COMMISSION MEETING
CITY OF ST. PETE BEACH

155 Corey Avenue

Tuesday, July 12, 2011
6:00 PM

Call to Order
Pledge of Allegiance
Invocation
Roll Call

REGULAR MEETING

1. **Changes to the Agenda** - Any agenda items to be added, moved, or deleted will be addressed at this time. Added items will be assigned agenda item numbers and moved items should remain with the same item numbers. Notation will be made that those items will be taken out of order. Consent items may be removed for discussion, changes, and/or anticipation of a non-unanimous vote and considered separately on the request of anyone on the Commission or by a majority vote of the City Commission upon request of an audience member.

2. **Presentations**
   a. **Proclamation for Parks and Recreation Month – July 2011**

3. **Audience Comments** - Comments shall be limited to 3 minutes per person to issues not on the agenda.

4. **Consent**
   a. **Authorization for the City Manager to enter into an agreement with the Property Appraiser of Pinellas County, Florida for a non-ad valorem assessment.**

5. **Action Items**
    a. **Case #20110015 Conditional Use. Applicant requests Conditional Use approval for property located at 3850 Gulf Boulevard for Outdoor Restaurant Seating in accordance with Section 14.4(g) of the Land Development Code. Applicant requests seven seats.** ***This case requires a Quasi-Judicial public hearing.***

6. **Ordinances**
    a. **Ordinance 2010-13, Final Reading and Public Hearing, amending the Future Land Use Plan Element of the adopted Comprehensive Plan to address issues identified by staff review.**
    b. **Ordinance 2010-14, Final Reading and Public Hearing amending the Capital Improvements Element of the Comprehensive Plan.**
    c. **Ordinance 2010-15, Final Reading and Public Hearing amending the Future Land Use Plan and Future Land Use Map Elements of the City's adopted Comprehensive Plan.**
    d. **Ordinance 2010-37, Final Reading and Public Hearing, an Ordinance of the City of St. Pete Beach, Pinellas County, Florida, providing for amendment to the Eighth Avenue Special Area Plan, as written in Exhibit "A" attached hereto; providing for the repeal of ordinances of parts of ordinances in conflict herewith, to the extent of such conflict; providing for severability; and providing for an effective date.**
    e. **Ordinance 2011-18, Final Reading and Public Hearing amending Section 6.23 of the Land Development Code to allow residential docks presently non-conforming to be reconstructed in the same location and configuration without requiring variance approval if the original County permit can be produced.**

7. **Resolutions**
    a. **Resolution 2011-14: a Resolution of the City of St. Pete Beach, Pinellas County, Florida, establishing the tentative millage rate for TRIM notices**

8. **Items for Discussion – none for this agenda**

9. **City Manager, City Attorney and City Commission Reports**

10. Adjournment

APPEALS

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

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

St. Pete Beach City Commission
Agenda Report

Issue Considered: Parks and Recreation Month – July 2011

Date: July 12, 2011

Prepared By: Steven J. Hallock, Public Services Director

Summary of Issue: The National Recreation and Park Association, the Florida Recreation and Park Association and the Governor of the State of Florida designated July 2011 as Parks and Recreation Month. We would like to take this time to encourage our residents to get out and enjoy the City's parks, beaches and recreation programs. Why not take the children to a park playground and see the smiles on their faces; plan a leisurely stroll on the beach and watch a beautiful sunset; attend a class at the Community Center and do an activity you have always wanted to try; release your creativity by enjoying art activities at the Don Vista; or spend a day at the pool refreshing in the cool, clear water. We guarantee that we have something for everyone and you won't regret it.

Attachments: Proclamation

Reviewed by
City Manager: MB

PROCLAMATION

City of St Pete Beach, Florida

WHEREAS, public parks, beaches and land provide for the critical "green" infrastructure that collectively enhances community spaces making the great State of Florida the best place to live in the country; and

WHEREAS, local parks and recreation experiences enhance the citizens of St Pete Beach's quality of life by contributing to a healthy lifestyle, increasing communication skills, building self-esteem, teaching life skills, and providing places for enjoyment; and

WHEREAS, parks and recreation programs, tournaments and events boost the economy, enhance property values, attract new business, increase tourism, and reduce crime: and

WHEREAS, opportunity for recreation builds family unity, strengthens neighborhood involvement, provides for social interaction, enhances education, develops creativity, and promotes cultural diversity; and

WHEREAS, the City of St Pete Beach parks, beaches and green spaces ensure ecological beauty, provide space to enjoy nature, help maintain clean air and water, preserve plant and animal wildlife; and

WHEREAS, participation in recreation and outdoor activities provides education and therapy for stress relief, improved health and are essential to the rehabilitation of individuals who have been ill or disabled; and

WHEREAS, the National Recreation and Park Association, the Florida Recreation and Park Association and the Governor of the State of Florida designated July 2011 as Parks and Recreation Month.

NOW, ***THEREFORE***, The City Commission of St Pete Beach, Florida does hereby proclaim the month of July 2011 as

PARKS & RECREATION MONTH

and encourages residents and visitors alike to enjoy using the parks, beaches and recreation programs that enhance the quality of life here in the City of St Pete Beach.

SEAL:

IN WITNESS WHEREOF*, I have hereunto set my hand and caused the Seal of the City of St. Pete Beach, Pinellas County, Florida to be affixed this 12th day of July 2011.*

_____

Mayor

St. Pete Beach City Commission
Agenda Report

Issue Considered: Authorization for the City Manager to enter into an agreement with the Property Appraiser of Pinellas County, Florida for a non-ad valorem assessment

Date: July 12, 2011

Prepared By: Elaine Edmunds, Finance Director

Summary of Issue: This agreement is between the City of St. Pete Beach and the Pinellas County Property Appraiser to facilitate the collection of non-ad valorem assessments. The agreement renews automatically each year.

Due to changes in the Florida Department of Revenue's assessment roll submission standards and layouts and changes in technology, the agreement must be amended.

Attached is the new agreement for the 2012 tax year. The amendments provide the property appraiser's office with the flexibility to determine appropriate file forms for roll submission to comport with changes in the law and technology; revise the termination provisions to make them more appropriate to the matters governed by this agreement; and make other necessary updates.

Requested Motion: **"**I move to approve the Non-Ad Valorem Assessment Agreement with the Property Appraiser of Pinellas County, Florida to facilitate the City of St. Pete Beach non-ad valorem assessment."

Attachments: Non-Ad Valorem Assessment Agreement

Reviewed by
City Manager: MB

NON-AD VALOREM ASSESSMENT AGREEMENT

THIS AGREEMENT is made and entered into on this date, _____, by and between PAM DUBOV, the PINELLAS COUNTY PROPERTY APPRAISER, hereinafter referred to as the "PAO" and the LOCAL GOVERNING BOARD OF THE CITY OF ST. PETE BEACH, hereinafter referred to as the "BOARD". The PAO and the BOARD desire to implement the provisions of s. 197.3632, Florida Statutes, governing the uniform method for the levy, collection, and enforcement of non-ad valorem assessments for the purpose of providing capital improvements and/or essential services.

The BOARD and the PAO agree as follows:

SECTION 1 Authority.

This Agreement is entered into pursuant to Section 197.3632(2) Florida Statutes, relating to the uniform method for the levy, collection, and enforcement of non-ad valorem assessments.

SECTION 2 Term and Termination.

A. The term of this Agreement shall be the date hereof through September 30, 2012 and shall continue and extend uninterrupted from year-to-year, automatically renewed effective October 1 for successive periods not to exceed one (1) year each.

B. The BOARD shall inform the PAO by the 10th day of January of each calendar year, if the BOARD intends to discontinue using the uniform methodology for such Assessments pursuant to Section 197.3632(6), Florida Statutes and Rule 12D-18.006(3), Florida Administrative Code and thus, desires to terminate this Agreement. Notice of intent to discontinue shall be provided on Form DR-412 promulgated by the Florida Department of Revenue, as it may be amended from time to time. Upon receipt of the Notice of Intent this Agreement will be deemed terminated as of the date on the Notice. In the event this termination provision is exercised by either party, the BOARD shall remain liable to the PAO for charges incurred up to such termination.

C. If a change in the law or change in PAO technology requires a change in the file format for Non-Ad Valorem Assessment Data Transfers set forth in appendices C and D, and the BOARD cannot comply with the new file format, either party may terminate the Agreement by notifying the other party in writing.

D. The parties agree that if either party shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if either party shall violate any of the covenants, agreements, or stipulations of this Agreement, the other party shall thereupon have the right to terminate this Agreement. The Agreement can be terminated, by either party by giving the other party written notice not less than thirty (30) days prior to such termination.

E. In the event sufficient budgeted funds are not available for a new fiscal period, the

BOARD shall notify the PAO of such occurrence and the Agreement shall terminate on the last day of the then current fiscal year without penalty or additional expense to the BOARD.

F. In the event this Agreement is terminated by either party for any of the reasons set forth herein, the BOARD shall remain liable to the PAO for charges incurred up to such termination.

SECTION 3 Scope of Services.

A. The BOARD and the PAO agree to perform the baseline tasks specified in Appendix A by the annual deadlines contained therein.

B. The PAO and BOARD also agree to perform optional tasks specified in Appendix B in accordance with the specifications and deadlines contained therein.

SECTION 4 Charges.

A. Project charges will be calculated on a time and materials basis, in accordance with the Property Appraiser's rate schedule in effect when work is completed. The Property Appraiser's Rate Schedule, set forth in Appendix E, may be revised annually based upon changes in labor and material costs. New rate schedules will constitute an amendment to this Agreement.

B. The PAO shall submit an invoice, annually in October of each year, according to the amounts set forth in Appendix E unless other payment arrangements have been included in the attachments and agreed to by both parties.

C. The BOARD agrees to make payment to the PAO for the amount invoiced by December 15th of the invoice year.

SECTION 5 Responsibility for Non-Ad Valorem Roll Products and Use of Such Products.

A. The BOARD shall maintain any public record generated as a result of this Agreement and shall be responsible for answering all inquiries regarding non-ad valorem assessments.

B. The BOARD shall be responsible for the accuracy and completeness of its non-ad valorem assessment roll and shall, by certifying the roll to the Tax Collector, signify its verification of the roll.

C. If the non-ad valorem assessment is to appear on the Notice of Proposed Property Taxes in the second and subsequent years of the assessment, the BOARD will provide appropriate contact information for inclusion on such notice.

D. PAO shall verify the accuracy of non-ad valorem assessment information that appears on the Notice of Proposed Property Taxes to ensure that it conforms to the roll prepared by

the BOARD.

E. The PAO reserves the right to use information created during production of the non-ad valorem assessment roll and to respond to requests for public records concerning such products without consulting the BOARD.

SECTION 6 Accounting and Records.

A. The PAO shall establish for the project, in conformance with currently accepted accounting practices, a separate account to be maintained within its existing system. Such account shall be available for inspection, upon request, by the BOARD at any time during the period of this agreement and for a minimum of three (3) years after payment is made.

B. All time and material charges for optional tasks shall be supported by the properly executed payroll records, time records, invoices, contracts or vouchers evidencing in detail the nature and propriety of the charges.

SECTION 7 Persons with Authority to Act on Behalf of the Parties.

Appendix F identifies personnel authorized to act as point of contact on behalf of the parties throughout the administration and implementation of this Agreement.

SECTION 8 Notice.

Notice by either party to the other pursuant to this Agreement shall be given in writing and hand delivered or mailed to the parties listed as "Persons with Authority to Act on Behalf of the Parties" in Appendix F.

SECTION 9 Construction.

This Agreement shall be construed as an expression of inter-agency cooperation enabling each party to make the most efficient use of its powers in furtherance of their respective and common objectives. However, this Agreement shall not be construed as delegating or authorizing the delegation of the constitutional or statutory duties of either party to the other.

SECTION 10 Effective Date.

This Agreement shall take effect upon execution by the parties.

SECTION 11 Entire Agreement/ Modification.

This Agreement shall consist of this document comprised of sections 1 through 11 and the attached signature page and the following appendices which are attached hereto and incorporated herein by reference. In the event of a conflict between this document and the referenced appendices, this document comprised of sections 1 through 11 and the attached signature page shall supersede over the appendices.

The PAO reserves the right to revise and modify the File Format for Non-Ad Valorem Assessment Data Transfers set forth in appendices C and D, based upon changes in the Florida Department of Revenue assessment roll submission standards or file layouts, changes in the law, changes in the PAO's roll production technology, or other office needs as determined by the PAO. A new File Format will constitute an amendment to this agreement, and such amendment will be deemed effective upon written submission by the PAO to the Board of a new Appendix C and/or D. However, the PAO will not change the file format for reasons other than a change in the law or changes by the Department of Revenue to roll submission standards or file layouts after January 10th for a given calendar year.

Any modification to this Agreement, other than those relating to the file format or rate schedule discussed herein, shall be in writing and signed by both parties.

Appendix A	Specification and Deadlines for Work to be Performed
Appendix B	Optional Task Specifications and Deadlines
Appendix C	File Format for Non-Ad Valorem Assessment Data Transfer from the PAO to the BOARD
Appendix D	File Format for Non-Ad Valorem Assessment District Data Transfer from the BOARD to the PAO
Appendix E	Property Appraiser's Rate Schedule for Optional Tasks
Appendix F	Persons with Authority to Act on Behalf of the Parties
Appendix G	Sample Certification of Non-Ad Valorem Assessment Roll (The current form Certificate to be submitted should be obtained from the Department of Revenue website http://dor.myflorida.com/dor/)

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the date set forth above.

PROPERTY APPRAISER'S OFFICE

By: Pam Dubov, CFA, CAE
Property Appraiser

NON-AD VALOREM ASSESSMENT DISTRICT

By: _____
Chairman

Approved as to Form:
Office of the County Attorney

By: Christina LeBlanc
Senior Assistant County Attorney

Approved as to Form:
Office of the BOARD Attorney

By: _____
Attorney

06/11

Appendix A

Specifications and Deadlines for Work to be Performed

Deadline	Responsible Party	Task Description
January 1	BOARD	Adopt a resolution which clearly states its intent to use the uniform method of collecting the assessment. (s. 197.3632(3)(a)).
January 10	BOARD	Provide a copy of the adopted resolution to the Property Appraiser (s. 197.3632(3)(a)). The resolution must also include the geographic boundary or legal description of the area to be assessed sufficient to allow the Property Appraiser to identify the parcels of real property that fall within such boundary.
January 10	BOARD	Notify the Property Appraiser if the BOARD intends to discontinue using the uniform method of collecting the non-ad valorem assessment. (s. 197.3632(6)).
June 1	PAO	Provide the BOARD an electronic medium containing the parcel numbers, legal description, owners' names and addresses of all parcels of land included in the non-ad valorem assessment district (s. 197.3632(3)(b)). The definition of the format that will be used for this data transfer is contained in Appendix C.
July 1	BOARD	All assessments and any corrections, additions or deletions to the roll provided by the PAO must be returned to the PAO on electronic medium so that maps and the non-ad valorem assessment data file can be corrected and assessments can be added before production of Notices of Proposed Property Taxes. The definition of the format that must be used for this data transfer is contained in Appendix D.
August 1	PAO	Provide a final assessment roll to the BOARD, including assessment amounts.
Sept 15	BOARD	Certify the non-ad valorem assessment roll to the Tax Collector by submission of the roll on compatible electronic medium and by supplying the Tax Collector with the Certificate to Non-Ad Valorem Assessment Roll (DR-408A, found at Appendix G).

Appendix B

Optional Task Specifications and Deadlines

The PAO agrees to perform optional tasks associated with the production of the non-ad valorem assessment roll if the BOARD so requests. Costs will be estimated using the PAO's Rate Schedule (Appendix E) in effect on the date the work is performed. Available services include the following:

Option 1: Mapping services.

A request for mapping services will be submitted by BOARD to the PAO's representative listed in Appendix F for time and cost estimates.

A. Identification and maintenance of parcels within the district and to reflect updates and amendments to the non-ad valorem assessment district boundaries and legal descriptions, and parcel boundaries and legal descriptions.

B. Digitizing of information submitted to the PAO from the BOARD, using PAO personnel, software and hardware for inclusion in the BOARD's GIS system. The PAO will produce and furnish digital map products in a DXF file format for translation into the BOARD's GIS system and agrees to assist the BOARD in the translation process.

C. Printing of maps using PAO's cadastral map data base and the information submitted to the PAO by the BOARD.

D. The printing of maps using PAO's cadastral map data base and parcel attribute information in the PAO's mass appraisal database.

E. The creation of data reports, mailing lists, etc. from spatial queries using the PAO's mass appraisal database and mapping information.

The PAO will produce, on a regular schedule, a back-up of all data files created for the BOARD. The PAO will be the custodian of this back-up.

Option 2: Other Customized Services Requested by the BOARD and approved by the PAO.

Appendix C

File Format for the Non-Ad Valorem Assessment Data Transfer from the PAO to the BOARD

A CSV (Comma Separated Values) format file, suitable for opening with Microsoft Excel and other applications. The first record in the file should contain the column names, in the order that they appear in the file.

Field Name	Field Description	
STRAP	property appraiser's internal identifier of the parcel	
RG	range	These six fields comprise the 18 digit parcel number
TW	township	
SC	section	
SB	subdivision	
BK	block	
LOT	lot	
NAM1	owner's name line 1	
NAM2	owner's name line 2	
ADR1	owner's address line 1	
ADR2	owner's address line 2	
CITY	city	
ST	state	
ZIP	zip code	
2ZIP	plus 4	
COUNTRY	country	
ADRA	physical address number (improved property only)	
ADRB	physical street name (improved property only)	
NX	prior year taxable value	
DORCD	DOR property/land use code	
DST	ad valorem tax district	
XXY	centroid x coordinate	
YXY	centroid y coordinate	
LEG1	legal description line 1	
LEG2	legal description line 2	
LEG3	legal description line 3	
LEG4	legal description line 4	
DUNIT	dwelling units	
STATUS	status of parcel: 1 – unchanged from previous roll 2 – new to this roll (split) 3 – deleted from the district (combination) 4 – annexed from the district	
NADST	NEW Non-ad valorem assessment district code	
NASMT	NEW Assessment amount	
NRATE	NEW rate	
NUNIT	NEW Unit	
NLEVYING	NEW agency levying assessment	
NPNAME	NEW district name	

NCONTACT	NEW phone number*
ONADST	previous non-ad valorem assessment district code
ONASMT	previous assessment amount
ONRATE	previous rate
OLEVYING	previous agency levying assessment
ONPNAME	previous district name
OCONTACT	previous phone number
OUNIT	previous assessing units

A sample of a file in this format is shown below:

```
PIN,RG,TW,SC,SB,BK,LOT,NAM1,NAM2,ADR1,ADR2,CITY,ST,ZIP,2ZIP,COUNTRY,ADRA,ADRB,NX,DORCD,STATUS,DST
                                    ,XXY,YXY,LEG1,LEG2,LEG3,LEG4,DUNIT,ONADST,ONASMT,ONRATE,OLE
                                    VYING,ONPNAME,OCONTACT,OUNIT,NADST,NASMT,NRATE,LEVYING,NPNA
                                    ME,CONTACT,NUNIT
"353015137020000220","15","30","35","13702","000","0220","LAWRANCE, WILLIAM J","CROCKETT,
                                    MARGARET F","9605 62ND AVE N",,"ST
                                    PETERSBURG","FL","33708","3529",,9605," 62ND AVE
                                    N",122551,"0110","1","STF",250407,1270929,"CARRIAGE BAY
                                    UNIT TWO","LOT 22"," "," ",1,"L232",41.72,41.7169,,,,1,"L
                                    "," "," "," "," "," "," "
"232715056880000010","15","27","23","05688","000","0010","FLANAGAN, TERENCE","FLANAGAN, MARY
                                    C","121 GULFWINDS DR E",,"PALM
                                    HARBOR","FL","34683","1308",,604," WESTWINDS DR
                                    ",71973,"0110","1","PHMT",253566,1376986,"BAYWOOD MANOR
                                    SUB","LOT 1"," "," ",1,"L002",20.98,20.977,"BD OF COUNTY
                                    COMMISSIONERS","STREET LIGHTING - #L002","(727)453-
                                    3405",1,"L002"," "," "," "," "," "," "
"232715056880000020","15","27","23","05688","000","0020","MC LAUGHLIN, VICTORIA L",,"401 MANOR
                                    BLVD",,"PALM HARBOR","FL","34683","1324",,401," MANOR BLVD
                                    ",34944,"0110","1","PHMT",253482,1377035,"BAYWOOD MANOR
                                    SUB","LOT 2"," "," ",1,"L002",20.98,20.977,"BD OF COUNTY
                                    COMMISSIONERS","STREET LIGHTING - #L002","(727)453-
                                    3405",1,"L002"," "," "," "," "," "," "
"232715056880000030","15","27","23","05688","000","0030","LIPKA, ERIN M",,"403 MANOR BLVD",,"PALM
                                    HARBOR","FL","34683","1324",,403," MANOR BLVD
                                    ",27142,"0110","1","PHMT",253482,1376927,"BAYWOOD MANOR
                                    SUB","LOT 3"," "," ",1,"L002",20.98,20.977,"BD OF COUNTY
                                    COMMISSIONERS","STREET LIGHTING - #L002","(727)453-
                                    3405",1,"L002"," "," "," "," "," "," "
```

Appendix D

File Format for Non-ad Valorem Assessment District Data Transfer from the BOARD to the PAO

The file format for the data transfer from the BOARD to the PAO is the same as contained in Appendix C. Any number of fields can be in the file; however, only the fields specified below are required and will be loaded into the PAO database. This allows for the PAO transfer file to be "edited" by filling in the fields below for each parcel and returning the file to the PAO.

Field Name	Description	RESTRICTIONS
STRAP	PAO internal parcel id identifier	
NADST	NEW Non-ad valorem assessment district code	
NASMT	NEW Assessment amount	two decimal places of precision
NRATE	NEW rate	four decimal places of precision
NUNIT	NEW units	two decimal places of precision
NLEVYING	NEW Agency levying assessment	
NPNAME	NEW District name	
NCONTACT	NEW phone number	

Appendix E

Property Appraiser's Rate Schedule for Optional Tasks

LABOR:

Cartographic Specialist $32.00 per hour

Performs consultation, research, manual preparation, on-line preparation, and plotting of maps and identification of parcels within a geographic boundary.

Computer Programmer $52.00 per hour

Performs consultation, research, the writing of special computer programs to include programs that will mass update the BOARD's non-ad valorem assessment data; extracts data from the PAO's database files for use by the BOARD; prepares printed reports and data files on compatible electronic medium.

Data Entry Operator $22.00 per hour

Keys assessment amounts and other data into the database file maintained by the PAO for the BOARD's non-ad valorem assessments.

Overtime will be time and a half when requested by the BOARD to maintain the schedule outlined in Appendix A.

MATERIALS:

Material rates are based upon the cost to replace the paper and toner used in the process of creating custom maps and reports. This includes not only the final map product, but also check plots and revisions requested.

Mapping Paper Cost: (linear dimension)

20lb bond paper: $0.04/inch

27lb bond paper: $0.06/inch

Toner: (square foot dimension)

Black and White (architectural type drawing)	$0.22/Sq. Ft.
Four color (Color lines and symbols map)	$0.50/Sq. Ft.
Edge to edge full fill (Polygon)	$1.00/Sq. Ft.
Computer Reports:	$0.03 per page

Appendix G

DR-408A
N. 02/91

Certificate to Non-Ad Valorem Assessment Roll

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent of _____ located in _____ County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll for the aforesaid county is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll as a part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the _____ day of _____, _____.
year

Sample Only

_____
Chairman of the Board of Authorized Agent

of _____
Name of Local Government

_____ County, Florida

THIS CERTIFICATION MUST ACCOMPANY THE ASSESSMENT ROLL SUBMITTED BY SEPTBMER 15TH

This is a sample only and should not be used! The BOARD shall ensure that it submits the most recent Form DR-408A - *Certificate to Non-Ad Valorem Assessment Roll* promulgated by the Florida Department of Revenue and available on its website: http://dor.myflorida.com/dor/.

St. Pete Beach City Commission
Agenda Report

Issue Considered:	Conditional Use Case #20110015. Applicant requests Conditional Use approval for property located at 3850 Gulf Boulevard for Outdoor Restaurant Seating in accordance with Section 14.4(g) of the Land Development Code. Applicant requests seven seats. This case requires a Quasi-Judicial public hearing.
Date:	July 12, 2011
Prepared By:	Karl E. Holley, AICP, Community Development Director
Summary of Issue:	The applicant proposes to establish an outdoor restaurant seating area of seven seats for an existing restaurant.
Requested Motion:	**"**I move to approve Case #20110015, request for Conditional Use approval under Section 14.4(g) for outdoor restaurant seating at 3850 Gulf Boulevard."
Attachments:	Case #20110015 Application Case #20110015 Staff Analysis
Reviewed by City Manager:	MB

City of St. Pete Beach
Conditional Use and Variance Request
Case # 2011-0015
Staff Report
June 29, 2011
Hearing date: July 12, 2011

Application and Property Information

Owner/Applicant: Paul Nicklaus
Agent: John Phillips
Address: 3700 Gulf Boulevard
Current Zoning: RFM
Current FLUM designation: RFM
Existing Uses: Restaurant
Proposed Use: Restaurant with 7 outdoor seats
Lot characteristics: .39 Acres

Surrounding Uses:

North: Casablanca Condominium
South: Residential, separated by 37th Ave
East: Hotel (under construction), separated by Gulf Blvd.
West: Residential

Summary of Request and background information

The site currently contains a restaurant with limited seating available for its customers. The applicant is requesting Conditional Use approval for 7 outdoor seats on an existing improved open area for the patrons to utilize if they choose. No service will be provided to the area. The property currently has 23 parking spaces, two of which are handicapped spaces. The existing building is 425 square feet. Only 5 parking spaces are required.

Sec. 4.4. of the Land Development Code provides the following standards for review for conditional uses:
(a) Standards applicable to all conditional uses. When considering an application for approval of a conditional use, the city commission review shall consider the following standards:
(1) Whether the conditional use is consistent with the goals, objectives, and policies of the Comprehensive Plan, any adopted special area plan and these regulations;

(2) Whether the proposed use will be compatible with the character of the existing area, including existing structures and structures under construction, existing public facilities and public facilities under construction, and residential, commercial and/or service facilities available within the existing area. More specifically:

a. Whether the overall appearance and function of the area will be significantly affected consideration shall be given to the existence of other uses in the area, based on the number, size, and location of the uses and the intensity and scale of the proposed and existing uses in the area;

b. Whether the application will preserve any city, state or federally designated historic, scenic, archaeological, or cultural resources;

c. Whether the application will be compatible with adjacent development, if any, based on characteristics such as size, building style and scale; or whether such incompatibilities are mitigated through such means as screening, landscaping, setbacks, and other design features; and

d. Whether the application will have significant adverse impacts on the livability and usability of nearby land due to noise, dust, fumes, smoke, glare from lights, late-night operations, odors, vehicular traffic, truck and other delivery trips, the amount, location, and nature of any outside activities, potential for increased litter, or privacy and safety issues.

(3) Whether the transportation system is capable of adequately supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to arterials, transit availability, on-street parking impacts, if any, site access requirements, neighborhood impacts, and pedestrian safety;

(4) Whether the minimum off-street parking area required and the amount of space needed for the loading and unloading of trucks, if applicable, will be provided and will function properly and safely;

(5) Whether generally, the public health, safety and welfare will be preserved, and any reasonable conditions necessary for such preservation have been made;

(6) Whether the applicant has demonstrated the financial and technical capacity to complete any improvements and mitigation necessitated by the development as proposed and has made adequate legal provision to guarantee the provision such improvements and mitigation; and

(7) Whether the proposed use complies with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the regulations of the City of St. Pete Beach.

Staff Analysis

The site is presently land used in the Boutique Hotel/Condo Future land use designation. The Boutique Hotel/Condo Future land use designation provides for the following:

Boutique Hotel/Condo District (B-HC)

(a) Location and Character. The Boutique Hotel/Condo District contains 22.5 acres and less than 2% of the total land area of the City. This District is located on the west side of Gulf Boulevard southward from the County park (46th Avenue) to just north of 38th Avenue. Several multi-family residential condominiums exist and several more are currently under construction or have been recently constructed in this District. It is anticipated that only approximately two or three boutique hotel projects potentially could be developed or redeveloped in the Boutique Hotel/Condo District that will qualify for increased height and density under this proposed plan and map amendment.

(b) Purpose and Intent; Redevelopment Incentives & Deterrents. The following policies shall govern development and redevelopment in the Boutique Hotel/Condo District and are intended to preserve the remaining inventory of Boutique Hotels to the maximum extent possible within this District by increasing density for temporary lodging uses and prohibiting height and density increases for residential condominium development.

Policies

Policy 1: Architectural design features that provide visual interest, are aesthetically pleasing and relate to the human scale at ground levels are equally important for both the street and waterside of buildings. Blank wall facades shall be prohibited.

Policy 2.1: At least one functional public beach access a minimum of seven (7) feet average width shall be provided on all new development projects that redevelop more than 75% of the buildable site unless a hardship exists resulting from a property width that is less than 150 feet.

Policy 2.2: Public beach access will be by foot traffic and wheelchair only and shall be directed to marked paths or dune walkovers in order to protect the dune system. Emergency police, fire rescue and lifeguard response vehicles, or bicycles will be allowed access in a manner that minimizes adverse impacts to the dune system to the maximum extent possible.

Policy 3: All development projects may be required to provide an easement to the City for a beach boardwalk or trail easement Gulf ward of the Florida Coastal Construction Control Line in the event the City pursues the development of a beach boardwalk or trail and the location is necessary to provide a continuous, uninterrupted pedestrian beach system.

Policy 4: Professional landscaping and design standards consistent with the standards contained in Divisions 22 and 39 of the LDC shall be the minimum required on the entire building site for new development that exceeds 75% of the buildable site, with particular emphasis on the Gulf Boulevard frontage and screening from any adjacent low-rise residential use that may include landscaping and privacy walls. Landscape design, including the type and quantity of plant material as well as creative tropical hardscape designs, shall be consistent with the quality and character of a high quality tropical resort destination

Policy 5: Increased building setbacks from Gulf Boulevard shall be required for increases to building height allowed for temporary lodging uses.

Policy 6: Temporary lodging uses shall comply with all County and local hurricane closure and evacuation procedures that will ensure orderly evacuation of guests and visitors prior to evacuation orders being issued for residents in Zone A.

Policy 7: All temporary lodging uses shall comply with adopted City rules and regulations that ensure that projects approved as temporary lodging facilities are built, function, operate and are occupied exclusively as temporary lodging uses.

Permitted Uses and Standards

(a) Primary uses - Temporary lodging use – hotel, motel, resort condominium; medium density residential.

(b) Secondary uses - None.

(c) Density/Intensity and Height Standards - shall be calculated on the basis of those portions of the site which are landward of the Florida Coastal Construction Control Line and shall be permitted as follows:

1. Density - Shall not exceed the following:

a. 50 temporary lodging units per acre unless approved by ordinance of the City Commission to provide additional temporary lodging units from the TLU Density Pool established below; or

b. 18 residential units per acre; and

c. Any increases to temporary lodging unit density is subject to the restrictions and limitations in Section (2) below - Temporary Lodging Unit Reserve; and

d. **Variances to exceed the maximum residential density above as established in the Future Land Use Plan shall be prohibited.**

2. Temporary Lodging Unit Density Pool ("TLU Density Pool") -The City shall establish a TLU Density Pool not to exceed a total of 125 units for the entire Boutique

Hotel/Condo district and the following shall govern the allocation of density from the TLU Density Pool:

a. The TLU Density Pool shall be allocated to individual projects by ordinance of the City Commission upon request of an individual property owner; and

b. Such allocation may be up to but shall not exceed twenty (20) temporary lodging units per acre and further, the cumulative allocation shall not exceed sixty (60) units per development project; and

c. The number of available temporary lodging units remaining after such project allocation shall be specified in each City Commission ordinance allocating such units and each such ordinance shall provide that no units beyond those TLU Density Pool units remaining available to the Boutique Hotel/ Condo District shall be allocated to any subsequent temporary lodging use project; and

d. *This limitation shall be absolute and shall apply regardless of the proposed size or density of the project requesting such allocation. Such units shall be established exclusive of any other use provided for in the District.*

(d) Intensity Standards.

1. **Temporary lodging use** shall not exceed an aggregate floor area of 750 square feet per temporary lodging unit excluding indoor amenities, common areas and structured parking. Indoor amenities and common areas shall not exceed an additional 0.2 floor area ratio combined. For example: 50 units x 750 square feet =38,500 square feet plus 0.2 x total parcel square feet for common areas & indoor amenities = total building square footage, excluding structured parking.

2. **Variances to exceed the maximum floor area ratio above as established in the Future Land Use Plan shall be prohibited.**

(e) Height shall not exceed, but shall be permitted up to the following, subject to height limitations contained in Section 7.2(k) of the LDC:

1. Six (6) stories above parking or seventy-six (76) feet above base flood elevation for any building that exclusively contains only temporary lodging uses with a minimum setback of one hundred (100) feet from Gulf Boulevard; or

2. Five (5) stories above parking or sixty-five (65) feet above based flood elevation for any building that exclusively contains only temporary lodging uses with a minimum setback of seventy-five (75) feet from Gulf Boulevard; or

3. Fifty (50) feet above base flood elevation, for any buildings containing multi-

family residential dwelling units, or any temporary lodging facility that does not comply with the minimum setbacks required for additional height established in sections (e)1 and (e)2 above, subject to a minimum setback of fifty (50) feet from Gulf Boulevard; and

4. **Any increases to, including variances to increase, each of the maximum heights set forth above for this Boutique Hotel/Condo Resort character district shall be prohibited unless approved by voter referendum, if required by the City Charter.**

(f) Impervious Surface Ratio Standards- shall not exceed:

1. 0.85 impervious surface ratio for any exclusive temporary lodging uses; or

2. 0.70 impervious surface ratio for any residential use or combined residential and temporary lodging use; and

3. **Variances to exceed the maximum impervious surface ratio above as established in the Future Land Use Plan shall be prohibited.**

The site is presently zoned RFM. The RFM zoning provides for the following:

Sec. 14.1. Purpose and intent.
The RFM Resort Facilities Medium District is intended for areas designated within the RFM Resort Facilities Medium land use category on the Future Land Use Maps. Certain other structures and uses required to serve governmental, religious and non-commercial recreational needs of such areas may be permitted, subject to restrictions and requirements intended to preserve the character of such district.
(Ord. No. 03-7, § 3, 5-1-03)

Sec. 14.2. Permitted principal uses and structures.
Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RFM Resort Facilities Medium District are as follows:
(a) Clinics.
(b) Clubs, community service.
(c) Clubs, private.
(d) Eating and drinking establishments--Bar (cocktail lounge, saloon) or sit-down restaurant.
(e) Financial institutions without drive-through service.
(f) Kennels without outdoor runs.
(g) Laundries, self-service.
(h) Offices.
(i) Printing and copying services.
(j) Residential dwellings--Multifamily only.
(k) Retail sales.

(l) Services, personal/business.
(m) Social service agencies.
(n) Transient accommodations--Bed and breakfast inn, hotel or motel, or resort condominium.
(o) Veterinarians.
(Ord. No. 03-7, § 3, 5-1-03)

Sec. 14.3. Permitted accessory uses and structures.
(a) Uses and structures, as regulated in sections 6.12 and 6.13, which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures and are not of a nature prohibited under section 14.5.
(b) Home occupations, subject to the conditions set forth in section 6.5 of this Code.
(c) Docks, including tie poles, in conformance with the provisions of section 6.23 and other applicable codes and ordinances of the city, county or state.
(d) Temporary structures under the provisions of section 6.11, Supplemental Regulations, of this Code.
(Ord. No. 03-7, § 3, 5-1-03)

Sec. 14.4. Allowable conditional uses.
Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the RFM Resort Facilities Medium District are as follows:
(a) Assisted living facilities.
(b) Places of worship.
(c) Commercial water sports, non-motorized vessels of 16 feet or less in length only.
(d) Communications facilities.
(e) Daycare centers/kindergartens.
(f) Docks, commercial--Classes A, B and C.
(g) Eating and drinking establishment--Fast food, beach bar and outdoor restaurant.
(h) Financial institutions with drive-through service.
(i) Laundry, dry cleaning.
(j) Parking lots, commercial and/or off-premise.
(k) Recreational--Commercial recreation; public parks and/or recreational facilities.
(l) Recycling centers.
(m) Schools--Public, private and/or commercial.
(n) Utility substations and/or rights-of-way.
(o) Vessel for hire businesses.
(Ord. No. 03-7, § 3, 5-1-03; Ord. No. 03-15, § 1, 9-2-03; Ord. No. 2004-34, § 3, 12-14-04; Ord. No. 2008-33, § 1, 8-26-08; Ord. No. 2009-03, § 1, 5-10-09)

The proposed use of outdoor restaurant seating is not defined by the Comprehensive Plan policies but rather is a sub-classification of use established by the Land Development Code. Restaurant use would fall under the general provisions of the plan for commercial uses. In the Boutique Hotel/Condo designation, commercial uses are only provided for as ancillary to Transient Lodging uses in accordance with the provisions of Section 6.6 of the Land Development Code. Had this request been to initially establish the restaurant use without associated Transient Lodging, it clearly would be inconsistent with the policies of the adopted

Comprehensive Plan. However, since the request is only to reconfigure seating within an already improved area of the site for a legally established, nonconforming use, it does not violate any specific policy or criteria of the adopted Comprehensive Plan. The property is presently zoned Resort Facilities Medium which expressly provides for outdoor restaurant seating as an allowable Conditional Use.

The addition of 7 seats to the existing use is nominal and not likely to have an impact on adjacent uses or the levels of service for any public facility. There are no historic resources associated with the site. The existing building is very small, no additional permanent structures are proposed, and the site is well landscaped. Noise, transportation, and other negative impacts are not anticipated will the addition of 7 seats. There is more than ample parking for the proposed seating. The addition of 7 seats is not anticipated to have a financial burden on the applicant. The health, safety and welfare of the public is preserved by the site design requirements in the code, including but not limited to setbacks, buffering, and landscaping. The use complies with the development standards that currently exist in the land development code.

City of St. Pete Beach
Community Development Department
155 Corey Avenue
St. Pete Beach, Florida 33706
727-363-9265
www.stpetebeach.org

CONDITIONAL USE APPLICATION

Case Number: 2011 0015

APPLICANT/AGENT: JOHN PHILLIPS **PROPERTY OWNER:**

Name: A. PAUL NICKLAUS Name: A. PAUL NICKLAUS JR.

Address: 3850 GULF BLVD Address: 3850 GULF BLVD.

City: S.P.B. State: FL City: S. P. B. State: FL.

Zip: 337XX Phone: 727 647 2077 Zip: 33706 Phone: 727-360-9000
647-2077

PROPERTY: SMILEY'S SNACK SHACK

Address: 3700 GULF BLVD S.P.B. FL. 33706

Parcel ID: _____

Current Zoning: _____ FLUM Designation: _____ Lot Area: _____

Existing Use: _____ Proposed Use: _____

DETAILS OF THE REQUEST: (Add additional sheets if necessary)

The applicant is requesting outdoor seating to allow his patrons to have the option to sit on property and consume their food if they desire. The applicant expects most of his customers to purchase their food and consume it off site but would like to give them opportunity of choice

This application, together with all required supporting document, shall be submitted by 12:00 noon on the stated filing date for the City Commission. Failure to do so will delay your application to a later date.

5-11-2021

Signature of Applicant Date Signature of Authorized Agent Date

For office use only:

Hearing Date: _____ Fees: _____

Board Action: ☐ Approved as requested ☐ Approved with conditions ☐ Denied
☐ Continued

In order for an application for a Conditional Use to be approved or approved with conditions, the City Commission must make a positive finding with regard to each of the provisions below. The applicant has the burden of proof demonstrating that the application for the conditional use complies with each of the requirements. Please explain in detail how your case meets these requirements (attach additional sheets if necessary):

1. Whether the conditional use is consistent with the goals, objectives, and policies of the Comprehensive Plan, any adopted special area plan.

2. Whether the proposed use will be compatible with the character of the existing area, including existing structures and structures under construction, existing public facilities and public facilities under construction, and residential, commercial and/or service facilities available within the existing area. More specifically:
   a. Whether the overall appearance and function of the area will be significantly affected consideration shall be given to the existence of other uses in the area, based on the number, size, and location of the uses and the intensity and scale of the proposed and existing uses in the area;

b. Whether the application will preserve any city, state or federally designated historic, scenic, archaeological, or cultural resources; (check with Planning Dept. to determine historic resource status)

c. Whether the application will be compatible with adjacent development, if any, based on characteristics such as size, building style and scale; or whether such incompatibilities are mitigated through such means as screening, landscaping, setbacks, and other design features;

The proposed use of this property will be compatible w/ neighborhood development. The limited impact of this use will be mitigated by existing walls and setbacks and will smoothly incorporate the landscaping existing at this site to provide a comfortable and scenic business environment.

d. Whether the application will have significant adverse impacts on the livability and usability of nearby land due to noise, dust, fumes, smoke, glare from lights, late-night operations, odors, vehicular traffic, truck and other delivery trips, the amount, location, and nature of any outside activities, potential for increased litter, or privacy and safety issues;

The property is bordered on two sides by roads. The entire eastern boundary of the property is bordered by the city's main commercial artery. The ambient noise from Gulf Blvd. masks any sound from this location to neighboring properties. The applicant is a successful business owner in this city and prides himself in monitoring and maintaining a safe and prisine business location which he fully expects to continue at this site.

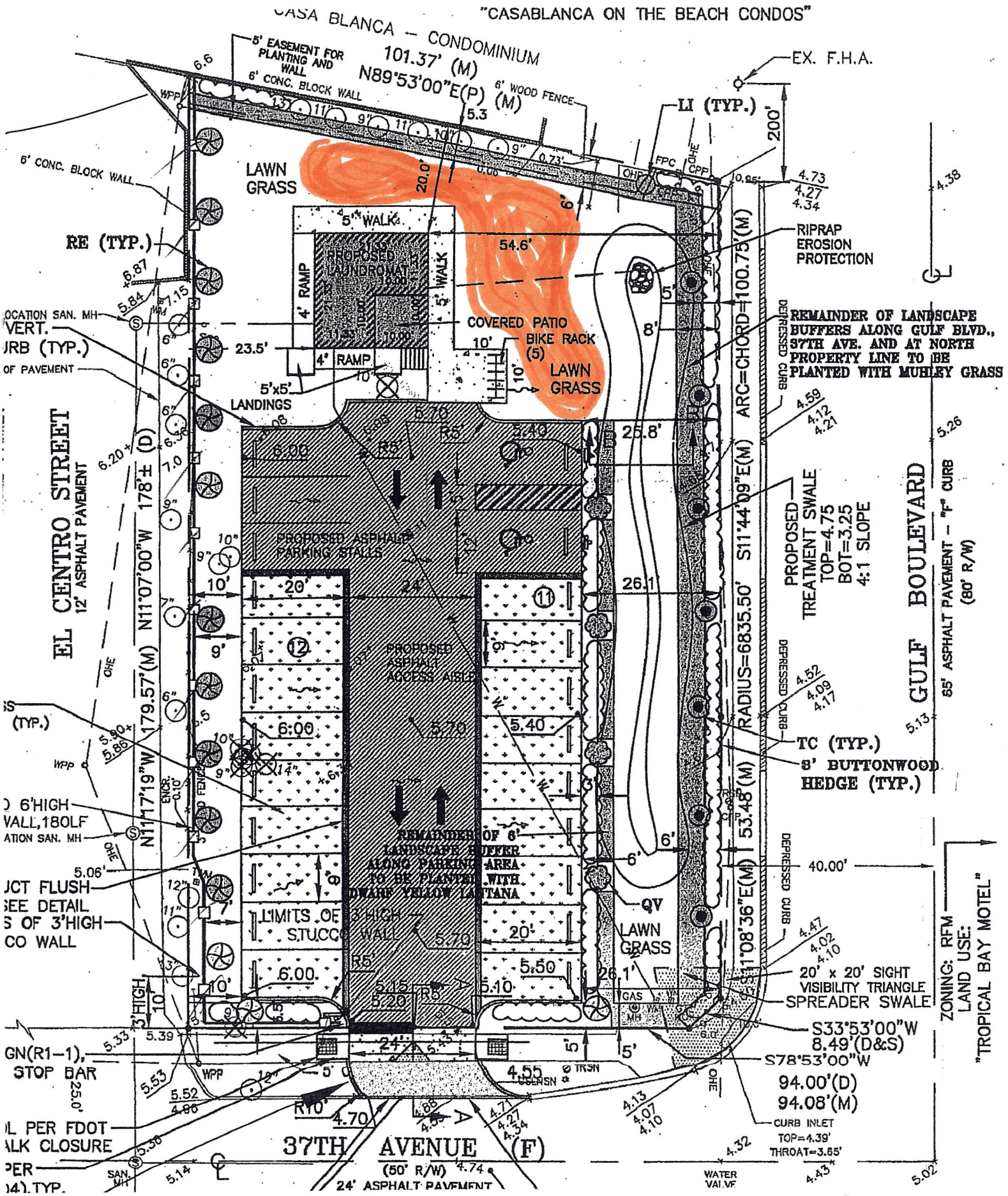
h. Whether the applicant has demonstrated the financial and technical capacity to complete any improvements and mitigation necessitated by the development as proposed and has made adequate legal provision to guarantee the provision such improvements and mitigation; and

The applicant has sufficient financial and technical support to maintain the proposed use.

i. Whether the proposed use complies with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the regulations of the City of St. Pete Beach.

5-11-2011

Signature of Applicant Date Signature of Authorized Agent Date



The applicants is requesting (7) seats to be placed (spread evenly) in the shaded area.

At present is consisting (5) Adirondacks and (2) Hammocks

St. Pete Beach City Commission
Agenda Report

Issue Considered:	Second Reading and Public Hearing of Ordinance 2010-13 amending the Future Land Use Plan Element of the Comprehensive Plan.
Date:	July 12, 2011
Prepared By:	Catherine M. Hartley, AICP, Senior Planner
Summary of Issue:	The ordinance proposes several amendments to the Future Land Use Element. First, it corrects the maps transmitted with Ordinance 2008-15, which inadvertently left out the Preservation Future Land Use designation within the CRD, nor did the maps contain a legend, scale, or north arrow, as required. Proposed maps 1, 2, and 3 correct these scrivener's errors. Secondly, the amendment allows for limited transient accommodations in the Activity Center and Bayou residential Character districts, the density for which may be pulled from the TC-2 density pool allocated in the Plan. Heights and densities are established for these districts. Horizontal, in addition to vertical mixed use, is permitted in the Activity Center District. Maximum heights for all character districts are clarified that they shall not exceed the maximums established in each district. Maps 10 and 11 are deleted, as they are redundant, and map 12 is renumbered to map 10.
Requested Motion:	**"**I move to approve Ordinance 2010-13 (read title)"
Attachments:	Ordinance 2010-13
Reviewed by City Manager:	MB

CITY OF ST. PETE BEACH

ORDINANCE NO. 2010-13

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, PROVIDING FOR AMENDMENTS TO THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN; AMENDING MAPS 1, 2, AND 3 IN THE COMMUNITY REDEVELOPMENT DISTRICT TO CORRECT SCRIVENER'S ERRORS; DELETING MAPS 10 AND 11 IN THE COMMUNITY REDEVELOPMENT DISTRICT AND REFERENCES THERETO; ALLOWING TRANSIENT ACCOMMODATIONS AS A PERMITTED USE IN THE ACTIVITY CENTER AND BAYOU RESIDENTIAL CHARACTER DISTRICTS AND ESTABLISHING HEIGHT AND DENSITY LIMITS; ALLOWING THE ACTIVITY CENTER AND BAYOU RESIDENTIAL DISTRICT TO PULL FROM THE TC-2 DENSITY POOL; ALLOWING FOR HORIZONTAL MIXED USE IN THE ACTIVITY CENTER DISTRICT; CLARIFYING HEIGHT LIMITATIONS IN THE COMMUNITY REDEVELOPMENT DISTRICT; CLARIFYING THAT THE DENSITY POOL FOR THE UPHAM BEACH VILLAGE DISTRICT IS FOR THE REDEVELOPMENT OF CURRENTLY LICENSED TRANSIENT ACCOMMODATIONS ONLY; PROVIDING FOR THE REPEAL OF ORDINANCES OF PARTS OF ORDINANCES IN CONFLICT HEREWITH, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Citizens of St. Pete Beach authorized the adoption of a large scale comprehensive plan amendment, establishing what is known as the Community Redevelopment District in 2008; and

WHEREAS the City has found scrivener's errors in some of the maps illustrating the Community Redevelopment District and its related character districts; and

WHEREAS the City has found that certain language relating to building heights, permitted uses, and density should be clarified; and

WHEREAS maps 10 and 11 in the Community Redevelopment District Section of the plan are repetitive and unnecessary; and

WHEREAS the City has found that it is in the best interest of the city to allow for expanded uses within the district without increasing the overall number of permitted temporary lodging uses in the Community Redevelopment District; and

WHEREAS the Planning Board of the City of St. Pete Beach and the City Commission of the City of St. Pete Beach conducted public hearings noticed pursuant to Florida law and

conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, the City Commission finds this Comprehensive Plan amendment to be in the best interest of the citizens of the City of St. Pete Beach.

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

Section 1. The Future Land Use Element of the Comprehensive plan is hereby amended as exhibited in "Attachment A".

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

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

Section 4. This Ordinance shall become effective 30 days from the date of adoption.

_____
STEVE MCFARLAND, MAYOR

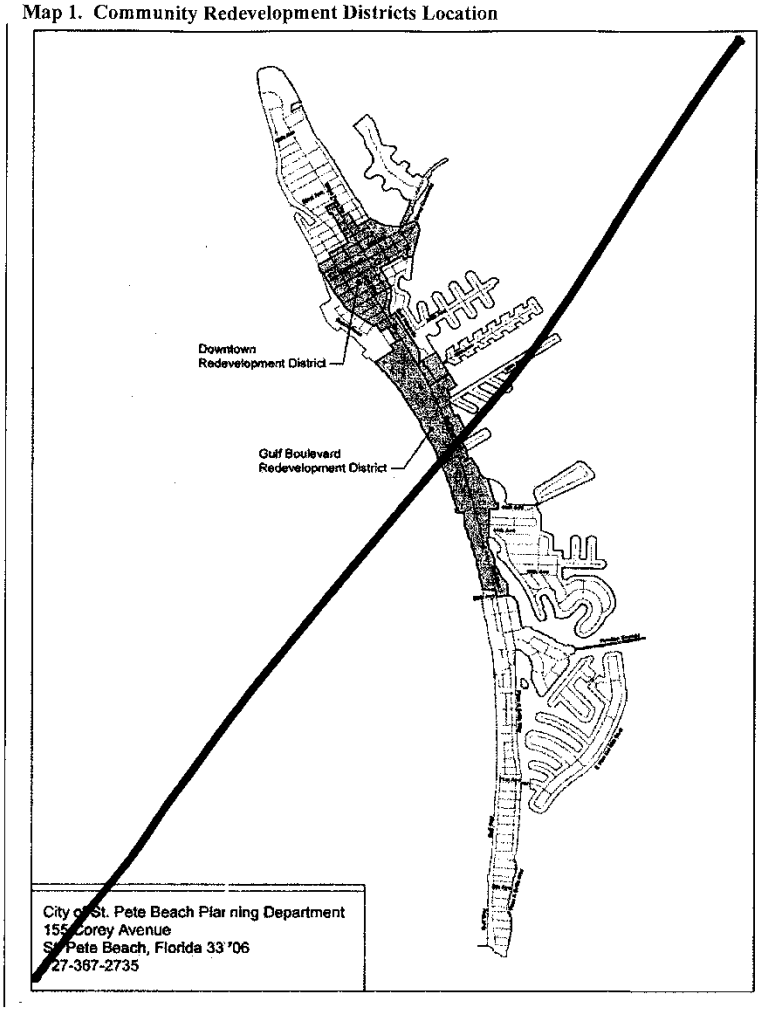
LPA AD PUBLISHED: MAY 5, 2010
LPA PUBLIC HEARING: MAY 12, 2010
FIRST READING/TRANSMITTAL HEARING: JUNE 8, 2010
PUBLISHED : MAY 30, 2010
SECOND READING/ADOPTION HEARING: JULY 12, 2011
PUBLISHED : JULY 3, 2011

I, Rebecca Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this 12th day of July, 2011.

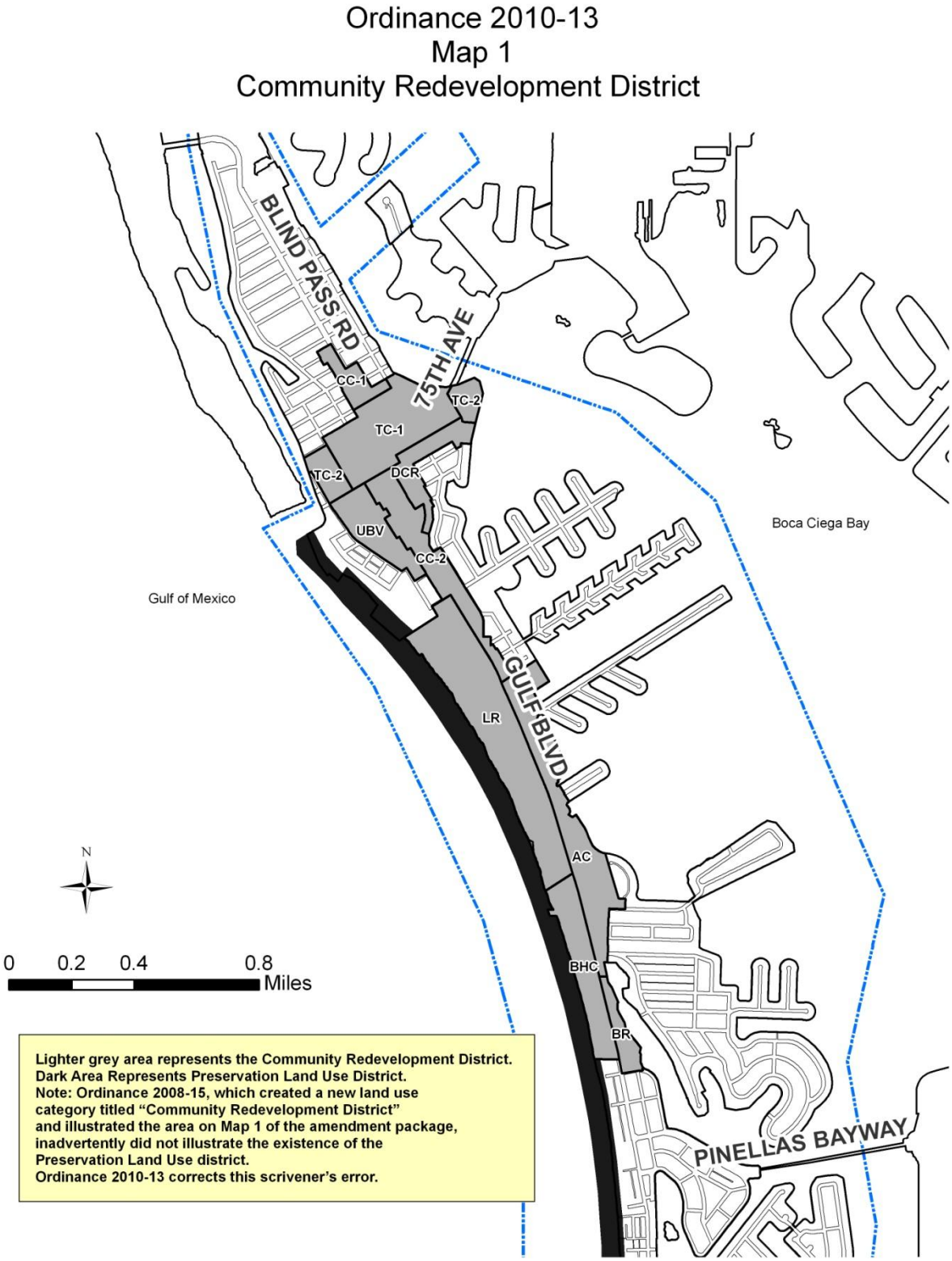
_____
Rebecca Haynes, City Clerk

Attachment A

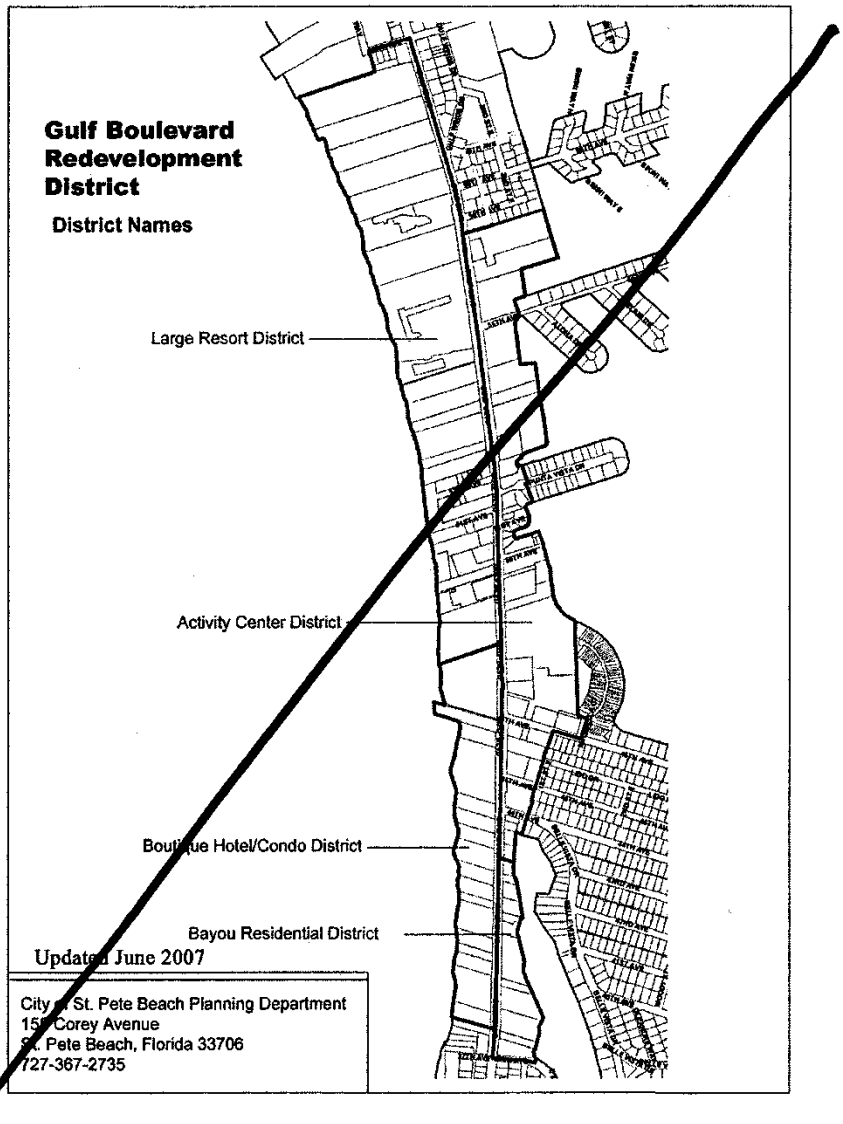
Map 1. Community Redevelopment Districts Location



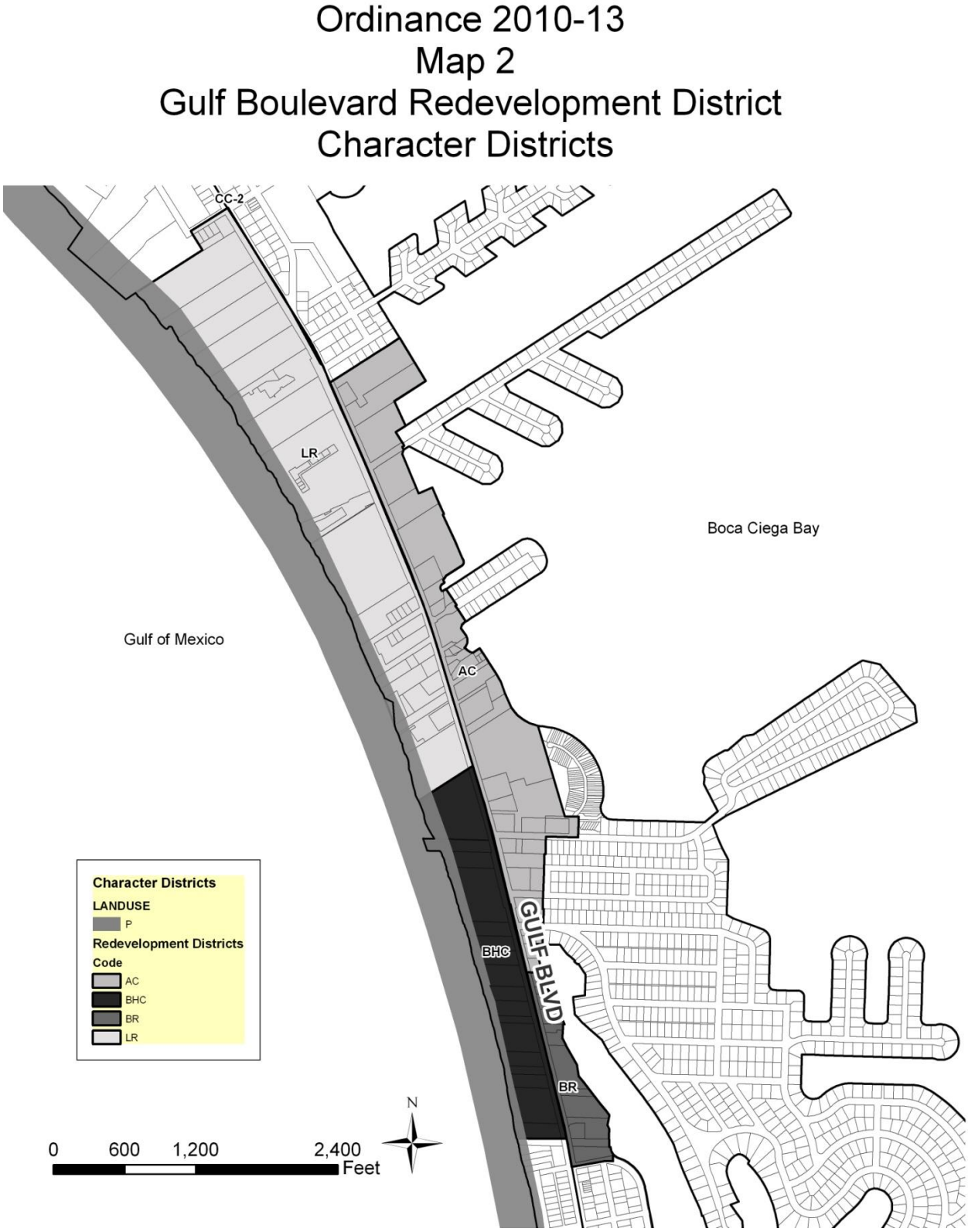
Map 1 – Corrected



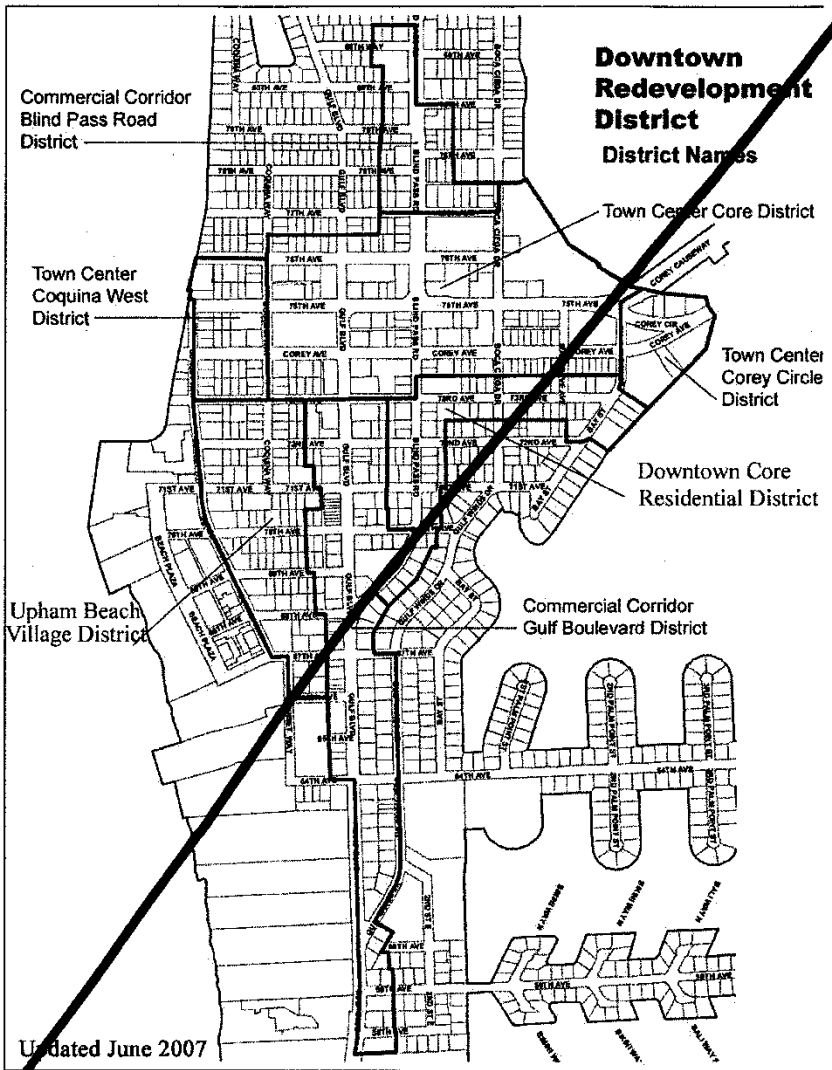
Map 2 Gulf Boulevard Redevelopment District Character Districts



Map 2- Corrected



Map 3 Downtown Redevelopment District 1



Map 3- Corrected

Ordinance 2010-13
Map 3
Downtown Redevelopment District
Character Districts

Community Redevelopment District General Redevelopment Guidelines, Standards and Initiatives

3. **TLU Density Pools Established.** TLU Density Pools shall be established in the following seven ~~five~~ specific character districts*:

a. Boutique Hotel/Condo*.

b. Town Center Core*.

c. Upham Beach Village*.

d. Town Center Core Corey Circle**.

e. Town Center Core Coquina West**.

f. Activity Center **.

g. Bayou Residential**

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

In the~~this~~ 2007 amendment, temporary lodging use density was ~~is~~ reduced in the Large Resort District from 80 to 75 units per acre over 65.16 acres. The total temporary lodging unit decrease in the Large Resort District is 325 units. Therefore, these 325 units are available for redistribution to character districts with the potential for temporary lodging use redevelopment. These 325 available units are redistributed for potential use in the Town Center Core Corey Circle, ~~and~~ Coquina W~~w~~est, Activity Center, and Bayou Residential Districts ** upon approval of a conditional use request and on a first come, first serve basis. These two additional character districts are identified as having temporary lodging use redevelopment potential as a result of their location at either terminus of the Corey Avenue main street corridor and proximity to waterfront.

Large Resort District (LR)

3. **Height** shall not exceed, but shall be permitted up to the following…

a. Twelve (12) stories not to exceed ~~or~~ one hundred-forty six (146) feet above base flood elevation, inclusive of structured parking, for any building exclusively contains only temporary lodging uses as part of a Large-scale Development project; or

Boutique Hotel/Condo District (B-HC)

(e) Height shall not exceed, but shall be permitted up to the following…

1. Six (6) stories above parking not to exceed ~~or~~ seventy-six (76) feet above base flood elevation for any building that exclusively contains only temporary lodging uses with a minimum setback of one hundred (100) feet from Gulf Boulevard; or

2. Five (5) stories above parking not to exceed ~~or~~ sixty-five (65) feet above based flood elevation for any building that exclusively contains only temporary lodging uses with a minimum setback of seventy-five (75) feet from Gulf Boulevard; or

Activity Center District (AC)
Permitted Uses and Standards

(b) Secondary uses – Multi-family Residential or temporary lodging as part of a mixed use retail ~~residential~~ project only. Exclusive residential or tourist lodging uses shall be prohibited, however, the site may be horizontally mixed as long as pedestrian, bicycle, and vehicular accessibility is maintained within the site~~.~~

(c) Density/Intensity and Height Standards.

Commercial/Office/Residential/Temporary Lodging use project shall not exceed:

a. 15 dwelling units per acre combined or 40 temporary lodging uses per acre, not to exceed a total of 50 units per project nor the density pool allocated, with a maximum 1.0 floor area ratio on a minimum one (1) acre buildable site. To qualify for mixed use densities and intensities, a minimum of four (4) residential units, or 10 temporary lodging units, mixed with a minimum of ~~and~~ 0.35 floor area ratio for commercial or office uses shall be required; or

b. 18 dwelling residential units per acre combined with a maximum 1.0 floor area ratio on a minimum four (4) acre buildable site; and

c. the combination of commercial, office, temporary lodging, and/or residential uses shall not exceed the preceding density and intensity which shall be prorated on an acreage basis allocated to each use; and further, provided that the commercial and office uses are the primary use of the property and residential use is secondary;

3. **Impervious Surface Ratio** shall not exceed -
   b. 0.70 impervious surface ratio for any residential use or combined residential or ~~and~~ temporary lodging use mixed with a commercial or office use; and

4. **Height** shall not exceed, but shall be permitted up to the following…
   a. Two (2) stories not to exceed ~~or~~ twenty-eight (28) feet for exclusively commercial or office development; or

b. Three (3) stories not to exceed ~~or~~ forty (40) feet for a building containing nonresidential uses on the first floor mixed with a secondary residential use above and located on a minimum one (1) acre parcel; or

c. Seven (7) stories not to exceed ~~or~~ eighty-six (86) feet, inclusive of structured parking, for a building containing non-residential uses on the first floor mixed with a secondary residential use above and located on a minimum parcel size of four (4) acres or more; and

d. Commercial mixed with residential or temporary lodging uses may be mixed horizontally under the following conditions:

- Neither the commercial nor the residential/temporary lodging use may exceed 40 feet in height;
- The development site is a minimum of one acre in size;
- The commercial and residential uses shall have internal pedestrian, bicycle, and vehicular circulation.

~~d~~. e. Any increases to, including variances to increase, the maximum height for each type of use set forth above for this Activity Center character district shall be prohibited unless approved by voter referendum, if required by the City Charter.

5. Temporary Lodging Unit Density Pool ("TLU Density Pool") -The City shall establish a TLU Density Pool not to exceed a total of 325 units for the entire TC-2, Bayou Residential, and Activity Center districts and the following shall govern the allocation of density from the TLU Density Pool:

a. The TLU Density Pool shall be allocated to individual projects by ordinance of the City Commission upon request of an individual property owner; and

b. Such allocation may be up to but shall not exceed twenty (40) temporary lodging units per acre and further, the cumulative allocation shall not exceed sixty (50) units per development project; and

c. The number of available temporary lodging units remaining after such project allocation shall be specified in each City Commission ordinance allocating such units and each such ordinance shall provide that no units beyond those TLU Density Pool units remaining available to the TC-2 and Activity Center districts shall be allocated to any subsequent temporary lodging use project; and

d. *This limitation shall be absolute and shall apply regardless of the proposed size or density of the project requesting such allocation. Such units shall be established exclusive of any other use provided for in the District.*

Bayou Residential District (BR)
Permitted Uses and Standards

(c) Density/Intensity and Height Standards.

1. **Residential and Tourist Lodging use** – shall not exceed:

c. 18 dwelling units per acre for multifamily residential or 40 temporary lodging units per acre not to exceed a total of 50 units per project nor the density pool allocated, plus an additional bonus of no less than 0.2 and no more than 0.3 floor area ratio, for the development of a primary residential or tourist lodging project mixed with a secondary retail commercial on a minimum buildable site of two acres; and

2. **Height** shall not exceed, and shall be permitted up to the following…

a. Two (2) stories above parking not to exceed ~~or~~ thirty-five (35) feet above base flood elevation for an exclusively residential use 15 dwelling units per acre or less located on less than a two acre buildable site with a minimum setback of twenty (20) feet from Gulf Boulevard; or

b. Three (3) stories above parking not to exceed ~~or~~ forty-five (45) feet above base flood elevation for an exclusively residential use exceeding 15 dwelling units per acre located on a minimum two (2) acre buildable site with a minimum setback of thirty (30) feet from Gulf Boulevard; or

c. Four (4) stories above parking not to exceed ~~or~~ fifty-four (54) feet above base flood elevation for a mixed use residential or temporary lodging project with a secondary retail component exceeding 15 residential dwelling units or 20 temporary lodging units per acre located on a minimum parcel size of two acres with a minimum setback of forty (40) feet from Gulf Boulevard; and

4. Temporary Lodging Unit Density Pool ("TLU Density Pool") -The City shall establish a TLU Density Pool not to exceed a total of 325 units for the entire TC-2, Bayou Residential, and Activity Center districts and the following shall govern the allocation of density from the TLU Density Pool:

a. The TLU Density Pool shall be allocated to individual projects by ordinance of the City Commission upon request of an individual property owner; and

b. Such allocation may be up to but shall not exceed twenty (40) temporary lodging units per acre and further, the cumulative allocation shall not exceed sixty (50) units per development project; and

c. The number of available temporary lodging units remaining after such project allocation shall be specified in each City Commission ordinance allocating such units and each such ordinance shall provide that no units beyond those TLU Density Pool units remaining available to the TC-2 and Activity Center districts shall be allocated to any subsequent temporary lodging use project; and

d. *This limitation shall be absolute and shall apply regardless of the proposed size or density of the project requesting such allocation. Such units shall be established exclusive of any other use provided for in the District.*

Town Center Core District (TC-1)

4. **Height** shall not exceed, but shall be permitted up to the following…

a. Two (2) stories not to exceed ~~or~~ twenty-eight (28) feet for an exclusively nonresidential development; or

b. Three (3) stories not to exceed ~~or~~ forty (40) feet for a building containing nonresidential uses on the first floor mixed with a secondary residential use located above the first habitable floor; and

Town Center Corey Circle District (TC-2)

3**. Temporary Lodging Use.** Density and Intensity shall be approved… subject to the requirements, restrictions and limitations established below for the TLU Density Pool for the Town Center Core Corey Circle ~~and~~ Coquina W~~w~~est, Activity Center, and Bayou Residential Districts.

4**. Height** shall not exceed, but shall be permitted up to the following…

a. Two (2) stories not to exceed ~~or~~ twenty-eight (28) feet for exclusively nonresidential uses; or

b. Six (6) stories inclusive of parking not to exceed ~~or~~ seventy-six (76) feet above base flood elevation for buildings containing non-residential uses on the first habitable floor accessible at street level mixed with a primary residential and temporary lodging use; or

c. Seven (7) stories inclusive of parking not to exceed ~~or~~ eighty-six (86) feet above base flood elevation for buildings containing nonresidential uses on the first habitable floor accessible at street level and either a minimum of fifty (50) temporary lodging units or a primary residential use above the first floor or all three uses in one or more buildings as part of a unified development project, provided that the main principal building provides retail/commercial uses at street level; and

Town Center Coquina West District (TC-2)

3. **Temporary Lodging Use.** Density and Intensity shall be approved by Conditional use only… subject to the requirements, restrictions and limitations established below for the TLU Density Pool for the Town Center Core Corey Circle, ~~and~~ Coquina W~~w~~est, Activity Center, and Bayou Residential Districts.

4. **Height** shall not exceed, but shall be permitted up to the following…

a. Two (2) stories not to exceed ~~or~~ twenty-eight (28) feet for an exclusively nonresidential use; or

b. Six (6) stories inclusive of parking not to exceed ~~or~~ seventy-six (76) feet above

base flood elevation for buildings containing non-residential uses on the first habitable floor accessible at street level mixed with a primary residential component above; or

c. Seven (7) stories inclusive of parking not to exceed ~~or~~ eighty-six (86) feet above base flood elevation buildings containing nonresidential uses on the first habitable floor accessible at street level and either a minimum of fifty (50) temporary lodging units or a primary residential use above the first floor or all three uses in one or more buildings as part of a unified development project, provided that the main principal building provides retail/commercial uses at street level; and

TC-2 Temporary Lodging Use

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

Downtown Core Residential District (DCR)

2. **Height** for residential buildings shall not exceed:

a. Two (2) stories over parking not to exceed ~~or~~ thirty-five (35) feet above base flood elevation inclusive of structured parking; and

Upham Beach Village District (UBV)

4. **Height** shall not exceed, but shall be permitted up to the following…

a. Two (2) stories above parking not to exceed ~~or~~ thirty-five (35) feet above base flood elevation, inclusive of structured parking, for single family homes, duplexes and multi-family uses 18 dwelling units per acre or less; or

b. Three (3) stories above parking not to exceed ~~or~~ forty-five (45) feet above base flood elevation, inclusive of parking, for multi-family residential use exceeding 18 dwelling units per acre and all temporary lodging uses; and

Commercial Corridor Blind Pass Road District (CC-1)

3. **Height** shall not exceed, but shall be permitted up to, the following…

a. Two (2) stories not to exceed ~~or~~ twenty-eight (28) feet for an exclusively nonresidential use only; or

b. Three (3) stories not to exceed ~~or~~ forty (40) feet for mixed-use development projects located on a minimum ½ acre buildable site with a retail or office component on the first floor at street level and the residential use located above the first floor; and

Commercial Corridor Gulf Boulevard District (CC-2)

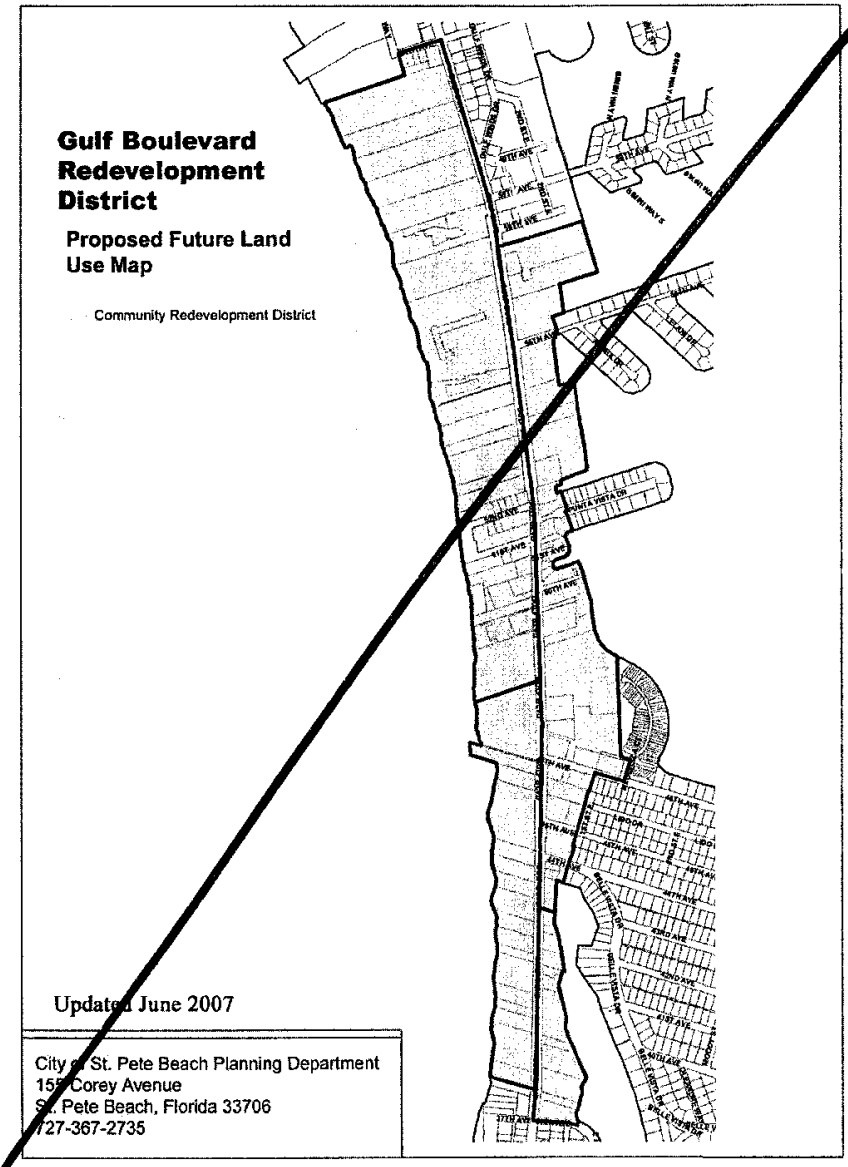
3. **Height** shall not exceed, but shall be permitted up to, the following…

a. Two (2) stories not to exceed ~~or~~ twenty-eight (28) feet for an exclusively nonresidential use only; or

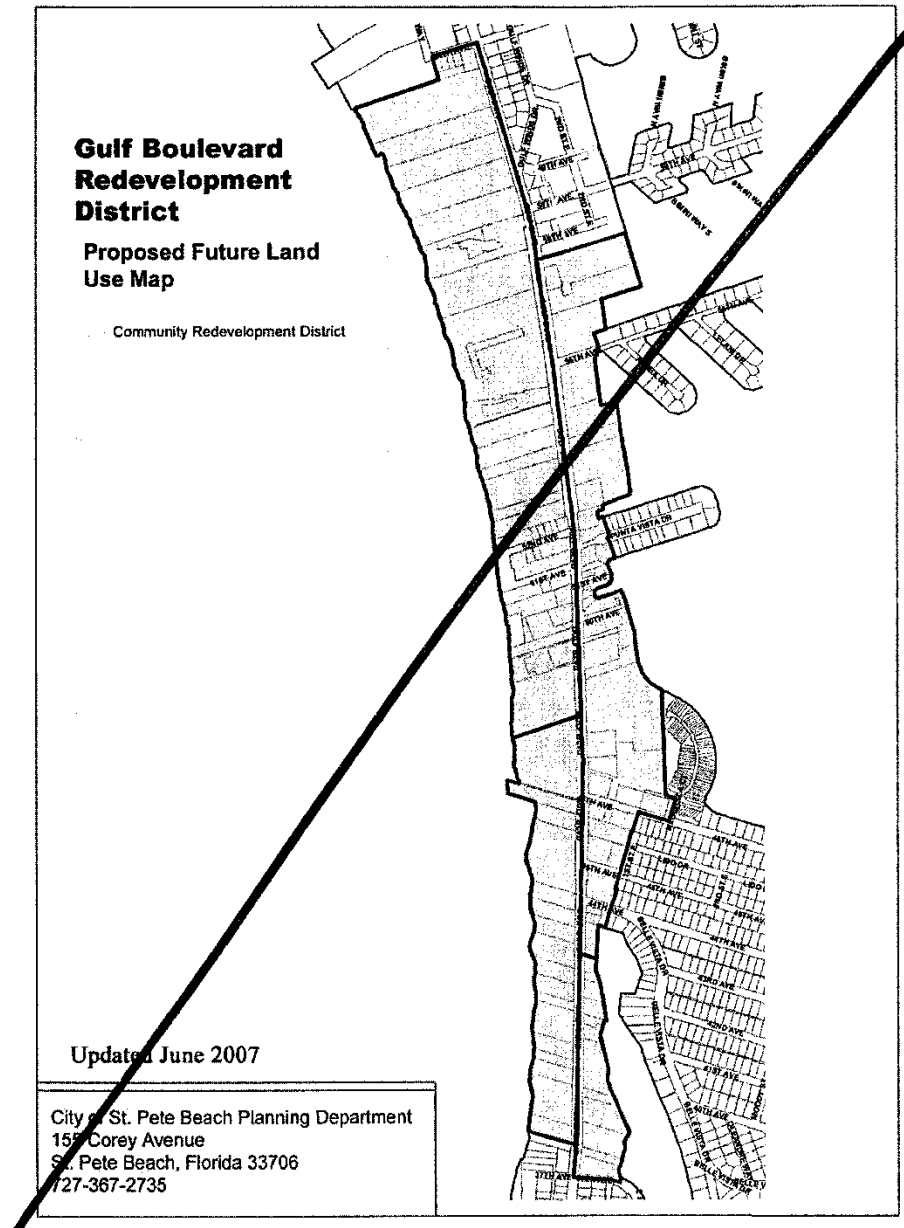
b. Three (3) stories not to exceed ~~or~~ forty (40) feet for a mixed-use development project located on a minimum ½ acre buildable site with a retail or office component on the first floor at street level and the residential use located above the first floor; and

Maps 10, 11 and 12 (10 and 11 deleted, 12 renumbered to map 10)

~~Map 10 Future Land Use Map – Gulf Boulevard Redevelopment District Map~~

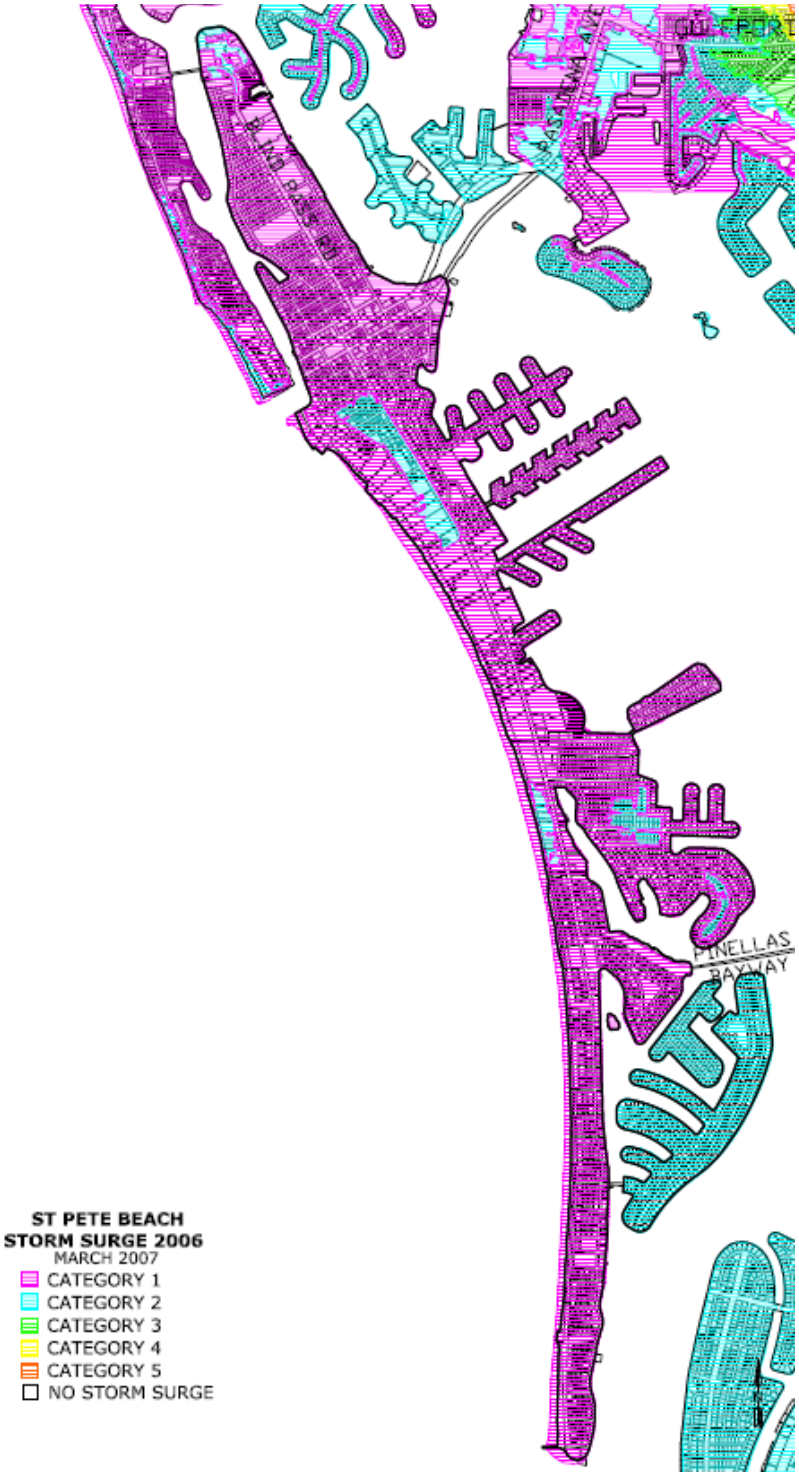


~~Map 10 Future Land Use Map – Gulf Boulevard Redevelopment District Map~~



Map 102 Coastal High Hazard Area - Storm Surge for Category 1 (2007), St. Pete Beach, FL

Source: Pinellas County Planning Department, March 6, 2007



St. Pete Beach City Commission
Agenda Report

Issue Considered:	Second Reading and Public Hearing of Ordinance 2010-14 amending the Capital Improvements Element of the Comprehensive Plan.
Date:	July 12, 2011
Prepared By:	Catherine M. Hartley, AICP, Senior Planner
Summary of Issue:	This ordinance simply amends policy 1.5.6 of the Capital Improvements Elements to incorporate the most recent capital improvement program for the School Board. The dates for the capital plan have changed from the 2007/08 – 2011-/12 FY to 2009/10-2013/14 FY.
Requested Motion:	**"**I move to approve Ordinance 2010-14 (read title)"
Attachments:	Ordinance 2010-14
Reviewed by City Manager:	MB

ORDINANCE NO. 2010-14

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, PROVIDING FOR AN AMENDMENT TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN TO INCORPORATE THE SCHOOL BOARD'S FIVE YEAR WORK PROGRAM BY REFERENCE; PROVIDING FOR THE REPEAL OF ORDINANCES OF PARTS OF ORDINANCES IN CONFLICT HEREWITH, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of St. Pete Beach Adopted a Public School Facility Element into the Comprehensive Plan pursuant to Florida Statutes in 2008; and

WHEREAS, the City is required to adopt the School Board's Five Year Capital Improvement Plan into the Comprehensive Plan; and

WHEREAS, the City's Comprehensive Plan must be consistent with the Countywide Plan pursuant to the Countywide rules, and

WHEREAS, the Planning Board of the City of St. Pete Beach and the City Commission of the City of St. Pete Beach conducted public hearings noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, the City Commission finds this Comprehensive Plan amendment to be in the best interest of the citizens of the City of St. Pete Beach.

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

Section 1. Policy 1.5.6 of the Capital Improvements Element of the Comprehensive Plan is hereby amended as exhibited in "Attachment A".

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

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

Section 4. This Ordinance shall become effective immediately upon adoption.

STEVE MCFARLAND, MAYOR

LPA AD PUBLISHED: MAY 5, 2010
LPA PUBLIC HEARING: MAY 12, 2010
FIRST READING/TRANSMITTAL HEARING: JUNE 8, 2010
PUBLISHED : MAY 30, 2010
SECOND READING/ADOPTION HEARING: JULY 12, 2011
PUBLISHED : JULY 3, 2011

I, Rebecca Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this 12th day of July, 2011.

_____

Rebecca Haynes, City Clerk

Attachment A

Capital Improvements Element

Policy 1.5.6

The City of St. Pete Beach hereby adopts by reference the School District's Five-Year Work Program for FY 2009/10~~2007/08~~ through 2013/14~~2011/12~~, as adopted by the School Board on September 15~~1~~, 2009~~7~~.

St. Pete Beach City Commission
Agenda Report

Issue Considered: Second Reading and Public Hearing of Ordinance 2010-15 amending the Future Land Use Plan, Recreation, and Future Land Use Map Elements of the Comprehensive Plan.

Date: July 12, 2011

Prepared By: Catherine M. Hartley, AICP, Senior Planner

Summary of Issue: This ordinance accomplishes the following objectives:

1. Deletes all internal references to page numbers. Clarifies that density for non-conforming uses is not "waived"; rather, those uses are permitted to be rebuilt at the same density within the use in the event of a catastrophic event.
2. States that residential land use categories may have one dwelling unit on a lot of record.
3. Renumbers an incorrectly numbered policy.
4. Clarifies that the definitions contained in the plan are not for "informational use only" and refines some of the definitions to be consistent with the charter and countywide rules.
5. Deletes any general text reference to the location of the CRD or character districts, as many were inconsistent with the maps.
6. Deletes the requirement that the City adopt an affordable housing program within 90 days of adoption of the plan.
7. Clarifies how many affordable housing units must be provided in order to receive a density bonus in the large resort district.
8. Clarifies that changes in height shall be subject to referendum as adopted in the charter as of November 11, 2009. This removes the "self amending plan" possibility.
9. Deletes the requirement that Land Development regulations be adopted within 30 days of adoption of the plan. This was impossible due not only to state required public hearing notice for each meeting and timeframes to get ads to

the newspaper for publication, but also due to litigation regarding the plan.

10. Deletes fire, reclaimed water, and library facilities from those facilities that a developer has to submit a "concurrency statement" to prove availability of public services. There is no level of service adopted in the plan by which to evaluate concurrency for these facilities; therefore it is a meaningless policy. Transportation was added for concurrency purposes.
11. All references to specific sections or divisions of the land development code have been deleted. This removes the "self amending plan" possibility.
12. Deletes language that allows consideration of vacations of ROW if the City can obtain a waterfront park. This could be inconsistent with the City's charter.
13. Amends the minimum acreage standards in the TC-1 and TC-2 districts. TC-2 in particular requires a minimum of 2 acres to redevelop – the city blocks in this district are slightly smaller than two acres and this would therefore require assembly of more than one city block.
14. Clarifies that temporary lodging in the UBV district may only pull from its density pool for redevelopment for currently licensed hotels, motels, etc.
15. Deletes the level of service for handball/racquetball in the recreation element. Page 154.
16. Adds the CRD's to the Future Land Use Map Element.

Requested Motion: **"**I move to approve Ordinance 2010-15 (read title)"

Attachments: Ordinance 2010-15

Reviewed by City Manager: MB

CITY OF ST. PETE BEACH

ORDINANCE NO. 2010-15

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, PROVIDING FOR AMENDMENTS TO THE FUTURE LAND USE, RECREATION, AND FUTURE LAND USE MAP ELEMENTS OF THE COMPREHENSIVE PLAN; AMENDING THE DEFINITIONS; CLARIFYING THAT DENSITY IS NOT WAIVED FOR NON-CONFORMING USES BUT PROTECTED FROM CATASTROPHIC LOSS; DELETING CROSS REFERENCES TO CERTAIN PAGE NUMBERS WITHIN THE PLAN; DELETING REFERENCES TO SPECIFIC SECTIONS OF THE LAND DEVELOPMENT CODE; DELETING POLICE, FIRE, RECLAIMED WATER, AND LIBRARY AS INFRASTRUCTURE FOR PURPOSES OF CONCURRENCY MANAGEMENT IN THE COMMUNITY REDEVELOPMENT DISTRICT; AMENDING MINIMUM ACREAGE STANDARDS IN THE TC-1 AND TC-2 CHARACTER DISTRICTS; DELETING GENERAL LOCATION DESCRIPTIONS OF EACH CHARACTER DISTRICT; STATING THE NUMBER OF AFFORDABLE UNITS TO BE CONSTRUCTED IN ORDER TO RECEIVE A DENSITY BONUS IN THE LARGE RESORT DISTRICT; AMENDING THE RECREATION LEVEL OF SERVICE; ADDING THE COMMUNITY REDEVELOPMENT DISTRICTS TO THE FUTURE LAND USE MAP ELEMENT; PROVIDING FOR THE REPEAL OF ORDINANCES OF PARTS OF ORDINANCES IN CONFLICT HEREWITH, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Rule 9J-5.005 of the Florida Administrative Code requires elements within the Comprehensive Plan be internally consistent with one another; and

WHEREAS, While Rule 9J-5.055 of the Florida Administrative Code allows municipalities to "make additional public facilities and services subject to the concurrency management system", the municiplaity is required to adopt Levels of Service for these facilites and base the capital Imrovements Element on the needs identified based on those Levels of Service; and

WHEREAS, references in the Comprehensive Plan to documents such as the Land Development Code without a specific adoption date are discouraged, as changes to the Code would in effect amend the Plan without going through the required public hearing process of amending the plan; and

WHEREAS, the Citizens of St. Pete Beach authorized the adoption of a large scale comprehensive plan amendment, establishing what is known as the Community Redevelopment District in 2008; and

WHEREAS, the amendment established minimum acreage standards for redevelopment in the TC-2 Character district that would be difficult to assemble and possibly stall redevelopment versus encouraging it; and

WHEREAS, the general location descriptions of each character district are inconsistent with the areas illustrated on maps 2 and 3 of the Community Redevelopment Area; and

WHEREAS, the amendment established a density bonus for large scale tourist lodging projects in the Large Resort district but failed to establish a ratio of affordable units to be built per bonus unit awarded; and

WHEREAS, the Comprehensive Plan contains a supplemental element entitled "Future Land Use Map Element" and the Community Redevelopment Districts were not established in this element; and

WHEREAS the Planning Board of the City of St. Pete Beach and the City Commission of the City of St. Pete Beach conducted public hearings noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and Section 3.4 of the Land Development Code; and

WHEREAS, the City Commission finds this Comprehensive Plan amendment to be in the best interest of the citizens of the City of St. Pete Beach.

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

Section 1. The Future Land Use, Future Land Use Map, and Recreation Elements of the Comprehensive plan are hereby amended as exhibited in "Attachment A".

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

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

Section 4. This Ordinance shall become effective 30 days from the date of adoption.

_____

Michael Finnerty, MAYOR

LPA AD PUBLISHED: MAY 5, 2010
LPA PUBLIC HEARING: MAY 12, 2010

FIRST READING : __JUNE 8, 2010
PUBLISHED : _____
SECOND READING : _____
PUBLIC HEARING : _____

I, Theresa B. McMaster, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2010.

_____
Theresa B. McMaster, City Clerk

Attachment A

Future Land Use Plan Element

QUALITY COMMUNITY – PLANNING TO STAY

GENERAL PROVISIONS

(a) General Intent. In order to remain consistent with the Rules Concerning the Administration of the Countywide Future Land Use Plan, the following land use category designations and the standards described within each category shall be applied to the City of St. Pete Beach Future Land Use Map. The maps showing the new redevelopment districts that occupy approximately 20% of the total land area of the City and which properties each character district category is applied to, are included herein ~~beginning on pages 42-44~~. The existing land use designations outside the boundaries of the new special area designation – Community Redevelopment District – remain unchanged from the adopted 1998 Plan by this amendment for the remaining 80% of the City.

(b) Nonconforming Residential and Temporary Lodging Uses, Densities and Intensities – ~~Waiver.~~ It is the intent of the City of St. Pete Beach to allow for the continuance of existing non-conforming ~~waive the~~ residential and temporary lodging units ~~density restrictions in order to allow for the perpetual use of existing nonconforming residential and temporary lodging use properties at their present development densities~~ under the circumstances outlined below: ~~.~~

1. Catastrophic Events : ~~General Purpose. The purpose of this limited waiver of density restrictions on existing properties that would be considered non-conforming under density and intensity standards effective and applicable to such non-conforming residential and temporary lodging properties for any applicable land use categories and/or implementing zoning regulations for said land use categories adopted herein, is to permit the maintenance of residential and temporary lodging use structures which pre-date the adoption of any comprehensive plan or land development regulations that would prohibit their construction today.~~

~~I~~It is also the intent, ~~i~~n the case of natural disaster or other catastrophic event over which the owner is presumed to have had no control, ~~to permit the reconstruction of any non-conforming densities and intensities for~~ residential and temporary lodging properties that were in existence prior to the event may be reconstructed with the same number of units, subject to the LDC requirements other than density and intensity, Florida Building Code requirements and FEMA regulations, in effect at the time of reconstruction.

~~1.~~2. Routine Maintenance. In ~~addition, in~~ the event a residential or temporary lodging use would be considered a non-conforming use under the land use category designated for its property as adopted herein, it is the intent of the City to permit the routine maintenance of these residential or temporary lodging structures which pre-date the adoption of the Comprehensive Plan in 2009 ~~1989~~ that would

prohibit their construction today.

2. Reconstruction Limitations. It is also the intent, in the case of natural disaster or other catastrophic event over which the owner is presumed to have had no control, to permit the reconstruction of any non-conforming residential or temporary lodging structure that was in existence prior to the event. In doing so, the City wishes to protect the overall character of existing residential neighborhoods as well as to allow the continuing maintenance of its housing stock. In addition, the City has a legitimate interest in protecting and maintaining its existing temporary lodging stock.

3. FEMA Compliance Required. Notwithstanding any statements to the contrary, there is no intention of superseding any regulations of the Federal Emergency Management Agency (FEMA) or National Flood Insurance Program requirements regarding the protection of properties from flood damage.

4. Expansion Prohibited. There also is no intention of allowing for the expansion of non-conforming uses or an increase in a non-conforming density or intensity of a use as determined by the Future Land Use Plan and Map designation and implementing zoning regulations effective at the time of the event.

4. 5. Existing platted lots of record that are located in the Residential Urban, Residential Low Medium, Residential Medium, and Residential High land use categories shall not be prohibited from the construction of one residential unit due to a non-conforming lot size.

Policy 1.3.41.4.5 The City shall develop and implement Land Development Standards which preserve and promote the continuance of the existing development pattern and architectural aesthetic of the Eighth Avenue commercial district in the Pass-a-Grille area of St. Pete Beach. Such standards may include Special Area Plans consistent with the requirements of the Pinellas County-Wide Plan as administered by the Pinellas Planning Council.

II. Definitions

The definitions set forth below are terms used in the Community Redevelopment Plan and this Future Land Use Plan amendment that establishes a Community Redevelopment District containing two major redevelopment districts and eleven character districts. Most of the definitions are contained in Division 2 of the City's Land Development Code (LDC) and the remaining are derived from other planning and statutory sources.

All definitions are informational only and are intended to assist the reader in understanding certain land planning and zoning terminology that is legally required or commonly used by professional staff at the local, County and State level responsible for reviewing this plan amendment for compliance with local, County and State laws. Some definitions have been simplified for ease of understanding but shall not be construed to amend or otherwise modify any existing adopted definitions contained in the LDC.

9. Development Site/ = Building Site = ~~Zoning Lot~~ Building site= ~~Property~~ ~~and such terms are used interchangeably herein but all mean~~ an area of land or contiguous areas of land assembled or combined for a unified development, ~~regardless of ownership scheme,~~ for the purposes of calculating density and intensity. ~~For example: a shopping center, a resort hotel or a resort condominium.~~

10. Height means the vertical distance measured from the minimum base flood elevation to the highest point of a flat roof, to the deck of a mansard roof or to the average height between the plate and the ridge of gable or hipped roofs, not including spires, belfries, cupolas, personal television antennae, water tanks, ventilators, chimneys, antennas, elevator shafts, mechanical rooms or other non-habitable areas. Such non-habitable architectural or mechanical features shall not extend more than ten feet above the eave line of a gable, mansard or hipped roof or the highest point of a flat roof, not including a parapet.

~~10.~~ 11. Intensity refers to a standard of measurement such as ~~means the building square footage (~~floor area ratio~~)~~ and/ or ~~impervious surface (~~impervious surface ratio~~)~~ ~~permitted to be developed on a zoning lot.~~.

~~11.~~ 12. Floor Area Ratio (FAR) means the total amount of gross building square footage on a ~~zoning lot~~ building site in relation to the total square footage of the building site, ~~zoning lot~~, expressed as a ratio. For example: a one acre parcel with a 1.0 floor area ratio equals 43,560 square feet of building space.

~~12.~~ 13. Future Land Use Element is one element out of eight elements that comprise the City's Comprehensive Plan. It establishes the goals, objectives and policies for the use of land to manage future growth and redevelopment in accordance with the City's vision for its future. The Future Land Use Element establishes both the Future Land Use Plan and the Future Land Use Map.

a. The Future Land Use Plan defines and describes the land use plan categories, establishes the goals, objectives and policies, designates primary and secondary uses permitted in each land use plan category, and establishes density and intensity standards. In addition in this plan amendment, height standards are established that shall not be exceeded, except by voter referendum approval, if required by the City Charter.

b. The Future Land Use Map is a graphic depiction of the location and boundaries of each of the land use designations including the Community Redevelopment District (CRD) and each character district within the CRD.

~~13.~~ 14. Housing Element is one element out of eight elements that comprise the City's Comprehensive Plan. It establishes the goals, objectives and policies that strive

to provide a variety of housing types to serve permanent and seasonal residents.

~~14.~~ **15. Impervious Surface Ratio (ISR)** means the measurement in square footage of a building site ~~zoning lot~~ covered by hard-surfaced area that prevents the absorption of ~~storm~~ water into the ground divided by the gross square footage of the building site ~~zoning lot~~, excluding land Gulf ward of the Florida Coastal Construction Control Line, expressed as a ratio. For example: if the plan requires a maximum 0.70 impervious surface ratio (ISR) that means that at least 30% of the parcel must be landscaped or otherwise maintained as open space that allows water to penetrate the ground surface (i.e., grass, sand, gravel). ISR shall be calculated on the basis of those portions of the site which are landward of the Florida Coastal Construction Control Line.

~~15.~~ **16. Infrastructure systems and facilities** as used herein means sanitary sewer, solid waste, potable water, reclaimed water, storm water drainage ~~and~~ road systems~~,~~ ~~and also includes police, fire, parks, library,~~ recreation and school facilities.

~~16.~~ **17. Land Development Code (LDC)** means ordinances and regulations enacted by the City of St. Pete Beach City Commission or by voter referendum as required by City Charter that regulates any aspect of development.

~~17.~~ **18. Mixed Use Development** as used herein means a development on a ~~zoning lot~~ building site that may combine residential, temporary lodging commercial and/or office uses and may contain one or more buildings. Specific limitations regarding the combination of the types of uses, minimum parcel sizes as well as density and intensity of mixed use development is established in each character district where permitted.

~~18.~~ **19. Multi-family Residential Use** means development that contains a single building with three or more residential dwelling units that may be eligible for homestead status, shall not be occupied on a temporary basis and is intended to be occupied as a permanent residential home. Multi-family residential uses may have a fee-simple ownership scheme such as a town-home or may have a residential condominium ownership scheme.

~~19.~~ **20. Primary Uses** - A principal use identified under the use characteristics of each category. These categories of uses are those which the category is primarily designed to accommodate.

~~20.~~ **21. Redevelopment** means the conversion, relocation, reconstruction, structural alteration or enlargement of any existing building and/or use.

~~21.~~ **22. Resort Condominium,** also more recently referred in the market and media as a "Condominium Hotel" shall mean any unit or group of units in a condominium, cooperative or vacation ownership, that is designed, operated and used for temporary lodging use and is used for temporary occupancy. ~~*See Temporary Lodging Use*. (See -Definition of *Resort Condominium* contained in Division 2 of the LDC).~~

~~22.~~ **23. Secondary Uses** - A secondary use, identified under the use characteristics of each category. These categories of uses are those which the category is designed to accommodate as a secondary priority.

~~23.~~ **24. Temporary Lodging Unit** means an individual unit or suite of rooms with a temporary lodging use designed and offered for temporary occupancy. These temporary lodging units shall not be eligible for homestead status and shall not be occupied or function as a permanent residential dwelling and shall not qualify or be used for home occupational licensing.

~~24.~~ **25. Temporary Lodging Use** means a property that has an existing or permitted~~.~~ structure containing one or more temporary lodging units. A Temporary Lodging Use shall be further classified herein as required by the LDC as a hotel, motel, bed & breakfast inn, or resort condominium. In determining whether a property is developed as a temporary lodging use containing temporary lodging units intended for temporary occupancy, such determination shall be made without regard to form of ownership of the property or unit. A temporary lodging use may include accessory uses such as recreational facilities, restaurants, bars, personal service uses, retail uses, meeting spaces, fitness centers, spa facilities, parking structures, workforce living accommodations and other ancillary uses commonly associated with temporary lodging uses.

~~25.~~ **26. Temporary occupancy** for purposes of temporary lodging use as used in the Community Redevelopment District shall mean occupancy of a temporary lodging unit that is offered, advertised and occupied on a temporary basis for thirty (30) consecutive days or less for temporary lodging guests and no more than thirty (30) days cumulatively on an annual basis for a resort condominium unit owner. These occupancy and operational limitations shall apply to all temporary lodging uses permitted within the Community Redevelopment District.

~~26.~~ **27. Vacation of Right-of-Way** means the transfer of all or a portion of public right-of-way to private ownership of a contiguous parcel of land. ~~As used herein as a policy in the Town Center Core Corey Circle and Coquina West districts only, such vacation of right-of-way may only be pursued and potentially permitted if the adjacent landowner dedicated to the City a public waterfront park in exchange for a portion of the public right-of-way.~~

III. Community Redevelopment District

(a) Geographic Location. This Future Land Use Plan and Map Amendment contains a Special Designation named the Community Redevelopment District (CRD) that is an area containing approximately 248.25 acres or approximately 20% of the total land area of the City. The Community Redevelopment District is shown on Map 1 ~~on the following page~~ and includes two major redevelopment areas (shown on Maps 2 and 3) as follows:

a. The overall Gulf Boulevard Redevelopment District boundary is shown on Map 10 ~~at page 111~~ and on Map 2 ~~on page 41~~, the following character districts within this Redevelopment District are shown:

b. The overall Downtown Redevelopment District boundary is shown on Map 11 ~~at page 112~~ and on Map 3 ~~on page 42~~, the following character districts within this Redevelopment District are shown:

The above designated character districts are intended to replace the conventional land use plan categories listed ~~on pages 14-16 and~~ adopted in 1989 and 1998 that ~~currently~~ provided ~~for~~ medium and high density and intensity uses ranging up to forty (40) units per acre for temporary Lodging uses (Commercial General land use category) and up to thirty (30) units per acre for residential use (High Density Residential land use category) within the boundaries of the Community Redevelopment District.

In the~~this~~ 2007 amendment, temporary lodging use density was ~~is~~ reduced in the Large Resort District from 80 to 75 units per acre over 65.16 acres. The total temporary lodging unit decrease in the Large Resort District is 325 units. Therefore, these 325 units are available for redistribution to character districts with the potential for temporary lodging use redevelopment. These 325 available units are redistributed for potential use in the Town Center Core Corey Circle, ~~and~~ Coquina W~~w~~est, Activity Center, and Bayou Residential Districts ** upon approval of a conditional use request and on a first come, first serve basis. These two additional character districts are identified as having temporary lodging use redevelopment potential as a result of their location at either terminus of the Corey Avenue main street corridor and proximity to waterfront.

5. **Large Resort Affordable Housing Mitigation Program & Density Bonus.** In consideration of the legitimate State, County and City public interest to encourage and promote both affordable housing mitigation strategies as well as tourism which is the number one industry in both the State and County and the City's only industry, temporary lodging unit density bonuses in exchange for affordable housing mitigation exceeding that established by the General Affordable Housing Mitigation Program shall be established for the Large Resort District. The City Commission shall amend its LDC and provide for a Large Resort Affordable Housing Mitigation program as soon as reasonably possible ~~but no later than ninety (90) days after receiving all final voter, County, State, agency and City Commission approvals of this amendment to the Comprehensive Plan~~ in accordance with the following restrictions and limitations:

b. **Density Bonus Restrictions.** A maximum temporary lodging unit density bonus shall be permitted up to, but shall not exceed an additional five (5) bonus units per acre and an additional 0.2 floor area ratio to accommodate the additional temporary lodging units for a defined Large-scale temporary lodging development. Five bonus units shall be allowed for every affordable unit constructed.

5. Specified in each character district within the Community Redevelopment District and shall be:

a. consistent with and allow the implementation of the redevelopment strategy for the respective types of uses provided for in each character district; and

b. subject to the limitations contained in ~~Section 7.2(k) of~~ the City's LDC.

c. It is expressly intended, and shall be construed that any increases to the maximum height in each character district shall be governed by the referendum procedures established in Section 3.18 of the City Charter, as adopted on November 11, 2009, as well as procedures established in Florida Statutes for amendments to the adopted comprehensive plan. ~~as may be amended from time to time.~~

~~d. It is expressly intended and shall be construed, that no later than thirty (30) days after approval of this amendment by voter referendum in accordance with Section 3.18 of the City Charter and final approval of all governing local, County and State governments and agencies, as may be required, the City Commission shall adopt an Ordinance amending the City's LDC, either as a new section of Division 7, or as part of the implementing land development regulations for each specific character district, the height standards established for each type of use within each character district. This 30-day limitation is intended to further restrict and supersede the maximum time period allowed in Ch. 163, Florida Statutes, to adopt land development regulations.~~

2. **Concurrency Management System and Transportation Management Plan Requirements:**

a. **Concurrency Statement.** All new development or redevelopment that increases density or intensity shall be required to prepare and submit a Concurrency Management Statement to the City, at its sole expense, to determine the sufficiency of capacity and any potential adverse impacts or degradation of the levels of service below acceptable levels established by the City or County, as applicable, on existing or future infrastructure systems and facilities except transportation which shall be required to submit a Transportation Management Plan. At a minimum, Concurrency Management Statement(s) shall be submitted for the following:

(i) potable water;
(ii) sanitary sewer;
(iii) transportation facilities; ~~fire rescue;~~
(iii~~v~~) parks and recreation facilities (for residential development only);
~~(v) reclaimed water;~~
(v~~i~~) ~~library facilities (for residential development only);~~ and
(vi~~i~~) educational facilities (for residential development only).

(i) Environmental and Conservation Standards. The City shall amend its LDC to provide minimum Green building and development standards ~~as part of the General Redevelopment Standards contained in Division 39 of the LDC.~~ All development, redevelopment and major renovation projects shall be required to meet a minimum of two Green building and development standards that will be established by the City in the LDC ~~Division 39~~ and shall be strongly encouraged to implement Green practices in building and site design that exceed the minimum standards. All development shall be encouraged to utilize fixtures, equipment and best practices in water, energy and waste efficiency standards during and after construction is completed to support the City goal of becoming the first Coastal Green City in Pinellas County. In addition, the City shall amend its LDC, Building Code, application procedures and processes, as applicable and appropriate, to implement a pilot Green practices incentive program ~~and impact fees credits for Green development and redevelopment~~ in accordance with GOAL 1 of the overall Future Land Use Element and Goal 3 above and Section (j)3 below of this Community Redevelopment District Future Land Use Element.

(j) Community Involvement. A minimum of one (1) community meeting shall be held at least thirty (30) days prior to submitting an application for administrative approval of a development or redevelopment site plan proposed to be built within the Community Redevelopment District ~~subject to the Community Involvement notice and meeting provisions contained in Division 39 of the LDC~~. Single family homes, duplexes and projects less than ½ acre in size, may, but shall not be required, to host a community meeting ~~or provide the additional notice requirements contained in Div. 39.~~ The purpose of the community meeting shall be to present the development project site plan to interested City residents and business owners, answer questions and solicit comments. A sign-in sheet and comment cards shall be provided to all attendees and a copy shall be provided to the City Clerk within three (3) days of the meeting. At least one City Staff person from the Community Development Services Department shall attend the community meeting. The City shall consider the written comments submitted by attendees during its administrative site plan review process, and may implement such public comment as appropriate that are consistent with and not contrary to law and local land development regulations, and are in the best interests of the public health, safety and welfare of the community.

Gulf Boulevard Redevelopment District

(a) Location and Character. The Gulf Boulevard Redevelopment District contains approximately 148.20 acres of land ~~lying on the east and west sides of Gulf Boulevard between 64th and 38th Avenues~~ shown on Map 2 ~~at page 43~~. This District represents approximately 11.5% of the total land area of the City.

Large Resort District (LR)

(a) Location and Character. The Large Resort character district is a 0.9 mile strip of land~~-~~, illustrated on the Future Land Use Map, ~~located on the west side of Gulf Boulevard from the County park (46th Avenue) northward to 64th Avenue~~, containing 65.16 acres of land or approximately 5% of the total land area of the City.

Policy 4.1: Professional landscaping and design standards consistent with the standards contained in ~~Divisions 22 and 39 of~~ the LDC shall be required on the entire building site where any large-scale development or development of an entire site occurs, with particular emphasis on the Gulf Boulevard frontage.

Policy 4.2: Professional landscaping and design standards consistent with the standards contained in ~~Divisions 22 and 39 of~~ the LDC shall be the minimum required for all redevelopment projects that are not redeveloping the entire buildable site for those areas of the development site being redeveloped only; and may be required where practical and feasible on the remainder of the development site if new construction exceeds 50% of the total buildable site area; all with

3. Height shall not exceed, but shall be permitted up to the following, subject to height limitations contained in ~~Section 7.2(k) of~~ the City's LDC:

3. **Height** shall not exceed, but shall be permitted up to the following, subject to any height limitations contained in ~~Section 7.2(k) of~~ the City's LDC:

Boutique Hotel/Condo District (B-HC)

(a) Location and Character. The Boutique Hotel/Condo District contains 22.5 acres and less than 2% of the total land area of the City. This District is illustrated on the Future Land Use Map ~~located on the west side of Gulf Boulevard southward from the County park (46th Avenue) to just north of 38th Avenue.~~

Policy 4: Professional landscaping and design standards consistent with the standards contained in ~~Divisions 22 and 39 of~~ the LDC shall be the minimum required on the entire building site for new development that exceeds 75% of the buildable site, with particular emphasis on the Gulf Boulevard frontage and screening from any adjacent low-rise residential use that may include landscaping and privacy walls. Landscape design, including the type and quantity of plant material as well as creative tropical hardscape designs, shall be consistent with the quality and character of a high quality tropical resort destination

(e) Height shall not exceed, but shall be permitted up to the following, subject to height limitations contained in ~~Section 7.2(k) of~~ the LDC:

Activity Center District (AC)

(a) Location and Character. The Activity Center District contains 52.68 acres or approximately 4% of the total land area of the City. This District is illustrated on the Future Land Use Map. ~~located on the east side of Gulf Boulevard from 64th Avenue southward to about 200 feet south of 44th Avenue.~~ It includes the Dolphin Village Shopping Center which is the hub of commercial activity in the Gulf Boulevard area and is located across from the County Park to the west.

Policy 4: Professional landscaping and design standards consistent with the standards contained in ~~Divisions 22 and 39 of~~ the LDC shall be the minimum required on the entire building site where any development will occur, with particular emphasis on the Gulf Boulevard frontage, and screening and buffering from adjacent residential uses that may include landscaping and privacy walls.

4. **Height** shall not exceed, but shall be permitted up to the following, subject to any height limitations contained in ~~Section 7.2(k) of~~ the City's LDC:

Bayou Residential District (BR)

(a) Location and Character. The Bayou Residential District is a small narrow strip of land containing 7.86 acres or approximately 6/10ths of 1% of the total land area of the City. This District is illustrated on the Future Land Use Map. ~~located on the Macpherson Bayou on the east side of Gulf Boulevard just south of 44th Avenue and the Activity Center District and west of the Belle Vista neighborhood.~~

Policy 3: Professional landscaping and design standards consistent with the standards contained in ~~Divisions 22 and 39 of~~ the LDC shall be the minimum required on the entire building site where any development will occur, with particular emphasis on the Gulf Boulevard frontage.

2. **Height** shall not exceed, and shall be permitted up to the following, subject to any height limitations contained in ~~Section 7.2(k) of~~ the City's LDC:

Downtown Redevelopment District

(a) Location and Character. The Downtown Redevelopment District contains approximately 100.05 acres in the Downtown Core area shown on Map 3 ~~on page 44~~ and…

Objective 3.2: Sunset and Sunrise parks for public use and enjoyment shall be pursued as an integral element of development and redevelopment at either end of Corey Avenue as focal points for these areas. ~~; and further, vacation of rights-of-ways shall be evaluated and pursued if development or redevelopment will provide public waterfront parks.~~

Town Center Core District (TC-1)

(a) Location and Character. The Town Center Core District contains 32.54 acres or approximately 2.5% of the total land area of the City. This District ~~is~~ is illustrated on the Future Land Use Map. ~~generally located along 76th, 75th and Corey Avenue running from Bay Street to the east and westward to Coquina Way at the west end of Corey Avenue~~.

4. **Height** shall not exceed, but shall be permitted up to the following, subject to any height limitations contained in ~~Section 7.2(k) of~~ the City's LDC:

Town Center Corey Circle District (TC-2)

(a) Location and Character. The Town Center Corey Circle District contains 4.67 acres or less than 4/10ths of 1% of the total land area of the City. This District is illustrated on the Future Land Use Map. ~~located on the east end of Corey Avenue on Corey Circle which is surrounded by water on three sides~~

Policy5: Professional landscaping and design standards consistent with the standards

contained in ~~Divisions 22 and 39 of~~ the LDC shall be the minimum required on the entire building site where any new development will occur, with particular emphasis on screening and buffering from adjacent residential uses that may include landscaping and privacy walls.

Permitted Uses and Standards

(a) Primary uses - Commercial and office use; Temporary lodging use – hotel, motel, resort condominium; Residential use but only as part of a mixed-use development on a minimum 1.8 ~~two~~ acre buildable site.

(c) Density/Intensity and Height Standards.

1. **Residential use**

a. Shall only be permitted as part of mixed-use residential development project located on a minimum 1.8 ~~two~~ acre buildable site and shall not exceed 24 dwelling units per acre. Commercial, office or temporary lodging uses only shall be located on the first habitable floor accessible at street level; and

3.Temporary Lodging Use. Density and Intensity shall be approved by Conditional use only and shall not exceed fifty (50) temporary lodging units per acre located on a minimum 1.8 ~~two~~ acre buildable site and shall also not exceed a cumulative total of 150 units per project…

4**. Height** shall not exceed, but shall be permitted up to the following, subject to any height limitations contained in ~~Section 7.2(k) of~~ the City's LDC:

Town Center Coquina West District (TC-2)

(a) Location and Character. Town Center Coquina West contains 6.11 acres or less than ½% of the total land area of the City. This District is consists ~~located on the west end terminus of Corey Avenue adjacent to the Blind Pass Channel between Coquina Way and Sunset Way consisting~~ of a three block area that currently is a mix of existing residential, light industrial, small motel and commercial restaurant/bar uses.

Policy 5: Professional landscaping and design standards consistent with the standards contained in ~~Divisions 22 and 39 of~~ the LDC shall be the minimum required on the entire building site where any new development will occur, with particular emphasis on screening and buffering from adjacent residential uses that may include landscaping and privacy walls.

3. Temporary Lodging Use. Density and Intensity shall be approved by Conditional use only and shall not exceed fifty (50) temporary lodging units per acre located on a minimum 1.8 ~~two~~ acre buildable site and shall also not exceed a cumulative total of 150 units per project…

4. **Height** shall not exceed, but shall be permitted up to the following, subject

to any height limitations contained in ~~Section 7.2(k) of~~ the City's LDC:

Downtown Core Residential District (DCR)

(a) Location and Character. Downtown Core Residential District contains 11.65 acres or less than 1% of the total land area of the City. This District ~~is~~ is illustrated on the Future Land Use Map.~~generally located immediately south of the Town Center Core District and east of Gulf Boulevard~~.

Upham Beach Village District (UBV)

(a) Location and Character. The Upham Beach Village District contains 16.10 acres or approximately 1-¼% of the total land area of the City. This District is illustrated on the Future Land Use map. ~~generally located west of Gulf Boulevard, east of Blind Pass waterway and the Gulf of Mexico, south of 73rd Avenue and north the Large Resort District.~~

Policy 6: Professional landscaping and design standards consistent with the standards contained in ~~in Divisions 22 and 39 of~~ the LDC shall be the minimum required on the entire building site where any development will occur, with particular emphasis on screening and buffering from adjacent residential uses that may include landscaping and privacy walls.

c. Any TLU Density Pool allocation by ordinance per project shall not exceed the number of existing licensed temporary lodging units located on the development site; and

4. **Height** shall not exceed, but shall be permitted up to the following, subject to any height limitations contained in ~~Section 7.2(k) of~~ the City's LDC:

Commercial Corridor Blind Pass Road District (CC-1)

(a) Location and Character. The Commercial Corridor Blind Pass Road District contains 7.4 acres or approximately ½% of the total land area of the City. This District is illustrated on the Future Land Use Map. ~~generally located between 81St and 77th Avenue on the west side of Blind Pass Road and between 79th and 77th Avenues on the east side of Blind Pass Road.~~

Policy 6: Professional landscaping and design standards consistent with the standards contained in ~~Divisions 22 and 39 of~~ the LDC shall be the minimum required on the entire building site where any new development will occur, with particular emphasis on screening and buffering from adjacent residential uses.

3.Height shall not exceed, but shall be permitted up to, the following, subject to any height limitations contained in ~~Section 7.2(k)~~ of the City's LDC:

Commercial Corridor Gulf Boulevard District (CC-2)

(a) Location and Character. Commercial Corridor Gulf Boulevard District contains 21.58 acres or less than 2% of the total land area of the City. This District is illustrated on the Future Land Use Map. ~~runs south of the main downtown area between 73rd and 64th Avenues and is one block west of the southernmost leg of Blind Pass Road. Similar to the Commercial Corridor Blind Pass Road District,~~ This District also has substandard parking, narrow-depth lots that encroach into adjacent residential neighborhoods and too many curb cuts that create pedestrian-vehicular conflict and impede traffic flow on Gulf Boulevard.

(b) Purpose and Intent; Redevelopment Incentives and Deterrents. The following policies shall govern development in the Commercial Corridor Gulf Boulevard District and are intended to allow for ~~encourage~~ the assembly of land to increase lot depth and reduce nonresidential encroachment into adjacent residential neighborhoods, increase buffering between residential and non-residential uses, as well as redevelop to current code design and safety standards, reduce curb cuts that will improve traffic flow on Gulf Boulevard and reduce pedestrian/bicyclist-vehicular conflict:

Policy 7: Professional landscaping and design standards consistent with the standards contained in ~~Divisions 22 and 39 of~~ the LDC shall be the minimum required on the entire building site where any development will occur, with particular emphasis on screening and buffering from adjacent residential uses and on Gulf Boulevard frontage.

3. **Height** shall not exceed, but shall be permitted up to, the following, subject to any height limitations contained in ~~Section 7.2(k) of~~ the City's LDC:

RECREATION AND OPEN SPACE

Policy 1.1.1

In accordance with the generally recognized standards for recreational facilities, the City of St. Pete Beach shall work to achieve and maintain the following levels of service:

Tennis	1 Court per 2,000 population
Basketball	1 Court per 5,000 population
Baseball/Softball	1 Field per 6,000 population
Boat Ramps/Docks	1 Ramp/Dock per 5,000 population
Bicycle Trails	1 Mile per 5,000 population
Fishing	1 Site per 5,000 population
~~Handball/Racquetball~~	~~1 Court per 5,000 population~~
Picnic Area	1 Acre per 6,000 population
Shuffleboard	1 Court per 5,000 population

FUTURE LAND USE MAPS

Community Redevelopment District (CRD), where the densities and intensities shall be as determined within the Community Redevelopment District as specified in each designated character district pursuant to the provisions set forth in Special Area Designation – Community Redevelopment District section of this Future Land Use Element to encourage economic revitalization and redevelopment of properties and uses located within the CRD, with a particular emphasis on commercial, temporary lodging and mixed uses along the Cities main transportation corridors, adjacent to waterfront or located within major community activity centers.

CRD- Eighth Avenue (EA) - The following uses are proposed for the new Community Redevelopment District – Eighth Avenue (CRD-EA) land use classification:

Primary uses - Residential; Office; Retail Commercial; Personal/Business Service; Commercial/Business Service; Transient Accommodation

Secondary uses - Residential equivalent; public/semi-public; ancillary non-residential; recreation/open space

Density/Intensity Standards shall include the following:

- Density and intensity of use for commercial and residential components shall be inclusive, i.e. the same land area may be used to support both use types without pro-ration.
- Residential use - Shall not exceed 24 dwelling units per acre.

- Residential equivalent use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 24 dwelling units per acre.
- Non-residential use - Shall not exceed a floor area ratio (FAR) of 1.0 for single use commercial structures or 1.5 for mixed-use development, nor an impervious surface ratio (ISR) of .90. The standard for the purpose of establishing relative intensity and potential impacts shall be an FAR of .75 and an ISR of .75.
- Transient accommodation use - Shall not exceed 30 units per acre.

o Other standards shall include the following:

o Public/semi-public; ancillary non-residential use – shall not exceed a maximum area of three (3) acres. Any such use, alone or when added to existing contiguous like uses, which exceeds this threshold shall require a plan amendment which shall include such use and all contiguous like uses.

o ~~For the purposes of clarity, the City of St. Pete Beach has been broken down into 13 planning sector maps as shown on the next page. The 2010 Future Land Use Plan is shown on the maps following the locator map beginning on page 87.~~

St. Pete Beach City Commission
Agenda Report

Issue Considered:	Second Reading and Public Hearing of Ordinance 2010-37 amending the Eighth Avenue Special Area Plan
Date:	July 11, 2011
Prepared By:	Catherine M. Hartley, AICP, Senior Planner
Summary of Issue:	This ordinance amends the Eighth Avenue Special Area Plan to allow for some flexibility in the setbacks that will be adopted in the Eighth Avenue zoning regulations as well as corrects an inconsistency with the Floor Area Ratio stated in the Comprehensive Plan. The Countywide Planning Authority approved these changes at their regular May 2011 meeting.
Requested Motion:	**"**I move to approve Ordinance 2010-37 (read title)"
Attachments:	Ordinance 2010-37
Reviewed by City Manager:	MB

BOARD OF COUNTY COMMISSIONERS
Nancy Bostock
Neil Brickfield
Susan Latvala
John Morroni
Norm Roche
Karen Williams Seel
Kenneth T. Welch

Pinellas County PLANNING

May 26, 2011

The Honorable Steve McFarlin
Mayor, City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, FL 33706

Dear Mayor McFarlin:

At its May 24, 2011 meeting, the Board of County Commissioners, acting as the CPA, took action to approve Case #CW 10-01 (SAP Change No. 1-2011), which was initiated by your City. The Ordinance associated with this action is attached.

Sincerely,

Brian K. Smith, Director
Pinellas County Planning Department

BKS:ck
cc: Planning Department

CPA\Corresp.ck.pg 49.

PLEASE ADDRESS REPLY TO:
600 Cleveland Street
Suite 750
Clearwater, Florida 33755
Phone: (727) 464-8200
Fax: (727) 464-8201
Website: www.pinellascounty.org

10-01

FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

DIVISION OF LIBRARY AND INFORMATION SERVICES

KURT S. BROWNING
Secretary of State

May 31, 2011

RECEIVED
BOARD OF
2011 JUN -2 AM 9:38
BOARD OF COUNTY
COMMISSIONERS
PINELLAS COUNTY FLORIDA

Ms. Cynthia N. Haumann
Deputy Clerk
Board Records Department
Pinellas County Courthouse
315 Court Street, 5th floor
Clearwater, Florida 33756

Dear Ms. Haumann:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated May 26, 2011 and certified copies of Pinellas County Ordinance Nos. 11-16 and 11-17, which were filed in this office on May 31, 2011.

As requested, one date stamped copy of each is being returned for your records.

Sincerely,

Liz Cloud

Liz Cloud
Program Administrator

LC/vm

Enclosures

DIRECTOR'S OFFICE
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6282 • TDD: 850.922.4085 • http://info.florida.gov

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CAPITOL BRANCH
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282

ORDINANCE NO. 11- 16

AN ORDINANCE APPROVING PROPOSED AMENDMENT TO THE EIGHTH AVENUE COMMERCIAL DISTRICT SPECIAL AREA PLAN CW 10-01 (SAP CHANGE NO. 1-2011) INITIATED BY THE CITY OF ST. PETE BEACH AND TRANSMITTED TO THE BOARD IN ACCORDANCE WITH THE SPECIAL ACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARINGS AND WITH RESPONSIBLE AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE

FILED
2011 MAY 31 AM 10:45

WHEREAS, in March 2010, the Pinellas County Board of County Commissioners, in their role as the Countywide Planning Authority (CPA), approved the Eighth Avenue Commercial District Special Area Plan; and

WHEREAS, the City of St. Pete Beach initiated a proposed amendment to the Eighth Avenue Commercial District Special Area Plan; and

WHEREAS, notices of public hearings have been accomplished as required by Chapter 73-594, Laws of Florida, as amended; and

WHEREAS, procedures of the Special Act and County Charter have been followed concerning the Pinellas Planning Council and the Countywide Planning Authority for proposed amendments to an adopted Special Area Plan; and

WHEREAS, the proposed amendment was considered at a public hearing by the Pinellas Planning Council on April 20, 2011, with recommendations made by the Council that are documented in the Council reports referred to as Exhibit A; and

WHEREAS, the Board has conducted a public hearing and taken action that is documented by ordinance for approvals or partial approvals and partial denials and by resolution for denials, with both documents including the relevant Council reports as attached; and

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pinellas County, Florida, acting as the Countywide Planning Authority in regular meeting duly assembled on May 24, 2011, as follows:

Section 1 – Amendment to the St. Pete Beach Eight Avenue Commercial District Special Area Plan

The proposed amendment to the Eighth Avenue Commercial District Special Area Plan CW 10-01 (SAP Change No. 1-2011), as attached in Exhibit A, is approved.

Section 2. Severability If any Section, Subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by a Court of Competent Jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

Section 3. Filing of Ordinance; Effective Date A certified copy of this ordinance shall be filed with the Secretary of State with the Ordinance and Exhibit A to be filed with the Clerk of the Circuit Court. This Ordinance shall take effect upon filing with the Department of State.

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By _____
Attorney

STATE OF FLORIDA

COUNTY OF PINELLAS

I, KEN BURKE, Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on May 24, 2011 relative to:

ORDINANCE NO. 11- 16

AN ORDINANCE APPROVING PROPOSED AMENDMENT TO THE EIGHTH AVENUE COMMERCIAL DISTRICT SPECIAL AREA PLAN CW 10-01 (SAP CHANGE NO. 1-2011) INITIATED BY THE CITY OF ST. PETE BEACH AND TRANSMITTED TO THE BOARD IN ACCORDANCE WITH THE SPECIAL ACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THE ORDINANCE AT THE PUBLIC HEARINGS AND WITH RESPONSIBLE AUTHORITIES; AND PROVIDING FOR AN EFFECTIVE DATE

IN WITNESS WHEREOF, I hereunto set my hand and official seal this May 26, 2011.

KEN BURKE
Clerk of the Circuit Court
and Ex-officio Clerk to the
Board of County Commissioners

By: Cynthia N. Haumann, Deputy Clerk

(SEAL)

At this time, 5:39 P.M., the meeting was recessed and reconvened at 6:31 P.M. with all members present, with the exception of Commissioner Seel.

* * * *

SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS

#33 Ordinance No. 11-16 adopted approving Case No. CW 10-01 (Special Area Plan Change No. 1-2011), the proposal by the City of St. Pete Beach to amend the Countywide Future Land Use Plan by amending the Eighth Avenue Commercial District Special Area Plan approved in March 2010, addressing an internally inconsistent nonresidential floor area ratio intensity standard for mixed-use development, allowing Bed and Breakfasts and the adaptive re-use of existing residential structures in the District, and amending the building setback provisions, re one and one-half blocks in the Pass-a-Grille neighborhood located near the southern end of St. Pete Beach (regular amendment). No correspondence has been received. No citizens appeared to be heard. The Pinellas Planning Council recommended approval and staff concurred.

Motion	-	Commissioner Morroni
Second	-	Commissioner Welch
Vote	-	6 – 0

#34 First public hearing held regarding a proposed ordinance amending the Countywide Rules concerning the administration of the Countywide Future Land Use Plan relating to changes to amendment thresholds and Special Area Plans. No correspondence has been received. No citizens appeared to be heard. The Pinellas Planning Council recommended approval and staff concurred. Second public hearing to be held June 14, 2011.

#35 Public hearing was held on a proposed ordinance amending Section 138-1334, Signs, of the Pinellas County Land Development Code pertaining to electronic changeable messages on billboards. Substantive negotiated changes to the proposed ordinance approved; public hearing on the billboard amendment ordinance continued to July 26, 2011; and authorization granted to advertise public hearings to be held on July 12 and July 26 to amend the settlement agreement. No correspondence has been received. Two letters in support and 12 letters and one email in opposition to the ordinance were received in connection with the April 12 and 26, 2011 public hearings.

ORDINANCE # 2010-37

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, PROVIDING FOR AMENDMENTS TO THE EIGHTH AVENUE SPECIAL AREA PLAN, AS WRITTEN IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR THE REPEAL OF ORDINANCES OF PARTS OF ORDINANCES IN CONFLICT HEREWITH, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission adopted Ordinance 2008-24 on August 26, 2008, establishing a special Future Land Use designation for Eighth Avenue, known as the Community Redevelopment District- Eighth Avenue: and

WHEREAS, the Citizens of St. Pete Beach validated the adoption of this comprehensive plan amendment, in 2009; and

WHEREAS, Pursuant to the Countywide Rules, establishment of the Community Redevelopment District requires the submittal and acceptance of a Special Area Plan by the Pinellas Planning Council and the Countywide Planning Authority; and

WHEREAS, Pinellas Planning Council Staff has noted some inconsistencies with the Special Area Plan and the proposed Land Development Regulations, and has recommended changes to the Plan for consistency;

WHEREAS, the City Commission finds this Comprehensive Plan amendment to be in the best interest of the citizens of the City of St. Pete Beach.

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

Section 1. The Special Area Plan is amended as written in "Exhibit A", attached.

Section 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

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

Section 4. This Ordinance shall become immediately upon adoption.

STEVE MCFARLAND, MAYOR

FIRST READING: FEBRUARY 8, 2011
SECOND READING/ADOPTION HEARING: JULY 12, 2011
PUBLISHED: _____

I, Rebecca Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this 12th day of July, 2011.

_____
Rebecca Haynes, City Clerk

"Exhibit A"

Density/Intensity Standards for Permitted Uses

The following standards are proposed for the new Community Redevelopment District – Eighth Avenue (CRD-EA) land use classification:

- Density and Intensity of use for commercial and residential components shall be inclusive, i.e. the same land area may be used to support both use types without proration.
- Residential use - Shall not exceed 24 dwelling units per acre.
- Residential equivalent use - Shall not exceed an equivalent of 2.0 to 3.0 beds per permitted dwelling unit at 24 dwelling units per acre.
- Non-residential use - Shall not exceed a floor area ratio (FAR) of 1.0 for single use commercial structures or 1.50 ~~1.45~~ for mixed-use development, nor an impervious surface ratio (ISR) of .90. The standard for the purpose of establishing relative intensity and potential impacts shall be an FAR of .75 and an ISR of .75.
- Transient accommodation use - Shall not exceed 30 units per acre.
- Public/semi-public; ancillary non-residential use - Shall not exceed a maximum area of three (3) acres. Any such use, alone or when added to existing contiguous like uses, which exceeds this threshold shall require a plan amendment which shall include such use and all contiguous like uses.

Mixed-Use Provisions

The Eighth Avenue Commercial District is a mixed-use area where many buildings have second floor residential or commercial over first floor commercial/retail/office space. It is the intent of this plan to continue to encourage this type of development pattern, in a scale that is consistent with the existing development. The City's Comprehensive Plan and LDRs will allow a variety of compatible uses, while the higher FAR and ISR will encourage implementation of such a mixture. Specific provisions will be included to allow residential only on second or third stories of buildings and only as part of a mixed-use project, in order to maintain the street-level commercial use important to such a district. No stand-alone residential structures will be allowed within the CRD-EA plan area. However, Bed and Breakfasts and the adaptive re-use of existing residential structures shall be permitted.

Figure 1 Current Zoning Standards (ROR), Eighth Avenue Commercial District

Standard	Value	Problem	Potential Solution
Front	20 Feet	Moves buildings too far from sidewalk; not consistent with much of the existing pattern of development. ~~structures~~	Set buildings closer to the front property line. Amend LDR's to allow some flexibility for recessed doorways, outdoor seating, etc. ~~up to the sidewalk; provide for open plazas and seating areas~~
Secondary Front	10 Feet	Moves buildings too far from alleys; not consistent with existing structures	~~Position buildings adjacent to alleys~~ Amend LDR's to allow for minimal to no setbacks required for secondary front yard.
Side	10 Percent of Lot Width	Requires building separation; not consistent with existing structures	Allow zero or minimal ~~lot line development~~ setbacks (minimal setbacks allow for reduced cost of fire retardant materials in that will allow for building separation, and allows for courtyard areas).
Rear	20 Feet	~~Actually makes sense, p~~Inconsistent with current building pattern; however current standard provides some room for surface parking.	Keep Standard to allow for parking or reduce rear yard setbacks.

Additionally, consistent with most of the existing development in the area, front and side setback requirements will be reduced in order to allow new construction to mimic the historic pattern of

development, while allowing for some flexibility for some architectural interest includes features such as recessed doorways and small outdoor seating areas. ~~eliminated in their entirety~~. ~~One potential drawback is the possibility of elimination of existing open space by new construction on lots where buildings are now setback from the front and side property lines. Side setback would only be allowed to provide vehicular access to rear parking. Buildings would be required to be built to the sidewalk.~~

St. Pete Beach City Commission
Agenda Report

Issue Considered: Final Reading and Public Hearing of Ordinance 2011-18, amending Section 6.23 of the Land Development Code to allow residential docks presently non-conforming to be reconstructed in the same location and configuration without requiring variance approval if the original County permit can be produced.

Date: July 12, 2011

Prepared By: Karl E. Holley, AICP, Community Development Director

Summary of Issue: The Pinellas County Marine Contractors Association contacted the City and provided documentation with respect to the regulations of Pinellas County, the City of St. Petersburg and the City of Clearwater providing for reconstruction of non-conforming residential docks without requiring a variance. The proposed ordinance would bring the City's related provisions into line with those of the referenced jurisdictions.

The Commission reviewed this item at their June 14, 2011 meeting and directed changes to the proposed ordinance eliminating the administrative variance provision for residential dock length and limiting the reconstruction of residential docks to that portion non-conforming by side setback only.

The Commission reviewed this item at their June 28, 2011 meeting and directed further changes to the proposed ordinance restoring the ordinance to its original content.

The Planning Board, acting in the capacity of Local Planning Agency, voted 3-1 to recommend denial of the proposed ordinance at their May 17, 2011 meeting.

Requested Motion: **"**I move to approve Ordinance 2011-18 (read title)"

Attachments: Ordinance 2011-18

Reviewed by City Manager: MB

ORDINANCE NO. 2011-18

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, PROVIDING FOR AMENDMENT OF THE LAND DEVELOPMENT CODE; PROVIDING FOR AMENDMENT OF DIVISION 6 OF THE LAND DEVELOPMENT CODE AS IT RELATES TO SUPPLEMENTAL STANDARDS FOR DOCKS; AMENDING SECTION 6.23, ALLOWING THE REPAIR AND REPLACEMENT OF NONCONFORMING RESIDENTIAL DOCKS IN THE SAME CONFIGURATION WITHOUT A VARIANCE; PROVIDING FOR THE REPEAL OF ORDINANCES, OR PARTS OF ORDINANCES, IN CONFLICT HEREWITH, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City recognizes that a number of existing docks do not meet current Land Development Regulations pertaining to side yard setbacks; and

WHEREAS, the City wishes to lessen the regulatory burden for residential property owners who simply wish to replace a dock in its current configuration;

WHEREAS, the City's Planning Board, acting as the City's Local Planning Agency, has reviewed this ordinance and has recommended denial thereof; and

WHEREAS, the City Commission has found this ordinance to be consistent with the City's adopted comprehensive plan; and

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

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

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

Section 1. **Division 6 of the City of St. Pete Beach, Florida Land Development Code is amended as follows:**

Sec. 6.23. Docks.

(f) *Dock repairs.*

(1) All dock repairs, including repairs to or replacement of permitted boat lifts, shall require a permit from the city, unless otherwise provided in this subsection.

(2) Replacement of deck boards, only, on a residential dock shall not require the issuance of a permit from the city. All deck boards shall meet the minimum construction criteria as required by the Pinellas County Water and Navigation Control Authority.
(3) Residential dock owners shall be permitted to repair or replace residential docks which are non-conforming only in the same size and configuration as the originally permitted dock. A copy of the original county permits and drawings shall be submitted with the permit application. If original County permits cannot be provided, then the application will be reviewed as if it were a new dock permit request. This provision shall supersede requirements for nonconforming structures provided for elsewhere in the Code.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 3. If any portion or part of this ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 4. This ordinance shall become effective upon adoption.

_____
STEVE MCFARLIN, MAYOR

LPA HEARING	**: May 17, 2011**
PUBLISHED	**: May 11, 2011**
FIRST READING	**: _____**
PUBLISHED	**: _____**
SECOND READING	**: _____**
PUBLISHED	**: _____**

I, Rebecca C. Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2011.

St. Pete Beach City Commission
Agenda Report

Issue Considered: Resolution 2011-14, establishing the FY 2011/2012 tentative millage rate.

Date: July 12, 2011

Prepared By: Elaine Edmunds, Finance Director

Summary of Issue: The rate as proposed will be used in the TRIM (Truth in Millage) notices sent to each property owner in the city. This rate may not be increased, but can be decreased when the City Commission adopts the final millage rate. The City must also notify the property appraiser's office of the date and time of the first public hearing for adoption of the millage rate and budget which may not conflict with Pinellas County or the School Board's budget hearings. The proposed date is Wednesday, September 14, 2011.

The original budget submittal was prepared using the current millage rate of 2.6718 which resulted in a decrease in ad valorem tax revenue of $350,903. The budget as submitted is balanced and does not require the use of reserves. This amount was based on an estimated decrease in taxable value of 6.29%. Since that time, the certification of taxable value has been received from the property appraiser and shows a decrease in taxable value of 6.48%. The revision results in an additional decrease of $9,717 in revenue.

The Pinellas Suncoast Transit Authority (PSTA) bills the City of St. Pete Beach directly for the City's portion of the transit districts costs. As a result, the costs are absorbed into the City's budget and millage rate. Property owners in most other jurisdictions are charged a separate millage rate (last year .5601) for this service. Last year the PSTA allocation was $400,000. The proposed budget as submitted anticipated an increase of $20,000. Since publication of the budget, the City has received notification from PSTA of a possible increase of $170,000 which is $150,000 more than anticipated. The City Manager will be meeting with PSTA on July 14 to discuss this issue.

Attached is a worksheet providing an outline of the various thresholds in considering an increase in the millage rate. Should the City Commission desire to discuss items that will add costs to the proposed budget a higher tentative rate should be established to provide the necessary funding.

Requested Motion: "I move to approve Resolution 2011-14 . . . (read title)."

Attachments: Resolution 2011-14
Summary of Millage Alternatives

RESOLUTION NO. 2011-14

A RESOLUTION OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, ESTABLISHING THE TENTATIVE MILLAGE RATE FOR TRIM NOTICES

The Board of Commissioners of the City of St. Pete Beach, Pinellas County, Florida, in a meeting held July 12, 2011, resolves as follows:

WHEREAS, the City Commission wishes to comply with the requirements of the Truth In Millage notification to property owners, and

WHEREAS, such millage rate for the City of St. Pete Beach is computed to be _____.

NOW THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA, DOES RESOLVE:

The City Commission authorizes the notification of the Pinellas County Property Appraiser of the tentative millage rate of _____ mills and the voted debt service millage rate of .0895 mill for a total of _____ mills for use in the Truth in Millage Notices.

INTRODUCED AND PASSED by the City Commission of the City of St. Pete Beach, Florida, on the 12th day of July 2011.

_____
Mayor

_____
City Clerk

City of St. Pete Beach
Millage Alternatives

		Budgeted Ad Valorem	Increase Over Current Amnt Budgeted	Budget Impact	Required Advertised Tax Increase
Total Taxable Value:	$1,986,290,067				
Current Millage - FY 2011	2.6718				
Alternative 1:					
Keep Millage the same	2.6718	$5,121,226	$ -	($360,619)	No
Alternative 2:					
Adopt Roll-Back Rate	2.8569	$5,476,020	$354,794	($5,825)	No
Alternative 3:					
Simple Majority Vote					
Adopt Roll-Back Rate plus Florida Personal Income Growth Index (.55%)	3.4557	$6,623,782	$1,502,556	$1,141,937	Yes
Alternative 4:					
Super Majority Vote					
Adopt Roll-Back Rate plus Florida Personal Income Growth Index (.0055) plus 10% (maximum allowed)	3.8013	$7,286,217	$2,164,992	$1,804,372	Yes

ANYTHING ABOVE THIS WOULD REQUIRE VOTER REFERENDUM

Note: Above does not include voted debt service of .0895