



Notice of Public Meeting

Planning Board

Commission Chambers
155 Corey Avenue, St. Pete Beach, Florida 33706
8/19/2014
4:00 p.m.

Call to Order
Pledge of Allegiance
Roll Call

Regular Meeting Agenda

1. **Changes to the Agenda** - 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.
2. **Audience Comments** - Comments shall be limited to three minutes per person to issues not on the agenda.
3. **Review and Approval of July 15th Meeting Minutes**
4. **Action Items**
None
5. **Discussion Items**
 - A. Capital Improvement Program - Discussion of proposed Planning Board role vis-à-vis Comprehensive Plan
 - B. Countywide Plan Update Review - Draft comments for consideration and recommendation to City Commission
 - C. Temporary Use Permits - Draft amendments for review and preliminary direction
 - D. Provisions for Considering Off-Premise Parking - Discussion outline of alternative approaches and preliminary direction

6. September Meeting / Agenda

7. Adjournment

APPEAL

If a person decides to appeal any decision made at this meeting, he or she will need a record of the proceeding and, for such purpose, may need to ensure that a verbatim record of the 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.

AMERICANS WITH DISABILITIES ACT

In Accordance with the Americans with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodations to participate in this meeting should contact City Hall at (727) 367-2735 no later than four days prior to the meeting for assistance.

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

PLANNING BOARD

MINUTES

JULY 15, 2014

4:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Ward Friszolowski, Chairman
Jack Brock, Member
Don Breitweiser, Member
Ron Holehouse, Member
Tiffany Secka, Member

ALSO PRESENT:

Dave Healey, Community Development
Susan Churuti, City Attorney
Chelsey S. Weldon, Urban Planner
Jenine Thornley, Recording Secretary

1. Changes to the Agenda

Per Member Secka's request, Chairman Friszolowski added Administrative Issues as Item 5(c) and Capital Improvement Projects (CIP) as Item 5(d).

Per Member Brock's request, Chairman Friszolowski added Beach Ordinance Update as Agenda Item 5(e).

2. Audience Comments

There were no audience comments

3. Approval of Minutes

Member Breitweiser made a motion to approve the 6/18/2014 minutes as amended. The motion was seconded by Member Holehouse and unanimously approved by a voice vote.

4. Action Items

There were no action items

5. Discussion Items

a. Presentation by Pinellas Planning Council Staff on Countywide Plan Update

Dave Healey, Community Development Department Consultant, introduced Linda Fischer, Principle Planner for the Pinellas Planning Council, who presented an overview of what is being proposed for the updated Countywide Plan. Mr. Healey noted the Countywide Plan has been streamlined and simplified, while attempting to incorporate 25 sets of local Comprehensive Plans.

Ms. Fischer noted the 60-day review period has been extended to 90 days (end of August) to allow local governments the opportunity to provide feedback to the Planning Council. The Plan is scheduled for completion and adoption by the end of October this year.

b. Temporary Use Permits

Dave Healey, Community Development Department Consultant, said the City Commission acted in conformance with the Planning Board's recommendation regarding two of the three temporary parking lot/use permit applications discussed at last month's Planning Board meeting. The third applicant withdrew his application.

Mr. Healey said the City Commission has asked that there be a review and consideration of potential code amendments that would govern parking lots in the Large Resort and Bayou Residential districts. Member Holehouse commented on the categorization and enforcement of private business owners who collect parking money on the side.

Member Brock asked if there are recent examples of temporary use permit issuances and what classifies the difference between temporary use and special events. Chairman Friszolowski said temporary use permits normally incorporate private land requests while special events tend to include a public feature. Susan Cheruti, City Attorney, added that public safety concerns such as alcohol and fire hazards are included with categorization of a special event permit.

Mr. Healey said the City may want to consider establishing a Development Review Committee in order to provide for plan review between the Building Official, Community Development Director, Fire Marshall and other pertinent players. After weighing out all options, Mr. Healey said ideally a recommendation would then be presented to the City Manager for action.

c. Administrative Issues

Member Secka requested staff transmit agenda packets to board members no later than the Friday prior to the meeting. Board members agreed that hard copies are preferred when large packets are involved.

d. Capital Improvement Plan

Member Secka said she would like to see capital improvement projects (CIP) come before the board, specifically walkable, bikeable projects with emphasis on safety for pedestrians.

Member Breitweiser suggested that Steve Hallock, Public Services Director, share City projects with the Planning Board through a CIP presentation at a future meeting.

e. Beach Ordinance

Member Brock would like to see a ban placed on plastic straws while the City is visiting similar issues within the Beach Ordinance.

f. Audience Comments

Bill Simpkins, Gulf Beach Resort, commented on the importance of recommendations to the City Commission including definitions, such as "overflow" parking. Mr. Simpkins objects to the ordinance allowing alcohol on the beach.

Rick Childs, Gulf Gate President, said the beach personality changed due to the parking lot's transient nature.

Kathy Collins, Gulf Beach Resort, commented on littering and trash removal.

7. Adjournment:

There being no further business to come before the Board, the meeting was adjourned at 6:10 p.m.

Attest:

Rebecca C. Haynes, City Clerk

Ward Friszolowski, Chairman

Minutes approved on: _____

MEMORANDUM

TO: City of St. Pete Beach Planning Board
Ward Friszolowski, Chairman
Don Breitweiser, Vice Chairman
Jack Brock
Ron Holehouse
Tiffany Secka

FROM: David P. Healey, FAICP
Director, Tampa Bay Region
Calvin, Giordano & Associates, Inc.

THROUGH: Elaine Edmunds
Interim City Manager

SUBJECT: Discussion Items for Planning Board Agenda of August 19, 2014
Agenda Item 5.A.

DATE: August 12, 2014

DISCUSSION ITEM 5.A. - Capital Improvement Program - Discussion of proposed Planning Board role vis-à-vis the Comprehensive Plan

Background - At the July Planning Board meeting, the Board expressed an interest in participating in the development of the Capital Improvement Program - in particular as it relates to the City's Comprehensive Plan.

Staff discussed this request with Interim City Manager Elaine Edmunds and she concurred that it would be productive to solicit the Board's input.

Follow-Up Action - The Interim City Manager has proposed to invite the Board's input utilizing the process that has been established to help in the overall preparation of the annual update of the CIP and annual capital budget.



Attached is a copy of the form to be utilized by the City to identify and rank those most important capital projects as a means of assisting staff and the Commission in the preparation of the 5 year Capital Improvement Program.

The specific criteria suggested for Planning Board input includes the Comprehensive Plan Component as shown on the accompanying form and on p. 7 of the CIP information materials.

Elaine has agreed to address the Board to provide you with an understanding of how this input is designed to work within the overall format of the City's budgeting process.

This initial input by the Planning Board would be solicited for the 2015 - 16 budget year and begin following the budget adoption for FY 2015.

CITY OF ST. PETE BEACH
Capital Improvement Plan 2015 Thru 2019

Project Name:
Priority Ranking:
Project Type:
Useful Life:
Responsible Dept.:

Project Description & Justification:

Expenditures	2015	2016	2017	2018	2019	Total
						0

Total	0	0	0	0	0	0
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Revenues	2015	2016	2017	2018	2019	Total
						0

Total	0	0	0	0	0	0
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Operational Impact/Other Comments:

Operating Budget Impact	2015	2016	2017	2018	2019
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Total	0	0	0	0	0
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Priority Ranking	Weighting	Priority	
Criteria	Factor	Factor	Score
Public Health & Safety	1.50		0.00
Employee Health & Safety	1.25		0.00
Regulatory Mandate	1.50		0.00
Frequent Problems	1.25		0.00
Ability to Finance	1.00		0.00
Cost of Project	1.00		0.00
Generates Revenue	1.20		0.00
Generates Cost Savings	1.20		0.00
Ongoing Operation Costs	1.00		0.00
Age or Condition of Existing	1.00		0.00
Public Benefit	1.10		0.00
Public Demand	1.25		0.00
Synergy with Other Projects	1.10		0.00
Strategic Goal	1.05		0.00
Comprehensive Plan Component	1.05		0.00
Total Score			0.00

CITY OF ST. PETE BEACH

2015 – 2019 CAPITAL IMPROVEMENT PLAN

Adopted:

The Capital Improvement Program

Annually, The City of St. Pete Beach devotes a large portion of the budget to capital projects. The large financial investment is required to maintain and expand public facilities and infrastructure. Ongoing service delivery can be assured only if adequate consideration is given to capital needs. If the City fails to maintain its capital stock, facilities and infrastructure will deteriorate until costly, constant maintenance is required, services are threatened, and the community growth stagnates or even declines. Whether the Cityship is growing, stable, or losing population, it needs to plan and budget for capital assets carefully to maintain existing infrastructure and meet future demand. A Capital Improvement Program (CIP) is a tool that can help ensure that decisions on capital projects and funding are made wisely and are well planned.

What are a capital asset and a capital project? For The City of St. Pete Beach a capital asset is defined as a new or rehabilitated physical asset that is nonrecurring, has a useful life expectancy of greater than three years and a cost of \$25,000 or more or is considered to be an asset for which control is desirable. A capital project is undertaken to acquire a capital asset. Examples of capital projects include construction of public buildings, major street improvements, or acquisition of vehicles.

A CIP is a multi-year plan, identifying capital projects to be funded during the planning period. The capital program identifies each proposed capital project to be undertaken, the year in which it will be started or acquired, the amount expected to be expended on the project each year, and the proposed method of financing these expenditures.

The CIP helps to build consensus on what are the most important projects, thus helping to ensure these projects get undertaken first. The CIP also provides a picture of future financing requirements, which will allow the City to better align financial resources with future needs. Additionally, the CIP provides an important tool for growth management.

The CIP should not be confused with the capital improvement budget. The capital improvement budget represents the first year of the CIP. The capital budget is the City's annual appropriation for capital spending and is legally adopted by the City Board. The capital budget authorizes specific projects and appropriates specific funding for those projects. Projects and financing sources listed in the CIP for years other than year 1 (called the "out years") are not authorized until the annual budget for those years is legally adopted. The out years serve only as a guide for future planning and are subject to further review and modification in subsequent years.

Purpose of the CIP

The CIP serves a number of important functions for the City, as described below.

A Formal Mechanism for Decision Making. A basic function of the CIP is to provide The City of St. Pete Beach with an orderly process for planning and budgeting for capital needs. Questions on what to buy, build, or repair; where and when to buy or build; and

how much to spend are all dealt with during the CIP process. The City Board and staff must agree on the policies that will shape the program, estimate capital needs, prioritize those needs, identify and schedule funding sources, implement projects, and monitor project delivery. All of these activities are organized through the CIP process.

A Link to a Long-Range Plan. The CIP serves as a link to the City's planning process and should be developed in concert with the comprehensive land use plan, strategic plan, or other long-range plans. Preparation of the CIP considers not only repair and replacement of existing infrastructure but also facilities that are expected to be needed in the future. Changing population and employment patterns, socioeconomic and demographic characteristics of community residents, and land use patterns may bring about the need for new roads, sewer facilities, public buildings, or other capital assets. In developing the CIP, these new demands are weighed against the need to maintain existing infrastructure, based on goals established through the City's planning process.

Financial Management Tool. An overriding consideration in developing the CIP is to prioritize current and future needs to fit within the anticipated level of financial resources. The CIP considers not only what the City needs but, equally important, what it can afford. By explicitly recognizing the City's financial outlook and the revenues and financing mechanisms that will be available for the capital program, projects can be prioritized to ensure that the most important needs and goals of the City are achieved. Moreover, better planning can be undertaken with regard to the scope and timing of capital projects. Developing a financially constrained CIP based on realistic estimates of revenues to be available enhances the ability of the CIP to serve as a planning and management tool rather than a wish list of projects that cannot be fully implemented.

A Reporting Document. The CIP document presents a description of proposed projects that will be undertaken over the five-year plan. This document communicates to residents, businesses, and other interested parties the City's capital priorities and plans for implementing projects. It also includes the expected source of funding for projects, including use of bond proceeds, installment purchase contracts or other debt, reserves, and grant funding. Thus, the community has a better understanding of the City's plan for capital spending and can make decisions accordingly.

Advantages of a Capital Improvement Program

A CIP requires staff time for its development, implementation, and maintenance; however, the advantages of a CIP should not be overlooked. Some of the major advantages of a CIP are cited in the following paragraphs.

A CIP Focuses Attention on City Goals, Needs, and Financial Capability. Through the CIP process, decision makers select projects that will be consistent with community goals and needs. As part of the process, the City Board, Staff and citizens consider the current and future outlook for community development and the services needed by residents and businesses. This outlook serves as a basis for determining infrastructure and equipment needs to be included in the capital program. An important aspect of

developing the CIP is balancing the City's needs with its ability to pay for them. The process thus focuses attention on the financial capability of the government over the long term. Consistency of projects with community goals and needs provides a way to select among competing projects for the limited financial resources available to the City.

A CIP Builds Public Consensus for Projects and Improves Community Awareness.

An important component of the CIP process is the involvement of citizens in the selection and prioritization of projects. Public participation helps to build support for capital projects that are both popular and unpopular. The public gains a better understanding of community needs and capitals projects through the process and thus are more likely to support the capital program. Moreover, the CIP process serves to educate citizens on the capital costs associated with City goals, such as economic development. Through the CIP process, the City is able to gain greater insight into the costs residents are willing to bear for these activities. Once approved, the CIP document informs citizen groups, developers, and others of the City's planned public improvements. These groups are then better equipped to plan their own activities and are less likely to pressure for funding of projects not included in the plan.

A CIP Improves Inter-/Intergovernmental Cooperation and Communication. A CIP enhances coordination of capital improvements among departments and agencies both within and outside the City. As a result, fewer scheduling problems and fewer overlapping or conflicting projects are likely to occur. The CIP also serves to inform other local governments of planned capital activity, thus affording them an opportunity to coordinate related project funding and timing. By promoting intergovernmental communication, the CIP helps eliminate project duplication efforts. Capital projects therefore can be planned in conjunction with other government units to best serve the interests of the community as a whole rather than the interest of the City.

A CIP Avoids Waste of Resources. With its multiyear focus, capital improvement programming helps to avoid costly errors resulting from citizen opposition to projects, failure to anticipate linkages with other projects or activities, or insufficient funding. Because capital projects are considered over several years, the City is better able to forge consensus on the need for projects before funds are spent. The multiyear focus also encourages consideration of how different phases of a project must be scheduled, given available funding, in order to complete the project as planned. Finally, the CIP allows the City to anticipate future facility needs and to develop a financing approach that meets those needs.

A CIP Helps to Ensure Financial Stability. By anticipating the fiscal resources that are necessary to pay for capital projects, the CIP can help to promote financial stability. Capital projects are prioritized and scheduled to fit within expected funding levels, thereby limiting the need for dramatic tax increases or unanticipated bond issues in any one year. In addition, by systematically addressing capital needs, the City is less likely to be faced with the need to divert resources from other programs to make unanticipated capital expenditures.

Evaluating Capital Projects

Often the City will find that the list of potential capital projects and purchases far exceeds the available funding. Yet, choosing among them is likely to be difficult. Capital projects are proposed to support different City goals and often benefit particular constituent groups. A methodology is needed both to pare down the list of projects to an affordable level and to balance diverse and sometimes competing community values and needs. The following project evaluation criterion was developed for this purpose.

All capital improvement projects and equipment purchases will be evaluated on the criteria below with a priority factor of 0 to 5, with a priority factor of 0 being not at all and 5 being a very high priority. Each evaluation criteria is weighted based on importance. The priority factor is multiplied by the weight factor to arrive at a criteria score. The scores are added together to achieve a priority ranking.

Public Health & Safety: Weight Factor of 1.50. Does the project or purchase improve the wellbeing of the general public? A priority factor of zero would be it does not affect the wellbeing of the general public and a priority factor of 5 would be it very much affects the wellbeing of the general public.

Employee Health & Safety: Weight Factor of 1.25. Does the project or purchase improve the wellbeing of City employees? A priority factor of zero would be it does not affect the wellbeing of employees and a priority factor of 5 would be it very much affects the wellbeing of employees.

Regulatory Mandate: Weight Factor of 1.50. Is the project or purchase required by a Federal, State, or other governing body mandate? A priority factor of zero would be there is no mandate requiring the project or purchase and a priority factor of 5 would be there is a current mandate. A rating in between would mean there is a mandate that will take place but there is a time period before the City must comply.

Frequent Problem: Weight Factor of 1.25. Are there frequent problems or issues that require the project to be completed? Problems could be that the street requires frequent patching or equipment needs repairs or the design of something causes frequent accidents. A priority factor of zero would be no problems, while a priority rating of 5 would be frequent problems or issues.

Ability to Finance: Weight Factor of 1.00. Does the City have the ability to pay for the project or equipment purchase? A priority factor of zero would mean there is no funding available to finance the project or purchase and a rating of 5 would mean the City has the funds available to finance the project or purchase. Other items to consider would if funds are not currently available, how easily would it be to fund the project in the future?

Cost of the Project: Weight Factor of 1.00. What is the total cost of the project or equipment purchase? The higher the cost of the project the lower the priority factor rating would be. For example a project costing \$5,000 may have a priority factor of 5, where as a project costing \$5,000,000 may have a rating of zero.

Generates Fees or Revenues: Weight Factor of 1.20. By constructing the project or purchasing the asset can the City generate funds? An example might be that construction of a gazebo in a park could generate rental of the park by the public thus bring funds into the City's budget. Priority factor of zero would be no fees or revenues would be generated from the project or purchase and a rating of 5 would be a large amount of funds could be generated.

Generates Cost Savings: Weight Factor of 1.20. Does the project or purchase result in reduced expenditures for maintenance or repairs? For example repaving a street may result in reduced cost for patching material. The higher the cost savings the higher the priority factor would be.

Ongoing Operations Cost: Weight Factor of 1.00. Is there any ongoing future operation cost due to the project or purchase? For example, the construction of a new City building would have annual electric and utility costs to operate the facility along with other operating costs. The priority factor would be a 5 for a project that has no impact on future operating costs and zero for a project or purchase that has a large future operating budget cost impact.

Age or condition of Existing: Weight Factor of 1.00. If the City has an existing asset that is being replaced, what is the age or condition of the existing asset? A very old asset that is very poor condition would have a priority factor of 5.

Public Benefit: Weight Factor of 1.10. Does the project or purchase provide any benefit to the general public? For example a street improvement project may provide better access to the area, which would be considered a public benefit, whereas the purchase of a public works pickup truck may not provide any public benefit. In the case of the example, the street project would receive a priority rating of a 5, whereas, the truck purchase would receive a zero priority rating.

Public Demand: Weight Factor of 1.25. Are the residents requesting the project be performed or the equipment purchased? For example the residents in an area of the City may desire the purchase and installation of playground equipment in a park. A priority factor of 5 would be high public demand verses a zero for no public demand.

Synergy with Other Projects: Weight Factor of 1.10. Does the purchase or project enhance or influence other City goals or projects? Projects or purchases that affect other projects or purchases would have a rating of 5 whereas, projects or purchases that stand alone would be rated zero.

Strategic Goal: Weight Factor of 1.05. Does the project or purchase meet a strategic goal of the City? An example would be if the City has a goal to increase park use and the project was to build a park shelter, that project may receive a priority factor of 5 for meeting this goal.

Comprehensive Plan Component: Weight Factor of 1.05. Does the project or purchase help achieve a component of the City's Comprehensive Plan? An example would be if the project was to provide assistance with the development of Gulf Boulevard to enhance pedestrian safety, appearance, and traffic control as a means of furthering redevelopment, the project would be rated a 5.

It's important to note that the evaluation criteria above is to be used as a guide and a project that scores low might still be included in a given year based on project affordability and how it fits in with relationship to other projects.

The City of St. Pete Beach's Five-Year Capital Improvement Plan

The remainder of this document is the City's five-year CIP. The next four pages is a list of all projects and equipment planned for the next five years and the revenue sources to fund each project or equipment purchase.

The rest of the document is the description of each project or equipment purchase proposed. These descriptions include the project name, priority ranking, project type, useful life, and the responsible department. This is followed by the project description and justification where the project or equipment purchase is described in detail. Next is the project costs (expenditures) and funding source section where each department/fund responsible for purchasing or paying for or funding the asset is provided. The next section is for describing any future operational impact the project or purchase will have on future budgets and/or where any other comments about the project or purchase can be provided. Future operational impacts which are projected to increase future expenditures are shown as positive numbers and those which will decrease future expenditures or provide additional revenue are shown in bracketed or as negative numbers. Finally there is the project or equipment purchase priority ranking calculation. These sheets are filled out and provided for each project or asset purchased during the next five-year cycle.

MEMORANDUM

TO: City of St. Pete Beach Planning Board
Ward Friszolowski, Chairman
Don Breitweiser, Vice Chairman
Jack Brock
Ron Holehouse
Tiffany Secka

FROM: David P. Healey, FAICP
Director, Tampa Bay Region
Calvin, Giordano & Associates, Inc.

THROUGH: Elaine Edmunds
Interim City Manager

SUBJECT: Discussion Items for Planning Board Agenda of August 19, 2014
Agenda Item 5.B.

DATE: August 12, 2014

DISCUSSION ITEM 5.B. - Countywide Plan Update Review - Draft comments for consideration and recommendation to City Commission

Background - At the July Planning Board meeting the Pinellas Planning Council staff presented an overview of the proposed update of the Countywide Plan and Rules. Following questions and input from the Board, staff indicated it would review the proposed update in relationship to the City of St. Pete Beach plan and bring back an outline of any comments or recommendations for consideration by the Planning Board and transmittal to the City Commission.

Follow-Up Action - Staff has prepared the attached draft letter to identify comments and requests for change to review with the Planning Board. With the Board's input and concurrence we would recommend the draft letter, with any changes the Board suggests, be forwarded to the City Commission for their consideration and approval to transmit to the Planning Council at the Commission meeting of September 10.

August 19, 2014

Mr. Michael Crawford, AICP
Interim Executive Director
Pinellas Planning Council
310 Court Street, 2nd Floor
Clearwater, FL 33756-5137

Dear Mr. Crawford:

The City of St. Pete Beach received and reviewed the information transmitted to us under the review process provided preparatory to consideration and adoption of the updated Countywide Plan.

We appreciate the opportunity to review the new Countywide Plan as it pertains to St. Pete Beach and have identified below both our observations/questions and specific requests for change. They are as follows:

I. Observations / Questions

- A. We note that a number of the small private and semi-public uses currently identified as Institutional or Transportation/Utility on both the City and current Countywide Plan maps are no longer recognized on your new map. While we recognize that they are provided for within the new "Neighborhood" category, we have these questions as follows:
 - 1. Our preference is to have the City Future Land Use Map continue to recognize them separately on our City Plan Map - may we do so?
 - 2. May we continue to use the current Institutional or Transportation/Utility categories - or are we required to use the new "Public/Semi-Public" plan category terminology if we want to distinguish them on our plan?
 - 3. Would it not be preferable for the Countywide Plan Map to similarly reflect these distinctions made on the City Future Land Use Map?

II. Specific Requests for Change

- A. While we also realize the various city owned public recreation and institutional uses that are proposed to be shown as "Neighborhood" are allowed, and therefore not considered "nonconforming" under your proposed plan, we respectfully request they each be recognized by their appropriate new categories as either "Recreation/Open Space" or "Public/Semi-Public". These specific facilities include those Recreation/Open Space locations identified in Attachment A and the Institutional locations identified in

Attachment B. Please note in particular that a portion of the Upham Beach "Recreation/Open Space" area is misclassified as "Resort."

- B. As written, the proposed Countywide Plan update identifies the maximum residential density in the Coastal High Hazard Area (CHHA) as five (5) units per acre. Given that the City is entirely within this CHHA, we believe this is an unduly burdensome limitation. We recognize and respect the policy objectives of limiting additional residential density in the CHHA, but request you reconsider the manner in which it is addressed. Specifically we recommend that it be dealt with as provided in the current Rules (see Sec. 4.2.7.4); i.e., as a factor that is considered at the time of a requested plan amendment, as opposed to an absolute maximum permitted density.
- C. The major difference between the City's plan map and your current plan map, as compared to what you propose in the new Countywide Plan, is that all of the medium and higher density residential areas are shown as "Neighborhood" - which has a maximum density of 10 to 15 units per acre depending on location. The effect of this is to give the appearance of making those areas of the City inconsistent with your plan. We recognize the provision for "legacy entitlements", but believe that this is an inadequate measure for three important reasons:
 - 1. It has the potential to create both practical confusion and legal complexity about what it means and the rights of a significant amount of property within our City that does not conform to the "Neighborhood" standard. Specific examples include the parcels designated RM at the point of Pass-a-Grille and the northern portion of Sailboat Key in St. Pete Beach.
 - 2. Absent any provision for creating new or additional residential density above the 10/15 units per acre standard, you have effectively precluded any opportunity for such future use, however legitimate that might be; and
 - 3. It compromises the meaningfulness of the Countywide Plan as a future-oriented policy statement by ignoring the reality that many higher density residential areas in place today will continue indefinitely into the future. It suggests a "future" that is neither intended nor attainable; and to that extent renders the plan less meaningful.
- D. Lastly and of great importance to the City, we urge, and in fact must insist, that special provision be made in the updated Countywide Plan and Rules to recognize the unique position that the City's Comprehensive Plan is in relative to litigation that has challenged the status of the City's Plan as adopted by City Ordinance No. 2011 -19 (inclusive of Ordinances Nos. 2010-13, 2010-15, and 2012-21).

The fundamental premise of the proposed Countywide Plan update is to recognize the validity and applicability of each of the 25 local government plans under the "umbrella" of the Countywide Plan to be adopted pursuant to Chapter 2012-245, Laws of Florida. Given the current legal challenge to the Comprehensive Plan, it is essential that the

countywide process explicitly recognize and provide for the current City Comprehensive Plan, and as it may be amended by the City pursuant to any requirement resulting from the current litigation, to be vested as the official City Plan under the terms of the updated Countywide Plan and Rules.

To that end, we suggest adding the following language to the Countywide Plan and Rules in a place and manner determined to be mutually acceptable to the City, the Planning Council and the Countywide Planning Authority:

"In recognition of the current litigation involving the City of St. Pete Beach Comprehensive Plan, specifically, the pending appeal in Anderson v. City of St. Pete Beach, Case No. 2D12-5969, this is to stipulate that the Comprehensive Plan adopted by City Ordinance No. 2011-19 on June 28, 2011, pursuant to Sections 163.3184 and 163.32465, Florida Statutes, inclusive of all its component parts, or as such plan may be amended at the direction of the courts, shall be recognized as the official City Comprehensive Plan, for the purpose of determining the official future land use plan categories and corresponding development rights and standards applicable thereto, as otherwise permitted and authorized by right for each local government plan upon adoption of, and pursuant to, the updated Countywide Plan and Rules in accordance with Chapter 2012-245, Laws of Florida."

Thank you for your consideration; we will be happy to meet with you to discuss any questions or issues you have with our requests and we look forward to your response.

Sincerely,

City of St. Pete Beach

Maria Lowe, Mayor

Elaine Edmunds
Interim City Manager

Cc: Susan Churuti, City Attorney

MEMORANDUM

TO: City of St. Pete Beach Planning Board
Ward Friszolowski, Chairman
Don Breitweiser, Vice Chairman
Jack Brock
Ron Holehouse
Tiffany Secka

FROM: David P. Healey, FAICP
Director, Tampa Bay Region
Calvin, Giordano & Associates, Inc.

THROUGH: Elaine Edmunds
Interim City Manager

SUBJECT: Discussion Items for Planning Board Agenda of August 19, 2014
Agenda Item 5.C.

DATE: August 12, 2014

DISCUSSION ITEM 5.C.- Temporary Use Permits - Draft amendments for review and preliminary direction

Background - At the Board's previous meetings in June and July, the issue of temporary use was discussed - both in the context of off-premise parking lots and more generally in terms of the guidelines and procedures for all such temporary uses.

Following discussion at this last meeting, the Board agreed to have staff look at possible changes to the current code provisions that might assist in clarifying and providing more structure to the temporary use process.

Follow-Up Action - Staff has reviewed the current code provisions, taking into account the Board discussion at the last meeting and prepared the attached draft ordinance that would amend the Land Development Code to revise



the definition of "temporary use" and amend Sec. 6.11 of the code.

Please review the accompanying draft ordinance relative to whether it addresses the procedural and review guideline issues that have been raised concerning the current provisions of the Code.

With the Board's input and direction, the draft ordinance would be forwarded to the City Commission for their information and direction about whether to advertise for public hearing. If the Commission authorizes the ordinance to be advertised, it will be brought back for Planning Board consideration and recommendation at a public hearing.

ORDINANCE NO. 2014-_____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, AMENDING THE CITY'S LAND DEVELOPMENT CODE, DIVISION 2, SECTION 2.1, DEFINITIONS, PROVIDING FOR AN AMENDED DEFINITION OF TEMPORARY USE; DIVISION 6, SECTION 6.11, SUPPLEMENTAL REGULATIONS, TEMPORARY USES, PROVIDING FOR CLARIFICATION AND REVISION OF THE APPLICATION, REVIEW AND APPROVAL PROCESS AND THE REQUIREMENTS APPLICABLE THERETO; PROVIDING FOR FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City's Land Development Code establishes the definition of, and requirements that apply to, temporary uses; and

WHEREAS, there is a need and desire to more clearly identify the provisions governing temporary uses; and

WHEREAS, this ordinance seeks to address this objective by clarifying the type of uses eligible to be considered as a temporary use, the standards and conditions that apply to such uses, and the procedures for application and approval of such uses.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA AS FOLLOWS:

SECTION 1. DEFINITION

The definition of Temporary Use as set forth in Division 2, DEFINITIONS, Sec. 2.1, is amended to read as follows:

"Temporary use means a use ~~which is established for a fixed period of time with the intent to discontinue such use upon the expiration of such time~~ approved pursuant to the procedures and standards of this Code, consistent with the use characteristics of the zoning district in which it is located, for a limited and defined period of time, and which does not involve the construction or alteration of any permanent structure."

SECTION 2. TEMPORARY USES

The provisions governing Temporary Uses as set forth in Division 6, SUPPLEMENTAL REGULATIONS, Sec. 6.11 Temporary Uses is amended to read as follows:

Sec. 6.11. Temporary uses.

Temporary uses of zoning lots may be permitted under the provisions of this section in accordance with the procedures and standards set forth herein.

- (a) *Application submission requirements.* All applications shall be submitted to the city manager or the manager's designee in a form specified by the city, accompanied by the payment of the applicable fee set forth in Appendix A, St. Pete Beach Code of Ordinances, as follows;
- (1) All applications shall contain the ~~submittal requirements established by administrative regulation following minimum information:~~
- Property owner's name, address and phone number
 - Property address and parcel identification number
 - Future Land Use Plan category and Zoning district
 - Current use of the property
 - Proposed nature, size, and location of the proposed temporary use
 - Parcel map locating existing use and proposed temporary use
 - Length of time during which proposed temporary use will be in place
 - Hours of the day the use will be utilized, if applicable
- (2) Applicants may be required to submit additional information after the initial submission commensurate with the type and characteristics of the proposed use and the issues it raises.
- (b) *Determination of completeness of application.* The city shall determine whether the application is complete within ten (10) days. If the application is complete, the application shall be forwarded for review to the Technical Review Committee. If the application is not complete, the city shall take no further action on the application until the required information is submitted by the applicant.
- (1) If the applicant fails to respond to the specified request for information within fifteen (15) days of the date of notification of deficiency, the application shall be voided.
- (2) If an applicant submits new data or information at any time after a determination of completeness has been made, the revised application will be subject to the same stages of review as the initial application.
- (c) ~~*Permit issuance.* After an application is determined sufficient and after the appropriate staff review and approval process, a permit will be issued. Due to unique circumstances of the proposed temporary use, the city may attach such conditions to a temporary use as are necessary to prevent or minimize adverse effects upon other property in the neighborhood, including, but not limited to, specifying the duration of the permit, hours of operation, or requirements for mitigation of environmental impacts.~~
- (c) *Review guidelines.* The guidelines by which an application for temporary use will be reviewed shall include, as a minimum, the following:

- (1) The use shall be consistent with the purpose, location and use characteristics of the plan category and zoning district in which it is proposed to be established.
 - (2) The specific nature, size, location and hours of access or utilization shall be determined to be compatible with and not to interfere with the public right-of-way or adjoining properties.
 - (3) The provisions for access/egress to and from the public right-of-way, and for public safety vehicles, shall not be impeded.
 - (4) Any site alterations or improvements shall be consistent with the applicable provisions of the Code, and any required replacement or restoration of landscaping, fencing, paving, etc., upon termination of the use shall be identified and required.
 - (5) Due to unique circumstances of the proposed temporary use, the city may attach such additional conditions to a temporary use permit as are necessary to prevent or minimize adverse effects on the public interest, or upon other property in the neighborhood.
- (d) *Specific Conditions.* The following standards shall govern the establishment and renewal of any temporary use:
- (1) The time period for a temporary use permit shall be limited to a maximum period of sixty (60) days, subject to one (1) extension that may be authorized by the city manager up to an additional period of thirty (30) days.
 - (2) The period of time established for the temporary use permit may be issued and limited to less than sixty (60) days if determined to be warranted in the initial review and approval process.
 - (3) No more than one (1) temporary use permit shall be approved for the same property within any twelve (12) month period of time.
 - (4) The City shall retain the right to revoke the temporary use permit and require immediate removal of the temporary use if it fails to comply with any of the conditions of the permit, or creates a public safety hazard or nuisance.
- (e) *Permit Review and Issuance Process.* Upon submission of an application for a temporary use the following process shall be followed:
- (1) Upon determination that an application is complete, the application will be reviewed by the City's Technical Review Committee.
 - (2) The Technical Review Committee will, within ten (10) days, make a recommendation to the City Manager to approve, approve with noted conditions, or deny the application.
 - (3) The City Manager shall, within five (5) days of receiving the Technical Review Committee's recommendation act to approve, approve with noted conditions, or deny the permit.

(4) The City Manager's decision shall be final. Any appeal shall be to a court of competent jurisdiction pursuant to the applicable procedures of law.

(f) Coordination with Other Sections of the Code. Nothing in this section shall be construed to conflict with, duplicate, supersede, or eliminate the requirements to comply with the following sections of the City's Land Development Code or Code of Ordinances:

(1) Land Development Code, Section 6.12 - Commercial accessory and temporary equipment, structures, portable buildings and trailers, dumpsters and commercial tents

(2) Code of Ordinances, Part II, Chapter 26, Article II - Special Event Permit and the corresponding Guide to Special Events

SECTION 3. SEVERABILITY

If any portion, part or section of this Ordinance is declared invalid, the valid remainder hereof shall remain in full force and effect.

SECTION 4. CONFLICT WITH OTHER ORDINANCES

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

SECTION 5. EFFECTIVE DATE

This ordinance shall take effect immediately upon adoption.

Maria Lowe, MAYOR

FIRST READING: _____
PUBLISHED: _____
SECOND READING: _____
PUBLISHED: _____

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 _____, 2014.

Rebecca C. Haynes, City Clerk

MEMORANDUM

TO: City of St. Pete Beach Planning Board
Ward Friszolowski, Chairman
Don Breitweiser, Vice Chairman
Jack Brock
Ron Holehouse
Tiffany Secka

FROM: David P. Healey, FAICP
Director, Tampa Bay Region
Calvin, Giordano & Associates, Inc.

THROUGH: Elaine Edmunds
Interim City Manager

SUBJECT: Discussion Items for Planning Board Agenda of August 19, 2014
Agenda Item 5.D.

DATE: August 12, 2014

DISCUSSION ITEM 5.D. - Provisions for Considering Off-Premise Parking - Discussion outline of alternative approaches and preliminary direction

Background - As a function of the three off-premise parking lots that were recently considered by the City Commission for temporary use permits, the issues of whether such lots were appropriate as a temporary use, whether there was a better way to deal with them, and whether such uses should be allowed at all in certain districts were discussed - by both the City Commission and Planning Board.

It was agreed that staff would examine the plan categories and zoning districts in which these three properties were located to identify any recommended alternative way of dealing with off-premise parking facilities.



Follow-Up Action - Staff has reviewed in detail the Comprehensive Plan policies and zoning district regulations applicable to the Gulf Boulevard Redevelopment District (GBRD) and the four subdistricts within the overall GBRD. The current provisions for off-premise parking in the four subdistricts are as follows:

- Large Resort - no provision to allow
- Activity Center - allowed as a conditional use
- Boutique Hotel/Condo - no provision to allow
- Bayou Residential - no provision to allow

While each of these four subdistricts are within the overall GBRD and share certain common goals, objectives and policies, there are also important distinctions within each subdistrict that have caused them to be separately named and delineated. These distinctions include their location within the GBRD and in relationship to neighboring uses, type and intensity of existing uses, permitted density/intensity of new use, building height and setback requirements.

Of particular note is that certain of the subdistricts identify structured parking as a component of the allowable use and provide for additional building height to accommodate such potential parking structures. For example, both the Large Resort and Boutique Hotel/Condo subdistricts identify structured parking as a potential component of permitted use and specifically exclude it from the floor area ratio (FAR) calculation, whereas the Bayou Residential subdistrict does not.

Based on the policies and specific provisions of each of the subdistricts, combined with the fundamental rationale of the GBRD as a whole to encourage redevelopment and more efficient utilization of limited available land, staff recommends consideration of the following approach:

- Identify those subdistricts that are most appropriate in terms of their purpose, size, location and permitted use and standards to accommodate off-premise parking;
- Discourage the long term use of off-premise surface parking lots;
- Encourage off-premise or free standing principal parking use to be located in a parking structure;
- Encourage parking structures to be incorporated as part of temporary lodging or mixed use projects; and
- Encourage parking structures to be designed with the ground floor street face providing pedestrian accessible useable floor area.



To apply the foregoing objectives, one approach to any code revisions would be to identify three types of off-premise parking as follows:

Type 1 - Off-premise surface parking lots as a conditional use, for a limited period of time, to provide non-required, supplemental parking associated with a permitted principal use within a specified distance;

Type 2 - Off-premise structured parking as a conditional use to provide either or both required or non- required, supplemental parking associated with a permitted principal use within a specified distance; and

Type 3 - Free standing structured parking as a principal conditional use as a public, private or a joint public/private commercial parking facility.

Based on these three types of off-premise parking facilities, the potential changes to the code suggested for your consideration in the four subdistricts within the Gulf Boulevard Redevelopment District, would be as follows:

- Large Resort District - Provide for Types 1,2, and 3 as a conditional use
- Activity Center - Provide for Types 1, 2 and 3 as a conditional use
- Boutique Hotel/Condo - Provide for Types 1 and 2 as a conditional use
- Bayou Residential - Make no change (thus off-premise parking would not be allowed)

The Board's input and direction on the proposed approach is solicited, after which this outline will be revised as appropriate to either bring back to the Board for further discussion and refinement, or forwarded to the City Commission with the Board's suggestions for moving it forward.