



**COMMISSION WORKSHOP
MEETING
CITY OF ST. PETE BEACH**

155 Corey Avenue

Monday, July 13, 2009

6:30 PM

Call to Order
Pledge of Allegiance
Invocation
Roll Call

1. Items for Discussion

**a. Ordinance 2009-12 - Charter amendment regarding
the Comprehensive Plan.**

2. Adjournment

APPEALS

If a person decides to appeal any decision made at this hearing, they will need a record of the proceeding and, for such purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105) The City does not furnish verbatim transcripts; interested parties should make the necessary arrangements for verbatim transcripts.

Agenda Material is available for review at City Hall on the Friday preceding the meeting. In accordance with the Americans with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodation to participate in this proceeding should contact Ed Pickhardt at (727) 363-9243 no later than four (4) days prior to the proceeding for assistance.

**CITY OF ST. PETE BEACH, FLORIDA
ORDINANCE NO. 2009-12**

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENT TO SECTION 3.15 OF THE CITY CHARTER TO LIMIT THE REQUIREMENT OF VOTER APPROVAL OF COMPREHENSIVE PLAN AMENDMENTS TO PLAN AMENDMENTS CREATING LAND USE CATEGORIES AND THOSE INCREASING DENSITY, INTENSITY OR HEIGHT OF USES; PROVIDING FOR A REFERENDUM ELECTION IN THE CITY; PROVIDING FOR A BALLOT QUESTION TO BE SUBMITTED TO THE ELECTORS OF THE CITY AT SAID REFERENDUM ELECTION TO BE HELD ON NOVEMBER 3, 2009; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, Section 3.15 of the City Charter requires elector approval of all comprehensive plan amendments even though in many cases such amendments are either required by law or are not sufficiently fundamental in nature as to necessitate such elector approval; and

WHEREAS, the City Commission finds that it is appropriate to limit such elector approval to those major decisions where the additional expense and time required is warranted.

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

Section 1. Section 3.15 of the City Charter is amended to read:

Sec. 3.15 Voter approval required for adoption of comprehensive plans and certain comprehensive plan amendments. A comprehensive plan ("Plan") or

comprehensive plan amendment ("Plan Amendment") (both as defined in Florida Statutes Chapter 163) shall not become effective in the City until such proposed Plan or Plan Amendment is approved by the electors in a referendum as provided by Florida Statute Section 166.031 or by amendment of the City Charter or as otherwise provided by law. Elector approval shall not be required for any Plan or Plan Amendment that affects five or fewer parcels of land or as otherwise prohibited by law. Elector approval shall also not be required for a Plan Amendment which does not increase intensity or density of use or height of structures, or which does not create a new land use category.

Section 2. A special city referendum election is called for November 3, 2009 in the City of St Pete Beach. The following ballot question shall be placed on the ballot in said referendum election to be held on November 3, 2009:

**ST. PETE BEACH
CHARTER AMENDMENT
VOTER APPROVAL OF CERTAIN COMPREHENSIVE PLAN
AMENDMENTS
QUESTION NO. ____**

Ordinance 2009-__, amends Section 3.15 of the City Charter to require voter approval only of those comprehensive plan amendments which increase density or intensity of use or height of structures or which add a land use category. The existing charter requires voter approval of all comprehensive plan amendments except for those affecting five or fewer parcels of land or as otherwise prohibited by law. Should Ordinance 2009- be approved?

Yes _____

No _____

Section 3. If any portion, part or section of this Ordinance is declared invalid, the valid remainder hereof shall remain in full force and effect.

Section 5. All ordinances or parts of ordinances, in conflict herewith, are hereby repealed, to the extent of such conflict.

Section 6. Section 1 of this Ordinance shall become effective immediately upon approval by a majority of the electors of the City voting in the election provided for herein.

Section 7. The remaining provisions of this Ordinance shall become effective immediately upon adoption.

Michael Finnerty, MAYOR

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

I, Theresa B. McMaster, 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 _____, 2009.

Theresa B. McMaster, City Clerk

ELECTION CERTIFICATION

I, Theresa B. McMaster, City Clerk of the City of St. Pete Beach, Florida, do hereby certify the following election results for the foregoing ordinance at the City general election conducted on November 3, 2009, and said ordinance was _____ by a majority of the electors:

YES Votes: _____

NO Votes: _____

Theresa B. McMaster, City Clerk