Notice of Public Meeting
Planning Board

Commission Chambers
155 Corey Avenue, St. Pete Beach, Florida 33706
10/15/2013
4:00 p.m.

i. **Call to Order**
ii. **Pledge of Allegiance**
iii. **Roll Call**

Regular Meeting Agenda

1. **Approval of September 17, 2013 Meeting Minutes**

2. **Action Items**

   Public Hearings-Legislative

   A. AN ORDINANCE TO BE ENTITLED, AMENDING DIVISIONS 2, 30, AND 37 OF THE LAND DEVELOPMENT CODE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR PERMITTED AND CONDITIONAL USES THAT ARE CONSISTENT WITH THE ST. PETE BEACH COMPREHENSIVE PLAN.

   B. AN ORDINANCE AMENDING DIVISIONS 2, 6, 14, 15, 16, AND 25 OF THE ST. PETE BEACH, FLORIDA LAND DEVELOPMENT CODE TO MODIFY, REMOVE, OR RELOCATE CERTAIN BEACH RELATED REFERENCES.

3. **Discussion Items**

   A. Roof Access Discussion
   B. Work Program

C. Project Updates
D. Pending Ordinance Items (Design Standards, SAP Amend, Density Pool)
E. General Discussion

4. Adjourn

APPEALS

If a person decides to appeal any decision made at this Meeting, they will need a record of the proceeding and, for such purpose, may need to ensure that a verbatim record of Meeting is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105) The city does not furnish verbatim transcripts; interested parties should make the necessary arrangements for verbatim transcripts.

ADA

Agenda Material is available for review at City Hall. In accordance with the Americans with Disabilities Act and Florida Statutes 286.26, persons with disabilities needing special accommodation to participate in this proceeding should contact Public Services, no later than seven days prior to the proceeding at (727) 363-9243 for assistance; if hearing impaired, contact the Florida Relay Service Numbers, (800) 955-8771 (TDD).

PLANNING BOARD

MINUTES

SEPTEMBER 17, 2013

4:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Ward J. Friszolowski, Chairman
Tom DeYampert, Member
Don Breitweiser, Member
Paul Cuticchia, Member
Ron Holehouse, Member

ALSO PRESENT:

Mary Jo Murphy, Recording Secretary
George Kinney, Community Development Director

1. Approval of Minutes:

Member Holehouse made a motion for the approval of the minutes for August 20, 2013. The motion was seconded by Member DeYampert and unanimously approved by a voice vote.

Member Breitweiser explained to Chairman Friszolowski that he would need to leave the meeting to take a conference call.

2. Presentations:

A. Geri Lopez – CRA Discussion

George Kinney, Community Development Director, stated the City Commission approved the scope of service for Tindale-Oliver & Associates, Inc. to start updating the CRA Plan. Ms. Lopez, Director of Economic Development for the City of Clearwater, gave a presentation of CRA basics which included topics of redevelopment, eradicating slum and blight, establishing a CRA Board, having a Trust Fund created, adopting a Redevelopment Plan and Tax Increment Financing. Ms. Lopez stated that the CRA's intent is to improve and transform the overall health of the community over time.

Member Breitweiser asked Ms. Lopez to give an example of how to incentivize in the early years when the CRA does not have a lot of funds. Ms. Lopez advised the Board, while developing their plan, to make a decision of what the Board really wants to accomplish for its goals. As an example, try to form partnerships with property owners or developers and negotiate with TIF money and have the City pay for impact fees or streetscaping as incentives to begin projects. Furthermore, make sure all of the infrastructures are ready to use, such as water, stormwater and sewer services.

Member DeYampert asked Ms. Lopez to discuss utilization of CDBG block grant money with the CRA. Ms. Lopez explained that infrastructures are a good way to use block grant money, i.e. sidewalks, façade program.

Member DeYampert asked Ms. Lopez if she had knowledge of any non-entitlement communities that utilizes CDBG funds and if CRAs could use Section 108 funds out of the block grant to do some financing to do jump starts. Ms. Lopez replied she was not familiar with communities that are not entitlement.

Chairman Friszolowski asked if the Board was considering one or two CRAs. Mr. Kinney replied that the CRA is being developed now and that is a topic that could be considered.

Member Holehouse asked what advice Ms. Lopez could offer with her experience. Ms. Lopez commented that financing is more difficult now and to work with developers because the lenders are expecting more from the developers.

Member Breitweiser asked Ms. Lopez if any of the CRAs were main streets, and if so, if she considered that to be a positive or negative. Ms. Lopez replied it can be positive if there are engaged business organizations that want to see a change.

At 4:54 p.m. Member Breitweiser exited the Planning Board meeting.

Chairman Friszolowski asked if several years later after the CRA is implemented if there was a process to amend the CRA plan with the county if an item was not included in the CRA plan. Ms. Lopez stated that you can make an amendment which requires an ordinance, two readings, approval from the City Commission and the County Commission.

Chairman Friszolowski asked Mr. Kinney to give an update as to the CRA plan's future steps and timeline. Mr. Kinney informed the Board the following information: The Findings of Necessity have been completed. Pinellas County provided a resolution which authorizes the City of St. Pete Beach City Commission to be the CRA Board. What to complete now is the plan itself and establishing a TIF. Tindale-Oliver has been hired and will send out a schedule which will include a workshop with the Planning Board. Tindale-Oliver will produce a draft report after the workshop. A consultant from California, Susan Harden, will be doing a presentation during the City Commission meeting on 9/18/13 and the CRA consultant, Tindale-Oliver & Associates, will also be

present. Mr. Kinney will send both proposals from Tindale-Oliver and Baker to Chairman Friszolowski.

Chairman Friszolowski asked Mr. Kinney about locking in the values and establishing a baseline for next year. Mr. Kinney replied if the plan is in before the assessor certifies the tax roll, then it will be locked in at the values that are certified for the next year.

At 5:22 Member Breitweiser returned to the Planning Board meeting.

Member Cuticchia suggested having a developer come and speak about what they could do with Corey Avenue.

At 5:29 p.m. Member DeYampert exited the Planning Board meeting.

At 5:30 p.m. there was in interruption in the meeting and a brief break was taken. At 5:37 p.m. the meeting resumed.

In reference to the CRA, there was discussion about being developer friendly, reviewing provisions and charter changes that may arise in the future. Mr. Kinney stated that these topics will be discussed in the Tindale-Oliver and Baker proposals. Member Holehouse suggested that Mr.Kinney follow up on the conclusions from Tindale-Oliver, Baker and the City Commission.

3. <u>Action Items:</u>

Public Hearings – Legislative

A. AN ORDINANCE TO BE ENTITLED, AMENDING RETAIL AND PERSONAL SERVICE USES AS PROVIDED FOR IN DIVISIONS 30 AND 37 OF THE ST. PETE BEACH LAND DEVELOPMENT CODE

Mr. Kinney stated that the Planning Board directed staff to review permitted uses articulated in the TC-1 and TC-2 Zoning Districts pursuant to the direction of the St. Pete Beach Comprehensive Plan. There was Board discussion in reference to staff's review which was presented as Exhibit A. Mr. Kinney posed the question about car washes and convenience stores. After discussion of the Board, car washes and convenience stores should be considered as conditional use. Mr. Kinney stated that he would bring this information back in the form of an ordinance in October.

Chairman Friszolowski asked for audience comments.

<u>Michael Lehman, 535 80th Avenue</u>, spoke in opposition of the prohibition of liquor stores. In reference to requiring that residential has to be part of mixed use with first floor retail, Mr. Lehman stated there may be circumstances where residential needs to be on the first floor and suggested the Board consider rewording this. In reference to 30.2, Permitted uses, Mr. Lehman commented that he wanted the Board to be aware that artist studios and car washes may have hazardous waste issues to consider.

There was Board discussion about the prohibition of liquor stores. Member Holehouse suggested not considering a standalone liquor store.

4. Discussion Items:

A. Work Program

In light of the City Commission meeting on September 18, 2013, Mr. Kinney asked to table the work program one more month. The Board agreed with Mr. Kinney's suggestion.

B. Project Updates (Sherwin Williams, Skidders, Plaza Resort)

Mr. Kinney updated the Board that Sherwin Williams' original submittal did not have enough information for a review but has submitted a second submission to tear down and rebuild.

Skidders has resubmitted for a substantial addition.

Plaza Resort's original submittal did not have enough information but has not resubmitted.

There was Board discussion about classifications, zoning, and adult use businesses.

C. Pending Ordinance Items (Beach, Design Standards, SAP Amend, Density Pool)

Mr. Kinney updated the Board that the beach revisions will require an amendment to the Code of Ordinances and an amendment to the Land Development Code. The Design Standards are still being worked on. The SAP Amendment plan was sent to the Pinellas Planning Council for review. The Density Pool has been drafted and sent to the City Attorney for his review. In reference to the Comp Plan, a lawsuit has been filed.

D. General Discussion

Chairman Friszolowski asked for audience comments.

Member DeYampert suggested in the future to have a discussion about parking. Member DeYampert stated that Corey Avenue needed to tie together east and west to look like one entity. Member DeYampert pointed out that west of Gulf Blvd. and east of Gulf Blvd had different parking requirements. Therefore, when developing this area, Member DeYampert stated that he would like the Board to present a change or recommendation to the City to entice more businesses to be on the west side of Gulf Blvd.

Member Holehouse stated that there is a natural gas line that runs through the city. Member Holehouse suggested taking a survey to see how many people would like to

participate with natural gas and for the Board to discuss and research what it would entail to make this happen.

4. Adjournment:

There being no further business to come before the Board, the meeting was adjourned at 6:30 p.m.

Attest:

_____	_____
Rebecca C. Haynes, City Clerk	Ward Friszolowski, Chairman

Minutes approved on: _____

Staff Report

Action Item A.
The Planning Board directed staff to review permitted uses articulated in the TC-1 and TC-2 Zoning Districts pursuant to the direction of the St. Pete Beach Comprehensive Plan. A draft Ordinance has been prepared pursuant to the September Planning Board discussion and is ready for final deliberation and recommendation to the City Commission.

Action Item B.
Planning staff has been working with the City Manager to unify beach provisions into the City Code of Ordinances. Certain provisions within the Land Development Code must be modified, removed, or relocated in order to achieve the desired purpose. A draft Ordinance has been prepared pursuant to this effort. This Ordinance amends the Land Development Code with the understanding that a companion Ordinance has been developed that amends the Code of Ordinances.

Discussion Item A.
Staff has been approached regarding the interpretation of height as it relates to roof access and occupied space. Staff will be seeking an interpretation opinion from the Planning Board and the Chief Building Official will be present to entertain question.

Discussion Item B.
Staff has modified the long-term work program pursuant to Planning Board discussion and will be seeking a recommendation to the City Commission.

Discussion Items C and D.
Staff will update the Board regarding pending site plan applications and future Ordinance items.

CITY OF ST. PETE BEACH

ORDINANCE NO.

AN ORDINANCE AMENDING DIVISIONS 2, 30, AND 37 OF THE LAND DEVELOPMENT CODE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR PERMITTED AND CONDITIONAL USES THAT ARE CONSISTENT WITH THE ST. PETE BEACH COMPREHENSIVE PLAN; PROVIDING FOR THE REPEAL OF ORDINANCES, OR PARTS OF ORDINANCES, IN CONFLICT HEREWITH, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of St. Pete Beach continually seeks to gain consistency between the City Land Development Code and the City Comprehensive Plan; and

WHEREAS, certain permitted and conditional uses located in Division 30 and 37 of the Land Development Code are currently not identified or are inconsistent with the City Comprehensive Plan; and

WHEREAS, correcting these provisions will further the intent of the Comprehensive Plan; and

WHEREAS, The Planning Board, acting as the Local Planning Agency, conducted a public hearing regarding these changes on October 15, 2013 and unanimously recommended approval of the proposed changes; and

WHEREAS, the City Commission finds these text amendments to the Land Development Code are necessary to promote, protect and improve the health, safety and welfare of the citizens of the city;

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

Section 1. Division 2 of the St. Pete Beach, Florida Land Development Code is hereby amended as follows:

DIVISION 2 DEFINITIONS

Sec. 2.1. Words, terms and phrases defined.

All words used in this chapter shall carry their customary dictionary meanings, except the following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Pawn shop means an establishment that engages, in whole or in part, in the business of loaning money on the security of pledges of personal property, or deposits or conditional sales of

personal property, or the purchase or sale of personal property including metals such as gold, silver, and copper.

Liquor store means any business selling general alcoholic beverages, also known as sale of distilled spirits or hard liquor, for off-premises consumption. Liquor store does not include a business selling only beer and/or wine for off-premises consumption or any business that offers the sale of liquor where 25% or less of the gross floor area is dedicated to such use.

Gun shop means any premises or portion thereof used for the sale, vending, dealing, exchange, or transfer of two or more handguns or short-barreled handguns.

Tobacco shop means a retailer whose business exclusively or primarily involves the sale of tobacco products and related goods.

Body art means the practice of physical body adornment by establishments and artists using but not limited to the techniques of body piercing and tattooing. This definition does not include ear piercing.

Check cashing means a person or business that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose.

Automotive retail *store* ~~*services*~~ means ~~a use in which the purpose is~~ a facility used for the retail sale of automotive parts and accessories. Such uses shall not include a car wash, automotive service and repair, or the sale of gasoline or other fuels, and all activities of automotive retail services businesses shall be conducted within an enclosed building.

Automotive sales lot means a lot or parcel, with or without structures, upon which new and/or used automobiles and light trucks are displayed and sold.

Automotive service and repair means a use which provides specialized services and/or repairs for automobiles, trucks and other vehicles, including, but not limited to, muffler shops, body shops, transmission shops, automotive paint shops, tire stores which also offer mounting services, and quick-change oil and lubrication shops.

Automotive service station means a facility that is designed for the retail sales of gasoline and diesel fuels, which may include convenience food sales.

Section 2. Division 30 of the St. Pete Beach, Florida Land Development Code is hereby amended as follows:

DIVISION 30 TC-1 TOWN CENTER CORE DISTRICT

Sec. 30.2. Permitted ~~principal~~ uses ~~and structures~~.

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

(a) Financial institutions without drive-through service.
(b) Government buildings and other public or civic facilities, including parks and recreation facilities and transit stations and stops.
(c) Office uses.
(d) Personal service businesses such as barbershops, beauty shops, day spas, tailoring, garment alteration and repair, shoe repair, pet grooming, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact. Body art, bail-bond, check-cashing, and other similar services are prohibited.
(e) Printing and copying.
(f) Residential uses as a component of mixed-use development only. Residential uses shall not be allowed on the ground floor level of any structure.
(g) Eating and drinking establishments with or without outdoor seating. Drive-through service is not permitted.
(h) Retail uses except automotive sales lots, pawn shops, liquor stores, gun shops, and tobacco shops.
(i) Theaters, cinemas and other indoor commercial entertainment facilities.
(j) Artist studios and art galleries.
(k) Grocery stores and pharmacies without drive though service.

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 store and Automo~~bile~~tive service stations with related services. Such uses shall only be allowed on lots which front directly on 75th Avenue.
(b) Car washes.
(c) Convenience stores without the sale of gasoline or other fuels.
(~~d~~b) Financial institutions with drive-through service.
(~~e~~c) Pharmacies with drive-through service.
(~~f~~d) Public or private parking structures.
(~~g~~e) 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.

Section 3. Division 37 of the St. Pete Beach, Florida Land Development Code is hereby amended as follows:

DIVISION 37 TC-2 TOWN CENTER COREY CIRCLE AND COQUINA WEST DISTRICTS

Sec. 37.2. Permitted uses.
Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the TC-2 Town Center Corey Circle and Coquina West Districts are as follows.

(a) Retail uses except automotive sales lots, pawn shops, liquor stores, gun shops, and tobacco shops;
(b) Grocery stores, markets, pharmacies without drive through service;
(c) Personal service businesses such as barbershops, beauty shops, salons, day spas, gyms and fitness centers, tailoring, garment alteration and repair, shoe repair, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact. Body art, bail-bond, check-cashing and other similar services are prohibited;
(d) Eating and drinking establishments - with or without outdoor seating;
(e) Office uses;
(f) Commercial recreation, public parks and/or recreational facilities;
(g) Government buildings and other public facilities, including parks and recreation facilities;
(h) Artist studios and art galleries;
(i) Multifamily residential only as a component of mixed use. Residential uses are not permitted on the ground floor;
(j) Vehicle for hire—Limited to rental of non-motorized (bicycles) and individual motorized vehicles such as segways, mopeds/scooters;
(k) Other uses similar in character, nature and impact to permitted uses listed above.

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 docks—Class A, B, C and D.
(c) Vessel for hire (water taxis).

Section 4. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 5. If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 6. This Ordinance shall become immediately upon adoption.

ADOPTED this _____ day of _____, 2013.

CITY COMMISSION OF ST. PETE BEACH, FLORIDA

_____
Steve McFarlin, Mayor

ATTEST:

_____
Rebecca C. Haynes, City Clerk

George Kinney

From: Mike Bonfield
Sent: Monday, September 30, 2013 10:13 AM
To: George Kinney; Mike Davis (mdavis@bmolaw.com)
Cc: Chelsey Welden
Subject: RE: Planning Board

I think a cigar store is a likely possibility as things redevelop. Not sure why we would want to prohibit.

Mike

From: George Kinney
Sent: Monday, September 30, 2013 10:02 AM
To: Mike Davis (mdavis@bmolaw.com)
Cc: Mike Bonfield; Chelsey Welden
Subject: Planning Board

FYI

Attached are the two Ordinances going to Planning Board on October 15.

gk

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

CITY OF ST. PETE BEACH

ORDINANCE NO. (TBD)

AN ORDINANCE AMENDING DIVISIONS 2, 6, 14, 15, 16, AND 25 OF THE ST. PETE BEACH, FLORIDA LAND DEVELOPMENT CODE TO MODIFY, REMOVE, OR RELOCATE CERTAIN BEACH RELATED REFERENCES; PROVIDING FOR THE REPEAL OF ORDINANCES, OR PARTS OF ORDINANCES, IN CONFLICT HEREWITH, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of St. Pete Beach seeks to unify beach provisions into the City Code of Ordinances; and

WHEREAS, certain provisions within the Land Development Code must be modified, removed, or relocated in order to achieve this purpose; and

WHEREAS, The Planning Board, acting as the Local Planning Agency, conducted a public hearing regarding these changes on October 15, 2013 and unanimously recommended approval of the proposed changes; and

WHEREAS, the City Commission finds these text amendments to the Land Development Code are necessary to promote, protect and improve the health, safety and welfare of the citizens of the city;

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

Section 1. Division 2 of the St. Pete Beach, Florida Land Development Code is hereby amended as follows:

DIVISION 2 DEFINITIONS

Sec. 2.1. Words, terms and phrases defined.

Beach means the soft sand portion of land between the edge of the sea and the first line of a seawall or permanent vegetation. ~~that area of unconsolidated material that extends landward from the mean low water line to the place where there is marked change in material or physiographic form, or to the line of permanent upland vegetation, usually the effective limit of storm waves.~~

~~*Commercial water sports* mean operations that offer any of the following activities to the public in return for payment:~~

~~(1) The rental of personal watercraft or jet skis;~~
~~(2) The rental of human-powered or wind-powered watercraft; or~~
~~(3) Parasailing, water-skiing, or other similar towing operations.~~

Tent means any temporary structure or enclosure, the roof of which or one-half or more of the sides are constructed of silk, cotton, canvas, fabric, or a similar pliable material.

Mean high water means the high-water mark established by the ~~U.S. Coastal and~~ National Geodetic Survey in its latest coastal survey of the city.

Section 2. Division 6 of the St. Pete Beach, Florida Land Development Code is hereby amended as follows:

DIVISION 6 SUPPLEMENTAL REGULATIONS
Sec. 6.12. Commercial accessory and temporary equipment, structures, portable buildings and trailers, dumpsters and commercial tents.

(f) Tents ~~be~~ may be erected and maintained by a business within the RFM or CG-1 zoning districts, provided:
(1) No tent shall be erected within any public right-of-way or within 75 feet of the back edge of a curb, public sidewalk or roadway, whichever is most restrictive.
(2) Tents shall also be required to meet the side and rear required yards of the zoning district in which the tent is located;
(3) Tents shall not be located on a parking lot or pedestrian walkway in such a manner that the normal flow of traffic on the site cannot be maintained nor shall any tent render useless more than ten percent of the parking required for the business;
(4) Tents shall be maintained so as not be constitute a nuisance or hazard;
(5) Tents used for public assembly or cooking or within which any combustible material will be used or stored must meet all requirements of the Florida Fire Prevention Code and be approved by the fire marshal prior to their use.
~~(6) Tents which are placed upon any public beach must be approved through the city's special event permitting process and be approved by the fire marshal prior to their use.~~

Section 3. Division 14 of the St. Pete Beach, Florida Land Development Code is hereby amended as follows:

DIVISION 14 RFM RESORT FACILITIES MEDIUM DISTRICT
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 water sports, non-motorized vessels of 16 feet or less in length only.~~
(~~d~~c) Communications facilities.
(~~e~~d) Daycare centers/kindergartens.
(~~f~~e) Docks, commercial—Classes A, B and C.
(~~g~~f) Eating and drinking establishment—Fast food, beach bar and outdoor restaurant.
(~~h~~g) Financial institutions with drive-through service.
(~~i~~h) Laundry, dry cleaning.
(~~j~~i) Parking lots, commercial and/or off-premise.
(~~k~~j) Recreational—Commercial recreation; public parks and/or recreational facilities.
(~~l~~k) Recycling centers.
(~~m~~l) Schools—Public, private and/or commercial.
(~~n~~m) Utility substations and/or rights-of-way.
(~~o~~n) Vessel for hire businesses.

Section 4. Division 15 of the St. Pete Beach, Florida Land Development Code is hereby amended as follows:

DIVISION 15 CG-1 COMMERCIAL DISTRICT
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 water sports, non-motorized vessels of 16 feet or less in length only.~~
(~~k~~j) Communication facilities.
(~~l~~k) Docks, commercial—Classes A, B, C, and D.
(~~m~~l) Eating and drinking establishment—Fast food restaurant, nightclub or outdoor restaurant.
(~~n~~m) Financial institutions with drive-through services.

(~~o~~n) Kennels with outdoor runs.
(~~p~~o) Laundries, dry cleaning.
(~~q~~p) Marinas.
(~~r~~q) Parking lots, commercial and/or off-premise.
(~~s~~r) Printing, general.
(~~t~~s) Recreational—Commercial recreation; public parks and/or recreational facilities.
(~~u~~t) Recycling centers.
(~~v~~u) Schools, public or private and/or commercial.
(~~w~~v) Services, commercial/business.
(~~x~~w) Storage facilities with outdoor storage.
(~~y~~x) Storage, self-service.
(~~z~~y) Theatres.
(~~aa~~z) Utility substations and/or rights-of-way.
(~~bb~~aa) Vehicle for hire businesses.
(~~cc~~bb) Vessel for hire businesses.

Section 5. Division 16 of the St. Pete Beach, Florida Land Development Code is hereby amended as follows:

DIVISION 16 CG-2 COMMERCIAL DISTRICT
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) Bar (cocktail lounges, saloons).
(d) Commercial boat docking facilities.
~~(e) Commercial water sports, non-motorized vessels of 16 feet or less in length only.~~
(~~f~~e) Communications facilities.
(~~g~~f) Commercial docks—Classes A, B and C only.
(~~h~~g) Eating and drinking establishments—Nightclubs, fast food restaurants, outdoor restaurants and sidewalk cafe.
(~~i~~h) Mortuaries.
(~~j~~i) Parking lots—Commercial and/or off-premise.
(~~k~~j) Recreational—Commercial recreation; public parks and/or recreational facilities.
(~~l~~k) School, commercial.
(~~m~~l) Theaters.
(~~n~~m) Utility substations and/or rights-of-way.
(~~o~~n) Vessel for hire businesses.

Section 6. Division 25 of the St. Pete Beach, Florida Land Development Code is hereby amended as follows:

DIVISION 25 COASTAL PROTECTION AND CONSERVATION

~~**Sec. 25.6. Tiki huts.**~~

~~(a) The city may permit the location of a tiki hut on the beach in accordance with the following:~~

~~(1) Tiki huts shall be allowed only in conjunction with the approval of the owner of the property upon which the tiki hut will be located and as part of a conditional use approved under the provisions Division 4 of this Code. Tiki huts shall be further regulated as follows:~~

~~a. Only one tiki hut for each approved conditional use on a zoning lot;~~

~~b. Such tiki huts shall be located in accordance with an approved site plan;~~

~~c. Tiki huts shall be no larger than 36 square feet in area with sides that are at least 50 percent open and may have a roof;~~

~~d. No tiki hut shall have utility services, shall serve food or drinks, or shall be used for any other service beyond the sales of services for an approved commercial water sports operation.~~

~~(2) Tiki huts shall be removed from the beach in the event of the issuance of a warning for a storm that, in the opinion of the city, is expected to be of sufficient strength to warrant such removal.~~

~~(3) Any tiki hut or other similar structure placed or erected on the beach after the adoption of this Code without a permit from the city shall in violation of this Code and all remedies shall be sought in accordance with the provisions of section 3.16 of this Code.~~

Section 7. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 8. If any portion or part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 9. This Ordinance shall become immediately upon adoption.

ADOPTED this _____ day of _____, 2013.

CITY COMMISSION OF ST. PETE BEACH, FLORIDA

_____
Steve McFarlin, Mayor

ATTEST:

_____
Rebecca C. Haynes, City Clerk

DIVISION 2 DEFINITIONS

Sec. 2.1. Words, terms and phrases defined.

Height means the vertical distance above the required flood elevation to the highest point of a flat roof, to the deck of a mansard roof or to the average height between the plate and the ridge of gable or hip roofs, not including chimneys, antennas, elevator shafts, mechanical rooms or other non-habitable areas.

DIVISION 7 INTRODUCTION TO DISTRICT REGULATIONS

Sec. 7.2. Official zoning map and general regulations.

(k) *Height limitations.* The height limitations contained in the regulations pertaining to specific districts do not apply to spires, belfries, cupolas, personal television antennae, water tanks, ventilators, chimneys, elevator shaft enclosures, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy. In addition, the height limitations, except as provided in the PAG Pass-a-Grille Overlay District, shall not apply to non-habitable architectural features extending no more than ten feet above the eave line of a roof. Provided, however, that the heights of the above-cited structures or appurtenances thereto shall not exceed any height limitations prescribed by the Federal Aviation Administration.

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September 23, 2013

Christopher S. Furlong, Esq.
Bacon & Bacon, P.A.
2959 First Avenue North
St. Petersburg, FL 33713

Re: Your letter of September 10, 2013 regarding 3610 East Maritania Dr., St Pete Beach, Florida and 4316 Belle Vista Drive, St. Pete Beach, Florida

Dear Mr Furlong:

I have discussed your above-referenced letter with the city staff and wish to advise you that it is the staff view, with which I concur, that the denial of Anglo's application for an elevator enclosure and ladder access to the roofs as referenced in your letter is a lawful action. Please see LDR 7.2(k).

Very truly yours,

BYRANT MILLER OLIVE, P.A.

Michael S. Davis, B.C.S.

MSD:dmg

Long-Term Work Program

The idea is to assist and inform the City Commission with regard to future budget and capital improvement considerations and the Planning Board understands that educational efforts and professional assistance will be necessary for most of these efforts. A final work program should recognize project costs (in today's dollars) and expected benefits.

Complete Streets:
Benefits from walkable communities are becoming more prevalent. For example, a recent Walkable and Livable Communities Institute (WALC) report shows that Albert Lea, Minnesota residents reported over a 2-year period losing an average of two pounds each and life expectancy increased by 2.9 years. For beach communities in California, the Gallup-Healthways Well-Being Index has found that obesity dropped 14% translating to $2.35 million in healthcare related savings over 2-years, smoking rates declined by 30% translating to $6.97 million in savings, exercise rates increased by more than 10%, and healthy eating habits improved 9%.

Arts and Gateway:
According to Lakewood is Art.com "Beyond its enriching personal benefits, public art is a true symbol of a city's maturity. It increases a community's assets and expresses a community's positive sense of identity and values. It helps green space thrive, enhances roadsides, pedestrian corridors, and community gateways; it demonstrates unquestionable civic and corporate pride in citizenship and affirms an educational environment. A city with public art is a city that thinks, feels and grows".

Parks:
A 2009 study from the Trust for Public Lands demonstrates economic value as it pertains to property, tourism, direct use, health, community cohesion, reducing the cost of managing urban stormwater, and removal of air pollution by vegetation.

Walking
Workshop: http://www.bing.com/videos/search?q=dan+burden+walking+audit&view=detail&mid=69C1BC9E3621E66CB1C869C1BC9E3621E66CB1C8&first=0&FORM=NVPFVR

Public Facilities Plan:
According to docstoc.com the benefits of a public facilities plan include better anticipation of the construction of new facilities to meet the needs of the locality, annual CIP request could be evaluated and prioritized against a public facilities plan, timely ongoing maintenance and replacement, standardized construction methods and design, programming of energy efficiency and sustainable building design, identifying opportunities for sharing of facilities. A plan might also be crafted to identify opportunities for economic development.

Signage:

"Wayfinding is a vital tool of economic development. Cities realize that there is a net benefit to a shared approach to attracting business and capturing resident and tourist dollars. Truly effective wayfinding systems are a hallmark of great cities. The benefits of these systems are well worth the modest investments required. Wayfinding can easily enhance various aspects of cities, ranging from community interaction, resident socializing, business vitality, and even civic engagement. A complete and contemporary wayfinding system is essential in most cities. Making the parking and walking experience positive heightens the appeal of the place and, in many cases, increases repeat visits by as much as 30% to primary and secondary destinations". (http://www.asla.org/ppn/Article.aspx?id=33861)

A. Short-Term (Years 1 and 2)

	Task	Cost	Benefits	Estimated Schedule	Primary Agencies
Corey Avenue District	Couplet Alternative Design Options	$5,000 – design of two alternatives $15,000 - $20,000 – traffic modeling for one design scenario, charette and FDOT conversation	Compliments RPC recommendations, provides alternative design considerations that may be more acceptable to business community	2 Weeks (Design) 3 Months (Modeling, Charette, FDOT)	Community Development and Public Services
	Streetscape, Alleyscape, Arts, Parklet/Plaza, and Gateway Implementation a. Street amenities to include bike racks, lighting, signage, and street furniture b. Streetscaping to include consideration of Low Impact Development techniques	City Hall Art project $7,500 $150,000 - $175,000 (All) Approx. $50,000 (Individually)	Spurs economic development and reduces stress. Compliments RPC recommendations	2 Months for Each Item 10 Months Total	Public Services, Community Development, Planning Board
	Corey District Parking Study	$15,000 - $20,000	Compliments RPC recommendations and provides framework for CRA	2 Months	Community Development
Pass-A-Grille Park	PAG Park Comprehensive Design (Combined effort with Historic Commission)	$10,000 - $15,000 – estimate for small scale charette and/or community workshop	Promotes improvements in property values, tourism, etc.	2 Weeks	Community Development, Planning Board, Historic Commission

Economic Development (CRA)	Investigate amendment to ROW Language	City Staff and City Attorney Time	Compliments RPC recommendations. Necessary to create flexibility in redevelopment efforts particularly within CRA	Time necessary to pass referendum	City Attorney and City Manager at Direction of City Commission
	Work with Beach Theater Ownership	City Staff and City Attorney Time	Compliments RPC recommendations. Catalytic economic opportunity that City should be actively involved in	Ongoing	City Attorney and City Manager at Direction of City Commission
	Community Reinvestment Area (CRA)	$35,000	Provides funding for district improvements	4 Months	Community Development, Public Services, Finance
Comp Plan	Comp Plan Review		To assure implementation of various items including but not limited to green building and affordable housing bonus.		
Economic Development (CRA)	Comprehensive Assessment of Public Facilities (Library, Police Station, Boat Docks)	$10,000 - $15,000	Compliments RPC recommendations. Provide framework for future decision including facility re-use and disposition as may be considered within the CRA	3 Months	City Manager, Public Services, Community Development

B. Mid-Term (Years 2 through 4)

	Task	Cost	Benefits	Estimated Schedule	Primary Agencies
Pass-A-Grille Way	PAG Way Improvements (Enhancement Process)	$13,000 – educational walking workshop to inform final design $15,000 – design	Compliments RPC recommendations and provides design framework and process. Long term health benefits and related savings	2 weeks (Education) 3 Months (Design)	Community Development and Public Services
Historic District	Design Guidelines for Historic District (Form Based Consideration)	$40,000 - $50,000	Established framework for expansion of concepts	3 Months	Community Development, Planning Board, Historic Commission
Economic Development (CRA)	Comprehensive LDC Rewrite (8-10 month process) (Form Based Consideration)	$75,000 - $100,000	Supports economic approach to create business friendly environment, creates long-term staff efficiencies, and implements Comprehensive Plan policy	6 Months	Community Development and Planning Board

C. Long-Term (Years 4 and 5)

	Task	Cost	Benefits	Estimated Schedule	Primary Agencies
Mobility	Concurrency and MMTD Revisions	$53,000 – MMTD approach	Replacement of archaic concurrency system and assurance of funding source for future improvements	4 Months	Community Development, Public Services, Planning Board
	City Signage Program	$35,000 - $75,000	Compliments RPC recommendations	2 – 4 Months	Community Development

All Cost estimates were provided by a licensed professional and/or planning consultant

CITY OF ST. PETE BEACH
NOTICE OF PUBLIC HEARING

The City of St. Pete Beach Planning Board acting as the Local Planning Agency will conduct a public hearing on Tuesday, October 15, 2013 at 4:00PM in the City Commission Chambers located in City Hall, 155 Corey Avenue, St. Pete Beach, Florida regarding the following ordinances:

AN ORDINANCE TO BE ENTITLED, AMENDING DIVISIONS 2, 30, AND 37 OF THE LAND DEVELOPMENT CODE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR PERMITTED AND CONDITIONAL USES THAT ARE CONSISTENT WITH THE ST. PETE BEACH COMPREHENSIVE PLAN.

AN ORDINANCE AMENDING DIVISIONS 2, 6, 14, 15, 16, AND 25 OF THE ST. PETE BEACH, FLORIDA LAND DEVELOPMENT CODE TO MODIFY, REMOVE, OR RELOCATE CERTAIN BEACH RELATED REFERENCES.

Copies of the amendments are available at City Hall in the Community Development Department. Written comments may be provided at any time and for further information regarding any advertised public hearing, please contact the Community Development staff at (727) 363-9266 or (727) 363-9265.

All interested parties will be heard. The foregoing hearings may be continued to another meeting. If a person decides to appeal any decision made at this hearing, they will need a record of the proceedings and, for such purpose, 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 (F.S. 286.0105). The City does not furnish verbatim transcripts. Interested parties should make the necessary arrangements for verbatim transcripts.

In accordance with the Americans with Disabilities Act and Florida Statutes 286.26, persons with disabilities needing special accommodation to participate in this proceeding should contact Public Services, no later than four days prior to the proceeding at (727) 363-9243 for assistance; if hearing impaired, contact the Florida Relay Service Numbers, (800) 955-8771 (TDD).

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George Kinney, AICP