

PLANNING BOARD MEETING MINUTES

December 15, 2025 - 4:00PM

MEMBERS PRESENT: David Hubbard, Chair
Sam Angelides, Jr., Vice Chair
Grant Izzi, Member
Rich Lorenzen, Member
Cindy Perry, Member

STAFF PRESENT: Brandon Berry, Senior Planner
Attorney Chloe Berryman, City Attorney's Office
Ginny Bodkin, Deputy City Clerk

Chair Hubbard called the meeting to order at 4:00 PM, followed by the Pledge of Allegiance. He thanked Member Grocott for her service to the board and welcomed new member Rich Lorenzen.

1. Approval of the Agenda –

Motion: Member Perry moved, and Vice Chair Angelides seconded, to approve the December 15, 2025 agenda as presented; the motion carried unanimously.

2. Audience Comments – No one came forward to comment.

3. Approval of Minutes – Minutes October 20, 2025

Motion: Member Izzi moved and Vice Chair Angelides seconded, to approve the October 20, 2025 minutes as presented; the motion carried unanimously.

4. Action Items –

- a. Recommendation of Ordinance 2025-02, pertaining to conduct, behavior, operations, development, activity registration and permitting, and maintenance of the City's beaches, to the City Commission

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 95-25; RELOCATING, RENAMING AND AMENDING SECTIONS IN CODE OF ORDINANCES DIVISIONS 6, 14, 58, 62, 74 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.

Public Comment:

John Kurzman of Bahia Honda Way commented as a resident, not a Beach Stewardship Committee member and voiced concerns about managing beach items such as unattended ("phantom") chairs, signage, and objects placed on the beach, while avoiding any changes to customary use. He opined that language implying private beaches is dangerous and inconsistent with historical precedent, noting

that deeds recognize public rights to use the sandy beach and property taxation reflects beachfront status rather than private control of the sand. He expressed concern about ordinance changes, including new or expanded prohibitions (fireworks, smoking, bicycles, alcohol, polystyrene, vaping, vending, sleeping on the beach) and signage regulations for the beach (P zone) remain unresolved.

Robert Czysczon of 4506 Gulf Blvd. spoke in favor of moving the beach ordinance forward but emphasized the need to distinguish between private and public beaches. He stated that hotel-adjacent beaches are private, citing recent signage and enforcement and said hoteliers welcome public access as long as visitors patronize hotel services and don't set up personal tents or chairs that create liability. He raised concerns about ordinance language that could improperly regulate chickee huts by subjecting them to building codes that differ from state exemptions. He supported clearer boundary markers for service and cabana areas to improve transparency and enforcement. He opposed a total ban on fireworks, suggesting fireworks launched from barges as a reasonable alternative that would not impact turtles and would preserve traditional celebrations.

Krystin Simmons of the Luce Hotel at 6300 Gulf Blvd. raised concerns about Section 44.10 of the ordinance, stating that proposed lighting restrictions would eliminate nighttime events by prohibiting even temporary lighting, impacting ceremonies, receptions, and events at oceanfront and poolside venues. She requested clarification on the applicable dates and whether restrictions apply only during turtle nesting season or year-round. She was opposed to restrictions on fireworks, emphasizing their importance as a long-standing community tradition.

Chair Hubbard adjourned as the Planning Board and reconvened as the Local Planning Agency at 4:13 PM.

Senior Planner Brandon Berry opened his presentation by explaining this is one of three proposed ordinances pertaining to use of and development on the City's beaches. Ordinance 2025-02 largely addresses conduct, behavior, and requirements for registration, Ordinance 2025-16 addresses wildlife-friendly lighting requirements, and a future ordinance may address cabana service area and private beach requirements as well as development. He added that the Beach Stewardship Committee recommended, by a vote of 4-1, the proposed changes that were included in the meeting packet. His presentation is part of the meeting record.

Ordinance 2025-02 makes minor modifications to the LDC, largely moving content to the Code of Ordinances. References remain in the LDC to the relocated content. The following sections would be relocated: Regulation of tiki hut regulations (LDC Sec. 25.5.) to Chapter 95; dune modification permitting requirements (LDC Sec. 25.8. [currently 25.9.]) to Chapter 95; prohibitions on activities disruptive to marine turtles (LDC Sec. 44.3.) to Chapter 95.

Other overall proposed modifications were the prohibition of micromobility devices (including bikes) on the beach except during special events, prohibitions of fireworks on the beach, prohibition of glass and polystyrene on the beach, requiring the registration of site- and non-site-based businesses that set up furniture, host recreation activities, and make other use of the public beach that is outsized with the average public use of the beach, and allowing cabana service areas to host non-guests of a resort. Consistency with the Comp Plan Future Land Use and Coastal and Conservation Elements was reviewed.

The members reviewed the proposed amendments that were included in the meeting packet section

by section, and discussion and comments were made on:

- Tiki and Chickee Huts
- Fireworks and barges
- Styrofoam and plastics on the beach
- Harassment and prohibitions regarding wildlife
- Drones on the beach
- Micromobility and motorized and non-motorized bicycles on the beach
- Sunrise and sunset definitions
- The reason for three separate ordinances (Reassessment following significant public comment on the single ordinance, and the enactment of SB180, restricting development and creating a potential risk that a legal challenge could invalidate an entire ordinance rather than specific sections. The ordinance was divided by subject matter with provisions focused on behavior and conduct separated from potential development limitations, which may be considered later as a third ordinance. The marine turtle lighting provisions were separated out for clarity and current state review.)
- Marijuana prohibition falls under no smoking
- Consistencies and scrivener's errors

Mr. Berry reviewed the guidance that the board had provided to staff for revisions to the ordinance:

- Identified outdated language in the definition of “micro-mobility device” and the need to review use of the word “sunset” within the definition of “sunrise.”
- Noted that the term “unattended fishing and/or line” is not currently used in the ordinance and should be confirmed or removed.
- Flagged proposed Section 95-7 (temporary structures) as potentially redundant and to be reviewed for overlap with other sections.
- Emphasized the need for consistent use of the term “Gulf” (proposed Section 95-6).
- In Section 95-10, identified inconsistent use of “glass,” “bottle,” and “open/non-open” language and the need to correct punctuation related to glass and plastic straws.
- In Section 95-13, recommended adding the word “sand” before “beach” regarding dogs prohibited on beaches.
- In Section 95-14, recommended including drones and lasers as examples of harassment.
- In Section 95-15, recommended adding “use of flashlights” to the listed prohibitions.
- Noted the need to ensure consistency with a forthcoming ordinance regarding lighting restrictions during marine turtle nesting season.
- Discussed amending the fireworks section to allow fireworks from barges while maintaining the prohibition on firing from or over the beach.
- Clarification on prohibiting foam polystyrene specifically on the beach, not all plastic products.

Mr. Berry asked if he had missed anything in his summary. Discussion ensued on whether the ordinance should continue to prohibit human-powered bicycles on the beach. Staff noted that, without further changes, the ordinance would maintain the prohibition, but the Local Planning Agency could recommend allowing human-powered bicycles if it found the restriction inconsistent with the Comprehensive Plan. Questions were raised about whether bicycle regulation falls within the Board's purview, with clarification that while it is not part of the Land Development Code, a recommendation could be made if a Comprehensive Plan inconsistency is identified.

Board members expressed differing views. Some supported allowing human-powered bicycles, citing quality-of-life benefits, lack of evidence of significant safety risks, and the beach as a safer exercise

alternative given limited walkability and recent pedestrian safety incidents. Others raised concerns about safety and congestion, particularly during busy seasons, and suggested limiting bicycle use by location or time of day. Attorney Berryman cautioned that bicycle regulation is more appropriately addressed by the Beach Stewardship Committee and outside the purview of this Board and recommended keeping the ordinance motion separate from the bicycle issue.

Motion: Member Izzi moved that staff address the revisions as discussed today and bring back to a future Planning Board meeting. The motion died for lack of a second.

Discussion followed regarding avoiding further delays in advancing the ordinance, noting the extensive work already completed by staff and the Beach Stewardship Committee.

Motion: Member Perry moved, and Member Lorenzen seconded to have staff make the changes that were identified at this meeting and move Ordinance 2025-02 forward to the City Commission for first read. The motion carried 3-2 with Member Izzi and Vice Chair Angelides voting no.

b. Recommendation of Ordinance 2025-16, pertaining to wildlife-friendly lighting, to the City Commission

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA FOR THE PURPOSE OF RENAMING LAND DEVELOPMENT CODE DIVISION 44 – MARINE TURTLE PROTECTION TO DIVISION 44 - MARINE TURTLE AND COASTAL WILDLIFE PROTECTIONS; AMENDING SECTIONS 44.1. THROUGH 44.9., AND ADOPTING SECTIONS 44.10 THROUGH 44.14., 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.

Public comment:

John Kurzman of Bahia Honda Way raised concerns about zoning inconsistencies, noting that all beaches are in the Preservation (P) zone, not resort or other zones referenced in the Land Development Code, and urged the ordinance to reflect this. He questioned allowing large chickee huts on the beach while previously restricting smaller items like chairs and criticized blanket bans on bicycles and fireworks instead of limiting them to turtle nesting season. He challenged the justification for lighting restrictions, noting that turtles naturally navigate by moonlight and ambient conditions, making some provisions unrealistic. He opposed new requirements that would force full compliance, such as window tinting, when repairing minor building elements, suggesting flexibility should remain.

Robert Czyszczon of 4506 Gulf Blvd. supported the Board’s discussion and urged clearer treatment of tiki and chickee huts, stating they are fundamentally different and should be addressed in separate code sections to avoid confusion and potential legal issues. He raised concerns about Section 44.10, arguing that lighting restrictions during turtle season would effectively eliminate special events for much of the year and should allow limited special events only during nesting season. He opined that

enforcement provisions should apply equally to all beachfront properties, including condominiums, not just hotels, to ensure fair and consistent application of lighting standards.

Krystin Simmons of the Luce Hotel at 6300 Gulf Blvd. expressed concerns that the lighting ordinance would heavily impact hotel operations and limit their ability to host events, affecting staff income and client confidence. She highlighted that the ordinance's definitions of artificial, cumulative, indirect, and transient lighting are overly broad, potentially penalizing businesses for common light sources such as car headlights, tiki torches, lanterns, or temporary event lighting. She recommended tightening the definitions to ensure the ordinance regulates coastal construction impacts without unfairly affecting hotels and other beachfront businesses.

Mr. Berry reviewed a presentation outlining the revisions to the proposed lighting ordinance which comes under the full purview of the Local Planning Agency. This ordinance focuses on modernizing lighting regulations to protect turtles and coastal resources while providing clarity for developers and staff. Key points included:

- Purpose & Scope: Aligns with Senate Bill 180 and the state's model lighting ordinance, focusing on regulating new construction, modifications, repairs, and special event lighting rather than redefining construction.
- Technical Standards: Updates outdated language from the 1990s ordinance, adds definitions for full-cutoff and shielded lighting, specifies long-wavelength bulbs, and reduces allowable visible light transmittance from 45% to 30% for glass visible from the beach. Requires new pool lighting to follow long-wavelength standards.
- Compliance Triggers: New structures, redevelopment of primary structures, non-substantial additions, and modifications of windows, doors, or fixtures must comply with the updated standards. Pre-2007 installations are grandfathered until modified.
- Enforcement & Reporting: Code enforcement is the responsible division; penalties updated; vegetation screening must be Florida-native; annual reporting to the City Commission and Beach Stewardship Committee is required.
- Special Provisions: Prohibits transient or temporary special event lighting during marine turtle season.
- Comprehensive Plan Consistency: Supports goals for protecting marine wetlands, turtle nesting grounds, dune systems, and other coastal resources, while promoting restoration and sustainable development in commercial and resort areas.

Staff requested a recommendation of approval to the City Commission and affirmation of consistency with the comprehensive plan.

Board discussion followed. Staff addressed potential conflicts with SB 180, stating that the ordinance was drafted with that in mind and consultations with the city attorney are ongoing. Under Florida Statute 380.04, certain maintenance or interior/exterior cosmetic work is exempt from SB 180. Most of the ordinance codifies existing enforcement practices rather than introducing new requirements, and the definition of "construction" that triggers compliance remains unchanged.

The board discussed the proposed restrictions on special events and transient lighting during sea turtle nesting season (May–October). Key points included:

- The current ordinance is ambiguous; the draft ordinance is more restrictive, particularly regarding transient lighting visible from the beach.
- Questions arose about whether lighting could be shielded or positioned to avoid disturbing turtles while still allowing events.

- Concerns were raised about the economic impact of prohibiting special events and the need for clear guidance for event organizers.
- The importance of practical, enforceable standards was emphasized, including examples or schematics showing how events could comply.
- Several members suggested collaboration with experts and affected community members to develop workable solutions.
- There was consensus that the current language is overly restrictive, poorly structured, and could be clarified into subsections (special events, transient lighting, people on the beach).
- The board decided to direct staff to rework the ordinance to better balance turtle protection with allowing special events, rather than approving it as-is.
- Staff could revise the ordinance and return to the board with updated language and potential solutions.

Motion: Member Lorenzen moved, and Vice Chair Angelides seconded, to return Ordinance 2025-16 to the staff to rework the issues as discussed and bring back to the board. The motion carried 5-0.

Chair Hubbard adjourned as the Local Planning Agency and reconvened as the Planning Board at 6:06 PM.

5. Discussion Items -

a. St. Pete Beach dock regulations

Chair Hubbard requested the item be added to the agenda to raise concerns about provisions in the LDC related to residential docks and navigability and Board of Adjustment administrative approvals based solely on no-objection letters from adjacent property owners. He expressed that could unintentionally restrict other nearby residents' access to navigable waters.

Discussion focused on LDC Section 6.23, particularly the rule allowing docks to extend up to one-half the width of the waterfront lot with administrative approval. Current code does not require consideration of broader navigational impacts on other properties, especially in narrow or shallow waterways where access is already limited. Questions were raised about the lack of a clear local definition of "navigable waterway," noting that reliance on broad county or federal definitions may not adequately reflect on-the-ground conditions. It was suggested that the City consider amendments to ensure that administrative approvals and variances account for impacts on surrounding residents' access to waterways. Possible tools discussed included requiring additional information, such as depth charts, to better inform decisions without conflicting with state limitations (including Senate Bill 180). Additional concerns were raised about other dock-related standards in Section 6.23, including dock height limits, which may prevent property owners from raising docks in anticipation of higher seawalls or flood resilience needs, potentially contributing to storm damage and navigation hazards, and orientation requirements that docks be perpendicular to seawalls, which may not be practical for irregularly shaped lots and could lead to setback or encroachment issues. The members agreed that multiple areas in the dock regulations could benefit from clarification and modernization.

6. Adjournment - Next meeting January 26, 2026.

There being no further business, Chair Hubbard adjourned the meeting at 6:20 PM.

These minutes were approved at the January 26, 2025 meeting of the Planning Board.