



**PLANNING BOARD MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, January 27, 2025
4:00 PM

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. Approval of the Agenda -

Action Request: Motion to approve the January 27, 2025 agenda.

2. Audience Comments -

Comment shall be limited to 3 minutes for general or agenda items. Public comment on agenda items will be allowed when that item is called. Please complete and submit a comment card to the Clerk.

3. Approval of Minutes

a. December 16, 2024 Meeting

4. Action Items - Sitting as Local Planning Agency -

a. Ordinance 2025-03: Artificial Turf

AN ORDINANCE OF THE CITY OF ST. PETE BEACH AMENDING THE ST. PETE BEACH LAND DEVELOPMENT CODE DIVISION 2 – DEFINITIONS, SECTION 2.1. – WORDS, TERMS AND PHRASES DEFINED, AND DIVISION 22 – LANDSCAPING AND TREE PROTECTION, ADDING SECTION 22.15 -- ARTIFICIAL TURF STANDARDS, TO AMEND QUALITY, AREA AND PLACEMENT STANDARDS FOR ARTIFICIAL TURF PRODUCTS ON PRIVATE PROPERTY AND RIGHT OF WAY; PROVIDING FOR SEVERABILITY, CODIFICATION AND SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

5. Discussion Items

a. Seawall Height Compliance

Discussing potential standards for accelerating compliance with seawall height requirements.

6. Adjournment - Next meeting February 10, 2025 -

APPEAL: In accordance with 286.0105, Florida Statute (Notices of meetings and hearings must advise that a record is required to appeal), if a person decides to appeal any decision made by this committee, board, agency, or commission with respect to any matter considered at this 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 (ADA): In accordance with the Americans with Disabilities Act and Florida Statutes, if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact City Hall at (727) 367-2735.

**The public is cordially invited to attend this meeting.
All agenda material is available for review at City Hall or www.stpetebeach.org.**

DRAFT PLANNING BOARD MEETING MINUTES

December 16, 2024 3:00PM

MEMBERS PRESENT: David Hubbard, Chair
Sam Angelides, Jr., Vice Chair
Terri Grocott, Member
Cindy Perry, Member
Shawn Rae, Member

STAFF PRESENT: Brandon Berry, Senior Planner
Becky Vose, Interim City Attorney
Ginny Bodkin, Deputy City Clerk

Chair Hubbard called the meeting to order at 3:00 PM, followed by the Pledge of Allegiance.

1. Approval of the Agenda –

Motion: Member Rae moved, and Member Perry seconded to approve the December 16, 2024 agenda as presented: the motion carried unanimously.

2. Audience Comments – There were no comments.

3. Approval of Minutes – November 18, 2024 Meeting

Minutes from the Board of Adjustment were erroneously attached to the meeting packet instead of the Planning Board; the Clerk had distributed the correct minutes prior to the meeting.

Motion: Member Perry moved, and Vice Chair Angelides seconded, to approve the November 18, 2024, minutes as presented: the motion carried unanimously.

4. Action Items –

- a. Recommendation of Resolution 2024-12 (Conditional Use Permit #23085) to the City Commission for the Development of Windward Pass Resort [Parcel #s 07-32-16-18143-001-0010, 07-32-16-18143-001-0020, 07-32-16-07398-001-0170, & 07-32-16-07398-001-0230]**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, APPROVING A CONDITIONAL USE PERMIT, PURSUANT TO SECTIONS 39.6.(p), AND 42.4(b), (d), (g), & (h) OF THE LAND DEVELOPMENT CODE, TO ALLOW FOR THE DEVELOPMENT OF A 104 UNIT CONDO HOTEL, (38.8 UNITS PER ACRE), WITHIN A NEW SIX-STORY LODGING STRUCTURE THAT WILL EXTEND TO 54 FEET ABOVE BASE FLOOD ELEVATION WITH NON-HABITABLE OVERRUN NOT TO EXCEED 64 FEET ABOVE BASE FLOOD ELEVATION, AND INCLUDE AS SITE AMENITIES OUTDOOR MINI-GOLF, QUIET AND FEATURE POOLS, AND 12-SLIP CLASS A LODGING DOCK, INCLUDE AS HOTEL BUILDING AMENITIES GROUND-FLOOR AND OUTDOOR SIXTH-FLOOR BARS AND SEATING AREAS, INDOOR BALLROOM AND RESTAURANT, AND INCLUDE IN A SEPARATE BUILDING AN ARCADE AND THREE-LEVEL GARAGE WITH SECOND AND THIRD-FLOOR OUTDOOR SEATING AREAS, TO PROPERTY WITH PARCEL NUMBERS OF 07-32-16-18143-001-0010, 07-32-16-18143-001-0020, 07-32-16-07398-001-0170,

& 07-32-16-07398-001-0230; INCORPORATING THE CONDITIONS OUTLINED HEREIN; AND PROVIDING OF CORRECTION OF SCRIVENER'S ERROR AND AN EFFECTIVE DATE.

City Attorney Becky Vose asked the Board members to declare any ex-parte communications prior to hearing the item, and there were none. The Deputy Clerk swore in all those who would be testifying before the Board.

Senior Planner Brandon Berry reviewed the staff presentation on Conditional Use Permit #23085 (Resolution 2024-12) and Ordinance 2024-08 for Applicant/Owner Sungold, LLC. The presentation is part of the meeting record. Mr. Berry reviewed a timeline and detailed the requests for this project including 104 temporary lodging units (from the Town Center Corey Circle and Coquina West, Activity Center, and Bayou Residential District Density Pool), a lodging building of 54 feet in height above base flood elevation, 12 "Class A" (lodging) dock slips with non-motorized commercial water sports, peddle boats and paddle boards, 1st and 6th sixth-floor bars with outdoor music, and lodging-associated commercial amenities (mini-golf course, arcade game room, and quiet and feature (water slide) pools.

Mr. Berry's presentation outlined the four standalone CUP requests, accessory lodging use requests, a Development Standard Analysis (density, height, commercial floor area, impervious surface ration, setbacks, parking), the parcel zoning and units requested in Ordinance 2024-08.

He reviewed staff considerations of the benefits (public promenade, property consolidation, intensity of waterfront functions, family-oriented amenities, increased public amenities and landscaping) and concerns with the project (technical/financial capacity to complete, massing of the building, relocation of feature pool, interior access concerns, perpetual promenade maintenance, transportation management plan strategies), as well as a summary, which is part of the record. Mr. Berry continued to review each of the 30 staff recommendations for the project if approved, which were included in the meeting packet. The conditions encompassed density, outdoor music, resort development, operations and design, site improvements, energy and environmental requirements, and general conditions.

Mr. Berry advised that separate actions were needed on the Ordinance and Resolution.

Board questions followed, which Mr. Berry addressed:

Member Perry had questions regarding height of the building and elevator tower; Mr. Berry explained that the Applicant was using NAVD as a baseline, which was compliant with Code limitations. Member Perry asked that staff double-check on all of the height measurements. Member Perry also voiced concerns with the boat slips (only 8 are licensed to date), submerged land use, turtle friendly-lighting and headlights. Per Mr. Berry, new buildings must comply with City lighting codes, but higher standards can be recommended. Member Perry did not find the project consistent with the Comp Plan with regard to protection of manatees using the area and remarked on the shallow waters. Submerged land use is addressed at the site plan portion of development. Ms. Perry voiced concerns regarding beach access at Miramar and the sand dunes, massing and scale for this lot (would like to see scaled down), and storm water runoff. Member Grocott expressed concerns about utility infrastructure capacities currently and in the next five years. Mr. Berry explained that if approved the Applicant must apply for Certificates on Concurrency, which City Engineering would review for capacity, which could result in a denial of the permit and the units returned to the density pool, or down-scaling the project.

Member Grocott also inquired about modulating noise from the feature pool and non-dining areas as opposed to only restaurant music; she also voiced concerns about water conservation in feature pool. Member Perry referred to the Comp Plan which says this district is a transition between higher density and residential areas and that a small bonus commercial component will be allowed on a limited basis; she did not find this project to be consistent with the Comp Plan.

Jack Bodziak, Architect, of Bodziak/Hayes Architects, appeared for Applicant Sungold LLC, He spoke about the unusual nature of the site (lacks depth), the drainage easement (intake would not be relocated, but would need to be rehabbed and reangled), and setbacks. He testified that the boat docks could accommodate visitors. He mentioned the 40' landscaping relief from adjacent property lines. The activity pool has been pulled back 50' from the side setback. Mr. Bodziak explained that the total resort facility complex is designed to keep guests on property and mentioned extra parking they will provide for visitors. The rooftop bars are essentially for guests; the mini-golf and feature pool would have limited use to 25-30% for non-guest use and the extra parking could accommodate that. Mr. Bodziak explained that limited feature pool hours were put in place in consideration for noise concerns for neighbors. He testified that they would be willing to stipulate that no bar would be added to the quiet pool. A service area/loading dock is located under the building.

Mr. Bodziak explained that the project is a condo-hotel; units are purchased by individuals who rent them out and there is a condominium association and management company. Units are all 750 square feet. Mr. Bodziak testified that water usage for the feature pool is not excessive compared to a standard pool. He stated that accommodations have been made in several areas of the project based upon feedback at community meetings. Member Grocott inquired about seawall height; Mr. Berry indicated a condition could be added for a higher seawall. Mr. Bodziak testified that the property will be sold/transferred prior to completion; Sungold will not maintain ownership.

Board members expressed concerns regarding:

- There was no traffic study/data available at the time of the meeting
- Increase in traffic density
- Overall occupancy density and the use of features by residents
- Increased Freebee use and costs
- Docks at the narrow end of the waterway; the waterway is shallow
- Beach access, jaywalking, and public safety
- Cumulative noise from 20m pools, dining, and balconies

Member Perry felt the request did not meet the LDC requirements. Vice Chair Angelides was concerned with boat traffic and the shallow waters. Member Rae expressed that although appealing in appearance, the project is overdeveloping a small lot and does not meet what the City is looking for. Member Perry opined that the project did not meet the Comp Plan or Land Development Code requirements; it is too much.

Public comment was opened.

Resident Russ Mazianka commented on sound from another local hotel on the intercoastal waterway; it has not gotten better over 10 years.

Motion: Member Rae moved, and Member Perry seconded to recommend the denial of Resolution 2024-12 to the City Commission. The motion carried 5-0.

- b. Recommendation of Ordinance 2024-08 to allocate 104 units of temporary lodging density from the Town Center Corey Circle and Coquina West, Activity Center, and Bayou Residential Districts Temporary Lodging Unit Density Pool to property with parcel numbers of 07-32-16-18143-001-0010, 07-32-16-18143-001-0020, 07-32-16-07398-001-0170, & 07-32-16-07398-001-0230 (Windward Pass Resort)**

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR THE ALLOCATION OF 104 UNITS OF TEMPORARY LODGING DENSITY UNDER THE PROVISIONS OF THE TOWN CENTER COREY CIRCLE, COQUINA WEST, ACTIVITY CENTER, AND BAYOU RESIDENTIAL DISTRICTS TEMPORARY LODGING UNIT DENSITY POOL, AS ESTABLISHED IN THE CITY OF ST. PETE BEACH COMPREHENSIVE PLAN, TO PROPERTY WITH PARCEL NUMBERS OF 07-32-16-07398-001-0170, 07-32-16-07398-001-0230, 07-32-16-18143-001-0010, 07-32-16-18143-001-0020; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Motion: Member Rae moved, and Member Grocott seconded a recommendation of the denial of Ordinance 2024-08 to the City Commission. The motion carried 5-0.

Chair Hubbard called a recess at 5:17 PM. The meeting was reconvened at 5:24 PM.

- c. Recommendation of Ordinance 2024-18, permitting substantial improvement exceptions for locally-designated historic resources that do not alter the exterior of the structure, to the City Commission.**

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING THE CITY'S LAND DEVELOPMENT CODE DIVISION 28 – HISTORIC PRESERVATION, SECTION 28.5 – ORDINARY MAINTENANCE AND REPAIR, TO ALLOW FOR ADMINISTRATIVE EXEMPTIONS FROM THE SUBSTANTIAL IMPROVEMENT REQUIREMENTS FOR SUBSTANTIAL MAINTENANCE AND REPAIR TO HISTORIC STRUCTURES; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Mr. Berry summarized that this item was adopted last month by the City Commission as a 60-day emergency ordinance, but it will be brought back in January for permanent adoption. The ordinance activates the ability for substantial improvement (SI) exceptions for historic structures to be administratively approved as allowed by NFIP. SI variances currently go through the Board of Adjustment and then the Historic Preservation Board. The alternative two-part process that staff has developed has been reviewed by the State Certified Local Government and Department of Emergency Management. This process would be only for interior or minor exterior work such as replacing shingles; anything substantial would still need to go through the SI process. The members asked for some clarifications.

Motion: Member Rae moved, and Vice Chair Angelides seconded to recommend approval of Ordinance 2024-18 to the City Commission. The motion carried 5-0.

5. Discussion Items –

a. Continued Discussion: Artificial Turf

Mr. Berry reviewed the preferences for a future ordinance that the members had emailed to him following discussion at the last meeting: Permits should be required for turf installation; Product must be high quality (resemble real grass, porous material, no-fade warranty, disposable at any U.S. landfill); Turf must be installed per manufacturer specifications and anchored and must be separated from natural landscaping areas through bumper, mow strip, or similar. His presentation is part of the record.

Following discussion, the Board agreed by consensus:

- Keep with current ratio of 80% vegetative, 20% turf, pavers, gravel, etc. (24% of most residential lots)
- For any turf, the Applicant must demonstrate that it is permeable
- Turf should not be permitted in drainage features and rights of way
- Turf should be prohibited in historic or redevelopment districts (but the Historic Preservation Board consulted on that)
- There does not need to be a specified distance from turf to bodies of water
- The owner should cap irrigation when it faces areas where turf is newly installed

Mr. Berry explained that due to limited staffing, Staff would prefer the permitting process to be frontloaded, with the Applicant bringing examples of the turf specifications upfront and then a limited on-site inspection afterward. The draft ordinance will be brought back in January or February.

6. Adjournment - Next meeting January 27, 2025.

There being no further business, Chair Hubbard adjourned the meeting at 5:50 PM.

These minutes will be considered for approval at the January 27, 2025 meeting of the Planning Board.

**PLANNING BOARD MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Ordinance 2025-03: Artificial Turf

Action Request: Motion to recommend approval of Ordinance 2025-03 to the City Commission [with amendments (if necessary)] and find the Ordinance consistent with the St. Pete Beach Comprehensive Plan.

Strategic Objective:

Date: January 27, 2025

Prepared By: Brandon Berry, Senior Planner

Through: Denise Sanderson, Community Development Director

Summary of Issue: This Ordinance is a response to the recommendations made by the Planning Board at the December 2024 meeting. While City Commission hearing of this Ordinance has not been scheduled, Staff wants to ensure that the content accurately reflects the requests of the Planning Board based on the preceding discussion.

Supporting Comprehensive Plan Goals, Objectives and Policies include the following:

Future Land Use Element

Policy 1.2.6: Advanced storm water controls and waterfront considerations to minimize and eliminate pollutant run-off into the intracoastal waterways shall be a priority.

Policy 2.2.3: The City shall identify and promote the use of native and drought tolerant landscape with particular emphasis on Florida-friendly landscaping techniques including use of reclaimed water, and rain sensor irrigation systems to conserve water resources.

Policy 2.2.4: The City shall regulate, maintain, and reduce net impervious surfaces, with an emphasis on reducing large expanses of paved parking surfaces, wherever possible, to reduce urban heat and pollution and improve drainage.

Policy 2.8.2: The City shall require that the

developer/owner of any new development or redevelopment site to manage storm water runoff in a manner such that post-development runoff rates, volumes and pollutant loads do not exceed pre-development conditions.

Coastal and Conservation Element

Policy 1.1.3: The City shall continue to support and implement the standards and regulations set forth in the Pinellas County and Boca Ciega Bay Aquatic Preserve Management Plan (FDEP, 2018) or most current management plan to protect and enhance the water quality of Boca Ciega Bay.

Policy 1.2.5: The City shall minimize the amount of impervious surface in order to promote groundwater filtration, minimize runoff and stabilize water quality.

Objective 1.4: The City shall conserve, appropriately use and protect native vegetation.

Funding:

N/A

Attachments:

1. Ord 2025-03 Artificial Turf (Markup)

ORDINANCE NO. 2025-03

AN ORDINANCE OF THE CITY OF ST. PETE BEACH AMENDING THE ST. PETE BEACH LAND DEVELOPMENT CODE DIVISION 2 – DEFINITIONS, SECTION 2.1. – WORDS, TERMS AND PHRASES DEFINED, AND DIVISION 22 – LANDSCAPING AND TREE PROTECTION, ADDING SECTION 22.15 – ARTIFICIAL TURF STANDARDS, TO AMEND QUALITY, AREA AND PLACEMENT STANDARDS FOR ARTIFICIAL TURF PRODUCTS ON PRIVATE PROPERTY AND RIGHT OF WAY; PROVIDING FOR SEVERABILITY, CODIFICATION AND SCRIVENER’S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of St. Pete Beach requires a certain percentage of all privately-developed lots to be comprised of vegetative greenspace, but otherwise lacks explicit standards for the placement of artificial turf.

WHEREAS, analysis from the Tampa Bay Regional Planning Council finds that artificial turf can increase runoff, increased ambient temperature leading to increased heat island effect, biodiversity loss, and pollutant runoff, unless adequately regulated.

WHEREAS, St. Pete Beach’s location on a barrier island presents unique environmental challenges, particularly related to pollutant runoff and overuse of reclaimed water for irrigation.

WHEREAS, the City Commission finds that regulations pertaining to quality, placement location, and maximum area of artificial turf, along with supplemental supporting regulations, are necessary to prevent adverse effects to the public health and environment.

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 Land Development Code Division 22 – LANDSCAPING AND TREE PROTECTION is amended as shown in EXHIBIT A to this Ordinance.

SECTION 3. Codification. This Ordinance shall be codified in the Code of Ordinances of the City of St. Pete Beach.

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

The symbol *** constitutes code sections not shown for purposes of brevity. Remaining provisions are now in effect and remain unchanged.

SECTION 5. 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 as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. Scrivener's Error. The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. 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.

Adrian Petrila, Mayor

I, Amber LaRowe, 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 _____, 2025.

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Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Ralf Brookes, City Attorney

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EXHIBIT A

Land Development Code Division 2 – DEFINITIONS is amended as follows:

Sec. 2.1 – Words, terms and phrases defined.

[...]

Appropriate board of authority refers to the board or committee appointed by the city commission to administer the Land Development Code.

Artificial turf or synthetic grass means an artificial grass mat manufactured with man-made materials such as polypropylene, polyethylene, and/or other materials, which is used to replicate the appearance of natural grass.

Assisted living facility means any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator and is licensed under the provisions of F.S. Ch. 400, Pt. III.

[...]

Land Development Code Division 22 – LANDSCAPING AND TREE PROTECTION is amended as follows:

[...]

Sec. 22.15 – Artificial Turf Standards

- (a) General. The City of St. Pete Beach recognizes desire among property owners to install and maintain artificial turf for landscaping and recreational purposes, while also recognizing the potential ecological and environmental impacts resulting from widespread and unmanaged use of such a surface. To address unique challenges posed by the City's location on a barrier island, the following standards are adopted to minimize public risk and promote the City's goal of minimizing water pollution while allowing for turf to be used, in limited extent, as part of the City's landscaping program.
- (b) Exceptions. The standards in this section shall not apply to the placement of artificial turf on approved sports fields, playgrounds, and similar recreational areas in which artificial turf is commonly utilized, provided that any such surface shall be considered impervious unless demonstrated to be sufficiently porous subject to the standards in this section and this turf does not encroach into any landscaping area required under this Code. The requirements of this section are not intended to conflict with restrictions on homeowners' associations found in Florida Statutes 720.3045.

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- (c) Permit required. New placement of artificial turf on a lot shall require a permit. Installed turf shall be subject to the following standards:

(1) Material standards

- a. Artificial turf must replicate the appearance of St. Augustine, Seashore Paspalum, or another grass listed as acceptable for installation in Section 22.4. of this Code or otherwise found to be Florida-friendly for Zone 10b installation by the UF | IFAS Extension Florida-Friendly Landscaping™ Program. Turf must appear green and lifelike with individual blades of grass that have a pile height of at least 1.5 inches.
- b. All artificial turf shall have a minimum eight-year manufacturer's warranty that protects against color fading and a decrease in pile height.
- c. All materials must include test documentation which declares that the artificial turf yarn and backing materials are disposable under normal conditions, at any U.S. landfill station (Total Content Leach Protocol (TCLP) test). Documentation must also be provided that identifies all components that are recyclable and all components that consist of recycled material.
- d. Artificial turf shall be lead free.

(2) Installation standards

- a. All turf shall be installed according to manufacturer specifications.
- b. All turf seams must be nailed and glued, not sewn, and edges must be trilled to fit against all regular and irregular edges to resemble a natural look.
- c. When artificial turf is used adjacent a seawall, it must be pinned or staked behind the seawall rather than placed on the seawall cap.
- d. Newly-installed irrigation systems must be oriented away from areas of turf while still providing adequate irrigation for on-site vegetative material. Existing irrigation systems on lots where turf is being newly-installed must be discontinued if they will provide consistent irrigation to those areas of turf.
- e. Artificial turf must be installed outside of required swales, retention areas, and other drainage features. Turf may not be installed in the right-of-way without approval of the managing entity, and if approved for placement may be removed by the managing entity at any time.
- f. When installed adjacent to vegetative groundcover or other plantings, a concrete mow strip, rubber bumper, or other low barrier shall be placed between the turf and living material. Artificial turf shall not be placed to

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inhibit the growth of any buffer or interior landscaping required by this Division or other sections of this Code regulating landscaping.

(3) Permeability

- a. Artificial turf shall be considered impermeable unless all of the standards in this subsection are met, as demonstrated through product specifications and installation standards at time of permitting. The maximum percentage of a zoning lot's minimum permeable area that can be comprised of artificial turf is as listed in Section 22.4.(f), unless an exception is granted pursuant to listed standards.
- b. Turf must have a minimum permeability of 10 inches per hour inclusive of filter fabric, choker, weed barrier, and associated layers, and lack any impermeable layers above the uncompacted subgrade.
- c. A layer of FDOT #4, #57, or #89 stone at least four inches in depth must be used as a retention layer underneath the choker and/or weed barrier layer.
- d. The subgrade beneath the four-inch stone layer must be uncompacted.

(4) Maintenance standards.

- a. Turf visible from the street or adjacent property shall be maintained in appearance and coverage to the extent it was initially approved for installation. Turf that has acquired visible bare patches, has become ragged in appearance, or which has lost its natural color, shall be replaced with new turf or vegetative groundcovers recommended in Section 22.4.
- b. When the primary structure on the lot is demolished, all artificial turf on the lot shall be removed and replaced with an approved vegetative material.

(5) Permitting requirements. When associated with a new development, redevelopment, or addition, turf location should be identified as part of the overall landscaping plan. When submitted as a standalone placement permit, landscaping shall be shown on a recent survey depicting all improvements. Requests and supporting documents shall be submitted according to the City's landscaping permit application procedures and requirements.

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**PLANNING BOARD MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

**Agenda Title
Name:** Seawall Height Compliance

**Action
Request:** None - for discussion purposes.

**Strategic
Objective:**

Date: January 27, 2025

Prepared By: Brandon Berry, Senior Planner

Through: Denise Sanderson, Community Development Director

**Summary of
Issue:** St. Pete Beach faces threats from the combined effects of sea level rise and king tides. NOAA intermediate estimates predict a 0.95-foot rise in sea level between 2020 and 2050, and a 3.41-foot rise between 2020 and 2100. Between 2017 and 2022, the City also experienced king tides that reached as high as 3.91 feet above mean sea level (3.63 feet above NAVD 88). Combined with sea level rise, 2050 may see king tides that approach 5.0 NAVD 88 in height, which is the minimum height established for new seawalls in the City's Code of Ordinances.

In mid-2024 the City amended its seawall ordinance to set minimum maintenance standards, modify outdated language related to material and construction standards, and introduce a variance process for property owners who faced hardship in constructing seawalls to the established 5.0 NAVD 88 (bay side) or 6.0 NAVD 88 (Gulf side) height requirement. The ordinance also set parameters for property owners needing to come into compliance with the higher standard when their seawall is repaired, including a 50% replacement or 50% depreciated cost provision. However, this ordinance did not address other triggers for seawall compliance, including upland use changes, redevelopment, or substantial improvement, that could accelerate compliance.

Staff has been directed to discuss with the Planning Board higher standards for accelerating compliance with the City's

floodplain ordinance. This can include upland substantial improvements, compliance deadlines, or similar. Following legal review, the recommendations of the Planning Board may be brought back as an amending ordinance.

You can see the relevant December 3, 2024 City Commission discussion related to this item starting at approximately 2:15:45 in the meeting recording here: <https://stpetebeachfl.portal.civicclerk.com/event/2544/media>

Funding: N/A

Attachments:

1. Seawall Adaptation - Vulnerability Assessment
2. Broward County Flood Barrier Requirements
3. Ordinance 2024-02 (Seawalls)

OCTOBER 2023

CITY OF ST. PETE BEACH **UPDATE TO PHASE II VULNERABILITY ASSESSMENT**

DEP AGREEMENT #22PLN92



Prepared For:

City of St. Pete Beach
155 Corey Avenue
St Pete Beach, FL 33706

Prepared by:

Kimley»Horn

Kimley-Horn and Associates, Inc.
200 Central Avenue
Suite 600
St. Petersburg, FL 33701

assist in keeping high tide from backflowing through the drainage system, impacting areas upstream of the outfall. This strategy would also involve the addition of annual to semi-annual maintenance of the valves to ensure proper operation. These valves will not keep areas from flooding during rainfall events but will aid in high tide situations.

Drainage Maintenance Program Update: Evaluate current drainage maintenance practices and adjust prioritize the cleaning, inspection, and repair of piping and structures. Keeping the drainage system clear will alleviate operational issues during rainfall or tidal events by moving water more efficiently to stormwater outfalls.

Land Development Code Update: Review and update the land development code for consistency with City requirements, Pinellas County Countywide Plan, and Florida State Statute regulatory requirements. This update should also identify opportunities to incorporate flood resistant design for future development and incentive programs for redevelopment. The land development code update is currently in progress and is expected to be completed in 2024 upon City approval. This update may include revisions to the City's approach for stormwater management for redevelopment. In addition to the land development code update, the City is developing a Stormwater Drainage Manual that is anticipated to be reviewed and adopted by the City in conjunction with the Land Development Code Update in 2024.

Comprehensive Plan Update: Review and update the Comprehensive Plan for consistency with adopted City requirements, Pinellas County Countywide Plan, and Florida State Statutes (FS Chapter 163.3177 and 163.3178) regulatory requirements. This update should also address the Florida Peril of Flood Act to ensure the Comprehensive Plan satisfies the regulatory requirements. The comprehensive plan update is currently in progress. Transmittal of the comprehensive plan updates is anticipated to be approved by Commission in October 2023. This update addresses the risk of peril of flood requirements and is included in **Appendix I**.

Deployable Flood Barriers: Portable flood barriers to be utilized before major predicted events, in areas such as in front of critical buildings or electrical control rooms.

Tide Gates: Gates to be installed at beach entry ways before major tidal events or predicted events to keep water from intruding through beach entry pathways where applicable.

Long Term Adaption Strategies:

Raising Seawalls: Increasing the height of sea walls above the combined 2050 Intermediate SLR and king tide level. Although this strategy is utilized to combat high tide and future sea level rise, the City would need to study drainage throughout the area to prevent additional flooding issues. These issues could arise if higher seawalls prevent stormwater runoff from draining to the surrounding water body.

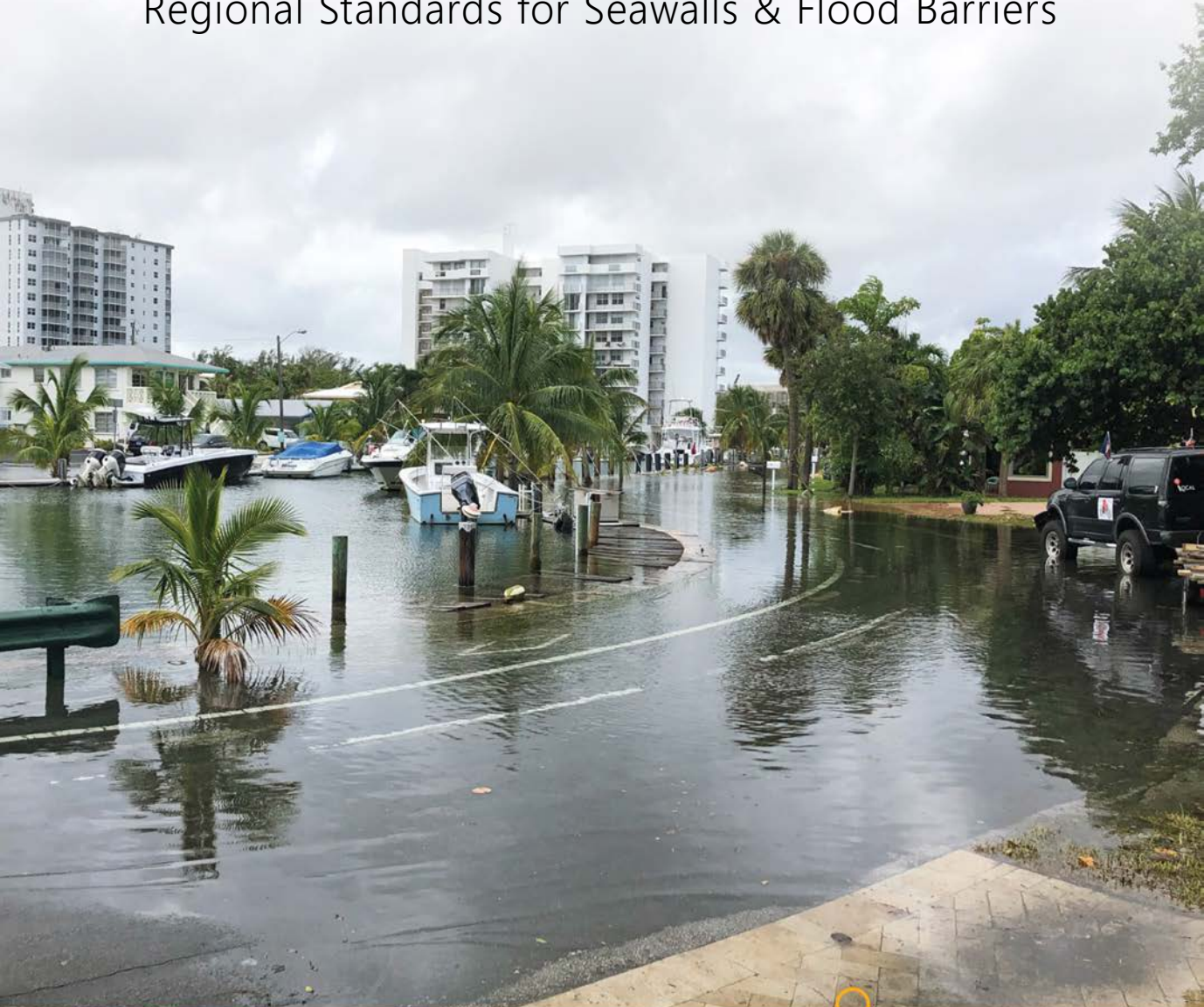
Seawall Ordinance: City to consider a minimum seawall elevation policy following the Seawall study so that any seawall gaps, seawall repairs, or seawall updates after the policy is in place for a certain amount of time, must be brought up to a minimum standard elevation.

Raising Roadways: Increasing the elevation of roadways above the 100-Year/24-Hour rainfall event or 2050 Intermediate SLR. Although this strategy is utilized to combat major rainfall events or future sea level rise, the City would need to study drainage throughout the area to prevent additional flooding issues that new runoff could cause.

FFE Ordinance: City to increase the minimum FFE above the combined SLR scenarios so that any home, business or City building after the policy is in place, for a certain amount of time, must be brought up to a minimum standard elevation. This ordinance may be incorporated in the update to the LDC and Comprehensive Plan.

Build It High, Keep It Dry

Regional Standards for Seawalls & Flood Barriers



Sea level rise is increasing the frequency and severity of tidal flooding across Broward communities.

Recently, increased flooding has prompted both public and private investment in seawall improvements. Yet individual investments have not fully delivered expected flood protection benefits when adjacent and nearby seawalls continue to allow the trespass of water. Effective community flood protection requires a holistic approach.

Consistent seawall heights are necessary to protect the community from escalating impacts. Broward County has created regional guidance so that coastal flood barriers will continue to provide protection, even under future sea level rise conditions.

What is the new Regional Standard?

For all new tidal flood barriers and substantial improvements to shorelines and shoreline structures:

Minimum seawall and top-of-bank elevation = 5 feet by 2050

An allowance of 4 feet NAVD 88 until 2035 may be granted by the municipality if the project is designed and constructed to accommodate a minimum elevation of 5.0 feet NAVD 88 by January 1, 2050.

This rule is not applicable to oceanfront beaches or shorelines seaward of the Coastal Construction Control Line. The rule deems tidal flooding a public nuisance and will be implemented via County land use plan and code of ordinances. Local governments are required to adopt a local ordinance implementing the regional standard by February 13, 2022.

The regional standard was informed by technical work undertaken with support from the U.S. Army Corps of Engineers (USACE) as part of the joint Broward County/USACE Flood Risk Management Study for Tidally Influenced Coastal Areas authorized under the Planning Assistance for States Program.

For complete details on the regional standard and associated policies, please go to Broward Land Use Plan Policy 2.21.7 at bit.ly/2T6pUng and Broward County Code of Ordinances Sec. 39-404 bit.ly/37K9hmF.

Elevation is measured using North American Vertical Datum of 1988 (NAVD 88). Land elevations along tidal waterways vary from 6 to 8 feet NAVD 88 in northern parts of the County to 1 to 4 feet NAVD 88 in southern parts of County with property specific variability throughout the County. The elevation of individual areas can be found using the Sea Level Scenario Sketch Planning Tool <https://sls.geoplan.ufl.edu/beta/viewer/>. Users do not need to make a "Show Scenario" selection. In the left navigation pane, under "Layers", uncheck "Current Flood Risk" and check "Florida Base Layers". Click the + sign to expand this field. Select "FL DEM feet". Next find the magnify glass symbol in the top navigation and type in a property address. Click on the blue location pointer and note the number of feet listed in the data table. To determine the visible height of the tidal flood barrier necessary, the land elevation should be subtracted from 5 feet NAVD 88. For example, if the land elevation is 4 feet NAVD, the visible barrier will be 1 foot above the ground surface (5 feet NAVD 88 - 4 feet NAVD = 1 foot). If the shoreline land elevation is 5 feet NAVD 88 or higher, an additional tidal flood barrier would not be required per the resiliency policy.

How to Adapt

Property owners can collectively reduce the risk of flooding. Higher seawalls are just one of many floodproofing options. Berms and other coastal flood barriers can be equally effective and provide important benefits to estuarine shorelines. Even seawalls can be designed to include Living Shoreline features, thus serving an ecological function while continuing to be protective barriers with watercraft accessibility.

For more information, see [Broward.org/Climate](https://www.broward.org/Climate)



Are you ready to upgrade your seawall/flood barrier?

All property owners must maintain a tidal flood barrier in good repair. A tidal flood barrier is presumed to be in disrepair if it allows tidal waters to flow unimpeded through or over the barrier and on to adjacent property or public rights-of-way. If a property is reported and documented to cause flooding of adjacent roads or neighboring properties it will be cited and required to prevent flood trespass within one year.

Planning now for future water levels benefits property owners in multiple ways. First, it is prudent to budget for the necessary adaptation before impacts to property values or infrastructure occur. Also, coastal flood protection measures that do not consider sea-level rise will likely require premature reinvestment to replace failed infrastructure at a significant expense to the property owner and the community at large. Property owners who ensure their coastal flood protection project is designed to meet the resiliency standard will be better positioned to protect their property and investment. Floodproofing may also reduce the level of required investment in surface water management infrastructure (pumps) for areas that will be below sea level in the future.

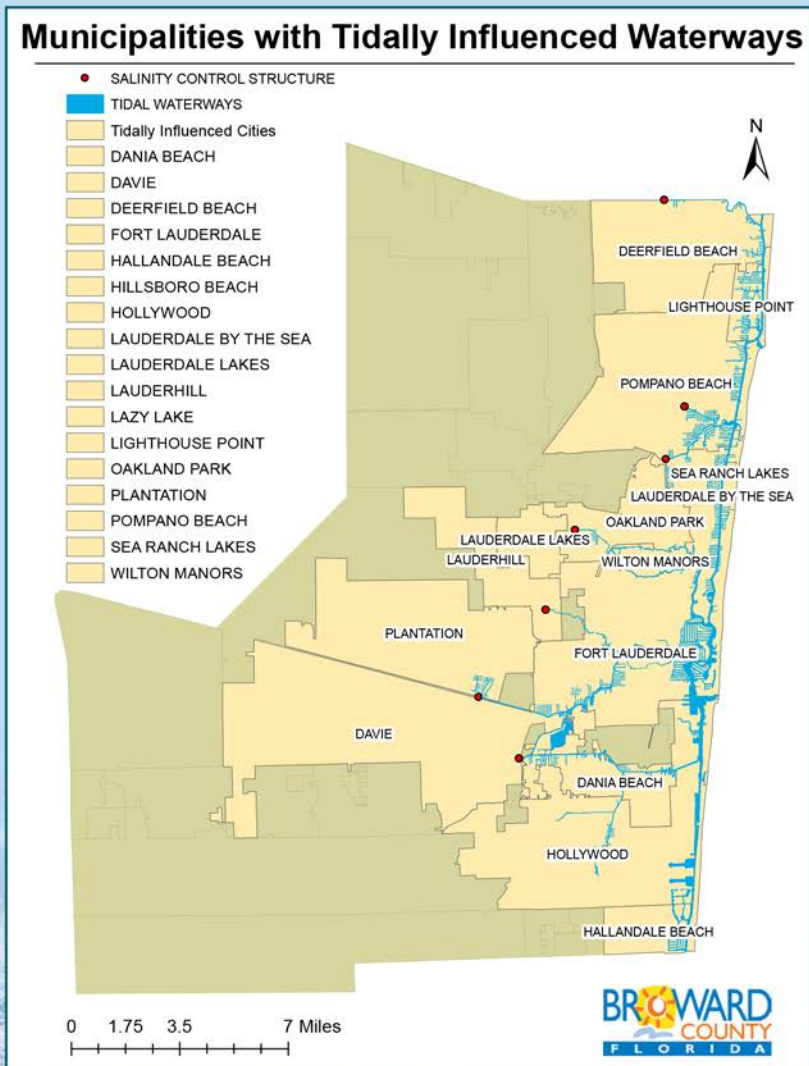
Action Steps:

1. **Determine your elevation** (Contact your city's Floodplain Manager to obtain an elevation certificate, <https://www.fema.gov/elevation-certificate>)
2. **Get construction quotes** by calling a few licensed general contractors or coastal engineers. Check references, consider living shoreline options, and compare costs and contract terms.
3. **Consider financing options.**
Check out rates for a home equity or construction loan, if needed.
4. **Hire a qualified and knowledgeable contactor.**
Permitting is typically handled by the contractor. Permits are required by the city, the County, the State, and the US Army Corps of Engineers.
5. **Construct your new seawall or flood barrier.**
After all inspections, close out your permits. The typical lifespan of a seawall is 30 to 50 years, depending upon materials used.



Who should follow the new resiliency standard?

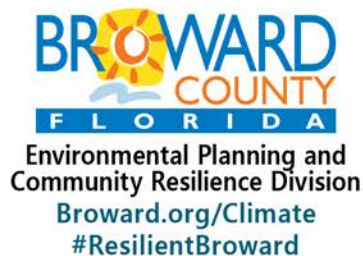
All Broward County cities with tidally-influenced areas must follow the regional standard for minimum tidal flood barrier and seawall heights. Tidally-influenced areas are waterways where the water level changes in response to the daily tide. Below is a map of the 17 municipalities who will implement the RESILIENCY STANDARDS FOR TIDAL FLOOD PROTECTION, adopted into the Article XXV of the Broward County Code of Ordinances and posted at [Broward.org/climate/pages/USACE.aspx](https://www.broward.org/climate/pages/USACE.aspx). County facilities and the Broward Municipal Services District are also included. The Broward Municipal Services District and other municipalities may require sellers to disclose that the property is located in a tidally-influenced area and subject to the resiliency standards for tidal flood protection.



Ensuring Community Resilience, Together

Broward County has provided regionally consistent standards for seawalls, banks and berms, and other appurtenant infrastructure (e.g., boat ramps) to ensure maximum effectiveness of coastal improvements necessary to mitigate high tide flooding associated with realized and additional sea level rise through the year 2070.

Participation by the marine industry, real estate community, engineers and planners from both the private and public sector, and other stakeholders in extensive public meetings and surveys was integral to the adoption of a regional standard that could be utilized by and serve to benefit the entire community.



Ordinance No. 2024-02

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING THE CODE OF ORDINANCES, CHAPTER 98 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE III – PROPERTY MAINTENANCE, SECTION 98-66 – RESIDENTIAL AND COMMERCIAL PROPERTY MAINTENANCE; ARTICLE IV – SEAWALLS, BULKHEADS AND RETAINING WALLS, SECTION 98-100 – STANDARDS FOR SEAWALLS, BULKHEADS AND RETAINING WALLS NOT ON GULF OF MEXICO; SECTION 98-101 – STANDARDS FOR SEAWALLS, BULKHEADS AND RETAINING WALLS ON GULF OF MEXICO; SECTION 98-104 – APPEALS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Pete Beach desires to amend Chapter 98 of the City’s Code of Ordinances.

WHEREAS, the City of St. Pete Beach faces significant inundation threats from forces of storms, tides, and sea level rise.

WHEREAS, the City Commission finds that engineering and construction practices and standards have changed since the original adoption of the City’s seawall, bulkhead and retaining wall ordinance, and that current practice relies on the expertise of engineers with marine experience to design systems that will protect upland property while avoiding burdening adjacent properties.

WHEREAS, the City Commission desires to maintain the ability for residents and businesses to apply for variances to seawall, bulkhead, and retaining wall construction and/or height standards when faced with particular and evidence-backed hardships.

WHEREAS, the City Commission desires to implement minimum maintenance standards for seawalls, bulkheads, and retaining walls to ensure that they continue to function to the purpose for which they were initially constructed.

WHEREAS, the City Commission finds and declares that the adoption of the Ordinance is in the best interest of the citizens to promote public health, safety and welfare.

WHEREAS, this Ordinance has been advertised as required by state law and the City Charter.

WHEREAS, on August 13, 2024, this Ordinance passed first reading before the City Commission at a vote of 5-0.

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 City Code of Ordinances Chapter 98, Article III is amended as follows:

Sec. 98-66. Residential and commercial property maintenance.

(27) *Landscape maintenance.* Where landscape plans have been specifically incorporated and approved in a development plan, the landscape areas shall be maintained in a manner equal to the original landscaping approval.

(28) *Seawalls.* All property owners must maintain their seawalls, bulkheads, living shorelines, or other shoreline protection structures or elements in good repair. A shoreline protection structure is presumed to be in disrepair if it allows for upland erosion, transfer of material through the barrier/wall, or allows tidal waters to flow unimpeded through the barrier/wall to adjacent properties or the public right-of-way. A shoreline protection structure that was legally permitted at a height less than the minimum required elevation for new and substantially-improved structures in Sec. 98-101 of this Code, and which has experienced structural or material deterioration that itself results in flow over the structure to adjacent properties or the public right-of-way, shall also be considered in disrepair.

ARTICLE IV. SEAWALLS, BULKHEADS AND RETAINING WALLS

Sec. 98-100. - Reserved.

Sec. 98-101. - Standards for seawalls, bulkheads, living shorelines, and retaining walls.

All seawalls, bulkheads, living shorelines, or retaining walls constructed or altered shall be in compliance with the following minimum standards:

- (1) Responsibility for proper design of seawalls, bulkheads, living shorelines, and retaining walls rests with the engineer who prepares the plans. Each improvement shall be designed to support all loads that may come upon it, to withstand the forces of water, wind, and usage, and to meet the specific requirements of the building and public works departments for location, elevation, and construction. All structures contemplated by this Section shall admit of rational analysis in accordance with well-established

principles of mechanics and sound engineering practices, and without exceeding the allowed stresses for the various materials as specified in the Florida Building Code.

- (2) Poured in place concrete caps shall not be less than 12 inches in thickness or less than 18 inches in width.
- (3) Bulkheads and seawalls and all parts thereof must be designed to support the estimated or actual imposed load, either dead, live or any other, both during construction and after the completion of such bulkhead or seawall. Seawalls, bulkheads, and any other shoreline protection structures or elements shall be designed and built in a substantially impermeable manner to prevent water from flowing through or over the seawall/shoreline protection while still allowing for the release of hydrostatic pressure from the upland direction, as certified by the design engineer.
- (4) Except as approved by the building department, permanent materials involved in the construction of seawalls, bulkheads, or retaining walls shall include concrete, corrosion-resistant steel, stone masonry, fiber-reinforced or high-performance plastics, or a combination. When reinforced concrete is used, it shall meet the requirements for proportions, strength and consistency in the Florida Building Code, as shall materials, design and fabrication in the erection of steel.
- (5) Elevation of all seawalls, bulkheads, living shorelines, and retaining walls newly constructed or substantially improved shall be as follows. For the purpose of this Section, substantial improvement shall be defined as any seawall repair consisting of 50 percent or more of the current length of the existing barrier, and repairs that are 50 percent or more of the cost of a new seawall along the length of the existing barrier or property shoreline, or any improvement to the seawall which results in an elevation change along 50 percent or more of the length of the structure. This term includes structures which have incurred "substantial damage" regardless of source or actual repair work performed.
 - a. *For seawalls, bulkheads, living shorelines, and retaining walls that front on the bay:* 5.0 feet North American Vertical Datum 88.
 - b. *For seawalls, bulkheads, living shorelines, and retaining walls that front on the Gulf of Mexico:* 6.0 feet North American Vertical Datum 88.

Sec. 98-104. - Relief from seawall, bulkhead, living shoreline, or retaining wall construction and elevation standards.

The building official is authorized to grant administrative relief from the construction and/or elevation standards of Sec. 98-101. Variances shall be sought through the submittal of a certification from a licensed Florida engineer with demonstrated proof of specialized marine engineering knowledge and training. The certification shall be submitted in tandem with the building permit for the seawall, bulkhead or retaining wall and subject to the administrative variance fee established by the City's fee schedule. The certification shall affirm, and support through evidence, the following:

- (1) There are special conditions of the upland subject property, existing upland structures or buildings, or vested and permittable upland structures or buildings which the applicant has taken reasonable, investment-backed steps to construct, for which the application of the subject standard will present a hardship;
- (2) The hardship is not predominantly financial in nature;
- (3) Application of the subject standard will imperil the subject or a neighboring property;
- (4) The hardship does not result from the upland property owner's unwillingness to modify the site to accommodate retention or detention of a 25 year, 24 hour storm, or such modification would itself rise to the level of a hardship that deprives the applicant reasonable use of the land, structure, or building;
- (5) The variance requested is the minimum necessary to reasonably mitigate the peril that application of the subject standard would otherwise cause.

SECTION 3. Codification. This Ordinance shall be codified in the Code of Ordinance of the City of St. Pete Beach.

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

SECTION 5. 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 as they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. Scrivener's Error. The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

SECTION 7. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 8. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 9. Effective Date. This ordinance shall take effect immediately upon adoption.

FIRST READING:
PUBLISHED:
SECOND READING:
PUBLIC HEARING:

August 13, 2024
August 28, 2024
September 9, 2024
September 9, 2024

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



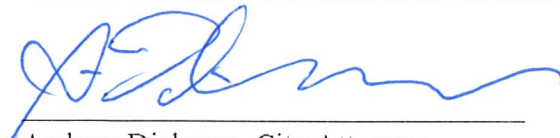
Adrian Petrilă, Mayor

I, Amber LaRowe, 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 9 day of September, 2024.



Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Andrew Dickman, City Attorney

CITY OF ST. PETE BEACH NOTICE OF PUBLIC HEARING

The City of St. Pete Beach City Commission will consider adoption of the following Ordinance on **September 9, 2024 at 6:00 P.M.** or soon thereafter in the St. Pete Beach City Commission Chambers, 155 Corey Ave, St. Pete Beach, FL 33706:

Ordinance 2024-02: Seawall, Bulkhead, and Retaining Wall Regulations

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING THE CODE OF ORDINANCES, CHAPTER 98 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE III – PROPERTY MAINTENANCE, SECTION 98-66 – RESIDENTIAL AND COMMERCIAL PROPERTY MAINTENANCE; ARTICLE IV – SEAWALLS, BULKHEADS AND RETAINING WALLS, SECTION 98-100 – STANDARDS FOR SEAWALLS, BULKHEADS AND RETAINING WALLS NOT ON GULF OF MEXICO; SECTION 98-101 – STANDARDS FOR SEAWALLS, BULKHEADS AND RETAINING WALLS ON GULF OF MEXICO; SECTION 98-104 – APPEALS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER'S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

NOTE: The above-scheduled public hearing may be continued from time to time pending adjournment. Any written comments that are received on the subject matter will become part of the official record. Any person who decides to appeal any decision of the City Commission with respect to any matter considered at this hearing will need a record of the proceedings and, for such purposes, 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 based. American with Disabilities Act: Florida Statutes Chapter 286.26. Accessibility of public hearings to the physically handicapped. In accordance with the Americans with Disabilities Act and Florida Statutes, persons needing special accommodations to participate in a hearing should contact City Hall at (727) 367-2735 no later than forty-eight (48) hours prior to the hearing for assistance. A copy of Ordinance 2024-02 is on file in the Planning Department and may be inspected by the public. Any interested parties may appear at the meeting and be heard with respect to the proposed Ordinance. FOR MORE INFORMATION OR TO VIEW THE FILES ON THESE REQUESTS, PLEASE CONTACT: City of St. Pete Beach, Planning Department, 155 Corey Avenue, St. Pete Beach, Florida 33706 - (727) 363-9229.

Tampa Bay Times
Published Daily

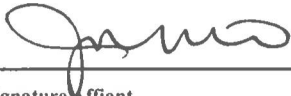
STATE OF FLORIDA

COUNTY OF Pinellas, Hillsborough, Pasco,
Hernando Citrus

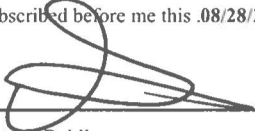
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Before the undersigned authority personally appeared **Jean Mitotes** who on oath says that he/she is **Legal Advertising Representative** of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: Ordinance 2024-02** was published in said newspaper by print in the issues of: **8/28/24** or by publication on the newspaper's website, if authorized, on

Affiant further says the said **Tampa Bay Times** is a newspaper published in **Pinellas, Hillsborough, Pasco, Hernando Citrus** County, Florida and that the said newspaper has heretofore been continuously published in said **Pinellas, Hillsborough, Pasco, Hernando Citrus** County, Florida each day and has been entered as a second class mail matter at the post office in said **Pinellas, Hillsborough, Pasco, Hernando Citrus** County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



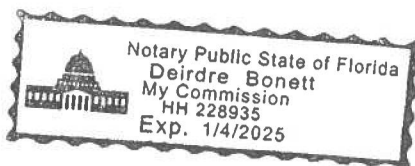
Signature Affiant

Sworn to and subscribed before me this **08/28/2024**


Signature of Notary Public

Personally known X or produced identification

Type of identification produced _____



LEGAL NOTICE

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08/28/24

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