continued only after the owner re-applies for a

temporary recreational vehicle storage facility permit, meets the required criteria, and renews the occupational license. If, upon application for renewal, the Community Development Department has no history of complaints about the site, the compatibility meeting may be waived by the DCO.

(7) Signage shall conform to the sign standards of this CDC (Chapter 12).

Section 15.11 - Donation Bins

15.11.1 Purpose- To protect the aesthetics, cleanliness, and character of the City of Largo and to mitigate the potential negative impacts of unattended donation bins upon adjacent properties and the health, safety and welfare of Largo’s citizens by reducing or eliminating the nuisance, blighted and neutral manner, based upon reasonable time, place and manner restrictions, that this section is not intended to and does not operate to discriminate against any particular viewpoint or content, and that this section is not intended to and does not operate to discriminate based on the charitable or other purpose of the owner or operator of the donation bin.

15.11.2 Applicability - The standards of this Section apply to donation Bins as defined in Chapter 20.1.D(19) of the Comprehensive Development Code.

15.11.3 - Standards

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A. Dimensions of the Donation Bin- shall not exceed the following:

- (1) Maximum Height- Seven (7) feet.
- (2) Maximum Width- Five (5) feet.
- (3) Maximum Length- Five (5) feet.

B. Construction & Maintenance – Donation Bins shall adhere to the following construction & maintenance standards:

- (1) Construction – Shall be constructed of durable, waterproof, non-flammable material and shall be maintained with no structural damage, holes, graffiti, or visible rust.
- (2) Surrounding Area – Donation Bins shall be emptied of their contents as often as necessary, but no less than one (1) time per calendar week, to prevent overflow.
- (3) Content Retrieval – The interior of Donation Bins shall be accessed by use of a receiving door which shall remain locked at all times to prevent access to the interior of the Donation Bin by anyone other than those persons responsible for retrieval of contents.

C. Location – Donation Bins are to be located so as not to interfere with visibility triangles, on-site pedestrian and vehicular circulation, required setbacks for an accessory use, landscape buffers, required on-site

parking, or any other requirements of the Comprehensive Development Code or any other requirement or condition that may be imposed as part of an approved site plan for the premises. Donation Bins shall not be located within the proximity of any storm water utility or drainage system. No donation Bin shall be located within five hundred (500) feet of any other Donation Bin. Provided, however, that a Donation Bin existing in the city on July, 1, 2016, will be grandfathered in from complying with the limitation on placement of a Donation Bin within five hundred (500) feet of another donation Bin as long as that Donation Bin is not moved to another location, whether on the same property or a different property, and is not abandoned. A donation bin shall be considered abandoned when, for a period of sixty (60) days or more it is not emptied as required by this section, and/or when the individual/entity responsible for the Donation Bin fails to respond to the City's requests to maintain and empty the date notice is sent to the Donation Bin operator and/or property owner that the Donation Bin has been identified as abandoned.

(1) Future Landuse – Donation Bins are prohibited from being placed in the following Future Land Use classifications: Residential Rural, Residential Urban, Residential Estate, Residential Low, Residential Low-Medium, Residential Medium, Residential Suburban,

and Residential High.

(2) Signage – Any signage placed on a Donation Bin shall meet the standards of Chapter 12, Sign Standards, of this Code and shall count against the allowed aggregate sign area of the project or property within which the Donation Bin is located.

D. Disclosure – All Donation bins within the City of Largo are required to display the name, address, telephone number, and, if available, the Internet Web address and email address of the organization owning/operating the Donation Bin clearly on the exterior of the bin. All individuals or entities owning/operating Donation Bins in the City shall be responsible to register each donation Bin with the City by providing the City's Community Development Department the same disclosure information identified above for display on the Donation Bins, any additional contact information the owner/operator has made available to the property owner where the Donation Bin is located, in addition to identifying the location of each Donation Bin by address and/or parcel identification number. This registration shall be updated annually with the City on or before October 1st of each year.

15.12 Medical Marijuana Treatment Centers

15.12.1 Purpose - To provide development standards for the proper location of retail medical cannabis

dispensing facilities operated by a Medical Marijuana Treatment Center as defined in Article X, Section 29(b)(5) of the Florida Constitution and approved by the Florida Department of Health or its successor agency.

15.12.2 Applicability - This Section applies to medical cannabis dispensing facilities operated by a Medical Marijuana Treatment Center as defined in Article X, Section 29(b)(5) of the Florida Constitution.

15.12.3 Locational Restrictions -

A. Medical Marijuana Treatment Center Dispensing Facilities shall be allowed within the same future land use designations where pharmacies are allowed.

B. No Medical Marijuana Treatment Center Dispensing Facility shall be located within 500 feet of the real property that comprises public or private elementary, middle, or secondary school.

15.12.4 Review Procedures -

A. Medical Marijuana Treatment Center Dispensing Facility(ies) – Where allowable, these facilities shall be administratively reviewed (Level I or II).

B. At time of application and at all times through such use and occupancy, the applicant shall produce current written evidence from the Florida Department of Health, or its successor agency, that the applicant is approved as a Medical Marijuana Treatment Center as

defined in Article X, Section 29(b)(5) of the Florida Constitution.

15.12.5 Standards -

A. Medical Marijuana Treatment Center Dispensing Facilities shall be subject to the same standards for permitting and determining their location as those standards for permitting or determining the locations for pharmacies licensed under chapter 465, Florida Statutes.

B. Parking shall be provided in accordance with the General Commercial parking requirements contained in Table 9-2.

C. The dispensing location of a Medical Marijuana Treatment Center shall comply with all sign restrictions in Section 381.986(8)(h)(1), Florida Statutes.

D. The operator shall at all times be approved by the Florida Department of Health, or its successor agency, as a Medical Marijuana Treatment Center under Section 381.986(8)(a), Florida Statutes (2017) and shall produce evidence of such approval upon request.

15.13 Microbreweries & Micro-distilleries

15.13.1 Purpose – Microbreweries and micro-distilleries are a unique combination of industrial and commercial uses and they typically are located in one

of these land uses. This section is intended to protect less intensive surrounding uses from the potential negative impacts of a microbrewery or micro-distillery in transitional locations.

15.13.2 Applicability - This section applies to all microbreweries and micro-distilleries.

15.13.3 Standards - In addition to the general development standards, and where applicable, use specific development standards for restaurant or retail uses, an establishment that meets the definition of a microbrewery or a micro-distillery shall comply with the following:

A. A taproom, tasting room, a restaurant, or retail sales may be permitted in conjunction with a microbrewery or micro-distillery. However, in a Residential/Office/Retail (ROR) land use, a microbrewery or micro-distillery shall only be permitted in conjunction with a taproom, tasting room, a restaurant, or retail sales.

B. No more than seventy-five (75) percent of the total gross floor area of the establishment shall be used for the microbrewery or micro-distillery function including, but not limited to, the brewhouse, boiling and water treatment areas, bottling and kegging lines, milling, storage, fermentation tanks, conditioning tanks and serving tanks.

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C. All mechanical equipment visible from the street (excluding alleys) or adjacent to residential uses shall be concealed.

D. Distance regulations under Section 4-1(b)(1) of the Code of Ordinances are to be adhered to, however, a conditional use, which shall be conditional under the standards set forth in Section 4.2 of this Code, can be requested by the business owner when a microbrewery or micro-distillery does not meet the 300 foot distance separation requirement. In order to apply for a conditional use review, the microbrewery or micro-distillery shall be subject to the following requirements:

- 1) Provide a map showing the distance from any church, public school site, or county licensed child care facility. The distance measured will be from the property line of the church, public school site or county licensed child care facility closest to the parcel upon which alcohol will be sold for consumption on premises in a straight line to the nearest outer edge or wall of the business structure.
- 2) Identify the opening and closing times for the sale and/or consumption of alcoholic beverages.
- 3) Submit signed letter(s) from the church, public school site, or county licensed child care facility stating no objection to the reduced distance request and the designated opening and closing times for the

microbrewery or micro-distillery's tap room, tasting room, or retail sales operations.

An application for a conditional use under this section shall be processed in accordance with Section 4-2 of this Code.

15.14 Regional Breweries

15.14.1 Purpose – Regional Breweries are typically industrial and they usually are located in industrial land uses. This section is intended to protect less intensive surrounding uses from the potential negative impacts of a regional brewery in transitional locations.

15.14.2 Applicability - This section applies to all regional breweries.

15.14.3 Standards - In addition to the general development standards, and where applicable, an establishment that meets the definition of a regional brewery shall comply with the following:

- A) A regional brewery shall follow the rules and regulations that are established for a manufacturing use.
- B) A minimum of fifty percent (50%) of the total gross floor area of the establishment shall be used for the brewery function including, but not limited to, the brewhouse, boiling and water treatment areas,

bottling and kegging lines, malt milling and storage, fermentation tanks, conditioning tanks and serving tanks.

C) A taproom, tasting room, or retail sales shall be an allowable ancillary use with a regional brewery.

D) Distance regulations under Section 4-1(b)(1) of the Code of Ordinances are to be adhered to, however, a conditional use, which shall be conditional under the standards set forth in Section 4.2 of this Code, can be requested by the business owner when a regional brewery does not meet the 300 foot distance separation requirement. In order to apply for a conditional use review, the regional brewery shall be subject to the following requirements:

- (1) Provide a map showing the distance from any church, public school site, or county licensed child care facility. The distance measured will be from the property line of the church, public school site or county licensed child care facility closest to the parcel upon which alcohol will be sold for consumption on premises in a straight line to the nearest outer edge or wall of the business structure;
- (2) Identify the opening and closing times for the sale and/or consumption of alcoholic beverages; and
- (3) Submit signed letter(s) from the church, public school site, or county licensed child care facility

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stating no objection to the reduced distance request and the designated opening and closing times for the regional brewery's tap room, tasting room, or retail sales operations.

An application for a conditional use under this section shall be processed in accordance with Section 4-2 of this Code.

15.15 Kennels

15.15.1 Purpose – To set forth standards that will allow safe, convenient and clean animal care facilities to provide services in the community, while preserving and protecting the aesthetics of the City. In terms of this subsection of the Code, "kennel" shall mean a small shelter for a dog or cat, which may include animal boarding facilities and animal grooming establishments as defined within the standards set forth.

15.15.2 Standards – Kennels are subject to meeting the following appropriate performance standards to be met as conditions for approval:

A. Location – Kennels may be located in a Commercial, Mixed Use or Industrial land use designation.

B. Design Standards

(1) Setback – Any outdoor pen or run-feeding station

must be seventy-five (75) feet from abutting residential property;

(2) Indoor animal boarding is permitted;

(3) All outdoor runs shall be screened by an opaque barrier such that the runs are not visible from adjacent properties or public right-of-ways and separate "doggie walk" from drainage facilities;

(4) If adjacent to residential property, no animal shall be permitted in open run areas between the hours of 7:00pm and 7:00am; and

(5) An animal waste management plan shall be provided at the time of site plan review.

C. Accessory uses - Animal grooming may be permitted as an accessory.

15.16 Animal Grooming

15.16.1 Purpose – To set forth standards that will allow safe, convenient and clean animal grooming facilities to provide services in the community, while preserving and protecting the aesthetics of the City.

15.16.2 Standards – Animal grooming establishments are subject to meeting the following appropriate performance standards to be met as conditions for approval:

A. Location – Animal grooming establishments may

be allowed in Commercial, Mixed Use or Industrial land use designation.

B. Design Standards -

(1) All animals shall be keep indoors; and

(2) An animal waste management plan shall be provided at the time of site plan review.

C. Accessory Uses - Animal grooming establishments shall not keep any animal overnight for the purpose of boarding. No animal grooming establishment shall be utilized as living quarter by any person, nor shall the same be equipped or furnished with sleeping or cooking facilities for humans.