



**BEACH STEWARDSHIP COMMITTEE MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

155 Corey Avenue
St. Pete Beach, FL 33706

Wednesday, August 20, 2025
9:00 AM

Call to Order
Pledge of Allegiance
Roll Call

REGULAR MEETING

1. Presentations -

a. Beach Activity Report 2025 Quarter 2

Update on weddings, public meetings, special events, cleanups, and PCSO violations from April 1st to June 30th

2. Approval of the Agenda -

Action Request: Motion to approve the August 20, 2025 agenda.

3. Audience Comments -

Public participation is encouraged. If you wish to address the City Commission, please fill out a speaker's card and provide it to the City Clerk. Once you are called, please come to the podium and state your name and address for the record. Comments shall be limited to 3 minutes and shall be limited to non- public hearing items on the agenda. Public comment on agenda items will be allowed when that item is called. If you plan to make a presentation as part of your public comment, the presentation must be provided to the City Clerk 24- hours in advance of the meeting.

4. Action Items -

a. Approval of the May 21, 2025 Meeting Minutes

5. Items for Discussion -

a. Ordinance 2025-02: Creating Chapter 95. Beaches

Providing an overview, soliciting public feedback, and proposing a workshop to discuss Ordinance 2025-02: Creating Chapter 95. Beaches. This item is presented at the August

Beach Stewardship Committee solely for these purposes. The City does not request a formal recommendation from the Beach Stewardship Committee on this ordinance at this time.

b. Ordinance 2025-16: Amending Land Development Code Division 44 - Marine turtle protection

Providing an overview, soliciting public feedback, and proposing a workshop to discuss Ordinance 2025-16: Amending Land Development Code Division 44 - Marine turtle protection. This item is presented at the August Beach Stewardship Committee solely for these purposes. The City does not request a formal recommendation on this ordinance from the Beach Stewardship Committee at this time.

c. Update on dune walkover replacements at 2nd, 3rd, 4th, 6th, 7th, 51st, and 52nd Avenues.

Staff to provide an update on dune walkover replacements capital improvement project at 2nd, 3rd, 4th, 6th, 7th, 51st, and 52nd Avenues.

d. Update on Pinellas County Emergency Beach Nourishment Project

Staff to provide an update on the Upham Beach nourishment project that's part of the Pinellas County Emergency Beach Nourishment Project

e. Customary Use Conversation

Conversation with City Attorney regarding customary use policy

6. Adjournment -

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.

**BEACH STEWARDSHIP COMMITTEE MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Beach Activity Report 2025 Quarter 2

Action Request: N/A

Strategic Objective:

Date: August 20, 2025

Prepared By: Camden Mills, Public Services Director

Through: Frances Robustelli, City Manager

Summary of Issue: Update on weddings, public meetings, special events, cleanups, and PCSO violations from April 1st to June 30th

Funding: N/A

Attachments: 1. Beach Activity Report 2025 Q2



To: Beach Stewardship Committee
From: Camden Mills, Public Services Director
Date: August 8, 2025
Re: Beach Activity Report 2025 Quarter 2

WEDDINGS

- April 10th
- May 12th
- June 12th

PUBLIC MEETINGS

April:

- City Commission Meeting (April 8th)
- City Commission Meeting (April 22nd)

May:

- Finance & Budget Committee Budget Workshop #1 (May 6th)
- City Commission Budget Workshop #1 (May 13th)
- City Commission Meeting (May 13th)
- Beach Stewardship Committee (May 21st)
- City Commission Meeting (May 27th)

June:

- Finance & Budget Committee Budget Workshop #2 (June 4th)
- City Commission Budget Workshop #2 (June 10th)
- City Commission Meeting (June 10th)
- City Commission Priority Work Session #1 (June 17th)
- City Commission Priority Work Session #2 (June 18th)
- City Commission Meeting (June 24th)

SPECIAL EVENTS

April:

- Sunshine State Outdoor Volleyball Association (April 5th – 6th)
- Oral Cancer Awareness 5K (April 5th)
- Bucs Beach Bash (April 25th – 27th)

May:



PUBLIC SERVICES

- Sunshine State Outdoor Volleyball Association (May 3rd – 4th)
- MindTravel Silent Concert (May 15th)

June:

- Sunshine State Outdoor Volleyball Association (June 7th – 8th)
- MindTravel Silent Concert (June 13th)
- Sunshine State Outdoor Volleyball Association (June 27th – 29th)

CLEANUP EVENTS

- Pending report from Keep Pinellas Beautiful

PINELLAS COUNTY SHERIFF’S OFFICE ORDINANCE VIOLATIONS

April

- Citations: 2
- Verbal Warnings: 187

May

- Citations: 0
- Verbal Warnings: 49

June

- Citations: 2
- Verbal Warnings: 37

MISCELLANEOUS UPDATES:

- City of St Pete Beach Website Updates: “Is Our Beach Healthy”
 - <https://www.stpetebeach.org/839/Is-Our-Beach-Healthy>)
- Anna Maria adopting ordinance prohibiting beach holes
 - <https://amisun.com/anna-maria-adopting-ordinance-prohibiting-beach-holes/>

PINELLAS COUNTY SHERIFF'S OFFICE
BOB GUALTIERI, SHERIFF



STRATEGIC PLANNING DIVISION

St. Pete Beach Ordinance Violations

April 2025

CITATION	TOTAL	ON THE BEACH
Driving On Beach	1	1
Sleeping On Beach	1	1

VERBAL WARNING	TOTAL	ON THE BEACH
Alcohol On Beach	123	123
DJ Equipment On Beach	1	1
Dog Off Leash	10	10
Dog On Beach	16	16
Dog On Beach Off Leash	14	14
E-Bike On Beach	1	1
E-Bike On Sidewalk	2	0
Gas Scooter On Beach	1	1
Glass On Beach	9	9
Grill On Beach	1	1
In Park After Hours	14	0
Pedestrian Violation	2	0
Sleeping In Park	3	0
Sleeping In Vehicle	1	0
Sleeping On Beach	10	10
Vendor Without Permit	1	1

PINELLAS COUNTY SHERIFF'S OFFICE
 BOB GUALTIERI, SHERIFF



STRATEGIC PLANNING DIVISION

St. Pete Beach Ordinance Violations

May 2025

CITATION	TOTAL	ON THE BEACH
Sleeping In Public	1	0

VERBAL WARNING	TOTAL	ON THE BEACH
Alcohol On Beach	18	18
Discharge Spear Gun	3	3
Dog Off Leash	3	3
Dog On Beach	5	5
Dog On Beach Off Leash	5	5
E-Bike On Beach	1	1
Feeding Birds	1	1
Glass On Beach	4	4
Grill On Beach	1	1
In Park After Hours	6	0
Sleeping In Public	1	0
Sleeping On Beach	8	8
Soliciting	1	0

PINELLAS COUNTY SHERIFF'S OFFICE
BOB GUALTIERI, SHERIFF



STRATEGIC PLANNING DIVISION

St. Pete Beach Ordinance Violations

June 2025

CITATION	TOTAL	ON THE BEACH
Alcohol On Beach	1	1
Construction Violation	1	0
Glass On Beach	1	1
Obstruction Of Sidewalk	1	0
Open Container	2	0
Sleeping In Public	1	0

VERBAL WARNING	TOTAL	ON THE BEACH
Alcohol On Beach	8	8
Camping In Park	2	0
Dog Off Leash	3	0
Dog On Beach	18	18
E-Bike On Beach	1	1
Glass On Beach	1	1
In Park After Hours	12	0
Motorcraft In Swim Zone	1	0
Sleeping In Public	6	0
Sleeping On Beach	9	9

DRAFT BEACH STEWARDSHIP COMMITTEE MINUTES

May 21, 2025 - 9:00 A.M.

PRESENT: Jon Stevens, Vice Chair/Chair
John Kurzman, Member/Vice Chair
Natalie Looney, Member
Bill Thompson, Member

ABSENT: Dan Rothenberger, Member

STAFF PRESENT: Ayako Ruckdeschel, Code Enforcement Officer
Ralf Brookes, City Attorney
Ginny Bodkin, Deputy City Clerk
Peyt Dewar, Code Enforcement Manager

Vice Chair Stevens called the meeting to order at 9:00 AM.

1. Approval of the Agenda –

Member Kurzman requested to add discussion items on how new legislation might affect the beaches or the beach ordinance and beach closure information.

Motion: **The amended agenda was approved by a voice vote.**

2. Audience Comments –

Kathleen Etxegoien of 106 5th Avenue inquired about the status of seawall and crossovers at 4th and 6th. Vice Chair Stevens requested that staff have a report on the status of the seawall and RFP for the crossovers at the next meeting.

3. Action Items

a. Approval of Meeting Minutes February 26 and March 20, 2025

Member Kurzman indicated he had not yet reviewed the March 20th workshop minutes.

Motion: **Member Looney moved, and Member Kurzman seconded the approval of the February 26, 2025 regular meeting minutes; the motion passed 3-0 with Member Thompson abstaining.**

Later in the meeting, Member Kurzman indicated he actually had read all of the minutes and was ready to vote. Attorney Brookes suggested voting again on both minutes with no abstentions.

Motion: **Member Kurzman moved and Member Looney seconded to approve the and March 20, 2025 Workshop minutes as presented; the motion passed unanimously.**

Motion: **Member Looney moved and Member Kurzman seconded to approve the and February 26, 2025 meeting minutes as presented; the motion passed unanimously.**

b. Election of Committee Officers for 2025-26 FY

Vice Chair Stevens explained that Chair Rothenberger indicated to the Clerk that he would not be able to serve for the coming year and had no objection to a vote without him present.

Motion: Member Thompson moved to appoint Jon Stevens as Committee Chair and John Kurzman as Vice Chair for 2025-2026. Member Looney seconded and the motion carried 4-0.

4. Items for Discussion

a. Update from Pinellas Co. regarding emergency beach renourishment/dune

Zach Westfall of Pinellas County Coastal Management appeared via Zoom. He reported that the dune at Pass-a-Grille that had washed away from Hurricane Helene has been rebuilt with overwash sand from the street. A scope of work with a survey has been prepared for planting and the project will be going out to bid, combined with other beach projects; they are working as quickly as they can. Multiple varieties of plants will be included. They are also waiting for permits from the State; he will advise when the planting may begin.

Member Thompsom inquired about a planning project near the Upham Beach/Paradise Grill area. Mr. Westfall mentioned that an application can be submitted for a sea oat giveaway.

Mr. Westfall answered an inquiry about the Army Corps of Engineers beach renourishment progress by explaining that County Administration is still in talks with them. He added that it has been a 13 year stalemate, but the 2024 Water Resources Development Act (WRDA) did pass, which says the Corp should act as previously to refill, but they are waiting for a guidance document. The County is doing what they can in the meantime.

Mr. Westfall reported that the County's permit to fill is for the beaches south of 22nd. He added that County engineers identified the need and created a dune near Starlight Tower after Idalia, but the amount of space makes it difficult to build a dune, but they are still looking at it. If approved, funding would come from the tourist development ("bed") tax as well as the state's "local government" funding. There may also be appropriations, but the state budget is not yet passed. yet. Chair Stevens added that volunteers are allowed to place plantings with local funding and field permits from the County CCCL.

Finally, Mr. Westfall reminded everyone that it is turtle nesting season; with dunes and vegetation gone, please share the word to have lights off, amber, and shielded and watch for hatchlings.

b. Update regarding the new staff liaison to the Beach Stewardship Committee

Code Enforcement Officer Ayako Ruckdeschel reported that Public Services has hired a Deputy Director, Brian Pekins, who will be starting on June 16th and will be the new staff liaison to this committee.

c. Budget request for needs affecting the beach

Code Enforcement Manager Peyt Dewar stated that discussions for beach resources have already taken place, but he encouraged communications with the Commission that resources

are needed for enforcement. When asked, he stated that the greatest need is for two beach access vehicles; they are currently borrowing Gators from the Parks Department. The City has been conducting beach inspections since 2016.

When asked, Mr. Dewar reported that the current top three beach compliance concerns are turtle friendly lighting (he exhibited the lens that the officers use), driving to observe for reported cases of urinating and other bodily functions on the beach (in conjunction with the Sheriff's Department), and ensuring that alcohol is not being used outside of controlled areas. Dune violations are not as common.

A proactive education campaign was suggested. Mr. Dewar mentioned the code enforcement officers do proactively communicate with beach front properties as part of their responsibilities. Chair Stevens explained that he will follow up on Code Enforcement's wish list with the City Manager.

Member Thompson suggested that the Friends of the Library could work with Code Enforcement to obtain additional lighting-lens cards to distribute to the public. Mr. Dewar added that Code Enforcement is available to make presentations to groups.

d. Continued enforcement on the beach for dogs/e-bikes/alcohol consumption

Ms. Ruckdeschel had distributed a list of ordinance violations created in conjunction with PCSO during their enhanced zero-tolerance campaign that took place February 16 – April 30th. The provided violations plus dune violation enforcement were discussed. Signs alone do not change behavior. The Committee would like to work with the City Manager on proactive campaigns.

Leslie Price of 6650 Sunset Way thanked the committee for their work and cautioned to keep turtle nesting areas quiet. She mentioned that at Upham Beach, the period after the hurricane was more destructive because it was not marked. She commented that bikes on the beach are a detriment to turtles in addition to lighting, including cell phone flashlights.

Justine Bragg of 5250 Gulf Blvd., representing the Bellwether Beach Resort, commented that there are now at least four closed resorts, which opens the beach to a less controlled atmosphere. She spoke about responsible alcohol use and stated that the Bellwether does use proactive signage and education and are in support of beach control.

Member Thompson inquired about the status of the remodel of the parking at the Upham Beach plaza area, which has been delayed for a few years due to issues with the coastal construction line; Ms. Ruckdeschel and Senior Planner Brandon Berry were not aware. Staff will check into it.

e. Status of Beach Ordinance and Lighting Ordinance

Senior Planner Brandon Berry reported that a community meeting for the beach ordinance will be forthcoming (likely in June); the new Senate Bill 180 may affect planning efforts, so city staff and attorney want to review prior to meeting. The committee will be advised of the date.

As to the State of Florida Model Sea Turtle Lighting Ordinance, there are some items in SB

180 that also pertain to development (rather than maintenance) and may affect whether that can go forward. The Bill is expansive in its restrictions; staff is reviewing ordinance by ordinance.

Vice Chair Kurzman expressed concerns with administrative inconsistencies with pieces of the beach ordinance and potential SB 180 effects. Mr. Berry explained development related items may be affected – “development permits”, which includes building permits and zoning approval would be within that scope - but not as much for maintenance related items, which are exempted.

JoLynn Lawson of Leilani Drive appeared and showed night-time beach condo and hotel lighting photos, which she recently took. She will email them to the Clerk as part of the meeting record. Ms. Ruckdeschel stated that Code Enforcement had addressed those lights as well.

Mr. Dewar added that the existing lighting ordinance is adequate enough for enforcement; the proposed State ordinance may create difficulty in enforcement due to the need to be on private property at night to read the lighting. He reiterated that Code Enforcement has been out enforcing at night during turtle season since 2016. Some violations were written up on Monday. Chair Stevens asked staff to communicate any changes they would like to recommend for better enforcement to the Committee so they could consider bringing forward to the City Commission.

f. Turtle Nest Activity

Ms. Ruckdeschel reported that as of this weekend, she counted eight nests north of the Don Cesar; Member Thompson added that there is one in front of the Sirata (which is marked). Ms. Ruckdeschel added that the black skimmer areas have been marked as well. Fireworks are banned on the beach and patrols increase near the 4th of July. Posting signage that no fireworks are permitted near the 4th of July was suggested; Ms. Ruckdeschel will follow up.

g. Senate Bills related to Beaches (added)

City Attorney Ralf Brookes provided an update of Senate Bill 180; it passed both House and Senate and is awaiting the Governor’s signature; it may go into law without signature. Section 28 of the bill relates to Hurricanes Debby, Helene and Milton, which covers all Florida. No local government can adopt a moratorium, propose more restrictive or burdensome amendments to its Comp Plan or land development regulations or propose or adopt more restrictive or burdensome procedures concerning review, approval or issuance of a site plan development permit or order. This preemption is retroactive to August 1, 2024. If anyone thinks an ordinance is in violation, they would need to give the city 14 days to respond by repealing that section of the ordinance. The bill expires June 30, 2028 but the moratorium and preemption are until June of 2027. Another section creates a statute that will kick in any time there is a hurricane in the future that will extend deadlines for another year. Behavioral/maintenance ordinances would still be allowed. Staff is reviewing the beach ordinance in this regard.

In other legislation, the DEP beach renourishment program was funded for \$50 million but that is spread out across the state. One bill that did not pass said that Tourist Development Tax could not be used for beach renourishment.

h. Beach Closures and Notifications *(added)*

In light of recent bacteria/beach closure reports, Vice Chair Kurzman asked about postings regarding the health of beaches. Ms. Ruckdeschel referred to the County's website where that information is posted. Links from the City's website to those County postings will be added. Vice Chair Kurzman expressed frustration with the slow timing of the County's postings.

5. Adjournment – Next meeting will be August 20, 2025.

There being no further business, the meeting was adjourned at 11:08 AM.

These minutes will be considered for approval at the August 20, 2025, Beach Stewardship Committee meeting.

**BEACH STEWARDSHIP COMMITTEE MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Ordinance 2025-02: Creating Chapter 95. Beaches

Action Request: None - for discussion purposes.

Strategic Objective:

Date: August 20, 2025

Prepared By: Brandon Berry, Senior Planner

Through: Camden Mills, Public Services Director

Summary of Issue: As presented at the July 2025 community meeting, Staff is proposing to separate the beach ordinance as publicly presented into three separate ordinances. This ordinance, as drafted, represents the first and is intended to both create a consolidating Chapter 95 in the Code of Ordinances to contain most beach-related regulations, as well as amend content related primarily to beach behavior, conduct, and permitting requirements. Amendments to the City's wildlife-friendly lighting ordinance will be addressed in Ordinance 2025-16, also presented to the Beach Stewardship Committee, and potentially-significant changes to cabana service areas, alcohol service, and commercial beach furniture are proposed to be presented in a currently-unscheduled third ordinance.

The core content of this ordinance has not been significantly modified from that presented for adoption in early 2025, other than removing content intended to be presented in the commercially-focused third ordinance. Staff has attempted to reformat Exhibit A in a way that more clearly shows what is being modified, relocated, and removed from the ordinance than what has been presented previously. In doing so, Staff has made what Staff considers to be minor and unsubstantial modifications to reflect what is understood to be the original intent as presented, or to codify current policies, such as requiring inward-facing signage prohibiting alcohol removal from cabana service areas.

Staff is not requesting this ordinance to be recommended to the City Commission at the August 2025 Beach Stewardship Committee meeting. Staff proposes the following for the August 2025 meeting:

1. Providing a general overview of the content of the ordinance;
2. Soliciting initial public comment on the ordinance, which can also be shared at the Beach Stewardship Committee meeting where the ordinance is proposed for formal recommendation, as well as both readings before the City Commission;
3. Proposing and requesting Committee consensus on scheduling a workshop to address this ordinance in a more comprehensive means, and requesting input on format, such as whether the review should be line-by-line in the order of the content as shown, or address each section as a whole;
4. Requesting input on content that is appropriate for the scope of this ordinance that has not already been addressed, and will not be addressed under either of the other forthcoming ordinances, related to conduct, behavior, permitting, and other topics being relocated to Chapter 95.

Funding: N/A

Attachments: 1. Ordinance 2025-02 - Draft

Ordinance 2025-02

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA FOR THE PURPOSE OF ADOPTING A BEACH ORDINANCE; CREATING CHAPTER 95. BEACHES, SECTIONS 95-1 THROUGH 95-22; RELOCATING, RENAMING AND AMENDING SECTIONS IN CODE OF ORDINANCES DIVISIONS 6, 14, 58, 62 AND 94; AND RELOCATING AND AMENDING SECTIONS IN LAND DEVELOPMENT CODE DIVISION 25 AND 44; PROVIDING A CONSOLIDATED ORDINANCE PERTAINING TO CONDUCT, BEHAVIOR, OPERATIONS, DEVELOPMENT, PERMITTING, AND MAINTENANCE ON THE CITY'S BEACHES; SPECIFYING PENALTIES FOR VIOLATIONS; 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 intends to preserve and protect the beauty of the City's beaches, parks, and other public property for the use and enjoyment by residents and tourists; and

WHEREAS, the City has a significant tourist population that utilizes its beaches, parks, and other public property; and

WHEREAS, management and enforcement of activities consistent with the designation of Preservation for the areas of the beach seaward of the Florida Coastal Construction Control Line is essential to preserve its aquatic resources, wildlife population and habitat, in order to maintain its environmental and recreational value; and

WHEREAS, the City's development regulations are intended to promote health and the general welfare, and prevent the overcrowding of land, which the imposition of setbacks for commercial beach activities, prohibition on most forms of smoking and the use of Styrofoam on the beach, and other new and maintained limitations contained in this Ordinance, are intended to promote; and

WHEREAS, these regulations are carefully drafted with the intent of balancing the tourist trade and residential character of the City while providing for the continued enjoyment of natural resources and limiting the degradation of environmental resources along the City's beaches; and

WHEREAS, the City's beaches and parks are a valuable asset as the City is a large recreational and tourist community; and

WHEREAS, such beaches and parks are intended to be used solely for recreational purposes and not to be used for sleeping during nighttime hours; and

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

*** indicates text that is unaltered but to be left out of the document for purposes of brevity.

WHEREAS, the City Commission finds that the provisions of this Ordinance are necessary and are in the best interest of the citizens of and visitors to the City, and are necessary to promote the public health, safety and welfare of the community at large; and

WHEREAS, a business impact estimate pursuant to Florida Statute 166.041(4)(c)5 has been prepared; and

WHEREAS, the City is setting the effective date for the enforcement of the provisions of this Ordinance for a future date which will allow time for entities subject to the provisions of this Ordinance to apply for eligible waivers or other relief from the Ordinance provisions before enforcement will occur.

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 and Land Development Code 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.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, word, 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, words, 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.

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

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

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

Adrian Petril, Mayor

I, Renee Rose, 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.

Renee Rose, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

City Attorney

Existing Code of Ordinances Section 58-1. is amended as follows:

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

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Exhibit A

Existing Code of Ordinances Section 58-1. is amended as follows:

Senior means an individual 55 years of age or older.

Sunrise means the time when the upper limb of the sun appears above the horizon as a result of the diurnal rotation of the earth even if obscured by clouds or the reported time of sunset by time and date for the City of St Pete Beach.

Sunset means the time when the upper limb of the sun disappears below the sensible horizon as a result of the diurnal rotation of the earth even if obscured by clouds or the reported time of sunset by time and date for the City of St Pete Beach.

Youth means any individual between three and 17 years of age.

Existing Code of Ordinances Section 58-26. is amended as follows:

Sec. 58-26 – Prohibited activities in city parks and beaches.

Except for activities of the city, or a governmental agency within the scope of its governmental authority, it shall be unlawful for any person to do any one or more of the following in a public park or beach owned or controlled by the city:

- (1) Sleep at any time during the hours from sunset to sunrise of the following day;
- (2) Construct any hut, shanty, or other shelter, except by special permit issued by the department in association with a special event;
- (3) Discharge or deposit human wastes, except in toilet facilities provided by the city;
- (4) Drive, putt or otherwise hit golf balls;
- (5) Sleep as prohibited in Section 58-32 or otherwise be, or remain in any bushes, shrubs, or other foliage at any time; or
- (6) Use public restrooms to shave and or shower or bathe unless showers are provided for purposes of showering before going into a public pool, or showers are provided to wash off sand or salt water at the beach.
- (7) Offer for sale, rent or trade any article or thing, or station or place any stand, cart or vehicle for the transportation, sale or display of any article or merchandise, other than the department or concessionaires acting by and under the authority of the City of St. Pete Beach.

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

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Existing Code of Ordinances Section 94-70 is relocated to Section 58-32 and amended as follows:

Sec. 94-7058-32. – Sleeping during nighttime prohibited.

- (a) *Intent*. It is the intent of the city commission to preserve and protect the beauty of the city's beaches, parks and other public property for use by residents and tourists. In furtherance of such purpose, the city commission makes the following findings of fact:
- (1) The city has a significant tourist population that utilizes its beaches, parks and other public property.
 - (2) Being a largely recreational and tourist community, the city's beaches, parks and other public property are a very valuable asset.
 - (3) ~~Such~~ The beaches, parks and any other public properties are intended to be used solely for recreational purposes and not for sleeping during nighttime hours.
 - (4) Permitting persons to sleep on the beaches, in the parks and on any other public property during nighttime hours will have a negative effect on ~~the appearance of such areas~~ public access and use of the area and upon the city's tourism industry.
 - (5) Persons sleeping on the beaches, in the parks or on any other public property are exposed to the risk of harm from others or the elements.
 - (6) Prohibiting persons from sleeping on the public beaches, in the parks and on other public property during the nighttime hours will promote the public health, safety and welfare.
 - (7) ~~The beaches beginning at 30th Avenue and running north to the north boundary of block "M," Don Ce Sar Subdivision, and beginning at the south boundary line of block "N," Don Ce Sar Subdivision, and running north to 37th Avenue, are gulfward of residential property. Sleeping on the beach in these areas is contrary to the health and safety of the public.~~
- (b) *Prohibition*. It shall be unlawful for any person to sleep in or on any public park, public beach, or any other public property within the corporate limits ~~at the following places between sunset and sunrise the hours of 9:00 p.m. and 6:00 a.m. of the following day, referred to in this section as the nighttime hours:~~
- (1) ~~On any public beach or in any public park or any other public property within the corporate limits.~~
 - (2) ~~Between the waters of the Gulf of Mexico on the west and the most landward line of the sand dune or permanent construction, whichever first occurs, in the following area: beginning at 30th Avenue and running north to the north boundary of block~~

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

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~~"M," Don Ce Sar Subdivision, and beginning at the south boundary line of block "N," Don Ce Sar Subdivision, and running north to 37th Avenue.~~

- (c) *Penalty.* Any person found guilty of violating this section shall, upon conviction, be penalized as provided in section 1-14 subject to a fine not to exceed \$500.00 or imprisonment not to exceed 60 days.

The Code of Ordinances Chapter 95 is created as follows:

Chapter 95. Beaches.

Section 95-1 is created as follows:

Sec. 95-1. – Intent and purpose.

It is the intent and purpose of these regulations to safeguard and beautify the city's beaches by limiting certain activity conducted on the beaches. These regulations are also intended to provide for the health, safety, and welfare of the city's residents and the visitors of the City of St. Pete Beach.

Section 95-2 is created as follows:

Sec. 95-2. – Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animals means any domesticated or non-domesticated animal, but specifically does not include service animals.

Beach means the zone of unconsolidated material that extends landward from the mean low-water line to the place where there is marked change in material or physiological form, or to the line of permanent vegetation, usually the effective limit of storm waves. When not preceded by the terms "private" or "public" elsewhere in this ordinance, this term shall be inclusive of both.

City manager means the person appointed by the city commission as the chief administrative official for the city or the designated representative thereof.

Consumption on premises means the drinking of beer, wine, and/or liquor on the property of a business which is licensed through the Florida Department of Business and Professional Regulation or its successor with a COP-class, SFS-class, or other license class that provides at least the minimum approval to allow for an on-premises consumption type of sale. The use of the term premise shall not be construed to include land located seaward of the rear property line when the upland property is not owned to the mean high-water line.

Dune means a mound or ridge of loose sediments, usually sand-sized sediments, lying landward of the beach and deposited by any natural or artificial mechanism.

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

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Frontal dune means the first natural or manmade mound or bluff of sand which is located landward of the beach and which has sufficient vegetation, height, continuity, and configuration to offer protective value.

Micromobility device means any motorized transportation device which is not capable of traveling at a speed greater than 20 miles per hour on level ground. This term includes motorized scooters, electric bicycles, and electric personal assistive mobility devices as defined by F.S. 316.003, as amended. Devices when required and when used by handicapped persons are exempt as set forth in City Code Section 74-91.

Permanent structure means an assembly of materials that is constructed on or placed over land or water, with either its own location on the ground or attached to something with a location on the ground, in which it is anticipated that the structure will remain in place for its expected lifespan or for which a temporary period of placement has not been defined and permitted through this Code. All structures erected for a period of longer than 180 days shall be considered permanent and must be permitted or maintained pursuant to the permit under which they were authorized.

Service animal means an animal that is trained to do work or perform tasks for an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work done or tasks performed must be directly related to the individual's disability and may include, but are not limited to, guiding an individual who is visually impaired or blind, alerting an individual who is deaf or hard of hearing, pulling a wheelchair, assisting with mobility or balance, alerting and protecting an individual who is having a seizure, retrieving objects, alerting an individual to the presence of allergens, providing physical support and assistance with balance and stability to an individual with a mobility disability, helping an individual with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors, reminding an individual with mental illness to take prescribed medications, calming an individual with posttraumatic stress disorder during an anxiety attack, or doing other specific work or performing other special tasks. A service animal is not a pet. The crime-deterrent effect of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for purposes of this definition.

Smoking means inhaling, exhaling, burning, or vaping any lighted product, including cigarettes, cigars, pipe tobacco, hemp, other smokeable substances, with the exception of unfiltered cigars. As used in this section, "unfiltered cigar" means a cigar consisting of a roll of tobacco wrapped in leaf tobacco without a filter and containing only tobacco and no other substance. Vaping means to inhale or exhale vapor produced by a vapor-generating electronic device or to possess a vapor-generating electronic device while that device is actively employing an electronic, a chemical, or a mechanical means designed to produce vapor or aerosol from a nicotine product or any other substance. The term does not include the mere possession of a vapor-generating electronic device.

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

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Sunrise means the time when the upper limb of the sun as affected by refraction appears above the sensible horizon as a result of the diurnal rotation of the earth.

Sunset means the time when the upper limb of the sun as affected by refraction disappears below the sensible horizon as a result of the diurnal rotation of the earth.

Temporary structure means an assembly of materials, including structures such as but not limited to cabanas, beach chairs, tables, umbrellas, tents and inflatable materials, which is constructed or placed, in compliance with the provisions, procedures and standards of this Code, for a limited and defined period of time, and which does not involve the construction or alteration of any permanent structure. A structure erected for a period of 180 days or longer shall not be considered a temporary structure and is a permanent structure.

Unattended fishing and/or line means a fishing line to which no person is actively directing their attention.

Zoning lot shall have the same meaning as in the Land Development Code.

Section 95-3 is created as follows:

Sec. 95-3. – Penalties.

- (d)a Any person violating this Chapter shall constitute an offense against the city, and where no specific penalty is provided therefore shall subject the offender, upon conviction, to a fine or penalties applicable to misdemeanor violation of a municipal ordinance.
- (d)b The City may issue citations for violations of the City Code of Ordinances and assess a penalty for such violations. Citations may be appealed to the City Code Enforcement Special Magistrate under the procedures set forth in Code Section 22-287 and 22-288, or a court of competent jurisdiction.
- (d)e The judgment of a court of proper jurisdiction imposing any fine or fine and cost of prosecution may contain provision for a period of imprisonment in default of payment of the fine or cost. The payment of fines and costs of prosecution may also be enforced by attachment summarily against the property of the delinquent.
- (d)d In addition to the penalties provided in subsections (a), (b) and (c) of this section, any condition caused or permitted to exist in violation of any of the provisions of this Code or any ordinance shall be deemed a nuisance, pursuant to Chapter 46, Article II of the City’s Code of Ordinances, and shall be subject to abatement by the city, and each day that such condition continues shall be regarded as a new and separate offense.

Existing Code of Ordinances Section 94-66 and 94-67 are stricken as follows:

Sec. 94-66. – Definitions.

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

~~Sunrise means the time when the upper limb of the sun as affected by refraction appears above the sensible horizon as a result of the diurnal rotation of the earth.~~

Items in ~~strikethrough~~ are to be deleted;

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Sunset means the time when the upper limb of the sun as affected by refraction disappears below the sensible horizon as a result of the diurnal rotation of the earth.

Sec. 94-67. Penalties.

Any person violating this article shall be subject to the penalties of section 1-14.

Existing Code of Ordinances Section 94-68 is relocated to create Section 95-4, renamed, and amended as follows:

Sec. ~~94-68~~95-4. Chairs, tables, benches, and umbrellas.

- (a) It shall be unlawful for any person to place upon the public beach any chair, bench, table or umbrella that alone or in combination with a group of chairs, benches, tables or umbrellas, ~~which~~ is in a location or is of a size which would interfere with the use of the public access beach by the general public.
- (b) It shall be unlawful for any person placing or causing to be placed any chair, bench, table or umbrella equipment upon the public beach to allow such to remain upon such public beach between sunset and sunrise and each chair, bench, table or umbrella shall constitute a separate violation. This shall not apply to an entity operating in compliance with the conditions of an issued special event permit.
- (c) Any operation from a franchise to set up chairs, tables, umbrellas, or cabanas on or upon the public beach requires a permit from the city.
- (d) The maximum tent size allowed on the public beach is 10 feet by 10 feet, except when a larger tent size is temporarily permitted within a designated area as part of an approved special event permit.
- (e) Any items left on the public beach out of compliance with this section may be disposed of by the City in its sole and absolute discretion.

Existing Code of Ordinances Section 94-69 is relocated to create Section 95-5, renamed, and amended as follows:

Sec. ~~94-69~~95-5. Picnics, ~~and food consumption, and fire pits.~~

- (a) Except as provided in subsection (b) of this section, no person shall conduct or participate in a picnic on any of the city's beaches. Except as provided in section 6-595-10, no person shall possess or consume any alcoholic beverages upon any of the city's beaches.
- (b) Picnics and the consumption of food and nonalcoholic beverages shall be permitted on the public city beaches of Pass-a-Grille and Upham Beach, provided that:
 - (1) Those persons having picnics or consuming food or nonalcoholic beverages within the area shall be responsible for cleaning up and removing from the beach all of the food, papers, cartons, bottles and other refuse or debris which may ~~shall~~ remain or be left from the consumption of such food or beverage.
 - (2) It shall be unlawful to build any fire for any purpose, including the cooking of food, within the sand beaches of the city, unless approved under subsection (c).

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

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(3) Glass containers or bottles associated with the consumption of food, alcoholic, or nonalcoholic beverages shall be prohibited.

(c) Notwithstanding subsection (b)(2) of this section, the city commission, the city manager or their designee shall be entitled to authorize the building of a temporary beach fire pit, ~~with This authorization may contain conditions and such requirements as the deemed~~ appropriate by the city commission or city manager's designee, that considering the advice of the fire department, the considerations of the rights of nearby property owners and the best interests of the city and its residents and visitors, such a temporary beach fire is deemed appropriate. Any person receiving authorization to build a fire shall agree in writing to comply fully with all requirements imposed by the city commission and/or city manager or designee.

(d) Signs may be posted notifying the public of the prohibitions and penalties for violating this section at beach ends, city parks, or other appropriate locations. ~~Anyone convicted of violating this section shall pay a fine of not less than \$100.00 or more than \$500.00. Signs shall be posted notifying the public of the penalty for violating this section.~~

Existing Code of Ordinances Section 94-71 is relocated to create Section 95-6, renamed, and amended as follows:

Sec. ~~94-71~~95-6. – Tiki (or Chickee) huts.

Tiki (or Chickee) huts are prohibited on any beach unless a permit has been issued by the city manager or designee and the structure and development is ~~department of planning and development~~ in compliance with the following:

- (1) (a) The tiki (or chickee) hut does not violate the terms of F.S. § 161.053.
- (2) (b) The person applying for the tiki (or chickee) hut permit has the written approval of the upland property owner.
- (3) (c) The applicant is licensed as a commercial watersport business and the tiki (or chickee) hut size, location, and placement meets all requirements contained in the City Code and Florida Statutes ~~as provided by the land development regulations is subpart B of this Code.~~
- (4) (d) The tiki (or chickee) hut meets all requirements of the Florida Statutes, Florida Building Code, and the city's Land Development Code, except that pursuant to Sec. 553.73.(10(i), Fla. Stat., Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida are exempt from the Florida Building Code ~~The tiki hut is constructed as provided in section 98-67.~~

Existing Land Development Code Section 25.6. is stricken, with its content modified and amended into newly-created Section 95-6. as follows, with subsequent sections renumbered:

Sec. ~~25.6~~. Tiki huts.

~~(a) The city may permit the location of a tiki hut on the beach in accordance with the following:~~

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

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~~(1) Tiki huts shall be allowed only in conjunction with the approval of the owner of the property upon which the tiki hut will be located. No tiki hut shall have utility services, shall serve food or drinks, or shall be used for any other service beyond the sales of services for an approved commercial water sports operation.~~

(25) Tiki huts shall be removed from the beach in the event of the issuance of a warning for a storm that, in the opinion of the city, is expected to be of sufficient strength to warrant such removal.

(36) Any tiki hut or other similar structure placed or erected on the beach after the adoption of this Code without a permit from the city shall in violation of this Code and all remedies shall be sought in accordance with the provisions of section 3.16 of this Code.

Sec. 25.76. - Dune preservation and enhancement.

Sec. 25.87. - Development requirements.

Sec. 25.98. - Permit required.

Sec. 25.109. - Permitting procedures.

Sec. 25.11. - Variances.

Existing Code of Ordinances Section 94-72 is relocated to create Section 95-7 and amended as follows:

Sec. ~~94-72~~95-7 – Temporary Structures.

No temporary structure of any kind shall be erected on any beach unless otherwise authorized by this article or other section of this Code or otherwise approved by the City.

Existing Code of Ordinances Section 94-73 is relocated to create Section 95-8 and amended as follows:

Sec. ~~94-73~~95-8. – Vehicle permits.

- (a) *Required.* No person, municipality, county or other public agency shall drive any vehicle or ride any electric or non-electric bicycle on, over or across any beach unless such motor vehicle or bicycle has been issued a “vehicle on the beach” permit under this section, ~~except in emergency situations as approved by the police department or fire department.~~ Emergency or law enforcement vehicles are exempt and shall be coordinated through the city manager or designee.

Items in ~~strikethrough~~ are to be deleted;

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- (b) *Criteria for issuance.* Permits for the operation of vehicles on the beach shall be issued for the following purposes:
 - (1) City beach maintenance operations~~Public works and public safety~~;
 - (2) Permitted commercial activities;
 - (3) Special events; and
 - (4) Mechanical beach cleaning.
- (c) *Issuance; additional federal, state or county permits.* Permits shall be issued by application to the ~~department of planning and development~~ city manager or designee based on the scope of activity, and the determination that the issuance serves a public purpose. Where necessary, the applicant shall obtain whatever additional permits that may also be required by either federal, state or county law. Where federal, state or county approval is necessary, no permit issued by the department shall become effective until such approval has been granted.
- (d) ~~Bond~~; Insurance. Based on the scope of activity, the ~~department~~ city manager or designee may require the posting of a ~~bond~~ or a liability insurance policy protection against damage to property or persons as part of a “vehicle on the beach” permit.
- (e) *Compliance.* In reviewing the application for a permit, the ~~department~~ city manager or designee shall require the applicant to provide all information necessary to determine whether the vehicle will be operated to comply with the requirements of this ~~article~~ Chapter or to set reasonable conditions to ensure compliance.
- (f) *Safe operation.* Operating vehicles permitted under this section shall be subject to all of the regulations set forth in this ~~article~~ Chapter and other ordinances governing the safe operation of vehicles. Safe operation shall be deemed as 10 mph or any other limit later established per Land Development Code Section 6.12.(h)(3).
- (g) *Exemptions.* A one-time exemption may be obtained per approval of the City Manager.

Chapter 94 reservations are updated as follows:

Secs. 94-7466 – 94-79. – Reserved.

Existing Code of Ordinances Section 94-101 is relocated to create Section 95-9, renamed, and amended as follows:

Sec. 94-101.95-9. – RequirementsBeach maintenance regulations.

(a) Mechanical beach cleaning shall be conducted in accordance with the following requirements:

- (1) All mechanical beach cleaning equipment operated on the beach shall require a permit issued by the city in accordance with this ~~article~~ Chapter.
- (2) Cleaning equipment shall meet the requirements of state and local law governing the permitting of beach maintenance activities, including the requirements of F.S. §§ 161.052 and 161.053 and the rules and regulations adopted by the state department of environmental protection, division of beaches and shores.
- (3) Cleaning activities shall be performed only between sunrise and sunset.

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- (4) Seaweed and other natural sea vegetation may be placed within the five-foot zone, at seaward of the toe of the frontal dune, as long as the dune is not disturbed.

Existing Code of Ordinances Section 94-102. is relocated to newly-created Section 95-9, with its content amended as follows:

Sec. 94-102. — Prohibitions.

(5) The following activities shall be prohibited on beaches:

~~(1)~~a. Mechanical beach cleaning shall ~~be prohibited~~ within five feet of the toe of the dune.

~~(2)~~b. Mechanical beach cleaning equipment activities shall ~~not~~ which disturb any natural beach vegetation.

~~(3)~~c. Penetration of the beach surface with mechanical beach cleaning equipment by more than two inches into the surface of the beach.

~~(4)~~d. Any mechanical beach cleaning during the period May 1 through October 31 (turtle nesting season) except seaward of the prior day's high-tide mark or debris line or where authorized by a permit from the state department of environmental protection, division of beaches and shores.

Existing Code of Ordinances Section 94-103. is relocated to Section 95-9, with its content amended as follows:

Sec. 94-103. — Exemptions.

(b) The city shall be exempt from permitting requirements of this ~~division~~ section, but shall otherwise comply with all federal, state and local laws.

Chapter 94 reservations are updated as follows:

Secs. 94-104 101– 94-130. – Reserved.

Code of Ordinances Section 6-5 is amended as follows:

Sec. 6-5. – Consumption or possession of alcoholic beverages.

(a) Except as provided in subsection ~~(d)~~ (e) of this section, it shall be unlawful to drink or consume alcoholic beverages on or upon:

(1) All public streets.

~~(2) All public beach lands.~~

~~(3)~~ (2) Any public sidewalk.

~~(4)~~ (3) Any city park.

~~(5) All private sand beach areas upland of the Gulf of Mexico and adjacent to private property.~~

~~(6) All sovereignty submerged land.~~

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(b) Except as provided in Chapter 95, it shall be unlawful to drink or consume alcoholic beverages on or upon:

(1) All public beach lands.

(2) All private sand beach areas upland of the Gulf and adjacent to private property.

(c) It shall be unlawful to drink or consume alcoholic beverages on or upon all sovereignty submerged land.

~~(b) *Notices.* For public beach lands, notice of this section shall be posted in a prominent beach access location by the city. For upland property is used for some commercial use, including but not limited to hotels and resorts on the beach, notice shall be posted by the owner and shall contain language determined to be acceptable by the city attorney. For upland property used as multifamily residential use, the owner or condominium association shall be responsible for posting the notice. For upland property is less than three residential living units, the city shall post the notice at the closest public access to the beach.~~

~~(e) (d) *Containers.* It shall be unlawful for any person to carry on or about his person any container of alcoholic beverages, whether or not the container is a bottle, can, carton or other form of container, in those areas described in subsection (a) through (c) of this section unless a permit has been issued pursuant to subsection (e) of this section or Chapter 95 of this code otherwise allowing said activity to occur under any certain terms and conditions stated in the permit. This subsection shall not be applicable in those areas described in subsections (a)(1) and (3b) of this section if the alcoholic beverage is contained in a sealed container or if the bottle, can, carton or other container has never been opened since the time the beverage was originally bottled at the manufacturer's or bottler's plant. Possession of any container of alcoholic beverages wherein the seal has been broken, the bottle cap or pop-top has been opened or removed or where the container may seem to be open or to have been opened shall constitute prima facie evidence of a violation of this section.~~

~~(d) (e) *Permits.* Permits allowing for the consumption of alcohol for special events, outdoor dining or outdoor drinking areas, or special occasions may be issued as follows:~~

~~(1) *Special event permit on public non-beach lands.* The city commission may authorize the consumption of alcoholic beverages in the areas described in subsections (a)(1), (2) and (3), and (4) as stated above, in connection with the approval of a special event permit issued pursuant to Article II of Chapter 26 of this Code. Regulations pertaining to consumption of alcohol on beach lands are as provided in Chapter 95 of this Code.~~

~~(2) *Special event permit on private lands.* Owners of private sand beach areas may obtain a special event permits for the consumption of alcoholic beverages for special occasions. The permits shall be issued by the city manager or designee and shall include conditions necessary to protect the safety, health and welfare of the public.~~

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~~The upland owner shall be entitled to no more than three permits per month. The area of the beach subject to the permit shall be marked with approved temporary markers, and the consumption of alcohol shall be confined to the marked area. Permits shall not authorize consumption before 8:00 a.m. and shall terminate no later than 10:00 p.m.~~

(32) *Conditional use permit on public land.* The city commission may authorize the sale and consumption of alcoholic beverages in connection with the approval of a conditional use permit for an outdoor dining area or outdoor drinking area in the area described in subsection (a)(1) and (a)(32) as provided by the City of St. Pete Beach Land Development Code.

Code of Ordinances Section 95-10 is created as follows:

Sec. 95-10. – Smoking, starting of fires, and use of alcohol on the beach.

- (a) Consumption or possession of alcoholic beverages. It shall be unlawful for any person to drink or consume any alcoholic beverage on or upon:
- (1) All public beach lands, except as may be approved through Section 95-10.(g)(1).
 - (2) All private beach lands, except as may be approved through Section 95-10.(f) or (g)(2).
- (b) It shall be unlawful for any person to carry on or about their person any open container of alcoholic beverages, whether the container is a bottle, can, carton or other form of container, on any beach or sovereignty submerged land adjacent to the beach except in those areas as permitted in subsection (a) preceding.
- (c) Notices. For public beach lands, notice of this section shall be posted in prominent beach access locations by the city with appropriate locations determined by the city manager or designee. When upland property is used for some commercial use, including but not limited to hotels and resorts on the beach, and the beach is public or the commercial use lacks authorization for alcohol on the private beach, notice shall be posted by the owner facing landward of the dune line or Coastal Construction Control Line where no dune exists at an appropriate beach access location and shall contain language determined to be acceptable by the city attorney. For upland property used as multifamily residential use, the owner or condominium association shall be responsible for posting the notice. When upland property contains fewer than three residential living units, the city's posting at the nearest beach access shall suffice to provide notice as required for this item.
- (d) Pursuant to Florida Statutes, Sec. 386.209, smoking (except for unfiltered cigars) is prohibited and unlawful within the boundaries of any public park or public beach within the city and further restrict smoking within the boundaries of public beaches and

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public parks that are within its jurisdiction but are owned by the county, unless such restriction conflicts with a county ordinance. A violation of this provision may be enforced by citation by any law enforcement officer or by any code enforcement officer.)

- (e) The starting or maintaining of fires and open flames on the public beach is prohibited except where specifically allowed in this Chapter or in conjunction with an annual special event as approved by the fire marshal.

Existing Code of Ordinances Section 6-5.(d)(4) is amended and transferred into newly-created Section 95-10. as follows:

(f4) *Administrative approval for alcoholic beverages on private beach lands.* Upon receipt of an accepted site plan application, the technical review committee may approve the sale of alcoholic beverages in conjunction with the rental of beach cabanas on private transient lodging property if all of the following requirements are met through the site plan review and approval process, as outlined in division five of the land development code.

(1)a. Each transient lodging facility that desires an alcohol cabana service area permit must complete the permitting process and have an active BTR (business tax receipt) for cabana rental associated with the lodging facility.

(2)b. The cabana service area must be delineated by sketch on COP liquor license, as well as a component of the site plan review. The sketch shall be available for viewing at the transient lodging facility at all times.

(3)e. The cabana service area can be no closer than 75 feet to a property line abutting an existing residential use located outside of the CRD (community redevelopment district).

~~d. All occupants of the cabana service area must wear an identifiable and unique wrist band that is exclusive to the upland transient lodging facility. The wrist band shall indicate that alcohol must remain in the cabana service area at all times.~~

(4)e. The cabana service area shall be no closer than 50 feet to the wet sand.

(5)f. The cabana service area's hours of operation shall be 10:00 am to 10:00 pm.

(6)g. The cabana service area's patron(s) shall only be served by identifiable transient lodging facility employees, in person and all service-ware shall have clearly identifiable transient lodging facility markings.

(7)h. Glass and plastic straws are prohibited at all times on the sand beach.

~~(8)i. Only patrons or registered members of the transient lodging facility that have current room rental as well as a cabana rental in the cabana service area may be served alcohol. Invited guests of the facility patron that desire to be served alcohol~~

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~~shall register with the hotel to secure a wrist band.~~ Patrons and/or guests are prohibited from bringing alcohol into the cabana service area.

(9)j. Service of alcohol shall only be provided within a beach cabana service area, as delineated by boundary markers consistent with the on-site COP map. Boundary markers shall be four-by-four wooden posts extending four to six feet above the sand and painted a single contrasting color to the sand. The top of the markers shall be installed with signage of two to four square feet facing inward to the cabana service area informing guests that alcohol shall not removed from the area.

(10) Initial applications for a new cabana service area shall demonstrate an adequate number of water closets to service guests of the area will be in place at time of its operation. When an existing cabana service area was established prior to this requirement, the demonstration shall be made at time of request for renewal. No cabana service area shall start or continue to operate without an adequate number of operational permanent or temporary water closets necessary to meet Florida Building Code requirements. Any portable toilet placed to support this area shall meet requirements of this Code and the Land Development Code.

(11)k. Penalty. Violation of the above criteria will result in:

a1. First violation - written warning to the transient lodging facility.

b2. Second violation - written warning to the transient lodging with the stipulation that the permit will be revoked if additional violation occurs within six months.

c3. Third violation - revocation of the cabana service area permit. The transient lodging facility will not be able to re-apply for a cabana service area permit for one year. For every continual violation an additional six months will be added to this requirement.

(12)l. Cabana service area permits shall be issued on an annual basis, and subject to all ordinance amendments at the time of renewal.

Code of Ordinances Section 95-10.(g) is created as follows:

(g) *Special event approval for alcohol consumption on public and private beach lands.* Alcohol consumption on public and private beach lands not otherwise authorized through (f) preceding may be approved through a special event permit, as follows:

(1) *Public beach land.* The city commission may authorize the consumption of alcoholic beverages on public beach lands in connection with the approval of a special event permit issued pursuant to Article II of Chapter 26 of this Code.

(2) *Private beach land.* Owners of private sand beach areas may obtain a special event permit for the consumption of alcoholic beverages for special occasions. The permits shall be issued by the city manager or designee and shall include conditions necessary

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to protect the safety, health and welfare of the public. The upland owner shall be entitled to no more than three permits per month. The area of the beach subject to the permit shall be marked with approved temporary markers, and the consumption of alcohol shall be confined to the marked area. Permits shall not authorize consumption before 8:00 a.m. and shall terminate no later than 10:00 p.m.

Existing Code of Ordinances Section 14-35 is relocated to create Section 95-11, renamed, and amended as follows, with subsequent remaining section renumbered:

Sec. 14-3595-11. Dogs Prohibited on sand beaches.

- (a) It shall be unlawful for any owner or other person keeping a dog to take such dog upon any sand beach or beach access or to knowingly allow any such dog to be upon any sand beach or beach access except as prescribed below.
- (b) Designated dog beach area shall be those sand beach lands that lie from the easterly extension of the southernmost ROW line of 1st Avenue north to the easterly extension of the southernmost ROW line of 3rd Avenue and eastward of the Pass-a-Grille Way ROW line. Any dog accessing this designated dog beach area shall be kept and held on a leash of any substantial material and of a maximum length of eight feet at all times, regardless of location.
 - (1) For designated dog beach areas, the following rules and regulations apply:
 - a. Owners are legally responsible for their dogs and injuries caused by them.
 - b. Dogs must be properly licensed, have required immunizations and ~~always~~ wear appropriate ID tags at all times.
 - c. Dogs must remain out of any dune vegetation or other protected areas.
 - d. Owners must clean up after their dogs.
 - e. Owners shall maintain clear sidewalks at all times by ensuring that their dogs do not impede the use of such sidewalks by persons or other dogs.
 - f. Dogs showing aggression towards people or other dogs shall be immediately removed from the premises.
 - g. Dogs that bark persistently or are otherwise a nuisance shall be removed from the premises.
 - ~~h. Dogs using the dog beach area must be at least four months old.~~
 - hi. Dogs must never be left unattended.
 - ij. Dogs "in heat" will not be allowed inside the dog beach area.
 - jk. Rawhide, food or any other consumable is not allowed inside the dog beach area.
 - kl. Dogs are the only type of animal permitted inside the dog beach area.
 - lm. Violators will be subject to removal from the area and suspension of area privileges.
 - (2) Hours of operation shall be determined by the city manager or his/her designee and posted on-site. Hours may be adjusted without notice.
 - (3) The city shall have no obligation or responsibility to replace any existing sand on a dog beach that is removed as a result of alluvial shift, tides, currents, storms or other natural occurrences.

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

*** indicates text that is unaltered but to be left out of the document for purposes of brevity.

(c) Service animals as defined in this chapter are exempt from the prohibition of animals on the beach.

Sec. 14-36. 35. – Regulations for dogs in approved outdoor seating areas.

Section 95-12 is created as follows:

Sec. 95-12. – Distribution of handbills and other advertising.

It shall be unlawful for any person to throw, cast, affix, or discard any handbill, circular, card, booklet, placard or other paper or plastic or other material whatsoever in or upon any public access beach.

Section 95-13 is created as follows:

Sec. 95-13. – Fishing on the beach.

It shall be unlawful for any person to fish on the public access beach after having been warned by any law enforcement officer that the health and safety of bathers is being endangered by fishing in that location, in that manner and at that time.

Nothing in this section shall be construed to create a duty on the part of any City employee or representative to prevent fishing or to warn of the presence of sharks in the waters of the Gulf.

Section 95-14 is created as follows:

Sec. 95-14. – Feeding or Harassing Wild Birds, Sea Turtles and Manatees is Prohibited.

(a) The feeding of birds on the beach is prohibited.

(b) No person shall take, harass, harm, pursue, hunt, shoot, kill, trap, capture, or collect, possess, or sell any of the endangered or threatened shorebird and seabird species (American Oystercatcher, Snowy Plover, Black Skimmer, Least Tern), Sea Turtles or Manatees.

Section 95-15 is created as follows:

Sec. 95-15. – Fireworks on the beach.

It shall be unlawful for any person to offer for sale, expose for sale, sell at retail or use or explode any fireworks on the beach. The city commission shall have power to adopt reasonable rules and regulations for the granting of permits for supervised public display of fireworks within the boundaries of the city, pursuant to Section 791.02, Florida Statutes, as amended.

Section 95-16 is created as follows:

Sec. 95-16. – Micro-mobility.

The riding of any micromobility device as defined in this Chapter shall be prohibited upon any beach within the City or any area as designated by the City where notice is posted. Operation of such devices, whether privately owned or not, is prohibited on sidewalks except for the purposes of parking the device in an acceptable location as referenced in Section 74-91 through 74-95.

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

*** indicates text that is unaltered but to be left out of the document for purposes of brevity.

Section 95-17 is created as follows:

Sec. 95-17. – Vending on public beaches.

- (a) No person, persons, organization or firm, other than the department or concessionaires acting, by and under the authority of the city manager or designee, shall expose or offer for sale, rent or trade any article or thing, or station or place any stand, cart or vehicle for the transportation, sale or display of any article or merchandise upon any public sand beach. Nothing contained herein shall restrict freedom of speech exercised by any person without the use of tables, chairs, or signs erected or placed upon the ground, or other objects, stands, carts, vehicles or similar items.
- (b) No person shall solicit, canvass, or otherwise take orders for the sale of merchandise, goods, or property of any kind or character upon any public beach.
- (c) Regulations particular to solicitation on private beaches may be found in Section 95-18 of this Code.

Section 62-59 is amended as follows:

Sec. 62-59.– Application; qualifications; contents

- (a) A solicitation permit may be obtained by written application of the person desiring to solicit. Such applicant shall be a legal adult or shall have obtained a work permit from a school. The solicitation permit shall contain the following information and shall be signed and sworn to by the applicant:
 - (1) Full name of applicant.
 - (2) The name of the business or property which the applicant is representing.
 - (3) Expiration date of the permit.
 - (4) A recent photograph of the applicant.
- (b) ~~For solicitation along the sand beach areas of the Gulf of Mexico, the permit shall be issued only after the property owner represented has demonstrated to the satisfaction of the director of planning and development that the sandy beach portion of the property is owned by the upland property owner.~~ Regulations specific to commercial solicitation in sand beach areas can be found in Section 95-18 of this Code.

Existing Code of Ordinances Section 62-93 is relocated to create Section 95-18, renamed, and amended as follows:

Sec. 62-93.95-18 – Specific restrictions on solicitation on sand beach areas. Restrictions specific to commercial solicitation on sand beach areas.

- (a) ~~There may be no more than two permitted solicitors on a single parcels of sand beach property at any one time.~~ Commercial solicitation on sand beach areas shall comply with the requirements of this section in addition to Chapter 62 of this Code.

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

*** indicates text that is unaltered but to be left out of the document for purposes of brevity.

- (b) For solicitation along the sand beach areas of the Gulf of Mexico, the permit shall be issued only after the property owner represented has demonstrated to the satisfaction of the city manager or designee that the sandy beach portion of the property is owned by the upland property owner.
- ~~(bc)~~ Except for boat and beach rentals, or as approved through a special event permit, solicitation shall be oral, with no display of wares.
- ~~(ed)~~ Signs shall be regulated ~~as provided in chapter 122~~ pursuant to the City's Land Development Code.
- ~~(de)~~ Solicitation shall be confined to privately owned property, and solicitation shall not occur upon the public access beaches. At all times a solicitor shall be required to wear ~~his~~their city-issued solicitor's card on the outside of ~~his~~their clothing.
- ~~(e)~~ ~~The establishment of a solicitation line on individual properties shall be through a survey by a licensed surveyor. The solicitation line shall be marked at each boundary line of the property, and at intermediate points if required by the director of planning and development, by means of a device as approved by the city manager or his authorized designee. The property owner shall bear the expense for establishment of the location of the solicitation line and the maintenance of the marking devices. If the property owner fails or refuses to provide a survey establishing the location of the solicitation line after written request by the city, further solicitation on the property shall be prohibited until the survey is provided to the city.~~
- ~~(f)~~ ~~The appropriate board of authority shall be empowered to grant variances to the city solicitation setback line where an upland owner feels that such line as established is unduly restrictive or prevents legitimate use of his property. However, the appropriate board of authority shall grant no variances to this section which would allow the solicitor to locate on public beach land.~~
- ~~(gf)~~ The business or property owner shall be responsible for the actions of solicitors employed by or representing ~~him~~them. The business or property owner shall be responsible for compliance with this Chapter by solicitors employed by or representing ~~him~~them, in addition to the citation to be issued to the solicitor.

Sec. 62-9493. - Permitted hours for solicitation.

Secs. 62-9594—62-120. - Reserved.

Existing Land Development Code Section 44.3. is transferred to create Section 95-19 and amended as follows, with remaining subsequent sections renumbered:

Sec. 44.3.95-19. - Prohibition of activities disruptive to marine turtles.

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

*** indicates text that is unaltered but to be left out of the document for purposes of brevity.

Marine turtles nesting season is from May 1 – October 31 (“nesting season”). The following activities are prohibited on the beach at nighttime during the nesting season for the protection of nesting females, nests, and hatchling marine turtles:

- (a) The operation of all motorized vehicles, except emergency and law enforcement vehicles or operated by those persons who have authorization or a permit to engage in marine turtle conservation or research issued by the United States Fish and Wildlife Service, or the Florida Fish and Wildlife Conservation Commission, and Florida Department of Environmental Protection approved for mechanical beach cleaning or beach renourishment activities.
- (b) The building of campfires or bonfires.
- (c) ~~Any flashlights, cellphone flash or light, or other transient lighting which purposely and flagrantly illuminates nesting sea turtles or hatchlings.~~ This prohibition does not apply to those persons who have authorization or a permit to engage in marine turtle conservation or research.
- (d) If any turtle nests or nesting activities have been reported within a portion of a beach, any temporary structures, including but not limited to beach chairs, umbrellas and cabanas which have the potential for entrapment of marine turtles and which may interfere with the use of the natural beach environment for nesting habitat shall be:
 - (1) Removed from the beach nightly; or
 - (2) Stored in areas designated by the City of St. Pete Beach staff which are situated to avoid interference with marine turtles; or
 - (3) Placed in a manner so as to not obstruct the transit of turtle hatchlings to the water.
- (e) When preparing to leave the beach, beachgoers shall fill in any holes, remove beach chairs, umbrellas, towels, beach toys, and any other objects created or placed by the beachgoer that could interfere with transit of nesting turtles or turtle hatchlings.
- (f) When windows of a beach-facing structure lacks treatment or other permanent occlusion to limit inside to outside visible light transmittal to less than 45%, blinds shall be closed each night.
- (g) No person shall disturb a sea turtle or sea turtle nest.
- (h) All persons and property shall comply with any applicable sea turtle lighting provisions contained in the City’s Land Development Code.

Sec. 44.4.3. – Standards for new beachfront lighting.

Sec. 44.5. 4. – Standards for existing beachfront lighting.

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

*** indicates text that is unaltered but to be left out of the document for purposes of brevity.

Sec. 44.6. 5. – Standards for publicly owned lighting.

Sec. 44.7. 6. – Construction during nesting season.

Sec. 44.8. 7. – Enforcement.

Sec. 44.9. 8. – Monitoring and reporting guidance.

Existing Land Development Code Section 25.9. is transferred to create Section 95-20 and amended as follows, with remaining subsequent sections renumbered:

Sec. ~~25.9.~~95-20. - Permit required.

- (a) Dunes. In no instance shall any person, municipality, county or other public or private agency excavate or otherwise cause damage to a dune or conduct or cause to be conducted any activity to improve or enhance a dune without obtaining the necessary permits from the Florida Department of Environmental Protection and the city.
- (b) Other non-exempt activities. All other non-exempt activities, including construction, excavation, fill placement, repair of shore protection structures, and other activities seaward of the coastal construction setback line and activities that would alter the topography or disturb the vegetation of the beach/dune system, including vehicular traffic relating thereto, are required to obtain a permit from both the Florida Department of Environmental Protection and the city
- (c) Recreational Activities. Any organized recreational activity, including but not limited to beach volleyball tournaments, skimboarding or surfing contests, conducted on the beach shall be required to obtain the necessary permits through the city manager.

Sec. 25. ~~109.~~ – Permitting procedures.

Sec. 25. ~~110.~~ – Variances

Section 95-21. is created as follows:

Sec. 95-21. – Special events on the beach.

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

*** indicates text that is unaltered but to be left out of the document for purposes of brevity.

- (a) No special event on a public or private beach shall be permitted within the city limits of St. Pete Beach unless and until a special event permit has been issued in accordance with the requirements of this Chapter and Chapter 26 of this Code. Special Event shall be as defined in Sec. 26-31 of this code of ordinances.
- (b) This requirement shall not apply to events which are sponsored or co-sponsored by the city. Approval of such sponsorship shall be at the discretion of either the city manager or city commission, provided, however, that if an event is open to the entire community, the city commission shall be responsible to either grant or deny such approval. City sponsored or co-sponsored events may take place on public property or private property with the consent of the property owner.
- (c) Alcohol may be permitted on the beach in conjunction with a special event as regulated in Section 95-10.(f) of this Chapter.

Section 95-22 is created as follows:

Section 95-22.: Reserved

Items in ~~strikethrough~~ are to be deleted;

Items in underline are to be added.

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**BEACH STEWARDSHIP COMMITTEE MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Ordinance 2025-16: Amending Land Development Code Division 44 - Marine turtle protection

Action Request: None - for discussion purposes.

Strategic Objective:

Date: August 20, 2025

Prepared By: Brandon Berry, Senior Planner

Through: Frances Robustelli, City Manager

Summary of Issue: This ordinance is the second of the trio intended to address the City's beach regulations, and the second ordinance presented for overview at the August 2025 Beach Stewardship Committee meeting.

This ordinance reflects recommendations made as part of the Sea Turtle Conservancy's 2022 state lighting ordinance evaluation, which found the City's ordinance regulations and enforcement to be "somewhat ideal". While the City already has a strong framework that applies lighting restrictions to any source visible from the beach, and provides regulations related to shielding and use of red or amber LEDs, the City's ordinance has not been majorly updated since 2007 and is based in part on a 1993 state model ordinance. Modern technical long wavelength standards, specifications for full-cutoff and Florida Fish and Wildlife Commission-approved fixtures, stronger descriptions of what constitutes "construction" based on existing City definitions, and so on, can strengthen the ordinance without placing greater burdens on development.

Staff is not requesting this ordinance to be recommended to the City Commission at the August 2025 Beach Stewardship Committee meeting. Staff proposes the following for the August 2025 meeting:

1. Providing a general overview of the content of the ordinance;

2. Soliciting initial public comment on the ordinance, which can also be shared at the Beach Stewardship Committee meeting where the ordinance is proposed for formal recommendation, as well as both readings before the City Commission;
3. Proposing and requesting Committee consensus on scheduling a workshop to address this ordinance in a more comprehensive means, and requesting input on format, such as whether the review should be line-by-line in the order of the content as shown, or address each section as a whole;
4. Requesting input on content that is appropriate for the scope of this ordinance that has not already been addressed, and will not be addressed under either of the other forthcoming ordinances, related to technical or development-related updates for marine turtle lighting, as permissible under Ch. 2025-190 (SB 180).

Funding: N/A

Attachments: 1. Ordinance 2025-16 - Draft

Ordinance 2025-16

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA FOR THE PURPOSE OF AMENDING LAND DEVELOPMENT CODE DIVISION 44 – MARINE TURTLE PROTECTION SECTIONS 44.1 THROUGH 44.9., AND ADOPTING SECTIONS 44.10 THROUGH 44.13., TO UPDATE TECHNICAL STANDARDS, CLARIFY REQUIREMENTS FOR NEW AND EXISTING DEVELOPMENT AND SPECIAL EVENTS, MODIFY PENALTIES, COMPLIANCE AND ENFORCEMENT MEASURES, SPECIFY RESPONSIBLE PARTIES, AND UPDATE DEFINITIONS, TO BETTER SERVE THE PURPOSE AND INTENT OF THE DIVISION AND ALIGN WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND FISH AND WILDLIFE COMMISSION BEST PRACTICES; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

WHEREAS, the sand beaches of St. Pete Beach are frequently used as nesting activity for marine turtles, particularly loggerhead and green sea turtles, along with other wildlife susceptible to effects from artificial lighting; and

WHEREAS, the City’s wildlife partners have tracked numerous hatchling disorientations over the past years, including in 2025, which are often linked to the use of short wavelength bulbs, and/or lights that are not properly shielded and cut off; and

WHEREAS, the City’s existing marine turtle protection ordinance was evaluated as “somewhat ideal” by the Sea Turtle Conservancy in 2022; and

WHEREAS, the City’s ordinance provides a strong framework, but lacks some of the modern technical justification generated since its adoption in 2007, and can also benefit from clearer requirements for new and existing development, along with compliance and enforcement guidelines; and

WHEREAS, the City’s Comprehensive Plan requires the City to conserve and improve its wildlife population and habitat; and

WHEREAS, these amendments are not intended to create greater burdens on existing or new development, but to clarify requirements for development in the context of the City’s existing definition for “construction” in Division 2 of the Land Development Code, and “tinted glass” in Division 44, to align standards with the research of [King et. al \(2025\)](#), [Long et. al \(2025\)](#), the Florida state model lighting ordinance, and local knowledge, among other sources; and

WHEREAS, these amendments are found to be consistent with the Land Development Code and Comprehensive Plan.

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 and Land Development Code 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.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, word, 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, words, 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: _____
SECOND READING: _____
PUBLIC HEARING: _____

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

Adrian Petrila, Mayor

I, Renee Rose, 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.

Renee Rose, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

City Attorney

Exhibit A

Land Development Code Division 44 Marine Turtle Protection is amended as follows:

DIVISION 44 MARINE TURTLE PROTECTION

Sec. 44.1. Purpose and intent.

The purpose of this rule is to protect hatchling marine turtles from the adverse effects of artificial lighting, provide overall improvement in nesting habitat degraded by light pollution, and increase successful nesting activity and production of hatchlings.

Sec. 44.2. Definitions.

[The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Artificial light or *artificial lighting* means the light emanating from any human-made device.

Bollards means lighting consisting of short posts that incorporate a lighting element.

Bug light or *bug type bulb* means ~~any yellow colored light bulb that is marketed as being specifically treated in such a way so as to reduce the attraction of bugs to the light.~~

Certified Wildlife Lighting means lighting fixtures and bulbs reviewed and approved with conditions of use through the Florida Fish and Wildlife Conservation Commission's Wildlife Lighting Certification Process and published at <https://myfwc.com/conservation/you- conserve/lighting/criteria/certified/>.

City manager shall mean the City's Chief Executive Officer or their designee.

Coastal construction activities means any work or activity that is likely to have a material physical effect on existing coastal conditions or natural shore and inlet processes.

Construction shall have the same meaning as in Division 2 of the Land Development Code.

Cumulatively illuminated means illuminated by numerous artificial light sources that ~~as a group illuminate any portion of~~ can be seen by an observer standing anywhere on the beach.

Directional fixture means an assembly that holds the lamp along with any globe, shade, or other covering surrounding the lamp that may be adjusted to concentrate or throw light in a specific direction.

Directly illuminated ~~visible~~ means illuminated as a result of when glowing element(s), lamp(s), globe(s), or reflector(s) of an artificial light source ~~which is visible to~~ can be seen by an observer standing anywhere on the beach.

Existing beachfront lighting means an artificial light source associated with a building, structure, roadway, parking lot, dune crossover, pier, beach walkway or beach access for which a permit was issued prior to the adoption of this ordinance and such lighting is directly or indirectly visible from the beach. This term shall include those improvements and repairs further defined in Section 44.5 of this Division.

Floodlight means a reflector-type light fixture that may be attached directly to a building, other structure, or freestanding, and is unshielded.

Frontal dune means the first natural or man-made mound or bluff of sand which is located landward of the beach and which has sufficient vegetation, height, continuity, and configuration to offer protective value to the beach environment.

Full cutoff means a lighting fixture constructed in such a manner that no light emitted by the fixture, either directly from the lamp or a diffusing element or indirectly by reflection or refraction from any part of the fixture, is projected at or above 90° as determined by photometric test or certified by the fixture manufacturer.

Ground-level barrier means any vegetation, natural feature or artificial structure rising from the ground which prevents beachfront lighting from shining directly onto the beach-dune system, including, but not limited to, hedges, native dune vegetation, privacy fences, walls, etc.

Hatchling means any species of marine turtle, within or outside of a nest that has recently hatched from an egg.

Illuminated means exposed to light from an artificial light source in a way that produces brightness detectable to an observer standing anywhere on the beach. A beach is illuminated if an observer standing anywhere on the beach can see light that has emanated from an artificial light source.

Indirectly illuminated/visible means illuminated as a result of light reflected from the glowing element(s), lamp(s), globe(s), or reflector(s) of an artificial light source which is not visible to an observer standing anywhere on the beach, without the light source being directly visible.

Long wavelength means an amber, orange, or red lamp or bulb that has a light source emitting a light wavelength of 560 nanometers or greater and is absent wavelengths below 560 nanometers.

Low-pressure sodium luminaire (LPS) means an electric discharge lamp, containing sodium, neon, and argon, that when illuminated appears amber-yellow.

Low-profile luminaire means a light fixture set on a base which raises the source of light no higher than 48 inches above the ground, and is designed in such a way that light is directed downward from a hooded light source.

Low-wattage bug light means a bug light with no greater than 25-watt incandescence and no greater than nine-watt fluorescence.

Marine turtle means any marine-dwelling reptile of the families Cheloniidae or Dermochelyidae found in Florida waters or using the beach as nesting habitat, including the species: *Caretta caretta* (loggerhead), *Chelonia mydas* (green), *Dermochelys coriacea* (leatherback), *Eretmochelys imbricata* (hawksbill), and *Lepidochelys kempi* (Kemp's ridley). For purposes of this rule, marine turtle is synonymous with sea turtle.

Motorized vehicle means, but is not limited to, any self-propelled, wheeled, tracked, or belted conveyance.

Nest means an area where marine turtle eggs have been naturally deposited or subsequently relocated.

Nesting season means the period from May 1 through October 31 of each year.

New coastal construction means new construction and remodeling of existing structures when such remodeling includes alteration of exterior lighting where such lighting does or will at completion of work be directly and/or indirectly visible from the beach. This term shall include those improvements further defined in Section 44.5 of this Division.

Nighttime means the locally effective time period between sunset and sunrise.

Person means individuals, firms, associations, joint ventures, partnerships, estates, trusts, syndicates, fiduciaries, corporations, and all other groups or combinations.

Point source of light means the actual light source such as the bulb, fluorescent tube, lamp, etc., from which light emanates.

Pole lighting means a light fixture set on a base or pole which raises the source of the light higher than 48 inches off the ground.

Primary dune means the most seaward dune with sufficient alongshore continuity which has sufficient height and configuration or vegetation to offer protective value to the beach environment.

Publicly owned lighting means lighting installed by a public or private entity which is owned by, or rented or leased to, a governmental agency, or lighting installed on public property.

Red or amber light-emitting diodes (LED) means miniature lamps that emit pure red or amber light that does not vary in color over the life of the lamp. These lamps may be used in multiples to form strips of small lamps within a light fixture.

Shield means a nonreflective covering, canopy or other such device fitted over and extended below a light source preventing light from illuminating the beach. *Spotlight* means a light fixture having a narrow beam.

Shielded means a lighting fixture constructed in such a manner that the glowing elements, lamps, globes, or reflectors of the fixture are completely covered by a permanent opaque material to prevent them from being directly visible from the beach.

Temporary structure means any human-made structure or object with a location or arrangement that is temporary or transient in nature.

Tinted glass means any glass ~~treated~~ modified by tinting, film or other material that has to achieve an industry-approved, inside-to-outside light transmittance value of 4530 percent or less. Such transmittance is limited to the visible spectrum (400 to 700 nanometers) and is measured as the percentage of light that is transmitted through the glass.

Transient lighting means ~~artificial~~ any non-permanent light sources that are not affixed to a building or other structure may be hand-held or portable including but not limited to tiki torches, lanterns, flashlights (including cell phone flashlights), candles, flash photography, etc. When used in the context of special event permitting, this term also means any non-permanent source associated with the special event to which it is associated, such as the temporary installation of a light fixture. Transient lighting includes, but is not limited to, flashlights, fishing lanterns, flash photography, recreational fireworks, and vehicle headlights.

True neon means a tubular lamp containing neon gas that emits pure red light. Not to be confused with tubular fluorescent lamps, which may appear as various colors.

Uplight means a lighting source which is strategically located to light up features such as building facades, signs, and trees.

Visible from the beach, which not preceded by the modifier “directly” or “indirectly”, shall be inclusive of both.

Sec. 44.3. Responsible department.

St. Pete Beach Code Enforcement shall be the responsible department for the enforcement of this division.

Sec. 44.4. Certification of compliance.

- (a) The following shall be submitted and completed for any new coastal construction as classified in Section 44.6.:
 - (1) All permit applications for new coastal construction shall include:
 - a. A statement that the construction will be compliant with the requirements of section 44.6.;
 - b. Product specifications and/or plan references to certification numbers verifying that bulbs, fixtures, and other lighting elements required to meet the new coastal construction requirements of section 44.6. have Certified Wildlife Lighting certification. In absence of this certification, information deemed adequate to the city manager or designee that the lighting elements will be long wavelength, shielded, full cutoff, downward-directed, and/or mounted as low as possible, when required, shall suffice.

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- (2) Prior to certificate of occupancy or final inspection for a permit for new coastal construction, as relevant to the permit type, St. Pete Beach Code Enforcement reserves the right to schedule an inspection to certify compliance of the construction with Section 44.6., which may include a nighttime inspection. This inspection shall be a requirement for any new coastal construction utilizing bulbs or fixtures not certified by the Certified Wildlife Lighting program, unless waived in writing by the city manager or designee.
 - (b) When existing beachfront lighting has been modified to comply with section 44.7., the property owner shall submit product specifications, Certified Wildlife Lighting certifications, or other detail deemed sufficient to the city manager or designee to demonstrate compliance.

Section 44.5. Classification of new coastal construction and existing lighting.

- (a) The following shall constitute new coastal construction for the purpose of this division:
 - (1) Any construction of any new building, structure, or accessory structure where any exterior or interior light source is visible from the beach.
 - (2) Any redevelopment or partial reconstruction of any existing building, structure, or accessory structure where any exterior or interior light source is visible from the beach.
 - (3) Any remodel or repair of, or addition to, any building which:
 - a. Introduces a new or replaces an existing exterior light source;
 - b. Creates a new opening which exposes an interior light source to be visible from the beach;
 - c. Widens an existing opening from which a new or existing interior light source is visible from the beach;
 - d. Constitutes a substantial improvement to the building or structure; or,
 - e. Exchanges a window or door within an existing opening for the other, from which an interior light source is visible from the beach.
- (b) The following shall constitute existing lighting for the purpose of this division:
 - (1) Existing lights visible on the beach from the interior of a building or structure that are visible through a window or door, including when the window or door has undergone like-for-like replacement without modification of the opening and further provided the replacement does not increase the visible light transmittance percentage compared with the existing window(s) and/or door(s);
 - (2) Any exterior or interior light noncompliant with the new coastal construction requirements of Section 44.6 that is visible from the beach and was installed prior to August 14, 2007; and,
 - (3) Repair of exterior light fixtures that were installed prior to August 14, 2007, that does not constitute a full replacement of the fixture, further expose the point source of the fixture's light, or cause greater direct or indirect illumination of the beach.

Sec. 44.3. Prohibition of activities disruptive to marine turtles.¹

The following activities are prohibited on the beach at nighttime during the nesting season for the protection of nesting females, nests, and hatchling marine turtles:

- (a) ~~The operation of all motorized vehicles, except emergency and law enforcement vehicles or operated by those persons who have authorization or a permit to engage in marine turtle conservation or research issued by the United States Fish and Wildlife Service, or the Florida Fish and Wildlife Conservation Commission, and Florida Department of Environmental Protection approved for mechanical beach cleaning or beach renourishment activities.~~
- (b) ~~The building of campfires or bonfires.~~

¹ Note: This section is being relocated to Chapter 95 under proposed Ordinance 2025-02. It is not being struck from the City's codes.

-
- ~~(c) Any transient lighting which purposely and flagrantly illuminates nesting sea turtles or hatchlings. This prohibition does not apply to those persons who have authorization or a permit to engage in marine turtle conservation or research.~~
 - ~~(d) If any turtle nests or nesting activities have been reported within a portion of a beach, any temporary structures, including but not limited to beach chairs, umbrellas and cabanas which have the potential for entrapment of marine turtles and which may interfere with the use of the natural beach environment for nesting habitat shall be:
 - ~~(1) Removed from the beach nightly; or~~
 - ~~(2) Stored in areas designated by the City of St. Pete Beach staff which are situated to avoid interference with marine turtles; or~~
 - ~~(3) Placed in a manner so as to not obstruct the transit of turtle hatchlings to the water.~~~~

~~(Ord. No. 2007-21, § 1, 8-14-07)~~

Sec. 44.46. Standards for new beachfront lighting.

In order to provide the highest level of protection for nesting marine turtles and their hatchlings, the following standards for artificial light sources on all new coastal construction shall be applied:

- (a) Exterior artificial light fixtures shall be designed and positioned so that:
 - (1) The point source of light or any reflective surface of the light fixture is not directly visible from the beach;
 - (2) Areas seaward of the frontal dune, or the beach in areas where the frontal dune no longer exists, are not directly, indirectly, or cumulatively illuminated.
- (b) Exterior artificial light fixtures cumulatively, directly or indirectly illuminating the beach are considered appropriately designed if:
 - (1) Exterior lights are completely shielded downlight only fixtures or recessed fixtures having low wattage Bug Type Bulbs, low pressure sodium vapor (LPS) bulbs, Red or Amber Light Emitting Diodes (LED), or True Neon light sources producing long wavelength light as certified by and installed according to requirements of the Certified Wildlife Lighting program or as demonstrated through spectrometric inspection by the city manager, their designee, or a local wildlife protection program partner. Other fixtures that have appropriate light-blocking shields, louvers, or cut-off features may also be used if they are in compliance with subsection (a)(1), and (2), and (3) above; and
 - (2) All fixtures are mounted as low in elevation as possible through use of low-mounted wall fixtures, low bollards, and ground-level fixtures
 - (3) Fixtures are full cutoff.
- (c) Floodlights, uplights or spotlights that are directly, visible from the beach, or which indirectly or cumulatively illuminate the beach, shall not be used.
- (d) Exterior lights used expressly for safety or security purposes shall be limited to the minimum number and configuration required to achieve their functional role(s). The use of motion detector switches that keep lights off except when approached and that switch hooded or shielded lights on for the minimum duration possible are preferred.
- (e) Only low intensity long wavelength recessed or louvered lighting, or other appropriate low intensity long wavelength lighting, shall be used on dune crossovers where permissible. All light fixtures on dune crosswalks must utilize low wattage Bug Type Bulbs, low pressure sodium vapor (LPS) bulbs, Red or Amber Light Emitting Diodes (LED) or True Neon long wavelength light sources. Dune crosswalk

lighting seaward of the primary dune, or on the beach in areas where the primary dune no longer exists, shall not be used.

- (f) To the extent this regulation is not adverse to applicable state and federal public safety laws, pools, spas, and their accessory decks shall utilize long-wavelength and fully shielded bulbs and fixtures. Underwater lighting shall be mounted horizontally and not be directly or indirectly visible from the beach.
- (f) Only ~~low intensity~~ long wavelength lighting shall be used in parking areas within line-of-sight of the beach. Such lighting shall be:
 - (1) Set on a low-profile luminaire; and
 - (2) Positioned or shielded so that the light is cast downward and the source of light or any reflective surface of the light fixture is not visible from the beach and does not directly or indirectly illuminate the beach.
- (g) All newly constructed parking areas and roadways, including any paved or unpaved areas upon which motorized vehicles will park or operate, shall be designed and located to prevent lights (including vehicular headlights) from directly or indirectly illuminating the beach.
- (h) Vehicular lighting, parking area lighting, and roadway lighting shall be modified or shielded from the beach through the use of ground-level barriers or external shields. Ground-level barriers must not interfere with marine turtle nesting or hatchling emergence, or cause short- or long-term damage to the beach/dune system.
- (i) Tinted glass shall be installed on all windows and glass doors of single or multi-story structures within line-of-sight of the beach.
- (j) Use of appropriately shielded ~~low-pressure sodium vapor~~ long wavelength lamps and fixtures shall be preferred for high-intensity lighting applications such as lighting parking areas and roadways, providing security, and similar applications.
- (k) All of the above standards shall be met prior to the issuance of a certificate of occupancy.
- (l) Temporary lighting of construction sites during the marine turtle nesting season shall be restricted to the minimal amount necessary and shall incorporate all of the standards of this section. Said lighting shall not be mounted more than eight feet above the ground.

(Ord. No. 2007-21, § 1, 8-14-07)

Sec. 44.57. Standards for existing beachfront lighting.

By July 1, 2008; all light sources or reflective surfaces illuminated by such sources that are visible from the beach shall be brought into compliance with the following standards:

- (a) Existing artificial light fixtures shall be repositioned, modified, or removed so that:
 - (1) The point source of light or any reflective surface of the light fixture is not directly visible from the beach;
 - (2) Areas seaward of the frontal dune, or the beach in areas where the frontal dune no longer exists, are not directly, indirectly, or cumulatively illuminated.
- (b) The following measures shall be taken to reduce or eliminate the negative effects of existing exterior artificial lighting:
 - (1) Reposition fixtures so that the point source of light or any reflective surface of the light fixture is no longer visible from the beach;

-
- (2) Replace fixtures having an exposed light source with fixtures containing recessed light sources or external shields;
 - (3) Replace traditional light bulbs (e.g. incandescent, fluorescent, and high intensity lighting) with ~~yellow Bug Type Bulbs,~~ the lowest-wattage long wavelength low-pressure sodium vapor (LPS) bulbs, or Red or Amber Light-Emitting Diodes (LED) or True Neon light sources available for the specific application. Unless preempted by law, replacement lighting shall be long wavelength;
 - (4) Replace non-directional fixtures with directional fixtures that point down and away from the beach;
 - (5) Replace fixtures having transparent or translucent coverings with fixtures having opaque shields covering an arc of at least 180 degrees and extending an appropriate distance below the bottom edge of the fixture on the seaward side so that the light source or any reflective surface of the light fixture is not visible from the beach;
 - (6) Replace pole lamps with low-profile, low-level luminaries so that the light source or any reflective surface of the light fixture is not visible from the beach;
 - (7) Replace incandescent, fluorescent, and high intensity lighting with the lowest wattage ~~low-pressure sodium vapor lighting, yellow Bug Type Bulbs,~~ Red or Amber Light-Emitting Diodes (LED) ~~or True Neon~~ light sources possible for the specific application. Unless preempted by law, replacement lighting shall be long wavelength;
 - (8) Plant or improve vegetation buffers between the light source and the beach to screen light from the beach;
 - (9) Construct a ground level barrier to shield light sources from the beach. Ground-level barriers must not interfere with marine turtle nesting or hatchling emergence, or cause short- or long-term damage to the beach/dune system;
 - (10) Permanently remove, disable or lock in off position any fixture which cannot be brought into compliance with the provisions of these standards.
- (c) One or more of the following measures shall be taken to reduce or eliminate the negative effects of interior light emanating from doors and windows within line-of-sight of the beach:
- (1) ~~Apply window tint or film that meets the standards for tinted glass;~~
 - (2) Rearrange lamps and other moveable fixtures away from windows;
 - (3) Use window treatments (e.g., blinds, curtains) to shield interior lights from the beach; or
 - (4) Turn off unnecessary lights.

(Ord. No. 2007-21, § 1, 8-14-07)

Sec. 44.68. Standards for publicly owned lighting.

All publicly owned lighting with light sources that are visible from the beach or that illuminate reflective surfaces that are visible from the beach, including but not limited to streetlights, parking lot lights, and beach access lighting, shall be:

- (a) Fitted with a shield or positioned so that the light source or any reflective surfaces illuminated by such sources are not visible from the beach and do not directly or indirectly illuminate the beach; or
- (b) Extinguished between sunset and sunrise from May 1 to October 31 of each year.

(Ord. No. 2007-21, § 1, 8-14-07)

Sec 44.9. Special events utilizing light during turtle season.

Lighting associated with a special event that may directly, indirectly, or cumulatively be visible from any portion of the beach shall not be authorized at nighttime during sea turtle nesting season. This prohibition shall be inclusive of any transient lighting associated with the special event, whether installed in a temporary manner or otherwise utilized as a feature of the special event such as through handheld use.

Sec. 44.710. Construction during nesting season.

- (a) During the nesting/hatching season, it shall be unlawful to construct any structure, excavate or place any fill, mechanically clean any beach, or grade any dirt within 100 feet of the nesting zone of a beach where marine turtles nest or may nest, without:
 - (1) Obtaining written approval from the Florida Department of Environmental Protection (FDEP) (F.A.C. 62B-33, F.S. ch. 161, and F.S. § 370.12); and
 - (2) Coordinating each activity by means of a written agreement with FWC-permitted sea turtle nest monitoring personnel holding a current and valid permit from the FWC for the specific area.
- (b) Construction activities, including use of temporary light sources, shall not interfere with marine turtle nesting, nests or hatching activities, shall preserve or replace any native vegetation on the site, and shall maintain the natural existing beach profile and minimize interference with the natural beach dynamics and function.

(Ord. No. 2007-21, § 1, 8-14-07)

Sec. 44.811. Enforcement.

Periodic nighttime lighting inspections shall be performed from the beach to determine the extent of compliance with section 44.57. Inspections shall include both public and private properties within jurisdictional boundaries. Inspections shall be conducted by the city code enforcement department or other qualified person appointed or contracted by the city. ~~At least one compliance inspection of the beach shall be conducted at night prior to the commencement of the marine turtle nesting season and additional compliance inspections shall be conducted during the marine turtle nesting season until existing beachfront lighting has been brought into compliance.~~

(Ord. No. 2007-21, § 1, 8-14-07)

Section 44.12. Penalties.

- (a) Violations of this division originating from any lighting associated with a permanent building, structure, or accessory structure, any constructed or installed outdoor lighting fixture, or any transient lighting associated with a temporary structure or special event associated with a property or properties, shall be cited to the property owner(s) and follow the procedure in section 22-276 of this Code. When a property has multiple light sources in violation of this division, each may be cited as a violation.
- (b) Violations of this division that originate from a transient lighting source unassociated with a special event, temporary structure, and/or that originate from individuals on the public beach shall be cited in accordance with the procedures in section 22-286 of this Code.
- (c) During marine turtle nesting season, any light source installed or placed upon any public property that is visible from the beach without prior authorization of the City may be removed without notice at the discretion of the city manager.

Sec. 44.913. Monitoring and reporting guidance.

The following information should be compiled by the city or qualified wildlife protection program partner on an annual basis and submitted to the Florida Fish and Wildlife Conservation Commission Marine Turtle Protection Program:

- (a) Number of lighting applications reviewed;
- (b) Number of potential violations reported;
- (c) Number of potential violations investigated;
- (d) Disposition of all potential violations including results of enforcement actions and amounts of penalties assessed;
- (e) Results of compliance checks conducted prior to and during the marine turtle nesting season; and
- (f) Status of local lighting ordinances and any amendments to those ordinances.

**BEACH STEWARDSHIP COMMITTEE MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Update on dune walkover replacements at 2nd, 3rd, 4th, 6th, 7th, 51st, and 52nd Avenues.

Action Request: N/A

Strategic Objective:

Date: August 20, 2025

Prepared By: Camden Mills, Public Services Director

Through: Frances Robustelli, City Manager

Summary of Issue: Staff to provide an update on dune walkover replacements capital improvement project at 2nd, 3rd, 4th, 6th, 7th, 51st, and 52nd Avenues.

Funding: N/A

Attachments:

**BEACH STEWARDSHIP COMMITTEE MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Update on Pinellas County Emergency Beach Nourishment Project

Action Request: N/A

Strategic Objective:

Date: August 20, 2025

Prepared By: Camden Mills, Public Services Director

Through: Frances Robustelli, City Manager

Summary of Issue: Staff to provide an update on the Upham Beach nourishment project that's part of the Pinellas County Emergency Beach Nourishment Project

Funding: N/A

Attachments: 1. Presentation 2025 2026 Nourishment Project_webinar 16JUL25



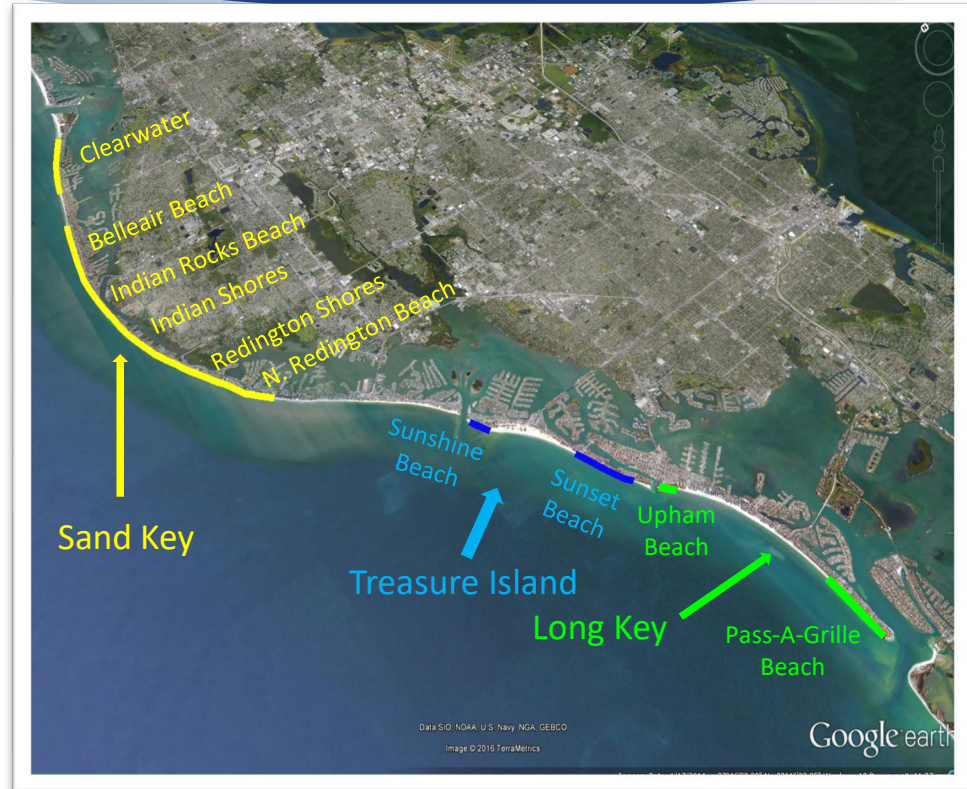
Emergency Beach Nourishment Project

FY 2025-2026

Pinellas County Beach Nourishment Program

Overview

- **35 miles of beach**
- **12 miles are restored regularly**
- **Storm damage reduction benefits: >\$10B**
- **Federal authorization: 1966**
 - First federal nourishment in Florida was on Treasure Island

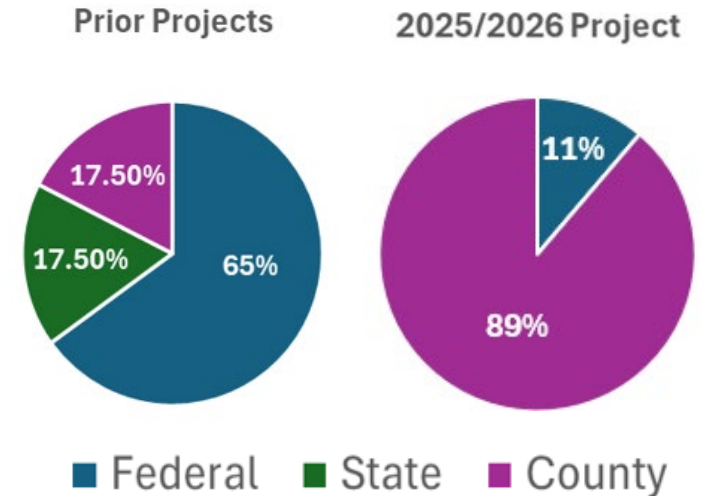


Background

Since 2015, Pinellas County has worked to get USACE-compliant easements for Sand Key while at the same time coordinating with the USACE and members of Congress on changes to the easement language.

In 2023, USACE determined that the Treasure Island and Upham Beach segments were also missing compliant easements and cancelled the scheduled nourishment.

Traditionally, the federal cost share has covered ~65% of the project costs leaving the county to only pay 17.5% after State grants.



Note: Future federal cost share assumes 100% Army Corps compliant easements

Current Status

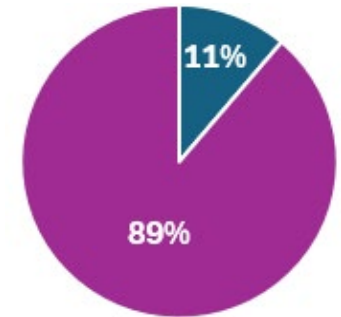
- **Pinellas County approved a one-time emergency beach renourishment project on Sand Key, Treasure Island and Upham Beach.**
- **Due to enormous cost, County led beach nourishment without USACE support is unsustainable.**
- **This is the last and only time Pinellas County will construct beach nourishment without federal support.**



\$127 million project FY2025-2026

Funded by:

- **Tourist Development Tax – Paid by hotel/short-term stay customers (hotel bed tax)**
 - **FromVisitorsWithLove.com**
- **State grants**
 - **FDEM \$10,356,573 (For Sand Key)**
 - **FDEP \$2,525,000 (For Treasure Island)**
 - **FDEP \$1,325,000 (For Upham Beach)**
- **Missing out on \$103,000,000.00 Federal Emergency funds**



■ State ■ County

Temporary Construction Easements



Pinellas County

Sand Key Only

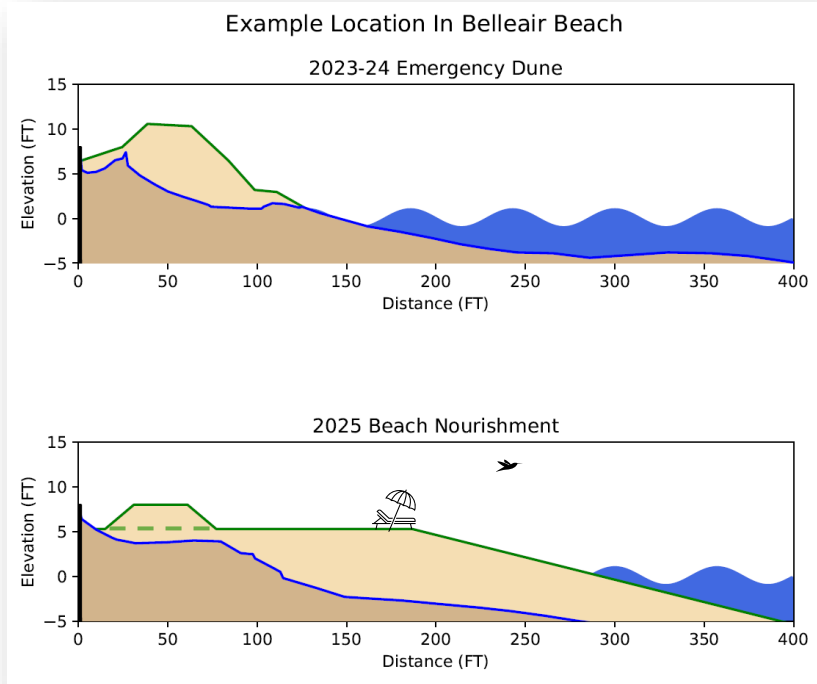
- **No public access and use**
- **Construct a beach and optional dune system**
- **Project designed with gaps**
- **Expires Dec. 31, 2029**

No Easement

What to Expect

- **Sand pipeline impacts**
- **Sand may be placed seaward of the ECL**
- **Area landward of ECL may be lower than the new beach**
- **Active construction area will be closed for safety**
- **No future projects**

2023-24 Dune Project vs 2025 Nourishment

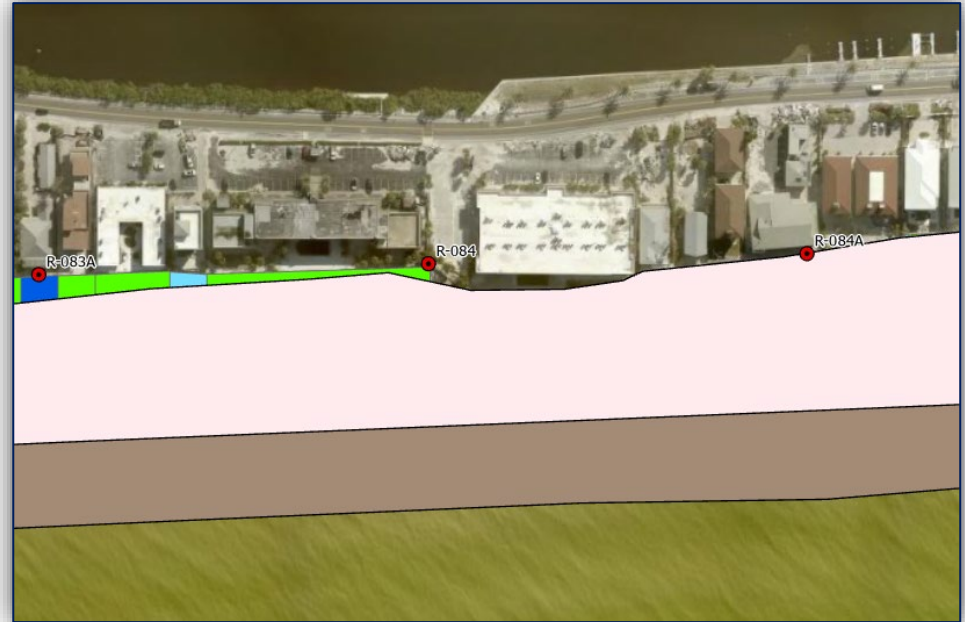


Idalia emergency dune was placed above mean high water (per state requirements) as a wave break

Full nourishment widens the beach, which pushes the wave action further away

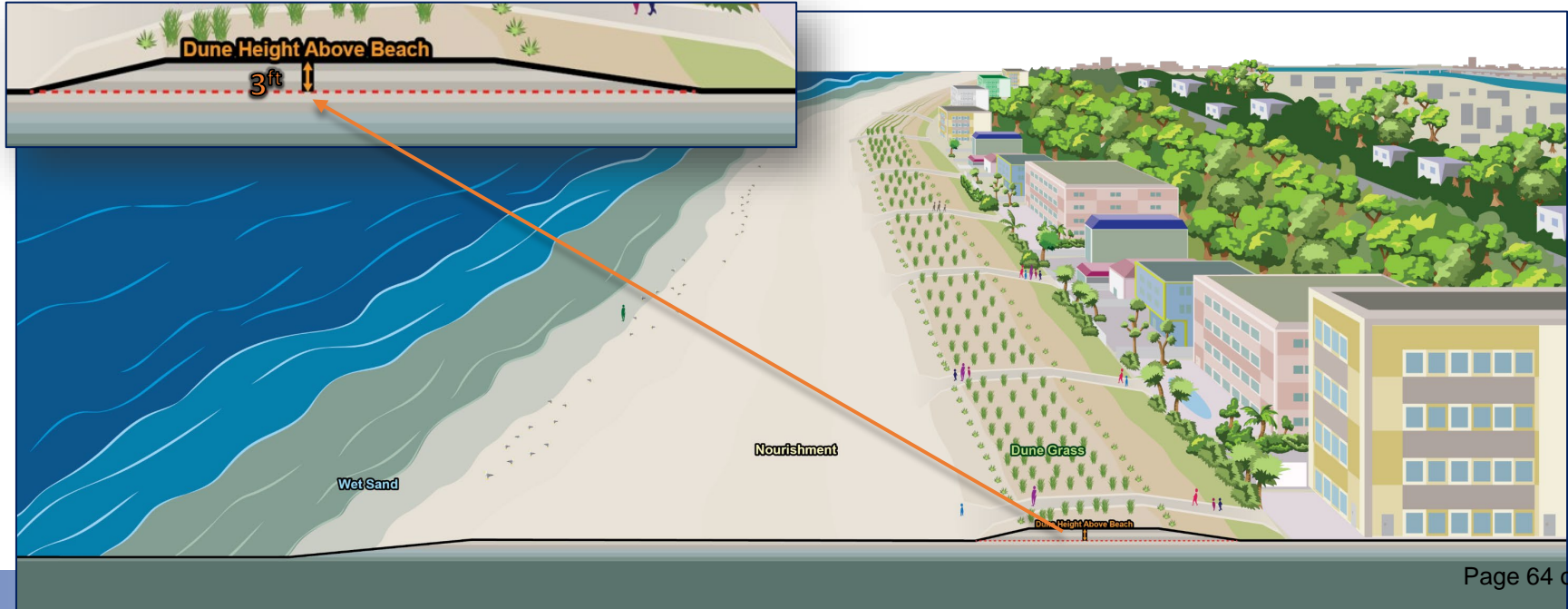
2025/2026 Sand Key Project

- 9 miles long
- Clearwater to North Redington Beach excluding Belleair Shore
- 2 million CY of sand
- Approximately 6-months
- 136 missing construction easements



Sand Key Beach Profile

Optional small dune add-on easements in Sand Key
Native plants will be added to the promote sand stabilization



Dan's Island, Belleair Beach R-61

September 2024



2018 after nourishment - 2025 will be similar



Missing Sand Key Easements

Indian Rocks Beach:

- 53 easements needed

Indian Shores:

- 52 easements needed

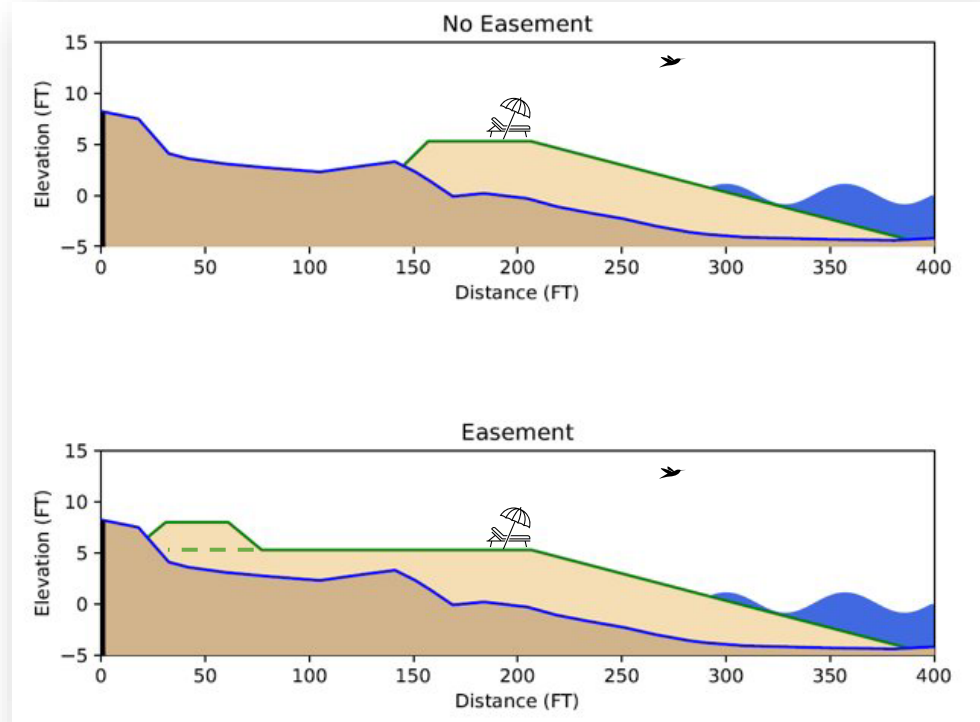
Redington Shores:

- 31 easements needed



Missing easements create a weaker project that provides less protection!

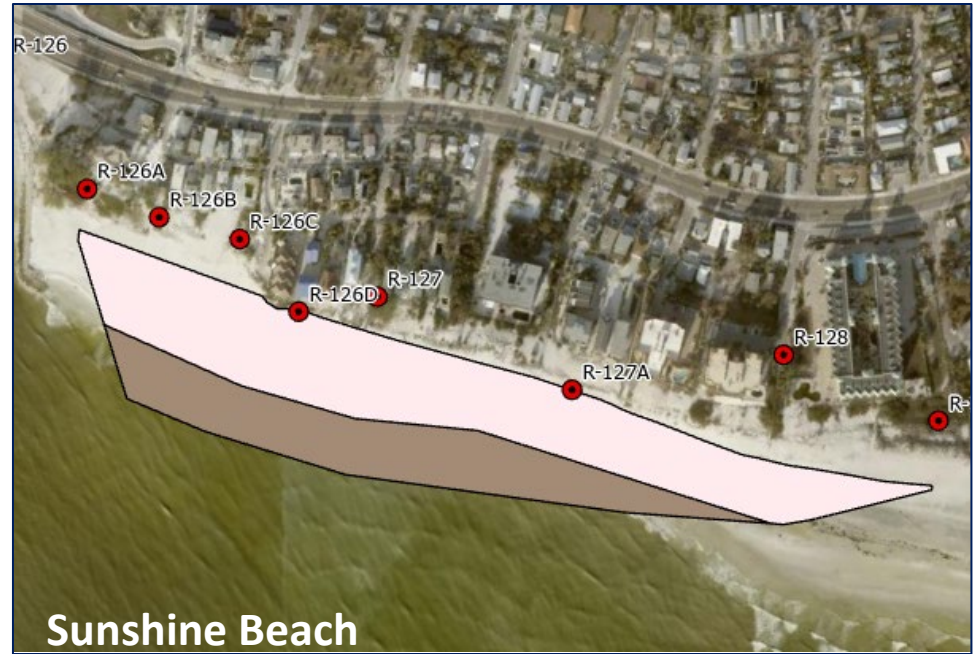
Example With Missing Easement



2025/2026 Treasure Island

Treasure Island

- **1.6 miles long**
 - Sunshine Beach
 - Sunset Beach
- **~ 400K CY of sand**
- **About 6 months to complete**



125th Ave, Sunshine Beach R-127

September 2024

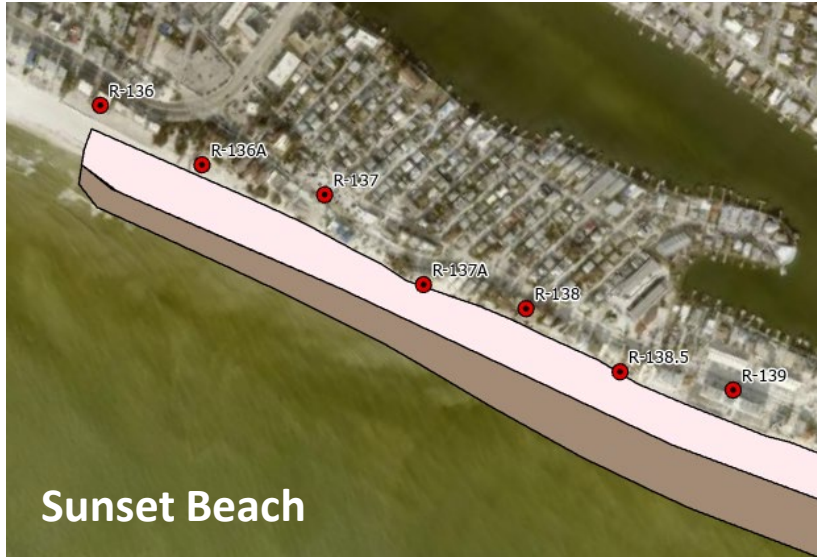


2018 after nourishment - 2025 will be similar

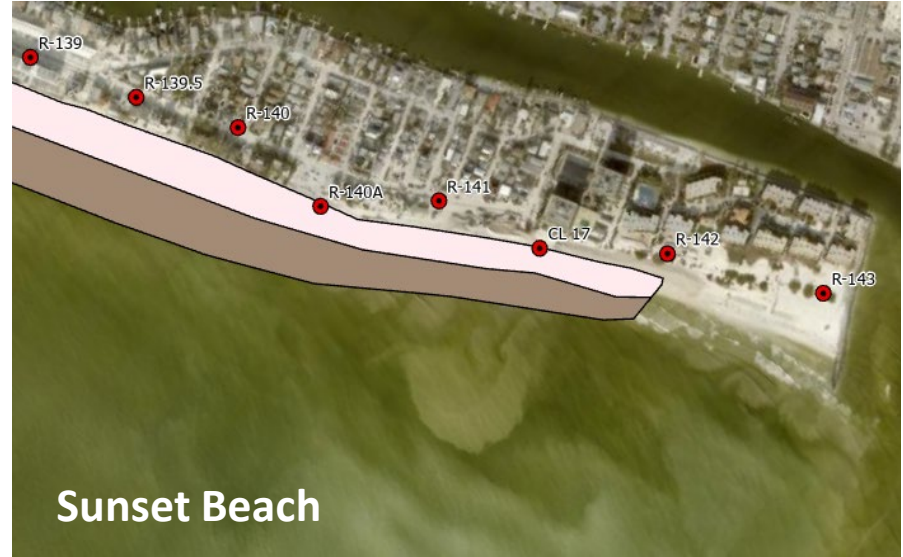


2025/2026 Treasure Island

North half of nourishment



South half of nourishment



82nd Ave, Sunset Beach R-140

September 2024



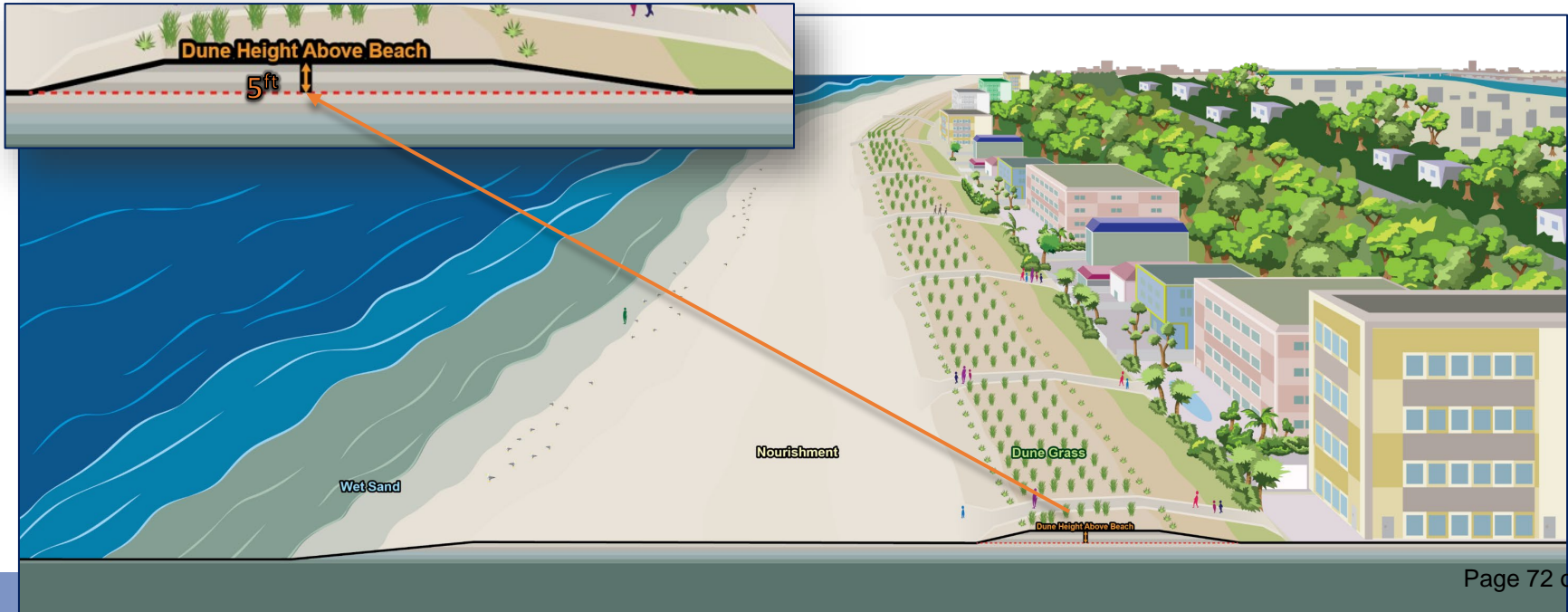
2018 after nourishment - 2025 will be similar



Treasure Island Beach Profile

Treasure Island dune

Native plants will be added to the promote sand stabilization



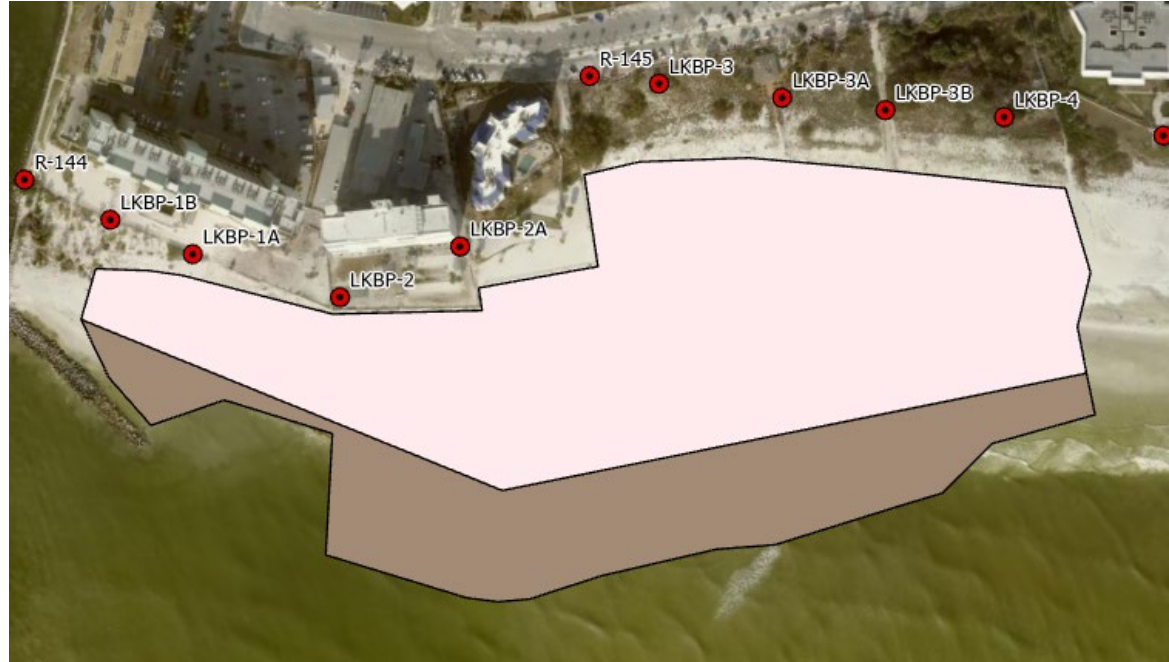
2025/2026 Long Key

Upham Beach

- 1929.9 feet long
- 66K CY of sand
- About 1month to complete

Pass-A-Grille

- Completed in 2024



70th Ave, Upham Beach R-145

October 05, 2018 (before)

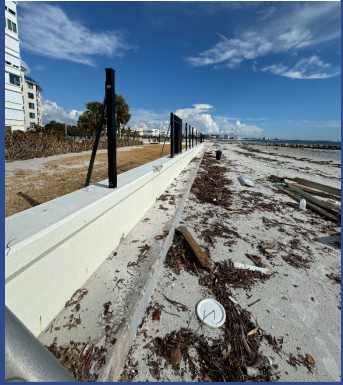
Date & Time: Fri, Oct 05, 2018, 14:13:29 EDT
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Altitude: 42ft
Datum: WGS-84
Azimuth/Bearing: 167° S13E 2969mils (True)
Elevation Angle: -14.6°
Horizon Angle: -00.2°
Zoom: 1X



2018 after nourishment - 2025 will be similar



October 11, 2024



Construction

WEEKS MARINE INC.

Cost

- **\$125,724,905.71**

Equipment

- **Hydraulic cutterhead dredge, C.R. McCaskill**
- **Weeks 2600 Spider Barge**
- **Weeks 320- Unloader**
- **30" Discharge Pipeline**

Subcontractor

- **Gator Dredging**



Construction

Sand is brought on shore via dredge, dewatered, and moved into place.

Sand Sources:

Sand Key

- Egmont Shoal

Treasure Island

- Blind Pass
- John's Pass
- Egmont Shoal

Upham Beach

- Blind Pass



Tentative Scheduled Start Dates

24-7 Construction Operations

North Indian Rocks Beach

- September 2025

Belleair Beach and Clearwater

- October 2025

South Indian Rocks Beach

- November 2025

Indian Shores

- December 2025

Redington's

- December 2025

Upham and South Sunset

- September 2025

Sunshine and North Sunset

- October 2025

Middle Sunset Beach

- January 2026



Note: The schedule is subject to change and is for informational purposes only. Maintenance construction activities will be ongoing beyond these timeframes.

Public Meeting Schedule



- **July 9, 6-8 p.m., Treasure Island City Hall**
- **July 16, 6-8 p.m., Virtual**
Recording will be available at pinellas.gov/signforsand
- **Aug. 6, 6-8 p.m., Belleair Beach, 444 Causeway Blvd**

Easement Signing Days

Indian Shores Town Hall

19305 Gulf Blvd.

Indian Shores

1 p.m. – 5 p.m.

July 21, 22, & 23

*** Notary available free of charge.**



Contact Us

John E. Bishop, Ph.D.

Coastal Management Coordinator

Pinellas County Public Works

22211 US Hwy. 19 N, Bldg. 10

Clearwater, FL 33765

Phone (727) 464-8766

jbishop@pinellas.gov

Email:

signforsand@pinellas.gov

Project webpage:

Pinellas.gov/signforsand

Q&A



Questions & Answers

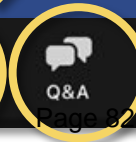
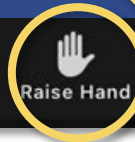
- Type questions into the Q&A window
- Ask questions via phone call
- “Raised hands” will also be mixed in



Leave

Zoom ▾

Join Audio



More



Participating by Phone

- **Call** (305) 224-1968 or (646) 931-3860
- **Press *9** to raise your hand
- Webinar ID: **868 5659 3266**
- Passcode: **711697**



Thank you

**BEACH STEWARDSHIP COMMITTEE MEETING
CITY OF ST. PETE BEACH
COMMISSION CHAMBERS**

Agenda Report

Agenda Title Name: Customary Use Conversation

Action Request: N/A

Strategic Objective:

Date: August 20, 2025

Prepared By: Camden Mills, Public Services Director

Through: Frances Robustelli, City Manager

Summary of Issue: Conversation with City Attorney regarding customary use policy

Funding: N/A

Attachments: