



## **PLANNING BOARD MEETING**

### **CITY OF ST. PETE BEACH**

**\*\*\*VIRTUAL MEETING\*\*\***

**PURSUANT TO FLORIDA GOVERNOR  
EXECUTIVE ORDER 20-69  
"LOCAL GOVERNMENT PUBLIC MEETINGS"**

**TO PARTICIPATE:**

**DIAL: +1 929-205-6099; Use Meeting ID: 814 1539 6880**

**OR USE ZOOM URL**

**Zoom URL: <https://zoom.us/j/81415396880>**

**July 8, 2020  
4:00 PM**

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**
3. **Approval of Minutes**
  - a. **02/24/2020**
4. **Election of Officers**
5. **Action Items: Sitting as the Local Planning Agency (LPA)**
  - a. **Comprehensive Plan – Amendments – Density Pool Language**  
Ordinance 2020-A, providing clarification on rationale related to awarding units from the city's density pools in the city's Comprehensive Plan.

- b. Land Development Code – Amendment – Density Pool**  
Ordinance No. 2020-B, providing language in district divisions to complement Comprehensive Plan language amendments, adding a definition for “density pool”, establishing a merit-based criteria for the awarding of density pool units to projects requiring a conditional use, and establishing allocation procedures and absolute density limitations for the residential density pool.
- c. ROS/SE-3 Designation – 80th Avenue Street-End**  
Ordinance No. 2020-C providing for the designation of the street-end described as “80th Avenue east from Boca Ciega Drive to the Intercoastal Waterway” from the designation of ROS/SE-2 to the designation of ROS/SE-3.
- d. Land Development Code – Amendment – Residential Accessory Structures**  
Ordinance No. 2020-D, providing for an amendment to modify the Land Development Code (LDC) Division 6, Section 6.13, Residential accessory structures, to allow for ornamental landscape features such as three-dimensional works of art on private property with specified conditions.
- e. Land Development Code – Amendment – Mobile Food Establishment**  
Ordinance No. 2020-E providing for an amendment of Land Development Code (LDC) Division 6, Section 6.25, Mobile food establishment, to modify licensing and permitting requirements of mobile food establishments to ensure consistency with Florida Statutes.

**5. Discussion Items**

- a. Outdoor Eating and Drinking Establishment Discussion**

**6. Adjournment – Next Meeting: 07/20/2020**

**The public is cordially invited to attend.**

**APPEAL: Florida Statutes Chapter 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.

**CODE OF ORDINANCES, SECTION 1-15: Award of attorney's fees and other costs.** In all instances where a lawsuit is instituted or defended on behalf of the city to enforce any provision of the Code of Ordinances, to collect fees, liens, assessments or fines, or otherwise secure compliance with any provision of the Code of Ordinances, the city shall be entitled to recover all costs incurred, including reasonable attorney's fees and court costs through the trial and appellate levels. This section shall apply to all instances where the city is required to defend an appeal from any order, notice or determination by the city or its officials.

**Electronic media must be submitted a minimum of 24 hours in advance to**  
**[cityclerk@stpetebeach.org](mailto:cityclerk@stpetebeach.org)**

**All agenda material is available for review at City Hall.**

## **PLANNING BOARD MINUTES**

**February 24, 2020**

**4:00 P.M.**

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

### **PRESENT:**

Tiffany Secka, Chairwoman  
Marvin Shavlan, Vice Chairman  
Mark Grill, Member  
Bev Jackson, Member  
Tom DeYampert, Member

### **ALSO PRESENT:**

Andrew Dickman, City Attorney  
Ginny Keeter-Bodkin, Deputy City Clerk  
Wesley Wright, Community Development Director  
Brandon Berry, Planner I  
Keri Ferenc-Nelson, Executive Assistant

#### **1. Changes to the Agenda**

There were no changes to the agenda.

#### **2. Audience Comments**

There were no audience comments.

#### **3. Approval of Minutes**

a. 1/27/2020

**Vice Chair Shavlan made a motion to approve the 1/27/2020 minutes as presented. The motion was seconded by Member DeYampert and approved by a unanimous roll call vote.**

#### **4. Action Items**

There were no action items.

#### **5. Discussion Items**

a. **Comprehensive Plan Density Pool Language Amendments**

Wesley Wright, Community Development Director, summarized discussion from last month's meeting on allocations from the four density pools being on a first come, first served basis in the Comprehensive Plan. The proposal is for allocation on a case by case basis with guidelines on how to allocate. He reviewed the proposed changes. The board was in favor of Mr. Wright bringing the changes back as a proposed ordinance at the March meeting.

**b. Land Development Code Definition Amendment**

Mr. Wright reviewed the proposed amendment to the LDC by adding a definition of 'density pool'. Board discussion followed including input from Andrew Dickman, City Attorney. There were no objections from the board to the proposed amendment.

**c. Land Development Code Density Pool Criteria Amendment**

Mr. Wright reviewed a summary of a proposed amendment to the Land Development Code which would better define the criteria for the allocation of temporary or residential units from the density pool on a merit basis, to include the provision of public benefits. The board suggested changing wording to other public benefits 'will be considered' vs. other 'viable' public benefits. Following discussion, Mr. Dickman stated that he and Mr. Wright will develop language to include on 'intent' that will give equal significance to projects regardless of size.

**d. Allocation of Residential Density Pool**

Brandon Berry, Planner I, reviewed a presentation on three possible scenarios, with examples, for the allotment of the 195 'bonus' units available to properties in the Community Development District: "Free for All", Allocation by District Size, and Density Bonus. The board discussed the scenarios and a possible hybrid. Mr. Dickman suggested that identifying priority or key areas might be useful as a growth management tool. The consensus of the board, following discussion, was a hybrid of the "Free for All" scenario with language on special needs or preference areas. This will come back to the board in draft ordinance form.

**6. Adjournment – Next Meeting: 03/16/2020**

There being no further business to come before the Board, the meeting was adjourned at 5:35 p.m.

Attest:

\_\_\_\_\_  
Rebecca C. Haynes, City Clerk

\_\_\_\_\_  
Tiffany Secka, Chairwoman

Minutes approved on: \_\_\_\_\_



## **CITY OF ST. PETE BEACH PLANNING BOARD STAFF REPORT**

**TO:** Planning Board

**FROM:** Wesley Wright, Community Development Director

**DATE:** July 8, 2020

**SUBJECT:** Ordinance 2020-A to amend the Comprehensive Plan to provide clarification on rationale for awarding density pool units to projects, and situate review criteria within the Land Development Code.

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### **BACKGROUND:**

Draft Ordinance 2020-A pertains primarily to the rationale for awarding density pool units as specified in the Comprehensive Plan. Currently, the Comprehensive Plan generally states these units are to be awarded on a “first-come, first-serve” basis. Staff have interpreted this statement as intent to protect the various density caps of the city’s density pools, rather than permit these units to be awarded outright to the first project(s) that request(s) units from any density pool. To better solidify this interpretation, staff are recommending that references to the “first-come, first-serve” nature of any density pool established in the Comprehensive Plan be changed to clarify that projects are to be awarded density pool units “on a case-by-case basis”.

Furthermore, this Ordinance is intended to amend language in the Comprehensive Plan to refer explicitly to the criteria, as established in the Land Development Code, for review of any project that requests allocation of units from a district density pool.

### **PLANNING BOARD:**

On February 24, 2020, the Planning Board viewed several of the proposed Comprehensive Plan clarifications as a discussion item. No recommendations to alter the language proposed were provided by the board. Staff have identified other statements in the Comprehensive Plan in need of similar clarification, which are proposed in this ordinance.

The Planning Board, sitting as the LPA, will review proposed Ordinance 2020-A on July 8, 2020 for consistency with St. Pete Beach’s Comprehensive Plan.

### **CONSISTENCY WITH THE COMPREHENSIVE PLAN – STAFF REVIEW**

Staff has reviewed the proposed Ordinance and finds it to be consistent with the City of St. Pete Beach’s Comprehensive Plan specifically as follows:

## **FUTURE LAND USE ELEMENT**

### **Quality Community – Planning to Stay (General Provisions)**

[...]

c. Citywide Land Use Goals, Objectives and Policies. In furtherance of the overall goals, objectives, and policies contained in the Comprehensive Plan, the land use categories and their descriptions, beginning on the next page, are hereby adopted for the purpose of serving as the guide for the City of St. Pete Beach in continuing its heritage of quality residential living complemented by resort facilities that support a tourist-based economy by creating a vision for the City's future that ensures that the City will remain a desirable place to live and visit that includes overall quality land management and emphasis on strict management of redevelopment in designated strategic core areas of the City.

### **GOAL 2:**

The City shall ensure that the residential character of the City of St. Pete Beach is maintained and protected while:

- Maximizing the potential for economic benefit resulting from the tourist trade and the enjoyment of natural and man-made resources by residents and visitors alike.
- Minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.
- Maintaining the community's recreation, open space and beaches.

#### **Objective 2.1**

The integrity and quality of life throughout the City, including existing residential neighborhoods, as well as core commercial and resort areas, will be maintained through the enforcement of the land development regulations and shall be encouraged to be improved, and for those properties experiencing blighting conditions such as deterioration, degradation, and distress shall be encouraged to redevelop through the use of land development regulations and other incentives, in accordance with the Future Land Use Element.

#### **Objective 2.13**

The City shall promote the preservation and redevelopment of temporary lodging uses.

##### **Policy 2.13.1**

The City shall implement an on-going process of assessing the status of the City's temporary lodging unit inventory through review of zoning and permitting activities.

## **Objective 2.4**

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 2.4.2**

The City shall, through administration of the LDC, encourage the adaptive re-use or mixed use redevelopment incentives of no longer viable commercial properties, including the implementation of Community Redevelopment Districts, where appropriate.

### **STAFF RECOMMENDATION:**

Staff recommends the Planning Board, sitting as the LPA, recommend approval of Ordinance No. 2020-A and find it consistent with the city's Comprehensive Plan as stated in the staff report.

## **Ordinance 2020-A**

**AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN TO PROVIDE CLARIFICATION ON RATIONALE RELATED TO AWARDING UNITS FROM THE CITY'S DENSITY POOLS; PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of St. Pete Beach periodically finds sections in its Comprehensive Plan which require clarification, updating and/or amending; and

**WHEREAS**, the City's Comprehensive Plan also serves to create a vision for the City's future that ensures the City will remain a desirable place to live and visit that includes overall quality land management and emphasis on strict management of redevelopment in designated core areas of the City; and

**WHEREAS**, on February 24, 2020, the Planning Board viewed several of these proposed changes as a discussion item and made no recommendations to staff; and

**WHEREAS**, on July 8, 2020, the City's Planning Board sitting as the Local Planning Agency held a public hearing to consider the proposed Comprehensive Plan changes and provided recommendations to the City Commission; and

**WHEREAS**, the City Commission has found this ordinance to be in the best interest of the citizens of the City, and preserves safety and welfare and

**WHEREAS**, notice of this ordinance has been provided in accordance with applicable law.

**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. Language in the City's Comprehensive Plan is to be amended as follows:

**II. – Future Land Use Plan Element, Special Designation – Community Redevelopment District (CRD), B. Community Redevelopment District, Community Redevelopment District General redevelopment guidelines, standards and initiatives, (b) Temporary Lodging Unit Density Pools ("TLU Density Pools") – Generally shall be amended as follows:**

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2. Limiting Overall Density. Realistically, not all existing resort properties can or will be redeveloped as such. In some cases, the existing density is not only higher than the 30 units per acre allowed under the existing land use designation is higher than the density allowed in the character districts providing for increased density for temporary lodging uses within the Community Redevelopment District. Therefore, rather than allowing every existing property the maximum potential density which would overestimate the need for density, and further, to ensure that almost every existing property first and foremost has the opportunity to become a conforming property in terms of use, TLU Density Pools shall be created to allow density to be utilized in meaningful ways in the areas of the City where temporary lodging uses currently exist. The goal and intent is to promote economic redevelopment but also provide an absolute overall maximum density cap to ensure that the overall approved density for the Community Redevelopment District is not exceeded and overdevelopment does not occur. Each TLU Density Pool shall have a maximum cap on the allocation of density on a project by project basis to ensure the redevelopment occurs on an orderly basis over\_time throughout each character district, and This is to avoid a potential overdevelopment scenario that could arise without a cap and a program that evaluates projects on a case-by-case basis of first-come first-serve.
3. TLU Density Pools Established. TLU Density Pools shall be established in the following seven specific character districts\*:
  - a. Boutique Hotel/Condo\*
  - b. Town Center Core\*
  - c. Upham Beach Village\*
  - d. Town Center Core Corey Circle\*\*
  - e. Town Center Core Coquina West\*\*
  - f. Activity Center \*\*
  - g. Bayou Residential\*\*

The total number of temporary lodging units approved in 2005 as part of transient unit density pools for the three character districts designated with one asterisk\* was 350 units. That 350 unit total for those three designated character districts\* remains unchanged in this plan.

In the 2007 amendment, temporary lodging use density was reduced in the Large Resort District from 80 to 75 units per acre over 65.16 acres. The total temporary lodging unit decrease in the Large Resort District is 325 units. Therefore, these 325 units are available for redistribution to character districts with the potential for temporary lodging use redevelopment. These 325 available units are redistributed for potential use in the Town Center Core Corey Circle, Coquina West, Activity Center, and Bayou Residential Districts\*\* upon approval of a conditional use request and on a first-come, first-serve case-by-case basis through evaluation of criteria specified in the Land Development Code. These two additional character districts are identified as having temporary lodging use redevelopment potential

as a result of their location at either terminus of the Corey Avenue main street corridor and proximity to waterfront.

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**II. – Future Land Use Plan Element, Special Designation – Community Redevelopment District (CRD), C. Gulf Boulevard Redevelopment District, Boutique Hotel/Condo District (B-HC), Permitted Uses and Standards, (c) Density/Intensity and Height Standards shall be amended as follows:**

\*\*\*

2. Temporary Lodging Unit Density Pool ("TLU Density Pool") - The City shall establish a TLU Density Pool not to exceed a total of 125 units for the entire Boutique Hotel/Condo district and the following shall govern the allocation of density from the TLU Density Pool:
  - a. The TLU Density Pool shall be allocated to individual projects by ordinance of the City Commission upon request of an individual property owner on a case-by-case basis, with evaluation through criteria specified in the Land Development Code; and

\*\*\*

**II. – Future Land Use Plan Element, Special Designation – Community Redevelopment District (CRD), C. Gulf Boulevard Redevelopment District, Activity Center District (AC), Permitted Uses and Standards, (c) Density/Intensity and Height Standards shall be amended as follows:**

\*\*\*

5. Temporary Lodging Unit Density Pool ("TLU Density Pool") - The City shall establish a TLU Density Pool not to exceed a total of 325 units for the entire TC-2, Bayou Residential, and Activity Center districts and the following shall govern the allocation of density from the TLU Density Pool:
  - a. The TLU Density Pool shall be allocated to individual projects by ordinance of the City Commission upon request of an individual property owner on a case-by-case basis, with evaluation through criteria specified in the Land Development Code; and

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**II. – Future Land Use Plan Element, Special Designation – Community Redevelopment District (CRD), Bayou Residential District (BR), Permitted Uses and Standards, (c) Density/Intensity and Height Standards shall be amended as follows:**

\*\*\*

4. Temporary Lodging Unit Density Pool ("TLU Density Pool") - The City shall establish a TLU Density Pool not to exceed a total of 325 units for the entire TC-2, Bayou Residential, and Activity Center districts and the following shall govern the allocation of density from the TLU Density Pool:
  - a. The TLU Density Pool shall be allocated to individual projects by ordinance of the City Commission upon request of an individual property owner on a case-by-case basis, with evaluation through criteria specified in the Land Development Code; and

\*\*\*

**II. – Future Land Use Plan Element, Special Designation – Community Redevelopment District (CRD), D. Downtown Redevelopment District, Town Center Core District (TC-1), Permitted Uses and Standards, (c) Density/Intensity and Height Standards shall be amended as follows:**

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3. Temporary Lodging Unit Density Pool ("TLU Density Pool"): In addition to any density and intensity which may be allowed in the Town Center Core District, the City shall also establish a TLU Density Pool, not to exceed a total of fifty (50) units for the entire Town Center Core District. The following shall govern the implementation of the TLU Density Pool:
  - a. The TLU Density Pool shall be allocated by Ordinance of the City Commission upon request of an individual property owner on a case-by-case basis, with evaluation through criteria specified in the Land Development Code; and

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**II. – Future Land Use Plan Element, Special Designation – Community Redevelopment District (CRD), D. Downtown Redevelopment District, TC-2 Temporary Lodging Use shall be amended as follows:**

- (a) **Density** - TC-2 Temporary Lodging Unit Density Pool ("TC-2 TLU Density Pool"): The City shall establish a TC-2 TLU Density Pool, not to exceed a total of three-hundred and twenty-five (325) units for the entire Town Center Corey Circle and Coquina West Districts (TC-2). These density pool units may also be allocated to

the Activity Center and Bayou Residential Districts. The following shall govern the allocation of temporary lodging units from the TLU Density Pool:

1. The TC-2 TLU Density Pool shall be allocated by Ordinance of the City Commission upon request of an individual property owner on a case-by-case basis, with evaluation through criteria specified in the Land Development Code; and

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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: \_\_\_\_\_

CITY COMMISSION, CITY OF ST. PETE  
BEACH, FLORIDA.

\_\_\_\_\_  
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 \_\_\_\_\_, 2020.

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Rebecca C. Haynes, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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Andrew Dickman, City Attorney



## **CITY OF ST. PETE BEACH PLANNING BOARD STAFF REPORT**

**TO:** Planning Board

**FROM:** Wesley Wright, Community Development Director

**DATE:** July 8, 2020

**SUBJECT:** Ordinance No. 2020-B to amend the Land Development Code to add a definition for “density pool”, establish a merit-based criteria for the awarding of density pool units to projects requiring a conditional use, provide language in district divisions to complement Comprehensive Plan language amendments, and establish allocation procedures and absolute density limitations for the residential density pool.

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### **BACKGROUND:**

Ordinance No. 2020-B complements accompanying Ordinance No. 2020-A related to Comprehensive Plan language clarifications. This ordinance amends language in the divisions of city zoning districts that possess a density pool to clarify that density pool units are to be awarded on a “case-by-case basis” rather than in a “first-come, first-serve” manner. Furthermore, this ordinance adds a merit-based standard for City Commission consideration of any project that requests conditional use approval to draw from a district density pool, along with a catalogue of public benefits that may be considered in tandem with the request.

In addition to the above, this ordinance provides a definition for “density pool” in the definitions division of the Land Development Code, and implements allocation procedures and absolute density limitations for allocation of units from the Community Redevelopment District-wide residential density pool.

It is the intent of these amendments to promote quality land management through the use of the city’s limited density pools. This is achieved by providing general guidance to the City Commission and developers on public benefits that may supplement a project proposal, affirming the absolute density limitations established in the comprehensive plan while providing the Commission flexibility in emphasizing projects that may act in catalytic revitalization of an area of the city.

### **PLANNING BOARD:**

On February 24, 2020, the Planning Board viewed two of the four proposed Land Development Code amendments as discussion items. Suggestions were made to alter language in one item for clarity purposes.

The Planning Board, sitting as the LPA, will review proposed Ordinance 2020-B on July 8, 2020 for consistency with St. Pete Beach's Comprehensive Plan.

## **CONSISTENCY WITH THE COMPREHENSIVE PLAN – STAFF REVIEW**

Staff has reviewed the proposed Ordinance and finds it to be consistent with the City of St. Pete Beach's Comprehensive Plan specifically as follows:

## **FUTURE LAND USE ELEMENT**

### **Quality Community – Planning to Stay (General Provisions)**

[...]

c. Citywide Land Use Goals, Objectives and Policies. In furtherance of the overall goals, objectives, and policies contained in the Comprehensive Plan, the land use categories and their descriptions, beginning on the next page, are hereby adopted for the purpose of serving as the guide for the City of St. Pete Beach in continuing its heritage of quality residential living complemented by resort facilities that support a tourist-based economy by creating a vision for the City's future that ensures that the City will remain a desirable place to live and visit that includes overall quality land management and emphasis on strict management of redevelopment in designated strategic core areas of the City.

### **Future Land Use Policies – Green Practices, Residential Character and Introduction to Land Use Categories**

#### **GOAL 1:**

Support rebuilding and maintaining a sustainable carbon-neutral community by adopting and implementing land development and building regulations that: protect and conserve water resources; promote energy efficient buildings; encourage environmentally sensitive site and building design; facilitate recycling of construction materials and debris; support innovative building and site design that recognizes the complexities and environmental sensitivities of our coastal environment and its vulnerability to storms; and protect and enhancement of the overall environmental quality of our City.

#### **Objective 1.2**

Transform the City's development and permitting regulations into a Smart Growth and Quality Development Code, promoting flexibility, mixed use, incorporating economic and environmentally sustainable standards and pilot Green practices program incentives.

#### **Policy 1.2.2**

The City shall promote mixed use developments that reduce impacts on infrastructure and the environment.

**Objective 1.3**

The City's Land Development Code shall be amended to encourage implementation of transportation and alternative mobility and management strategies, including mixed use projects, that reduce dependence on automobiles, reduce greenhouse gas emissions and consumption of non-renewable energy sources.

**GOAL 2:**

The City shall ensure that the residential character of the City of St. Pete Beach is maintained and protected while:

- Maximizing the potential for economic benefit resulting from the tourist trade and the enjoyment of natural and man-made resources by residents and visitors alike.
- Minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.
- Maintaining the community's recreation, open space and beaches.

**Objective 2.1**

The integrity and quality of life throughout the City, including existing residential neighborhoods, as well as core commercial and resort areas, will be maintained through the enforcement of the land development regulations and shall be encouraged to be improved, and for those properties experiencing blighting conditions such as deterioration, degradation, and distress shall be encouraged to redevelop through the use of land development regulations and other incentives, in accordance with the Future Land Use Element.

**Objective 2.13**

The City shall promote the preservation and redevelopment of temporary lodging uses.

**Policy 2.13.1**

The City shall implement an on-going process of assessing the status of the City's temporary lodging unit inventory through review of zoning and permitting activities.

**Objective 2.4**

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 2.4.2**

The City shall, through administration of the LDC, encourage the adaptive re-use or mixed use redevelopment incentives of no longer viable

commercial properties, including the implementation of Community Redevelopment Districts, where appropriate.

## **Special Designation – Community Redevelopment District (CRD)**

### **C. Gulf Boulevard Redevelopment District**

#### **Goals, Objectives and Policies for the Gulf Boulevard Redevelopment District**

#### **GOAL 1:**

Gulf Boulevard shall be a place that attracts people for living, employment and recreation. The City shall encourage the revitalization of Gulf Boulevard through commercial and temporary lodging redevelopment that will attract residents and visitors to the Gulf Boulevard core resort area as a recreation, entertainment, resort and shopping destination.

#### **Objective 1.3**

The Gulf Boulevard Redevelopment District shall maintain, and where practical, expand parks and recreational activities, including waterfront recreation that serves residents and visitors.

#### **Objective 1.6**

Public beach access will be preserved and expanded through redevelopment of temporary lodging uses.

#### **Objective 1.8**

The City shall recognize the importance of temporary lodging uses and public beach access to its residents and visitors in preserving and maintaining its socio-economic quality of life; and further, the City recognizes that additional high-rise residential development along the Gulf beaches is not desirable and not in keeping with the City and its residents' desire to preserve and expand public beach access and temporary lodging uses that if lost, and replaced with high-rise residential uses, will adversely impact the City's tourism-based economy; and as a result, such high rise residential development shall be discouraged throughout the Gulf Boulevard Redevelopment District and shall not be allowed to exceed current height limitations of five stories over parking for exclusively multifamily residential use projects in the Gulf Boulevard Redevelopment District.

## **Policies**

#### **Policy 2:**

The character of each district shall be reinforced through the site plan review and approval process. Projects shall be consistent with and contribute positively to the vision of the character district in which they are located.

## **Special Designation – Community Redevelopment District (CRD)**

### **D. Downtown Redevelopment District**

#### **Goals, Objectives and Policies for the Downtown Redevelopment District**

##### **GOAL 1:**

The downtown commercial core of the District shall be a community gathering place that attracts people to the area with living, working, shopping, entertainment and recreational opportunities. The City shall encourage revitalization through redevelopment that is designed to attract residents and visitors to Downtown core community destination. The downtown residential neighborhoods surrounding and within walking distance of the Downtown core area, are encouraged to redevelop in a manner that enhances pedestrian and non-vehicular mobility.

##### **Objective 1.1**

All development and redevelopment within the Downtown Redevelopment District shall further the goals, objectives and policies of the Community Redevelopment District where applicable, and development and redevelopment shall be consistent with the policies for the character district within which the development occurs and shall comply with the design guidelines and the applicable land development regulations for each respective character district.

##### **Objective 1.2**

Residential uses in the Downtown are encouraged only as part of a mixed use commercial project with a variety of densities, housing types and affordability, consistent with the character districts. Exclusively residential use projects shall be prohibited in the Town Center Core Districts located along Corey Avenue Corey Circle East, and Coquina West as well as the small commercial corridors located near Corey Avenue on Blind Pass Road and Gulf Boulevard.

##### **Objective 1.3**

A variety of incentives shall be available to encourage commercial revitalization through various redevelopment prototypes in the Town Center Core Districts located along Corey Avenue, on Corey Circle East and Coquina West as well as the small commercial corridors located near Corey Avenue on Blind Pass Road and Gulf Boulevard that also promote a pedestrian-friendly, safe, comfortable, aesthetically pleasing village-like environment.

##### **Objective 1.4**

The City shall use all existing incentives to encourage an affordable mix of housing types and varieties that are located within walking distance of the downtown Corey Avenue core area integrated with retail, commercial, office and entertainment uses at street level to create a live, shop, work and play environment in the Corey downtown area that will revitalize the traditional main street as a vibrant center of activity for residents and visitors.

**Objective 1.9**

The Downtown Core areas located at either end of Corey Avenue on the waterfront shall consider temporary lodging uses in conjunction with a comprehensive mixed use redevelopment project that will act as a catalyst project to stimulate reinvestment and redevelopment of the historic core neighborhood main street shopping and entertainment district.

**Objective 1.10**

Public or private small-scale marina facilities with transient boat slips to encourage alternative non-vehicular modes of transportation and attract visitors to the core main street shopping, restaurant and entertainment district shall be encouraged and pursued, where appropriate.

**GOAL 2:**

Create a livable community environment where safe and comfortable pedestrian, bicycle and other non-vehicular mobility is emphasized over vehicular transportation in a manner that ensures that pedestrians, bicyclists and vehicles circulate together throughout the Downtown safely, comfortably and efficiently.

**Objective 2.4**

A variety of parking solutions for motorized and non-motorized transportation systems shall be pursued to support development and redevelopment while maintaining ease of access and parking throughout the Downtown Redevelopment District.

**Objective 2.5**

Development and redevelopment will be encouraged to provide public improvements that create and contribute to pedestrian and bicycle linkages throughout the Downtown Redevelopment District.

**GOAL 3:**

Create a downtown core community that has a "sense of place" that is a vibrant and memorable place for residents and visitors that will provide neighborhood services, and opportunities for living, working, recreation and entertainment that showcases the City's waterfront, main street environment and history.

**Objective 3.2**

Sunset and Sunrise parks for public use and enjoyment shall be pursued as an integral element of development and redevelopment at either end of Corey Avenue as focal points for these areas.

## **Policies**

### **Policy 3:**

The design of all projects in the Downtown Redevelopment District shall make meaningful contributions to the pedestrian environment through site and building design.

## **HOUSING PLAN ELEMENT**

### **GOAL 1:**

The City shall provide decent, safe and sanitary housing in suitable neighborhoods at affordable costs to meet the needs of the present and future residents of the City, free from arbitrary discrimination because of race, sex, handicap, ethnic background, age, marital status or household composition.

#### **Objective 1.1**

In accordance with this Comprehensive Plan the City shall continue to provide technical assistance to the private sector so that they will be able to provide a suitable mix of housing types and numbers to meet the City's housing needs as well as making all housing sites in the City available to low and moderate income families.

#### **Policy 1.1.3**

The City shall continue to allow a variety of residential densities and housing types in order to enhance the opportunity for the private sector to provide housing in a wide range of types and costs.

#### **Objective 1.8**

Encourage, and provide incentives, when appropriate for design and construction techniques and building materials capable of significantly reducing the cost of maintenance and energy consumption of housing while providing for a more healthy and durable home environment.

#### **Policy 1.8.5**

By 2012, The City shall require all new construction and major renovations to meet Green Building and site design minimum standards and encourage development to exceed minimum standards with various incentive and promotion programs.

### **STAFF RECOMMENDATION:**

Staff recommends the Planning Board, sitting as the LPA, recommend approval of Ordinance No. 2020-B and find it consistent with the city's Comprehensive Plan as stated in the staff report.

## **Ordinance 2020-B**

**AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT CODE, SECTION 2.1 – WORDS, TERMS AND PHRASES DEFINED, SECTION 4.12 – CRITERIA FOR REVIEW OF CONDITIONAL USE APPLICATIONS, SECTION 30.4 – ALLOWABLE CONDITIONAL USES, SECTION 37.5 – ALLOWABLE CONDITIONAL USES, SECTION 38.4 – ALLOWABLE CONDITIONAL USES, SECTION 39.18 – GENERAL RESIDENTIAL UNIT “RU” DENSITY POOL RESERVE, SECTION 42.4 – ALLOWABLE CONDITIONAL USES, SECTION 46.4 – ALLOWABLE CONDITIONAL USES, PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of St. Pete Beach periodically finds sections in its Land Development Code which require clarification, updating, and/or amending; and

**WHEREAS**, the City’s Land Development Code also serves to maintain an environment conducive to the health, safety, and welfare of the City’s residents, and preserves and enhances property values within the City; and

**WHEREAS**, on February 24, 2020, the Planning Board viewed two of these proposed changes as a discussion item and made recommendations to staff; and

**WHEREAS**, on July 8, 2020, the City’s Planning Board sitting as the Local Planning Agency held a public hearing to consider the proposed Land Development Code changes and provided recommendations to the City Commission; and

**WHEREAS**, the City Commission has found this ordinance to be in the best interest of the citizens of the City, and preserves safety and welfare and

**WHEREAS**, notice of this ordinance has been provided in accordance with applicable law.

**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 provisions in this Section pertaining to the City’s Land Development Code are amended as follows:

**Division 2 (DEFINITIONS), Sec. 2.1 (Words, terms and phrases defined) shall be amended as follows:**

\*\*\*

Density pool means a finite quantity of temporary lodging or residential units allocated for specified districts in the Comprehensive Plan that may allow a property to be developed with additional units than would be otherwise permitted or conditionally permitted under the property's district regulations.

\*\*\*

**Division 4 (CONDITIONAL USE PERMITS), Sec. 4.12 (Criteria for review of conditional use applications) shall be amended as follows:**

\*\*\*

(d) The allocation of temporary lodging or residential units from a density pool established in the Comprehensive Plan shall be by ordinance. In cases where a property is required to obtain a conditional use permit to be awarded units from a density pool, evaluation shall be by the City Commission on a case-by-case basis, with review of relevant criteria specified in this division and Code generally. In addition to these criteria, the Commission may consider any proposal requiring a conditional use permit to draw from a density pool on a merit basis to include, but not be limited to, the provision of public benefits such as the following:

- (1) Surplus on-site parking to be reserved for the public, and/or public or private multimodal transportation enhancements;
- (2) Public beach access with an easement made to the City for beachfront properties that are not otherwise required to provide access, or wider or multiple public beach accesses for properties required to provide access;
- (3) Additional public art or amenities;
- (4) Public boat slips;
- (5) Workforce housing;
- (6) Integration of additional green building principles, or other principles such as wellness, into new development or redevelopment projects;
- (7) For Gulf-front properties not otherwise required to provide such, an unimproved public access easement landward of the mean high water line;
- (8) Other public benefits proposed by citizens or the applicant at community meetings, which may be considered by the City Commission.

It is the intent of the city that requests for public benefits such as those listed above be considered within the contexts of the scale of the development proposal, the local and citywide impact of the proposal, the size and proportion of the density pool request, and the degree to which the benefits proposed and development itself advance the goals, objectives and/or policies of the district specifically and the Community Redevelopment District generally. This list is not considered to be exhaustive, nor is any one benefit or

set of benefits required to be included in a proposal unless said benefit(s) are made condition(s) of development approval by the City Commission.

**Division 30 (TC-1 TOWN CENTER CORE DISTRICT), Sec. 30.4 (Allowable conditional uses) shall be amended as follows:**

\*\*\*

(i) Bed and breakfast inns, subject to the following:

- (1) In addition to any density and intensity which may be allowed, the city shall also establish a reserve of units, not to exceed 50 total temporary lodging units for the entire Town Center Core District, which shall be allocated by ordinance of the city commission upon request of an individual property owner on a first come, first serve case-by-case basis, with evaluation through criteria specified in this Code. Such allocation shall not exceed ten units per acre, or a total of ten units per redevelopment project. The remaining number of available reserve temporary lodging units shall be specified in each city commission ordinance allocating such units and each such ordinance shall provide that no units beyond those remaining available shall be allocated to any subsequent project. This limitation shall be absolute and shall apply regardless of the proposed size or density of the project requesting such allocation.

**Division 37 (TC-2 TOWN CENTER COREY CIRCLE AND COQUINA WEST DISTRICTS), Sec. 37.5 (Allowable conditional uses) shall be amended as follows:**

\*\*\*

- (a) Temporary lodging facilities hotel, motel and resort condominium, awarded on a first come, first serve case-by-case basis, to come from the density pool established in the Comprehensive Plan, with evaluation through criteria specified in this Code.

\*\*\*

**Division 38 (AC ACTIVITY CENTER DISTRICT), Sec. 38.4 (Allowable conditional uses) shall be amended as follows:**

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

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

ratio on a minimum one (1) acre buildable site. To qualify for mixed use densities and intensities, a minimum of 10 temporary lodging units, mixed with a minimum of 0.35 floor area ratio for commercial or office uses, is required. Proposals to draw from the temporary lodging unit density pool shall be evaluated on a case-by-case basis, with evaluation through criteria specified in this Code.

**Division 39 (COMMUNITY REDEVELOPMENT DISTRICT GENERAL STANDARDS), Sec. 39.18 (General Residential Unit “RU” Density Pool Reserve) shall be amended as follows:**

(a) *Establishment.* The residential density pool is established for the entire Community Redevelopment District by reducing the previously allowed maximum residential density of 18 dwelling units per acre in the Large Resort character district by three dwelling units per acre to a maximum of 15 dwelling units per acre over the entire 65.16 acres. The total residential density reduction in the Large Resort district equals 195 residential dwelling units. These 195 residential dwelling units shall automatically become available as a residential density reserve for any property located within the boundaries of the Community Redevelopment District that permits residential use without further need to amend the Future Land Use Plan and Map through the conditional use process in conjunction with an ordinance and a unified site plan. Residential units will be available on a ~~first come first serve~~ case-by-case basis, with evaluation through criteria established in this Code.

(b) *Intent.* It is the intent of the city that these units be distributed to promote quality land management, with emphasis given to proposals that may act in catalytic revitalization of the area. Along with factors considered in the typical conditional use process, consideration shall be given to the local and city-wide impact of the proposal, and the size and proportion of the density pool request in relation to any public benefits included in the proposal.

(c) *Allocation Procedures.* Units from the residential density pool shall be allocated by ordinance of the City Commission on a case-by-case basis to ensure that the overall density cap is not exceeded. The final version of any ordinance in which residential density pool units are awarded shall state, at a minimum, the number of units available in the density pool prior to any allocation to the subject property, as well as the number of units remaining in the density pool following any allocation to the subject property. The accompanying conditional use application shall be considered at the final reading of the ordinance.

(d) *Project Availability and Considerations.* These 195 residential density pool units are made available without setting a maximum project, acreage, or district cap other than that established by density pool availability at the time of awarding one or more units to a project. The number of units awarded to a project shall be at the discretion of the City Commission upon consideration of criteria listed in this Code.

(e) *Prohibitions.* The awarding of one or more residential density pool units to a project shall not be construed to permit variation to the maximum height, impervious surface ratio, or any other district standard to which variances are prohibited in the Comprehensive Plan.

**Division 42 (BR BAYOU RESIDENTIAL DISTRICT), Sec. 42.4 (Allowable conditional uses) shall be amended as follows:**

\*\*\*

- (d) Temporary Lodging with or without a commercial component, awarded on a first come, first serve case-by-case basis, with evaluation through criteria specified in this Code, to come from the density pool established in the Comprehensive Plan (325 available units for potential use in the Town Center Core Corey Circle, Coquina West, Activity Center, and Bayou Residential Districts).

\*\*\*

**Division 46 (B/HC BOUTIQUE HOTEL/CONDO DISTRICT), Sec. 46.4 (Allowable conditional uses) shall be amended as follows:**

\*\*\*

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

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

\*\*\*

**SECTION 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: \_\_\_\_\_

CITY COMMISSION, CITY OF ST. PETE  
BEACH, FLORIDA.

\_\_\_\_\_  
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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
Rebecca C. Haynes, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
Andrew Dickman, City Attorney



## **CITY OF ST. PETE BEACH PLANNING BOARD STAFF REPORT**

**TO:** Planning Board

**FROM:** Wesley Wright, Community Development Director

**DATE:** July 8, 2020

**SUBJECT:** **Ordinance No. 2020-C** providing for the designation of the street-end described as “80th Avenue east from Boca Ciega Drive to the Intercoastal Waterway” from the designation of **ROS/SE-2** to the designation of **ROS/SE-3**.

---

### **BACKGROUND:**

Within the city there are street ends where it is desirable that the street-end be used for a specific purpose, such as parking, vehicular access, or recreation/open space. These street ends are not dedicated as parks in the subdivision plats in which they were set aside for public use. For owners of property abutting street-ends in which it is desirable that the street-end be made into or remain recreation/open space, the abutting owners may convey to the city the fee title to the underlying street end, waiving any right to vehicular access from the street-end. In return, the city will modify specific land use requirements for the development of said abutting properties.

At the request of the abutting property owners, the city is seeking to re-designate the 80th Avenue east from Boca Ciega Drive to the Intercoastal Waterway street-end from **ROS/SE-2**, which is a street-end designation primarily reserved for parking and abutting property vehicular access, to **ROS/SE-3**, which is a street-end designation primarily reserved for recreation/open space. This street-end has been maintained as a park for at least the last decade, with no vehicular access provided for either abutting property owner.

Ordinance No. 2020-C amends Division 18 – R/OS RECREATION/OPEN SPACE DISTRICT to remove the 80th Avenue east from Boca Ciega Drive to the Intracoastal Waterway street-end from the **ROS/SE-2** designation, and designate it as **ROS/SE-3**. This is not known to have any immediate impact on the features present in this street-end, but will maintain this street-end as a park into the future.

### **PLANNING BOARD:**

The Planning Board, sitting as the LPA, will review proposed Ordinance 2020-C on July 8, 2020 for consistency with St. Pete Beach’s Comprehensive Plan.

## **CONSISTENCY WITH THE COMPREHENSIVE PLAN – STAFF REVIEW**

Staff has reviewed the proposed Ordinance and finds it to be consistent with the City of St. Pete Beach's Comprehensive Plan specifically as follows:

### **FUTURE LAND USE ELEMENT**

#### **Future Land Use Policies - Green Practices, Residential Character and Introduction to Land Use Categories**

##### **GOAL 2:**

The City shall ensure that the residential character of the City of St. Pete Beach is maintained and protected while:

- Maximizing the potential for economic benefit resulting from the tourist trade and the enjoyment of natural and man-made resources by residents and visitors alike.
- Minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.
- Maintaining the community's recreation, open space and beaches.

##### **Objective 2.11**

Consistent with this comprehensive plan, the City shall continue to maintain the community's open space and promote greater connectivity through alternative mobility options.

##### **Policy 2.11.3**

The City shall continue to administer the land development regulations in a manner aimed at preserving the access to and view of the beach and other recreational facilities for all residents of and visitors to this community.

### **RECREATION AND OPEN SPACE ELEMENT**

##### **GOAL 1:**

The City shall ensure the provision, protection, and maintenance of a coordinated, efficient and accessible system of public and private recreational parks and facilities which shall meet the needs of the city's current and future residents, visitors, and tourists.

##### **Objective 1.1**

The City shall, in cooperation with other governmental agencies, provide and maintain a system of parks and recreation facilities (including beaches and shores) and access to the same, meeting the needs of current and future residents, visitors, and tourists.

**Policy 1.1.3**

Park and recreation lands will be planned for multiple uses and located in areas most suitable to satisfy the needs of the permanent and seasonal population, visitors, and tourists.

**Policy 1.1.7**

The City shall encourage a variety of recreational activities, including the utilization of unique natural features and scenic areas.

**Policy 1.1.8**

The City shall maintain adequate public access points to all recreation sites including beaches, waterways, and shores.

**Objective 1.5**

In accordance with this Comprehensive Plan, the City shall provide park and recreation facilities in an economically efficient manner.

**STAFF RECOMMENDATION:**

Staff recommends the Planning Board, sitting as the LPA, recommend approval of Ordinance No. 2020-C and finding it consistent with the city's Comprehensive Plan as stated in the staff report.



## **Ordinance 2020-C**

**AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT CODE TO PROVIDE FOR THE DESIGNATION OF THE STREET-END DESCRIBED AS “80<sup>TH</sup> AVENUE EAST FROM BOCA CIEGA DRIVE TO THE INTERCOASTAL WATERWAY” AS ROS/SE-3; REMOVING ITS DESIGNATION AS ROS/SE-2; PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of St. Pete Beach has numerous street-ends that access the Gulf Beach or Boca Ciega Bay; and

**WHEREAS**, the Comprehensive Plan states that the City shall continue to maintain the community’s open space; and

**WHEREAS**, the owners of the properties abutting the 80<sup>th</sup> Avenue street-end, which runs east from Boca Ciega Drive to the Intercoastal Waterway, have made request to waive any right to vehicular access over the street-end and convey the fee title to the underlying street-end to the city and offered the appropriate documentation to effect such conveyance; and

**WHEREAS**, the City has agreed on the deed restrictions in the deed of conveyance; and

**WHEREAS**, the Land Development Code provides for the designation of street-ends as ROS/SE-3, for the purpose of recreation/open space, based on the criteria above;

**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 provisions in this Section pertaining to the City’s Land Development Code are amended as follows:

**Division 18, Sec. 18.13 (Street-ends designated ROS/SE-2) shall be amended as follows:**

The following street-ends have been designated ROS/SE-2 Recreation Open Space/Street-end 2:

\*\*\*

Coquina Way east 15 feet to Blind Pass Channel;

~~80th Avenue east from Boca Ciega Drive to the Intracoastal Waterway;~~

83rd Avenue east from Boca Ciega Drive to the Intracoastal Waterway.

\*\*\*

**Division 18, Sec. 18.17 (Street-ends designated ROS/SE-3) shall be amended as follows:**

The following street-ends have been designated ROS/SE-3 Recreation Open Space/Street-end 3:

23rd Avenue west from Sunset Way to the beach;

80th Avenue east from Boca Ciega Drive to the Intracoastal Waterway.

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: \_\_\_\_\_

CITY COMMISSION, CITY OF ST. PETE  
BEACH, FLORIDA.

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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 \_\_\_\_\_, 2020.

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Rebecca C. Haynes, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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Andrew Dickman, City Attorney



## **CITY OF ST. PETE BEACH PLANNING BOARD STAFF REPORT**

**TO:** Planning Board

**FROM:** Lynn M. Rosetti, AICP, CFM, Senior Planner, Community Development Department

**DATE:** July 8, 2020

**SUBJECT:** **Ordinance No. 2020-D** providing for an amendment to modify the Land Development Code (LDC) Division 6, Section 6.13, *Residential accessory structures*, to allow for ornamental landscape features such as three-dimensional works of art on private property with specified conditions.

---

### **BACKGROUND:**

Within the LDC there are numerous supplemental regulations enumerated in Division 6. Within Division 6, Section 6.13, includes specific regulations for residential accessory structures. Such structures include sheds, swimming pools, decks and patios including their related covers, gazebos, as well as features not regulated by the Florida Building Code such as children's playground equipment, fountains, waterfalls and the like. Recently, a question has arisen regarding the allowance of ornamental landscape features such as three-dimensional works of art on private property.

Ordinance No. 2020-D amends DIVISION 6 – SUPPLEMENTAL REGULATIONS, to modify Section 6.13, *Residential accessory structures*, to add "ornamental landscape features such as statues" to the section pertaining to fountains and waterfalls being permitted as a decorative element with certain stipulations. Such requirements relate to height and placement for safety reasons. Regulations also limit the number of such features within the front yard area.

### **PLANNING BOARD:**

The Planning Board, sitting as the LPA, will review proposed Ordinance 2020-D on July 8, 2020 for consistency with St. Pete Beach's Comprehensive Plan. The purpose of this proposed change to the Land Development Regulations stems from a recent request to place three-dimensional works of art within front yards in close proximity to the street.

The concerns of the City include the size and placement of these features, and proper storage of these features during major storm events. The City's comprehensive plan also calls for minimizing the threats to health, safety and welfare posed in part by nuisances. For these reasons, staff finds that such features should be properly regulated to meet

basic standards including the requirement to obtain a zoning permit to ensure such compliance.

## **CONSISTENCY WITH THE COMPREHENSIVE PLAN – STAFF REVIEW**

Staff has reviewed the proposed Ordinance and finds it to be consistent with the City of St. Pete Beach's Comprehensive Plan specifically as follows:

### **FUTURE LAND USE ELEMENT**

#### **FUTURE LAND USE POLICIES – GREEN PRACTICES, RESIDENTIAL CHARACTER AND INTRODUCTION TO LAND USE CATEGORIES**

##### **GOAL 2:**

The City shall ensure that the residential character of the City of St. Pete Beach is maintained and protected while:

[...]

- Minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.

[...]

##### **STAFF RECOMMENDATION:**

Staff recommends the Planning Board, sitting as the LPA, recommend approval of Ordinance No. 2020-D and find it consistent with the City's Comprehensive Plan as described in the staff report.

Attachment: Draft Ordinance 2020-D

## ORDINANCE NO. 2020-D

**AN ORDINANCE OF THE CITY OF ST. PETE BEACH,  
AMENDING THE LAND DEVELOPMENT CODE, SECTION  
6.13 – RESIDENTIAL ACCESSORY STRUCTURES;  
PROVIDING FOR CODIFICATION; PROVIDING FOR  
SEVERABILITY; PROVIDING FOR REPEAL OF  
ORDINANCES IN CONFLICT; AND PROVIDING AN  
EFFECTIVE DATE.**

**WHEREAS**, notice of this ordinance has been provided in accordance with applicable law; and

**WHEREAS**, the City Commission of the City of St. Pete Beach has determined that these amendments are consistent with the Future Land Use Element of the Comprehensive Plan with respect to ensuring that the residential character of St. Pete Beach is maintained specifically while minimizing the threats to health, safety, and welfare especially during major storm events.

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

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

SECTION 2. The provisions in this Section pertaining to the City’s Land Development Code are amended as follows:

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

*Ornamental feature* means a freestanding three-dimensional object or assemblage of objects such as sculpture, metalwork or pottery that is used as aesthetic adornment for a property rather than a practical use purpose.

### **Sec. 6.13. - Residential accessory structures.**

Accessory residential structures may be permitted only on zoning lots having one or more existing residential dwelling units and shall be regulated as follows: ...

- (6) *Fountains, ~~and~~ waterfalls and other ornamental features such as statues* may be permitted by the city as a decorative element ~~of~~ and shall be regulated as follows:
  - a. *Maximum height:* Five feet above grade for fountains and waterfalls, and four feet above grade for other ornamental features.
  - b. *Required yards:* Ornamental features shall not encroach into any required rear or side yard more than 15 feet. Ornamental features shall

not encroach into any required front or secondary front yard more than 10 feet.

- c. *Number of ornamental landscape features:* Within the front yard area, a limit of two such ornamental landscaper features shall be allowed.
- d. *Storage:* Upon the issuance of a tropical storm or hurricane warning, ornamental features not required to be properly anchored shall be securely stored inside.

## **CITY OF ST. PETE BEACH PLANNING BOARD STAFF REPORT**

**TO:** Planning Board

**FROM:** Community Development Department Staff

**DATE:** July 8, 2020

**SUBJECT:** **Ordinance No. 2020-E** providing for an amendment of Land Development Code (LDC) Division 6, Section 6.25, *Mobile food establishment*, to modify licensing and permitting requirements of mobile food establishments to ensure consistency with Florida Statutes.

---

### **BACKGROUND:**

The Occupational Freedom and Opportunity Act (SB 474 Amendment 891252 [2020]), effective July 1, 2020, preempts the licensing, registration, permitting, and fee-collecting associated with mobile food dispensing vehicles to the state. It also prohibits municipalities from prohibiting the operation of these vehicles within the entirety of their jurisdiction. Staff are proposing these amendments to ensure consistency between the city's existing mobile food truck ordinance and Florida Statutes.

Ordinance No. 2020-E amends DIVISION 6 – SUPPLEMENTAL REGULATIONS, to modify Section 6.25, *Mobile food establishment*. Changes proposed are intended to clarify that licensing and other preemptions are handled by the state. The ordinance also modifies the permitted and conditional uses of the city's downtown and commercial corridor districts to allow for food trucks to operate as a "use-by-right", rather than a conditional use, provided certain standards are met. This ordinance does not propose to permit the operation of food trucks on private property in any area of the city in which they are not already conditionally permitted, nor does it allow for the operation of mobile food trucks along public properties and rights-of-way except in tandem with a special event.

### **PLANNING BOARD:**

The Planning Board, sitting as the LPA, will review proposed Ordinance 2020-E on July 8, 2020 for consistency with St. Pete Beach's Comprehensive Plan.

### **CONSISTENCY WITH THE COMPREHENSIVE PLAN – STAFF REVIEW**

The City's Comprehensive Plan does not directly regulate Mobile Food Establishments. Staff routinely evaluate upcoming laws to ensure consistency between the city's codes and Florida Statutes. Staff find that the quoted goals and standards in place when the city initially passed its Mobile Food Establishment ordinance are still relevant, specifically:

## **FUTURE LAND USE ELEMENT**

### **FUTURE LAND USE POLICIES – GREEN PRACTICES, RESIDENTIAL CHARACTER AND INTRODUCTION TO LAND USE CATEGORIES**

#### **GOAL 2:**

The City shall ensure that the residential character of the City of St. Pete Beach is maintained and protected while:

- Maximizing the potential for economic benefit resulting from the tourist trade and the enjoyment of natural and man-made resources by residents and visitors alike.
- Minimizing the threat to health, safety, and welfare posed by hazards, nuisances, incompatible land uses, and environmental degradation.
- Maintaining the community's recreation, open space and beaches.

And

#### **Community Redevelopment District general redevelopment guidelines, standards and initiatives**

2. Ensure that a comprehensive redevelopment strategy can be and shall be implemented through land development regulations that maintain the City's heritage of quality residential living complemented by resort facilities and supported by a tourist-based economy that includes temporary lodging uses, local retail, restaurants and local pubs and bars;

\*\*\*

The proposed Ordinance is also consistent with the intent of the Land Development Code and further augments the regulations for supporting the City's business community.

#### **STAFF RECOMMENDATION:**

Staff recommends the Planning Board, sitting as the LPA, recommend approval of Ordinance No. 2020-E and find it consistent with the City's Comprehensive Plan as described in the staff report.

Attachment: Draft Ordinance 2020-E

## Ordinance 2020-E

### AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT CODE AS IT RELATES TO THE LICENSING AND PERMITTING OF MOBILE FOOD ESTABLISHMENTS; PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

**WHEREAS**, notice of this ordinance has been provided in accordance with applicable law; and

**WHEREAS**, the City Commission of the City of St. Pete Beach has determined that the specified amendments to the Land Development Code are necessary to ensure consistency with Florida Statutes.

**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 provisions in this Section pertaining to the City's Land Development Code are amended as follows:

**Division 6, Sec. 6.25 (Mobile food establishment) shall be amended as follows:**

It is a violation to vend any product from a mobile food truck at any location except in compliance with the requirements of this section.

- (a) *Vehicle requirements.* A mobile food truck shall not be used for vending a product unless the vehicle has been designed and constructed specifically for such purpose. The mobile food truck shall be licensed in accordance with the rules and regulations of any ~~local~~, state and federal agency having jurisdiction over the mobile food truck or products sold therein.
- (b) *Special event permits.* Mobile food trucks may be permitted in public rights-of-way, or on public property, in conjunction with a special event permit as regulated in this section. Operation of mobile food trucks on public property or within public rights-of-way for special events is permitted, subject to approval of the special event ~~by~~ of the City Commission.
- (c) *Insurance requirements.*
  - (1) *Operating in rights-of-way.* The permittee, owner or operator shall at all times maintain any insurance which the city determines to be necessary, which may include but is not limited to, general liability insurance, commercial automobile liability insurance, worker's compensation insurance, and environmental liability insurance, issued by an insurance company licensed to do business in

the State of Florida, in the amounts established by the city which shall be reasonable, based on industry standards and the risk determined to exist. The insurance policy shall be in occurrence form and the City of St. Pete Beach shall be named as an additional insured on the certificate of insurance. The permittee, owner or operator shall furnish the city with a certificate of insurance which shall be accepted by the city only after approval by the city commission. The permittee, owner or operator shall notify the city within three (3) business days of any changes in the insurance coverage. Upon the cancellation or lapse of any policy of insurance as required by this section, the special event permit shall be immediately revoked unless, prior to the expiration or cancellation date of the insurance policy, another insurance policy meeting all the requirements of the city is obtained and a new certificate of insurance is provided to the city.

- (2) *Operating in all other locations, not in rights-of-way.* A mobile food truck shall obtain at a minimum, the insurance as required by any local, state or federal laws and regulations.
- ~~(3) *City issued permit (as defined herein).* In addition to the insurance requirements set forth in this section, a mobile food truck shall obtain any additional insurance which may be required to obtain a city issued permit (as defined herein).~~
- (d) *Open flame cooking.* Open flame cooking is prohibited; except that such activity may take place if permitted by the city fire marshal.
- (e) *Noise limitations.* Amplified music shall be prohibited; any other sounds from any mobile food truck shall comply with the noise requirements of the city.
- (f) *Waste collection.* The operator shall provide a waste receptacle for public use within 100 feet of the truck. The area shall be kept neat and orderly at all times and garbage or trash shall be removed daily.
- (g) *Improved surface.* Food trucks shall only operate from and be located on an improved surface at least 5 feet off the public right-of-way.
- (h) *Signage.* All signage must comply with the sign section of the Land Development Code. In no case shall "A-frame" signs be permitted.
- (i) *Alcohol sales.* Mobile food trucks are prohibited from selling alcoholic beverages, except as may be specifically allowed by a city issued permit in conjunction with a special event.
- ~~(j) *Business tax receipt.* A mobile food establishment permit is issued concurrent with the business tax receipt (BTR) confirmation. If an applicant is a resident of the City of St. Pete Beach, they will be required to obtain a BTR from the city.~~
- (kj) *Restroom facility.* Mobile food trucks operating at a site for a duration of more than three (3) hours shall have a written agreement, available upon request by the city, which confirms that employees have access to a flushable restroom within 150 feet of the vending location during the hours of operation.

- (k) *Grease disposal.* Mobile food trucks shall have a current written agreement for the proper disposal of grease, available upon request by the city.
- (m) *Location.* The vending of products from a mobile food truck on public rights-of-way shall be prohibited unless in conjunction with a special event permit. The vending of products from a mobile food truck on private lands shall be subject to the following conditions:
- (1) *Private property.* The vending of products from a mobile food truck on private property, in conjunction with an established business, is permitted only ~~as a conditional use~~ in zoning districts of the city as outlined herein.
  - (2) *Vacant property.* Operation of a mobile food truck is prohibited on vacant and unimproved property.
  - (3) *Permission.* A mobile food truck shall have the written permission of the owner of the property on which it is located, available upon request by the city. ~~Such written permission shall accompany application for the mobile food truck permit.~~
  - (4) *Frequency.* Except as may be allowed as part of a special event permit, mobile food trucks are permitted on each property, a maximum of no more than three (3) days per calendar week. Mobile food trucks may operate at different locations as allowed herein.
  - (5) *Maximum number of mobile food trucks.* No more than two (2) mobile food trucks shall operate on any property at any one (1) time, except as may be allowed by a special event permit.
  - (6) *Parking.* Mobile food trucks shall not be required to provide additional parking on the principal business site. If a mobile food truck parks in a principal business required off-street provided space(s), then the principal business shall provide evidence, in the form of a site plan indicating that on-street parking exists within 800 feet of the establishment, available upon request from the city.
  - (7) *Access.* A mobile food truck shall not be placed in any location that impedes the ingress or egress or building entrances or emergency exits.
  - (8) *Hours of operation.* mobile food trucks shall be permitted to operate after 7:00 a.m. and before 10 p.m. The request for extended hours must be reviewed and approved by the city ~~subject to the criteria contained in the application.~~
  - (9) *Power.* ~~Power for all mobile food trucks will be evaluated on a case by case basis during the conditional use process but~~ In no case shall a generator be used within 200 feet of a residential district.
- ~~(n) *CUP expiration.* The conditional use permit shall automatically expire if the principal business does not hold a valid business tax receipt from the city.~~

**Division 30, Sec. 30.2 (Permitted uses) shall be amended as follows:**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses in the TC-1 Town Center Core District are as follows:

- (a) Financial institutions without drive-through service.
- (b) Government buildings and other public or civic facilities, including parks and recreation facilities and transit stations and stops.
- (c) Office uses.
- (d) Personal service businesses such as barbershops, beauty shops, day spas, tailoring, garment alteration and repair, shoe repair, pet grooming, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact. Body art, bail-bond, check-cashing, and other similar services are prohibited.
- (e) Printing and copying.
- (f) Residential uses as a component of mixed-use development only. Residential uses shall not be allowed on the ground floor level of any structure.
- (g) Eating and drinking establishments - full-service restaurant, limited-service restaurant, take-out only restaurant, bar/lounge, subject to Section 6.24 of this Code as may be applicable.
- (h) Retail uses except automotive sales lots, pawn shops, liquor stores, and tobacco shops.
- (i) Theaters, cinemas and other indoor commercial entertainment facilities.
- (j) Artist studios and art galleries.
- (k) Grocery stores and pharmacies without drive-through service.
- (l) Commercial kitchen.
- (m) Sales, rentals, and/or service of bicycles, mopeds, motorcycles, segways, and scooters;
- (n) Mobile food trucks, subject to the criteria found in Division 6, herein;
- (no) Other commercial uses similar in character, nature and impact to permitted uses listed above.

**Division 30, Sec. 30.4 (Allowable conditional uses) shall be amended as follows:**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the TC-1 Town Center Core District are as follows:

- (a) Automotive retail stores and automotive service stations with related services. Such uses shall only be allowed on lots which front directly on 75th Avenue.
- (b) Car washes.
- (c) Commercial developments with a gross square footage of greater than 25,000.
- (d) Convenience stores without the sale of gasoline or other fuels.
- (e) Cigar shops and cigar bars.
- (f) Financial institutions with drive-through service.
- (g) Pharmacies with drive-through service.
- (h) Public or private parking structures.
- (i) Bed and breakfast inns, subject to the following:
  - (1) In addition to any density and intensity which may be allowed, the city shall also establish a reserve of units, not to exceed 50 total temporary lodging units for the entire Town Center Core District, which shall be allocated by ordinance of the city commission upon request of an individual property owner on a first come, first serve basis. Such allocation shall not exceed ten units per acre, or a total of ten units per redevelopment project. The remaining number of available reserve temporary lodging units shall be specified in each city commission ordinance allocating such units and each such ordinance shall provide that no units beyond those remaining available shall be allocated to any subsequent project. This limitation shall be absolute and shall apply regardless of the proposed size or density of the project requesting such allocation.
- ~~(j) Class I mobile food trucks, subject to the criteria found in Division 6, herein.~~

**Division 32, Sec. 32.2 (Permitted uses) shall be amended as follows:**

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

- (a) Clinics;
- (b) Clubs, community service establishments;
- (c) Clubs, private;
- (d) Eating and drinking establishments—with or without outdoor seating;
- (e) Financial institutions with and without drive-through service;
- (f) Laundries, self-service;
- (g) Office uses;

- (h) Printing and copying services;
- (i) Retail uses;
- (j) Personal service businesses such as barbershops, beauty shops and salons, day spas, gyms and fitness centers, tailoring, garment alteration and repair, shoe repair, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact;
- (k) Social service agencies;
- (l) Veterinarians; dog grooming facilities;
- (m) Multi-family residential uses as a component of mixed-use development only. Multi-family residential uses shall not be allowed on the ground level of any structure;
- (n) Single-family, detached residential uses (Only on parcels which do not directly abut Blind Pass Road);
- (o) Government buildings and other public facilities, including parks and recreation facilities;
- (p) Artist studios with retail and/or wholesale distribution space for artist's original handmade works, excluding mass produced or manufactured products;
- (q) Public facilities such as schools, public parks and/or recreational facilities;
- (r) Mobile food trucks, subject to the criteria found in Division 6, herein;
- (rs) Other commercial uses similar in character, nature and impact to permitted uses listed above.

**Division 32, Sec. 32.4 (Allowable conditional uses) shall be amended as follows:**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the CC1 Commercial Corridor Blind Pass Road Districts are as follows:

- (a) Automotive rental agencies;
- (b) Automobile services—Repair;
- (c) Automotive service stations, with or without a carwash and/or a convenience store;
- (d) Commercial developments with a gross square footage of greater than 25,000;
- (e) Communication facilities;
- (f) Parking lots, commercial and/or off-premises;
- ~~(g) Class I mobile food trucks, subject to the criteria found in Division 6, herein.~~

**Division 33, Sec. 33.2 (Permitted uses) shall be amended as follows:**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the CC2 Commercial Corridor Gulf Blvd are as follows:

- (a) Clinics;
- (b) Eating and drinking establishments with or without outdoor seating;
- (c) Financial institutions with or without drive-through service;
- (d) Laundries, self-service;
- (e) Office uses;
- (f) Printing and copying services;
- (g) Retail uses;
- (h) Personal service businesses such as barbershops, beauty shops, tailoring, garment alteration and repair, shoe repair, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact;
- (i) Veterinarians, dog grooming establishments;
- (j) Multi-family residential uses as a component of mixed-use development only. Multi-family residential uses shall not be allowed on the ground level of any structure;
- (k) Artist studios and galleries with retail and/or wholesale distribution space for artist's original handmade works, excluding mass produced or manufactured products;
- (l) Grocery stores, pharmacies, markets;
- (m) Commercial recreation, public parks and/or recreational facilities;
- (n) Sales, rentals, and/or service of bicycles, mopeds, motorcycles, Segways, and scooters;
- (o) Mobile food trucks, subject to the criteria found in Division 6, herein;
- (op) Other commercial uses similar in character, nature and impact to permitted uses listed above.

**Division 33, Sec. 33.4 (Conditional uses) shall be amended as follows:**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the CC2 Commercial Corridor Gulf Boulevard District are as follows:

- (a) Automotive rental agencies;
- (b) Automobile services—Repair;
- (c) Automotive service stations, with or without a carwash and/or a convenience store;

- (d) Commercial developments with a gross square footage of greater than 25,000;
- (e) Communication facilities;
- (f) Parking lots, commercial and/or off-premises;
- ~~(g) Class I mobile food trucks, subject to the criteria found in Division 6, herein.~~

**Division 37, Sec. 37.2 (Permitted uses) shall be amended as follows:**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses in the TC-2 Town Center Corey Circle and Coquina West Districts are as follows.

- (a) Retail uses except automotive sales lots, pawn shops, liquor stores, and tobacco shops;
- (b) Grocery stores, markets, pharmacies without drive-through service;
- (c) Personal service businesses such as barbershops, beauty shops, salons, day spas, gyms and fitness centers, tailoring, garment alteration and repair, shoe repair, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact. Body art, bail-bond, check-cashing and other similar services are prohibited;
- (d) Eating and drinking establishments - full-service restaurant, limited-service restaurant, bar/lounge, subject to Section 6.24 of this Code as may be applicable;
- (e) Office uses;
- (f) Commercial recreation, public parks and/or recreational facilities;
- (g) Government buildings and other public facilities, including parks and recreation facilities;
- (h) Artist studios and art galleries;
- (i) Multi-family residential only as a component of mixed use. Residential uses are not permitted on the ground floor;
- (j) Vehicle for hire - Limited to rental of non-motorized (bicycles) and individual motorized vehicles such as Segways, mopeds/scooters;
- (k) Class I mobile food trucks, subject to the criteria found in Division 6, herein;
- (kl) Other commercial uses similar in character, nature and impact to permitted uses listed above.

**Division 37, Sec. 37.5 (Allowable conditional uses) shall be amended as follows:**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the TC-2 Town Center Corey Circle and Coquina West Districts are as follows:

- (a) Temporary lodging facilities hotel, motel and resort condominium, awarded on a first come, first serve basis, to come from the density pool established in the Comprehensive Plan.
- (b) Commercial developments with a gross square footage of greater than 25,000.
- (c) Commercial kitchen.
- (d) Commercial docks—Classes A, B, C and D.
- (e) Eating and drinking establishment—Take-out only restaurant.
- (f) Vessel for hire (water taxis).
- ~~(g) Class I mobile food trucks, subject to the criteria found in Division 6, herein.~~

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

SECTION 10. Effective Date. This ordinance shall take effect immediately upon adoption.

FIRST READING: \_\_\_\_\_  
 PUBLISHED: \_\_\_\_\_  
 SECOND READING: \_\_\_\_\_  
 PUBLIC HEARING: \_\_\_\_\_

CITY COMMISSION, CITY OF ST. PETE  
 BEACH, FLORIDA.

\_\_\_\_\_  
 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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
Rebecca C. Haynes, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
Andrew Dickman, City Attorney