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## COMMISSION MEETING CITY OF ST. PETE BEACH

155 Corey Avenue  
St. Pete Beach, FL 33706

Tuesday, February 27, 2018  
6:00 PM

Call to Order  
Pledge of Allegiance  
Invocation  
Roll Call

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### REGULAR MEETING

1. **Presentations** - Presentations shall be limited to 5 minutes for non-city government related items.
  - a. **St. Pete Beach Classic Presentation**
2. **Changes to the Agenda** - Any agenda items to be added, moved, or deleted will be addressed at this time. Added items will be assigned agenda item numbers and moved items should remain with the same item numbers. Notation will be made that those items will be taken out of order. Consent items may be removed for discussion, changes, and/or anticipation of a non-unanimous vote and considered separately on the request of anyone on the Commission or by a majority vote of the City Commission upon request of an audience member.
3. **Audience Comments** - Comments shall be limited to 3 minutes per person to issues not on the agenda, 21 minutes in total.
4. **Consent**
  - a. **Authorization to approve special event application and street closure for Pass-a-Grille Beach Community Church Easter Sunrise Service scheduled for April 1, 2018.**

- b. Request approval of task order 2018-04 under the Continuing Engineering Services Contract with GGI LLC, in the amount of \$19,880.00 for the design and contract documents of Stormwater Improvements at Belle Vista Drive and Mangrove Point.**

**5. Action Items – No items submitted at this time.**

**6. Ordinances**

- a. Ordinance 2017-30: Final Reading and Public Hearing. An Ordinance amending the City of St. Pete Beach Land Development Code pertaining to inconsistent codes or code clarity.**

**7. Resolutions – No items submitted at this time.**

**8. Items for Discussion**

- a. Shell Driveways**
  - b. Event parking at existing businesses**

**9. Audience Comments 2** - Comments shall be limited to 3 minutes per person to issues not on the agenda, 21 minutes in total.

**10. City Clerk, City Manager, City Attorney and City Commission Reports**

**11. Adjournment**

**APPEAL:** In accordance with 286.0105, Florida Statute (Notices of meetings and hearings must advise that a record is required to appeal), if a person decides to appeal any decision made by this committee, board, agency, or commission with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**AMERICANS WITH DISABILITIES ACT (ADA):** In accordance with the Americans with Disabilities Act and Florida Statutes, if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact City Hall at (727) 367-2735.

**The public is cordially invited to attend this meeting.  
All agenda material is available for review at City Hall.**

**St. Pete Beach City Commission  
Agenda Report**

**Issue Considered:** Authorization to approve special event application and street closure for Pass-a-Grille Beach Community Church Easter Sunrise Service scheduled for April 1, 2018.

**Date:** February 27, 2018

**Prepared By:** Jennifer McMahon, Recreation Director

**Through:** Wayne Saunders, City Manager

**Summary of Issue:** This annual event is an Easter sunrise service by Pass-a-Grille Beach Community Church. The event requests that Pass-a-Grille Way be closed from 8<sup>th</sup> – 10<sup>th</sup> Ave from 4:30-8a.m. on April 1, 2018. The original request that was approved from 1<sup>st</sup> Ave to 2<sup>nd</sup> Ave cannot be permitted due to construction. This new location is not effected by the construction at the time of their event. Street closures require commission approval.

**Funding:** N/A

**Requested Motion:** “I move to approve the special event application and street closure for Pass-a-Grille Beach Community Church Easter Sunrise Service scheduled for April 1, 2018.”

**Attachments:** Event application and map

**Reviewed by  
City Manager:** *WS*  
---



City of St. Pete Beach Recreation  
Department

Event Application

Applicant

Name of Applicant: PASSABILLE BEACH COMM CHURCH Title (if applicable): EASTER CHAIRMAN

Name of Organization (if applicable): PASSABILLE BEACH COMMUNITY CHURCH

Tax Exempt? ☒ Yes ☐ No Non-Profit? ☒ Yes ☐ NO If yes on either, please provide documentation

Mailing Address: 107 18TH AVE (PASSABILLE) SPB, FL 33706

Cell Phone: 727-480-7400 Email: MALES10 AOL.COM

Event Information

Event Title: EASTER SUNRISE SYL Event/Organization Web Address: WWW.PAGCHURCH.COM

Event Location(s): PASSABILLE WAY / BETWEEN 1ST AVE AND 2ND AVE

Event Date(s) & Time(s)

| Date                 | Day of the Week | Start Time     | End Time       |
|----------------------|-----------------|----------------|----------------|
| <u>April 1, 2018</u> | <u>SUNDAY</u>   | <u>4:30 AM</u> | <u>8:00 AM</u> |
| _____                | _____           | _____          | _____          |
| _____                | _____           | _____          | _____          |
| _____                | _____           | _____          | _____          |

Set Up Date(s): April 1, 2018 Time(s) 4:30 AM to 8:00 AM

Cleanup Date(s): SAME AS ABOVE Time(s) \_\_\_\_\_ to \_\_\_\_\_

Description of Event: EASTER SUNRISE SERVICE BY PAG COMM CHURCH. PASSABILLE WAY BARRICADES blocked between 1st and 2nd AVE to set up 1400 chairs and portable stage at 4:30 AM, All removed by 8:00 AM, BARRICADES removed.

Will this be an Annual Event? ☒ Yes ☐ No If yes, next year's date(s): EASTER 2019

Event Logistics

Estimated Attendance 1500 1500  
(includes event crew, participants, and spectators) This Year Last Year (if Applicable)

List all event activities: PREACHING - WATCHING OF THE SUNRISE.

List all food and beverage vendors (Event Promoter is responsible for obtaining copies of all licenses and insurance forms from each vendor)

NONE

Will alcohol be served or sold? ☐ Served ☐ Sold ☒ No Alcohol

List all other vendors (may need to provide copy of certificate of insurance) NONE

Event Equipment (include dimensions, seating, staging, tents, platforms, booths, scaffolding, truck, etc. on site map)

8 X 6 PLATFORM ON SIDEWALK, LARGE CROSS SECURED ON SIDEWALK / SEAWALL

All the above require a temporary structure permit. Cost for each is \$25.

Entertainment (Detail type, bands, DJs, dancers, clowns, etc)

SPEAKERS W/ SOUND BOARD FOR MUSIC AND SPEAKING

List times of music and/or amplified sound (list PA systems, microphone, speakers, amps)

7:00 AM

Electricity Needed ☒ Yes ☐ No Source: POWER CORD FROM MS MOSS (SEE ATTACHED LETTER)

Will portable restrooms be used? ☐ Yes ☒ No If yes (include on site plan): One ADA compliant toilet for every 10 per location

Will Dumpsters be used? ☐ Yes ☒ No If yes (include on site plan)

How Many? ☐ Size: ☐ Installation Date: ☐ Removal Date: ☐

Please list any admission charges, donations, parking, registration or other fees and how much?  
NONE

Does Event require any Road or Sidewalk Closures? ☒ Yes ☐ No

If yes, you must include all the details in the site plan including streets and times

| Road                   | Start Intersection        | End Intersection           | Date                 | Times            |
|------------------------|---------------------------|----------------------------|----------------------|------------------|
| <u>PASA GILLEY WAY</u> | <u>1<sup>ST</sup> AVE</u> | <u>2<sup>ND</sup> AVE</u>  | <u>APRIL 1, 2018</u> | <u>4:00-8:00</u> |
|                        | <u>8<sup>TH</sup> AVE</u> | <u>10<sup>TH</sup> AVE</u> |                      |                  |

As the Applicant, I hereby accept and understand the responsibility to oversee all contractors, vendors, or parties affiliated with the event and to insure compliance with the special event guide, the event rules guidelines, requirements for tents and all policies, rules, regulations, and code provisions of the City of St. Pete Beach. I understand that any violations may result in immediate cancellation and revocation of the Event permits. I further certify that all the facts contained in this request are accurate.

For events on Public property, I agree to obtain and furnish the City of St. Pete Beach with a certificate of general liability insurance in the amount of at least one million dollars (\$1,000,000) or greater as deemed satisfactory by the city. The insurance must name the City of St. Pete Beach as an additional insured.

I understand incomplete application or any outstanding financial obligations with any department with in the City of St. Pete Beach may result in a denial of my request.

MADALIVE Ales  
Print Name

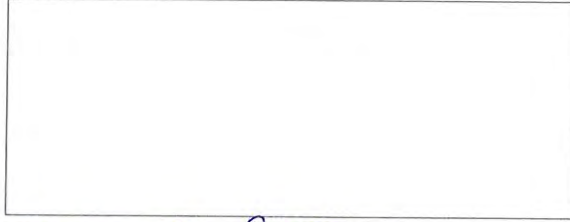
[Signature]  
Signature

Corporation Name (if applicable)

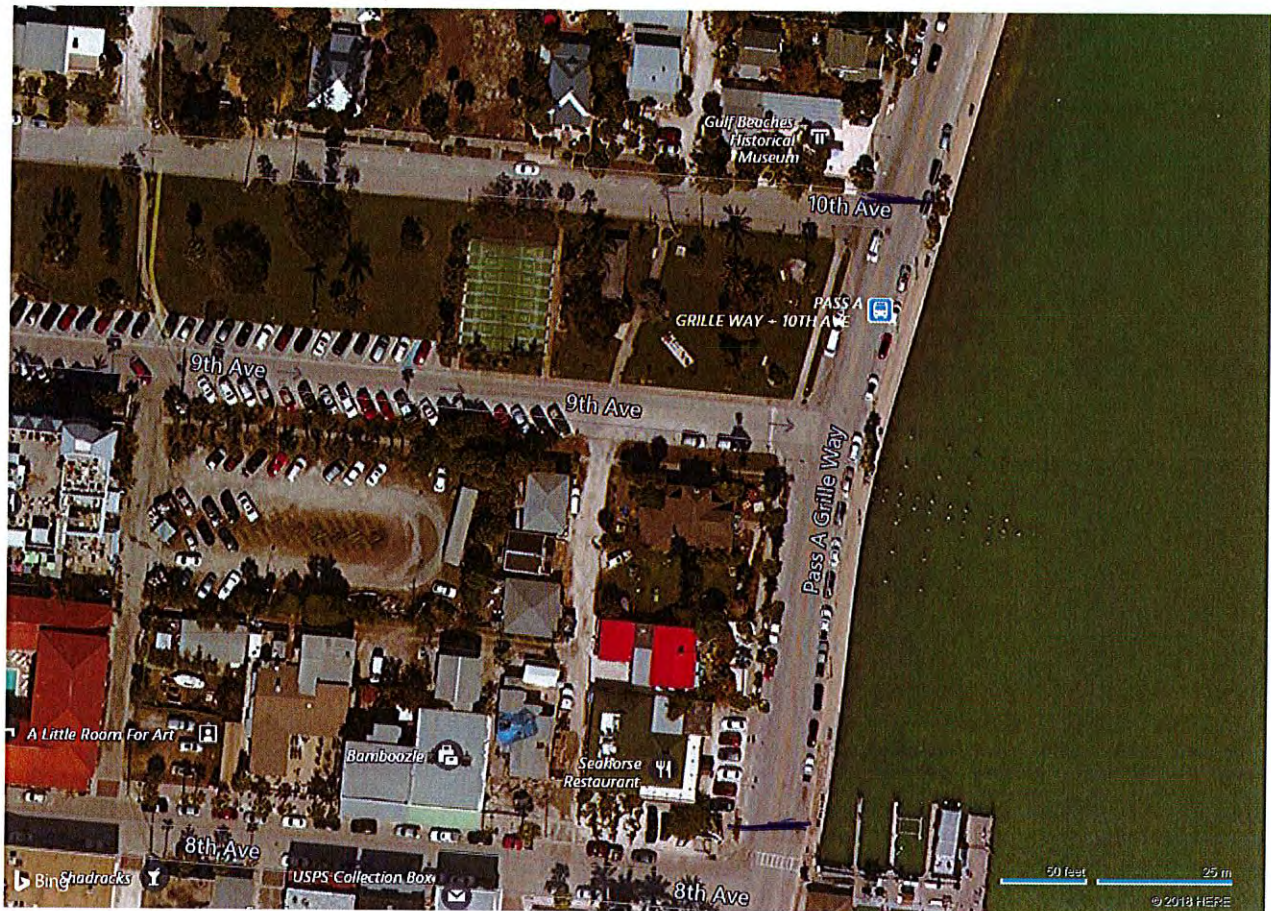
Date

bing maps

Notes



Closures from  
8th - 10th Ave  
on Pass-a-Grille Way



**St. Pete Beach City Commission  
Agenda Report**

**Issue Considered:** Request approval of task order 2018-04 under the Continuing Engineering Services Contract with GGI LLC, in the amount of \$19,880.00 for the design and contract documents of Stormwater Improvements at Belle Vista Drive and Mangrove Point.

**Date:** February 27, 2018

**Prepared By:** Mike Clarke, Public Works Director

**Through:** Wayne Saunders, City Manager

**Summary of Issue:** The City requested that GGI LLC (Genesis) provide design and contract document services for each of the eleven (11) areas that have been identified as draining poorly. The major drainage issues include ponding of water for extended periods of time. It appears that this ponding is caused by a variant of factors including existing curbs that lack positive drainage, inadequate inlets, damaged stormwater pipes, and tidal influence associated with low street elevations.

The Belle Vista Drive and Mangrove Point location will be the fifth to be evaluated. The Genesis team will evaluate each site individually to determine the appropriate Best Management Practices solution(s) for each location.

**Funding:** CIP – Stormwater Improvements (103-6108-537-5655)

**Requested Motion:** “I move to approve task order 2018-04 under the Continuing Engineering Services Contract with GGI LLC, in the amount of \$19,880.00 for the design and contract documents of Stormwater Improvements at Belle Vista Drive and Mangrove Point.”

**Attachment:** Task Order 2018-04 from GGI LLC

**Reviewed by the  
City Manager:**

WS  
----



Civil Engineering  
Landscape Architecture  
Transportation  
Urban Design  
Planning  
CEI

1000 North Ashley Drive  
Suite 900  
Tampa, Florida 33602-3718  
Tel 813.620.4500  
Fax 813.221.4980  
www.GenesisGroup.com

February 5, 2018

Mr. Brett E. Warner, P.E.  
City Engineer  
Public Works Department  
City of St. Pete Beach  
155 Corey Avenue  
St. Pete Beach, FL 33706

Sent via e-mail: [bwarner@stpetebeach.org](mailto:bwarner@stpetebeach.org)

**RE: MANGROVE POINT AND BELLE VISTA DRIVE  
DRAINAGE IMPROVEMENTS (TO #2018-04)  
ST. PETE BEACH, FLORIDA  
GGI PROJECT NO. 6140-0150**

Dear Mr. Warner:

GGI, LLC (dba Genesis) is pleased to submit Task Order 2018-04 to provide the City of St. Pete Beach (CLIENT) with Developing Design Drawings and Contract Documents for Mangrove Point and Belle Vista Drive Drainage Improvements associated with our Continuing Services Contract for Professional Design Services dated January 10, 2017.

The following subconsultant will provide their services as needed for this Task Order:

1. Dennis J. Benham – Survey

Please review, sign, and return the attached to me for final execution.

Sincerely,

GENESIS

H. Phillip Keyes, P.E.  
Associate Vice President, Public Infrastructure  
Project Manager

cc: File 6140-0150

Attachments



**Exhibit "B"**

**TASK ORDER FORM - CONTINUING CONTRACT FOR  
PROFESSIONAL DESIGN SERVICES**

|                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Date of Task Order Request</i>                        | January 19, 2018                                                                                                                                                                                                                                                                                                                                                                                                              |
| <i>Firm Selected for Task</i>                            | Genesis                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <i>Task (Project) Name</i>                               | Mangrove Point and Belle Vista Drive Drainage Improvements                                                                                                                                                                                                                                                                                                                                                                    |
| <i>Task Description<br/>(and other relevant details)</i> | This task order provides for developing design documents for Mangrove Point and Belle Vista Drive Drainage Improvements. The tasks included in the scope of work are:<br><ol style="list-style-type: none"><li>1. Project Kick-Off Meeting and Site Visit</li><li>2. Topographic Survey</li><li>3. Preliminary Submittal – 30% Design</li><li>4. Meeting/Workshop</li><li>5. Design Drawings and Contract Documents</li></ol> |
| <i>Task Budget</i>                                       | \$19,880.00                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <i>Task Proposal Due Date</i>                            | February 5, 2018                                                                                                                                                                                                                                                                                                                                                                                                              |

Thank you for your efforts on behalf of the City of St. Pete Beach. If there are any questions or additional information needed, please contact the Public Works Department at 727-363-9243.

Acknowledgement of Task Order:

\_\_\_\_\_  
Brett E. Warner, PE  
City Engineer  
City of St. Pete Beach

  
\_\_\_\_\_

H. Phillip Keyes, P.E. \_\_\_\_\_ (Name)

Genesis \_\_\_\_\_ (Firm)

**CITY OF ST. PETE BEACH**  
**CONTINUING CONTRACT FOR PROFESSIONAL DESIGN SERVICES**  
**TASK ORDER 2018-04**  
**Mangrove Point and Belle Vista Drive**  
**DRAINAGE IMPROVEMENTS**

**BACKGROUND AND SCOPE OF SERVICES OVERVIEW**

During wet weather events stormwater ponds along the curb lines and into the street in the vicinity of Mangrove Point and Belle Vista Drive. This is due to low areas in the street and along the curb lines. The ponding within the low spots of the curbs do not provide for positive drainage to existing curb inlets that discharge to an existing outfall. Therefore, the stormwater remains well after rain events until the water evaporates or infiltrates. Attachment A presents the project area and identifies the existing stormwater outfall pipe.

The scope of services includes development of engineering plans and contract documents for drainage improvements within the project area. The design will include Best Management Practices (BMP's) to increase channelization of stormwater runoff to the existing discharge outfall and may consist of additional drainage inlets and piping and milling/resurfacing. The scope of services also includes development of opinion of probable construction cost (OPCC). The scope of services does not include efforts associated with stormwater pump stations, development of utility easements, or subsurface utility engineering (SUE). It is also assumed that this project is exempt from SWFWMD permit. Genesis will use Dennis J. Benham, PLS for survey services.

The following provides a detailed task break down of the scope of services, schedule and fee for the project.

**TASK 1 – PROJECT KICK-OFF MEETING AND SITE VISIT**

**Description:** Attend a project kick-off meeting with client's project manager to review specific design parameters; identify available data which includes as built drawings and existing utility information, or any other pertinent information within the project area; and conduct a field review site visit.

**TASK 2 – TOPOGRAPHIC SURVEY**

**Description:** A comprehensive design level special purpose survey will be developed for the project area identified in Attachment A. The survey will be within street rights-of-way and drainage easements at a vertical accuracy necessary to provide an understanding of the direction of existing drainage patterns. This survey will also identify all above grade existing utilities information and invert/size/material of gravity piping when accessible and all other pertinent information required to develop the design drawings. This scope is based on the expectation that the City will mark its facilities and request the same from any utility franchises located within the right-of-way prior to initiation of field survey. NAD 83 (State Plane Coordinates) and NAVD 88 (datum for elevations) will be used to develop the survey.

The survey will be performed under the direct supervision of a Licensed Florida Land Surveyor. Surveys will be prepared in accordance with the Standards of Practice per the Florida State Board of Surveyors. The final deliverable will be an AutoCAD file that will serve as the basis of design. The topographic survey proposal is included within Attachment B.

### **TASK 3 – PRELIMINARY SUBMITTAL – 30% DESIGN**

**Description:** Genesis will prepare 30% design plans and opinion of probable construction cost (OPCC). The 30% documents include the preliminary drawings of the proposed BMP's such as additional inlets, piping, and milling/resurfacing. The submittal will identify existing utilities and potential conflict resolutions.

### **TASK 4 – MEETING WORKSHOP**

**Description:** Genesis will attend a workshop meeting to review comments associated with the 30% designs and OPCC submittal. Comments will be addressed and incorporated within the 100% design submittal.

### **TASK 65– DESIGN DRAWINGS AND CONTRACT DOCUMENTS**

**Description:** Genesis will prepare 100% design plans and contract documents suitable for permitting and construction. Plans, contract documents, technical specifications, and updated Opinion of Probable Construction Cost (OPCC) will be provided for the City's review and comment. This work also includes filing for SWFWMD permit exemption. Review comments will be addressed, and final signed and sealed plans will be submitted. Plans will be prepared in AutoCAD (v. 2016 or newer).

The plan sheets anticipated consist of the following:

- Cover Sheet (1 Sheet)
- Survey Sheet (1 Sheet)
- General Notes (1 Sheet)
- Technical Notes (1 Sheet)
- Plan/profile sheets (plan sheets will be developed on a scale of 1' = 20') (2 Sheets)
- Standard Details (2 Sheets)

### **DELIVERABLES**

Deliverables submittals include one (1) hard copy and a PDF electronic copy. The final submittal documents will be signed and sealed.

## SCHEDULE

The schedule for developing the project is as follows:

| Description                                         | Weeks After NTP |
|-----------------------------------------------------|-----------------|
| Task 1 – Project Kick-Off Meeting and Site Visit    | 2               |
| Task 2 - Topographic Survey                         | 5               |
| Task 3 – Preliminary Submittal – 30% Design         | 10              |
| Task 4 – Meeting/Workshop                           | 11              |
| Task 5 – Design Drawings and Construction Documents |                 |
| 100% Design Submittal                               | 21              |
| City Review                                         | 22              |
| City Review Comments Addressed                      | 24              |
| Final Submittal                                     | 25              |

## FEE

The fee breakdown for developing the project is as follows:

|      |                                    | Project Manager | Project Engineer | Engineering Intern | Design Technician | Administrative Assistant | Cost               |
|------|------------------------------------|-----------------|------------------|--------------------|-------------------|--------------------------|--------------------|
| Task | Description                        | \$170.00        | \$95.00          | \$90.00            | \$75.00           | \$55.00                  |                    |
| 1    | Project Kick-Off and Site Visit    | 2               | 2                |                    |                   |                          | \$530.00           |
| 2    | Survey Coordination                | 2               |                  |                    |                   | 2                        | \$450.00           |
| 3    | Preliminary Submittal-30% Design   | 2               | 32               |                    | 52                |                          | \$7,280.00         |
| 4    | Meeting/Workshop                   | 2               | 2                | 2                  |                   |                          | \$710.00           |
| 5    | Design Drawings and Specifications |                 |                  |                    |                   |                          |                    |
|      | Cover Sheet                        |                 | 1                |                    | 2                 |                          | \$245.00           |
|      | Survey Sheet                       |                 | 1                |                    | 2                 |                          | \$245.00           |
|      | General Notes Sheet                | 1               | 4                | 2                  | 2                 |                          | \$880.00           |
|      | Technical Notes Sheet              | 1               | 4                | 2                  | 2                 |                          | \$880.00           |
|      | Plan/Profile Sheets                | 4               | 24               | 12                 | 15                |                          | \$5,165.00         |
|      | Standard Detail Sheet              | 1               |                  | 2                  | 4                 |                          | \$650.00           |
|      |                                    |                 |                  |                    |                   |                          |                    |
|      | Reimbursable                       |                 |                  |                    |                   |                          |                    |
|      | Survey                             |                 |                  |                    |                   |                          | \$2,345.00         |
|      | Expenses                           |                 |                  |                    |                   |                          | \$500.00           |
|      | <b>Total</b>                       | <b>13</b>       | <b>68</b>        | <b>20</b>          | <b>79</b>         | <b>2</b>                 | <b>\$19,880.00</b> |

**GENESIS**



1/17/18

H. Phillip Keyes, P.E.  
Date  
Assoc. Vice President, Public Infrastructure  
Project Manager



1/18/18

Bruce T. Kaschyk, AICP  
Date  
Senior Vice President  
Tampa Division Manager

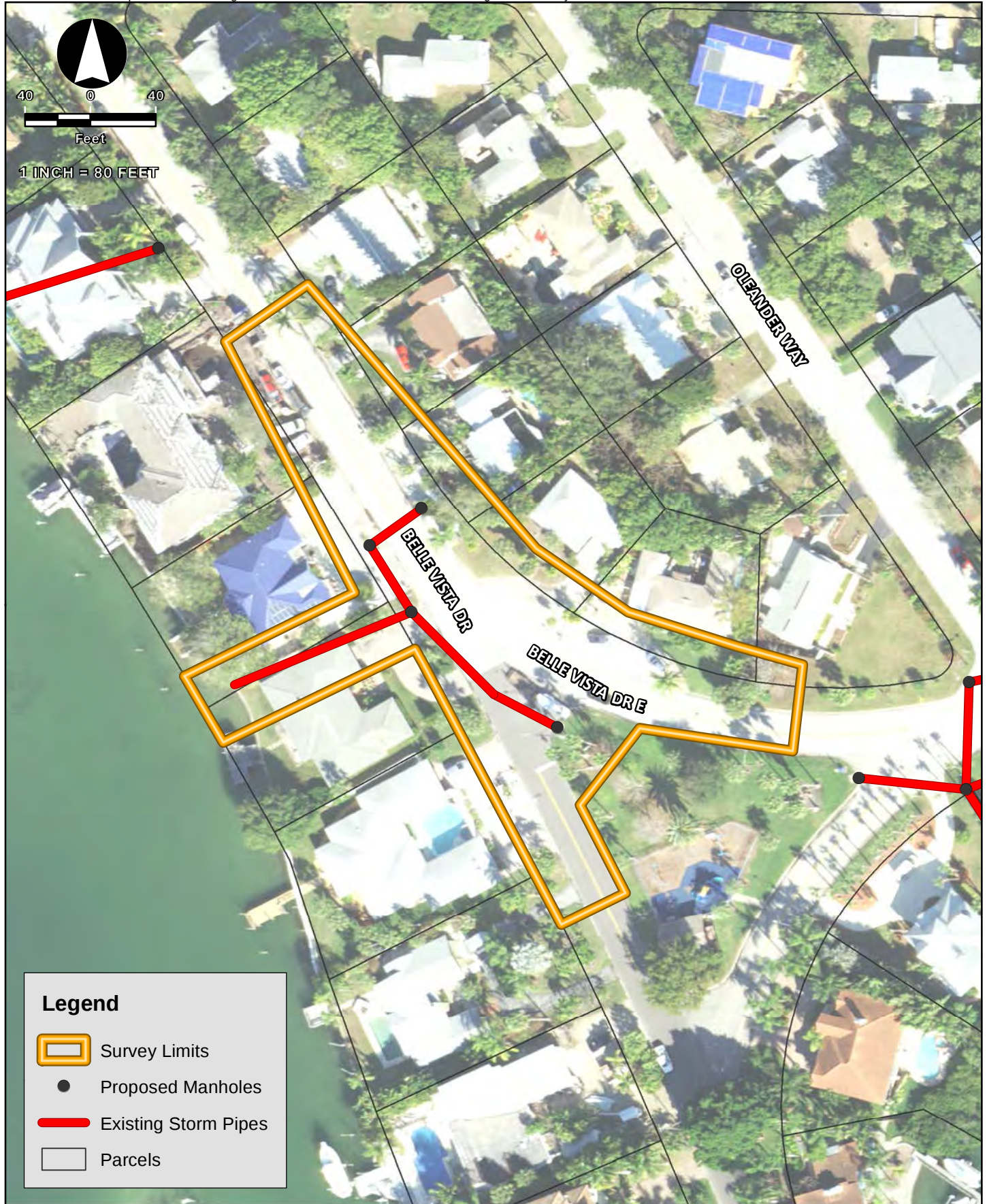
**ACCEPTED BY:**

\_\_\_\_\_  
CLIENT Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed/Printed Name and Title

**ATTACHMENT A**  
**LOCATION MAP**



**ATTACHMENT B**  
**TOPOGRAPHIC SURVEY PROPOSAL**

DENNIS J. BENHAM  
PROFESSIONAL SURVEYOR AND MAPPER

February 2, 2018

Mr. H. Phillip Keyes, P.E.  
Genesis  
1000 N. Ashley Drive  
Suite 900  
Tampa, Florida 33601

RE: Land Surveying Proposal  
Belle Vista Park Drainage Improvements  
City of St. Petersburg Beach, Florida

Phillip,

In response to your request for land surveying services, the following proposal has been prepared.

Scope of Services

1. Set GPS Control Points for the project. A minimum of two (2) control points will be set. Control points will relative to the Florida state Plane Coordinate System, West Zone, 1983-2011 adjustment and relative to the North American Vertical Datum (NAVD) of 1988.
2. Topographic data will be collected at a fifty foot (50') cross section interval from the center line of the street to approximately five feet (5') beyond the apparent right of way line. In addition, all "break lines" such as edge of pavement, back of curb, top of bank etc will be delineated.
3. Locate all improvements within the limits of survey. This will include the location of buildings, fences, pavement, sidewalks, curbing etc.
4. Locate trees five inches (5") in diameter and greater within the limits of survey.
5. Locate above ground evidence of utilities. This will include the location of utility poles, telephone markers, water valves etc.
6. Locate sanitary sewer and storm sewer structures. Pipe sizes and invert elevations will be obtained.
7. Upon completion, a survey drawing will be prepared. Digital files in PDF and DWG format will be supplied.

Lump Sum Fee: \$2,345.00

Don't hesitate to contact me if you have any questions concerning this proposal.

Sincerely,

*Dennis J Benham*

Dennis J. Benham, P.S.M.  
11921 Wandsworth Drive  
Tampa, Florida 33626  
Mobile: (813) 403-0220

**St. Pete Beach City Commission  
Agenda Report**

**Issue Considered:** Ordinance 2017-30: Final Reading and Public Hearing. An Ordinance amending the City of St. Pete Beach Land Development Code pertaining to inconsistent codes or code clarity.

**Date:** February 27, 2018

**Prepared By:** Planning Department

**Through:** Wayne Saunders, City Manager

**Summary of Issue:** This City-initiated amendment to the Land Development Code is in response to Commission directives to further evaluate code language that is inconsistent with the Comprehensive Plan or needs updating.

The item was heard by the Planning Board sitting as the Local Planning Agency (LPA) on November 13<sup>th</sup> 2017 and they provided a recommendation of approval 4-0 for the Ordinance as written.

**Requested Motion:** "I move to approve Ordinance 2017-30 on final reading (read title)."

**Attachment:** Ordinance 2017-30  
Ordinance 2017-30 underline/ strike through  
Staff Report

**Reviewed by the  
City Manager:**

WS

**Ordinance 2017-30**

**AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AN AMENDMENT TO THE ST. PETE BEACH LAND DEVELOPMENT CODE AS FOLLOWS: SECTION 2.1 – DEFINITIONS - TO PROVIDE DEFINITIONS FOR MIXED USE DEVELOPMENT AND SPECIAL EVENTS, SECTION 6.12h – BEACH CONCESSION – TO PROVIDE CLARITY ON HUT PLACEMENT, SECTION 6.22- YARDS AND MEASUREMENTS OF REQUIRED YARDS TO PROVIDE FOR BALCONY ENCROACHMENT, SECTION 6.24 – OUTDOOR DINING AND OUTDOOR DRINKING AREAS TO CLARIFY REQUIREMENTS, SECTION 22.4(f) – GROUNDCOVERS TO CLARIFY PERVIOUS AREA, SECTION 23.4 – GENERAL PARKING REQUIREMENTS TO PROVIDE FOR BACKING OUT ONTO PUBLIC STREETS, SECTION 33.2 CC-2 PERMITTED USES, TO PROVIDE FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN, SECTION 35.3(b) LR PERMITTED CONDITIONAL USES TO ALLOW FOR ADDITIONAL SUPPORTIVE COMMERCIAL USES, SECTION 37.7(a) TC-1 DENSITY AND INTENSITY TO PROVIDE FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN, SECTION 39.8(a) CRD – DESIGN, SCALE AND MASS OF BUILDINGS TO PROVIDE FOR CLARITY, SECTION 39.10 CRD – STREETSCAPE DESIGN REQUIREMENTS TO PROVIDE CLARITY, SECTION 40.9 CRD-EA SETBACKS TO CORRECT A SCRIVENER’S ERROR, SECTIONS 13.4 ROR, SECTION 14.4 RFM, SECTION 15.4 CG-1, SECTION 16.4 CG-2, SECTION 30.4 TC-1, SECTION 32.4 CC-1, SECTION 33.4 CC-2, SECTION 37.5 TC-1, SECTION 38.4 AC TO PROVIDE FOR ADDITIONAL CONDITIONAL USES; PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of St. Pete Beach periodically finds sections in its Land Development Code which require clarification, updating and/or amending; and

**WHEREAS**, the City’s Land Development Code also serves to maintain an environment conducive to the health, safety, welfare of the City’s residents, and preserves and enhances property values within the City; and

**WHEREAS**, after due public notice, the Planning Board held a public hearing on November 13, 2017, to consider the proposed Land Development Code changes and provided recommendations to the City Commission as the local planning agency; and

**WHEREAS**, on January 23, 2018, the City Commission conducted a duly noticed initial public hearing on the proposed Land Development Code amendments; and

**WHEREAS**, on February 27, 2018, the City Commission conducted a duly noticed second public hearing on the proposed Land Development Code amendments and the City Commission approved the amendments.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:**

SECTION 1. Recitals. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. The listed sections of the City’s Land Development Code are hereby amended as follows:

**Sec. 2.1 – Word, terms and phrases defined.**

\*\*\*\*

*Mixed use development* means a development that combines any of the following uses, including but not limited to: residential, transient accommodation, commercial, office, and may consist of one or more buildings.

*Special Events* shall be regulated in accordance to Chapter 26 of the Code of Ordinances.

*Special Event Permit* is the official document authorizing the performance of a special event

\*\*\*\*

**LDC 6.12.h BEACH CONCESSION STANDARDS**

Minor Structures that currently exist as of the date of the adoption of this ordinance may be maintained by a transient lodging business that has beach frontage along the Gulf of Mexico, in accordance with the following, after approval by the Technical Review Committee (TRC), otherwise a conditional use permit must be obtained in accordance with Division 4 of the Land Development Code in addition to a Department of Environmental Protection permit for minor structures.

## 1. Concession Huts

- i. Concession Huts shall be for the rental of beach equipment, and/or watersports.
- ii. One Concession Hut structure is permitted per transient lodging facility or one for every 200 linear feet of sand beach, or fraction thereof, as measured along the property line adjacent to the sand beach. Huts may be arranged on the sand beach as desired by the property owner.
- iii. Concession Huts shall maintain a minimum side setback of 20' or 10% of the lot width whichever is less. A minimum separation of 200' between Concession Huts must be maintained. For lots with a width less than 200', one hut shall be allowed and shall be located within the center one-third of the lot.

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### Sec. 6.22 - Yard and measurement requirements

- (a) *Encroachment of open balconies and stairs.* Open balconies may be permitted to encroach into required front or rear yards a distance of three feet. Open stairs, without independent roof or overhang systems, may be permitted to encroach into any required yard a distance of three feet provided that no resulting setback shall be less than 2 feet from any property line.

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- (d) *Encroachment of eaves.* Roof eave projections with gutters shall extend no more than two feet into any required side yard.

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### Sec. 6.24 - Outdoor dining and outdoor drinking areas.

A full or limited service restaurant may establish an outdoor dining area and a bar/lounge may establish an outdoor drinking area pursuant to the requirements of this section or as outlined within each zoning district. If an outdoor drinking and/or dining area is required to obtain conditional use approval as outlined in the zoning districts herein, it shall be pursuant to the review and approval procedures provided under Division 4 of this Code. If public consumption of alcohol is proposed to occur on any public street, sidewalk or private sand beach area in connection with the outdoor dining or outdoor drinking area, approval by the City Commission is required pursuant to Chapter 6 of the City Code of Ordinances.

\*\*\*\*

**Sec. 22.4(f)**

(f) Ground covers. Ground covers in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage. In no instance shall stone or gravel be utilized for more than 20 percent of the minimum required pervious area. A recommended list of ground covers to be used includes but is not limited to, the following:

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**Sec. 23.4 – General Parking Requirements**

All off-street parking shall be provided in accordance with the following general requirements:

(h) Be so arranged that no vehicle shall be required to back from such facilities directly onto arterial or collector streets as defined by the ITE Manual.

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**Sec. 33.2. - Permitted uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the CC2 Commercial Corridor Gulf Blvd are as follows.

- (a) Clinics;
- (b) Eating and drinking establishments with or without outdoor seating;
- (c) Financial institutions with or without drive-through service;
- (d) Laundries, self-service;
- (e) Office uses;
- (f) Printing and copying services;
- (g) Retail uses;
- (h) Personal service businesses such as barbershops, beauty shops, tailoring, garment alteration and repair, shoe repair, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact;
- (i) Veterinarians, dog grooming establishments;

(j) Multi-family residential uses as a component of mixed-use development only. Multi-family residential uses shall not be allowed on the ground level of any structure;

(k) Artist studios and galleries with retail and/or wholesale distribution space for artist's original handmade works, excluding mass produced or manufactured products;

(l) Grocery stores, pharmacies, markets;

(m) Commercial recreation, public parks and/or recreational facilities;

(n) Sales, rentals, and/or service of bicycles, mopeds, motorcycles, segways, and scooters;

(o) Other commercial uses similar in character, nature and impact to permitted uses listed above.

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### **Sec. 35.3. - Permitted principal and secondary uses and structures**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the LR District are as follows:

(b) Primary uses requiring conditional use approval. Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable primary uses requiring conditional use approval in the LR District are as follows.

(1) Temporary lodging uses, including hotels, motels, resort condominium hotels greater than 50 feet in building height or a density above 30 temporary lodging units per acre.

(2) Eating and drinking establishments, full-service restaurant only, subject to section 6.24 of this Code as may be applicable.

(3) Commercial Parking lot/structure.

\*\*\*\*\*

### **Sec. 37.7. - Density and intensity.**

(a) Residential densities of 24 units per acre as a component of mixed-use projects. Commercial, office retail, or non-habitable portions of temporary lodging uses shall only be located on the first floor accessible at street level.

(b) Maximum Floor Area Ratio for exclusively commercial/office/retail projects shall be limited to 0.55.

(c) Temporary Lodging Use - Density and Intensity shall be approved by Conditional use only and shall not exceed fifty (50) temporary lodging units per acre located on a minimum ~~two~~ 1.8 acre buildable site and shall also not exceed a cumulative total of 150 units per project subject to the requirements, restrictions and limitations for the TLU Density Pool for the Town Center Corey Circle and Coquina West Districts. Temporary lodging uses shall not exceed an aggregate floor area of 750 square feet per temporary lodging unit allocated by Ordinance, excluding indoor amenities, common areas and structured parking. Indoor amenities and common areas shall not exceed an additional 0.2 floor area ratio combined. For example:  $50 \text{ units} \times 750 \text{ square feet} = 38,500 \text{ square feet}$  plus  $0.2 \times \text{total parcel square feet for common areas and indoor amenities} = \text{total building square footage, excluding structured parking}$ .

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**Sec. 39.8.a - Design, scale and mass of buildings.**

(a) No plane of a building may continue uninterrupted for greater than 100 linear feet. For the purpose of this standard, interrupted means an offset of greater than five feet.

(b) At least 60 percent of any elevation will be covered with windows or architectural decoration. For the purpose of this standard, an elevation is that portion of a building that is visible from a particular point outside the parcel proposed for development.

(c) The height and mass of buildings will be correlated to: (1) the dimensional aspects of the parcel proposed for development and (2) adjacent public spaces such as streets and parks.

(d) Buildings may be designed for a vertical or horizontal mix of permitted uses.

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**Sec. 39.10. - Streetscape design required elements.**

(a) A ten-foot sidewalk shall be constructed that will allow for safe, unobstructed and efficient pedestrian flow and the potential for sidewalk cafes and outdoor eating areas, as appropriate, in front of all development projects within the Community Redevelopment District along Gulf Boulevard or Blind Pass Road and within the Town Center Core areas. This requirement may be reduced to six feet when warranted through TRC site plan review. This is imperative to ensure pedestrians feel comfortable on the sidewalk as well as important to meet the current American with Disabilities Act standards. Distinctive and visually interesting paving patterns are encouraged, particularly to define an entrance, a gathering place, a pedestrian crosswalk link, or a sidewalk cafe area. Patterns, cooler, materials and constructions standards shall be coordinated with the city manager and his staff to ensure a cohesive and unified streetscape.

(b) On all streets not designated a Main street or a street type "A" in section 39.2, a minimum eight-foot wide private landscape zone shall be installed along the property between the sidewalk and the building face; minimum building setbacks may be increased in accordance with the width of the landscape zone. The landscape zone proposal shall be reviewed for compliance during the design review/site plan approval process by the TRC and may be reduced to five feet during that process when warranted, in order to coordinate and integrate new development into an overall streetscape plan.

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(6) Pedestrian-scale decorative lighting fixtures are required every 30 feet on the main commercial corridor within the landscape/pedestrian zone. Where there are physical restrictions, spacing of lighting standards shall be adjusted, provided the adjustment is the minimum needed to avoid the obstruction. An adequate easement shall be dedicated to the City, adjacent to the public right-of-way to allow adequate maintenance by the city of the lighting fixtures. Energy efficient or solar lighting is required.

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#### **Sec. 40.9. - Setbacks.**

For structures that front 8th, 9th or Gulf Way:

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#### **ROR - Sec. 13.4. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the ROR Residential/Office/Retail District are as follows:

- (a) Assisted living facilities.
- (b) Places of worship.
- (c) Commercial developments with a gross square footage of greater than 25,000.
- (d) Communications facilities.
- (e) Daycare centers/kindergartens.
- (f) Docks, commercial—Class C only.
- (g) Eating and drinking establishment—Bar (cocktail lounge, saloon); restaurant, outdoor.
- (h) Laundries, dry cleaning.
- (i) Parking lots, off-premise.
- (j) Recreational—Public parks and/or recreational facilities.

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**RFM - Sec. 14.4. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the RFM Resort Facilities Medium District are as follows:

- (a) Assisted living facilities.
- (b) Places of worship.
- (c) Commercial developments with a gross square footage of greater than 25,000.
- (d) Commercial water sports, non-motorized vessels of 16 feet or less in length only.
- (e) Communications facilities.
- (f) Daycare centers/kindergartens.
- (g) Docks, commercial—Classes A, B and C.
- (h) Eating and drinking establishment—fast food, beach bar and outdoor restaurant.
- (i) Financial institutions with drive-through service.
- (j) Laundry, dry cleaning.
- (k) Parking lots, commercial and/or off-premise.
- (l) Recreational—Commercial recreation; public parks and/or recreational facilities.
- (m) Recycling centers.
- (n) Schools—Public, private and/or commercial.
- (o) Utility substations and/or rights-of-way.
- (p) Vessel for hire businesses.

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**CG-1 - Sec. 15.4. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the CG-1 Commercial District are as follows:

- (a) Assisted living facilities.
- (b) Adult entertainment establishments—See also Chapter 10, St. Pete Beach Code of Ordinances.
- (c) Automotive rental agencies.
- (d) Automotive sales lots.
- (e) Automotive services and repairs.
- (f) Automotive service stations.
- (g) Boat sales and repair facilities.
- (h) Car wash facilities.

- (i) Commercial boat docking facilities.
- (j) Commercial developments with a gross square footage of greater than 25,000.
- (k) Commercial water sports, non-motorized vessels of 16 feet or less in length only.
- (l) Communication facilities.
- (m) Docks, commercial—Classes A, B, C, and D.
- (n) Eating and drinking establishment—fast food restaurant, nightclub or outdoor restaurant.
- (o) Financial institutions with drive-through services.
- (p) Kennels with outdoor runs.
- (q) Laundries, dry cleaning.
- (r) Marinas.
- (s) Parking lots, commercial and/or off-premise.
- (t) Printing, general.
- (u) Recreational—Commercial recreation; public parks and/or recreational facilities.
- (v) Recycling centers.
- (w) Schools, public or private and/or commercial.
- (x) Services, commercial/business.
- (y) Storage facilities with outdoor storage.
- (z) Storage, self-service.
- (aa) Theatres.
- (bb) Utility substations and/or rights-of-way.
- (cc) Vehicle for hire businesses.
- (dd) Vessel for hire businesses.

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**CG-2 - Sec. 16.4. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the CG-2 Commercial District are as follows:

- (a) Adult entertainment establishments—See also Chapter 10, St. Pete Beach Code of Ordinances.
- (b) Automotive service stations.
- (c) Commercial boat docking facilities.
- (d) Commercial developments with a gross square footage of greater than 25,000.
- (e) Commercial water sports, non-motorized vessels of 16 feet or less in length only.
- (f) Communications facilities.
- (g) Commercial docks—Classes A, B and C only.
- (h) Eating and drinking establishments restaurant with drive-through service, take-out only restaurant, bar/lounge, subject to Section 6.24 of this Code as may be applicable.
- (i) Mortuaries.

- (j) Parking lots—Commercial and/or off-premise.
- (k) Recreational—Commercial recreation; public parks and/or recreational facilities.
- (l) School, commercial.
- (m) Theaters.
- (n) Utility substations and/or rights-of-way.
- (o) Vessel for hire businesses.

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**TC-1 - Sec. 30.4. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the TC-1 Town Center Core District are as follows:

- (a) Automotive retail stores and automotive service stations with related services. Such uses shall only be allowed on lots which front directly on 75th Avenue.
- (b) Car washes.
- (c) Commercial developments with a gross square footage of greater than 25,000.
- (d) Convenience stores without the sale of gasoline or other fuels.
- (e) Cigar shops and cigar bars
- (f) Financial institutions with drive-through service.
- (g) Pharmacies with drive-through service.
- (h) Public or private parking structures.
- (i) Bed and breakfast inns, subject to the following:

(1) In addition to any density and intensity which may be allowed, the city shall also establish a reserve of units, not to exceed 50 total temporary lodging units for the entire Town Center Core District, which shall be allocated by ordinance of the city commission upon request of an individual property owner on a first come, first serve basis. Such allocation shall not exceed ten units per acre, or a total of ten units per redevelopment project. The remaining number of available reserve temporary lodging units shall be specified in each city commission ordinance allocating such units and each such ordinance shall provide that no units beyond those remaining available shall be allocated to any subsequent project. This limitation shall be absolute and shall apply regardless of the proposed size or density of the project requesting such allocation.

- (j) Class I Mobile Food Trucks, subject to the criteria found in Division 6, herein.

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**CC-1 - Sec. 32.4. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this code, allowable conditional uses in the CC1 Commercial Corridor Blind Pass Road Districts are as follows.

- (a) Automotive rental agencies;
- (b) Automobile services—repair;
- (c) Automotive service stations, with or without a carwash and/or a convenience store;
- (d) Commercial developments with a gross square footage of greater than 25,000;
- (e) Communication facilities;
- (f) Parking lots, commercial and/or off-premise.
- (g) Class I Mobile Food Trucks, subject to the criteria found in Division 6, herein.

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**CC-2 - Sec. 33.4. - Conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this code, allowable conditional uses in the CC2 Commercial Corridor Gulf Boulevard District are as follows.

- (a) Automotive rental agencies;
- (b) Automobile services—repair;
- (c) Automotive service stations, with or without a carwash and/or a convenience store;
- (d) Commercial developments with a gross square footage of greater than 25,000;
- (e) Communication facilities;
- (f) Parking lots, commercial and/or off-premise;
- (g) Class I Mobile Food Trucks, subject to the criteria found in Division 6, herein.

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**TC-2 - Sec. 37.5. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the TC-2 Town Center Corey Circle and Coquina West Districts are as follows.

- (a) Temporary lodging facilities hotel, motel and resort condominium, awarded on a first come, first serve basis, to come from the density pool established in the Comprehensive Plan.
- (b) Commercial developments with a gross square footage of greater than 25,000.
- (c) Commercial kitchen.
- (d) Commercial docks-Class A, B, C and D.
- (e) Eating and drinking establishment — take-out only restaurant.
- (f) Vessel for hire (water taxis).
- (g) Class I Mobile Food Trucks, subject to the criteria found in Division 6, herein.

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**AC - Sec. 38.4. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the AC Activity Center District are as follows.

- (a) Assisted living facilities;
- (b) Charter and tour boat operations;
- (c) Commercial developments with a gross square footage of greater than 25,000;
- (d) Communication facilities;
- (e) Docks, commercial-Classes A, B, C, and D;
- (f) Eating and drinking establishments with outdoor seating;
- (g) Kennels with outdoor runs;
- (h) Off-premise parking lot and/or structure;
- (i) Commercial parking structure;
- (j) Theatres;
- (k) Vessel for hire businesses; and
- (l) Subject to the provisions or restrictions contained in this section and elsewhere in this Code, temporary lodging units may be allocated from a density pool via a conditional use as follows:

40 temporary lodging uses per acre, not to exceed a total of either 50 units per project or the density pool allocated in the Comprehensive Plan (325 available units for potential use in the Town Center Core Corey Circle, Coquina West, Activity Center, and Bayou Residential Districts), with a maximum 1.0 floor area ratio on a minimum one (1) acre buildable site. To qualify for mixed use densities and intensities, a minimum of 10 temporary lodging units, mixed with a minimum of 0.35 floor area ratio for commercial or office uses, is required.

SECTION 6. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 7. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 8. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 9. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 10. Effective Date. This ordinance shall take effect immediately upon adoption.

FIRST READING: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

PUBLIC HEARING: \_\_\_\_\_

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Alan Johnson, Mayor

I, Rebecca C. Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTNESS:

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Andrew Dickman, City Attorney

**Ordinance 2017-30**

**AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AN AMENDMENT TO THE ST. PETE BEACH LAND DEVELOPMENT CODE AS FOLLOWS: SECTION 2.1 – DEFINITIONS - TO PROVIDE DEFINITIONS FOR MIXED USE DEVELOPMENT AND SPECIAL EVENTS, SECTION 6.12h – BEACH CONCESSION – TO PROVIDE CLARITY ON HUT PLACEMENT, SECTION 6.22- YARDS AND MEASUREMENTS OF REQUIRED YARDS TO PROVIDE FOR BALCONY ENCROACHMENT, SECTION 6.24 – OUTDOOR DINING AND OUTDOOR DRINKING AREAS TO CLARIFY REQUIREMENTS, SECTION 22.4(f) – GROUNDCOVERS TO CLARIFY PERVIOUS AREA, SECTION 23.4 – GENERAL PARKING REQUIREMENTS TO PROVIDE FOR BACKING OUT ONTO PUBLIC STREETS, SECTION 33.2 CC-2 PERMITTED USES, TO PROVIDE FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN, SECTION 35.3(b) LR PERMITTED CONDITIONAL USES TO ALLOW FOR ADDITIONAL SUPPORTIVE COMMERCIAL USES, SECTION 37.7(a) TC-1 DENSITY AND INTENSITY TO PROVIDE FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN, SECTION 39.8(a) CRD – DESIGN, SCALE AND MASS OF BUILDINGS TO PROVIDE FOR CLARITY, SECTION 39.10 CRD – STREETSCAPE DESIGN REQUIREMENTS TO PROVIDE CLARITY, SECTION 40.9 CRD-EA SETBACKS TO CORRECT A SCRIVENER’S ERROR, SECTIONS 13.4 ROR, SECTION 14.4 RFM, SECTION 15.4 CG-1, SECTION 16.4 CG-2, SECTION 30.4 TC-1, SECTION 32.4 CC-1, SECTION 33.4 CC-2, SECTION 37.5 TC-1, SECTION 38.4 AC TO PROVIDE FOR ADDITIONAL CONDITIONAL USES; ~~PROVIDING FOR—SEVERABILITY~~; PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of St. Pete Beach periodically finds sections in its Land Development Code which require clarification, updating and/or amending; and

**WHEREAS**, the City’s Land Development Code also serves to maintain an environment conducive to the health, safety, welfare of the City’s residents, and preserves and enhances property values within the City; and

**WHEREAS**, after due public notice, the Planning Board held a public hearing on November 13, 2017, to consider the proposed Land Development Code changes and provided recommendations to the City Commission as the local planning agency; and

**WHEREAS**, on January 23, 2018, the City Commission conducted a duly noticed initial public hearing on the proposed Land Development Code amendments; and

**WHEREAS**, on February 27, 2018, the City Commission conducted a duly noticed second public hearing on the proposed Land Development Code amendments and the City Commission approved the amendments.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:**

SECTION 1. Recitals. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. The listed sections of the City’s Land Development Code are hereby amended as follows:

**Sec. 2.1 – Word, terms and phrases defined.**

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*Mixed use development* means a development ~~on one zoning lot~~ that combines any of the following uses, including but not limited to: residential, or transient accommodation, uses with commercial, and/or office uses, and may consist of one or more buildings.

*Special Events* shall be regulated in accordance to Chapter 26 of the Code of Ordinances.

*Special Event Permit* is the official document authorizing the performance of a special event

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**LDC 6.12.h BEACH CONCESSION STANDARDS**

Minor Structures that currently exist as of the date of the adoption of this ordinance may be maintained by a transient lodging business that has beach frontage along the Gulf of Mexico, in accordance with the following, after approval by the Technical Review Committee (TRC), otherwise a conditional use permit must be obtained in accordance with Division 4 of the Land Development Code in addition to a Department of Environmental Protection permit for minor structures.

## 1. Concession Huts

- i. Concession Huts shall be for the rental of beach equipment, and/or watersports.
- ii. One Concession Hut structure is permitted per transient lodging facility or one for every 200 linear feet of sand beach, or fraction thereof, as measured along the property line adjacent to the sand beach. Huts may be arranged on the sand beach as desired by the property owner.
- iii. Concession Huts shall maintain a minimum side setback of 20' or 10% of the lot width whichever is less. A minimum separation of 200' between Concession Huts must be maintained. For lots with a width less than 200', one hut shall be allowed and shall be located within the center one-third of the lot.

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### Sec. 6.22 - Yard and measurement requirements

- (a) *Encroachment of open balconies and stairs.* Open balconies ~~and stairs~~ may be permitted to encroach into required front or rear yards a distance of three feet. Open ~~balconies and stairs~~, without independent roof or overhang systems, may be permitted to encroach into any required front or rear yards a distance of three feet provided that no resulting setback shall be less than 2 feet from any property line.

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- (d) *Encroachment of eaves.* Roof eave projections with gutters shall extend no more than two feet into ~~the~~ any required ~~side~~ yards.

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### Sec. 6.24. - Outdoor dining and outdoor drinking areas.

A full or limited service restaurant may establish an outdoor dining area and a bar/lounge may establish an outdoor drinking area pursuant to the requirements of this section ~~and~~ or as outlined within each zoning district. If an outdoor drinking and/or dining area is required to obtain conditional use approval as outlined in the zoning districts herein, it shall be pursuant to the review and approval procedures provided under Division 4 of this Code. If public consumption of alcohol is proposed to occur on any public street, sidewalk or private sand beach area in connection with the outdoor dining or outdoor drinking area, approval by the City Commission is required pursuant to Chapter 6 of the City Code of Ordinances.

\*\*\*\*

**Sec. 22.4(f)**

(f) Ground covers. Ground covers in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage. In no instance shall stone or gravel be utilized for more than 20 percent of the ~~allowable ground cover area~~ minimum required pervious area. A recommended list of ground covers to be used includes but is not limited to, the following:

\*\*\*\*

**Sec. 23.4 – General Parking Requirements**

All off-street parking shall be provided in accordance with the following general requirements:

(h) Be so arranged that no vehicle shall be required to back from such facilities directly onto arterial or collector public streets as defined by the ITE Manual.

\*\*\*\*

**Sec. 33.2. - Permitted uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the CC2 Commercial Corridor Gulf Blvd are as follows.

- (a) Clinics;
- (b) Eating and drinking establishments with or without outdoor seating;
- (c) Financial institutions with or without drive-through service;
- (d) Laundries, self-service;
- (e) Office uses;
- (f) Printing and copying services;
- (g) Retail uses;
- (h) Personal service businesses such as barbershops, beauty shops, tailoring, garment alteration and repair, shoe repair, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact;
- (i) Veterinarians, dog grooming establishments;

(j) Multi-family residential uses as a component of mixed-use development only. Multi-family residential uses shall not be allowed on the ground level of any structure;

~~(k) Single-family, detached residential uses (Only on parcels which do not directly abut Gulf Boulevard);~~

~~(k)~~ Artist studios and galleries with retail and/or wholesale distribution space for artist's original handmade works, excluding mass produced or manufactured products;

~~(m)~~ Grocery stores, pharmacies, markets;

~~(m)~~ Commercial recreation, public parks and/or recreational facilities;

~~(n)~~ Sales, rentals, and/or service of bicycles, mopeds, motorcycles, segways, and scooters;

~~(p)~~ Other commercial uses similar in character, nature and impact to permitted uses listed above.

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### **Sec. 35.3. - Permitted principal and secondary uses and structures**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the LR District are as follows:

(b) Primary uses requiring conditional use approval. Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable primary uses requiring conditional use approval in the LR District are as follows.

(1) Temporary lodging uses, including hotels, motels, resort condominium hotels greater than 50 feet in building height or a density above 30 temporary lodging units per acre.

(2) Eating and drinking establishments, full-service restaurant only, subject to section 6.24 of this Code as may be applicable.

(3) Commercial Parking lot/structure.

\*\*\*\*

### **Sec. 37.7. - Density and intensity.**

(a) Residential densities of 24 units per acre as a component of mixed-use projects ~~developed on sites of a minimum of 1.8 acres.~~ Commercial, office retail, or non-habitable

portions of temporary lodging uses shall only be located on the first floor accessible at street level.

(b) Maximum Floor Area Ratio for exclusively commercial/office/retail projects shall be limited to 0.55.

(c) Temporary Lodging Use - Density and Intensity shall be approved by Conditional use only and shall not exceed fifty (50) temporary lodging units per acre located on a minimum ~~two~~ 1.8 acre buildable site and shall also not exceed a cumulative total of 150 units per project subject to the requirements, restrictions and limitations for the TLU Density Pool for the Town Center Corey Circle and Coquina West Districts. Temporary lodging uses shall not exceed an aggregate floor area of 750 square feet per temporary lodging unit allocated by Ordinance, excluding indoor amenities, common areas and structured parking. Indoor amenities and common areas shall not exceed an additional 0.2 floor area ratio combined. For example: 50 units  $\times$  750 square feet = 38,500 square feet plus  $0.2 \times$  total parcel square feet for common areas and indoor amenities = total building square footage, excluding structured parking.

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#### **Sec. 39.8.a - Design, scale and mass of buildings.**

~~(a) Buildings with a footprint of greater than 5,000 square feet or a single dimension of greater than 100 feet will be constructed so that no more than two of the three building dimensions in the vertical or horizontal planes are equal in length. For purposes of this section, equal in length means that the two lengths vary by less than 40 percent of the shorter of the two lengths. The horizontal plane measurements relate to the footprint of the building.~~

~~(a)~~ (b) No plane of a building may continue uninterrupted for greater than 100 linear feet. For the purpose of this standard, interrupted means an offset of greater than five feet.

~~(b)~~ (c) At least 60 percent of any elevation will be covered with windows or architectural decoration. For the purpose of this standard, an elevation is that portion of a building that is visible from a particular point outside the parcel proposed for development.

~~(c)~~ (d) The height and mass of buildings will be correlated to: (1) the dimensional aspects of the parcel proposed for development and (2) adjacent public spaces such as streets and parks.

~~(d)~~ (e) Buildings may be designed for a vertical or horizontal mix of permitted uses.

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**Sec. 39.10. - Streetscape design required elements.**

(a) A ten-foot sidewalk shall be constructed that will allow for safe, unobstructed and efficient pedestrian flow and the potential for sidewalk cafes and outdoor eating areas, as appropriate, in front of all development projects within the Community Redevelopment District along Gulf Boulevard or Blind Pass Road and within the Town Center Core areas. ~~The city manager may reduce~~ This requirement may be reduced to six feet when warranted through TRC site plan review. This is imperative to ensure pedestrians feel comfortable on the sidewalk as well as important to meet the current American with Disabilities Act standards. Distinctive and visually interesting paving patterns are encouraged, particularly to define an entrance, a gathering place, a pedestrian crosswalk link, or a sidewalk cafe area. Patterns, cooler, materials and constructions standards shall be coordinated with the city manager and his staff to ensure a cohesive and unified streetscape.

(b) On all streets not designated a Main street or a street type "A" in section 39.2, a minimum eight-foot wide private landscape zone shall be installed along the property between the sidewalk and the building face; minimum building setbacks may be increased in accordance with the width of the landscape zone. The landscape zone proposal shall be reviewed for compliance during the design review/site plan approval process by the TRC, and may be reduced to five feet during that process ~~by the city manager~~ when warranted, in order to coordinate and integrate new development into an overall streetscape plan.

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(6) Pedestrian-scale decorative lighting fixtures are required every 30 feet on the main commercial corridor within the landscape/pedestrian zone. Where there are physical restrictions, spacing of lighting standards shall be adjusted, provided the adjustment is the minimum needed to avoid the obstruction. ~~subject to approval by the city manager. The lighting shall be a style approved by the city manager as part of an overall Master Boulevard or Master Streetscape Plan and Program. In addition to providing the pedestrian-scale decorative lighting, An adequate two-foot by two-foot easement shall be dedicated to the City, adjacent to the public right-of-way shall be provided to allow adequate maintenance by the city of the lighting fixtures~~ Energy efficient or solar lighting is required.

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**Sec. 40.9. - Setbacks.**

For structures that front 8th, 9th or Gulf Way ~~Winds Avenue~~:

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**ROR - Sec. 13.4. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the ROR Residential/Office/Retail District are as follows:

- (a) Assisted living facilities.
- (b) Places of worship.
- (c) Commercial developments with a gross square footage of greater than 25,000.
- (~~e~~d) Communications facilities.
- (~~d~~e) Daycare centers/kindergartens.
- (~~e~~f) Docks, commercial—Class C only.
- (~~f~~g) Eating and drinking establishment—Bar (cocktail lounge, saloon); restaurant, outdoor.
- (~~g~~h) Laundries, dry cleaning.
- (~~h~~i) Parking lots, off-premise.
- (i)j) Recreational—Public parks and/or recreational facilities.

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**RFM - Sec. 14.4. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the RFM Resort Facilities Medium District are as follows:

- (a) Assisted living facilities.
- (b) Places of worship.
- (c) Commercial developments with a gross square footage of greater than 25,000.
- (~~e~~d) Commercial water sports, non-motorized vessels of 16 feet or less in length only.
- (~~d~~e) Communications facilities.
- (~~e~~f) Daycare centers/kindergartens.
- (~~f~~g) Docks, commercial—Classes A, B and C.
- (~~g~~h) Eating and drinking establishment—~~F~~fast food, beach bar and outdoor restaurant.
- (~~h~~i) Financial institutions with drive-through service.
- (i)j) Laundry, dry cleaning.
- (~~i~~k) Parking lots, commercial and/or off-premise.
- (~~k~~l) Recreational—Commercial recreation; public parks and/or recreational facilities.
- (~~l~~m) Recycling centers.
- (~~m~~n) Schools—Public, private and/or commercial.
- (~~n~~o) Utility substations and/or rights-of-way.
- (~~o~~p) Vessel for hire businesses.

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**CG-1 - Sec. 15.4. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the CG-1 Commercial District are as follows:

- (a) Assisted living facilities.
- (b) Adult entertainment establishments—See also Chapter 10, St. Pete Beach Code of Ordinances.
- (c) Automotive rental agencies.
- (d) Automotive sales lots.
- (e) Automotive services and repairs.
- (f) Automotive service stations.
- (g) Boat sales and repair facilities.
- (h) Car wash facilities.
- (i) Commercial boat docking facilities.
- (j) Commercial developments with a gross square footage of greater than 25,000.
- (~~jk~~) Commercial water sports, non-motorized vessels of 16 feet or less in length only.
- (~~kl~~) Communication facilities.
- (~~lm~~) Docks, commercial—Classes A, B, C, and D.
- (~~mn~~) Eating and drinking establishment— Fast food restaurant, nightclub or outdoor restaurant.
- (~~no~~) Financial institutions with drive-through services.
- (~~op~~) Kennels with outdoor runs.
- (~~pq~~) Laundries, dry cleaning.
- (~~qr~~) Marinas.
- (~~rs~~) Parking lots, commercial and/or off-premise.
- (~~st~~) Printing, general.
- (~~tu~~) Recreational—Commercial recreation; public parks and/or recreational facilities.
- (~~uv~~) Recycling centers.
- (~~vw~~) Schools, public or private and/or commercial.
- (~~wx~~) Services, commercial/business.
- (~~xy~~) Storage facilities with outdoor storage.
- (~~yz~~) Storage, self-service.
- (~~zaa~~) Theatres.
- (~~aabb~~) Utility substations and/or rights-of-way.
- (~~bbcc~~) Vehicle for hire businesses.
- (~~eedd~~) Vessel for hire businesses.

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**CG-2 - Sec. 16.4. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the CG-2 Commercial District are as follows:

- (a) Adult entertainment establishments—See also Chapter 10, St. Pete Beach Code of Ordinances.
- (b) Automotive service stations.
- (c) Commercial boat docking facilities.
- (d) Commercial developments with a gross square footage of greater than 25,000.
- ~~(de)~~ Commercial water sports, non-motorized vessels of 16 feet or less in length only.
- ~~(ef)~~ Communications facilities.
- ~~(fg)~~ Commercial docks—Classes A, B and C only.
- ~~(gh)~~ Eating and drinking establishments restaurant with drive-through service, take-out only restaurant, bar/lounge, subject to Section 6.24 of this Code as may be applicable.
- ~~(hi)~~ Mortuaries.
- ~~(ij)~~ Parking lots—Commercial and/or off-premise.
- ~~(jk)~~ Recreational—Commercial recreation; public parks and/or recreational facilities.
- ~~(kl)~~ School, commercial.
- ~~(lm)~~ Theaters.
- ~~(mn)~~ Utility substations and/or rights-of-way.
- ~~(no)~~ Vessel for hire businesses.

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**TC-1 - Sec. 30.4. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the TC-1 Town Center Core District are as follows:

- (a) Automotive retail stores and automotive service stations with related services. Such uses shall only be allowed on lots which front directly on 75th Avenue.
- (b) Car washes.
- (c) Commercial developments with a gross square footage of greater than 25,000.
- ~~(ed)~~ Convenience stores without the sale of gasoline or other fuels.
- ~~(de)~~ Cigar shops and cigar bars
- ~~(ef)~~ Financial institutions with drive-through service.
- ~~(fg)~~ Pharmacies with drive-through service.
- ~~(gh)~~ Public or private parking structures.
- ~~(hi)~~ Bed and breakfast inns, subject to the following:

(1) In addition to any density and intensity which may be allowed, the city shall also establish a reserve of units, not to exceed 50 total temporary lodging units for the entire Town Center Core District, which shall be allocated by ordinance of the city commission upon request of an individual property owner on a first come, first serve basis. Such allocation shall not exceed ten units per acre, or a total of ten units per redevelopment project. The remaining number of available reserve temporary lodging units shall be specified in each city commission ordinance allocating such units and each such ordinance shall provide that no units beyond those remaining available shall be allocated to any subsequent project. This limitation shall be absolute and shall apply regardless of the proposed size or density of the project requesting such allocation.

(ij) Class I Mobile Food Trucks, subject to the criteria found in Division 6, herein.

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**CC-1 - Sec. 32.4. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this code, allowable conditional uses in the CC1 Commercial Corridor Blind Pass Road Districts are as follows.

- (a) Automotive rental agencies;
- (b) Automobile services—repair;
- (c) Automotive service stations, with or without a carwash and/or a convenience store;
- (d) Commercial developments with a gross square footage of greater than 25,000;
- (~~e~~) Communication facilities;
- (~~e~~f) Parking lots, commercial and/or off-premise.
- (~~f~~g) Class I Mobile Food Trucks, subject to the criteria found in Division 6, herein.

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**CC-2 - Sec. 33.4. - Conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this code, allowable conditional uses in the CC2 Commercial Corridor Gulf Boulevard District are as follows.

- (a) Automotive rental agencies;

- (b) Automobile services—repair;
- (c) Automotive service stations, with or without a carwash and/or a convenience store;
- (d) Commercial developments with a gross square footage of greater than 25,000;
- ~~(de)~~ Communication facilities;
- ~~(ef)~~ Parking lots, commercial and/or off-premise;
- ~~(fg)~~ Class I Mobile Food Trucks, subject to the criteria found in Division 6, herein.

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**TC-2 - Sec. 37.5. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the TC-2 Town Center Corey Circle and Coquina West Districts are as follows.

- (a) Temporary lodging facilities hotel, motel and resort condominium, awarded on a first come, first serve basis, to come from the density pool established in the Comprehensive Plan.
- (b) Commercial developments with a gross square footage of greater than 25,000.
- ~~(bc)~~ Commercial kitchen.
- ~~(cd)~~ Commercial docks-Class A, B, C and D.
- ~~(de)~~ Eating and drinking establishment — take-out only restaurant.
- ~~(ef)~~ Vessel for hire (water taxis).
- ~~(fg)~~ Class I Mobile Food Trucks, subject to the criteria found in Division 6, herein.

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**AC - Sec. 38.4. - Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the AC Activity Center District are as follows.

- (a) Assisted living facilities;
- (b) Charter and tour boat operations;
- (c) Commercial developments with a gross square footage of greater than 25,000;
- ~~(ed)~~ Communication facilities;
- ~~(de)~~ Docks, commercial—Classes A, B, C, and D;
- ~~(ef)~~ Eating and drinking establishments with outdoor seating;
- ~~(fg)~~ Kennels with outdoor runs;
- ~~(gh)~~ Off-premise parking lot and/or structure;
- ~~(hi)~~ Commercial parking structure;

(j) Theatres;

(k) Vessel for hire businesses; and

~~(k) Commercial rental of non-motorized water sports equipment; and~~

(l) Subject to the provisions or restrictions contained in this section and elsewhere in this Code, temporary lodging units may be allocated from a density pool via a conditional use as follows:

40 temporary lodging uses per acre, not to exceed a total of either 50 units per project or the density pool allocated in the Comprehensive Plan (325 available units for potential use in the Town Center Core Corey Circle, Coquina West, Activity Center, and Bayou Residential Districts), with a maximum 1.0 floor area ratio on a minimum one (1) acre buildable site. To qualify for mixed use densities and intensities, a minimum of 10 temporary lodging units, mixed with a minimum of 0.35 floor area ratio for commercial or office uses, is required.

SECTION 6. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 7. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 8. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 9. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 10. Effective Date. This ordinance shall take effect immediately upon adoption.

FIRST READING: \_\_\_\_\_

PUBLISHED: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

PUBLIC HEARING: \_\_\_\_\_

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Alan Johnson, Mayor

I, Rebecca C. Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTNESS:

\_\_\_\_\_  
Andrew Dickman, City Attorney

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <h1 style="text-align: center;">St. Pete Beach<br/>City Commission</h1> <p style="text-align: center;">155 Corey Avenue<br/>St. Pete Beach, FL 33706<br/>727-367-2735</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p style="text-align: center;"><b>2/27/18</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p><b>Item Number</b><br/><b>Ordinance #2017-30</b></p> <p><b>Type of Application</b><br/>Amendment to the Land Development Code</p> <p><b>Applicant</b><br/>City of St. Pete Beach</p> <p><b>Location</b><br/>City wide</p> <p><b>Project Planner</b><br/>Planning Department</p> <p><b>Requested Action</b><br/>Recommendation of approval of “Ordinance 2017-30 on first reading”</p> <p><b>Staff Recommendation</b><br/>Approval</p> <p><b>Planning Board</b><br/>November 13<sup>th</sup>, 2017 provided a recommendation of approval 4-0</p> <p><b>City Commission</b><br/>First Reading December 12<sup>th</sup>, 2017 anticipated</p> | <p style="text-align: center;"><b>ITEM SUMMARY:</b></p> <p>This City-initiated amendment to the Land Development Code is in response to Commission directives to further evaluate code language that is inconsistent with the Comprehensive Plan or that does not reflect the optimal living conditions of the citizens and business owners of St. Pete Beach. The items presented are either a result of consistent requests for variances, outdated development patterns or Staff taking a proactive approach regarding development review. These requested changes are consistent with the City’s Comprehensive Plan as required by FS 163.3201.</p>  <p style="text-align: center;"><b>PUBLIC NOTICE:</b></p> <p>Notice of public hearing has been advertised as required by State Statutes. As of the date of this report, several verbal comments of support have been heard; no written comments have been received. Oral and written comments may be presented at the public hearing.</p> <p style="text-align: center;"><b>COMPREHENSIVE PLAN and LAND DEVELOPMENT CODE:</b></p> <p>The proposed amendment is consistent with the City of St. Pete Beach Comprehensive Plan.</p> <p><b>GOAL 2:</b></p> <p>The City shall ensure that the residential character of the City of St. Pete Beach is</p> |

## Findings

In its review of the proposed amendments, staff has determined:

1. The proposed amendments are consistent with Florida Statutes.
2. The proposed amendments are consistent with the Countywide Plan.
3. The proposed amendments are consistent with the St. Pete Beach Comprehensive Plan.
4. The proposed amendments are consistent with the intent of the LDC.

maintained and protected while:

- Maximizing the potential for economic benefit resulting from the tourist trade and the enjoyment of natural and man-made resources by residents and visitors alike.
- Minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.
- Maintaining the community's recreation, open space and beaches.

### Objective 2.1

The integrity and quality of life throughout the City, including existing residential neighborhoods, as well as core commercial and resort areas, will be maintained through the enforcement of the land development regulations and shall be encouraged to be improved, and for those properties experiencing blighting conditions such as deterioration, degradation, and distress shall be encouraged to redevelop through the use of land development regulations and other incentives, in accordance with the Future Land Use Element.

### Objective 2.4

Consistent with this comprehensive plan, as amended, the City of St. Pete Beach shall enhance and protect the City's character through the encouragement of redevelopment which ensures an orderly and aesthetic mixture of land uses.

The proposed amendment serves to respond to business owners initiatives and remedy outdated development patterns consistent with the Comprehensive Plan directive.

## JUSTIFICATION / TECHNICAL REVIEW:

The Community Development Department has researched the industry standards, development patterns, and consistent variance request information to arrive at the most consistent code language that supports the direction of the City's Comprehensive Plan. The proposed changes have been vetted through the Technical Review Committee (TRC) for review and comment. The results of that effort are presented in the Ordinance. The specifics of each code change is presented as follows:

- **Sec. 2.1 – Definitions** *Mixed use development* means a development ~~on one zoning lot~~ that combines any of the following uses, including but not limited to: residential, transient accommodation, commercial, office, or industrial residential or transient accommodation uses with commercial and/or office uses, and may consist of one or more buildings. *Change would provide for all types of uses to compose a mixed use development.*
- **Sec. 2.1 – Definitions** *Special Events*: - Definition of Special Events is found in Section 26-31 of the Code of Ordinances. *Change would provide that all information concerning special events is found in one place in the code.*

- **Sec. 6.12.h Beach concession standards** – *Change is consistent with discussions with businesses and vendors that would allow a Beach Concession Hut for every 200' of beach or fraction thereof but no closer than 200' to the next hut.*
- **Sec. 6.22.b Yards and measurements of required yards.** *Encroachment of open balconies and stairs. Open balconies and stairs may be permitted to encroach into required front or rear yards a distance of three feet. Open balconies and stairs, without independent roof or overhang systems, may be permitted to encroach into any required ~~front or rear~~ yards a distance of three feet provided that no resulting setback shall be less than 2 feet from any property line. *Change would allow the encroachment into the side yard as well as front and rear without independent roof systems to that encroachment will not affect the adjacent property owners.**
- **Sec. 6.24. - Outdoor dining and outdoor drinking areas** – *Change is to provide clarity and consistency with the more specific criteria found in the zoning district language.*
- **Sec. 22.4(f)** Ground covers. Ground covers in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage. In no instance shall stone or gravel be utilized for more than 20 percent of the ~~allowable ground cover area~~ minimum required pervious area. A recommended list of ground covers to be used includes but is not limited to, the following: *Change is for clarity of terms.*
- **Sec. 23.4 (h)** Be so arranged that no vehicle shall be required to back from such facilities directly onto arterial or collector public streets as defined by the ITE Manual. *If code were to be taken literally no one could back out of there driveway.*
- **Sec. 33.2. - Permitted uses.** Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the CC2 Commercial Corridor Gulf Blvd are as follows. *Change is for consistency with the Comprehensive Plan. No new single family residential is permitted in CC-2*
- **Sec. 35.3. Permitted principal and secondary uses and structures** *Change will allow existing businesses to expand with conditional use approval.*
- **Sec. 37.7. - Density and intensity.** *Change is made for consistency with the Comprehensive Plan.*
- **Sec. 39.8.a - Design, scale and mass of buildings.** *Change is made for the Community Redevelopment District(CRD) language for clarity and ease of implementation. Developers have had difficulty in interpreting the language.*
- **Sec. 39.10. - Streetscape design required elements.** *Change is*

*being requested for enhancement to the public realm standards through the island consistently.*

- **Sec. 40.9. - Setbacks.** For structures that front 8th, 9th or Gulf Way ~~Winds Avenue~~. *Change is a correction of a typographical error.*
- **Allowable conditional uses for zoning districts ROR, RFM, CG-1, CG-2, TC-1, TC-2, CC-1, CC-2, and AC.** *Change to give greater development control for large commercial development.*

### **PLANNING BORAD:**

The Planning Board sitting as the Local Planning Agency heard the Ordinance on November 13<sup>th</sup>, 2017 and provided a recommendation of approval 4-0 (Shavlan, Ohlhaber) for the Ordinance as written.

### **STAFF RECOMMENDATION:**

Upon review of the above guiding documents for the City of St. Pete Beach, Staff recommends approval of Ordinance 2017-30.