



PLANNING BOARD MEETING

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

January 22, 2018
4:00 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. **Approval of Minutes- (October and November)**
4. **Agenda Items**
 - a. **Ordinance 2017-27**– An Ordinance of the City of St. Pete Beach, Florida amending the City of St. Pete Beach code of ordinances, sections 26-30 purpose and intent, 26-31 definitions, 26-32 Special Event Permit required, and 26-33 Special Event applications and requirements; providing for additional requirements and restrictions for Special Event Permits; providing for conflicts, severability, construction, publication, and an effective date.

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

OCTOBER 16, 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:

Rebecca Haynes, City Clerk
Jennifer Bryla, Community Development Director

1. Changes to the Agenda

Ms. Bryla, Community Development Director, requested to remove Item No. 4.a., Ordinance 2017-27, from the agenda and move it to the November agenda.

2. Audience Comments

Bill Pyle, 6600 Sunset Way, Silver Sands, asked for assurance to be able to make audience comments during Item No. 4.b., Discussion of Comprehensive Planning.

Chairwoman Secka agreed that Mr. Pyle could make comments during Item No. 4.b., Discussion of Comprehensive Planning.

3. Approval of Minutes

- a. Minutes for Acceptance: September 18, 2017

Vice Chair Shavlan made a motion to approve the September 18, 2017 meeting minutes. The motion was seconded by Member Ohlhaber and unanimously approved by a roll call vote (5 yeses – 0 nos).

4. Agenda Items

- a. Ordinance 2017-27 - An ordinance of the City of St. Pete Beach amending Sections 26-32 and 26-33 of the Code of Ordinances, pertaining to Special Events.

Item 4.a. was pulled during Item No. 1, Changes to the Agenda.

- b. Discussion of Comprehensive Planning

Ms. Bryla reviewed Comprehensive Planning with the Planning Board, and there was board discussion in regard to the following items:

- Citizen Input on Community Redevelopment
 - beach accesses
 - impact fees
 - community redevelopment
 - environmental design
 - goals, objectives and policies
 - consistent signage
 - cosmetic improvements
- Future Land Use Plan Element
 - Green Building initiative concept
 - smart growth planning
 - promoting flexibility

It was the consensus of the board to make the following recommendations to the City Commission:

Future Land Use Policies

GOAL 1

- **Objective 1.1: completed**
 - Policy 1.1.1: no discussion
 - Policy 1.1.2: no discussion
 - Policy 1.1.3: discussion of removing the word “incentive”
 - Policy 1.1.4: no discussion
 - Policy 1.1.5: discussion of removing
 - Policy 1.1.6: discussion of removing and inserting that the City shall participate as dictated by the Florida Statutes for the sea level rise initiatives
 - Policy 1.1.7: Ms. Bryla will research requirements and review opportunities to partner with business associations
 - Policy 1.1.8: completed
 - Policy 1.1.9: discussion of removing
- **Objective 1.2: meeting this objective but providing “flexibility” where it is possible**
 - Policy 1.2.1: discussion of removing
 - Policy 1.2.2: currently in process
 - Policy 1.2.3: currently in process

- Policy 1.2.4: currently in process
- Policy 1.2.5: moving towards LED and moving away from solar lighting
- Policy 1.2.6: currently in process
- Policy 1.2.7: work with developers to promote conservation methodologies; look at funds for water features in the City
- Policy 1.2.8: currently in process
- Policy 1.2.9: currently in process
- Policy 1.2.10: requirement of the Land Development Code in the conservation division
- **Objective 1.3: currently in process through the Land Development Code**
 - Policy 1.3.1: currently in process
 - Policy 1.3.2: not required; remove the word “facilitate”
 - Policy 1.3.3: currently in process
 - Policy 1.3.4: completed; remove

Chairwoman Secka asked for audience comments.

Bill Pyle, 6600 Sunset Way, Silver Sands, spoke in regard to the following items: citizen input, develop a list of specific comments, with the sources for the comments, to be attached to the changes or policies in the Comprehensive Plan.

Ms. Bryla submitted to the board and the City Clerk documents in regard to the existing future land use map and the existing land use designations.

It was the consensus of the board to reschedule the November Planning Board meeting to November 13, 2017 at 4:00 p.m.

5. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 5:12 p.m.

Attest:

Rebecca C. Haynes, City Clerk

Tiffany Secka, Chairwoman

Minutes approved on: _____

PLANNING BOARD MINUTES

NOVEMBER 13, 2017

4:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

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

ABSENT:

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

There were no changes made to the agenda.

2. Audience Comments

There were no audience comments.

3. Agenda Items

- a. Ordinance 2017-28 - An ordinance of the City of St. Pete Beach modifying the annual Capital Improvements Schedule as illustrated in Exhibit A, as per CH. 163.3177(3)(b) F.S.

Planning Board adjourned and re-convened as the Local Planning Agency, (LPA).

Ms. Bryla, Community Development Director, reviewed Ordinance 2017-28 with the Local Planning Agency. Staff recommended approval.

There was Board discussion in regard to Ordinance 2017-28. Chairwoman Secka asked for further comments or questions from the Board.

Hearing none, Chairwoman Secka opened audience comments. Hearing no comments, Chairwoman Secka asked for a motion.

Member Ohlhaber made a motion for recommendation to approve an ordinance of the City Commission of the City of St Pete Beach, Florida, modifying the annual capital improvements schedule as illustrated in Exhibit "A", as per Ch. 163.3177(3)(b) F.S.; providing for publication in accordance with the requirements of the law; and providing for an effective date. The motion was seconded by Vice Chair Shavlan and unanimously approved by a roll call vote (4 yeases – 0 nos).

- b. Ordinance 2017-30 – An ordinance of the City of St. Pete Beach modifying the Land Development Code to reflect inconsistencies and changes to the Large Resort District (LR) allowable conditional uses.

Ms. Bryla, Community Development Director, reviewed Ordinance 2017-30 with the Local Planning Agency. Staff recommended approval.

There was Board discussion in regard to Ordinance 2017-30. Chairwoman Secka asked for further comments or questions from the Board.

Hearing none, Chairwoman Secka opened audience comments.

Kathy Taktikos, 261 North Tessier Drive, St. Pete Beach, spoke in regard to owning the property located at 5090 Gulf Boulevard and requesting changes to do commercial parking and retail.

Chairwoman Secka asked for any additional audience comments. Hearing none, Chairwoman Secka asked for further Board discussion, and there were no comments from the Board.

Chairwoman Secka asked for a recommendation of approval.

Vice Chair Shavlan moved to recommend approval of Ordinance 2017-30, an ordinance of the City Of St. Pete Beach, Florida providing for an amendment to the St. Pete Beach Land Development Code as follows: Section 2.1 – Definitions - to provide definitions for mixed use development and special events, Section 6.12(h) – Beach Concession – to provide clarity on hut placement, Section 6.22- yards and measurements of required yards to provide for balcony encroachment, Section 6.24 – outdoor dining and outdoor drinking areas to clarify requirements, Section 22.4(f) – groundcovers to clarify pervious area, Section 23.4 – general parking requirements to provide for backing out onto public streets, 33.2, CC-2, Permitted Uses, to provide for consistency with the Comprehensive Plan,

Section 35.3(b), LR, permitted conditional uses to allow for additional supportive commercial uses, Section 37.7(a), TC-1, density and intensity to provide for consistency with the Comprehensive Plan, Section 39.8(a), CRD – design, scale and mass of buildings to provide for clarity, Section 39.10, CRD – streetscape design requirements to provide clarity, Section 40.9, CRD-EA, setbacks to correct a Scrivener’s Error, Sections 13.4, ROR, Section 14.4, RFM, Section 15.4, CG-1, Section 16.4, CG-2, Section 30.4, TC-1, Section 32.4, CC-1, Section 33.4, CC-2, Section 37.5, TC-1, Section 38.4, AC, to provide for additional conditional uses; providing for severability; providing for conflicts, severability, construction, publication, and an effective date.

Chairwoman Secka asked for a second.

The motion was seconded by Member Ohlhaber.

Chairwoman Secka called for the vote.

The motion was unanimously approved by a roll call vote (4 yeses – 0 nos).

Planning Board adjourned as the Local Planning Agency, (LPA), and re-convened as the Planning Board.

c. Discussion of Comprehensive Planning – Goal 2.

Ms. Bryla reviewed the previous meeting’s actions of making recommendations for policies to be amended, to be removed or to remain.

It was the consensus of the Board to begin with Goal 2 and to make the following recommendations to the City Commission:

Goal 2 – reviewed

Objective 2.1 – remove the words “and other incentives” and insert: and other incentives as may be available

In regard to Objective 2.1, the Board discussed being able to review the recommendations to the Comprehensive Plan from the previous meeting so that the recommendations will be consistent.

It was the consensus of the Board to not continue with the review until the recommendations and maps are available.

Chairwoman Secka made an announcement that Ms. Bryla will be moving to north Florida, and the Board thanked Ms. Bryla for the work she had accomplished with the City.

4. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 4:38 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

1/22/18

Item Number Ordinance 2017-27

Type of Application
Amendment to the Code of Ordinances section 26-30 purpose and intent, 26-31 definitions, 26-32 Special Events permit required, and 26-33 Special Event applications and requirements.

Applicant
N/A
City Initiated

Location
City wide

Project Planner
Planning Department

Requested Action
Approval of Ordinance 2017-27

Staff Recommendation
Approval

Planning Board
January 22, 2018

ITEM SUMMARY:

The City Staff is initiating this amendment to the Code of Ordinances providing for definitions and additional requirements for Special Events; providing for conflicts, severability, construction, publication, and an effective date.

The City frequently receives requests for Special Events. The current code does not adequately address Special Events as to definition and regulations. Ordinance 2017-27 defines Special Events and provides regulations as to location, duration, frequency and permitting requirements.

PUBLIC NOTICE:

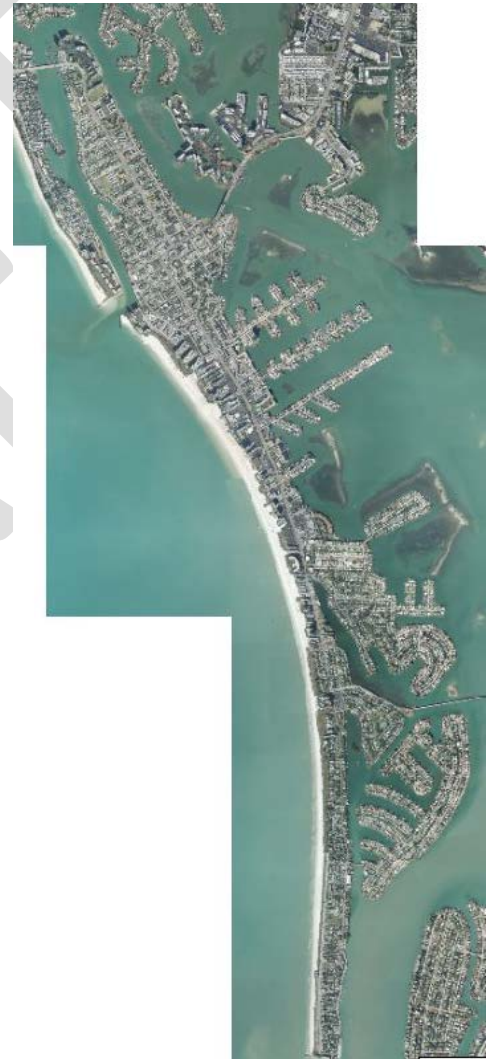
Notice of public hearing has been advertised as required by State Statutes. As of the date of this report, no written comments have been received. Oral and written comments may be presented at the public hearing.

COMPREHENSIVE PLAN and LAND DEVELOPMENT CODE:

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

STAFF RECOMMENDATION:

Staff recommends approval of Ordinance 2017-27.



	ATTACHMENTS Exhibit (a) – Ordinance 2017-27 underline/Strike through Exhibit (b) – Staff Report
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Ordinance 2017-27

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING THE CITY OF ST PETE BEACH CODE OF ORDINANCES, SECTIONS 26-30 PURPOSE AND INTENT, 26-31 DEFINITIONS, 26-32 SPECIAL EVENT PERMIT REQUIRED, AND 26-33 SPECIAL EVENT APPLICATIONS AND REQUIREMENTS; PROVIDING FOR ADDITIONAL REQUIREMENTS AND RESTRICTIONS FOR SPECIAL EVENT PERMITS; PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City periodically finds sections of its Code of Ordinances which require amending to address new activities and circumstances within the City; and

WHEREAS, the City's special event rules and regulations now require updating; and

WHEREAS, the City Commission of the City of St. Pete Beach has found this ordinance to be in the best interest of the public health, safety and welfare of the City; and

WHEREAS, after due public notice, the Planning Board held a public hearing on _____, to consider the proposed Code of Ordinance changes and provided recommendations to the City Commission.

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. Article II of the City of St Pete Beach Code of Ordinances is hereby amended to read as follows:

Sec. 26-30 - Purpose and intent.

The purpose and intent of this article is to establish a permitting process for special events held on public and private property within the city limits that, among other things, because of their nature, create traffic control, crowd control, public safety, sanitation and/or other public health, safety and welfare issues of a nature sufficient to require review by the city administration and in some circumstances the City Commission. This article authorizes the city manager to adopt a special events policy to ensure compliance and efficient implementation of the terms of this article.

Sec. 26-31 - Definitions.

~~[For the purposes of this article, certain terms shall have the meanings ascribed to them in this section, unless the context clearly indicates otherwise.]~~

~~Co-sponsorship shall mean any request to the city commission for a contribution of in-kind services from any department of the city, the use of city equipment or facilities, cash in support of a special event.~~

~~Special event, in general, shall mean:~~

- ~~(1) Any temporary activity conducted on private property or on a public area for a commercial, public or charitable purpose which is not authorized by any ordinance of the city; or~~
- ~~(2) Any temporary activity conducted on private property which is not customarily conducted where the temporary activity is planned nor authorized by the occupational license issued for any business which may be operating on the property where the activity is planned; or~~
- ~~(3) Any other temporary activity which may require the approval of the city manager or the city commission.~~

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly requires otherwise:

Co-sponsorship means any request to the City Commission for a contribution of in-kind services from any department of the city; the use of city equipment or facilities; or cash contributions in support of the special event.

Event organizer means a business, corporation, limited liability company, individual, or any other legal entity which organizes, sponsors, or operates a special event.

Permit means the official document provided by the city authorizing a special event.

Private property means all non-public property.

Public property means streets, sidewalks, parkways, boulevards, avenues, alleys, plazas, medians, entrances and any and all spaces dedicated to the public use or used in any way by the city for the benefit of the public, including but not limited to, buildings, parks and all public areas.

Special event means a temporary assembly held on public or private property within the city, which is not a primary use authorized under a business license issued for any business operating on the property where the event is planned. Special events may be "for profit" or "not-for-profit." A special event shall include, but not be limited to, any ceremony, exhibition, show, concert, pageant, rally, private entertainment events, block party, seasonal sales, professional performances, concerts, parades, street dances, sporting events, festivals, competitions, art shows, runs/races/walks or assembly which is intended and/or designed or advertised with the goal of attracting participation of more than 250 people.

Special uses means any use defined in the Fire Prevention Code, or a use that is by invitation only and exceeds 250 persons. Permits for such uses shall be secured by the St. Pete Beach Fire Marshall.

Specified area means the public or private property at which the special event is permitted to be held.

Sec. 26-32 – Special event permit required

~~No special event shall be permitted within the city limits of St. Pete Beach unless and until a special event permit has been issued in accordance with the requirements of this article. It shall be the authority of the city manager, or his/her designee, to determine whether or not a proposed activity constitutes a special event under the intent of this article and whether an application for the activity will be accepted. This requirement shall not apply to events which are sponsored or co-sponsored by the city. Approval of such sponsorship shall be at the discretion of the city manager or city commission, provided, however, that if an event is open to the entire community, the city commission shall grant such approval, as applicable. City sponsored or co-sponsored events may take place on public property, or private property with the consent of the property owner.~~

Special event permits issued pursuant to this article shall be subject to the following conditions:

- (1) A special event shall be considered a one-day event confined to specific hours approved and stipulated in permit. Any special event with a duration of more than one day will require approval from the City Commission.
- (2) It shall be the authority of the city manager, or the city manager's designee, to determine whether or not a proposed activity constitutes a special event under the intent of this article and whether an application for the activity will be accepted.
- (3) Special events organized by the City of St. Pete Beach shall be exempt from the criteria outlined herein.
- (4) Co-Sponsored events shall be at the discretion of the City Commission. All co-sponsored events are intended to be open to the entire community.
- (5) City sponsored or co-sponsored events may take place on public property, or private property with the consent of the property owner.
- (6) Special events are only permitted during daylight hours except when evidence of sufficient artificial light has been presented by the applicant.
- (7) The granting of the permit shall not entitle the applicant to violate any other general provisions of the St. Pete Beach Codes.
- (8) The conduct of the event will not interfere with the movement of life safety equipment in route.
- (9) Permits shall not exceed four (4) per year and/or be less than forty-five (45) days apart.

Sec. 26-33 – Special event application and requirements.

- (b) A special event permit shall not be issued unless the city finds that the activity which is the subject of the application for the special event permit shall not violate any other laws or ordinances of the city nor result in any condition that may be a threat to the public safety or welfare; provided the City Commissioner ~~city manager~~ may waive the application of specific ordinances as a condition of the permit if the following findings are made:

- (1) That the public safety, health and welfare are not adversely affected by the waiver;
- (2) That there is a public benefit resulting from the waiver.

- (d) If any city commission actions are required in connection with a planned special event, the application for the permit shall be filed at least ~~30~~ 90 days prior to the date of the planned event. Applications for issuance of a special permit that do not require commission approval shall be filed no later than ~~14~~ 30 days prior to the scheduled event.
- (e) No special event shall receive a permit to exceed ~~14 days in duration~~ 3 days in duration unless reviewed and there is just cause to exceed the 3 days by the city commission.

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:

Andrew Dickman, City Attorney