PLANNING BOARD MEETING

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

August 15, 2017
4:00

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. **Approval of Minutes (June, July)**

4. **Agenda Items**

   a. **ORDINANCE 2017-17** – An Ordinance of the City of St. Pete Beach amending the Land Development Code and Appendix A of the code of Ordinances to provide for Mobile Food Establishment Permits and their performance standards, location and operation criteria and hours.

   b. Discussion of Comprehensive Planning

5. Adjournment

APPEAL

APPEAL: Florida Statutes 286.0105 Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that, 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.

AMERICANS WITH DISABILITIES ACT: Florida Statutes 286.26. Accessibility of public meetings to the physically handicapped. In accordance with the Americans with Disabilities Act and Florida Statutes, persons needing special accommodations to participate in a meeting should contact City Hall at (727) 367-2735 no later than forty-eight (48) hours prior to the meeting for assistance.

Electronic media must be submitted a minimum of 24 hours in advance to cityclerk@stpetebeach.org

The public is cordially invited to attend.

All agenda material is available for review at City Hall.

PLANNING BOARD MINUTES

JUNE 27, 2017

4:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Tiffany Secka, Chairwoman
Marvin Shavlan, Vice Chairman
Jack Ohlhaber, Member
Kristin Bell, Member

ALSO PRESENT:

Andrew Dickman, City Attorney
Jennifer Bryla, Community Development Director
Mary Jo Murphy, Deputy City Clerk

1. **Changes to the Agenda**

Ms. Bryla, Community Development Director, informed the board that for Item No. 5.a. the applicant had requested a continuance for 90 days.

Member Ohlhaber made a motion to approve an extension to August 15, 2017. The motion was seconded by Member Shavlan and unanimously approved by a roll call vote (4 yeses – 0 nos).

2. **Audience Comments**

There were no audience comments.

3. **Approval of minutes**

a. Minutes for Acceptance: April 18, 2017

Member Shavlan made a motion to approve the April 18, 2017 meeting minutes. The motion was seconded by Member Ohlhaber and unanimously approved by a roll call vote (4 yeses – 0 nos).

4. **Election of Chair and Vice Chair**

Member Shavlan made a motion to nominate Tiffany Secka as Chairwoman. The motion was seconded by Member Ohlhaber and unanimously approved by a roll call vote (4 yeses – 0 nos).

Member Shavlan nominated Member Ohlhaber as Vice Chairman, and Member Ohlhaber declined.

Member Ohlhaber made a motion to nominate Marvin Shavlan as Vice Chairman. The motion was seconded by Chairwoman Secka and unanimously approved by a roll call vote (4 yeses – 0 nos).

5. **Agenda Items**

a. **Comprehensive Plan Amendment CPA 01-17** – An amendment to the City of St. Pete Beach Comprehensive Plan BR district by creating a BR-1 District with an increased density and amending the map accordingly.

Item No. 5 was continued until the August 15, 2017 agenda.

At 4:09 p.m. there was a five-minute recess.

There was board discussion in regard to character districts.

As a consensus of the Planning Board members, it was decided to compose a written message to the City Commission, as a discussion item, in regard to the following topic: The Planning Board would like authorization to review the Comprehensive Plan with an eye for stimulating economic development.

City Attorney Dickman further explained that the process will be as follows: the written message will be transmitted to the City Commission, from the Planning Board, through the City Clerk.

Chairwoman Secka instructed Ms. Bryla to put the aforementioned topic on the next agenda for Monday, July 17, 2017.

6. **Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 4:56 p.m.

Attest:

_____ _____

Rebecca C. Haynes, City Clerk Tiffany Secka, Chairwoman

Minutes approved on: _____

PLANNING BOARD MINUTES

JULY 17, 2017

4:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Tiffany Secka, Chairwoman
Marvin Shavlan, Vice Chairman
Kristin Bell, Member
Doug Izzo, Member
Jack Ohlhaber, Member

ALSO PRESENT:

Andrew Dickman, City Attorney
Jennifer Bryla, Community Development Director
Mary Jo Murphy, Deputy City Clerk

1. **Changes to the Agenda**

There were no changes made to the agenda.

2. **Audience Comments**

There were no audience comments.

3. **Approval of Minutes**

Minutes for Acceptance: June 27, 2017

Chairwoman Secka postponed the approval of the minutes until the August 15, 2017 meeting so that the Deputy City Clerk could review one item before submitting the minutes.

4. **Agenda Items**

a. Ordinance 2017-12 – An ordinance of the City of St. Pete Beach amending the Land Development Code and Appendix A of the Code of Ordinances to provide for Mobile Food Establishment Permits and their performance standards, location and operation criteria and hours.

Ms. Bryla reviewed Ordinance 2017-12 with the Planning Board and board discussion followed.

Chairwoman Secka asked for audience comments.

The following people spoke in favor of Ordinance 2017-12:

Marie Dahm, affiliated with Mastry's Brewing Company

Val Youmans, affiliated with Mastry's Brewing Company

Gary Renfrow, 5900 Gulf Boulevard. Alden Suites Hotel, St. Pete Beach, spoke in regard to applying for a special event application.

Steve McClendon, 9213 Captiva Circle, spoke in favor of the ordinance.

Dan Casey, owner of Snappers and 1200 Chophouse, spoke in support of conditional use permitting.

Karen (inaudible), 6700 block of Sunset Way, spoke in favor of the ordinance.

Chairwoman Secka asked for additional public comments. Ms. Dahm requested to speak once again; the board agreed to allow Ms. Dahm to speak for one minute.

Marie Dahm, affiliated with Mastry's Brewing Company, suggested the board change the language in the ordinance to accessible parking.

Chairwoman Secka closed public comment and asked for board discussion.

Hearing none, Chairwoman Secka asked if anyone would like to make a motion for recommendation with the changes discussed.

Member Ohlhaber made a motion to approve Ordinance 2017-12 with the following exceptions: signage will be exempt for the trucks; there will be a conditional use permit; it will include the CC-2 zoning category; operations will be from 10:00 a.m. to 10:00 p.m.; 200 feet from residential areas; service to the trucks will be restricted to be on the side away from the public right-of-way; and cleaning up the language in regard to parking with the understanding that additional parking will be necessary to accommodate the food trucks.

There was board discussion. City Attorney Dickman commented there needed to be a second before board discussion.

Vice Chair Shavlan seconded the motion.

There was board discussion in regard to the ordinance.

Chairwoman Secka asked for further board discussion. Hearing none, Chairwoman Secka called for a roll call vote.

The motion was unanimously approved by a roll call vote (5 yeses – 0 nos).

b. Ordinance 2017-13 - An ordinance of the City of St. Pete Beach amending the Land Development Code to provide for changes to intensity of electronic message board signs.

Ms. Bryla reviewed Ordinance 2017-13 with the Planning Board.

Chairwoman Secka asked for audience comments. There were no audience comments.

There was board discussion.

Chairwoman Secka asked if anyone would like to make a motion with the changes discussed.

Member Ohlhaber made a motion to approve Ordinance 2017-13 for 0.3 foot-candles over ambient light for the entire city and to remove the following paragraph on Page 2 of 3, Ordinance 2017-13: "Internally illuminated signs shall be prohibited in all districts which do not expressly permit them in the following sections, except menu display boards may be internally illuminated when associated with a permitted drive thru restaurant." Vice Chair Shavlan seconded the motion.

Hearing no further discussion, Chairwoman Secka called for a roll call vote.

The motion was unanimously approved by a roll call vote (5 yeses – 0 nos).

c. Discussion of Density City Wide

City Attorney Dickman requested clarification as to the topic being discussed.

There was board discussion.

As a consensus of the Planning Board members, City Attorney Dickman stated a suggested motion as follows: Define a discussion item with specific topics submitted by Ms. Bryla's team in regard to Comprehensive Planning items.

City Attorney Dickman asked for a motion.

Vice Chair Shavlan made a motion to be as the suggested motion stated by City Attorney Dickman. Member Ohlhaber seconded the motion.

Hearing no further discussion, Chairwoman Secka called for a roll call vote.

The motion was unanimously approved by a roll call vote (5 yeses – 0 nos).

5. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 5:32 p.m.

Attest:

_____ _____

Rebecca C. Haynes, City Clerk Tiffany Secka, Chairwoman

Minutes approved on: _____

St. Pete Beach Planning Board

155 Corey Avenue
St. Pete Beach, FL 33706
727-367-2735

8/15/17

Item Number
Ordinance #2017-17

Type of Application
Amendment to the Land Development Code

Applicant
City of St. Pete Beach

Location
City wide

Project Planner
Jennifer Bryla, AICP

Requested Action
Approval of "Ordinance 2017-17"

Staff Recommendation
Approval

Planning Board
July 17, 2017

City Commission
First Reading Sept. 12, 2017 anticipated

ITEM SUMMARY:

This City-initiated amendment to the Land Development Code is in response to Commission directives to further review Electronic Message Boards light intensity and appropriate setback criteria. Staff has conducted further research and is recommending the changes as outlined in the Ordinance. Language has also been added that would allow the Chamber of Commerce to continue their practice of member advertising on their street front sign. This change was included in the definition of Off-premise signs in Division 26. These requested changes are consistent with the City's Comprehensive Plan as required by FS 163.3201.

PUBLIC NOTICE:

Notice of public hearing has been advertised as required by State Statutes. As of the date of this report, no written comments have been received. Oral and written comments may be presented at the public hearing.

COMPREHENSIVE PLAN and LAND DEVELOPMENT CODE:

The proposed amendment is consistent with the City of St. Pete Beach's Comprehensive Plan.

Objective 2.4

Findings

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

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

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

Policy 2.13.3

The City shall adopt provisions in its LDC which are designed to ensure the continued operation of all temporary lodging/ temporary lodging uses with mandated operational characteristics as temporary lodging facilities principally serving tourists and business travelers, and providing for guest amenities, without regard to ownership scheme as in accordance with State law. Such operational provisions shall include limitations on the continuous duration of guest stays, and if owned as a resort condominium, an additional limitation on the annual cumulative duration of owner stays.

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

JUSTIFICATION / TECHNICAL REVIEW:

The Community Development Department has researched the industry standards for Electronic Message Boards as published in the *"Night-time Brightness Level Recommendations for On-Premise Electronic Message Centers"* updated August 2016 by the International Sign Association, Staff also conducted night-time evaluation of existing conditions for various signs within the City. Through these sources, along with an understanding of the City Commission's expectation for night lighting that is associated with Commercial Electronic Message Boards, Staff is recommending the levels that are represented in Ordinance 2017-17. Staff has also researched methods for exempting local Chambers of Commerce signs from off-premise sign regulations. The results of that research is presented in the Ordinance.

PLANNING BOARD:

The Planning Board heard a portion of the code changes at their public hearing on July 17th, 2017; Staff has added additional language, as both changes were signage issues. Those changes are indicated by <u>underline</u>, ~~strikethrough.~~

STAFF RECOMMENDATION:

Upon review of the guiding documents for the City of St. Pete Beach, Staff recommends approval of Ordinance 2017-17.

Ordinance 2017-17

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, AMENDING THE ST. PETE BEACH LAND DEVELOPMENT CODE AS FOLLOWS: DIVISION 26 – SIGN ORDINANCE, SECTION 26.2 – DEFINITIONS, TO CLARIGY OFF-PREMISE SIGNS; SECTION 26.23 – ILLUMINATED AND ELECTRONIC MESSAGE BOARD SIGNS - TO CLARIFY INTENSITY LEVEL MEASUREMENTS AND REQUIREMENTS; TO REDUCE SETBACK FROM FRONT PROPERTY LINE; TO DEFINE IN WHICH ZONES SAID SIGNS ARE ALLOWED; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Pete Beach recognizes the need to regulate electronic message board signs throughout the city; and

WHEREAS, the City periodically finds sections of its Land Development Code which require updating and/or amending to address the desires of the citizens and businesses of the City; and

WHEREAS, the City's Planning Board, acting as the City's Local Planning Agency, has reviewed this ordinance amending Section 26.23 of the Land Development Code on July 17, 2017 and found it to be consistent with the City's adopted comprehensive plan; and

WHEREAS, the City Commission has found this ordinance to be in the best interest of the health, safety and welfare of the citizens of the city; and

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. Division 26 – Section 26.2 – Definitions. of the City of St. Pete Beach Florida Land Development Code is hereby amended as follows:

* * * *

Off-premise 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. <u>This does not include a locally recognized non-profit Chamber of Commerce that promotes its members within the City.</u>

SECTION 3. Section 26.23 of the City of St. Pete Beach, Florida, Land Development Code is hereby amended as follows:

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.

Electronic message board ~~Illuminated~~ signs are subject to the following maximum illumination intensity levels when measured at a distance of 50 linear feet from base of sign:

Maximum Illumination Intensity Level for electronic message board signs shall not exceed 0.3 foot candles over ambient light when measured at 50 linear feet from the base of the sign.

~~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 back lighted~~	~~28.65~~ 0.3 ~~foot candles over ambient light~~	~~47.75~~ 0.3 ~~foot candles over ambient light~~
~~Indirect or reflected sign~~	~~10~~ 0.3 ~~foot candles over ambient light~~	~~25~~ 0.3 ~~foot candles over ambient light~~

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

No more than 32 square feet of the total allowable signage square footage may be an electronic message board sign. ~~Electronic message board signs or portions of a sign that are electronic message boards shall not be larger than 32 square feet in area.~~ Electronic message board signs shall only be located in a front yard or on a building front façade, and in no case shall be closer than ~~have a minimum setback of 20~~ 10 feet from the front yard property line. Electronic message board signs are only permitted on properties adjacent to Gulf Boulevard from 37 ~~nd~~ th Avenue to 75th Avenue.

~~Internally illuminated signs shall be prohibited in all districts which do not expressly permit them in the following sections, except menu display boards may be internally illuminated when associated with a permitted drive thru restaurant.~~

Electronic message board signs, including LED-type, shall only be permitted as defined above. All other existing nonconforming electronic message board signs shall be subject to the amortization schedule set forth in Section 26.5.

No animated or flashing illumination shall be permitted.

SECTION 3. Conflicts. 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. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 6. Publication**.** This Ordinance shall be published in accordance with the requirements of law.

SECTION 7. Effective Date. This ordinance shall take effect immediately upon adoption.

FIRST READING: _____
PUBLISHED: _____
SECOND READING: _____
PUBLIC HEARING: _____

_____
Alan Johnson, Mayor

I, Rebecca C. Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2017.

_____
Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTNESS:

_____

City Attorney
Andrew Dickman, Esq.

1