



Notice of Public Meeting Planning Board

Commission Chambers
155 Corey Avenue, St. Pete Beach, Florida 33706
12/15/2014
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 November 17, 2014 Meeting Minutes**
- 4. Public Hearings (Legislative)**
 - A. Proposed City-Initiated Text Amendments to Chapter 22 of the City Code of Ordinances Establishing a Technical Review Committee (TRC)
- 5. Discussion/Workshop Items**
 - A. Draft Outdoor Dining Ordinance
 - B. Draft Off-Premise, Off-Street, and Commercial Parking Ordinance (Proposed Revisions)
- 6. January Meeting / Agenda**

7. Board and Staff Reports

8. 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 MEMORANDUM

TO:	CHAIRMAN AND MEMBERS OF THE PLANNING BOARD
FROM:	MATT McLACHLAN, AICP, CITY PLANNING CONSULTANT
MEETING DATE:	DECEMBER 15, 2014
RE:	ORDINANCE NO. 2014-13, AMENDING CHAPTER 22 OF THE CITY CODE OF ORDINANCES TO ESTABLISH A TECHNICAL REVIEW COMMITTEE (TRC)

On October 21, 2014, the Planning Board considered a draft ordinance amending Chapter 22 of the City Code of Ordinances to establish a Technical Review Committee (TRC). The purpose of the ordinance is to formalize the ongoing internal review, recommendation and/or approval process on certain public and private projects.

Upon considering the proposed amendments, the Board recommended that the ordinance be modified to include a representative from the Pinellas County Sheriff's office on the Committee. This change has been made to Ordinance 2014-13 for final consideration.

Staff has made additional edits based on comments received through the internal review process as follows:

- Indicate that the TRC is to serve as, and meet the obligations of, the Capital Improvements Advisory Committee as called for in Capital Improvements Element of the Comprehensive Plan (statement added to Sec. 22.147(a) in proposed Ordinance);
- Do not require TRC review of variance applications on property being used for single-family detached residential purpose (exclusion added to Sec. 22.147(c) in proposed Ordinance); and
- Allow for the City Manager to designate person, other than the Community Development Director, to be responsible for TRC responsibilities on private development applications (provision added to Sec. 22.148(d) in proposed Ordinance).

On November 18, 2014, the City Commission authorized Staff to proceed to advertise the public hearing on the proposed ordinance. Staff recommends that the Planning Board hold a public hearing and make a recommendation to the City Commission on whether to approve, deny, or approve with changes Ordinance 2014-13 as presented.

ORDINANCE 2014-13

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST PETE BEACH, FLORIDA, AMENDING THE CITY OF ST PETE BEACH CODE OF ORDINANCES BY AMENDING ARTICLE VI OF CHAPTER 22, BOARDS, COMMITTEES, COMMISSIONS, TO ESTABLISH A TECHNICAL REVIEW COMMITTEE; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE REQUIREMENTS OF LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST PETE BEACH, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED THAT:

SECTION 1. Article VI of Chapter 22, Boards, Committees, Commissions, of the City of St. Pete Beach Code of Ordinances is hereby amended to establish a Technical Review Committee as follows:

ARTICLE VI. – TECHNICAL REVIEW COMMITTEE (TRC)

Sec. 22-145. – Created.

There is hereby created a permanent board to be known as the Technical Review Committee (TRC) for the purpose of providing for the professional and technical review of capital projects and development applications.

Sec. 22.146. – Membership

- (a) The membership shall include the Director or his or her designee from the following City agencies:
- (1) Planning and Zoning
 - (2) Building
 - (3) Public Safety/Code Enforcement
 - (4) Fire
 - (5) Public Services
 - (6) Recreation

Sec. 22.147 – Powers and duties generally.

- (a) On an annual basis to coincide with the routine preparation of the City's Budget, the TRC shall prepare and recommend to the City Manager a prioritized list of capital improvement projects to be incorporated into a financially feasible five year schedule for meeting the City's adopted level of service standards for public facilities and services as

stated in the City's Comprehensive Plan. The TRC is to serve as, and meet the obligations of, the Capital Improvements Advisory Committee as called for in the Capital Improvements Element of the City of St. Pete Beach Comprehensive Plan.

- (b) The TRC shall identify projects in the five year schedule that are significant in terms of their potential impact on the City's physical, environmental, or historic character. The project manager assigned by the responsible Department of a significant capital project shall provide the TRC with a status update at each regular meeting throughout the planning, design, and permitting process at which time the TRC shall provide any comments or recommendations on the project relative to their field of expertise.
- (c) The TRC shall review the following applications for compliance with the provisions of the St. Pete Beach Land Development Code, and all applicable building codes:
 - (1) Site Plans.
 - (2) Subdivisions.
 - (3) Conditional Uses.
 - (4) Amendments to the Zoning Map.
 - (5) Amendments to the Future Land Use Map.
 - (6) Variances on property being used for other than single-family detached residential purpose.
 - (7) Vacations of Streets, Plats or other property.
 - (8) Temporary Uses.
 - (9) All other applications assigned by the City Manager.

Sec. 22.148 – Conduct of meetings; public notice.

- (a) The TRC staff shall hold regular monthly meetings at an established time and place unless cancelled due to lack of items to be discussed or acted upon.
- (b) The TRC agenda shall be distributed to the members at least seven (7) working days prior to the regularly scheduled meeting.
- (c) The meetings shall be open to the public. Attendance of the applicant is not required.
- (d) On development applications, the Community Development Director, or other person designated by the City Manager, shall be responsible for the following:
 - (1) Agenda preparation and distribution.
 - (2) Chairing the meeting.
 - (3) Recording minutes.
 - (4) Notification to applicants of the regularly scheduled date, time and place for consideration of the applications.
 - (5) Written notification to applicants of the outcome of the TRC review.

SECTION 2. This Ordinance shall be published in accordance with the requirements of law.

SECTION 3. This Ordinance shall become effective immediately upon final passage and adoption.

PASSED ON FIRST READING _____, a.d. 2015

PASSED ON SECOND AND FINAL READING _____, a.d. 2015

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 _____, 2015.

Rebecca C. Haynes, City Clerk

PLANNING BOARD MEMORANDUM

TO:	CHAIRMAN AND MEMBERS OF THE PLANNING BOARD
FROM:	MATT McLACHLAN, AICP, CITY PLANNING CONSULTANT
MEETING DATE:	DECEMBER 16, 2014
RE:	DRAFT ORDINANCE RELATING TO OUTDOOR DINING AREAS; DEFINITIONS AND USE PERMISSIONS FOR EATING AND DRINKING ESTABLISHMENTS

The Board was provided sample land development regulations from other cities pertaining to outdoor dining as part of the September 16, 2014 meeting agenda for review and discussion purposes. The background information was intended to assist the Board in determining whether outdoor dining is available in all of the appropriate local plan/zoning categories; the process for considering such use is clear and adequate; and the standards by which to review and administer such use are appropriate.

Currently, the City's Land Development Code provides for the City Manager to authorize outdoor seating at restaurants established as of July 1, 2003, that meet the following requirements: (1) are 500 sq. ft. or less in area and do not encroach into a required setback; (2) do not increase restaurant seating; (3) do not diminish existing on-site parking; (4) provide protective barriers between the outdoor seating area and any adjacent vehicular use area; (5) restricts lighting to the subject property; and (6) does not locate outdoor seating adjacent to residentially zoned property. All other restaurants that wish to provide outdoor seating must be located in a zone that authorizes outdoor seating by right or with conditional use approval as specified on the attached chart. The Code does not provide performance standards on how outdoor seating is to be located and operated in these zones thereby leaving it up to the City to negotiate specific requirements on a case by case basis as part of the conditional use or right-of-way use permitting process when outdoor (café) seating encroaches onto a public sidewalk.

As an alternative approach, Staff recommends amending Code to specify the type of restaurants that should be eligible to have outdoor seating (regardless of establishment date) and the manner and conditions under which it is to be provided and maintained. Furthermore, Staff recommends that the City's Technical Review Committee (once established) be given the authority to review and approve permit applications for outdoor dining areas upon finding an application to be in compliance.

As part of this update, Staff proposes to reduce the number of use classifications relating to eating and drinking establishments from twelve to six by concentrating on the principal nature of the use rather than specific aspects or characteristics of each use type.

Staff requests the Board to provide input on the proposed ordinance prior to scheduling a public hearing for your next Board meeting.

PERMITTED AND CONDITIONAL USES FOR EATING AND DRINKING ESTABLISHMENTS BY ZONING DISTRICT

USE CLASSIFICATIONS	ZONING DISTRICTS									
	ROR	RFM	CG-1	CG-2	TC-1	CC1	LR*	TC-2	AC	CRD-EA
EXISTING										
BAR (COCKTAIL LOUNGE, SALOON)	C	P	P	C						
NIGHTCLUB			C	C						
BEACH BAR		C								
SIT DOWN RESTAURANT	P	P	P	P						
FAST FOOD RESTAURANT		C	C	C						
OUTDOOR RESTAURANT	C	C	C	C						
EATING AND DRINKING ESTABLISHMENTS WITH OUTDOOR SEATING									C	
EATING AND DRINKING ESTABLISHMENTS WITHOUT OUTDOOR SEATING									P	
EATING OR DRINKING ESTABLISHMENT WITH OR WITHOUT OUTDOOR SEATING					P	P		P		
EATING OR DRINKING ESTABLISHMENTS INCLUDING BARS AND COCKTAIL LOUNGES WITH OR WITHOUT OUTDOOR SEATING							P			
SPECIALTY FOOD SUCH AS GOURMET TAKE-OUT, CATERING, COFFEE SHOPS, ETC.										P
SIDEWALK CAFÉ				C						
PROPOSED										
BAR/LOUNGE	C	P	P	C		P	P	P	P	C
RESTAURANT, FULL-SERVICE	P	P	P	P	P	P	P	P	P	P
RESTAURANT, LIMITED-SERVICE	P	P	P	P	P	P	P	P	P	P
RESTAURANT, TAKE-OUT ONLY	P				P	P				
RESTAURANT, WITH DRIVE-THROUGH SERVICE		C	C	C						
COMMERCIAL KITCHEN	P	P		P	P					P

ORDINANCE 2015-XX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST PETE BEACH, FLORIDA, AMENDING THE CITY OF ST PETE BEACH LAND DEVELOPMENT CODE BY AMENDING SECTION 2.1 OF DIVISION 2, DEFINITIONS, RELATING TO COMMERCIAL KITCHEN, EATING AND DRINKING ESTABLISHMENTS, AND OUTDOOR DINING; AMENDING SECTION 6.24 OF DIVISION 6, SUPPLEMENTAL REGULATIONS, RELATING TO GENERAL, OPERATIONAL, AND PERMITTING REQUIREMENTS AND CITY AUTHORITY FOR OUTDOOR DINING AREAS; AMENDING SECTION 13.2 OF DIVISION 13, ROR, RESIDENTIAL/OFFICE/RETAIL DISTRICT, ADDING COMMERCIAL KITCHEN, FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, AND TAKE-OUT RESTAURANT AS PERMITTED USES AND DELETING SIT-DOWN RESTAURANT ONLY AS A PERMITTED USE; AMENDING SECTION 13.4 OF DIVISION 13, ROR, RESIDENTIAL/OFFICE/RETAIL DISTRICT, ADDING BAR/LOUNGE AS A CONDITIONAL USE AND DELETING BAR (COCKTAIL LOUNGE, SALOON), RESTAURANT, OUTDOOR AS CONDITIONAL USES; AMENDING SECTION 14.2 OF DIVISION 14, RFM, RESORT FACILITIES MEDIUM DISTRICT, ADDING COMMERCIAL KITCHEN, FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, BAR/LOUNGE AS PERMITTED USES AND DELETING BAR (COCKTAIL LOUNGE, SALOON) OR SIT DOWN RESTAURANT AS PERMITTED USES; AMENDING SECTION 14.4 OF DIVISION 14, RFM, RESORT FACILITIES MEDIUM DISTRICT, ADDING RESTAURANT WITH DRIVE-THROUGH SERVICE AS A CONDITIONAL USE AND DELETING FAST FOOD, BEACH BAR AND OUTDOOR RESTAURANT AS CONDITIONAL USES; AMENDING SECTION 15.2 OF DIVISION 15, CG-1, COMMERCIAL DISTRICT, ADDING FULL-SERVICE RESTAURANT, LIMITED SERVICE RESTAURANT, BAR/LOUNGE AS PERMITTED USES AND DELETING BAR (COCKTAIL LOUNGE, SALOON) AND SIT DOWN RESTAURANT AS PERMITTED USES; AMENDING SECTION 15.4 OF DIVISION 15, CG-1, COMMERCIAL DISTRICT, ADDING RESTAURANT WITH DRIVE-THROUGH SERVICE AS A CONDITIONAL USE AND DELETING FAST FOOD RESTAURANT, NIGHTCLUB OR OUTDOOR RESTAURANT AS CONDITIONAL USES; AMENDING SECTION 16.2 OF DIVISION 16, CG-2, COMMERCIAL DISTRICT, ADDING COMMERCIAL KITCHEN, FULL-SERVICE RESTAURANT, LIMITED SERVICE RESTAURANT AS PERMITTED USES AND DELETING SIT DOWN RESTAURANTS AS A PERMITTED USE; AMENDING SECTION 16.4 OF DIVISION 16, CG-2, COMMERCIAL DISTRICT, ADDING RESTAURANT WITH

DRIVE-THROUGH SERVICE, BAR/LOUNGE AS CONDITIONAL USES AND DELETING BAR (COCKTAIL LOUNGES, SALOONS), NIGHT-CLUBS, FAST-FOOD RESTAURANTS, OUTDOOR RESTAURANTS, AND SIDEWALK CAFÉ AS CONDITIONAL USES; AMENDING SECTION 23.5 OF DIVISION 23, OFF-STREET PARKING AND LOADING RELATING TO REQUIRED PARKING FOR OUTDOOR DINING AREAS; AMENDING SECTION 30.2 OF DIVISION 30, TC-1, TOWN CENTER CORE DISTRICT, ADDING FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, TAKE-OUT ONLY RESTAURANT, BAR/LOUNGE, AND COMMERCIAL KITCHEN AS PERMITTED USES AND DELETING EATING AND DRINKING ESTABLISHMENTS WITH OR WITHOUT OUTDOOR SEATING AS A PERMITTED USE; AMENDING SECTION 32.2 OF DIVISION 32, CC1, COMMERCIAL CORRIDOR BLIND PASS ROAD, ADDING COMMERCIAL KITCHEN, FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, TAKE-OUT ONLY RESTAURANT, BAR/LOUNGE AS PERMITTED USES AND DELETING EATING AND DRINKING ESTABLISHMENTS WITH OR WITHOUT OUTDOOR SEATING AS A PERMITTED USE; AMENDING SECTION 35.3 OF DIVISION 35, (LR) LARGE RESORT DISTRICT, ADDING FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, BAR/LOUNGE AS PERMITTED SECONDARY USES AND DELETING EATING AND DRINKING ESTABLISHMENTS INCLUDING BARS AND COCKTAIL LOUNGES WITH OR WITHOUT OUTDOOR SEATING AS A PERMITTED SECONDARY USE; AMENDING SECTION 37.2 OF DIVISION 37, TC-2 TOWN CENTER COREY CIRCLE AND COQUINA WEST DISTRICTS, ADDING FULL-SERVICE RESTAURANT, LIMITED SERVICE RESTAURANT, BAR/LOUNGE AS PERMITTED USES AND DELETING EATING AND DRINKING ESTABLISHMENTS WITH OR WITHOUT OUTDOOR SEATING AS PERMITTED USES; AMENDING SECTION 38.2 OF DIVISION 38, AC, ACTIVITY CENTER DISTRICT, ADDING FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, BAR/LOUNGE AS PERMITTED USES AND DELETING EATING ESTABLISHMENTS WITHOUT OUTDOOR SEATING AS A PERMITTED USE; AMENDING SECTION 38.4 OF DIVISION 38, AC, ACTIVITY CENTER, DELETING EATING AND DRINKING ESTABLISHMENTS WITH OUTDOOR SEATING AS A CONDITIONAL USE; AMENDING SECTION 40.2 OF DIVISION 40, COMMUNITY REDEVELOPMENT DISTRICT – EIGHTH AVENUE (CRD-EA), ADDING COMMERCIAL KITCHEN, FULL-SERVICE RESTAURANT, LIMITED-SERVICE RESTAURANT, BAR/LOUNGE AS PERMITTED USES AND DELETING SPECIALTY FOOD SUCH AS GOURMET TAKE-OUT, CATERING, COFFEE SHOPS, ETC. AND SIT DOWN RESTAURANTS AS PERMITTED USES;

AMENDING SECTION 40.4 OF DIVISION 40, COMMUNITY REDEVELOPMENT DISTRICT – EIGHTH AVENUE (CRD-EA), ADDING BAR/LOUNGE AS AN ALLOWABLE CONDITIONAL USE; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE REQUIREMENTS OF LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3202, Florida Statutes, requires each local government in the State of Florida to adopt or amend and enforce land development code regulations that are consistent with and implement the adopted Comprehensive Plan; and

WHEREAS, the City of St. Pete Beach has previously adopted a land development code; and

WHEREAS, periodic updates and clarifications are necessary for successful implementation of a land development code.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST PETE BEACH, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED THAT:

SECTION 1. Section 2.1 of Division 2, Definitions, of the City of St. Pete Beach Land Development Code is hereby amended to provide as follows:

Sec. 2.1. - Words, terms and phrases defined.

Commercial Kitchen means an establishment where food and beverages are prepared for off-site consumption. Typical uses include catering facilities. This classification does not include businesses involved in the processing or manufacturing of food products.

Eating and drinking establishment means a business that is licensed to prepare and/or serves food or beverages for consumption by the public primarily engaged in serving prepared food and/or beverages for consumption on or off the premises. Such uses are regulated by type as follows:

~~Bar (cocktail lounge, saloon) means any establishment which is devoted primarily to the retailing and on premises drinking of malt, vinous, or other alcoholic beverages and which is licensed by the State of Florida to dispense or sell alcoholic beverages.~~

~~Beach bar means any building, structure or facility whether temporary or permanent, which is built, erected or provided as a location for the purpose of making retail sales of alcoholic or intoxicating beverages, or malt or vinous beverages, as an accessory use to a hotel or motel.~~

~~Fast food restaurant means a retail food service establishment without table service (order placement and delivery) provided to patrons; walk up counter and carryout trade is a primary portion of the facility; includes fast food, drive through service, food delivery, carryout, public snack bar/automats, and delicatessens.~~

~~Nightclub means any restaurant, dining room, bar or similar establishment providing food or refreshments, which holds a 4 COP liquor license from the State of Florida Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco. Provided, however, any restaurant, dining room or similar establishment which holds a 4-COP liquor license with the "S," "SR" or "SRX" designation, shall be deemed an accessory use to the principal use and not a nightclub.~~

~~Outdoor restaurant means a portion of a restaurant, of any type, located outside which functions as an extension of the principal use of the private property of the restaurant. An outdoor restaurant is not located in a completely enclosed building and is open to the sky except that it may have awnings, umbrellas, or building overhang and shall be used exclusively for dining, drinking and circulation therein. An outdoor restaurant may provide either wait staff service or self service. (See also "Sidewalk cafe.")~~

~~Sidewalk cafe means a street level portion of a restaurant, of any type, located within the sidewalk area of the public right of way, which is normally adjacent to a street, which functions as an extension of the principal use of the private property of the restaurant. A sidewalk cafe is open to the sky except that it may have awnings or umbrellas, and shall be used for dining, drinking and circulation therein pursuant to the approved conditional use permit. A sidewalk cafe may provide either wait staff service or self service. (See also "Outdoor restaurant.")~~

~~Sit down restaurant means a retail food service establishment with indoor seating only in which the principal use is the preparation, cooking, consumption, and sale of food and beverages.~~

Bar/Lounge means a business serving beverages for consumption on the premises as a primary use or as an accessory use to a hotel or motel and including on-sale service of alcohol, including beer, wine, and mixed drinks.

Restaurant, Full-Service means a restaurant providing food and beverage services to patrons who order and are served while seated and pay after eating. Takeout service may also be provided.

Restaurant, Limited-Service means an establishment where food and beverages may be consumed on the premises, taken out, or delivered, but where limited table service is provided. This classification includes cafes, cafeterias, coffee shops, delicatessens, fast-food restaurants, sandwich shops, limited- service pizza parlors, self-service restaurants, and snack bars with indoor or outdoor seating for customers. This classification

includes bakeries that have tables for on-site consumption of products. It excludes catering services that do not sell food or beverages for on-site consumption (See Commercial Kitchen).

Restaurant, Take-Out Only means a restaurant where food and beverages are prepared on a customer-demand basis and may be taken out or delivered, but are not consumed on the premises. No seating or other facilities for on-premises dining are provided.

Restaurant with Drive Thru Service means any eating or drinking establishment which has direct window service allowing customers in motor vehicles to pick up food or drink for off-premise consumption.

Outdoor Dining means a delineated area within a parcel, including patios and similar areas, located outside of and adjacent to a restaurant unenclosed by walls where tables, seating and other furnishings are provided for patrons of the restaurant for eating and drinking.

SECTION 2. Section 6.24 of Division 6, Supplemental Regulations, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 6.24. - ~~Outdoor seating for existing restaurants.~~ Outdoor dining areas. Full and limited service restaurants may establish an outdoor dining area pursuant to the requirements of this Section.

~~Existing sit-down restaurants as of July 1, 2003, without outdoor seating areas may be permitted by the city manager to have one outdoor seating area as follows:~~

- ~~(a) Five hundred square feet or less in area, with no encroachment into the required setback;~~
- ~~(b) No increase in restaurant seating;~~
- ~~(c) There shall be no diminishment of existing parking on the site;~~
- ~~(d) When the seating area will be adjacent to a vehicle use area, protective barriers shall be installed between the seating area and the vehicle use area;~~
- ~~(e) All lighting shall be directed inward and shall not spill on to adjacent property;~~
- ~~(f) Said outdoor seating shall not be located adjacent to a residentially zoned property in any manner.~~

(a). General Requirements

(1) All outdoor dining areas located on private property shall comply with the following requirements:

- a. Outdoor dining areas are prohibited on any property that adjoins a property that is principally zoned or used for residential purposes.

- b. The hours of operation of an outdoor dining area shall coincide with those of the associated business.
- c. Outdoor dining areas shall not exceed 30 percent of the gross floor area of the associated restaurant.
- d. No outdoor food preparation is permitted.
- e. Suitable protective barriers shall be installed when an outdoor dining area is located adjacent to a vehicular use area as determined by the Building Official.
- f. Upon the issuance of a tropical storm or hurricane warning, all tables, chairs and other equipment used for outdoor dining shall be securely stored inside.
- g. Alcoholic beverages shall only be served to seated patrons.
- h. Amplified music, speakers, microphones, televisions, and other audio or video devices are prohibited from being watched or heard from an outdoor dining area.

(2) In addition to the above requirements, the following requirements shall be met for outdoor dining areas located within public right(s)-of-way:

- a. Outdoor dining areas shall only be authorized when the adjoining sidewalk has a continuous minimum width of eight feet.
- b. A minimum four feet of contiguous and unobstructed corridor space must be maintained at all times to ensure a clear pedestrian passageway. The pedestrian passageway shall be a straight line, parallel to the building face and curb line, for the entire length of the outdoor dining area.
- c. The outdoor dining area shall not extend beyond the sidewalk frontage of the associated business establishment;
- d. All furnishings shall be of good design and made of quality materials and be maintained in a clean and attractive appearance and shall be in good repair at all times.
- e. No furnishing shall be chained or attached to any tree, post, sign or other fixture.
- f. The perimeter around the outdoor dining area may be delineated using nonpermanent fixtures such as planters, decorative chains or other fixtures no less than 30 inches and no greater than 42 inches in height as may be approved by the Building Official.
- g. Smoking is prohibited.

(b). Required Permit. Permit application shall be made to the City and reviewed by the Technical Review Committee. The appropriate fee as determined by Appendix "A" of the City of St. Pete Beach Code of Ordinances shall be paid. The permit application shall include the following information:

(1) Survey.

- (2) Site plan depicting the proposed outdoor dining area drawn to scale. The plan shall include the following information:
- a. Total square footage of the proposed outdoor dining area.
 - b. Number and placement of all seating/table arrangements and other elements of the outdoor dining area.
 - c. Distances between each seating/table arrangement, providing pedestrian clearance as required by the Florida Building Code and Florida Life Safety Code.
 - d. All points of egress.
 - e. For tenants as applicants, a letter of authorization from the property owner.
- (3) Occupant load of principal business.
- (4) Number of existing men's and women's bathrooms and fixtures.
- (c). Insurance and Indemnification. For outdoor dining areas using public right(s)-of-way, the following is required:
- (1) By the use of any permit granted under this Section, the outdoor dining operator agrees to indemnify, defend, save and hold harmless the City, its officers, agents and employees from any and all claims, liability, lawsuits, damages and causes of action which may arise out of the use of the public right(s)-of-way. The outdoor dining operator shall enter into a written agreement with the City to evidence this indemnification. Such agreement must have the written approval of the City Attorney prior to issuance of a permit.
 - (2) The outdoor dining operator shall show evidence of:
 - a. Comprehensive general liability insurance on an "occurrence" basis in an amount not less than \$1,000,000 combined single limit bodily injury liability and property damage liability. The City is to be specifically included as additional insured on the policy.
 - b. Workers Compensation insurance applicable to its employees, if any, for statutory coverage limits in compliance with Florida laws, including employers' liability which meets all state and federal laws.
 - (3) The outdoor dining operator shall provide the City with the certificate(s) of insurance evidencing required coverages. Current certified copies of such required coverages shall be provided to the City when specifically requested in writing.
 - (4) All policies of insurance must be endorsed to provide the City with 30 days of notice of cancellation or restriction.
- (d). Revocation of permit. The City may revoke a permit for any outdoor dining area if it is found that:
- (1) Any necessary business or health permit has been suspended or revoked; or

- (2) Changing conditions of pedestrian or vehicular traffic cause congestion necessitating removal of the outdoor dining area when located within public right(s)-of-way. Such decision shall be based on the findings of the Technical Review Committee that the existing conditions represent a danger to the health, safety or general welfare of the public and cannot be resolved through modification to the outdoor dining layout; or
 - (3) The outdoor dining operator fails to comply with one or more requirements of the permit.
- (e). Removal or relocation of outdoor dining area and all related furnishings for right(s)-of-way repairs, emergency situations, or matters of public safety.
- (1) As necessitated by right(s)-of-way repairs, the City may require the temporary removal of outdoor dining area and all related furnishings. The outdoor dining operator shall be responsible for removing all furnishings at least 24 hours prior to the date identified in writing by the City. The City shall not be responsible for any costs associated with the removal or the return and installation of such furnishings.
 - (2) The City may cause the immediate removal or relocation of all or any part of the outdoor dining area occupying public right(s)-of-way in emergency situations. The City, its officers, agents and employees shall not be responsible for any damages or loss of furnishings used in associated with an outdoor dining area relocated during emergency situations and shall not be responsible for any costs associated with the removal or the return and installation of any such furnishings.
 - (3) The City shall have the authority to secure or remove any furnishing(s) associated with the outdoor dining area occupying public right(s)-of-way if necessary in the interest of public safety.

SECTION 3. Section 13.2 of Division 13, ROR, Residential/Office/Retail District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 13.2. - 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 ROR Residential/Office/Retail District are as follows:

- (a) Clubs, community service.
- (b) Commercial kitchen
- (~~bc~~) Eating and drinking establishments—~~Sit down restaurant only~~ full-service restaurant, limited-service restaurant, take-out only restaurant.
- (~~d~~) Financial institutions without drive-through service.
- (~~e~~) Laundries, self-service.
- (ef) Offices.

- (fg) Printing and copying services.
- (gh) Residential dwellings—Attached single-family, detached single-family, multifamily and two-family.
- (hi) Retail sales.
- (ij) Social service agencies.

SECTION 4. Section 13.4 of Division 13, ROR, Residential/Office/Retail District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 13.4. - Allowable conditional uses.

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

- (a) Assisted living facilities.
- (b) Places of worship.
- (c) Communications facilities.
- (d) Daycare centers/kindergartens.
- (e) Docks, commercial—Class C only.
- (f) Eating and drinking establishment—~~Bar (cocktail lounge, saloon); restaurant, outdoor bar/lounge.~~
- (g) Laundries, dry cleaning.
- (h) Parking lots, off-premise.
- (i) Recreational—Public parks and/or recreational facilities.
- (k) Schools, public or private.
- (l) Schools, commercial.
- (m) Services, personal/business.
- (n) Transient accommodations—Bed and breakfast inns and motels only.
- (o) Utility substations and/or rights-of-way.
- (p) Veterinarians.

SECTION 5. Section 14.2 of Division 14, RFM, Resort Facilities Medium District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 14.2. - 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 RFM Resort Facilities Medium District are as follows:

- (a) Clinics.
- (b) Clubs, community service.
- (c) Clubs, private.

- (d) Commercial kitchen
- ~~(de)~~ Eating and drinking establishments—~~Bar (cocktail lounge, saloon) or sit-down restaurant~~ full-service restaurant, limited-service restaurant, bar/lounge.
- (ef) Financial institutions without drive-through service.
- ~~(fg)~~ Kennels without outdoor runs.
- ~~(gh)~~ Laundries, self-service.
- ~~(hi)~~ Offices.
- (ij) Printing and copying services.
- (jk) Residential dwellings—Multifamily only.
- ~~(kl)~~ Retail sales.
- ~~(lm)~~ Services, personal/business.
- ~~(mn)~~ Social service agencies.
- ~~(no)~~ Transient accommodations—Bed and breakfast inn, hotel or motel, or resort condominium.
- ~~(op)~~ Veterinarians.

SECTION 6. Section 14.4 of Division 14, RFM, Resort Facilities Medium District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

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) Communications facilities.
- (e) Daycare centers/kindergartens.
- (f) Docks, commercial—Classes A, B and C.
- (g) Eating and drinking establishment—~~Fast food restaurant~~ restaurant with drive-through service, beach bar and outdoor restaurant.
- (h) Financial institutions with drive-through service.
- (i) Laundry, dry cleaning.
- (j) Parking lots, commercial and/or off-premise.
- (k) Recreational—Commercial recreation; public parks and/or recreational facilities.
- (l) Recycling centers.
- (m) Schools—Public, private and/or commercial.
- (n) Utility substations and/or rights-of-way.
- (o) Vessel for hire businesses.

SECTION 7. Section 15.2 of Division 15, CG-1, Commercial District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 15.2. - 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 CG-1 Commercial District are as follows:

- (a) Automotive retail services.
- (b) Clinics.
- (c) Clubs, community service.
- (d) Clubs, private.
- (e) Commercial kitchen.
- (ef) Eating and drinking establishments—~~Bar (cocktail lounge, saloon) and sit down restaurant~~ full-service restaurant, limited-service restaurant, bar/lounge.
- (fg) Financial institutions without drive-through service.
- (gh) Kennels without outdoor runs.
- (hi) Laundries, self-service.
- (ij) Mortuaries.
- (jk) Offices.
- (kl) Printing and copying services.
- (lm) Retail sales.
- (mn) Services, personal/business.
- (no) Social service agencies.
- (op) Transient accommodations—Hotels, motels and resort condominiums only.
- (pq) Veterinarians.

SECTION 8. Section 15.4 of Division 15, CG-1, Commercial District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

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) Communication facilities.

- (l) Docks, commercial—Classes A, B, C, and D.
- (m) Eating and drinking establishment—~~Fast food restaurant, nightclub or outdoor restaurant~~ restaurant with drive-through service.
- (n) Financial institutions with drive-through services.
- (o) Kennels with outdoor runs.
- (p) Laundries, dry cleaning.
- (q) Marinas.
- (r) Parking lots, commercial and/or off-premise.
- (s) Printing, general.
- (t) Recreational—Commercial recreation; public parks and/or recreational facilities.
- (u) Recycling centers.
- (v) Schools, public or private and/or commercial.
- (w) Services, commercial/business.
- (x) Storage facilities with outdoor storage.
- (y) Storage, self-service.
- (z) Theatres.
- (aa) Utility substations and/or rights-of-way.
- (bb) Vehicle for hire businesses.
- (cc) Vessel for hire businesses.

SECTION 9. Section 16.2 of Division 16, CG-2, Commercial District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 16.2. - 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 CG-2 Commercial District are as follows:

- (a) Commercial kitchen.
- (~~ab~~) Eating and drinking establishments—~~Sit down—restaurants~~ full-service restaurant, limited-service restaurant.
- (~~bc~~) Financial institutions without drive-through service.
- (~~cd~~) Offices.
- (~~de~~) Printing and copying services.
- (~~ef~~) Retail sales.
- (~~fg~~) Services, personal/business.

SECTION 10. Section 16.4 of Division 16, CG-2, Commercial District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

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)~~ Communications facilities.
- ~~(g)~~ Commercial docks—Classes A, B and C only.
- ~~(h)~~ Eating and drinking establishments—~~Nightclubs, fast food restaurants, outdoor restaurants and sidewalk café~~ restaurant with drive-through service; bar/lounge.
- ~~(i)~~ Mortuaries.
- ~~(j)~~ Parking lots—Commercial and/or off-premise.
- ~~(k)~~ Recreational—Commercial recreation; public parks and/or recreational facilities.
- ~~(l)~~ School, commercial.
- ~~(m)~~ Theaters.
- ~~(n)~~ Utility substations and/or rights-of-way.
- ~~(o)~~ Vessel for hire businesses.

SECTION 11. Section 23.5 of Division 23, Off-Street Parking and Loading of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 23.5. - Number of parking spaces required.

Regardless of any other requirement of these regulations, each and every separate or individual store, office, or other business shall be provided with at least one off-street parking space, excluding required handicap parking, unless specific provision to the contrary is made herein.

The following minimum off-street parking requirements are applicable to all districts except as otherwise provided herein:

Use	Parking Requirement (spaces)
Automobile Service Station	1 space per bay plus 3 spaces
Any form of residential	2 per unit
Bar, Nightclub	1 per 50 SF floor area
Bed and Breakfast	1 space per guest room plus 1 space for owner or operator
Convenience Store	1 per 200 SF floor area

Grocery Store	1 per 100 SF floor area
Legitimate Theatre	1 per 3 seats
Marina or Commercial Docks Boat slips/live aboard High and dry slips Boat slips/non-live aboard	1.0 per boat slip 1.0 per 4 boat slips or fraction thereof 1.0 per 4 boat slips or fraction thereof
Office	1 per 300 SF floor area
Place of Worship	1 per 3 seats in auditorium or chapel area
Restaurant	1 per 100 SF floor area
Retail Sales and Service	1 per 200 SF floor area
Schools	3 spaces per 1,000 square feet of floor area, plus one for each teacher
Theater, Movie	1 per 3 seats
Transient Accommodations	1 per transient accommodation unit, plus 1 additional per 10 transient accommodation units, plus additional parking for accessory facilities in accordance with the following:
Office space	1 per 300 SF floor area
Retail and restaurant space	1 per 200 SF floor area
Ballrooms, lobby area, conference and meeting rooms, and fitness facilities	1 per 1,000 SF floor area
Vehicle Rental	1 per 200 SF floor area, must be marked as customer spaces plus one for each rental vehicle

- (a) In instances of new construction or facility expansion involving the establishment of ~~outdoor seating areas or other~~ accessory or supplemental uses, the number of required parking spaces shall be increased in accordance with the above table such that parking is adequate to accommodate the entire area of ~~seating or use~~, both internal and external to the structure; provided, however, outdoor dining areas shall not be required to provide additional parking when the outdoor dining area is less than 500 square feet. Any portion of the outdoor dining area greater than 500 square feet shall be included as gross floor area for the purposes of calculating off-street parking requirements at the rate set forth in the above table.
- (b) Parking spaces that are in excess of the number of spaces required by this division shall be constructed as grass parking, turf block or in a parking structure.
- (c) Where a project is intended to be developed in phases, the city manager may approve the development of a parking area intended to serve each phase as it is developed.
- (d) All projects shall be required to provide a minimum of five bicycle rack spaces, or a number of bicycle rack spaces equal to ten percent of the required number of vehicle parking spaces, whichever is greater.
- (e) For properties zoned CRD-EA, permitted non-residential and transient accommodation uses are exempt from the minimum parking standards above. Residential uses shall provide the required off-street parking in the table above.
- (f) For commercially zoned properties abutting Corey Avenue east of Gulf Boulevard, additional parking shall be required for a change of use only if there is an increase in the floor area of an existing building or construction of additional buildings.

SECTION 12. Section 30.2 of Division 30, TC-1, Town Center Core District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 30.2. - Permitted uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses 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~~ Eating and drinking establishments - full-service restaurant, limited-service restaurant, take-out only restaurant, bar/lounge.
- (h) Retail uses except automotive sales lots, pawn shops, liquor stores, 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-through service.
- (l) Commercial kitchen

SECTION 13. Section 32.2 of Division 32, CC1, Commercial Corridor Blind Pass Road, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 32.2. - Permitted uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the CC1 Commercial Corridor Blind Pass Road are as follows.

- (a) Clinics;
- (b) Clubs, community service establishments;
- (c) Clubs, private;
- (d) Commercial kitchen;
- (de) Eating and drinking establishments—~~with or without outdoor seating~~ full-service restaurant, limited-service restaurant, take-out only restaurant, bar/lounge;
- (ef) Financial institutions with and without drive-through service;
- (fg) Laundries, self-service;
- (gh) Office uses;
- (hi) Printing and copying services;
- (ij) Retail uses;
- (jk) Personal service businesses such as barbershops, beauty shops and 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;
- (kl) Social service agencies;
- (lm) Veterinarians; dog grooming facilities;
- (mn) Multi-family residential uses as a component of mixed-use development only. Multi-family residential uses shall not be allowed on the ground level of any structure;

- (nq) Single-family, detached residential uses (Only on parcels which do not directly abut Blind Pass Road);
- (op) Government buildings and other public facilities, including parks and recreation facilities;
- (pq) Artist studios with retail and/or wholesale distribution space for artist's original handmade works, excluding mass produced or manufactured products;
- (qr) Public facilities such as schools, public parks and/or recreational facilities;
- (rs) Other commercial uses similar in character, nature and impact to permitted uses listed above.

SECTION 14. Section 35.3 of Division 35, (LR) Large Resort District of the City of St. Pete Beach Land Development Code is amended to provide as follows:

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

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

- (a) *Primary uses.*
 - (1) Temporary lodging uses, including hotels, motels, resort condominium hotels;
 - (2) Multi-family residential.
- (b) *Secondary uses.* Secondary commercial uses may be developed as an additional nonresidential use bonus floor area that is not located within the principal building, provided that the secondary commercial development is constructed with a minimum of 200 temporary lodging units. Secondary commercial uses include:
 - (1) Retail;
 - (2) Eating and drinking establishments, ~~including bars and cocktail lounges, with or without outdoor seating~~ full-service restaurant, limited-service restaurant, bar/lounge;
 - (3) Indoor commercial entertainment facilities;
 - (4) Vehicles for hire.

SECTION 15. Section 37.2 of Division 37, TC-2 Town Center Corey Circle and Coquina West Districts of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 37.2. - Permitted uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses 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, 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~~ full-service restaurant, limited-service restaurant, bar/lounge;
- (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.

SECTION 16. Section 38.2 of Division 38, AC Activity Center District of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 38.2. - Permitted uses.

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

- (a) Grocery stores, markets, pharmacies with or without drive through service;
- (b) Automotive rental agencies;
- (c) Automotive service stations;
- (d) Car wash facilities;
- (e) Clinics;
- (f) Clubs, community service;
- (g) Clubs, private;
- (h) Doctor's offices and medical clinics;
- (i) Eating and drinking establishments ~~without outdoor seating~~ - full-service restaurant, limited-service restaurant, bar/lounge;
- (j) Financial institutions with or without drive-through service;
- (k) Kennels without outdoor runs;
- (l) Laundries, self-service;
- (m) Office uses;
- (n) Printing and copying services;

- (o) Retail uses;
- (p) Government buildings and other public facilities, including parks and recreation facilities;
- (q) Personal service businesses such as barbershops, beauty shops and salons, day spas, gyms and fitness centers, tailoring, garment alteration and repair, shoe repair, dry cleaning drop-off and pick-up and other personal service uses similar in character and impact;
- (r) Private, specialized instruction, such as computer training, real estate courses, self-improvement classes, career training or fitness instruction;
- (s) Social service agencies;
- (t) Veterinarians and pet grooming facilities;
- (u) Multi-family residential only as a component of retail mixed-use development;
- (v) Artist studios and art galleries;
- (w) Vehicle for hire;
- (x) Marine electronics, sales, and service; and
- (y) Other commercial uses similar in character, nature and impact to permitted uses listed above.

SECTION 17. Section 38.4 of Division 38, AC Activity Center District of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 38.4. - Allowable conditional uses.

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

- (a) Assisted living facilities;
- (b) Charter and tour boat operations;
- (c) Communication facilities;
- (e) Docks, commercial—Classes A, B, C, and D;
- ~~(f) Eating and drinking establishments with outdoor seating;~~
- ~~(g)~~ Kennels with outdoor runs;
- ~~(h)~~ Parking lots, commercial and/or off-premise;
- ~~(i)~~ Theatres;
- (j) Vessel for hire businesses; and
- (k) Subject to the provisions or restrictions contained in this section and elsewhere in this code, temporary lodging units may be allocated from a density pool via a conditional use as follows:

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

and intensities, a minimum of 10 temporary lodging units, mixed with a minimum of 0.35 floor area ratio for commercial or office uses, is required.

SECTION 18. Section 40.2 of Division 40, Community Redevelopment District – Eighth Avenue (CRD-EA) of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 40.2. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses in the CRD-EA district are as follows:

- (a) Residential uses as a component of a vertically mixed-use development;
- (b) Temporary Lodging;
- (c) Commercial kitchen;
- (~~e~~d) Eating and drinking establishments - ~~specialty food such as gourmet take out, catering, coffee shops, etc. and sit down restaurants~~ full-service restaurant, limited-service restaurant;
- (~~d~~e) Offices;
- (~~e~~f) Retail sales;
- (~~f~~g) Private, specialized instruction, such as computer training, real estate courses, self- improvement classes, career training or fitness instruction;
- (~~g~~h) Artist studios, art galleries, and museums;
- (~~h~~i) Personal service businesses such as barbershops, beauty shops, tailoring, garment alteration and repair, shoe repair, dry cleaning drop-off and pick-up and other personal service uses similar in character and impact;
- (~~i~~j) Vehicle for hire—limited to rental of bicycles and individual motorized vehicles such as segways, mopeds/scooters;
- (~~j~~k) On-site parking facilities;
- (~~k~~l) Other uses similar in character, nature and impact to permitted uses listed above.

SECTION 19. Section 40.4 of Division 40, Community Redevelopment District – Eighth Avenue (CRD-EA) of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 40.4. - Permitted conditional uses and structures:

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the CRD-EA district are as follows:

- (a). Bar/lounge;

~~The purpose of this section is to allow for single family and two family residential uses and structures for only saving and/or moving locally designated historic structures. In no case shall a new construction single family home be allowed in the 8th Avenue CRD.~~

(a**b**) Single-family residential, subject to the following conditions*:

- (1) The structure is eligible for local historic designation pursuant to Section 28.22 of the Land Development Code;
- (2) The applicant applies for designation of the structure as historic and the Historic Preservation Board approves the request;
- (3) The applicant applies for and is granted a certificate of appropriateness for any alterations to the exterior of the structure and moving the structure if a structure is proposed to be moved to the 8th Ave District, consistent with the Secretary of the Interior's Standards and Guidelines for Rehabilitation or Preservation of Historic Structures and Division 28 of the Land Development Code;
- (4) The applicant applies for and is granted the conditional use pursuant to Section 4.4 of the Land Development Code;

*The purpose of Section 40.4(b) of this Code is to allow for single family and two-family residential uses and structures for only saving and/or moving locally designated historic structures. In no case shall a new construction single family home be allowed in the 8th Avenue CRD.

SECTION 20. This Ordinance shall be published in accordance with the requirements of law.

SECTION 21. This Ordinance shall become effective immediately upon final passage and adoption.

PASSED ON FIRST READING _____, a.d. 2015

PASSED ON SECOND AND FINAL READING _____, a.d. 2015

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 _____, 2015.

Rebecca C. Haynes, City Clerk

DRAFT

PLANNING BOARD MEMORANDUM

TO:	CHAIR AND MEMBERS OF THE PLANNING BOARD
FROM:	MATT McLACHLAN, AICP, CITY PLANNING CONSULTANT
MEETING DATE:	DECEMBER 15, 2014
RE:	DRAFT ORDINANCE RELATING TO OFF-PREMISE AND COMMERCIAL PARKING LOTS AND STRUCTURES IN THE GULF BOULEVARD REDEVELOPMENT DISTRICT AND OFF-STREET PARKING REQUIREMENTS

On November 17, 2014, the Planning Board considered a draft ordinance providing for the definition, categorization, and use permissions of off-premise and commercial parking lots and structures within the four character districts that comprise the Gulf Boulevard Redevelopment District (GBRD). The Ordinance further provides for amendments to the City's general parking requirements to allow turf block to be used as an alternative parking space surface for both required and non-required parking spaces; establishes that off-street parking spaces are to be reserved for the exclusive use of residents, customers, patrons, or employees of the principal use of the property they are designed and intended to serve except as may be allowed in connection with a special event; establishes revised locational criteria for required off-street parking; and limits non-required, supplemental surface parking within the GBRD to a time period not to exceed five years from the date the conditional use permit is originally approved by the City Commission. Moreover, the ordinance expands the range and use of pervious and semi-pervious parking materials and associated criteria.

Upon consideration, the Planning Board recommended the following changes be made to the draft ordinance:

- Increase the radius requirement of required off-premise parking from 300 ft. to 500 ft. (refer to Sec. 23.4(l)(2)(a) in proposed Ordinance);
- Modify the pedestrian connection requirement associated with required off-premise parking to prohibit the crossing of a *collector* or *arterial* street instead of any street (refer to Sec. 23.4(l)(2)(b) in proposed Ordinance);
- Add commercial parking lots to the list of conditional uses in the Bayou Residential character district with a maximum time limit of two years from the date any conditional use permit is approved by the City Commission (refer to Sec. 23.4(n) and Sec. 42.4 in proposed Ordinance); and
- Spell out R/OS district (refer to Sec. 23.7(a)((3)(a) in proposed Ordinance).

Since the Planning Board meeting, Staff has identified the following additional amendments that are included for the Board's consideration in Sections 3 and 6 of the draft ordinance:

- Amend Sec. 23.5(f) to allow commercial properties located in the Downtown Redevelopment District to change in use without providing additional required parking unless there is an increase in the floor area of an existing building or construction of additional buildings upon a determination by the City that there is inadequate space to increase on-site parking in accordance with City requirements. This exemption currently applies only to commercially zoned properties abutting Corey Avenue, east of Gulf Boulevard.

- Amend Division 23, Off-Street Parking and Loading, to establish a mechanism for a fee in-lieu of required on-site parking. This will facilitate the City's compact, walkable development objectives by allowing a property owner to "buy down" required on-site parking space(s) associated with an expansion project by paying the fair market value of the land plus construction cost of the parking space(s) to the City for the future provision and maintenance of municipal parking facilities in the Downtown Redevelopment District.

Staff requests the Board review and comment on the additional proposed amendments prior to scheduling the first public hearing on January 20, 2015.

ORDINANCE 2015-XX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST PETE BEACH, FLORIDA, AMENDING THE CITY OF ST PETE BEACH LAND DEVELOPMENT CODE BY AMENDING SECTION 2.1 OF DIVISION 2, DEFINITIONS, TO DEFINE PARKING LOT (OFF-PREMISE), PARKING STRUCTURE (OFF-PREMISE), PARKING LOT (COMMERCIAL) AND PARKING STRUCTURE (COMMERCIAL); AMENDING SECTIONS 23.4, 23.5, 23.7 AND 23.8 OF DIVISION 23, GENERAL PARKING LOTS, RELATED TO THE LOCATION, DESIGN, IMPROVEMENT, USE, AND NUMBER OF REQUIRED AND NON-REQUIRED PARKING SPACES; ADDING SECTION 23.14 TO PROVIDE FOR A FEE IN-LIEU OF REQUIRED ON-SITE PARKING ON PROPERTIES LOCATED WITHIN THE DOWNTOWN REDEVELOPMENT DISTRICT; AMENDING SECTION 35.3 OF DIVISION 35, (LR) LARGE RESORT DISTRICT TO ESTABLISH OFF-PREMISE PARKING LOT AND/OR STRUCTURE AND COMMERCIAL PARKING STRUCTURE AS AUTHORIZED CONDITIONAL USES; AMENDING SECTION 38.4 OF DIVISION 38, (AC) ACTIVITY CENTER TO DELETE COMMERCIAL PARKING LOT AND REPLACE WITH COMMERCIAL PARKING STRUCTURE AND ADD OFF-PREMISE PARKING STRUCTURE AS AUTHORIZED CONDITIONAL USES; AMENDING SECTION 42.4 OF DIVISION 42 (BR) BAYOU RESIDENTIAL DISTRICT TO ESTABLISH OFF PREMISE PARKING LOT OR STRUCTURE AND COMMERCIAL PARKING LOT AS ALLOWABLE CONDITIONAL USES; AMENDING SECTION 46.4 OF DIVISION 46 (B/HC) BOUTIQUE HOTEL/CONDO DISTRICT TO ESTABLISH OFF PREMISE PARKING LOT AND/OR STRUCTURE AS AN ALLOWABLE CONDITIONAL USE; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE REQUIREMENTS OF LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3202, Florida Statutes, requires each local government in the State of Florida to adopt or amend and enforce land development code regulations that are consistent with and implement the adopted Comprehensive Plan; and

WHEREAS, the City of St. Pete Beach has previously adopted a land development code; and

WHEREAS, periodic updates and clarifications are necessary for successful implementation of a land development code.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST PETE BEACH, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED THAT:

SECTION 1. Section 2.1 of Division 2, Definitions, of the City of St. Pete Beach Land Development Code is hereby amended to provide as follows:

Parking lot (off-premise) means ~~a parking facility designed to serve a specific other use but which cannot be located on the same lot with the use it serves~~ an off-street parking lot that is not on the same property as the principal use it is designed and intended to serve.

Parking structure (off-premise) means a structured parking facility with two or more levels that is not on the same property as the principal use it is designed and intended to serve.

Parking lot (commercial) means ~~premises designed and used exclusively for the parking of vehicles for a fee~~ an off-street parking lot that is not affiliated with a specific other use that provides parking, in whole or majority part, as a commercial enterprise, for a fee on a first come-first-served basis by hourly or monthly contract.

Parking structure (commercial) means a structured parking facility with two or more levels that is not affiliated with a specific other use that provides parking, in whole or majority part, as a commercial enterprise, for a fee on a first come-first-served basis by hourly or monthly contract.

SECTION 2. Section 23.4 of Division 23, General Parking Requirements, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 23.4. General parking requirements.

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

- (a) No building or use shall be permitted or constructed unless off-street parking spaces are provided in accordance with the provisions of this Code.
- (b) Computation of required spaces.
 - (1) Fractional space requirements shall be rounded up to the next whole space.
 - (2) In houses of worship and other places of public assembly in which occupants utilize benches, pews or similar seating arrangements, each 18 linear inches of such seating facilities shall be counted as one seat for the purpose of determining the required number of parking spaces.

- (3) In multistory buildings having vertical penetrations including, but not limited to, elevator, mechanical closets, air shafts, stairways and other similar penetrations, and large retail establishments in excess of 5,000 square feet in area having "backroom" storage or working space, may deduct these spaces from the gross square footage in calculating parking space needs.
- (4) In the case of mixed uses, the total requirements for off-street parking shall be the sum of the requirements of the various uses computed separately and the off-street parking space for one use shall not be considered as providing the required off-street parking for any other use, except as provided for in the shared parking criteria in this division.
- (c) Off-street parking areas shall not be used for sales, dead storage, repair, dismantling or servicing of any type or kind, nor shall areas devoted to such activities count toward meeting off-street parking requirements.
- (d) Off-street parking areas for five or more automobiles shall have individual spaces that are designed, maintained and regulated so that no parking or maneuvering incidental to parking shall be on any public street or sidewalk and so that any automobile may be parked and unparked without moving another automobile.
- (e) Except as provided in [section 23.7](#), all off street parking areas shall be surfaced with asphalt, bituminous or concrete material, clay brick or concrete paving units, and maintained in a smooth, well-graded condition; provided, however, turf block may be used for the parking space surface.
- (f) If artificially lighted, such lighting shall be so designed and arranged that light is directed away from any adjoining property used or zoned for residential purposes and so designed and arranged as to shield public roadways and all other adjacent properties from direct glare or hazardous interference of any kind.
- (g) Be arranged for the convenient access and safety of pedestrians and vehicles.
- (h) Be so arranged that no vehicle shall be required to back from such facilities directly onto public streets.
- (i) Have curbs, motor vehicle stops or similar devices so as to prevent vehicles from overhanging on or into public rights-of-way or adjacent property.
- (k) Off-street parking spaces shall be reserved for the exclusive use of residents, customers, patrons, or employees of the principal use of the property they are designed and intended to serve; provided, however, the City may authorize such parking on non-residentially zoned properties to be used on a temporary basis by the general public in connection with a special event approved by the City under Article II of Chapter 26 of the City of St. Pete Beach Code of Ordinances during those times the principal use of the property is not operating.
- (l) Required off-street parking shall be located as follows:

- (1) On the same or contiguous property of the use the parking is intended to serve;
- (2) On non-contiguous property which has the same zoning classification or a zoning classification which allows the use as permitted or conditional, as the use the parking is intended to serve, provided:
 - a. the off premise parking is within 500 feet of the principal use to be served, to be measured along the most direct pedestrian route; except for a restaurant, hotel, or theater use that operates and maintains a valet parking service for customers, for which the off premise parking may be located within 800 feet from the principal use it is intended to serve, to be measured along the most direct pedestrian route.
 - b. An identifiable pedestrian connection is provided between the off-premise parking area and the principal use it is intended to serve. The pedestrian connection shall require no crossing of a collector or arterial street, except at a signalized intersection.
 - c. A parking agreement in a form approved by the City Attorney is recorded with the Clerk of the Circuit Court of Pinellas County, Florida, at the owner's expense providing that the off-premise parking area will not be disposed of except in conjunction with the sale or use of the building the parking area serves so long as the parking is required.
- (m) Non-required, supplemental surface parking associated with an off-premise parking lot within the Gulf Boulevard Redevelopment District shall be limited to a time period not to exceed five years from the date the conditional use permit is originally approved by the City Commission.
- (n) Conditional use approval for a commercial parking lot in the Bayou Residential Character District shall be limited to two years from the date the conditional use permit is originally approved by the City Commission.

SECTION 3. Section 23.5 of Division 23, Number of parking spaces required, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 23.5. - Number of parking spaces required.

Regardless of any other requirement of these regulations, each and every separate or individual store, office, or other business shall be provided with at least one off-street parking space, excluding required handicap parking, unless specific provision to the contrary is made herein.

The following minimum off-street parking requirements are applicable to all districts except as otherwise provided herein:

Use	Parking Requirement (spaces)

Automobile Service Station	1 space per bay plus 3 spaces
Any form of residential	2 per unit
Bar, Nightclub	1 per 50 SF floor area
Bed and Breakfast	1 space per guest room plus 1 space for owner or operator
Convenience Store	1 per 200 SF floor area
Grocery Store	1 per 100 SF floor area
Legitimate Theatre	1 per 3 seats
Marina or Commercial Docks Boat slips/live aboard High and dry slips Boat slips/non-live aboard	1.0 per boat slip 1.0 per 4 boat slips or fraction thereof 1.0 per 4 boat slips or fraction thereof
Office	1 per 300 SF floor area
Place of Worship	1 per 3 seats in auditorium or chapel area
Restaurant	1 per 100 SF floor area
Retail Sales and Service	1 per 200 SF floor area
Schools	3 spaces per 1,000 square feet of floor area, plus one for each teacher
Theater, Movie	1 per 3 seats
Transient Accommodations	1 per transient accommodation unit, plus 1 additional per 10 transient accommodation units, plus additional parking for accessory facilities in accordance with the following:
Office space	1 per 300 SF floor area

Retail and restaurant space	1 per 200 SF floor area
Ballrooms, lobby area, conference and meeting rooms, and fitness facilities	1 per 1,000 SF floor area
Vehicle Rental	1 per 200 SF floor area, must be marked as customer spaces plus one for each rental vehicle

- (a) In instances of new construction or facility expansion involving the establishment of outdoor seating areas or other accessory or supplemental uses, the number of required parking spaces shall be increased in accordance with the above table such that parking is adequate to accommodate the entire area of seating or use, both internal and external to the structure.
- (b) Parking spaces that are in excess of the number of spaces required by this division shall be constructed as grass parking, turf block or in a parking structure.
- (c) Where a project is intended to be developed in phases, the city manager may approve the development of a parking area intended to serve each phase as it is developed.
- (d) All projects shall be required to provide a minimum of five bicycle rack spaces, or a number of bicycle rack spaces equal to ten percent of the required number of vehicle parking spaces, whichever is greater.
- (e) For properties zoned CRD-EA, permitted non-residential and transient accommodation uses are exempt from the minimum parking standards above. Residential uses shall provide the required off-street parking in the table above.
- (f) For commercially zoned properties abutting Corey Avenue east of Gulf Boulevard located in the Downtown Redevelopment District, additional parking shall be required for a change of use only if there is an increase in the floor area of an existing building or construction of additional buildings upon a determination by the City that there is inadequate space to increase on-site parking in accordance with City requirements.

SECTION 4. Section 23.7 of Division 23, Grass and Turf Block Parking, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 23.7. Grass and turf block Pervious and Semi-pervious parking.

~~(a) Grass parking. Grass parking is allowed in the following instances:~~

- ~~(1) For any land use where excess parking is provided, that portion of parking which exceeds required parking may be grass in any zoning district.~~

- ~~(2) For houses of worship, up to 50 percent of required off-street parking facilities and any parking provided in excess of required number of spaces.~~
- ~~(3) For parks and recreation facilities in a R/OS District.~~
- ~~(4) For public and private schools offering academic courses.~~
- ~~(5) For child care and family day care facilities, private clubs, and assisted living facilities, up to 30 percent of their required parking facilities.~~
- ~~(a) Pervious/semi-pervious parking. Drought tolerant sod, shell, gravel or other similar pervious or semi-pervious surfaces that do not cause erosion, barriers to pedestrian access, or adverse effects to abutting parcels may be approved under the site plan provisions of Division 5 of this Code for parking facilities that meet one of the following criteria:~~
 - ~~(1) An off-premise parking lot in the Gulf Boulevard Redevelopment District for which a conditional use permit has been issued.~~
 - ~~(2) Non-required (excess) parking on the same premise as the use it is intended to serve.~~
 - ~~(3) Required parking in accordance with the following provisions:~~
 - ~~a. For houses of worship, up to 50 percent of required off-street parking facilities.~~
 - ~~b. For parks and recreation facilities in a Recreation/Open Space (R/OS) District all required parking except for parking required under Section 23.6 of this Code.~~
 - ~~c. For public and private schools, child care and family day care facilities, private clubs, and assisted living facilities, up to 30 percent of their required parking facilities.~~
- ~~(b) Turf block. When off-street parking facilities surfaced with turf grid systems [turf block] are permitted for either required parking or excess parking or both, the parking facilities shall be constructed in accordance with the following:~~
 - ~~(1) Access aisles shall be surfaced with asphalt, concrete material, clay brick or concrete paving units.~~
 - ~~(2) Parking areas shall be maintained such that the grass does not constitute a nuisance by virtue of its appearance or condition and is graded in a level condition. Access aisles shall be maintained in accordance with [section 23.10](#)~~
 - ~~(3) Comply with the drainage requirements for storm water runoff set forth in Chapter 106, St. Pete Beach Code of Ordinances.~~
 - ~~(4) Comply in all other respects with the requirements of this Code.~~

SECTION 5. Section 23.8 of Division 23, Off-Street Parking and Loading, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 23.8. Off-site parking, when allowable. (Reserved)

- ~~(a) Required off street parking facilities shall be located on the same lot as the use they are intended to serve. However, required off street parking facilities may be located on an off site lot if approved under the provisions of [division 5](#) of this Code at a public hearing. Such off site parking facilities, if approved, shall be within 300 feet of the premises they are intended to serve and an off site parking agreement meeting the requirements of the city attorney shall be required. The applicant for an off site parking agreement shall demonstrate to the satisfaction of the appropriate board of authority:~~
- ~~(1) Practical difficulties prevent the location of the parking facilities on the same lot; and~~
 - ~~(2) A safe pedestrian route exists, or will be provided, for the safety of pedestrians traveling between the premises and the off site parking facilities.~~
- ~~(b) Parking agreements in a form acceptable to the city attorney shall provide:~~
- ~~(1) The land comprising the parking facilities shall not be disposed of except in conjunction with the sale of the premises which the parking area serves, so long as the facilities are required;~~
 - ~~(2) The owner(s) agrees to bear the expense of recording the agreement and agrees that the agreement shall bind their heirs, successors and assigns; and~~
 - ~~(3) The owner(s) shall agree to be responsible for the cost of any required pedestrian safety devices or improvements. The written agreement shall be voided by the city if other off street facilities are provided in accord with these regulations.~~

SECTION 6. Division 23, Off-Street Parking and Loading, of the City of St. Pete Beach Land Development Code is hereby amended to add the following section:

Sec. 23.14. Fee in-lieu of required on-site parking.

- (a) The amount of any on-site parking required under Sec. 23.5 of this Code for development in the Downtown Redevelopment District may be reduced by the payment of the fee provided below to the City.
- (b) The fee to be paid by the applicant for a development order shall equal the market value of the land (300 square feet per parking space) which would have been required for parking under Sec. 23.5 of this Code plus the construction value of the parking which would have been required. The market value of the property shall be determined by an MIA appraisal, reflecting the market value of the property at the time of the development order approval. The construction value shall be determined by a certified cost estimate submitted by the Engineer of Record. The appraisal and construction cost estimate, obtained at the cost of the applicant, shall be submitted to the City for review and to determine if the appraisal and cost estimate comply with the requirements of this Section.

- (c) Any money collected by the City under this Section may be used only for the purchase of land for, or the construction, maintenance, or operation of on-or off-street municipal parking facilities, and any other costs associated with the provision of municipal parking in the Downtown Redevelopment District.

SECTION 7. Section 35.3 of Division 35, (LR) Large Resort District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 35.3. Permitted principal and secondary uses and structures.

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

- (a) *Primary uses.*
 - (1) Temporary lodging uses, including hotels, motels, resort condominium hotels;
 - (2) Multi-family residential.
- (b) *Secondary uses.* Secondary commercial uses may be developed as an additional nonresidential use bonus floor area that is not located within the principal building, provided that the secondary commercial development is constructed with a minimum of 200 temporary lodging units. Secondary commercial uses include:
 - (1) Retail;
 - (2) Eating and drinking establishments, including bars and cocktail lounges, with or without outdoor seating;
 - (3) Indoor commercial entertainment facilities;
 - (4) Vehicles for hire.
- (c) Conditional uses.
 - (1) Off-premise parking lot and/or structure
 - (2) Commercial parking structure

SECTION 8. Section 38.4 of Division 38, (AC) Activity Center District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 38.4. Allowable conditional uses.

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

- (a) Assisted living facilities;
- (b) Charter and tour boat operations;

- (c) Communication facilities;
- (e) Docks, commercial—Classes A, B, C, and D;
- (f) Eating and drinking establishments with outdoor seating;
- (g) Kennels with outdoor runs;
- (h) ~~Parking lots, commercial and/or off-premise~~ Off-premise parking lot and/or structure;
- (i) Commercial parking structure
- (ij) Theatres;
- (jk) Vessel for hire businesses; and
- (kl) Subject to the provisions or restrictions contained in this section and elsewhere in this code, temporary lodging units may be allocated from a density pool via a conditional use as follows:

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

SECTION 9. Section 42.4 of Division 42, (BR) Bayou Residential District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 42.4. Allowable conditional uses

Subject to the provisions or restrictions contained in this section and elsewhere in this code, allowable conditional uses in the Bayou Residential District are as follows.

- (a). Residential docks
- (b). Docks, commercial—Class A
- (c). Docks, commercial: Class B
- (d). Temporary Lodging with or without a commercial component, awarded on a first come, first serve basis, to come from the density pool established in the Comprehensive Plan (325 available units for potential use in the Town Center Core Corey Circle, Coquina West, Activity Center, and Bayou Residential Districts).
- (e). Off premise parking lot and/or structure.
- (f). Commercial parking lot.

SECTION 10. Section 46.4 of Division 46, (B/HC) Boutique Hotel/Condo District, of the City of St. Pete Beach Land Development Code is amended to provide as follows:

Sec. 46.4. Allowable conditional uses.

(1) Transient accommodation units subject to the density pool*

(2) Off-premise parking lot and/or structure

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

In addition to any transient accommodation units which may be allowed on a per acre basis, there are hereby 125 total transient accommodation units for the entire Boutique Hotel/Condo district, which shall be allocated to individual projects by ordinance of the City Commission upon request of an individual property owner. Such allocation shall not exceed an additional twenty (20) units per acre, nor a total of 60 units per redevelopment project, irrespective of total project acreage.

SECTION 11. This Ordinance shall be published in accordance with the requirements of law.

SECTION 12. This Ordinance shall become effective immediately upon final passage and adoption.

PASSED ON FIRST READING _____, a.d. 2015

PASSED ON SECOND AND FINAL READING _____, a.d. 2015

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 _____, 2015.

Rebecca C. Haynes, City Clerk