



31 WHEREAS, the Village Charter empowers the Village Council to adopt, amend or  
32 repeal its ordinances and resolutions as may be required for the benefit of the residents of  
33 the Village of Pinecrest; and

34 WHEREAS, the Local Planning Agency, held a duly advertised public hearing on  
35 September 23, 2014; and

36 WHEREAS, after reviewing the Local Planning Agency's recommendations, the  
37 recommendations of Village staff, and comments from the public, the Village Council finds  
38 that the proposed amendments to its Code of Ordinances and Land Development  
39 Regulations are in compliance and consistent with Florida law, its adopted  
40 Comprehensive Development Master Plan, Pinecrest Parkway (US 1) Vision Plan, and  
41 Green Plan of Action and Sustainable Procedures Policy; and

42 WHEREAS, the Village Council further finds it to be in the best interest of the public  
43 health, safety and welfare of the citizens to adopt the ordinance amending the Village's  
44 Code of Ordinances and Land Development Regulations;

45 NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE  
46 VILLAGE OF PINECREST, FLORIDA:

47  
48 SECTION 1. Recitals.

49 The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being  
50 true, correct and reflective of the legislative intent underlying this Ordinance and are  
51 hereby made a specific part of this Ordinance.

52 SECTION 2. Amendment and Adoption.

53 The amendments to the Code of Ordinances and Land Development Regulations,  
54 attached hereto and incorporated herein as Exhibit "A", are hereby adopted.

55

Note:  
~~Strikethrough words~~ are deletions to the existing words in the Land Development Regulations.  
Underlined words are additions to the existing words in the Land Development Regulations.

56 SECTION 3. Inclusion in the Code of Ordinances.

57 It is the intention of the Village Council and it is hereby ordained that the  
58 amendments to the Code of Ordinances and Land Development Regulations made by this  
59 Ordinance as set forth in Exhibit "A" shall become part of the Code of Ordinances, and  
60 that the sections of this Ordinance may be renumbered and relettered as necessary, and  
61 that the word "Ordinance" may be changed to "Section, "Article" or other appropriate  
62 word.

63 SECTION 4. Conflicts.

64 All ordinances or parts of ordinances and all resolutions or parts of resolutions in  
65 conflict with the provisions of this Ordinance are hereby repealed.

66 SECTION 5. Severability.

67 If any section, clause, sentence or phrase of this Ordinance is for any reason held  
68 invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect  
69 the validity of the remaining portions of this Ordinance.

70 SECTION 6. Effective Date

71 This Ordinance shall be effective immediately upon passage by the Village Council  
72 on second reading, except that amendments to Divisions 4.2, 5.19 (a), and 5.27 of the

Note:

~~Strikethrough words~~ are deletions to the existing words in the Land Development Regulations.

Underlined words are additions to the existing words in the Land Development Regulations.

73 Land Development Regulations as provided in Exhibit "A" shall become effective on April  
74 1, 2015.

75 PASSED on first reading this 23<sup>rd</sup> day of September, 2014.

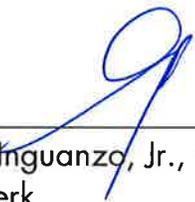
76 PASSED AND ADOPTED on second reading this 14th day of October, 2014.

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Cindy Lerner, Mayor

ATTEST:

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\_\_\_\_\_  
Guido H. Inguanzo, Jr., CMC  
Village Clerk

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APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
Mitchell Bierman  
Village Attorney



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Motion on Second Reading by: Vice Mayor Corradino  
Second on Second Reading by: Councilmember McDonald  
Vote: Councilmembers Cutler, McDonald, Ross, Vice Mayor Corradino, and Mayor Lerner voting Yes

Note:  
~~Strikethrough words~~ are deletions to the existing words in the Land Development Regulations.  
Underlined words are additions to the existing words in the Land Development Regulations.

## EXHIBIT A

- CODE OF ORDINANCES VILLAGE OF PINECREST, FLORIDA  
Chapter 30 - LAND DEVELOPMENT REGULATIONS

ARTICLE 4. - ZONING DISTRICT REGULATIONS

**ARTICLE 4. - ZONING DISTRICT REGULATIONS** <sup>[21]</sup>

[Div. 4.2. - Residential districts.](#)

[Div. 4.3. - Commercial districts.](#)

[Div. 4.6. - Summary tables.](#)

**Div. 4.2. - Residential districts.**

(a) *Purpose and densities.* The purpose of the residential districts is to help implement comprehensive development master plan residential development objectives and policies. The residential districts established herein designate the maximum residential density that may be developed within the respective residential districts based upon the plan.

1. *Low density residential districts.*

a. Low density residential districts shall allow the following density:

TABLE 4.1

Low Density Residential Districts	Maximum Density Allowed
Residential estate: EU-1C	One unit per two and one-half gross acres
Residential estate: EU-1	One unit per gross acre
Residential suburban estate: EU-S	One unit per 25,000 gross square feet.
Residential modified estate: EU-M	One unit per 15,000 net square feet.
Residential single-family: RU-1	One unit per 7,500 net square feet.
Residential duplex: RU-2	One two-family structure per 7,500 net square feet.

b. The intent of the low density residential districts is to: Protect the quality and character of residential estates and single-family neighborhoods from encroachment by incompatible development; preserve open space; achieve and maintain densities that are compatible with existing and future developments; promote compatibility with natural features of the land; and minimize burdens on public services and facilities.

2. *Multi-family residential districts.*

a. Multi-family residential districts shall allow the following net density:

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TABLE 4.2

Multi-Family Residential Designations	Maximum Net Density Allowed
Residential multi-family low density; RU-3	9.3 units per net acre
Residential multi-family moderate density: RU-3M	12.9 units per net acre
Residential multi-family low-medium density: RU-4L	23 units per net acre
Residential multi-family medium-high density: RU-4M	<a href="#">36</a> units per net acre
Residential multi-family high density: RU-4	50 units per net acre

- b. The intent of the multi-family residential districts is to: Provide opportunities for multiple family development at a density consistent with the needs and values of the village population; reserve open space; achieve and maintain densities that are compatible with existing and anticipated future developments; promote compatibility with natural features of the land; and minimize burden on supportive public services and facilities within the area.

(b) *Residential estate (EU-1C) district.*

1. *Uses permitted.* The following uses shall be allowed within an EU-1C district:
  - a. Single-family residential dwellings;
  - b. Foster care and group homes with fewer than seven residents; and
  - c. Government facilities following a public hearing conducted by the village council.
2. *Conditional uses.* Within the EU-1C district the following uses may be approved by the village council but only as a conditional use
  - a. Public utilities.
3. *Accessory uses.* Within the EU-1C district the administrative official may approve the following uses but only as an accessory use, pursuant to procedures set forth in this Code for the principal use of the property:
  - a. Accessory units. An affidavit stating the limited purpose of the unit shall be signed and the owner shall certify that the accessory unit shall remain compliant with the land development code;
  - b. Accessory structures;
  - c. Limited livestock;

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- d. Sale of homegrown produce limited to production and sale of produce grown on the premises; and
  - e. Bee keeping.
  - f. Accessory uses other than garages shall be located behind the rear wall or column of the principal structure or within an open courtyard screened from public view. Accessory structures may occupy no more than five percent of the total of 20 percent of the floor area ratio of the first story of the property.
4. *Prohibited uses.* All uses not specifically or provisionally provided for herein.
5. *Dimensional regulations.*
- a. *Minimum lot area:* Lots in the EU-1C district shall contain a minimum of 2.5 gross acres in area, including one-half of the rights-of-way adjacent to the site.
  - b. *Maximum density:* One principal dwelling unit per 2.5 acres.
  - c. *Maximum height:*
    - i. Principal use: One-story structure or portion of the structure that is one story: 24 feet. If the roof of the one story structure has a pitch of at least 6/12, then the peak of such roof may be 28 feet in height.  
  
Two-story structure or portion of the structure that is two stories ~~including the parapet:~~ 35 feet. However, any portion of the building or structure with a flat roof, **or sloped roof concealed by a parapet,** shall not exceed ~~24~~ **27** feet to the top of the roof or ~~including the~~ parapet.  
  
**Maximum height of the wall: 27 feet. Extensions or encroachments above the exterior wall(s) shall be limited to the roof, chimneys, and vents.**  
  
**Maximum height of truss heel: 1 foot**
    - ii. Accessory use: Accessory buildings **that are detached or not physically and permanently attached to the principal building with integrated structural elements including finished exterior and interior walls, an attached roof, and enclosed and finished air-conditioned interior space that provides interconnectivity between the principal and accessory uses shall not exceed 14 feet in height at a minimum required setback of 15 feet and shall not exceed 18 feet in height at a minimum required setback of 20 feet.**
  - d. *Maximum lot coverage:*
    - i. Maximum building coverage (inclusive of all structures): 20 percent.
    - ii. Maximum impervious surface ratio: 45 percent.
    - iii. Minimum green space: 55 percent.
  - e. *Minimum lot width and street frontage:* 150 feet.
  - f. *Minimum lot depth:* 250 feet. The measurement shall be from the centerline of the abutting front right-of-way.
  - g. *Minimum setbacks and maximum floor area ratios:* All development must comply with setbacks for wetlands. Also, the following setbacks and floor area ratios shall apply within the EU-1C district:

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TABLE 4.3

Structure	Required Setbacks and F.A.R. in EU-1C District.						
	Setbacks					Floor Area Ratio (F.A.R.)	
	Front	Rear	Between Buildings	Side	Side Street	Maximum 1st Floor	Maximum 2nd Floor
Principal one-story structure	50	25	N/A	20 <sup>(3)</sup>	25 30 <sup>(1)(6)</sup>	0.20	N/A
Principal two-story structure	50	25	N/A	20 <sup>(3)</sup>	25 30 <sup>(1)(6)</sup>	0.20	0.10
Accessory—General	<sup>(2)</sup>	15/20 <sup>(7)</sup>	10	20 <sup>(3)</sup>	25 30 <sup>(1)(6)</sup>	5 percent <sup>(4)</sup>	N/A
Accessory—Sheds <sup>(5)</sup>	<sup>(2)</sup>	5	10	5	25 30 <sup>(6)</sup>	5 percent	N/A

Notes:

- <sup>(1)</sup> See lot, corner (division [9.2](#)).
- <sup>(2)</sup> See accessory use regulations.
- <sup>(3)</sup> Lots whose frontage is less than 135 feet in width shall have an interior side yard setback on each side of 15 percent of the width with a setback of not less than 15 feet.
- <sup>(4)</sup> Uncovered swimming pools, pool patios and hard-surfaced tennis courts shall be excluded from F.A.R. calculations but shall be calculated as impervious surface.
- <sup>(5)</sup> Less than 100 square feet and less than eight feet in height.

**<sup>(6)</sup> Lots whose frontage is less than 150 feet in width shall have a side street setback of 25 feet.**

**<sup>(7)</sup> Detached accessory structures that are 14 feet or less in height shall be setback a minimum 15 feet from the rear property line; detached accessory structures that are more than 14 feet in height, and no more than the maximum permitted height of 18 feet, shall be setback a minimum of 20 feet from the rear property line.**

- h. *Minimum size living area:* 2,000 square feet.
- i. *Grandfather clause.* Existing structures in EU-1C zoning districts which conform to the Miami-Dade County Code as of March 12, 1996, a copy of which is on file in the Office of the village clerk, shall conform to that Code for setback lines for building additions.

(c) *Residential estate (EU-1) district.*

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1. *Uses permitted.* The following uses shall be allowed within an EU-1 district:
  - a. Single-family residential dwellings;
  - b. Foster care and group homes with fewer than seven residents; and
  - c. Government facilities following a public hearing conducted by the village council.
2. *Conditional uses.* Within the EU-1 district the following uses may be approved by the village council but only as a conditional use.
  - a. Public utilities.
  - b. Cluster developments, subject to the conditional use standards in [division 3.3](#) and [division 5.24](#)
3. *Accessory uses.* Within the EU-1 district the administrative official may approve the following uses as an accessory use, and shall be reviewed pursuant to procedures set forth in this Code for the principal use of the property:
  - a. Accessory units. An affidavit stating the limited purpose of the unit shall be signed and the owner shall certify that the accessory unit shall remain compliant with the land development code;
  - b. Accessory structures;
  - c. Limited livestock;
  - d. Sale of homegrown produce limited to production and sale of produce grown on the premises; and
  - e. Bee keeping;
  - f. Accessory uses other than garages shall be located behind the rear wall or column of the principal structure or within an open courtyard screened from public view. Accessory structures may occupy no more than five percent of the total of 20 percent of the floor area ratio of the first story of the property.
4. *Prohibited uses.* All uses not specifically or provisionally provided for herein.
5. *Dimensional regulations.*
  - a. *Minimum lot area:* One acre, including one-half of the rights-of-way adjacent to the site.
  - b. *Maximum density:* One principal dwelling unit per one gross acre.
  - c. *Maximum height*
    - i. Principal use: One-story structure or portion of the structure that is one story: 24 feet. If the roof of the one story structure has a pitch of at least 6/12, then the peak of such roof may 28 feet in height.

Two-story structure or portion of the structure that is two stories ~~including the parapet:~~ 35 feet. However, any portion of the building or structure with a flat roof, **or sloped roof concealed by a parapet,** shall not exceed **24 27** feet to the top of the roof or ~~including the~~ parapet.

**Maximum height of the wall: 27 feet. Extensions or encroachments above the exterior wall(s) shall be limited to the roof, chimneys, and vents.**

**Maximum height of truss heel: 1 foot**
    - ii. Accessory use: Accessory buildings **that are detached or not physically and permanently attached to the principal building with integrated structural**

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**elements including finished exterior and interior walls, an attached roof, and enclosed and finished air-conditioned interior space that provides interconnectivity between the principal and accessory uses shall not exceed 14 feet in height at a minimum required setback of 15 feet and shall not exceed 18 feet in height at a minimum required setback of 20 feet.**

- d. *Maximum lot coverage:*
  - i. Maximum building coverage (inclusive of all structures): 20 percent.
  - ii. Maximum impervious surface ratio: 45 percent.
  - iii. Minimum green space: 55 percent.
- e. Minimum lot width and street frontage: 125 feet.
- f. Minimum lot depth: 200 feet. The measurement shall be from the centerline of the abutting front right-of-way.
- g. Minimum setbacks and maximum floor area ratios: All development must comply with setbacks for wetlands. Also, the following setbacks and floor area ratios shall apply within the EU-1 district:

TABLE 4.4

Structure	Required Setbacks and F.A.R. in EU-1 District.						
	Setbacks					Floor Area Ratio (F.A.R.)	
	Front	Rear	Between Buildings	Side	Side Street	Maximum 1st Floor	Maximum 2nd floor
Principal one-story structure	50	25	N/A	20 <sup>(3)</sup>	25 30 <sup>(1)(6)</sup>	0.20	N/A
Principal two-story structure	50	25	N/A	20 <sup>(3)</sup>	25 30 <sup>(1)(6)</sup>	0.20	0.10
Accessory—General	<sup>(2)</sup>	15/20 <sup>(2)</sup>	10	20 <sup>(3)</sup>	25 30 <sup>(1)(6)</sup>	5 percent <sup>(4)</sup>	N/A
Accessory—Sheds <sup>(5)</sup>	<sup>(2)</sup>	5	10	5	25 30 <sup>(6)</sup>	5 percent	N/A

Notes:

- <sup>(1)</sup> See lot, corner (division [9.2](#)).
- <sup>(2)</sup> See accessory use regulations.

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- (3) Lots whose street frontage is less than 135 feet in width shall have an interior side yard setback on each side of 15 percent of the width with a setback of not less than 15 feet.
  - (4) Uncovered swimming pools, pool patios and hard-surfaced tennis courts shall be excluded from F.A.R. calculations but shall be calculated as impervious surface.
  - (5) Less than 100 square feet and less than eight feet in height.
  - (6) Lots whose frontage is less than 125 feet in width shall have a side street setback of 25 feet.**
  - (7) Detached accessory structures that are 14 feet or less in height shall be setback a minimum 15 feet from the rear property line; detached accessory structures that are more than 14 feet in height, and no more than the maximum permitted height of 18 feet, shall be setback a minimum of 20 feet from the rear property line.**
- h. *Minimum size living area:* 1,800 square feet.
- i. *Grandfather clause.* Existing structures in EU-1 zoning districts which conform to the Miami-Dade County Code as of March 12, 1996, a copy of which is on file in the office of the village clerk, shall conform to that Code for setback lines for building additions.
- (d) *Residential suburban estate (EU-S) district.*
1. *Uses permitted.* The following uses shall be allowed within the EU-S district:
    - a. Single-family residential dwellings;
    - b. Foster care and group homes with less than seven residents; and
    - c. Government facilities following a public hearing conducted by the village council.
  2. *Conditional uses.* Within the EU-S district the following uses may be approved by the village council but only as a conditional use.
    - a. Public utilities.
  3. *Accessory uses.* Within the EU-S district administrative official may approve the following uses, but only as an accessory use, pursuant to procedures set forth in this Code for the principal use of the property:
    - a. Accessory units. An affidavit stating the limited purpose of the unit shall be signed and the owner shall certify that the accessory unit shall remain compliant with the land development code;
    - b. Accessory structures; and
    - c. Other accessory uses. Accessory uses other than garages shall be located behind the rear wall or column of the principal structure or within an open courtyard screened from public view. Accessory structures may occupy no more than five percent out of the total of 30 percent of the floor area ratio of the property for a one-story.
  4. *Prohibited uses.* All uses not specifically or provisionally provided for herein.
  5. *Dimensional regulations.*
    - a. *Minimum lot size:* Lots in the EU-S district shall contain a minimum of 25,000 gross square feet in area, including one-half of the rights-of-way adjacent to the site.
    - b. *Maximum density:* One principal unit per 25,000 square feet in area.
    - c. *Maximum height:*

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- i. Principal use: One-story structure or portion of the structure that is one story: 24 feet. If the roof of the one story structure has a pitch of at least 6/12, then the peak of such roof may be 28 feet in height.

Two-story structure or portion of the structure that is two stories ~~including the parapet~~: 35 feet. However, any portion of the building or structure with a flat roof, **or sloped roof concealed by a parapet**, shall not exceed **24 27** feet to the top of the roof or ~~including the~~ parapet.

**Maximum height of the wall: 27 feet. Extensions or encroachments above the exterior wall(s) shall be limited to the roof, chimneys, and vents.**

**Maximum height of truss heel: 1 foot**

- ii. Accessory use: Accessory buildings **that are detached or not physically and permanently attached to the principal building with integrated structural elements including finished exterior and interior walls, an attached roof, and enclosed and finished air-conditioned interior space that provides interconnectivity between the principal and accessory uses shall not exceed 14 feet in height at a minimum required setback of 15 feet and shall not exceed 18 feet in height at a minimum required setback of 20 feet.**

d. *Maximum lot coverage:*

- i. Maximum building coverage (inclusive of all structures): 30 percent.
- ii. Maximum impervious surface ratio: 65 percent.
- iii. Minimum green space: 35 percent.

e. *Minimum lot width and street frontage:* 125 feet.

f. *Minimum lot depth:* 135 feet. The measurement shall be from the centerline of the abutting front right-of-way.

g. *Minimum setbacks and maximum floor area ratios:* All development must comply with setbacks for wetlands. Also, the following setbacks and floor area ratios shall apply within the EU-S district:

TABLE 4.5

Structure	Required Setbacks and F.A.R. in EU-S district.						
	Setbacks					Floor Area Ratio (F.A.R.)	
	Front	Rear	Between Buildings	Side	Side Street	Maximum 1st Floor	Maximum 2nd Floor
Principal one-story structure	35	<u>25</u>	N/A	20 <sup>(3)</sup>	25 <sup>(1)</sup>	0.30	N/A
Principal two-story	35	<u>25</u>	N/A	20 <sup>(3)</sup>	25 <sup>(1)</sup>	0.30	0.30

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structure							
Accessory—General	(2)	15/20 (6)	10	20 <sup>(3)</sup>	25 <sup>(1)</sup>	5 percent <sup>(4)</sup>	N/A
Accessory—Sheds <sup>(5)</sup>	(2)	5	10	5	25	5 percent	N/A

Notes:

- (1) See lot, corner (division [9.2](#)).
- (2) See accessory use regulations.
- (3) Lots whose street frontage is less than 135 feet in width shall have an interior side yard setback on each side of 15 percent of the width with a setback of not less than 15 feet.
- (4) Uncovered swimming pools, pool patios and hard-surfaced tennis courts shall be excluded from F.A.R. calculations but shall be calculated as impervious surface.
- (5) Less than 100 square feet and less than eight feet in height.

**(6) Detached accessory structures that are 14 feet or less in height shall be setback a minimum 15 feet from the rear property line; detached accessory structures that are more than 14 feet in height, and no more than the maximum permitted height of 18 feet, shall be setback a minimum of 20 feet from the rear property line.**

- h. *Minimum size living area:* 1,500 square feet.
- i. *Grandfather clause.* Existing structures in EU-S zoning districts which conform to the Miami-Dade County Code as of March 12, 1996, a copy of which is on file in the office of the village clerk, shall conform to that code for setback lines for building additions.

(e) *Residential modified estate (EU-M) district.*

1. *Uses permitted.* The following uses shall be allowed within an EU-M district:
  - a. Single-family residential dwellings;
  - b. Foster care and group homes with fewer than seven residents; and
  - c. Government facilities following a public hearing conducted by the village council.
2. *Conditional uses.* Within the EU-M district the following uses only may be approved by the village council but only as a conditional use.
  - a. Public utilities.
3. *Accessory uses.* Within the EU-M district the following uses shall but only as an accessory use, pursuant to procedures set forth in this Code for the principal use of the property:
  - a. Accessory units. An affidavit stating the limited purpose of the unit shall be signed and the owner shall certify that the accessory unit shall remain compliant with the land development code;
  - b. Accessory structures; and
  - c. Other accessory uses.

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- d. Accessory uses other than garages shall be located behind the rear wall or column of the principal structure or within an open courtyard screened from public view. Accessory structures may occupy no more than an additional five percent of the total 30 percent of the floor area ratio of the property.

4. *Prohibited uses.* All uses not specifically or provisionally provided for herein.

5. *Dimensional regulations.*

- a. *Minimum lot area:* Lots in the EU-M district shall contain a minimum of fifteen thousand (15,000) net square feet in area.
- b. *Maximum density:* One principal unit per 15,000 net square feet (i.e., shall not include any rights-of-way).

c. *Maximum height*

- i. Principal use: One-story structure or portion of the structure that is one story: 24 feet. If the roof of the structure has a pitch of at least 6/12, then the peak of such roof may be 28 feet in height.

Two-story structure or portion of the structure that is two stories ~~including the parapet:~~ 35 feet. However, any portion of the building or structure with a flat roof, **or sloped roof concealed by a parapet,** shall not exceed **24 27** feet to the top of the roof or ~~including the~~ parapet.

**Maximum height of the wall: 27 feet. Extensions or encroachments above the exterior wall(s) shall be limited to the roof, chimneys, and vents.**

**Maximum height of truss heel: 1 foot**

- ii. Accessory use: Accessory buildings **that are detached or not physically and permanently attached to the principal building with integrated structural elements including finished exterior and interior walls, an attached roof, and enclosed and finished air-conditioned interior space that provides interconnectivity between the principal and accessory uses** shall not exceed 14 feet in height.

d. *Maximum lot coverage:*

- i. Maximum building coverage (inclusive of all structures): 30 percent.
- ii. Maximum impervious surface ratio: 65 percent.
- iii. Minimum green space: 35 percent.

e. *Minimum lot width and street frontage:* 120 feet.

f. *Minimum lot depth:* 115 feet.

g. *Minimum setbacks and maximum floor area ratios:* All development must comply with setbacks for wetlands. Also, the following setbacks and floor area ratios shall apply within the EU-M district:

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TABLE 4.6

Structure	Required Setbacks and F.A.R. in EU-M District.						
	Setbacks					Floor Area Ratio (F.A.R.)	
	Front	Rear	Between Buildings	Side	Side Street	Maximum 1st Floor	Maximum 2nd Floor
Principal	<u>25</u>	<u>25</u>	N/A	<u>15</u>	25 <sup>(1)</sup>	0.30	0.30
Accessory—General	<sup>(2)</sup>	7.5	10	20	30 <sup>(1)</sup>	5 percent <sup>(3)</sup>	N/A
Accessory—Sheds <sup>(4)</sup>	<sup>(2)</sup>	5	10	5	25 <sup>(1)</sup>	5 percent	N/A

Notes:

- <sup>(1)</sup> See lot, corner (division [9.2](#)).
- <sup>(2)</sup> See accessory use regulations.
- <sup>(3)</sup> Uncovered swimming pools, pool patios and hard-surfaced tennis courts shall be excluded from F.A.R. calculations but shall be calculated as impervious surface.
- <sup>(4)</sup> Less than 100 square feet and less than eight feet in height.
  - h. *Minimum size living area:* 1,200 square feet.

**Div. 4.3. - Commercial districts.**

- (a) *General purpose of commercial districts.* The overall purpose of the commercial districts is to help implement comprehensive development master plan commercial development objectives and policies. The location and distribution of specific types of commercial activities shall be determined based on the following considerations:
  1. Existing and desired future trends in commercial land development within the village and its environs;
  2. Require that commercial development be consistent with the comprehensive development master plan and the land development code;
  3. Maintain the existing compact linear commercial core that serves the village;
  4. Protect environmentally sensitive natural systems, especially water resources, including storm water management policies designed to preserve water quality in the man-made canals east of the commercial area;
  5. Provide and maintain transportation and infrastructure system improvements and manage impacts of future development;

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6. Establish a basis for regulating the location, intensity, scale, and design of commercial development;
  7. Ensure that future commercial development shall not encroach eastward into established residential areas;
  8. Consider trip generation characteristics, including impact on transportation facilities and off-street parking systems;
  9. Consider location and site requirements based on specific needs of respective commercial activities, their market area, anticipated employment generation and floor area requirements;
  10. Provide compatibility with and impact on the quiet enjoyment of nearby residential areas and of other surrounding commercial activities; and
  11. Provide open space, landscaping and natural vegetative buffers and screening between residential and nonresidential developments as well as developments of varying intensity such as single-family and multiple-family residential uses. Manmade walls should only be used in cases where necessary to abate noise impacts.
- (b) *Generally.* The BU districts shall not accommodate permanent or transient residential units, including hotels or motels. The commercial land use districts herein established are as follows:

TABLE 4.13  
COMMERCIAL DISTRICTS

Office District:	RU-5
Restricted Business District:	BU-1
General Business District:	BU-1A
Special Business District:	BU-2
Intensive Business District:	BU-3

(c) *Office development (RU-5) districts.*

1. *Intent.* The RU-5 district is principally intended to accommodate office development and provide a buffer between more intense commercial (BU) districts on the east side of US 1 and west of the established residential EU and RU land use districts.
2. *Uses permitted.* The following uses shall be allowed within an RU-5 district following village council approval of a site plan pursuant to the procedures established in the Code:
  - a. Business and professional offices;
  - b. Financial institutions without drive-in teller facilities;
  - c. Government facilities following a public hearing conducted by the village council;

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- d. Medical services;
  - e. Mixed office and residential use. If sufficient lot area is available, an office building may contain an apartment(s) or other multi-family dwelling units. Similarly, if sufficient lot area is available, an office unit may have an accompanying residential use in connection therewith.
  - f. Multiple family residential;
  - g. Municipal parking lots and facilities following a public hearing conducted by the village council;
  - h. Townhouses; and
  - i. Foster care and group homes.
3. *Conditional uses.* Within the RU-5 district the following uses may be approved by the village council but only as a conditional use.
- a. Drive-thru banking facilities;
  - b. Child and family day care services for less than seven persons;
  - c. Community residential home with seven to 14 residents; and
  - d. Public utilities.
4. *Accessory uses.* Within the RU-5 district the following uses may be approved by the administrative official, but only as an accessory use, pursuant to procedures set forth in this Code for the principal use of the property:
- a. Recreational accessory uses;
  - b. Other accessory uses.
5. *Prohibited uses.* All uses not specifically or provisionally provided for herein. Multiple-family residential structures: The following properties shall not be developed for freestanding residential use, as each specific parcel was previously zoned RU-5A by the county prior to the enactment of this land development code. The previously applicable RU-5A County zoning policy did not allow residential use within the RU-5A district unless the residential use is in connection with an office use (i.e., mixed use as opposed to a free-standing residential structure). The intent of the village is to not change land use policies previously applicable to RU-5A properties under the county code.
- a. Two RU-5 parcels abutting the eastside of SW 69th Court, 200 feet ± south of SW 88th Street (Kendall Drive);
  - b. One parcel abutting the north side of SW 104th Street, 313 feet ± east of US 1;
  - c. One parcel abutting the south side of SW 104th Street, 129 feet ± east of US 1; and
  - d. One parcel abutting the southwest corner of SW 104th Street and SW 77th Avenue.
6. *Dimensional regulations.*
- a. *Minimum lot or building site.* The minimum lot or building site shall be 10,000 net square feet in area.
  - b. *Maximum density.* The maximum density shall be 50 dwelling units.
  - c. Maximum height:
    - i. *Principal use:* Two stories not exceeding 35 feet.

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- ii. *Accessory use*: 14 feet.
- d. Maximum lot coverage:
  - i. Maximum building coverage (inclusive of all structures): 40 percent.
  - ii. Maximum impervious surface: Ratio 75 percent.
  - iii. Minimum green space: 25 percent.
- e. Minimum lot width and street frontage: 100 feet.
- f. Minimum lot depth: 100 feet.
- g. Minimum setbacks and maximum floor area ratio: All development must comply with setbacks for wetlands stated in the Code. Also, the following setbacks and floor area ratios shall apply within the RU-5 district:

TABLE 4.14

Structure	Required Setbacks and F.A.R. in RU-5 District					
	Setbacks				Floor Area Ratio (F.A.R.)	
	Front	Rear	Between Buildings	Side Street	One-Story Building	Two-Story Building
Principal	<u>25</u>	<u>25</u>	20 <sup>(2)</sup>	<u>15</u>	0.40	0.51
Accessory	<sup>(3)</sup>	10	20	20	N/A	N/A

Notes:

<sup>(1)</sup> Twenty feet, except where doors, windows or other openings in the building wall of a living unit face a wall of the same building and/or a wall of another building on the same site, then a minimum clear distance shall be provided of not less than 30 feet. Said distance to be measured on a line projected at right angles at the opening to the opposite wall.

<sup>(2)</sup> See lot, corner (division [9.2](#)).

<sup>(3)</sup> See accessory use regulations.

7. *Green space and landscaping.*

- a. *Green space.* On each lot there shall be provided a green space equal to at least 25 percent of the total lot area. The required green space shall be unencumbered with any structure or off-street parking and shall be landscaped and well maintained with grass, trees and shrubbery, except that ten percent of any driveway or parking area constructed of open cell unit pavers (turf block) and two percent of any driveway or parking area

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constructed of brick pavers with a sand and/or gravel sub base or underlayment may be counted as green space.

- b. *Landscaping and tree protection.* Landscaping and trees shall be provided pursuant to article 6 of the land development code.

(d) *Restricted business development (BU-1) district.*

1. *Intent.* Businesses within the BU-1 district are located within the US 1 linear corridor and are intended to service neighborhood residential markets within the immediate vicinity, as opposed to village-wide or regional markets. Such businesses are also intended to cater to specialized markets with customized market demands. The BU-1 district is not intended to accommodate large-scale retail sales and trade activities generally serving a citywide or regional market. Such stores generally require a larger floor area, carry a relatively larger inventory, and require a substantially greater off-street parking area. For instance, the BU-1 district is not intended to accommodate the following: large scale discount stores or supermarkets; department stores; mini-storage, outside storage, wholesale or warehousing activities; sales, service or repair of motor vehicles, machine equipment or accessory parts, including tire and battery shops; automotive services centers; and drive through facilities.
2. *Uses permitted.* The following uses shall be allowed within an BU-1 district following village council approval of a site plan:
  - a. Bakeries, retail only;
  - b. Business and professional offices;
  - c. Dry cleaning (with cleaning off-premises);
  - d. Financial institutions without drive-through facilities;
  - e. Government facilities following a public hearing conducted by the village council;
  - f. General retail sales and services;
  - g. Medical services;
  - h. Municipal parking lots and facilities following a public hearing conducted by the village council;
  - i. Personal services;
  - j. Plant and garden sales and services;
  - k. Restaurants without drive-through facilities;
  - l. Veterinary medical services, without outside kennels; and
  - m. Retail sales of used merchandise, provided establishments offering such merchandise contain not more than 4,000 square feet of gross floor area; and
  - n. Other similar uses as determined by the village council.
3. *Conditional uses.* Within the BU-1 district the following uses may be approved by the village council, but only as a conditional use.
  - a. Sale of alcoholic beverages for consumption on the premises;
  - b. Clubs and lodges;
  - c. Child and family day care services;
  - d. Nursing homes, rest homes and convalescent homes; and

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- e. Public utilities.
- 4. *Accessory uses.* Within the BU-1 district the administrative official may approve as an accessory use only uses customarily incidental and subordinate to a principal permitted or conditional use. Such accessory uses shall be reviewed pursuant to procedures set forth in this Code for the principal use of the property.
- 5. *Prohibited uses.* All uses not specifically or provisionally provided for herein are prohibited. Any use not within a fully enclosed building is strictly prohibited. Similarly, the sale or distribution of material or merchandise, fruit or other commodities from trucks, wagons or other vehicles parked on or along public or private streets or from open stands or vacant lots, or from outside any permanent duly approved enclosed building is prohibited.
- 6. *Dimensional regulations.*
  - a. *Minimum lot area, lot frontage, and lot width.* Lots within the BU-1 district shall have a minimum lot frontage and lot width of not less than 50 feet and shall have a minimum area of not less than 5,000 square feet, except on corner lots. Corner lots shall have a frontage of not less than 75 feet on a designated arterial or collector street and not less than 7,500 square feet in area. Conditional uses may require larger lot area to meet conditional use standards of this Code.
  - b. *Maximum height.* The maximum height of a structure shall be two stories and shall not exceed 35 feet in height.
  - c. *Maximum lot coverage:*
    - i. Maximum building coverage (inclusive of all structures): 40 percent.
    - ii. Maximum impervious surface ratio: 82—88 percent.
    - iii. Minimum green space: 12—18 percent.
    - iv. *Minimum setbacks and maximum floor area ratio:* All development must comply with setbacks for wetlands stated in the Code. Also, the following setbacks and floor area ratios shall apply in BU-1 districts. The floor area ratio shall not exceed the following, provided, however, that structure parking shall not count as a part of the floor area, but shall be counted in computing building height, lot coverage, and number of stories.

TABLE 4.15

Structure	Required Setbacks and F.A.R. in BU-1 District						
	Setbacks					Floor Area Ratio (F.A.R.)	
	Front	Rear	Between Buildings	Side Street	Side	Maximum 1st Floor	Maximum 2nd Floor
Principal	20 <sup>(3),(7)</sup>	5/20 <sup>(4),(6)</sup>	20 <sup>(2)</sup>	15	<sup>(5),(6)</sup>	0.40	0.51
Accessory	<sup>(1),(7)</sup>	10 <sup>(6)</sup>	20	15	<sup>(5),(6)</sup>	N/A	N/A

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Notes:

<sup>(1)</sup>See accessory use regulations.

<sup>(2)</sup>20 feet, except where doors, windows or other openings in the building wall of the same building and/or a wall of another building on the same site, then there shall be provided a minimum clear distance of not less than 30 feet. Said distance to be measured on a line projected at right angles at the opening to the opposite wall.

<sup>(3)</sup>Twenty feet, except where an RU or EU lot abuts a BU-1 lot, then the street setback shall be 25 feet for the entire street frontage.

<sup>(4)</sup>Five feet from a business district boundary, where any openings are provided in the wall of the proposed structure, adjacent to the rear lot line. Twenty feet from residential district boundary.

<sup>(5)</sup>Zero feet where the adjacent property is designated BU and where the use of the building is limited exclusively to business use. The wall along the side property line shall be constructed in accordance with the most current edition of the Florida Building Code: Five feet where the wall does not meet unpierced four-hour fire resistant construction standards.

<sup>(6)</sup>Except where RU or EU abuts, it shall be 15 feet.

<sup>(7)</sup>Principal and accessory structure may be located up to ten feet from the front property line by site plan approval.

7. *Green space and landscaping.*

- a. *Green space.* The minimum landscaped green space at one story shall be in accordance with the following table. The required green space shall be unencumbered with any structure or off-street parking and shall be landscaped and well maintained with grass, ground cover included within the "Florida-friendly plant database", trees and shrubbery, except that ten percent of any driveway or parking area constructed of open cell unit pavers (turf block) and two percent of any driveway or parking area constructed of brick pavers with a sand and/or gravel sub base or underlayment may be counted as green space. The minimum landscaped green space shall be increased by one and one-half percent for each additional story or part thereof up to a maximum of four stories exclusive of penthouse and mezzanine. For the purpose of computing the amount of required landscaped green space where the building height varies, the number of stories shall be determined by that portion of the building with the highest story exclusive of penthouse and mezzanine.

TABLE 4.16  
LANDSCAPED GREEN SPACE FOR THE BU-1 DISTRICT

Size of the Total Lot Area	Percent of the Total Lot Area
Up to one acre	18%
More than one acre and up to five acres	16%
More than five acres and up to 25 acres	14%
More than 25 acres	12%

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- b. *Water area.* In BU districts water areas may be used as part of the required landscaped green space provided such water areas do not exceed 20 percent of the required landscaped green space.
  - c. *Landscaping and tree protection.* Landscaping and trees shall be provided in accordance with provisions of article 6 of the land development code.
- (e) *General business (BU-1A) district.*
- 1. *Intent.* Businesses within the BU-1A district are located within the US 1 linear commercial corridor and are intended to accommodate retail sales and services, including highway-oriented sales and services to residents and motorists along the US 1 corridor. The BU-1A district is not intended to accommodate manufacturing of goods or other activities which may generate nuisance impacts, including glare, smoke or other air pollutants, noise, vibration or major fire hazards, or other impacts generally associated with more intensive industrial uses. The BU-1A district is not intended to accommodate large-scale retail sales and trade activities generally serving a citywide or regional market, such as regional retail or wholesale trade and service centers, nor is it intended to attract warehousing, mini-storage, outside storage or light manufacturing activities.
  - 2. *Uses permitted.* The following uses shall be allowed within a BU-1A district following village council approval of a site plan:
    - a. Bakeries, retail only;
    - b. Business and professional offices;
    - c. Commercial recreation (excluding adult uses);
    - d. Dry cleaning (with cleaning off premises);
    - e. Financial institutions with or without drive-through;
    - f. Funeral home and mortuary;
    - g. General retail sales and services;
    - h. Government facilities following a public hearing conducted by the village council;
    - i. Medical services;
    - j. Municipal parking lots and facilities following a public hearing conducted by the village council;
    - k. Package stores;
    - l. Personal services;
    - m. Plant and garden center sales;
    - n. Restaurants, with or without drive-through;
    - o. Veterinary medical services with or without outside kennels;
    - p. Retail sales of used merchandise, provided establishments offering such merchandise contain not more than 4,000 square feet of gross floor area; and
    - q. And other similar uses as determined by the village council.
  - 3. *Conditional uses.* Within the BU-1A district the following uses may be approved by the village council but only as a conditional use.

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- a. Sale of alcoholic beverages for consumption on the premises;
  - b. Clubs and lodges;
  - c. Child and family day care services;
  - d. Cultural/civic activities, private;
  - e. Dry cleaning (with cleaning on premises);
  - f. Nursing homes, rest homes and convalescent homes;
  - g. Parking garages;
  - h. Public utilities;
  - i. Vehicular sales and service center;
  - j. Vehicular service station, including gasoline sales, **electrical vehicle charging stations, and vehicle battery exchange facilities.**
4. *Accessory uses.* Within the BU-1A district the administrative official may approve as an accessory use only uses customarily incidental and subordinate to a principal permitted or conditional use. Such accessory uses shall be reviewed pursuant to procedures set forth in this Code for the principal use of the property.
5. *Prohibited uses.* All uses not specifically or provisionally provided for herein are prohibited. Any use not within a fully enclosed building is strictly prohibited. Similarly, the sale or distribution of material or merchandise, fruit or other commodities from trucks, wagons or other vehicles parked on or along public or private streets or from open stands or vacant lots, or from outside any permanent duly approved enclosed building is prohibited.
6. *Dimensional regulations.*
- a. Minimum lot area, lot frontage, and lot width. Lots within the BU-1A district shall have a minimum lot frontage and lot width of not less than 50 feet and shall have a minimum area of not less than 5,000 square feet, except on corner lots. Corner lots shall have a frontage of not less than 75 feet on a designated arterial or collector street and not less than 7,500 square feet in area. Conditional uses may require larger lot area to meet conditional use standards of this Code.
  - b. *Maximum height.* The maximum height of a structure within the BU-1A district shall be four stories and shall not exceed 45 feet in height.
  - c. *Maximum lot coverage:*
    - i. Maximum building coverage (inclusive of all structures): 40 percent.
    - ii. Maximum impervious surface ratio: 77.5—88 percent.
    - iii. Minimum green space: 12—22.5 percent.
  - d. *Floor area ratio.* The floor area ratio shall not exceed the following, provided, however, that structure parking shall not count as a part of the floor area, but shall be counted in computing building height, lot coverage, and number of stories:

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TABLE 4.17

Height of Building in BU-1A District	Maximum Floor Area Ratio
1 story	0.40
2 stories	0.51
3 stories	0.62
4 stories	0.73

- e. *Minimum setbacks.* All development must comply with setbacks for wetlands and waterways established in the Code. In addition, the following setbacks shall apply within the BU-1A district:

TABLE 4.18

Structure	Required Setbacks in BU-1A district				
	Setbacks				
	Front	Rear	Between Buildings	Side	Side Street
Principal	20 <sup>(3)</sup>	5/20 <sup>(4),(6)</sup>	20 <sup>(2)</sup>	(5),(6)	<u>15</u>
Accessory	(1),(7)	10 <sup>(6)</sup>	20	(5),(6)	<u>15</u>

Notes:

- (1) See accessory use regulations.
- (2) Twenty feet, except where doors, windows or other openings in the building wall of the same building and/or a wall of another building on the same site, then there shall be provided a minimum clear distance of not less than 30 feet. Said distance to be measured on a line projected at right angles at the opening to the opposite wall.
- (3) Twenty feet, except where a RU or EU lot abuts a BU-1A lot, then the street setback shall be 25 feet for the entire street frontage.
- (4) Five feet from a business district boundary, where any openings are provided in the wall of the proposed structure, adjacent to the rear lot line; 20 feet from residential district boundary.

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(5) Zero feet where the adjacent property is designated BU and where the use of the building is limited exclusively to business use. The wall along the side property line shall be constructed in accordance with the most current edition of the state building code.

(6) Except where RU or EU abuts it shall be 15 feet.

(7) Principal and accessory structure may be located up to ten feet from the front property line by site plan approval.

7. *Green space and landscaping.*

a. *Green space.* The minimum landscaped green space at one story shall be in accordance with the following table. The required green space shall be unencumbered with any structure or off-street parking and shall be landscaped and well maintained with grass, ground cover included within the "Florida-friendly plant database", trees and shrubbery, except that ten percent of any driveway or parking area constructed of open cell unit pavers (turf block) and two percent of any driveway or parking area constructed of brick pavers with a sand and/or gravel sub base or underlayment may be counted as green space. The minimum landscaped green space shall be increased by one and one-half percent for each additional story or part thereof up to a maximum of four stories exclusive of penthouse and mezzanine. For the purpose of computing the amount of required landscaped green space where the building height varies, the number of stories shall be determined by that portion of the building with the highest story exclusive of penthouse and mezzanine.

TABLE 4.19  
LANDSCAPED GREEN SPACE FOR THE BU-1A DISTRICT

Size of the Total Lot Area	Percent of the Total Lot Area
Up to one acre	18 percent
More than one acre and up to five acres	16 percent
More than five acres and up to 25 acres	14 percent
More than 25 acres	12 percent

b. *Water area.* In BU districts water areas may be used as part of the required landscaped green space provided such water areas do not exceed 20 percent of the required landscaped green space.

c. *Landscaping and tree protection.* Landscaping and trees shall be provided in accordance with article 6 of the land development code.

(f) *Special business (BU-2) district.*

1. *Intent.* Businesses within the BU-2 district are intended to accommodate retail sales and services, including highway oriented sales and service, to village residents and motorists along

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the US 1 corridor. In addition, the BU-2 district is intended to accommodate larger scale retail, discount, and regional facilities serving home and office markets within an area larger than the village. The BU-2 district also includes a land use regulatory program for managing the site location process for night clubs, lounges serving alcoholic beverages, and related facilities, excluding adult uses as defined herein. The BU-2 district is not intended to accommodate manufacturing of goods or other activities, which may generate nuisance impacts, including glare, smoke or other air pollutants, noise, vibration or major fire hazards, or other impacts generally associated with more intensive industrial uses. Similarly, the BU-2 district is not intended to accommodate warehousing, mini-storage, outside storage or light manufacturing activities.

2. *Uses permitted.* The following uses shall be allowed within a BU-2 district following village council approval of a site plan pursuant to the procedures established in the Code:
  - a. Bakeries, retail only;
  - b. Business and professional offices;
  - c. Commercial recreation (excluding adult uses);
  - d. Dry cleaning (with cleaning off premises);
  - e. Financial institutions with or without drive-through;
  - f. Funeral home and mortuary;
  - g. Government facilities following a public hearing conducted by the village council;
  - h. General retail sales and services;
  - i. Medical services;
  - j. Municipal parking lots and facilities following a public hearing conducted by the village council;
  - k. Package stores;
  - l. Personal services;
  - m. Plant and garden center sales;
  - n. Restaurants, with or without drive-through;
  - o. Veterinary medical services with or without outside kennels; and
  - p. Retail sales of used merchandise, provided establishments offering such merchandise contain not more than four thousand (4,000) square feet of gross floor area; and
  - q. And other similar uses as determined by the village council.
  
3. *Conditional uses.* Within the BU-2 district the following uses may be approved by the village council but only as a conditional use.
  - a. Sale of alcoholic beverages for consumption on the premises;
  - b. Child care and family day care;
  - c. Clubs and lodges;
  - d. Cultural/civic activities, private;
  - e. Commercial recreation (excluding adult uses);

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- f. Clubs and lodges;
  - g. Cultural/civic activities, including assembly halls;
  - h. Dry cleaning (with cleaning on premises);
  - i. Hospitals and emergency care;
  - j. Nursing homes, rest homes and convalescent homes;
  - k. Parking garages;
  - l. Public utilities;
  - m. Vehicular sales and service center; and
  - n. Vehicular service station, including gasoline sales, **electrical vehicle charging stations, and vehicle battery exchange facilities.**
4. *Accessory uses.* Within the BU-2 district the administrative official may approve as an accessory use only uses customarily incidental and subordinate to a principal permitted or conditional use. Such accessory uses shall be reviewed pursuant to procedures set forth in this Code for the principal use of the property.
5. *Prohibited uses.* All uses not specifically or provisionally provided for herein are prohibited. Any use not within a fully enclosed building is strictly prohibited. Similarly, sale or distribution of material or merchandise, fruit or other commodities from trucks, wagons or other vehicles parked on or along public or private streets, from open stands or vacant lots, or from outside any permanent duly approved enclosed building is prohibited.
6. *Dimensional regulations.*
- a. *Minimum lot area, lot frontage, and lot width.* Lots within the BU-2 district shall have a minimum lot frontage and lot width of not less than 50 feet and shall have a minimum area of not less than 5,000 square feet, except on corner lots. Corner lots shall have a frontage of not less than 75 feet on a designated arterial or collector street and not less than 7,500 square feet in area. Conditional uses may require larger lot area to mitigate issues specified in this Code.
  - b. *Maximum height.* The maximum height of a structure shall be four stories and shall not exceed 45 feet in height.
  - c. *Maximum lot coverage:*
    - i. Maximum building coverage (inclusive of all structures): 40 percent.
    - ii. Maximum impervious surface ratio: 77.5—80 percent.
    - iii. Minimum green space: 12—22.5 percent.
  - d. *Floor area ratio.* The floor area ratio shall not exceed the following, provided, however, that structure parking shall not count as a part of the floor area, but shall be counted in computing building height, lot coverage, and number of stories:

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TABLE 4.20

Height of Building in BU-2 District	Maximum Floor Area Ratio
1 story	0.40
2 stories	0.51
3 stories	0.62
4 stories	0.73

- e. *Minimum setbacks.* All development must comply with setbacks for wetlands and waterways established in the Code. In addition, the following setbacks shall apply within the BU-2 district:

TABLE 4.21

Structure	Required Setbacks in BU-2 district				
	Setbacks				
	Front	Rear	Between Buildings	Side	Side Street
Principal	20 <sup>(3)</sup>	5/20 <sup>(4),(6)</sup>	20 <sup>(2)</sup>	<sup>(5),(6)</sup>	<u>15</u>
Accessory	<sup>(1),(7)</sup>	10 <sup>(6)</sup>	20	<sup>(5),(6)</sup>	<u>15</u>

Notes:

<sup>(1)</sup> See accessory use regulations.

<sup>(2)</sup> Twenty feet, except where doors, windows or other openings in the building wall of a motel or hotel unit face a wall of the same building and/or a wall of another building on the same site, then there shall be provided a minimum clear distance of not less than 30 feet. Said distance to be measured on a line projected at right angles at the opening to the opposite wall.

<sup>(3)</sup> Twenty-five feet, except where an RU or EU lot abuts a BU-2 lot, then the street setback shall be 25 feet for the entire street frontage.

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<sup>(4)</sup>Five feet from a business district boundary, where any openings are provided in the wall of the proposed structure, adjacent to the rear lot line. Twenty feet from residential district boundary.

<sup>(5)</sup>Zero feet where the adjacent property is designated BU and where the use of the building is limited exclusively to business use. The wall along the side property line shall be constructed in accordance with the most current edition of the state building code. Five feet where the wall does not meet unpierced four-hour fire resistant construction standards.

<sup>(6)</sup>Except where RU or EU abuts it shall be 15 feet.

<sup>(7)</sup>Principal and accessory structure may be located up to ten feet from the front property line by site plan approval.

7. *Green space and landscaping.*

- a. *Green space.* The minimum landscaped green space at one story shall be in accordance with the following table. The required green space shall be unencumbered with any structure or off-street parking and shall be landscaped and well maintained with grass, ground cover included within the "Florida-friendly plant database", trees and shrubbery, except that ten percent of any driveway or parking area constructed of open cell unit pavers (turf block) and two percent of any driveway or parking area constructed of brick pavers with a sand and/or gravel sub base or underlayment may be counted as green space. The minimum landscaped green space shall be increased by one and one-half percent for each additional story or part thereof up to a maximum of four stories exclusive of penthouse and mezzanine. For the purpose of computing the amount of required landscaped green space where the building height varies, the number of stories shall be determined by that portion of the building with the highest story exclusive of penthouse and mezzanine.

TABLE 4.22  
LANDSCAPED GREEN SPACE FOR THE BU-2 DISTRICT

Size of the Total Lot Area	Percent of the Total Lot Area
Up to one acre	18 percent
More than one acre and up to five acres	16 percent
More than five acres and up to 25 acres	14 percent
More than 25 acres	12 percent

- b. *Water areas.* Water areas may be used as part of the required landscaped green space provided such water areas do not exceed 20 percent of the required landscaped green space.
- c. *Malls.* The specific areas within enclosed or non-enclosed malls which are landscaped with grass, trees and/or shrubbery, water areas therein, and areas therein with permanent art

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display may be used as part of the required landscaped green space provided such areas do not exceed ten percent of the required landscaped green space.

- d. *Landscaping and tree protection.* Landscaping and trees shall be provided pursuant to provisions of article 6 of the land development code.

(g) *Intensive business (BU-3) district.*

1. *Intent.* Businesses within the BU-3 district are within the US 1 commercial corridor and are intended to accommodate retail sales and services, including highway oriented sales and service to residents and motorists along the US 1 corridor. In addition, the BU-3 district is intended to accommodate larger scale retail, discount, and regional facilities serving home and office markets within an area larger than the village. The BU-3 district also includes a land use regulatory program for managing the site location process for night clubs, lounges serving alcoholic beverages, and related facilities, including adult uses as defined herein. The BU-3 district is not intended to accommodate manufacturing of goods or other activities, which may generate nuisance impacts, including glare, smoke or other air pollutants, noise, vibration or major fire hazards, or other impacts generally associated with more intensive industrial uses. The BU-3 district can accommodate limited storage activities within enclosed buildings, including mini-storage, limited warehousing also within an enclosed building. The BU-3 district is not intended to accommodate outside storage or light manufacturing activities.
2. *Uses permitted.* The following uses shall be allowed within a BU-3 district following Village Council approval of a site plan and compliance with the procedures established in the Code:
  - a. Bakeries, retail only;
  - b. Business and professional offices;
  - c. Commercial recreation (excluding adult uses);
  - d. Dry cleaning (with cleaning off premises);
  - e. Financial institutions with or without drive-through;
  - f. Funeral home and mortuary;
  - g. Government facilities following a public hearing conducted by the village council;
  - h. General retail sales and services;
  - i. Medical services;
  - j. Municipal parking lots and facilities following a public hearing conducted by the village council;
  - k. Package stores;
  - l. Personal services;
  - m. Plant and garden center sales;
  - n. Restaurants, with or without drive-through;
  - o. Veterinary medical services with or without outside kennels;
  - p. Retail sales of used merchandise, provided establishments offering such merchandise contain not more than four thousand (4,000) square feet of gross floor area; and
  - q. Other similar uses as permitted by the village council.
3. *Conditional uses.* Within the BU-3 district the following may be approved by the village council but only as a conditional use.

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- a. Adult uses;
  - b. Sale of alcoholic beverages for consumption on the premises;
  - c. Child care and family day care;
  - d. Clubs and lodges;
  - e. Cultural/civic activities, private;
  - f. Dry cleaning (with cleaning on premises);
  - g. Electrical and mechanical repair of appliances and household goods;
  - h. Hospitals and emergency care;
  - i. Limited storage within enclosed building;
  - j. Nursing homes, rest homes and convalescent homes;
  - k. Parking garages;
  - l. Public utilities;
  - m. Vehicular, major repair, paint and body work;
  - n. Vehicular sales and service center; and
  - o. Vehicular service station, including gasoline sales, **electrical vehicle charging stations, and vehicle battery exchange facilities.**
4. *Accessory uses.* Within the BU-3 district the administrative official may approve as an accessory use only uses customarily incidental and subordinate to a principal permitted or conditional use shall only be approved as an accessory use. Such accessory uses shall be reviewed pursuant to procedures set forth in this Code for the principal use of the property.
5. *Prohibited uses.* All uses not specifically or provisionally provided for herein are prohibited. Any use not within a fully enclosed building is strictly prohibited. Similarly, sale or distribution of material or merchandise, fruit or other commodities from trucks, wagons or other vehicles parked on or along public or private streets or from open stands or vacant lots, or from outside any permanent duly approved enclosed building is prohibited.
6. *Dimensional regulations.*
- a. *Minimum lot area, lot frontage, and lot width.* Lots within the BU-3 district shall have a minimum lot frontage and lot width of not less than 50 feet and shall have a minimum area of not less than 5,000 square feet, except on corner lots. Corner lots shall have a frontage of not less than 75 feet on a designated arterial or collector street and not less than 7,500 square feet in area. Conditional uses may require larger lot area to mitigate issues specified in this Code.
  - b. *Maximum height.* The maximum height of a structure shall be four stories and shall not exceed 45 feet in height.
  - c. *Maximum lot coverage:*
    - i. Maximum building coverage (inclusive of all structures): 40 percent.
    - ii. Maximum impervious surface ratio: 77.5—88 percent.
    - iii. Minimum green space: 12—22.5 percent.

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- d. *Floor area ratio.* The floor area ratio shall not exceed the following, provided, however, that structure parking shall not count as a part of the floor area, but shall be counted in computing building height, lot coverage, and number of stories:

TABLE 4.23

Height of Building in BU-3 District	Maximum Floor Area Ratio
1 story	0.40
2 stories	0.51
3 stories	0.62
4 stories	0.73

- e. *Minimum setbacks.* All development must comply with setbacks for wetlands and waterways established in the Code. In addition, the following setbacks shall apply within the BU-3 district:

TABLE 4.24

Structure	Required Setbacks in BU-3 district				
	Setbacks				
	Front	Rear	Between Buildings	Side	Side Street
Principal	20 <sup>(3)</sup>	5/20 <sup>(4)(6)</sup>	20 <sup>(2)</sup>	<sup>(5)(6)</sup>	<u>15</u>
Accessory	<sup>(1)</sup>	10 <sup>(6)</sup>	20	<sup>(5)(6)</sup>	<u>15</u>

Notes:

<sup>(1)</sup> See accessory use regulations.

<sup>(2)</sup> Twenty feet, except where doors, windows or other openings in the building wall of a motel or hotel unit face a wall of the same building and/or a wall of another building on the same site, then there shall be provided a minimum clear distance of not less than 30 feet. Said distance to be measured on a line projected at right angles at the opening to the opposite wall.

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(3) Twenty feet, except where a RU or EU lot abuts a BU-3 lot, then the setback shall be 25 feet on any part of the commercial structure located within 25 feet of the residential district boundary.

(4) Five feet from a business district boundary, where any openings are provided in the wall of the proposed structure, adjacent to the rear lot line. Twenty feet from residential district boundary except that credit shall be given for full width of dedicated alleys in computing this setback.

(5) Zero feet where the adjacent property is designated BU and where the use of the building is limited exclusively to business use. The wall along the side property line shall be constructed in accordance with the most current edition of the state building code. Five feet where the wall is not does not meet unpierced four-hour fire resistant construction standards. Ten feet for any portions of a business structure accommodating a residential use.

(6) Except where RU and EU abut it shall be 15 feet.

7. *Green space and landscaping.*

- a. *Green space.* The minimum landscaped green space at one story shall be in accordance with the following table. The required green space shall be unencumbered with any structure or off-street parking and shall be landscaped and well maintained with grass, ground cover included within the "Florida-friendly plant database", trees and shrubbery, except that ten percent of any driveway or parking area constructed of open cell unit pavers (turf block) and two percent of any driveway or parking area constructed of brick pavers with a sand and/or gravel sub base or underlayment may be counted as green space. The minimum landscaped green space shall be increased by one and one-half percent for each additional story or part thereof up to a maximum of four stories exclusive of penthouse and mezzanine. For the purpose of computing the amount of required landscaped green space where the building height varies, the number of stories shall be determined by that portion of the building with the highest story exclusive of penthouse and mezzanine.

TABLE 4.25  
LANDSCAPED GREEN SPACE FOR THE BU-3 DISTRICT

Size of the Total Lot Area	Percent of the Total Lot Area
Up to one acre	18 percent
More than one acre and up to five acres	16 percent
More than five acres and up to 25 acres	14 percent
More than 25 acres	12 percent

- b. *Water areas.* In the BU-3 districts water areas may be used as part of the required landscaped green space provided such water areas do not exceed 20 percent of the required landscaped green space.

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- c. *Malls.* The specific areas within enclosed or non-enclosed malls which are landscaped with grass, trees and/or shrubbery, water areas therein, and areas therein with permanent art display may be used as part of the required landscaped green space provided such areas do not exceed ten percent of the required landscaped green space.
- d. *Landscaping and tree protection.* Landscaping and trees shall be provided pursuant to provisions of article 6 of the land development code.

(Ord. No. 2002-8, § 3, 11-13-02; Ord. No. 2009-5, § 1, 12-8-09; Ord. No. 2012-4, § 2, 3-20-12)

**Div. 4.6. - Summary tables.**

The following tables present a composite overview of the use, size and dimension regulations which shall be applicable within each respective zoning district. Where the district regulations are more specific than the following tables or an apparent conflict exist, the full text shall prevail.

TABLE 4.30: LAND USES BY RESIDENTIAL DISTRICT

Residential Land Uses	EU-1C	EU-1	EU-S	EU-M	RU-1	RU-2	RU-3M	RU-4L	RU-4M	RU-4	RU-5
Accessory units	A	A	A	A							
Accessory uses, other	A	A	A	A	A	A	A	A	A	A	A
Accessory uses, recreational	A	A	A	A	A	A	A	A	A	A	A
ACLF							C	C	C	C	
Bee keeping	A	A									
Community residential facility with seven to 14 residents							C	C	C	C	C
Child and family day care for less than seven persons					C	C	C	C	C	C	C
Foster care with less than seven residents	P	P	P	P	P	P	P	P	P	P	P
Governmental facilities	P	P	P	P	P	P	P	P	P	P	P

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Group homes with less than seven residents	P	P	P	P	P	P	P	P	P	P	P	P
Limited livestock	A	A										
Sale of homegrown produce	A	A										
Multiple-family residential structures							P	P	P	P	P	P
Public utilities	C	C	C	C	C	C	C	C	C	C	C	C
Single-family residential dwellings	P	P	P	P	P	P						
Townhouse houses							P	P	P	P	P	P
Two-family residential dwellings						P						

Notes:

- P = Allowed as a permitted use.
- C = Allowed as a conditional use.
- A = Accessory use.

TABLE 4.31: LAND USES BY NONRESIDENTIAL DISTRICTS

Nonresidential Land Uses	RU-5	BU-1	BU-1A	BU-2	BU-3	PS	PR
Adult entertainment					C		
Sale of alcoholic beverages for consumption on the premises		C	C	C	C		
Bakeries, retail only		P	P	P	P		
Business and professional offices	P	P	P	P	P		
Clubs and lodges		C	C	C	C		

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Commercial recreation (excluding adult uses defined herein)			P	P	P		
Customary accessory uses	A	A	A	A	A	A	A
Cultural/civic activities, private			C	C	C	C	
Dry cleaning (with cleaning off-premises)		P	P	P	P		
Dry cleaning (with cleaning on premises)			C	C	C		
Educational institutions, nonpublic						C	
Child and family day care services		C	C	C	C		
Electrical and mechanical repair of small appliances and small durable goods					C		
Financial institutions with drive-through	C		P	P	P		
Financial institutions without drive-through facilities	P	P	P	P	P		
Funeral home and mortuary			P	P	P		
Foster care and group home	P						
General retail sales and services		P	P	P	P		
Golf course facilities, public						p <sup>(2)</sup>	p <sup>(2)</sup>
Golf course facilities, private							C
Governmental facilities	p <sup>(2)</sup>						
Hospitals and extensive care				C	C		
Limited storage within enclosed building					C		

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Medical services	P	P	P	P	P		
Mixed office and residential use	P						
Municipal parking lots and facilities	p <sup>(2)</sup>						
Nursing homes, rest homes and convalescent homes		C	C	C	C		
Package stores			P	P	P		
Parking garages less than four stories			C	C	C		
Personal services		P	P	P	P		
Places of worship						C	
Plant and garden center sales		P	P	P	P		
Private parks							C
Public utilities	C	C	C	C	C	C	C
Public parks and recreation activities							P
Restaurants, with or without drive-through			P	P	P		
Restaurants without drive-through facilities		P	P	P	P		
Sale of used merchandise		p <sup>(1)</sup>	p <sup>(1)</sup>	p <sup>(1)</sup>	p <sup>(1)</sup>		
Vehicular, major repair, paint, and body work					C		
Vehicular sales and service center			C	C	C		
Vehicular service station, including gasoline sales, <b>electrical vehicle charging stations, and vehicle battery exchange facilities.</b>			C	C	C		

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Veterinary medical services, without outside kennels		P	P	P	P		
Veterinary medical services with outside kennels			P	P	P		

Note:

1. Limited to 4,000 square feet gross.
  2. Following public hearing conducted by the village council.
- P = Permitted use.  
C = Conditional use.  
A = Accessory use.

TABLE 4.32: SETBACKS BY DISTRICT

District	Setbacks for Principal Building					Setbacks for Accessory Structures				
	Front	Rear	Between Buildings	Side	Side Street	Front	Rear	Between Buildings	Side	Side Street
EU-1C	50	<u>25</u>	NA	20 <sup>(3)</sup>	<del>25</del> <u>30</u> <sup>(1)(11)</sup> <sup>(2)</sup>		<u>15/20</u> <sup>(13)</sup>	10	20 <sup>(3)</sup>	<del>25</del> <u>30</u> <sup>(1)(11)</sup>
EU-1	50	<u>25</u>	NA	20 <sup>(3)</sup>	<del>25</del> <u>30</u> <sup>(1)(12)</sup> <sup>(2)</sup>		<u>15/20</u> <sup>(13)</sup>	10	20 <sup>(3)</sup>	<del>25</del> <u>30</u> <sup>(1)(12)</sup>
EU-S	35	<u>25</u>	NA	20 <sup>(3)</sup>	<u>25</u> <sup>(1)</sup> <sup>(2)</sup>		<u>15/20</u> <sup>(13)</sup>	10	20 <sup>(3)</sup>	<u>25</u> <sup>(1)</sup>
EU-M	<u>25</u>	<u>25</u>	NA	<u>15</u>	<u>25</u> <sup>(1)</sup> <sup>(2)</sup>		7.5	10	20	30 <sup>(1)</sup>
RU-1	<u>25</u>	<u>25</u>	N/A	10% lot or 5' min.	<u>15</u> <sup>(1)</sup> <sup>(2)</sup>		5	10	5	Principal + 5
RU-2	<u>25</u>	<u>25</u>	N/A	10% lot or 5' min.	<u>15</u> <sup>(1)</sup> <sup>(2)</sup>		5	10	5	Principal + 5 <sup>(1)</sup>
RU-3	25	30	10	20	15	<sup>(4)</sup>	10	10	20	Principal +

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											5 <sup>(1)</sup>
RU-3M	<u>25</u>	<u>25</u>	20 <sup>(4)</sup>	<u>25</u>	<u>15</u> <sup>(1)</sup>	<sup>(5)</sup>	10	10	20	Principal + 5 <sup>(1)</sup>	
RU-4L	<u>25</u>	<u>25</u>	20 <sup>(4)</sup>	2-story 15 <sup>(4)</sup> >2-story 20 <sup>(4)</sup>	<u>25</u> <sup>(1)</sup>	<sup>(5)</sup>	10	20	20 <sup>(4)</sup>	<u>25</u> <sup>(1)</sup>	
RU-4M	<u>25</u>	<u>25</u>	20 <sup>(4)</sup>	2-story 15 <sup>(4)</sup> >2-story 20 <sup>(4)</sup>	<u>25</u> <sup>(1)</sup>	<sup>(5)</sup>	10	20	20 <sup>(4)</sup>	<u>25</u> <sup>(1)</sup>	

RU-4	Up to 35' ht.	<u>25</u>	<u>25</u>	20 <sup>(4)</sup>	20	30 <sup>(1)</sup>	<sup>(6)</sup>	10	20	20	30 <sup>(1)</sup>
	Over 35' ht.	30	30	20 <sup>(4)</sup>	20	30 <sup>(1)</sup>					
RU-5		<u>25</u>	<u>25</u>	20 <sup>(4)</sup>	<u>15</u>	<u>15</u>	<sup>(2)</sup>	10	20	20	
All BU districts		20 <sup>(7)</sup>	5/20 <sup>(8)</sup>	20	<sup>(9)</sup>	<u>15</u>	<sup>(2)</sup>	10 <sup>(10)</sup>	20	<sup>(9)</sup>	<u>15</u>
PS and PR districts		<u>25</u>	<u>25</u>	20 <sup>(4)</sup>	20	30	<sup>(2)</sup>	10	20	20	30

(1)	See "Lots, corner" (division <a href="#">9.2</a> ).
(2)	See accessory use regulations.
(3)	Lots whose frontage is less than 135 feet in width shall have an interior side yard setback on each side of 15 percent of the width with a setback of not less than 15 feet.
(4)	20 feet between buildings, except where doors, windows or other openings in the building wall of a living unit face a wall of the same building and/or a wall of another building on the same site,

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	then there shall be provided a minimum clear distance of not less than 30 feet. Said distance to be measured on a line projected at right angles at the opening to the opposite wall.
(5)	See accessory use regulations.
(6)	See accessory use regulations. Administrative offices, clubhouses, parking structures and similar structures serving only the residents of the building site and their guests shall comply with setbacks for the principal structure.
(7)	Front setback is 20 feet, except where an RU or EU lot abuts a BU lot, then the front street setback shall be 25 feet on any part of the commercial structure along the street of the residential district boundary.
(8)	Rear setback is five feet from a business district boundary, where any openings are provided in the wall of the proposed structure, adjacent to the rear lot line. Twenty feet from residential district boundary except that credit shall be given for full width of dedicated alleys in computing this setback.
(9)	Zero feet where the adjacent property is designated BU and where the use of the building is limited exclusively to business use. The wall along the side property line shall be constructed in accordance with the most current edition of the <b>South</b> Florida Building Code. Five feet where the wall does not meet unpierced four-hour fire resistant construction standards. Fifteen feet where the adjacent property is zoned RU or EU.
(10)	Fifteen feet next to the RU or EU districts.
<b>(11)</b>	<b><u>Lots whose frontage is less than 150 feet in width shall have a street side setback of 25 feet.</u></b>
<b>(12)</b>	<b><u>Lots whose frontage is less than 125 feet in width shall have a street side setback of 25 feet.</u></b>
<b>(13)</b>	<b><u>Detached accessory structures that are 14 feet or less in height shall be setback a minimum 15 feet from the rear property line; detached accessory structures that are more than 14 feet in height, and no more than the maximum permitted height of 18 feet, shall be setback a minimum of 20 feet from the rear property line.</u></b>

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TABLE 4-33: LOT SIZE HEIGHT AND COVERAGE BY DISTRICT

District	Minimum Lot Area	Maximum Height of Building			Lot Coverage			Lot Width	Lot Depth
		Principal		Accessory	Maximum Building Coverage	Maximum ISR	Minimum Green Space		
		1 Story	2 Story						
EU-1C	2.5 gross acre	(1)	35'	14' / 18' <sup>5</sup>	20%	45%	55%	150'	250'
EU-1	1 gross acre	(1)	35'	14' / 18' <sup>5</sup>	20%	45%	55%	125'	200'
EU-S	25,000 gross sq. ft.	(1)	35'	14' / 18' <sup>5</sup>	30%	65%	35%	125'	135'
EU-M	15,000 net sq. ft.	(1)	35'	14'	30%	65%	35%	120'	115'
RU-1	7,500 net sq. ft.	(1)	32'	14'	30%	65%	35%	75'	100'
RU-2	1- or 2-family unit on 7,500 sq. ft.	(1)	32'	14'	35%	65%	35%	75'	100'
RU-3	1.94 acres	4 stories not exceeding 45 feet where adjacent to commercially zoned property; 3 stories not exceeding 35 feet where adjacent to residentially zoned property		15 feet, 5 inches	26%	60%	40%	280'	265'

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RU-3M	16,900 net sq. ft.	2 stories not exceeding 35'	14'	30%	65%	35%	100'	100'
RU-4L	10,000 net sq. ft.	3 stories not exceeding 35'	14'	30%	65%	35%	100'	100'
RU-4M	10,000 net sq. ft.	3 stories not exceeding 35'	14'	40%	65%	35%	100'	100'
RU-4	10,000 net sq. ft.	4 stories not exceeding 45'	14'	40%	65%	35%	100'	100'
RU-5	10,000 net sq. ft.	2 stories not exceeding 35'	14'	40%	75%	25%	100'	100'
BU-1	5,000 sq. ft., except corner lots: 7,500 sq. ft.	2 stories not exceeding 35'		40%	82 to 88%	12 to 18%	50', corner lots: 75'	none
BU-1A	5,000 sq. ft., except corner lots: 7,500 sq. ft.	4 stories not exceeding 45'		40%	77.5 to 88%	12 to 22.5%	50', corner lots: 75'	none
BU-2	5,000 sq. ft., except corner lots: 7,500 sq. ft.	4 stories not exceeding 45'		40%	77.5 to 88%	12 to 22.5%	50', corner lots: 75'	none
BU-3	5,000 sq. ft., except corner lots: 7,500 sq. ft.	4 stories not exceeding 45'		40%	77.5 to 88%	12 to 22.5%	50', corner lots: 75'	none
PS <sup>(2)</sup>	<sup>(3)</sup>	2 stories not exceeding 35'		30%	65%	35%	none	none
PR	<sup>(4)</sup>	2 stories not exceeding 35'		30%	65%	35%	none	none

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(1)	One-story structure or portion of the structure that is one story: 24 feet. If the roof of the one-story structure has a pitch of at least 6/12, then the peak of such roof may be 28 feet in height.
(2)	Public services include quasi-public services and institutions.
(3)	Acreage consistent with best management principles and practices for specific public and semi-public services.
(4)	Regulatory provisions governing size and dimension regulations for public and private parks and recreation facilities.
(5)	<b>Detached accessory structures that are setback a minimum 15 feet from the rear property line shall not exceed 14 feet in height; detached accessory structures that are setback a minimum of 20 feet from the rear property line shall not exceed 18 feet in height.</b>

TABLE 4-33: MAXIMUM FLOOR AREA RATIOS BY DISTRICT

District	Floor Area Ratios by Story	
	Maximum FAR for 1st Story	Maximum FAR for 2nd Story
EU-1C	0.20	0.10
EU-1	0.20	0.10
EU-S	0.30	0.30
EU-M	0.30	0.30
RU-1	0.35	0.35
RU-2	0.35	0.35

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District	Cumulative Floor Area Ratio by Number of Stories			
	1 Story Building	2 Story Building	3 Story Building	4 Story Building
RU-3	0.26	0.49	0.73	0.79
RU-3M	0.30	0.50	N/A	N/A
RU-4L	0.30	0.50	0.62	N/A
RU-4M	0.40	0.51	0.62	N/A
RU-4	0.40	0.51	0.62	0.73
RU-5	0.40	0.51	N/A	N/A
BU-1	0.40	0.51	N/A	N/A
BU-1A	0.40	0.51	0.62	0.73
BU-2	0.40	0.51	0.62	0.73
BU-3	0.40	0.51	0.62	0.73
PS	0.40	0.51	N/A	N/A
PR	0.40	0.51	N/A	N/A

(Ord. No. 2002-8, § 3, 11-13-02; Ord. No. 2009-2, § 2, 6-9-09; Ord. No. 2009-5, § 2, 12-8-09)

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FOOTNOTE(S): <sup>(21)</sup> **Editor's note**— See definitions, div. 9.2 ([Back](#))

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ARTICLE 5. - ADDITIONAL REGULATIONS

**ARTICLE 5. - ADDITIONAL REGULATIONS** <sup>[22]</sup>

[Div. 5.19. - Appearance of site and structures.](#)

[Div. 5.22. - Off-street parking.](#)

[Div. 5.27. – Alternative energy systems and environmental conservation.](#)

**Div. 5.19. - Appearance of site and structures.**

The following standards shall apply within all zoning districts:

- (a) *Architectural style and color.* All buildings constructed shall be of an architectural style and color which will harmonize with the premises and with other buildings in the same neighborhood. Facades shall be designed to reduce the mass/scale and uniform monolithic appearance of large unadorned walls, while providing visual interest that will be consistent with the community's identity and character through the use of detail and scale. Articulation shall be required and accomplished by varying the building's mass in height and width so that it appears to be divided into distinct massing elements and details that can be perceived at the scale of the pedestrian or motorist.

**Residential building facades and elevations shall be designed to minimize the visual impacts of the scale of the building. Front and side facade design of the second story of two-story residential dwellings shall include building design variations at intervals no greater than seventy-five (75) feet to minimize scale impacts and promote activated elevations. Design variations or intervals shall be a minimum of 7.5 feet in length and 5 feet in depth.**

Buildings **constructed** within the commercial zoning districts adjacent to Pinecrest Parkway shall be designed **and maintained** in accordance with the architectural styles and color palette of the Pinecrest Parkway (US 1) Vision Plan. Corporate chain building designs and prototype/generic architectural designs may be permitted to the extent that they comport with the architectural design standards of the *Pinecrest Parkway (US 1) Vision Plan* adopted by the Village Council on October 9, 2012.

The village council shall make the final determination of architectural harmony.

- (b) *Location and screening of mechanical equipment and utility hardware.* Mechanical equipment or other utility hardware on roofs shall be harmonious with the building or they shall be located and/or screened so as not to be visible from any public ways within the impacted area.
- (c) *Location and screening of solid waste containers.*
1. *Permanent waste storage area.* All permanent waste storage areas shall be screened from adjacent properties and public ways by appropriate fences, walls or landscaping.
  2. *Required enclosure and access gate.* Dumpsters shall be maintained in an enclosure with the service and access gate(s) closed except when being serviced by a commercial refuse/garbage collector or when being used to access the dumpster.
  3. *Closed lid.* Dumpster lids shall be kept closed at all times when the dumpster is not being used or serviced.
  4. *Violations; health hazards.* Garbage and trash shall be placed inside the dumpster and not on or around the dumpster or the enclosure. Loose garbage and trash in plain view is a

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violation of this Code, a health hazard, and aesthetically undesirable. The property owner shall be responsible for keeping the enclosure and surrounding area litter, garbage, and trash free at all times. It shall be a violation of the Code of Ordinances to allow the dumpster to be filled to over capacity so that the dumpster lid is prevented from closing on top of the garbage bags.

5. *Maintenance and repair of enclosures.* Approved enclosures shall be maintained in good condition, repair and appearance at all times so as to allow for collection of materials and to eliminate odors.
6. *Location of dumpster and enclosure.* The location on site of a dumpster and the dumpster enclosure shall require the prior approval of the director of public works. A dumpster shall be kept in a place easily accessible to authorized collection vehicles at all times and no service shall be given to those placing or permitting objects, ground level or overhead obstructions, or vehicles, to hinder in any way whatsoever the servicing of bulk containers by authorized collection vehicles. Unless in a public right-of-way for purposes of collection only, all dumpsters shall be placed within an approved enclosure. It shall be unlawful for any person to place or store, or allow to be placed or stored, a dumpster upon or in any public street, alley or right-of-way; provided, however, that such container or receptacle may be placed in the public right-of-way during the collection/emptying process.
7. *Dumpster space designation and enclosure requirement.* All real property utilizing dumpsters in a BU or Office zoning district shall provide an enclosure of a size that would permit the moving in or out of the dumpster without damage to the enclosure. The enclosure shall be a minimum of 12 inches above the dumpster.
8. *Approved enclosure.* All enclosures shall consist of walls and any fencing shall be of wood, plastic lumber or chainlink. Wood or plastic lumber shall be a minimum of 1.5 inches thick. Enclosures shall have a gate for collection equipment access, and may also have a gate for pedestrian access. All gates shall be totally opaque and the enclosures shall be constructed of one of the following materials:
  - a. *Masonry walls.* All exterior faces of the wall shall be finished and of professional quality such as stucco, pre-finished blocks, stacked block and struck joints, shadow blocks. The wall shall be painted and installed in a workmanlike manner and meet with the approval of the administrative official.
  - b. *Concrete walls.* Pre-cast concrete walls of quality deemed acceptable to the administrative official.
  - c. *Wood fencing.* Substantial wood fences of durable species, incorporating architectural design features to enhance appearance, of quality and design acceptable to the administrative official. In making this determination, consideration shall be given to: i) The thickness of the wood which must be a minimum of 1.5 inches; ii) Whether the wood is pressure treated or has a finish that protects the wood from the elements; and iii) Minimum six inches by six inches corner post and four inches by four inches intermediate posts of pressure treated materials.
  - d. *Plastic lumber fencing.* Lumber shall be plastic members of new or recycled materials able to withstand the climatic and ultraviolet conditions of the region and of a quality and design acceptable to the administrative official. In making this determination, consideration shall be given to: i) Whether the material is coated or has a finish that protects the plastic from the elements; ii) Adequacy of supporting in-ground posts; iii) The lumber must be a minimum of nominal one-inch by nominal six-inch boards and shall have a maximum spacing between boards of one inch; and iv) Compatibility of

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materials with existing materials on the subject property and surrounding neighborhood.

- e. *Chain-link fencing.* Dumpster enclosures may be made of chain-link fencing with opaque material attached to the chain-link fencing so that the dumpster is not in public view.
  - f. *Gates.* Dumpster enclosure gates shall be constructed of a metal frame with wood or metal slats or other facing material. Servicing gates, upon opening, may not swing into the right-of-way and shall incorporate gate stops that are functional in the full open and closed positions. Hinge assemblies shall be strong and durable such that access and servicing gates do not sag and function properly. All gates for pedestrian access shall be no more than 48 inches in width and no less than 36 inches in width. Enclosure gates shall be closed at all times except for the time necessary to service the bulk container. Maze style openings shall be permitted in place of a pedestrian access gate. A maze style opening is an opaque wall or fence that can be located no more than 48 inches and no less than 36 inches from the enclosure opening and must be a minimum length of 1.5 times in length of the opening and shall be centered upon the opening. Enclosure openings shall be no more than 48 inches in width and no less than 36 inches in width.
9. *Setback.* All dumpster enclosure walls and/or fences shall be located a minimum of five feet from adjoining commercial areas and ten feet from adjoining residential uses; and a minimum of five feet from public and private rights-of-way unless not physically possible.
10. *Garbage containers.* All receptacles and bulk containers which receive garbage, liquid waste or food from food handling operations including, but not limited to, bakeries, meat processing plants, restaurants, or any business establishment where it is determined that garbage, liquid waste or food will be accumulated, shall have a poured to grade level concrete slab. If available, dumpster site shall have facilities for washing containers and ability to drain to an acceptable sanitary disposal system. If the aforementioned facilities are available, or can be reasonably installed then the dumpster shall have washout plugs. For purposes of this Code, storm drains shall not be considered as an acceptable sanitary disposal system. If no suitable drain, grease trap or sanitary disposal system is available, the dumpster containers shall be sealed so that no liquid gets on the pad or ground. Dumpster collection shall be frequent enough so as to keep odors to a minimum. Odors shall also be kept at a minimum through artificial means such as masking agents or whatever products are available to handle odors. Containers shall be constructed in accordance with the provisions of the state building code and must be approved by and meet the state department of health requirements.
11. *Exceptions.* All dumpsters and trash receptacles must comply with this Code except for the following:
- a. Dumpsters and receptacles located in service yards, that are screened from public ways with a minimum six feet high fence or suitable dense landscaping as approved by the administrative official. The dumpsters and receptacles must not be visible from the public's view.
  - b. Dumpsters and receptacles located at permitted construction sites.
12. *Time of placement and removal of receptacles.* Residential trash, trash and garbage receptacles may not be placed for curbside pickup more than 24 hours before pickup and all receptacles must be removed from the curbside within 24 hours after pickup.
- (d) *Utility lines.* In new construction, all utility lines shall be placed underground. All telephone lines shall be placed underground. Service lateral electrical distribution lines serving individual

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installations shall be placed underground. Other high voltage electrical lines may be placed underground or on concrete poles, provided that the poles are within the street right-of-way and have provisions for street lighting. Large transformers shall be placed on the ground and be mounted on pads and contained within enclosures or vaults. Where enclosures or vaults are used, the construction and design shall be compatible with primary building design. Landscaping with shrubs and plants shall be provided to screen pad mounted transformers.

- (e) *Activities conducted in enclosed buildings.* All businesses and services shall be conducted within completely enclosed buildings unless otherwise permitted by the Code. If the village council determines that a demonstrated necessity exists for limited outside storage due to the impracticality and unreasonableness of enclosure of such goods, the goods shall be effectively screened by a ninety-five percent or greater opaque wall with a life expectancy of 20 years or more from the date of installation of said walls. Storage shall not occur above the height of such walls. No such storage shall be visible from a public way.
- (f) *Exterior lighting.* Light sources shall be shielded and arranged to eliminate glare from roadways and streets; and shall be directed away from properties lying outside the district. Shielding of lighting elements shall be accomplished by using an opaque shade to direct the light.
- (g) *Wooden decks not exceeding 18 inches in height.* Any side of any wooden deck above grade shall be enclosed from the edge of such deck to the existing grade, by wood slats or lattice work, in such a way as to prevent the area below the wooden deck from being visible from any adjacent property or waterway.
- (h) *Air conditioning and heating units; pool pumps.* In all districts, the exhaust or mechanical part of any air conditioning or heating unit, other than window units, and all pool pumps, shall not be placed or installed within five feet of any property line. Where feasible, air conditioning units should be baffled for noise. Pool pumps shall be baffled to reduce noise or covered to minimize noise at the property line. All such facilities shall be screened from public view.
- (i) *Construction fencing.* A project site that meets the following standards is required to install a construction fence, which means a temporary six-foot chain link fence with a **single dark green** color fabric. The fence and screening must remain in place, upright and in good repair throughout the construction process.
  - (1) Clearing, grading, stockpiling or soil or demolition. A construction fence is required where clearing, grading, stockpiling of soil or demolition is proposed as follows:
    - a. A lot located in the residential or commercial zoning districts shall install a fence on the front, side, and rear lot lines prior to commencement of clearing, grading or demolition. **Fencing must be removed upon final electrical inspection.**
    - b. Fencing must be removed upon final grading and landscaping or upon replacement with a permanent fence or wall. If no construction has occurred within 45 days of completion of a demolition or lot clearing, the fence shall be removed within 30 days after the final inspection.
  - (2) **New Construction and Major remodeling.** **New construction and Major remodeling** shall mean an increase in the building volume of 10,000 cubic feet or more, an increase in the building footprint of 1,000 square feet or more or new construction with a building footprint of 1,000 square feet or more. A construction fence is required for **new construction and** major remodeling as follows:
    - a. A lot located in the residential or commercial zoning districts shall contain a fence on the front, side and rear lot lines. Fencing ~~may~~ **must** be removed upon ~~final grading and landscaping or upon replacement with a permanent fence or wall~~ **final electrical inspection.**

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- b. All other lots shall contain a fence on the side and rear lot lines. Fencing ~~may~~ **must** be removed upon ~~final grading and landscaping or upon replacement with a permanent fence or wall~~ **final electrical inspection**.
- (3) *Major alteration.* Major alteration shall mean a change of 50 percent or more of the gross square footage of an existing structure for reconstruction, rehabilitation, removal of walls, or other improvement excluding replacement of the roof. A construction fence is required for major alteration as follows:
- a. A lot located in the residential or commercial zoning districts shall contain a fence on the front, side, and rear lot lines. Fencing must be removed upon final electrical inspection.
- b. All other lots shall contain a fence on the side and rear lot lines. Fencing must be removed upon ~~final grading and landscaping or upon replacement with a permanent fence or wall~~ **final electrical inspection**.
- (4) *Exception to installation of construction fence.* Where a construction fence would be required for a residential lot pursuant to subsection (1)~~b.~~, (2)~~b.~~, or (3)~~b.~~ above and the owner or contractor obtains a construction fence waiver from the owner of the property that abuts the project site, the building official may waive the requirement for all or a portion of the construction fence but retains the right to require a construction fence at any time. Any required silt and sediment barriers shall still be installed as required.
- (5) *Installation.* Installation of a construction fence shall occur prior to any construction activity or material deliveries. The fence shall not be placed so as to create a public safety hazard. Where the project site is enclosed by a fence, the fence gate shall not open towards the road right-of-way and shall be locked during non-working hours.
- (j) *Permanently installed generators.*
- (1) *Setbacks.* In all districts, pads for permanently installed generators shall be located or installed no less than five feet from any property line or from the principal structure. Provided, however, the exhaust outlet of a generator shall be located no less than 10 feet from any part of any "packaged" air conditioning unit, any operable doors, windows, vent outlets, or other openings. In no event shall a generator or above-ground fuel tank be placed forward of the front or corner side building line.
- (2) *Vertical elevation.* When a permanently installed generator is located within an "AE" flood zone, the top elevation of the pad shall be no lower than the base flood. In "X" or "X-500" zones, the minimum elevation of the pad shall be set at an elevation no less than eight inches above the roadway crown.
- (3) *Fuel tanks.* All fuel tanks shall be located no less than five feet from any property line. Above-ground fuel tanks are considered as accessory structures and therefore subject to the setbacks of the appropriate zoning district.
- (4) *Screening.* Generators and above-ground fuel tanks must be screened from public view by landscaping or other acceptable material.
- (5) *Testing.* The testing of a permanently installed generator shall be limited to once per week for a period of no more than 30 minutes between 8:00 a.m. and 6:00 p.m., and further limited to Monday through Saturday.
- (k) *Maintenance of Construction Sites.* All construction sites shall be maintained in a safe and clean condition free from ~~litter~~, abandoned and/or junk material.

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**(l) Maintenance of vacant lots. All vacant lots shall be maintained in a safe and clean condition free from litter, abandoned and/or junk material. Vacant lots shall not be fenced, enclosed, or screened.**

(Ord. No. 2002-8, § 3, 11-13-02; Ord. No. 2006-1, § 1, 5-18-06)

**Div. 5.22. - Off-street parking.**

- (a) *Applicability.* Parking shall be provided in all districts at the time any building or structure is erected or enlarged or increased in capacity by a change of use, change of tenant, or the addition of dwelling units, transient units, floor area, seats, beds, employees or other factors impacting parking demand as stated in this division. The parking spaces shall be delineated on a site plan if required. If a site plan is not required, the applicant shall submit a scaled drawing reflecting off-street parking, tenant locations, square footage and parking ratios, which shall be approved and filed by the administrative official once a determination of compliance is rendered. The land comprising approved parking spaces required by this division shall be maintained in perpetuity as off-street parking spaces, along with all its required landscaping, irrigation, lighting and drainage, and shall not be used for other purposes unless there is a village approved change in land use on the premises which warrants a change in the design, layout, or number of required parking spaces.
- (b) *Required off-street parking.*
1. *Schedule of off-street parking requirements.* Proper parking spaces shall be provided at the time of the erection of any main building or structure, or at the time any main building or structure is increased in occupant capacity, or at the time any use or occupancy of an existing building is changed to a use or occupancy which increases the requirements for off-street parking facilities. A dust-free paving material such as asphalt, bitumen, concrete, turf block or other similar materials shall surface parking areas for all uses including single-family residential uses. With the exception of single-family and two-family dwellings, parking lots shall have each parking space and aisle marked. Where uses are mixed, the areas shall be identified and calculated by use. Credit for non-useable space shall be allowed for restroom facilities only. The number of parking spaces required is specified in the following schedule of off-street parking requirements:

Uses		Spaces Required	
1.	Assembly occupancies, private clubs, theaters, auditoriums and similar uses	1.	1 space per 3 fixed seats or 1 space per 4 occupants, calculated at 15 square feet of net usable area or fractional part thereof per occupant.
2.	Auto sales, service and similar uses	2.	3 spaces per the first 2,500 square feet of gross floor area or fractional part thereof, plus 1 space per each additional 500 square feet or fractional part thereof, plus 3 spaces per each 5,000 square feet or fractional part thereof open lot area. Office and retail parts areas shall be provided parking spaces as otherwise contained therein. Customer and employee parking shall be labeled

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			as such.
3.	Banquet and bingo halls, private clubs	3.	1 space per 100 square feet of patron area.
4.	Beauty/barber shops, hair salons	4.	1 space per <del>100</del> <b>200</b> square feet of gross floor area.
5.	Churches or other places of worship	5.	1 space per 3 fixed seats, calculated at 20 lineal inches equal to one fixed seat and 1 space per 4 occupants calculated at 15 square foot offset useable area, including adjacent areas that may be used as an auditorium or assembly area.
6.	Convalescent homes, homes for the aged, nursing homes	6.	1 space per each staff member plus 1 space for every 3 residents permitted on site.
7.	Dwellings Single-family Duplex Townhouses/apartments/multi-family  Group homes	7.	2 spaces 4 spaces 2.5 spaces per unit plus 1 guest space per 4 units  2 spaces
8.	Furniture showrooms	8.	3 spaces for the first 2,500 square feet, plus 1 space for each additional 500 square feet. Future parking spaces at a ratio of 1 space per 250 square feet must be identified and landscaped, not to be counted toward meeting landscape requirements.
<u>9</u>	Gas stations, mini-marts	<u>9</u>	1 space per 250 square feet of gross floor area or fractional part thereof plus one space per lift bay. A minimum of 3 spaces, one of which must be handicap, shall be provided and designed so as not to interfere with the dispensing operation.
10.	General business, retail commercial establishments, offices or office buildings, and banks	10.	1 space per 250 square feet of gross floor area or fractional part thereof, unless more restrictive provisions for specific uses are listed herein,
11.	Hospitals	11.	2 spaces per bed.

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12. Instructional studios such as dance, karate, aerobics, health and fitness establishments	12. 1 space per each 100 square feet of classroom, equipment or similar patron use area or fractional part thereof plus 1 space per 250 square feet of additional gross floor area or fractional part thereof.
13. Libraries, art museums and similar cultural facilities	13. 1 space per each 250 square feet of gross floor area or fractional part thereof.
14. Medical or dental office or clinics	14. 1 space per 200 square feet of gross floor area or fractional part thereof, whichever is greater.
15. Nurseries (plants)	15. 8 spaces for the first acre, plus 2 spaces for each additional acre or fractional part thereof.
16. Open lot uses (cars, vehicles)	16. 5 spaces for the first 5,000 square feet, plus 1 space for each additional 500 square feet or fractional part thereof.
17. Recreation, social, swimming, golf, tennis clubs	17. 1 space per 200 square feet gross floor area or fractional part thereof, plus 4 per each tennis court, plus 1 per each 200 square feet of pool area or fractional part thereof (including deck), plus per each hole of golf as applicable. Places of assembly shall be as provided herein.
18. Restaurants, lounges, nightclubs, or similar places dispensing food, drink or refreshments	<p>18. Providing sit down service: 0.95 space per 50 square feet of gross floor area or fractional part thereof devoted to patron use; plus one per 250 devoted to all other gross square floor area.</p> <p>Fast Casual Restaurant and cafeteria or food service areas within retail stores: 0.75 spaces per 50 square feet of gross floor area or fractional part thereof devoted to patron use; plus one per 250 devoted to all other gross floor area.</p> <p>Fast Food Restaurant (without drive-through): 0.65 spaces per 50 square feet of gross floor area or fractional part thereof devoted to patron use; plus one per 250 devoted to all other gross floor area.</p> <p>Fast Food Restaurant (with drive-through): 0.50 spaces per 50 square feet of gross floor area or fractional part thereof devoted to patron use; plus one per 250 devoted to all other gross floor area.</p>

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			<p>Providing take out service only. 1 space per 250 square feet of gross floor area whose waiting area does not exceed 80 square feet, otherwise 1 space per 150 square feet gross.</p> <p>A sidewalk café which contains 100 square feet or less of dining area outdoors is exempt from providing additional parking. One parking space shall be required for every 50 square feet of dining area in excess of 100 square feet of outdoor café dining area.</p>
19.	<p>Schools (private) Kindergarten, Nurseries</p> <p>Elementary, Middle Schools</p> <p>High Schools, Universities</p>	19.	<p>1 space per 800 square feet of gross floor area.</p> <p>1 space per 200 square feet of gross floor area.</p> <p>1 space per 10 fixed or moveable seats, plus 1 space per 4 employees (excluding teachers).</p>
20.	Stadiums, gyms	20.	1 space per 4 seats or 1 space per each 200 square feet, whichever is greater.
21.	Determination for unlisted uses	21.	In the case of uses is not listed in this schedule, the village shall make a determination of the minimum required off-street parking spaces. In reaching the determination, the village shall be guided by the requirements for similar uses, the number and kind of vehicles likely to be attracted to the proposed use and studies of the parking requirements of such uses in other jurisdictions and nationally recognized parking standards (ITE or ULI reports).

2. *Size and access.*

- a. *All uses, except single-family and duplex dwellings.* For all uses, except single-family and duplex dwellings, off-street spaces shall consist of parking spaces having minimum dimensions as required in table 5-13 below for the parallel parking of each automobile, exclusive of aisles thereto. The parking plan must be so arranged that each automobile may be placed and removed from the parking space assigned without the necessity of moving any other automobile to complete the maneuver, except for a licensed and authorized rental car agency and for a new car dealer storage building. Street or sidewalk areas may not be used for off-street parking purposes as herein defined. Individual ingress

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and egress drives extending across the public sidewalks and curbs and connecting the off-street parking spaces to the public street areas shall be a minimum of 12 feet and a maximum of 15 feet for a residential one-way drive, and a minimum of 24 feet and a maximum of 30 feet for any nonresidential use or residential two-way drive. The design, number and placement of such drives are subject to site plan approval by the village before being constructed. However, commercial access ways are permitted as one per 100 feet of frontage, but must be 35 feet from the any street intersection. Two or more owners and operators of commercial buildings or uses of the same type of land use classifications requiring off-street parking facilities may record ingress and egress easements approved by the village provided that the combined facility is compatible with the land use being served. Spaces marked reserved or designated for a certain use may not be counted as fulfilling parking requirements where businesses share parking (i.e., shopping centers).

- b. *Single-family, and duplex uses.* For single-family and duplex dwellings, off-street parking areas shall be equivalent to two nine-foot by 18-foot spaces, may not occupy more than 60 percent of the front yard, and the access way approach must be 15 feet from any street intersection.
- c. *Plan approval for ingress/egress, curbs, and sidewalks.* The plan for ingress and egress, curbs and sidewalks associated with any off-street parking areas shall be subject to the approval of the village. No curbs or sidewalks may be cut or altered in any manner without a permit from the village and all other applicable county or state agencies. In approving curb or sidewalk cuts, the location of existing and proposed street trees, their spacing, the proximity to intersections or other existing traffic consideration shall be studied.
- d. *Variances.* A variance to the required off street parking requirements may only be granted by the village council.
- e. *Parking dimensions.* Vehicle parking shall meet the following minimum dimensions:

TABLE 5-13  
OFF-STREET PARKING REQUIREMENTS

Dimensions	Diagram	0°	45°	60°	75°	90°
Stall width, parallel to aisle	A	9.0	12.7	10.4	9.3	9.0
Stall length of line	B	24.0	26.5	22.9	20.3	18.0
Stall depth to wall	C	9.0	18.7	19.8	19.6	18.0
Aisle width between stall lines	D	12.0	12.0	17.0	22.0	24.0
Stall depth, interlock	E	9.0	15.7	17.7	18.5	18.0
Module, wall to interlock	F	30.0	46.5	54.6	59.1	60.0

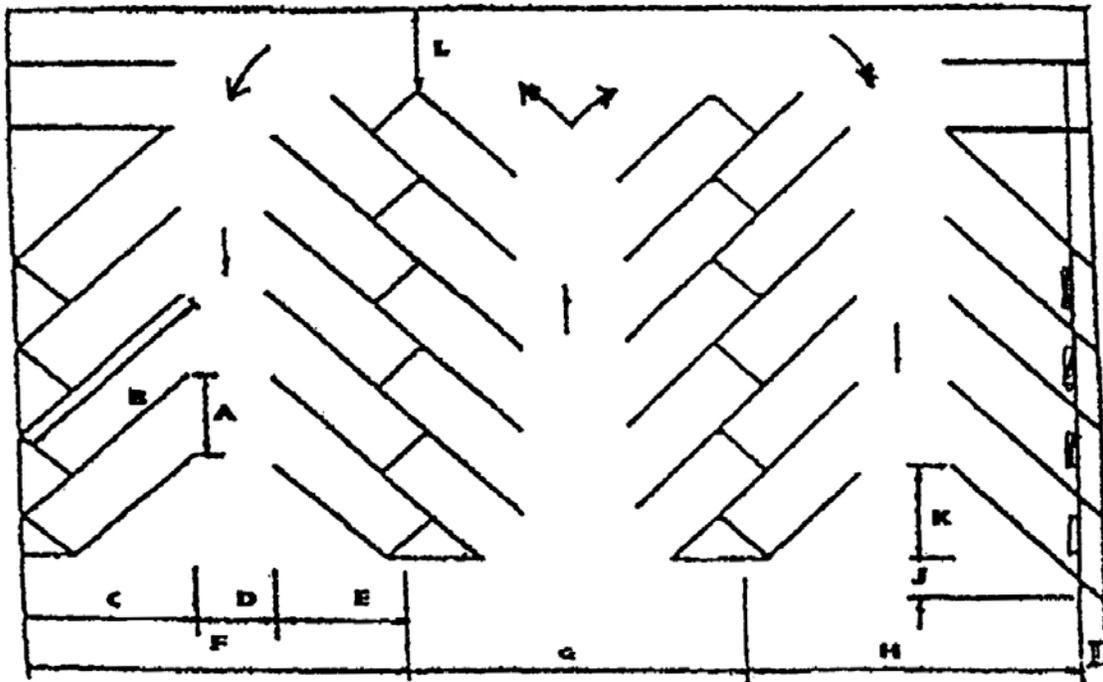
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Module, interlocking	G	30.0	43.5	52.4	28.6	60.0
Module, interlock to curb face	H	30.0	44.7	52.4	56.9	58.0
Bumper overhang, typical	I	0.0	1.8	2.2	2.4	<a href="#">2.5</a>
Offset	J	N/A	<a href="#">6.3</a>	<a href="#">2.7</a>	0.6	0.0
Setback	K	24.0	12.7	9.0	5.0	0.0
Cross aisle, one-way	L	18.0	18.0	18.0	18.0	18.0
Cross aisle, two-way	N/A	24.0	24.0	24.0	24.0	24.0

For parallel parking, minimum widths and lengths shall be nine feet by 23 feet.

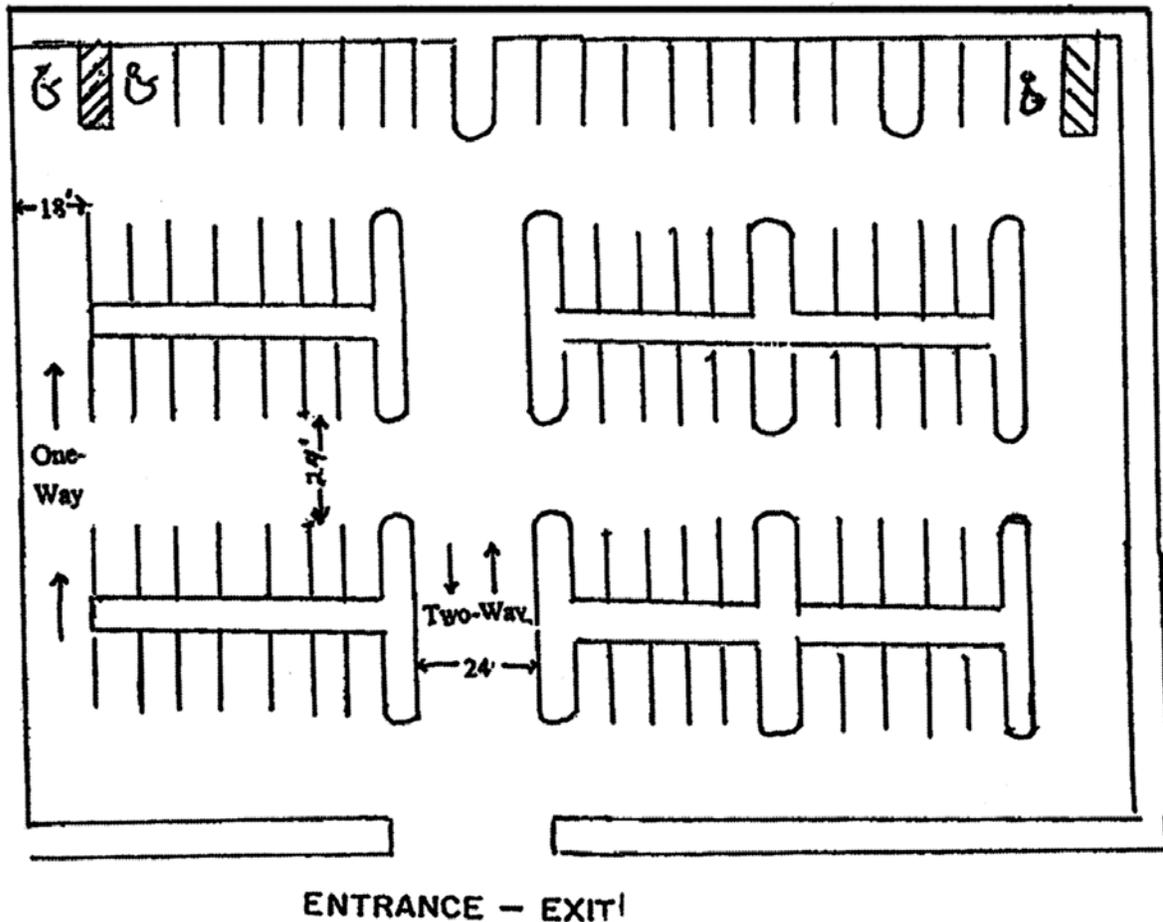
**OFF-STREET PARKING REQUIREMENTS DIAGRAM**



***OFF-STREET PARKING REQUIREMENTS DIAGRAM 1***

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**OFF-STREET PARKING REQUIREMENTS DIAGRAM**



**OFF-STREET PARKING REQUIREMENTS DIAGRAM 2**

3. *Location of parking spaces.* Parking spaces for all uses and structures which are provided as required parking in conformance with the schedule of off-street parking and other applicable provisions shall be located on the same lot and have the same zoning district as the principal use or structure they are intended to serve. Notwithstanding this provision, off-site parking may be allowed in the BU and RU-5 zoning districts after a public hearing is convened by the village council, provided the following conditions are met:
  - a. The off-site parking facility is located within 100 yards of the main parcel for which permission for off-site parking is being sought.
  - b. An application has been filed with and accepted by the administrative official as being in compliance with the requirements set forth herein.
  - c. The application is in the name or names of the owner of the real property seeking permission to utilize an off-site parking facility, the name of any tenant or business on such

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real property seeking permission to utilize an off-site parking facility, and in the name of the owner of the real property proposed for use as an off-site parking facility.

- d. The applicants provide to the village an ownership and encumbrance report or policy of title insurance, acceptable to the administrative official, showing the ownership of both parcels to be listed in the names of the applicants as of the date of any action by the village council on the application.
  - e. The property proposed to be utilized as an off-site parking facility is not currently required parking for any other use granted by the village or has sufficient unallocated parking available.
  - f. The application reflects that all parties acknowledge that the off-site parking facility is to be used only for off-site parking as required by the proposed business, and that such off-site parking facility shall not be available for any other use.
  - g. The applicants acknowledge that no grandfathered status shall attach to the business use, structure or real property having such off-site parking, and in the event such business or use shall lose its authority or permission to utilize such off-site parking, that use shall immediately cease. The agreement provided to the village shall be properly witnessed and notarized, shall be recorded in the official records of the county, and shall be binding upon the heirs, assigns and devisees of the parties to the agreement.
  - h. Any cost to the village for recording of such agreement or attorney's fees in the preparation, review or filing of such agreement shall be prepaid by the applicant prior to any village council action on the application.
  - i. Any parking provided on any such off-site parking facility shall be upgraded to meet current village regulations for required parking (including required landscaping).
  - j. The agreement shall specify that the business for which off-site parking is being sought shall have all owners, employees or agents of such business park on such off-site facility, and not park on the real estate for which permission for off-site parking is being sought and any violation of such parking restriction shall cause off-site parking approval to be revoked by action of the village council.
  - k. The agreement provided to the village, or any approval for use of off-site parking facilities, shall not be assignable by the applicants. And any approval for the use of off-site parking facilities shall be subject to being revoked by the village council in the event that any of the applicants shall sell or convey the facility for which permission for utilization of off-site parking is being sought, the off-site parking facility, or the business seeking permission for utilization of an off-site parking facility. Any certificate of occupancy or occupational license issued concerning the property for which off-site is being sought shall be issued conditioned upon the owner or holder of any such license maintaining the exclusive right to use such off-site parking facility.
4. *Parking or storage of rental vehicles.* Parking or storage of rental vehicles in connection with a licensed and authorized rental car agency shall be located on the same lot or parcel of property as the licensed office of the rental car agency, or such lot or parcel shall be contiguous to the lot or parcel on which the main rental agency or office is located. The storage of rental cars does not require standard parking spaces for storage areas, provided such areas are within an enclosed parking structure.
  5. *Handicapped parking.* Handicapped parking shall meet the requirements of the state handicapped access code, F.S. § 553.501 et seq.
  6. *Utilization of parking structures.* When off-street parking facilities are located within a separate parking structure, the following conditions and restrictions shall apply:

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- a. The structure shall conform to all lot, yard and bulk requirements of the district in which it is located.
  - b. The parking facilities shall conform to all other provisions of these regulations and all other ordinances of the village.
  - c. All nonstructural portions of the exterior elevations except for vehicular ingress and egress areas shall, in addition to any required safety provisions, be screened by a sight block of no more than 60 percent solidity for the total areas between deck levels, such sight blockage to be determined by elevation. Screening shall extend the full distance between deck levels except for vehicular ingress and egress.
  - d. When parking facilities are located on the roof of a structure, a seven-foot sight block shall be provided in accordance with subsection (b)(6)c. above. The definition for height of a building shall be applied with respect to feet and be measured to the top of the sight block as set forth subsection (b)(6)c.
  - e. This regulation shall not apply to or be construed to prohibit the construction of freestanding carports or garages as accessory structures to single-family or two-family residential dwellings. Nothing in this regulation is intended to prohibit the installation of a fully automatic parking facility in which the placement and removal of automobiles are accomplished wholly by machinery. However, such mechanism shall be completely shielded from public view.
7. *Utilization of yards.*
- a. In all EU districts and in the RU-1 and RU-2 residential districts, required parking spaces for single-family and two family dwellings may be permitted in any setback areas and shall be counted as meeting off-street parking requirements, except that within a required front yard all parking shall be located in a driveway or turnaround.
  - b. In all districts, for all other permitted uses, approved permitted uses with site plan review or approved conditional uses, required front, side or rear yards may be used for off-street parking except as limited herein. A maximum of 60 percent of a required front yard may be used for off-street parking. All parking areas shall have each parking space and aisle marked and shall be landscaped in conformance with the paved area landscape requirements in these regulations. In all districts, parking area and driveway surfaces shall not extend closer than five feet from any abutting property line.
  - c. All parking spaces shall be considered impervious for the purpose of calculating required green space pursuant to district requirements established in these regulations.
8. *Bicycle rack and pedestrian bench.* A bicycle rack and pedestrian bench are required to be provided at the time of remodeling or redevelopment of a commercial property to an extent that exceeds 50 percent of its existing floor area. Two (2) parking space credits shall be granted for providing the required bicycle rack and pedestrian bench on-site. The bicycle rack shall be capable of storing a minimum of four bicycles and the pedestrian bench shall be a minimum of five feet in length. Bicycle racks and benches shall be placed in a visible location within 15 feet of the front building elevation(s) or adjacent to the pedestrian access path. The area around the bicycle rack and bench shall be landscaped with one 14-foot shade tree and four 36-inch shrubs.
- 9. *Electrical Vehicle Charging Infrastructure.* A minimum of one (1) Level 2, 240 volt electric vehicle charging station shall be provided within a parking space designated for electric vehicles at the time of construction of a new building, or remodeling or reconstruction of**

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**an existing building beyond 50 percent of its floor area, within the commercial and multi-family residential zoning districts, except that an electric vehicle charging station shall not be required within parking lots that contain 20 or less required parking spaces.**

- (c) *Off-street loading.* For every building or building group or part having a gross floor area of 4,000 square feet or more, which is to be occupied by commercial or industrial uses or other uses similarly requiring the receipt of distribution by vehicles of material or merchandise, off-street loading berths or unloading berths shall be provided and maintained on the same lot with such building, as follows:
- (1) 4,000 - 25,000 square feet: 1 berth;
  - (2) 25,000 - 40,000 square feet: 2 berths;
  - (3) 40,000 - 60,000 square feet: 3 berths;
  - (4) For each additional 50,000 square feet: 1 berth.
- (d) *Lighted off-street parking facilities.* All required off-street parking facilities for multiple family residential development and all nonresidential land uses shall install light fixtures which project the light rays directly to the parking surface, and shall include shields which restrict projection or light rays outward to adjacent properties and also restrict the upward projection of light rays into the night sky. All lighting shall comply with minimum standards and shall not cast more than one-half foot-candle at the property line. Photometric drawings, by a certified engineer, shall be provided at time of permitting and prior to final approval. Such calculations shall certify compliance with this division.
- (e) *Access driveway entrances and approaches.*
1. *Residential driveways.* Residential driveway approaches must be identified on site plans and shall be constructed according to approved public works standards. The driveway approach must have a minimum width of 12 feet and a maximum width of 16 feet, except for a five-foot radius on either side. The driveway must be set back at least five feet from any adjoining properties at all points. Residential driveway approaches and access ways must be 35 feet from street intersections and are subject to required triangle of visibility standards. No more than one two-way accessway shall be permitted for any street frontage up to 100 lineal feet or no more than two one-way accessways shall be permitted for any street frontage up to 100 lineal feet, such standards to be applicable to any property under one ownership. Where such ownership involves over 100 feet of street frontage, one additional two-way or two additional one-way drives may be permitted for each additional 100 feet of frontage or major fraction thereof. The balance of such street frontage not involved with accessways shall be landscaped in accordance with the provisions of this division.
  2. *Commercial driveways.* Commercial driveway entrances and approaches shall be paved and constructed according to approved public works standards. The driveway and approach must have a minimum width of 12 feet and a maximum width of 30 feet. The driveway and approach may not encroach upon adjoining properties and must be set back a minimum of five feet from adjoining properties. Commercial accessways must be a minimum of 100 feet apart when located on properties under common ownership. No commercial driveway curbcut shall be located within 50 feet of a street intersection.
- (f) *Parking pavement markings.* For all occupancies other than single-family and duplex dwellings, the parking spaces shall be marked with double striping on each side of the space to identify and facilitate their use. All striping shall be white, contrasting with the pavement, except for handicapped parking spaces that shall be painted blue and white stripe. Dimension requirements, as noted elsewhere, shall be measured to the center point of the double stripe, as shown on the "striping detail" hereby incorporated as part of this division. Notwithstanding the above provisions and striping details, where striping is required for residential users, not less than a single four-inch stripe shall be provided, with parking stall dimensions to be measured to the center line of the strip. In all

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instances, adequate interior driveways and ingress and egress driveways shall be provided to connect all parking spaces with a public right-of-way or alley. Where a parking space heads into and abuts a walkway, the paved parking space shall be furnished with a wheel stop or curb positioned two feet to the rear of the front end of the parking space, for purposes of protecting the walkway and its users from encroachment by vehicles. Required and surplus parking shall comply with these provisions. Parking shall not be located in any rights-of-way.

- (g) *Parking lot buffers.* All lots whose parking areas are adjacent to a right-of-way or private street shall be screened by a continuous hedge or wall, as provided in the land development code.
- (h) *Parking spaces for persons transporting young children and strollers.* For all uses other than single-family, duplex, townhouse, or multi-family uses, parking spaces specifically designated for persons transporting young children, hereby defined as ages two years or less, and strollers shall be provided as follows:
  1. *Quality of specially designated parking spaces.* The following provisions shall be met:

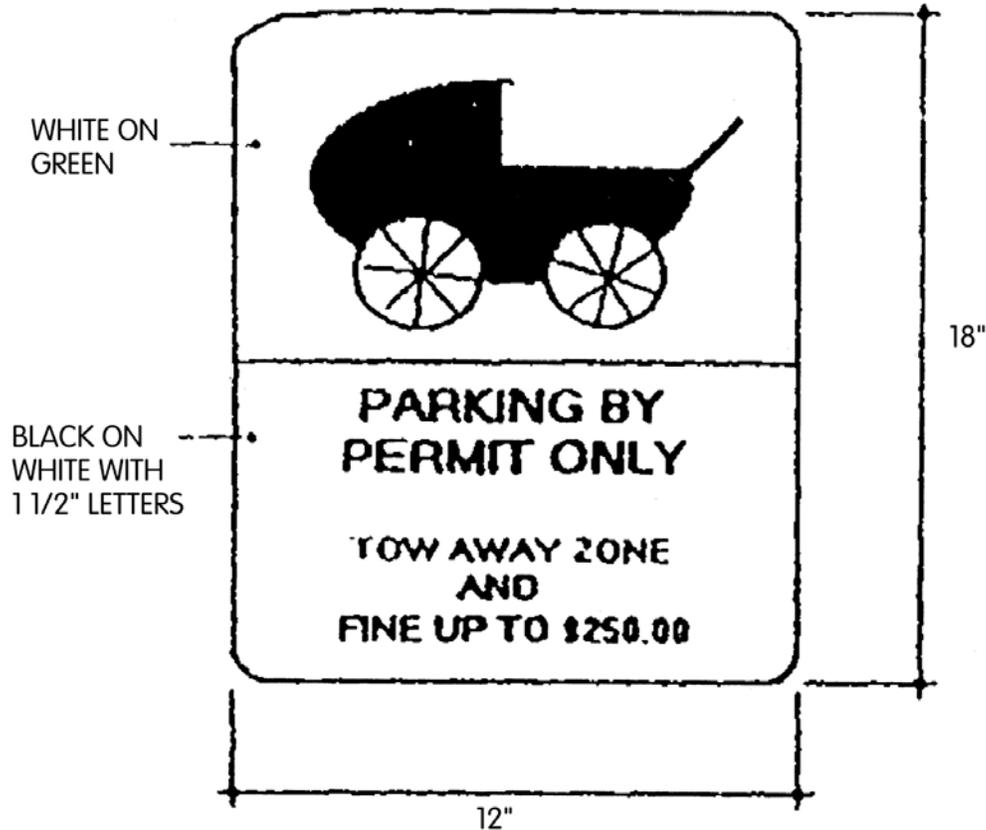
TABLE 5-14

Total Parking Spaces in Lot	Required Number of Spaces
Up to 100	0
101 to 500	2
501 to 1,000	3
Over 1,000	One additional space for each 500 parking spaces over 1,000 total parking spaces.

2. *Location of parking spaces.* Such spaces shall be located as close as possible to parking spaces designated for the physically handicapped or disabled persons shall take precedence. Where no parking spaces designated for the physically handicapped or disabled persons have been provided, parking spaces for persons transporting young children and strollers shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance.
3. *Sign and markings.* All parking spaces for persons transporting young children and strollers shall be prominently outlined with green paint and posted with an approved permanent above-ground sign which shall conform to the figure entitled "Baby Stroller Parking Sign" hereby incorporated in this division. The bottom of the sign must be at least five feet above grade when attached to a building, or seven feet above grade for a detached sign.

ARTICLE 5. - ADDITIONAL REGULATIONS

**BABY STROLLER PARKING SIGN ILLUSTRATION**



*Baby Stroller Parking Sign Illustration*

4. All property owners who are required by this regulation to provide parking spaces for persons transporting young children and strollers shall provide such parking spaces within two years from November 27, 2000. In no event shall the number of parking spaces for the physically handicapped or disabled be reduced below the quantity required by the state building code.
  - (i) *Approval of parking plan before issuance of building permits.* Prior to the issuance of any building, paving, grading, and leveling or other permits, a suitable survey and sketch must be presented to the administrative official indicating the parking layout, drainage plan for the premises, and all driveways extending beyond the property line into the public right-of-way. The driveway plan and drainage plan for the premises shall be reviewed with the public works director. In approving the plans, the administrative official with the public works director shall determine that their decision is in the interest of the public safety and welfare, taking into consideration the volume of traffic to be generated, its pattern and conflict with the adjacent road traffic; the number of driveways proposed and their proximity to others in the area; location and proximity of median cuts; visual clearances or obstructions at the driveways; angle and location of driveway and its intersection with the road; elevation of the driveway in reference to the road, and any other factors that may affect the safety and welfare of the public. In addition all driveways extending into a state road shall meet with the approval of the state department of transportation.

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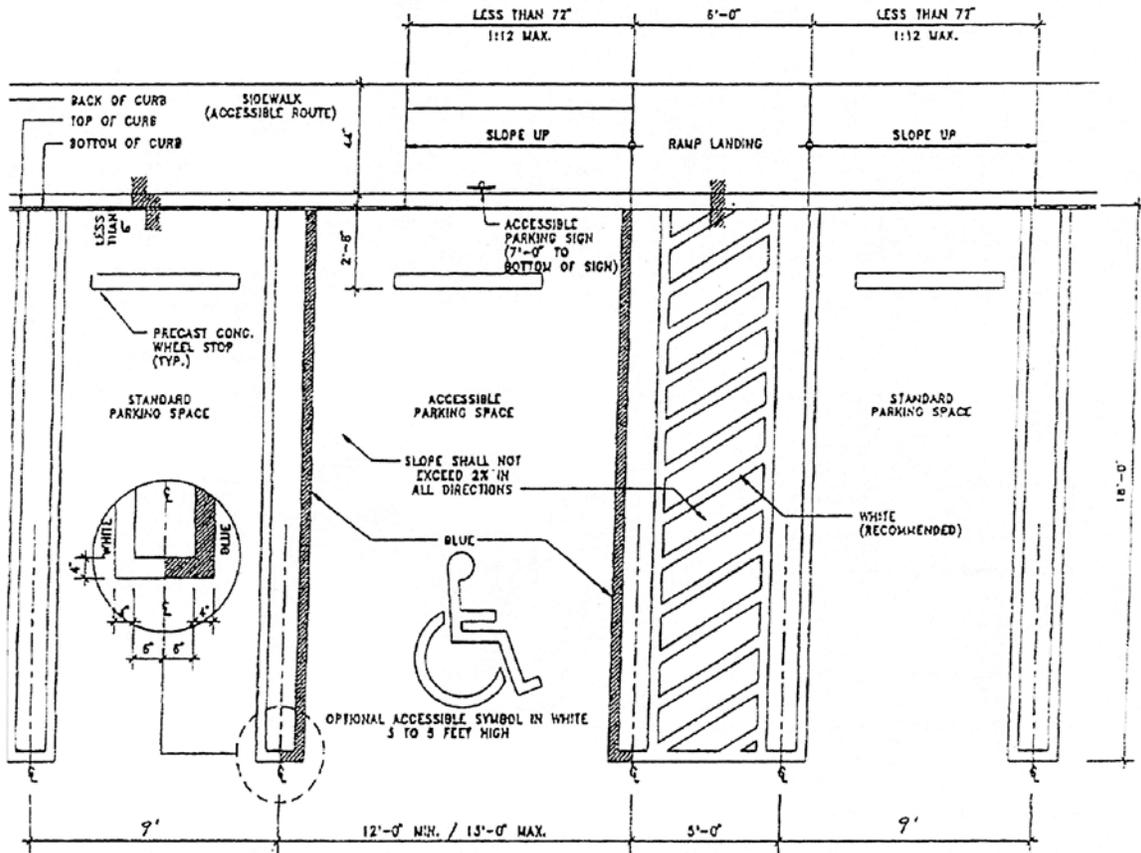
ARTICLE 5. - ADDITIONAL REGULATIONS

- (j) *Parking area on application for building permit.* Applications for building or use permits shall indicate the area to be used for parking and permits shall be issued stating that such area shall be so reserved and developed. Recordable restrictions so reserving such area may be at the discretion of the village council. Such area reserved for parking area will be marked on the zoning districts map and no permits for additional use of such area shall be issued. Area reserved for parking in connection with any use shall be under the same ownership as that of the use itself.
- (k) *Surface of parking areas.*
  - 1. In the RU-1, RU-2, and EU districts, the area reserved for off street parking shall be either graveled, mulched, or hard surfaced, and must be marked on the site plan, indicating dimensions. In all other zones, parking spaces shall be hard surfaced, except that ten percent of the parking spaces provided shall be constructed of porous pavement materials or open cell unit pavers (turf block). Where the parking area is hard-surfaced, the same shall consist of a good rolled back base, well tamped and topped with oil and sand or with asphalt or with asphalt or surfaced with concrete. Occupancy of a given structure or premises shall be prohibited until the required parking area has been improved, inspected, and approved. Parking of vehicles in areas or on surfaces other than those designated and approved as permitted herein shall be prohibited.
  - 2. *Drainage.* All required off-street parking areas shall be properly drained so that no nuisance will be caused to adjacent or nearby properties. All construction shall comply with design standards as established by all applicable laws, ordinances, and regulations.
  - 3. *Maintenance.* All required off-street parking areas shall be maintained in good repair and shall be kept in a reasonably clean, sanitary, and safe condition free from trash, rodents and insects, vermin, and hazards.
- (l) *Parking between setback line and right-of-way.* Parking areas including driveways, except for minimum ingress and egress drives in the RU, EU, AU and RU-5 districts, shall be located no closer than 25 feet to a right-of-way. Parking areas for single-family, two-family, three and four unit apartment uses may also be located no closer than 25 feet to a right-of-way.
- (m) *Parking area co-located with use served.* Off-street parking areas shall be located on the same lot, parcel, or premises as the use to be served.
- (n) *Application of provisions to change of use.* This article shall apply to changes of uses as well as the establishment of new uses.
- (o) *No commercial parking adjacent to public park.* Where a business is adjacent to a park, neither the driveway nor the parking area shall be located between the business structure and the public park.
- (p) *Restriction on use of parking area for commercial use.* No area designated as a parking area in connection with any designated use or uses shall be operated as a commercial parking lot.
- (q) *Markings/restriction on back-out movements.* For all uses other than single-family or duplex dwellings, the parking area shall be marked by painted lines, as otherwise provided in this division, indicating the individual parking spaces or stalls. In all districts, the parking area shall be so arranged that there is no back-out movement into adjacent properties, public streets, or rights-of-way.

(Ord. No. 2002-8, § 3, 11-13-02; Ord. No. 2012-4, § 2, 3-20-12)

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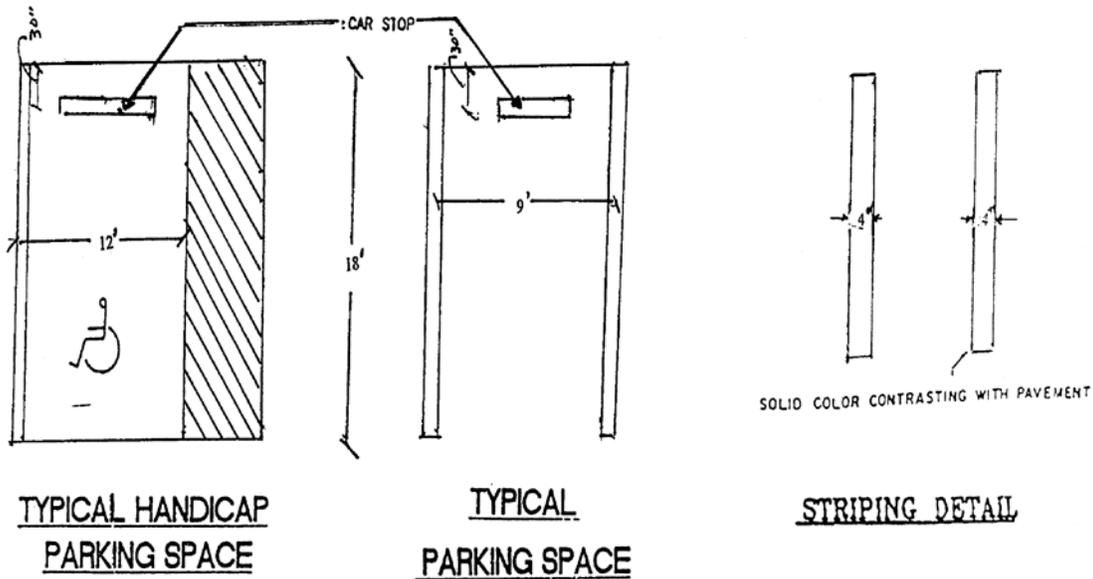
**ACCESSIBLE PARKING SPACE FOR DADE COUNTY**  
SCALE : 1/4" = 1'-0" TO MEET SFBC, METRO-DADE DPR, FS 553 & ADAAG  
PREPARED BY METRO-DADE OFFICE OF ADA COORDINATION

*Accessible Parking Space for Dade County*

ARTICLE 5. - ADDITIONAL REGULATIONS

**OFF-STREET PARKING STANDARDS**

STALL DIMENSIONS



*Off-Street Parking Standards*

(r) Shared Parking

1. A shared parking plan shall be considered in conjunction with the redevelopment of commercial properties in the Village of Pinecrest to an extent greater than 50 percent of its existing floor area or 50 percent of the value of existing improvements, or in conjunction with an application for consideration of a *Pinecrest Parkway alternative site plan*. Applicants wishing to use shared parking as a means of reducing the total number of required spaces may submit a shared parking analysis using the Urban Land Institute (ULI) Shared Parking Model (latest edition). The analysis must be provided in a form established by the administrative official. Reductions in the total number of required spaces for shared parking are not permitted unless the administrative official determines a reduction is appropriate on a case-by-case basis. Uses providing shared parking must have either mutually exclusive or compatibly overlapping normal hours of operation. The administrative official will determine whether hours of operation are compatibly overlapping
2. Joint use of required nonresidential parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times.

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3. Two or more owners or operators of buildings or uses requiring off-street parking that share parking may be allowed to reduce the amount of required parking spaces in accordance with the following methodology:
  - a. Determine the minimum parking requirements in accordance with the matrix of shared parking uses for each land use as if it were a separate use;
  - b. Multiply the required minimum number of parking spaces for each separate use by the percentages for each of the eight (8) time periods set forth in the following table;
  - c. Add the resulting required minimum number of parking spaces in each of the eight (8) vertical columns of the table;
  - d. Select the vertical column with the highest total; and
  - e. Use this number as the required minimum number of parking spaces.
4. Reduction of parking requirements because of joint use may be approved if the following conditions are met:
  - a. The developer submits sufficient data to demonstrate that hours of maximum demand for parking at the respective uses do not normally overlap.
  - b. The developer submits a legal agreement approved by the village attorney guaranteeing the joint use of the off-street parking spaces as long as the uses requiring parking are in existence or until the required parking is provided elsewhere in accordance with the provisions of the land development regulations.
  - c. The structures and facilities provided for one or both of the uses are specialized to the degree that no change in use resulting in greater parking demand could take place without expensive reconstruction necessitating a development permit and development plan review.
  - d. If the properties are under separate ownership and control, a written easement and agreement shall be recorded at the applicant's expense, specifying the conditions of such joint use. This agreement shall be approved by the village attorney.

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Shared Parking Ratios (Numbers are listed as percent)								
Use	Weekday Midnight - 7:00 am	Weekday 7:00 am - 5:00 pm	Weekday 5:00 pm - 9:00 pm	Weekday 9:00 pm to Midnight	Weekend Midnight - 7:00 am	Weekend 7:00 am - 5:00 pm	Weekend 5:00 pm – 9:00 pm	Weekend 9:00 p.m - Midnight
Office	5	100	30	5	0	10	0	0
Retail	5	50	75	10	5	100	75	10
Restaurant	10	50	75	40	15	75	100	50
Entertainment	10	40	100	100	80	100	100	100
Others	100	100	100	100	100	100	100	100

6. If a privately owned parking facility is to serve two or more separate properties, then a "Shared Parking Agreement" shall be filed with the Village of Pinecrest for consideration by the administrative official. Unless explicitly stated to the contrary, the owner of the parking facility accepts responsibility for operating, maintaining and accepting liability for personal injury and property damage.

**Div. 5.27. – Alternative energy systems and environmental conservation.**

(a) *Accessory solar energy systems.*

- (1) *Purpose.* The purpose of this division to promote the safe, effective, and efficient use of solar energy systems as an accessory use while protecting the health, safety, and welfare of adjacent and surrounding land uses. A solar energy system shall be permitted in any zoning district as an accessory to a principal use and subject to specific criteria provided herein.
- (2) *Development and design standards.*
  - a. A solar energy system is permitted in all zoning districts as an accessory to a principal use.
  - b. A solar energy system may be used to generate electricity for the principal use and/or accessory use of the property on which the solar system is located and shall not be used for the generation of electricity for sale to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to Florida Power and Light or other local utility company that provides electricity; and shall not be interpreted to prohibit generation of electricity for sale to other users if subsequently approved by the village and the state through a purchase power agreement or similar mechanism.

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- c. A solar energy system may be roof mounted or ground mounted. If ground mounted, the solar system shall be screened from view with an opaque screen consisting of shrubbery, trees, or other non-invasive plant species.
  - d. The surface area of a ground mounted system shall be calculated as part of the overall lot coverage.
  - e. Height restrictions. Roof mounted solar energy systems shall not exceed the maximum permitted height of any zoning district, and shall be exempt from screening requirements. A ground mounted system shall not exceed the maximum building height for accessory buildings.
  - f. A solar energy system shall not project beyond the edge of a roof.
  - g. Setbacks. Solar energy systems, including associated mechanical equipment, shall meet all required building setback requirements for the district in which they are located.
  - h. Any required mechanical equipment shall be screened from view with an opaque screen consisting of shrubbery, trees, or other non-invasive plant species.
  - i. All power transmission lines from a ground mounted solar energy system to any building or other structure shall be located underground.
  - j. A solar energy system shall not be constructed until a building permit has been approved and issued. The solar energy system shall comply with all applicable building and construction codes. The design and installation of accessory solar energy systems shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), Institute of Electrical and Electronics (IEEE), National Electric Code (NEC), the American Society for Testing and Materials (ASTM), or other certifying organizations, and shall comply with the Florida Building Code and with all other applicable fire and life safety requirements. The manufacturer specifications shall be submitted as part of the application for a permit.
  - k. A solar energy system, including all solar panels shall be installed in a manner that prevents any glare or reflection of light to any neighboring road right of way or adjoining property.
- (3) *Solar ready construction.*
- a. Construction of new buildings and remodeling where the cost of remodeling is more than 50 percent of the assessed value of the building shall provide a roof layout plan that illustrates how future installation of a photovoltaic system and/or solar water heating system could be accommodated. The property owner shall be required to provide for the eventual installation of one system. Requirements are as follows:
    - 1. Photovoltaic systems. Installation of an appropriate sized conduit, a minimum of one-inch diameter, leading from an exterior south-facing, east-facing, or west-facing roof, where a minimum of four hours of direct sunlight is achieved, to a stubbed junction box adjacent to the electrical meter. All exposed conduit shall be capped and provided with adequate flashing. The conduit shall not be located on or in the direction of a north-facing roof. Roof reinforcements shall be addressed at the time of installation.
    - 2. Solar heating system. Installation of three-fourths inch diameter hot and cold copper water pipes from a south-facing, east-facing, or west-facing roof, where a minimum of four hours of direct sunlight is achieved, to an existing water heater tank. Both ends of the three-fourths inch diameter copper pipes shall be stubbed out and shall not be located on or in the direction of a north-facing roof. All exposed pipes shall be capped

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and provided with adequate flashing. Roof reinforcements shall be addressed at the time of installation.

(Ord. No. 2012-4, § 2, 3-20-12)

(b) *Energy Efficient Design and Construction.*

(1) *Requirements.* New residential structures that exceed 6,000 square feet in livable, **air-conditioned** area shall include the following energy efficient and environmentally conservative improvements:

- a. Either a **minimum of one** solar water heater, **tankless water heater, or a hybrid electric water heater;** or a photovoltaic solar electric system.
- b. An air conditioning system that **has a minimum Seasonal Energy Efficiency Rating (SEER) of 15 and** utilizes natural refrigerants **or other refrigerants that contain** and no hydrochlorofluorocarbons (HCFC).
- c. Interior ~~and exterior~~ finishes ~~and sealants~~ that emit low/no levels of volatile organic compounds (VOC) - **Site-applied finishes, including, paints, stains and varnishes, shall meet specified volatile organic compound (VOC) emissions limits in accordance with GREENGUARD Environmental Institute GGPS.001 standard for building materials and finishes; or Green Seal® standards.**
- d. ~~Energy star lighting.~~
- e. ~~An Energy Star or LEED rated "cool roof" or equivalent reflective light colored roof.~~
- d. **Permeable driveways consisting of Porous concrete, open cell unit pavers (turf block), flagstone, or brick pavers, driveways allowing the infiltration of water into the underlying soil. No individual slab of pavement or flagstone may exceed 42 square feet in area.**
- e. **Documentation of compliance with the Energy Efficient Design and Construction requirements shall be provided in the form of an affidavit signed by the general contractor prior to the issuance of a temporary or permanent certificate of occupancy.**

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FOOTNOTE(S):

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<sup>(22)</sup> **Note**— Please refer to the definitions article of the Land Development Code. ([Back](#))