



PLANNING BOARD MEETING

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

Tuesday, 11/15/2016
2:00 p.m.

Call to Order
Pledge of Allegiance
Roll Call

- 1. Changes to the Agenda** – Agenda items to be added, moved or deleted will be addressed at this time. Items added will be assigned agenda item numbers and items that are moved will retain the same item numbers. A 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. Agenda Items**
 - a. Minutes for Acceptance:**
October 18, 2016
 - b. CPA 03-16:** Amendment to the Capital Improvements Element of the City of St. Pete Beach Comprehensive Plan.
 - c. Ordinance 2016-23:** Review and recommendation to the City Commission for acceptance of the proposed Capital Improvements Schedule.

- d. Ordinance 2016-09:** Review and recommendation to the City Commission regarding amendments Chapter 6 - Alcoholic Beverages of the Code of Ordinances.
- e. Ordinance 2016-24:** Review and recommendation to the City Commission regarding amendments to Division 26 – Sign Ordinance of the Land Development Code.

4. Other items

5. Adjournment

APPEAL

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

VIII. Capital Improvements

GOAL 1:

The City shall undertake fiscal actions necessary to provide and maintain public facilities for all residents, within its jurisdiction, at the adopted levels of service.

Objective 1.1

Capital improvements will be provided to correct existing deficiencies, to accommodate desired future growth, and to replace worn out or obsolete facilities, as indicated in the five-year schedule of improvements which are designed to correct existing deficiencies identified in this element.

Policy 1.1.1

The City shall ~~maintain a Capital Improvements Advisory Committee for the purpose of evaluate~~ ing and rank ing, in order of priority, projects proposed for inclusion in the five-year schedule of improvements.

Policy 1.1.2

The City shall annually develop and update a multi-year Capital Improvement Plan (CIP).

Policy 1.1.3

The City of ~~St. Pete Beach~~ shall adopt a Capital Improvements budget and amend its Five-Year ~~Schedule of Capital Improvements~~ Schedule on an annual basis.

Policy 1.1.4

Proposed capital improvement projects shall be evaluated and ranked in order of priority according to the following guidelines:

- Project is needed to eliminate a proven or obvious hazard to public health and safety;
- Project is needed to fulfill a legal commitment by the City;
- Project is needed to preserve, maintain, refurbish, achieve full use, or replace existing facilities;
- Project will provide or bring an existing facility up to an adopted level of service;
- Project will increase efficiency or use of existing facilities, prevents or reduces future improvement cost, or provides service to all residents equitably;
- Project furthers policies adopted in other elements of this plan;
- Project needed to accommodate facility demands resulting from new development or re-development;
- Project will increase the economic base or quality of life of the residents;
- Budget impact of project, both capital and operating, will be considered and committee will consider financial feasibility of project; and
- Project will be reviewed for consistency with plans of other agencies having responsibility for public facilities within the jurisdiction.

Policy 1.1. 5

As appropriate, efforts shall be made to secure grants or private funds on a continuing basis whenever available to finance capital improvements.

Policy 1.1.6

It is the policy of the City of ~~St. Pete Beach~~ to set a capital improvements cost threshold of \$100,000 for projects to be included in the Capital Improvements Element of the City's adopted ~~of St. Pete Beach Comprehensive Plan~~.

Policy 1.1.7

Existing and anticipated capacity deficiencies identified in other elements of this ~~Pplan~~ may be corrected according to the ~~Schedule of Capital Improvements adopted via Ordinance, through this policy of the City of St. Pete Beach Comprehensive Plan Capital Improvements Element~~ subject to the annual review of the CIE Capital Improvements Element by the City Commission. ~~Schedule of Capital Improvements FY 10 to FY 11.~~

Measure: Implementation of policies

	<u>FY 10-11</u>	<u>FY 11-12</u>	<u>FY 12-13</u>	<u>FY 13-14</u>	<u>FY 14-15</u>	<u>Total</u>
<u>Project</u>	<u>Street</u> <u>Rehabilitation</u> <u>n</u>	<u>Street</u> <u>Rehabilitation</u>	<u>Street</u> <u>Rehabilitation</u>	<u>Street</u> <u>Rehabilitation</u>	<u>Street</u> <u>Rehabilitation</u>	<u>Street</u> <u>Rehabilitation</u>
<u>Cost</u>	<u>290,325</u>	<u>290,325</u>	<u>290,325</u>	<u>304,838</u>	<u>304,838</u>	<u>1,480,651</u>
<u>Funding Source</u>	<u>General Fund,</u> <u>Transportation</u> <u>n Impact Fees, Penny</u> <u>for Pinellas (local option</u> <u>sales tax)</u>	<u>General Fund,</u> <u>Transportation</u> <u>Impact Fees,</u> <u>Penny for</u> <u>Pinellas (local option sales</u> <u>tax)</u>	<u>General Fund,</u> <u>Transportation</u> <u>Impact Fees,</u> <u>Penny for</u> <u>Pinellas (local option sales</u> <u>tax)</u>	<u>General Fund,</u> <u>Transportation</u> <u>Impact Fees,</u> <u>Penny for</u> <u>Pinellas (local option sales</u> <u>tax)</u>	<u>General Fund,</u> <u>Transportation</u> <u>Impact Fees,</u> <u>Penny for</u> <u>Pinellas (local option sales</u> <u>tax)</u>	<u>General Fund,</u> <u>Transportation</u> <u>Impact Fees,</u> <u>Penny for</u> <u>Pinellas (local option sales</u> <u>tax)</u>

Objective 1.2

The City shall manage its debt in a manner to retain the integrity of its fiscal resources.

Policy 1.2.1

The City shall not incur any form of indebtedness that would result in reducing its ability to be rated for a bond issue.

Policy 1.2.2

The City shall confine long-term borrowing to capital improvements too large to be financed from current revenues.

Policy 1.2.3

The City Commission will only approve bond issues structured to be paid back within a period not to exceed the expected useful life of the capital project.

Policy 1.2.4

Where possible, special assessment, revenue, or other self-supporting bonds will be used instead of general obligation bonds.

Policy 1.2.5

Total debt service for general obligation debt shall not exceed 10 percent of net operating revenues.

~~Measures: Bond Rating; Implementation of policies~~

Objective 1.3

The City shall utilize its fiscal resources to eliminate any identified existing deficiencies and ensure the provision of needed capital improvements at adopted levels of service as specified in the elements of the comprehensive plan.

Policy 1.3.1

The City, through its representative on the Pinellas Planning Council, shall work with other governmental jurisdictions to establish a strategy to ensure that the entire cost of providing necessary capital facilities, at adopted levels of service, for any future development or redevelopment within the jurisdiction shall not be borne by existing residents.

Policy 1.3.2

The City shall coordinate with the County, other state agencies, water management district, and other municipalities that provide public facilities within the City's jurisdiction to ensure projects are funded in a fiscally equitable manner, apportioning the costs of growth among those who are responsible for it.

Policy 1.3.3

The City shall, when appropriate, collect impact fees in cooperation with other levels of government.

Policy 1.3.4

The City shall issue development permits only when required capital facilities are present or will be available concurrent with the impact of development. All new development and redevelopment proposals shall be reviewed under the City's Concurrency Management System Ordinance to ensure the level of service standards established in this element shall be maintained.

Policy 1.3.5

Land use decisions and available or projected fiscal resources shall be coordinated with the ~~schedule of capital improvements~~ Schedule to ensure that level of service standards will be met.

Policy 1.3.6

The adopted levels of service for public facilities within the jurisdiction of the City of St. Pete Beach shall be those adopted in the other elements of the Comprehensive pPlan.

Measure: Maintenance of Levels of Service

Objective 1.4

In recognition of the fact the community is located within the identified Coastal High Hazard Area, as redefined by Chapter 163.3178(2)(h), Florida Statutes, public expenditures that subsidize development in Coastal High Hazard Areas shall be limited, to the extent practical, to those improvements necessary to existing development or new development that is consistent adopted with the Future Land Use Map ~~adopted in 1998~~.

Policy 1.4.1

The City shall expend funds in Coastal High Hazard Areas only for existing development or new development that is consistent with the adopted Future Land Use Map.

Measure: Implementation of policy

Objective 1.5

~~The City of St. Pete Beach, in coordination with the School District, shall ensure that the capacity of public schools is sufficient to support the anticipated students from residential site plans and final residential subdivision approvals consistent with the adopted level of service standard for public schools.~~

Policy 1.5.1

~~The City of St. Pete Beach shall utilize the following level of service standard for public school facilities, which shall be applied consistently district-wide by the School District and by the local governments within Pinellas County that signed the Public Schools Interlocal Agreement (the partner local governments).~~

~~District-wide Level of Service Standard: Student enrollment plus vested students divided by Florida Inventory of School Houses (FISH) School Capacity plus additional capacity does not exceed 100 percent.~~

~~This level of service standard shall apply to each type of public school facility.~~

Policy 1.5.2

~~Amendments to the adopted level of service standard shall be accomplished using the procedure contained in the Public School Facilities Interlocal Agreement.~~

Policy 1.5.3

~~The School Capacity and Level of Service Report, prepared by the School District, approved by the School Board, and delivered to the City of St. Pete Beach no later than November 30th of each year, and as adjusted throughout the year based on the official student enrollment count of the fall semester and the estimated number of vested students, shall be utilized by the City of St. Pete Beach as the basis for assessing the existing level of service conditions and the available capacity within each Concurrency Service Area.~~

Policy 1.5.4

~~By December 1st of each year, the City of St. Pete Beach shall adopt by reference the School District's Five Year Work Program to ensure the level of service standard is achieved and maintained during the period covered by the five year schedule within the Capital Improvements Element.~~

Policy 1.5.5

~~The School Board, in coordination with the partner local governments, will use the procedure in the Public Schools Interlocal Agreement to annually update the District's Five Year Work Program to maintain a financially feasible capital improvements program that is able to achieve and maintain the adopted level of service standard within the period covered by the five year schedule.~~

Policy 1.5.6

~~The City of St. Pete Beach hereby adopts by reference the School District's Five Year Work Program for FY 2009/10 through 2013/14, as adopted by the School Board on September 15, 2009.~~

Objective 1.5.6

Concurrency Management - The City shall use level of service standards to measure the adequacy of existing public facilities and to ensure that future development will be served with adequate public facilities.

Policy 1.5.6.1

~~Pursuant to Chapter 163, F.S., and Chapter 9J-5, F.A.C., the City shall require that the City shall not issue any development permits for development unless the applicant or developer submits an application for concurrency, utilizing best available data and professionally accepted methodologies, as well as documentation from the facility provider, that demonstrates to the City's satisfaction that public facilities required by the subject development will be in place concurrent with the impacts of development. Furthermore, the applicant shall assure the City that the subject development will not reduce the level of service associated with public facilities serving the development below the adopted level of service standards. Public facilities for the purpose of concurrency shall mean facilities related to traffic, drainage, solid waste, potable water, and wastewater, ~~schools, and parks and recreation.~~~~

Policy 1.5.6.2

The following criteria shall be used to determine when concurrency has been satisfied for potable water, sanitary sewer, solid waste, and drainage:

- a. The necessary facilities and services are in place at the time the development order is issued;
- b. A development order is issued subject to the conditions that the necessary facilities and services will be in place when the impacts of development occur; or
- c. At the time the development order is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, to be available when the impacts of development occur.

Policy 1.6.3

~~The following criteria shall be used to determine when concurrency has been satisfied for recreation and parks:~~

- ~~a. The necessary facilities and services are in place or under construction within one year of the time the development order is issued; or~~
- ~~b. A development order is issued subject to the condition that the acreage to serve the new development is dedicated or acquired by the City, or that funds in the amount of the development's fair share are committed by the developer.~~

Policy 1.5 ~~6.34~~

The following criteria shall be used to determine when concurrency has been satisfied for roads:

- a. The necessary facilities and services are in place or under construction at the time the development permit is issued;
- b. A development permit is issued subject to the condition that the necessary facilities and services needed to serve the new development are scheduled to be in place or under construction not more than three (3) years after the issuance of the development order, and the facilities and services are included in the City's five (5)-year schedule of capital improvements. The schedule of capital improvements may recognize and include transportation projects included in the first three (3) years of the Florida DOT five (5)-year work program; or
- c. At the time a development permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement to be available or under construction not more than three (3) years after the development permit is issued.

Policy 1.5 ~~6.45~~

As part of the preparation of the five (5)-year schedule of capital improvements, the City shall prepare an annual report that details the capacity or deficiency of the following public facilities: roads, sanitary sewer, solid waste, drainage, potable water, ~~and parks and recreation~~ based on best available data from the service provider. The annual report shall, at a minimum, include the following information for each facility:

- a. Adopted level of service standard;
- b. Existing deficiency or capacity;
- c. Reserved capacity for approved, but un-built, development;
- d. Improvements to be made by all approved developments; and
- e. Improvements to be made by the City or any other governmental agency.

Policy 1.5 ~~6.6-5~~

The City shall not issue a development permit within those areas of the City where public facilities do not meet the adopted level of service standards. The areas to be evaluated to determine whether public facilities meet the adopted level of service standard are described for each type of public facility, as follows:

- a. Roads -City-wide
- b. Sanitary sewer-City-wide;
- c. Solid waste- City-wide;
- d. Drainage- City-wide;
- e. Potable water-City-wide;
- f. ~~Parks and recreation -City wide; and~~

~~g. Schools Concurrency Service Areas, consistent with the maps located in the Public School Facilities Element and interlocal agreement with Pinellas County.~~

Policy 1.5 ~~6.76~~

The City shall establish a monitoring system to monitor the remaining capacity and deficiencies of the public facilities addressed in the Capital Improvements Element and to determine whether concurrency certificates shall be issued.

Policy 1.5 ~~6.87~~

A concurrency certificate shall be required prior to the issuance of any final development permit. Final development permits shall contain a specific site plan for development including the densities and intensities of development.

Ordinance 2016-23

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST PETE BEACH, FLORIDA, AMENDING THE CAPITAL IMPROVEMENTS SCHEDULE REQUIRED BY THE CITY'S COMPREHENSIVE PLAN, CAPITAL IMPROVEMENT ELEMENT, AS PER SECTION 163.3177(3)(b), FLORIDA STATUTES; PROVIDING FOR PUBLICATION, CONFLICTS, REPEAL, CODIFICATION, SEVERABILITY AND FOR AN EFFECTIVE DATE.

WHEREAS, the City, through the Finance and Budget Committee, reviewed and ranked Capital Improvement Projects on July 14, 2016; and

WHEREAS, the City Commission approved and adopted the Capital Improvement Schedule through the public hearing process on September 20 for fiscal year 2017-21 as required by Chapter 163, Florida Statutes; and

WHEREAS, the City Commission of the City of St. Pete Beach believes that it is in the best interest of the City to update its Capital Improvements Schedule by Ordinance as authorized by the Section 163.3177(3)(b), Florida Statutes; and

WHEREAS, the City Commission believes careful planning of the five-year Capital Improvement Schedule is an integral part of understanding what infrastructure improvements are necessary to satisfy the basic needs of citizens and visitors of St. Pete Beach; and

WHEREAS, the City Commission finds this ordinance to be in the best interest, health, safety and welfare of the citizens and visitors of the City.

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

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

SECTION 2. The Capital Improvement Schedule for 2016 shall be as shown:

Project	Prior	2017	2018	2019	2020	2021	Total	Ranking
Fire Mini-Pumper	240,000.00	80,000.00	80,000.00				160,000.00	
Street / Alley Rehabilitation	650,000.00	250,000.00	650,000.00	650,000.00	650,000.00	650,000.00	2,850,000.00	58.90
Seawall Repairs	100,00.00	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00	500,000.00	48.15
Pass-A-Grille Way Reconstruction - Phase II	760,649.00	9,156,929.00					9,156,929.00	63.55
FDOT Landscaping	107,500.00	60,000.00	60,000.00	60,000.00	60,000.00	60,000.00	300,000.00	41.20
Upham Concession Strand Phase II	90,000.00	45,000.00					45,000.00	50.40
Crossovers				150,000.00	150,000.00		300,000.00	
PAG Park				250,000.00			250,000.00	
ADA Plan	100,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	250,000.00	68.50
Don Vista		100,000.00					100,000.00	
Library Repairs		365,065.00					365,065.00	56.45
Library Renovations		200,000.00					200,000.00	56.45
Gulf Boulevard Undergrounding	100,000.00	1,000,000.00	4,500,000.00				5,500,000.00	25.35
Playground Equipment Replacement			122,500.00	60,000.00			182,500.00	48.6
Laxarillo Park Restrooms	100,000.00							
Gulf Winds Drive Reconstruction				400,000.00	1,250,000.00	2,500,000.00	4,150,000.00	49.10

SECTION 3. Publication. This Ordinance shall be published in accordance with the requirements of law.

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

SECTION 5. Repeal. All ordinances or parts of ordinances in conflict or inconsistent are repealed.

SECTION 6. Codification. The provisions of this ordinance may become and be made a part of the Code of Ordinances of the City of St. Pete Beach, Florida. The section of this Ordinance may be renumbered or re-lettered to accomplish such, and the word “ordinance” maybe changed to “section,” “article” or any other appropriate word to accomplish such intention.

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

SECTION 8. Effective Date. This Ordinance shall become effective immediately upon final passage and adoption.

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

Deborah Schechner, MAYOR

I, Rebecca C. Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2016.

Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTNESS:

City Attorney
Andrew Dickman, Esq.

Ordinance 2016-09

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST PETE BEACH, FLORIDA, AMENDING CHAPTER 6, ALCOHOLIC BEVERAGES, ARTICLE I, IN GENERAL OF THE CITY OF ST PETE BEACH CODE OF ORDINANCES BY AMENDING SECTION 6.5, PUBLIC CONSUMPTION OR POSSESSION RELATING TO RESTRICTIONS AND PERMITTING OF PUBLIC ALCOHOL CONSUMPTION ON SAND BEACH AREAS; PROVIDING FOR PUBLICATION IN ACCORDANCE WITH THE REQUIREMENTS OF LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City currently prohibits the sale and consumption of alcoholic beverages on public and private sandy beach areas; and

WHEREAS, the City Commission of the City of St. Pete Beach believes that it is in the best interest of the City to update its code regarding the sale and consumption of alcohol at specifically designated areas on the sandy beach; and

WHEREAS, the City Commission believes careful permitting of the sale and consumption of alcoholic beverages on the sandy beach at private transient lodging facilities is the appropriate manner to control the location and manner of such alcohol service; and

WHEREAS, the City Commissioner deems this ordinance is in the best interest, health, safety and welfare of the citizens and visitors of the City.

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

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

SECTION 2. Chapter 118, Article II, Section 118-28 of the City of St. Pete Beach Code of Ordinances is hereby amended as follows:

- (d) *Permits.* Permits allowing for the consumption of alcohol for special events, outdoor dining or outdoor drinking areas, or special occasions may be issued as follows:

* * * *

- (4) Administrative approval on private lands: The Technical Review Committee may approve the sale of alcoholic beverages in conjunction with the rental of beach cabanas on private transient lodging property if all of the following requirements are met through the site plan review and approval process.

Underlined words constitute additions to the City of St. Pete Beach City Code, ~~strikethrough~~ constitutes deletions from the original, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

- Each transient lodging facility that desires an alcohol cabana permit must complete the permitting process and have an active BTR (Business Tax Receipt) for cabana rental associated with the lodging facility.
- The cabana service area must be delineated by sketch on the on-site COP liquor license. Sketch shall be available for viewing at the transient lodging facility at all times.
- Cabana service area can be no closer than 75' to a property line abutting an existing residential use outside of the CRD (Community Redevelopment District).
- All occupants of the cabana area must wear an identifiable and unique wrist band that is exclusive to the upland transient lodging facility.
- The cabana serving area shall be no closer than 50' to the wet sand.
- Cabana service area's hours of operation shall be 10:00 am to 10:00 pm.
- Cabana's shall only be served by identifiable transient lodging facility employees in person and all service-ware shall have clearly identifiable transient lodging facility markings.
- Glass and plastic straws are prohibited at all times on the sand beach.
- Only guests of the transient lodging facility may be served alcohol, guests of the patron may not be served, nor may guests bring outside coolers to the cabana that contain alcohol.
- Service of alcohol shall only be provided within a "beach cabana", mobile "walk-up" distribution of alcohol is strictly prohibited.

SECTION 3. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 4. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 5. Publication. This Ordinance shall be published in accordance with the requirements of law.

Underlined words constitute additions to the City of St. Pete Beach City Code, ~~strikethrough~~ constitutes deletions from the original, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon final passage and adoption.

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

Deborah Schechner, MAYOR

I, Rebecca C. Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2016.

Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTNESS:

City Attorney
Andrew Dickman, Esq.

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Sign Code Amendments – General Sections

Section 2.1 - Definitions - “Sign” for types of signs, see Sec. 26.2; “Development Lot” definition? (for Election signs)

Section 26.2 - Sign Definitions – Revise “Electronic message board” to include LED; Clarify “Animated”

Section 26.5 – Nonconforming Signs – Amortization date for nonconforming EMB signs

Section 26.23 – Clarify that internally illuminated signs (including electronic message board (EMB) & LED) are only allowed where expressly permitted.

Section 26.25 – All Districts – Election signs: Change “parcel” to “residential unit / commercial tenant”

Various sections - clarify where internally illuminated & EMB signs are permitted (See “Sign Code Rewrite – Zoning Districts” document)

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

Signs. See [Chapter 122, St. Pete Beach, Code of Ordinances Division 26 of the Land Development Code](#).

Sec. 26.2. - Definitions.

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

Abandoned or discontinued sign or sign structure means (a) A sign pertaining to or associated with an event, business, service, or purpose which is no longer ongoing and which has been inactive or out of business for a period of 90 consecutive days or longer; or (b) a sign which contains structural components but no display for a period of 90 consecutive days or longer. This does not include individual panels within a sign for multi-tenant developments unless the multi-tenant development is more than 50 percent vacant.

Advertising means sign copy intended to aid, directly or indirectly, in the sale, use or promotion of a product, commodity, service, activity, entertainment, or real or personal property.

Animated sign means a sign which includes action, motion, or color changes, ~~or the optical illusion of action, motion, or color changes, including signs set in motion by movement of the atmosphere,~~ or made up of ~~a series of sections~~ external sign elements that revolve or that turn.

Area of ground supports means the total area of a freestanding sign's structural elements.

Artwork means a two- or three-dimensional representation of a creative idea that is expressed in a form and manner as to provide aesthetic enjoyment for the viewer rather than to specifically convey the name of the business or a commercial message about the products or services offered on the property upon which the artwork is displayed.

Attached sign means a wall sign, an integral roof sign, marquee sign or a canopy sign.

Banner means any sign or string of one or more signs, usually made of cloth or other lightweight material, which is used to attract attention, whether or not imprinted with words or characters, including, but not limited to, balloons and pennants. Flags shall not be considered banners.

Beacon means a stationary or revolving light which flashes or projects illumination, single color or multicolored, in any manner which has the effect of attracting or diverting attention, except, however, this term does not include any kind of lighting device which is required or necessary under the safety regulations of the Federal Aviation Administration or other similar agency. This definition does not apply to any similar type of lighting device contained entirely within a structure and which does not project light to the exterior of the structure.

Billboard means a sign structure and/or sign utilized for advertising an establishment, an activity, a product, service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than on the property on which said sign structure and/or sign is located.

Building frontage. See frontage, building.

Bus stop informational sign means a freestanding or attached noncommercial sign located at a bus stop and providing information as to the route, hours or times of service.

Canopy sign means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Commercial message means any sign wording, logo, or other representation or image that directly or indirectly names, advertises, or calls attention to a product, service, sale or sales event or other commercial activity.

Construction sign means a temporary on-premise sign identifying the ongoing construction activity during the time that a building permit is active and prior to completion of the work for which the permit was issued, containing sign copy is limited to the ongoing construction activity and identifying the contractor and/or any subcontractor engaged to perform construction activity on the site.

Copy means the linguistic or graphic content of a sign.

Designer sign means a sign that is custom made wall or monument-type signs, reviewed by the city manager or his designee and found to be of a higher creative, artistic and three-dimensional, or sculptural nature than the standard types of signs typically used within the sign industry.

Double-faced sign means a single sign with items of information relating to the same business on both sides of the sign and mounted as a single structure.

Drive-thru menu sign means a sign placed so as to be viewed from a drive-thru lane and which contains only a listing of the products, with prices, offered for sale by the business on which the sign is located and which may provide a mechanism for ordering the products while viewing the sign.

Eave means the lowest horizontal line of a sloping roof.

Election sign means a temporary sign erected or displayed for the purpose of expressing support for or opposition to a candidate or stating a position regarding an issue upon which the voters of the city shall vote.

Electronic message board sign means a sign by which the message copy can be electronically changed and controlled. This shall include but not be limited to changeable words, lines, logos, symbols, or illustrations and shall include all LED-type signs regardless of whether or not the sign is intended to be periodically changed.

Erect means to build, construct, attach, hang, place, suspend or affix and includes the painting of wall signs.

Facade means the entire building front.

Flag means any fabric, or bunting containing distinct colors, patterns or symbols, used as an ornamental flag or as a symbol of government, political subdivision, corporation or business or other entity. (See also ornamental flag.)

Flagpole means a pole on which to raise a flag.

Flashing sign means a sign which permits light to be turned on or off intermittently more frequently than once per minute.

Foot-candle means a unit of measure of luminosity of a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

Footlambert means the centimeter gram second unit of brightness equal to the brightness of a perfectly diffused surface that radiates or reflects one lumen per square centimeter.

Free expression sign means a sign, not in excess of three square feet in size (area) and the top of the sign is not more than six feet off the ground, communicating information or views on matters of public policy concern or containing any other noncommercial message, that is otherwise lawful.

Freestanding sign, monument or pole means a sign supported by structures or supports that are placed on or anchored in the ground or at ground level and which are independent of any building or other structure.

Frontage means the length of the property line of a parcel of land which runs parallel with and along a road right-of-way or street, exclusive of alleyways.

Frontage building means the length of the single face of a building or that portion of building occupied by a single office, business or enterprise, commonly referred to as

"store-front", which is abutting a street, parking area, or other means of customer access such as an arcade, a mall or a walkway.

Garage or yard sale or garage-yard sign means any on-site temporary sign pertaining to the sale of personal property in, at or upon any residentially-zoned property located in the city. Garage or yard sales shall include, but not be limited to, all such sales, and shall include the advertising of the holding of any such sale, or the offering to make any sale, whether made under any name such as garage sale, lawn sale, yard sale, front yard sale, backyard sale, home sale, attic sale, rummage sale, patio sale, flea market sale, or any similar designation.

Ground level means the finished grade of a parcel of land exclusive of any filling, berming or mounding. Ground level on marina docks or floating structures shall be the finished grade of the landward portion of the adjoining parcel.

Grand opening sign means an on-premises temporary sign announcing the opening of a newly licensed business, that does not exceed 16 square feet in sign area and that is not displayed for longer than 30 days after the issuance date of the occupational license for the new business.

Height means vertical distance measured from ground level nearest the base of the sign to the highest point on the sign.

Holiday and seasonal decorations mean decorations that pertain to legal or other recognized holidays or to a season of the year.

Illuminated sign means any sign or portion thereof which is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign.

Integral roof sign means any sign erected or constructed as an integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches. No integral portion of the roof shall extend more than five feet above the structural roof.

Lot. See definition of parcel.

Maintenance means the replacing, repairing or repainting of a portion of sign structure, periodically changing changeable copy or renewing copy which has been made unusable by ordinary wear.

Marquee means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee sign means any sign attached to a marquee.

Menu display sign means a fully enclosed or otherwise protected from the elements sign structure, including, but not limited to, a box, shadow box or cabinet, attached to a wall or freestanding, which is used solely for the purpose of displaying restaurant menus. A menu display may be used for a restaurant without drive-thru service and for transient lodging facilities which have restaurant facilities open to the general public in addition to the registered guests. Menu display sign structures shall be limited to one per establishment, having a maximum surface area of not more than 12 square feet, and the zoning districts in which they are permitted.

Multi-tenant development means a development where more than one business may be located, including businesses located above the first floor or otherwise without frontage on a public right-of-way.

Nameplate sign or occupant identification sign means a sign indicating the name and/or profession or address of a person or persons residing on the premises or legally occupying the premises.

Noncommercial message means any message, which is not a commercial message.

Noncommercial on-site directional sign means an on-site sign providing direction or information to pedestrian or vehicular traffic that is related or reasonably necessary to the movement of pedestrian or vehicular traffic on the premises, and not displaying a commercial message, e.g., "entrance," "exit," "caution," "no parking," "one way only," "no trespassing," and the like.

Nonconforming sign means a sign which does not conform with the regulations provided in this division.

Off-premises sign or off-site sign means any sign relating in its subject matter to commodities, accommodations, services or activities on a premises other than the premises on which the sign is located. See also Billboard.

On-premises sign or on-site sign means any sign relating in its subject matter to the commodities, accommodations, service or activities on the premises on which it is located.

Ornamental flag means any fabric or similar material containing patterns, drawings or symbols used for decorative purposes and designed to be flown as a flag.

Parcel means land which has been or which is proposed to be used, developed, or built upon as a unit under single ownership.

Parapet means a false front or wall extension above the roof of a building.

Pennant means any series of small flag-like or streamer-like pieces of cloth, plastic, paper or similar material attached in a row to any staff, cord, building, or at only one or two edges, the remainder hanging loosely.

Permanent sign means any sign which, when installed, is intended for permanent use. For the purposes of this division any sign with an intended use in excess of 12 months from the date of installation shall be deemed a permanent sign.

Portable sign means any sign or poster that is not permanently attached to the ground or structure. For purposes of this division, a cold-air inflatable sign shall be considered to be a portable sign.

Premises means any property owned, leased or controlled by the person actively engaged in business at that location.

Projecting sign means any sign affixed perpendicularly to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

Real estate sign means a sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed temporarily.

Revolving sign or rotating sign means any sign that revolves or rotates.

Roof sign means any sign erected and constructed wholly on or over the roof of a building, which is supported by the roof structure, or any sign that extends in whole or in part above the roofline of a building.

Roofline means the highest continuous horizontal line of a roof. On a sloping roof, the roofline is the principal ridgeline or the highest line common to one or more principal slopes of roof. On a flat roof, the roofline is the highest continuous line of a roof or parapet, whichever is higher.

Safety sign. See Warning sign.

Sandwich board sign means a portable double-faced, freestanding sign not exceeding 12 square feet in area that is designed such that it can be displayed during business hours and easily removed at the close of business.

Shopping center means a group of five or more independent commercial establishments owned and operated as a planned unit, with off-street parking provided on the property. A shopping center may include a building or structure owned in fee simple, condominium, cooperative, leasehold or other ownership.

Sight visibility triangle means a triangular shaped portion of land established at street intersections or street and driveway intersections in which nothing is erected, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering

or leaving the intersection. For street intersections, this triangle is measured 20 feet in length from the intersection along the abutting curb lines to form a triangle; and for driveway intersections, this triangle is measured ten feet from the intersection along the curb line and along the driveway line to form a triangle. (See illustration in [section 6.21.](#))

Sign means any device, fixture, placard or structure which uses color, form, graphics, illumination, architectural style or design with text, or writing to advertise, attract attention, announce the purpose of, or identify the purpose of any person or entity or to communicate information of any kind to the public. The term "sign" includes sign structure.

Sign area means the total square foot area of sign surface, including all parts thereof devoted to the background, computed by bounding the exterior of the sign structure or surface with a series of straight or curved lines tangent thereto (see illustrative examples in [section 26.3](#)). The area of a sign painted directly on a wall or awning and signs with letters attached directly to walls or awnings shall be calculated by constructing an imaginary series of straight lines or lines formed, bounded or characterized by curves around the outside of all elements of the sign.

Sign face means the part of the sign that is or can be used to identify, display, advertise, communicate information, or for the visual representation which attracts or intends to attract the attention of the public for any purpose.

Sign structure means any structure which is designed specifically for the purpose of supporting a sign, which has supports or which is capable of supporting a sign. The definition shall include any decorative covers, braces, wires, supports, or other components attached to or placed around the sign structure.

Snipe sign means any sign tacked, nailed, posted, pasted, glued or otherwise attached to telephone poles, utility poles, or fences, with the message appearing thereon not applicable to the present use of the premises upon which the sign is located.

Statutory sign means a sign required by any statute of the State of Florida or the United States.

Street address sign means any sign denoting the street address of the premises on which it is attached or located.

Subdivision monument identification sign means a monument sign which contains only the name of a platted subdivision or other residential development.

Temporary sign means a sign intended for a use not permanent in nature. For the purposes of this division, a sign with an intended use of one year or less shall be deemed a temporary sign.

Time and temperature sign means a sign which displays the current time and temperature at intervals no more frequently than once per minute and which contains

no other messages. Time and temperature signs are regulated within the zoning districts in which they are allowed.

Traffic control device sign means any sign located within the right-of-way that is used as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the national standard. A traffic control device sign includes those signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information).

Vehicle sign means a sign attached to or placed on a vehicle, including, but not limited to, automobiles, trucks, boats, campers, and trailers, and that is located on public or private property and is intended to be viewed from a right-of-way for the purpose of providing advertisement of products or services or directing people to a business or activity. This includes signs attached to the following vehicles: On- or off-site inoperable vehicles, junk or abandoned vehicles as defined in section 98-67 of the Code of Ordinances, vehicles that have not been driven or moved in 72 hours, or a vehicle with signage attached to it that renders the vehicle not safely drivable. This definition excludes those signs that identify a business organization or its principal services and contact information on a vehicle during that period of time such vehicle is regularly and customarily used to traverse the public street during the normal course of business.

Visibility triangle. See Sight visibility triangle.

Wall sign means a sign which is painted on, fastened to, or erected against the wall of a building with its face in a parallel plane with the plane of the building facade or wall, which is used for advertising.

Warning sign or safety sign means a sign which provides warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of serious injury (e.g., gas line, high voltage, condemned building, etc.) or that provides warning of a violation of law (e.g., no trespassing, no hunting allowed, etc.).

Waterside identification sign means a sign identifying a residential complex, single business property or shopping center and which can be only be viewed from the waters of the Gulf of Mexico, Boca Ciega Bay, the intracoastal waterway or any other navigable waterway.

Window sign means any sign painted on or mounted in any fashion on the interior or exterior of the surface of a window.

Wind sign means a sign, which uses objects or material fastened in such a manner as to move upon being subjected to pressure by wind, and shall include pennants, ribbons,

spinners, streamers or captive balloons to express a commercial message; however, the term "wind sign" shall not include flags.

Sec. 26.5. - Nonconforming signs.

A nonconforming sign that was lawfully erected may continue to be maintained: (a) until the nonconforming sign is substantially damaged or destroyed, or (b) until the real property on which the sign is located is redeveloped, whichever of the foregoing occurs first. At such time the sign is substantially damaged or destroyed or at such time the real property is redeveloped, the nonconforming sign must either (a) be removed or (b) be brought into conformity with this division and with any other applicable law or regulation. For the purpose of this section, the term "redevelopment" shall mean a substantial improvement of the principal structure on the real property.

In addition to the above, all legally erected nonconforming electronic message board signs, including all LED-type signs, must be made to conform to the applicable provisions of this Division by January 1, 2027.

Sec. 26.23. - Illuminated and electronic message board signs.

The following conditions and restrictions shall apply to illuminated signs.

Except as hereinafter provided in this section, illuminated signs, or illumination in show windows, display windows, in or upon any building shall have the source of light concealed from view from the exterior of the building or structure, except that where channel letters or figures are used for any sign the illumination thereof may be visible if recessed within the depth of the channel.

Illuminated signs are subject to the following maximum illumination intensity levels:

Maximum Illumination Intensity Level

Type of Illumination	Located Within 500 Feet and Visible from a Residential District	Not Visible From a Residential District or Located Beyond 500 Feet of a Residential District
Direct, internal or	90 footlamberts	150 footlamberts

Type of Illumination	Located Within 500 Feet and Visible from a Residential District	Not Visible From a Residential District or Located Beyond 500 Feet of a Residential District
back lighted		
Indirect or reflected sign	10 foot-candles	25 foot-candles

Internally illuminated signs or portions of a sign that are internally illuminated, shall not be larger than 50 square feet in area.

Electronic message board signs or portions of a sign that are electronic message boards, shall not be larger than 32 square feet in area. They shall only be located in a yard or on a building façade abutting Gulf Blvd. and shall have a minimum setback a of 20 feet from the property line.

Internally illuminated signs shall be prohibited in all districts which do not expressly permit them in the following sections. Electronic message board signs, including LED-type, shall only be permitted in the LR and BHC districts. All other existing electronic message board signs shall be subject to the amortization schedule set forth in Section 26.5.

~~Illuminated signs located within 500 feet of a residential zone, and which are visible from such residential zone shall be turned off not later than 11:00 p.m. each night. No animated, intermittent, or flashing illumination will shall be permitted.~~

(Ord. No. 2013-14, § 1(Exh. A), 4-23-13)

Sec. 26.25. - All districts.

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The regulations in this division apply in every zoning district in the city, except where otherwise specified or indicated. Sign permits are not required for signs and sign-types described and identified in this section, below.

(g) Election signs. For each ~~parcel~~residential dwelling unit or commercial tenant within the city, including those which are part of a multi-tenant residential or commercial development, one election sign for each issue may be displayed. An election sign may be displayed as an attached sign or as a freestanding sign. On parcels that are in residential use, the election sign shall not exceed three square feet in sign area; and, if the election sign is displayed as a freestanding sign on the parcel, the election sign shall not exceed three feet in height. On parcels that are in nonresidential use, the election sign shall not exceed 12 square feet in sign area; and, if the election sign is displayed as a freestanding sign on the parcel, the election sign shall not exceed six feet in height. Freestanding election signs shall be set back at least three feet behind the sidewalk or, if there is no sidewalk, ten feet from the edge of pavement. Election signs are prohibited on public property and public right-of-way. An election sign shall be removed within seven calendar days following the election to which it pertains.