



COMMISSION MEETING CITY OF ST. PETE BEACH

155 Corey Avenue

Tuesday, November 22, 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** - Presentations shall be limited to 5 minutes for non-city government related items.
- 3. Audience Comments** - Comments shall be limited to 3 minutes per person to issues not on the agenda.
- 4. Consent**
 - a. Approval of minutes for the City Commission Regular Meeting of October 25, 2011 and the City Commission Shade Meeting of October 27, 2011**
 - b. Authorization for the Mayor and Police Chief to enter into a Mutual Aid Agreement with the City of Tampa**

and Tampa Police Department to receive and extend mutual aid law enforcement services.

- c. Authorization for the City Manager to purchase St. Pete Beach Classic Race t-shirts from LogoHQ Promotional Products in the amount of \$18,174.00.**
- d. Authorize City Manager to hang banners over 75th Avenue at Boca Ciega Drive and over the Pinellas Bayway at Granada Avenue for the Beach Goes Pops Concert.**
- e. Authorization for the City Manager to renew and continue the existing extended warranties, communications and software support that cover the 34 parking pay stations with vendor Cale Parking Systems for FY2012 in the amount of \$47,928.00.**
- f. Cancellation of the December 27, 2011 City Commission meeting**

5. Action Items

- a. Authorization for the City Manager to sign a work proposal from George F. Young, Inc. in the amount of \$25,125 to provide the next level of detail relating to the downtown one-way couplet concept.**

6. Ordinances

- a. Ordinance 2011-32, Final Reading and Public Hearing, repealing and re-adopting Divisions 30 and 35 of the Land Development Code.**
- b. Ordinance 2010-21, Final Reading and Public Hearing, for providing for amendment of the Land Development Regulations of the City of St. Pete Beach to establish zoning standards for those areas of the Community Redevelopment District which do not yet have standards consistent with the adopted Comprehensive Plan. The ordinance also amends the official zoning map to include the character districts consistent with the Comprehensive Plan.**
- c. Ordinance 2011-21, Final Reading and Public Hearing, amending Divisions 3 and 4 of the LDC to add application submission requirements for Variance and Conditional Use Applications.**
- d. Ordinance 2011-36, Final Reading and Public Hearing, an ordinance of the City of St. Pete Beach, Florida, providing for a supplemental appropriation to the General Fund for Fiscal Year Ending September 30,**

2011; providing for funding and providing for an effective date.

7. Resolutions – none for this agenda

8. Items for Discussion – none for this agenda

9. City Manager, City Attorney and City Commission Reports

10. Adjournment

APPEAL

If a person decides to appeal any decision made at this meeting, they will need a record of the proceeding and, for such purpose, may need to ensure that a verbatim record of the meeting 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.

AMERICAN DISABILITIES ACT

In Accordance with the American's with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodations to participate in this meeting should contact City Hall at (727) 367-2735 no later than (4) days prior to the meeting for assistance.

The public is cordially invited to attend. All agenda material is available for review at City Hall.

**CITY COMMISSION MEETING
MINUTES
Tuesday, October 25, 2011
6:00 p.m.**

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL**

PRESENT:

**Mayor Steve McFarlin
Vice Mayor Beverly Garnett
Commissioner Al Halpern
Commissioner Marvin Shavlan
Commissioner Jim Parent**

ALSO PRESENT:

**City Manager Mike Bonfield
City Attorney Mike Davis
Deputy City Clerk Pamala Prell**

1. Changes to Agenda

Commissioner Shavlan requested to add a discussion regarding Corey Avenue Beautification Project. It was agreed to add this as Item (8a).

City Manager Bonfield requested to add an item to the Consent Agenda to confirm the appointment of Mr. Keith Jacobus to the Police Pension Board. It was added as item (f).

City Manager Bonfield requested to postpone Ordinance 2010-18 to November 8, 2011.

Commissioner Parent moved to continue Ordinance No. 2010-18 until November 8, 2011. The motion was seconded by Commissioner Shavlan and approved by a unanimous roll call vote.

Mr. Bonfield announced that there will be no further public notice regarding Ordinance 2010-18.

City Attorney Davis requested authorization from the Commission to schedule an Attorney/Client session to discuss litigation.

The Commission was in agreement to hold the Attorney/Client Meeting October 27, 2011 at 9:00 a.m.

2. Presentations

a. Pass-a-Grille Association

Ms. Ann Michael presented the following checks on behalf of the Pass-a-Grille Community Association: \$500 to the St. Pete Beach Library; \$200 for tables at the Warren Webster Community Center; \$600 to the Recreation Department; \$300 to the South West Little League, \$1,500 for the lighting project on 8th Avenue; \$200 for prizes for the Scarecrow contest and \$100 for the 4th of July Children's Parade.

b. Energy Efficiency Program, Project Close-Out Report

CIP Construction Manager Renee Cooper presented a power point presentation for the Energy Efficiency Program, project close-out report. Ms. Cooper explained that the City received a \$250,000 grant through the Energy Efficiency and Community Reinvestment Program. The City was required to contribute a 10% match in the amount of \$25,000, for a total project cost of \$275,000. The grant monies provided energy efficiency improvements at several City facilities, including HVAC and lighting upgrades, and the program will result in over \$30,000 per year savings in electrical costs.

Progress Energy representatives presented the City with a rebate check in the amount of \$3,143.00 for the efficiency upgrades.

c. Horan Park Improvements, Project Close-Out Report

CIP Construction Manager Cooper presented a power point presentation for the Horan Park project close out report. Ms. Cooper reported that solar lights, a walking path, a new concrete patio and additional electrical outlets were installed in the Park. She explained that the solar lights are on a grid smart system which generates power back to the system resulting in no electrical operation costs. Ms. Cooper reported that the total cost of project was \$114,140 which was below the budgeted amount.

CIP Construction Manager Cooper pointed out that St. Pete Beach is the first Florida city to install this type of light. The vendor is sending potential clients to tour the Park and photograph the improvements for advertisement.

3. Audience Comments

Mr. Tom Decair, Vice-President of Friends of St. Pete Beach, reminded everyone that the final Concert in the Park is scheduled for October 28, 2011. He reported that the concerts have drawn record crowds. Mr. Decair reported that there are prizes and a 50/50 drawing, and he encouraged everyone to attend.

4. Consent

a. Approval of minutes for the City Commission Regular Meeting of September 27, 2011 and the City Commission Workshop of October 4, 2011.

b. Approval of City co-sponsorship and Special Event Permit for the 31st Annual Fish Broil and Mullet Festival on November 5th from 3:00 p.m. to 8:00 p.m. in Hurley Park.

c. Authorization for the City Manager to enter into an agreement with E. L Trevena Inc. for the complete demolition, removal, and disposal of the two-story concrete block house located at 9001 Blind Pass Rd (Egan Park Addition).

d. Authorize the permanent installation of speed cushions on the northern section of Captiva. Circle.

e. Authorization for the City Manager to sign a work proposal from George F. Young, Inc. in the amount of \$18,920 to provide engineering services for the rehabilitation of Wastewater Lift Station #10.

f. Appointment of Keith Jacobus to the Police Officers Pension Board.

Commissioner Parent made a motion to approve the Consent Agenda. The motion was seconded by Commissioner Shavlan and approved by a unanimous roll call vote.

5. Action Items

a. Authorize the City Manager to sign a FDOT District Seven Highway Beautification Maintenance Memorandum of Agreement for the City of St Pete Beach to maintain new landscaping on the Bayway.

City Manager Bonfield reported that the City received an FDOT Landscaping Grant and, as part of that grant, the City is required to maintain the landscaping.

Vice Mayor Garnett made a motion to authorize the City Manager to sign an FDOT District Seven Highway Beautification Maintenance Memorandum of Agreement for the City of St Pete Beach to maintain the new landscaping on the Bayway. The motion was seconded by Commissioner Shavlan and approved by a unanimous roll call vote.

6. Ordinances

a. Ordinance 2010-18, Final Reading and Public Hearing establishing Division 40 and amending Divisions 23 and 26 of the Land Development Code to provide development standards for the Community Redevelopment District 8th Avenue and

amending the Official Zoning Map of the City to assign the Community Redevelopment District-Eighth Avenue zoning to the subject property.

At the beginning of the meeting the Commission voted to postpone this item until November 8, 2011.

b. Ordinance 2011-23, Re-Reading and Public Hearing and Final Reading Ordinance 2011-23 setting the millage rate for FY 2012.

City Manager Bonfield explained that a re-hearing of this ordinance is required by Florida Statute since the 2.8569 millage rate exceeded the rate of 2.8102 adopted at the first hearing. He explained that the State notified the City a millage rate cannot be increased from the amount that is adopted on first reading.

City Attorney Davis advised the Commission that the ordinance needs to be read in its entirety.

Commissioner Parent made a motion to approve Ordinance 2011-23, Final Reading, by reading the ordinance in its entirety. The motion was seconded by Commissioner Shavlan and approved by a unanimous roll call vote.

c. Ordinance 2011-24, Re-Reading and Final Hearing on Budget Ordinance for FY 2011-12.

City Manager Bonfield explained that a re-hearing of this ordinance is required by Florida Statute.

City Attorney Davis advised the Commission that the ordinance needs to be read in its entirety.

Vice Mayor Garnett made a motion to approve Ordinance No. 2011-24, by reading it in its entirety. The motion was seconded by Commissioner Parent and approved by a unanimous roll call vote.

d. Ordinance 2011-31, Final Reading and public hearing, providing for the amendment of Section 8-202(a)(1) of the Appendix A Fee Schedule of the Code of Ordinances as set forth in Attachment A fees pertaining to metered parking decals and permits.

After a general discussion regarding increasing parking permit fees for residents, the Commission agreed to amend Section 82-202(a)(1) to charge City residents or non-residents owning property within the City a \$20 fee for parking permits.

Ms. Ann Michael, resident, commented that the permit charge should only cover costs.

Commissioner Halpern made a motion to approve Ordinance 2011-31, as amended. The motion was seconded by Vice Mayor Garnett and approved by a unanimous roll call vote.

7. Resolutions

a. Resolution No. 2011-20, declaring as surplus one Public Services Department vehicle and one City Clerk's Department microfilm reader, and authorization for the City Manager to dispose of same.

City Manager Bonfield explained that this resolution is to declare surplus property that is no longer useful to the City.

Commissioner Shavlan made a motion to approve Resolution 2011-20. The motion was seconded by Commissioner Parent and approved by unanimous roll call vote.

8. Items for Discussion

a. Discussion of Corey Avenue Beautification Project

Commissioner Shavlan suggested that the Commission receive input from the residents and business owners regarding the project. Mr. Bonfield stated that the Commission could receive public input at a future meeting prior to making any decisions.

Mayor McFarlin reported that he has spoken with citizens and business owners who are concerned with allowing alcohol consumption outside the Swigwam Bar.

Commissioner Parent requested to discuss the Corey Avenue landscaping, the couplet proposal and the marina project and how they will work together once completed.

Mr. Bonfield pointed out that the Corey Avenue Landscaping Project will be on the next agenda for discussion.

Commissioner Halpern stated that he had several complaints from business owners on Corey Avenue about people drinking outside the Swigwam and blocking the pedestrian traffic. He requested the Commission address the issue at the next meeting.

Mr. Bonfield stated that the Commission can address the sidewalk right-of-way use by the Swigwam Bar.

City Manager Bonfield requested a decision on the landscaping time-line. The Commission was in agreement to wait until after the winter season to complete the landscaping project on Corey Avenue and keep that separate from the couplet proposal.

Mayor McFarlin suggested that the businesses on Corey Avenue contribute to the improvements in their area.

9. Reports

City Manager Bonfield reported on upcoming meetings, items for the next agenda, public events and the special magistrate selection process.

Vice Mayor Garnett reported on the Pass-a-Grille 100th Anniversary Celebration, the new lighting project on 8th Avenue, the Annual Fish Broil and the Museum anniversary dinner. She urged everyone to support their local businesses.

Commissioner Shavlan reported on the upcoming Belle Vista Christmas party, the Belle Vista garage sale and the 5K run.

Commissioner Parent reported that he cannot attend the BIG C meeting tomorrow and asked fellow commissioners if any of them could to attend. No one was able to attend.

Commissioner Halpern commented on the upcoming concert in Horan Park and reported on the upcoming North Beach Civic Association meeting.

Mayor McFarlin commented that the concerts in the park are a great event.

10. ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 7:45 p.m.

Attest:

Rebecca C. Haynes, City Clerk

Steve McFarlin, Mayor

Minutes approved on: _____

**CITY COMMISSION SHADE MEETING
MINUTES**

**Thursday, October 27, 2011
9:00 a.m.**

**CALL TO ORDER
ROLL CALL**

PRESENT:

**Commissioner Al Halpern
Commissioner Jim Parent
Commissioner Marvin Shavlan
Vice Mayor Beverly Garnett
Mayor Steve McFarlin**

ALSO PRESENT:

**City Attorney Mike Davis
Deputy City Clerk Pamala Prell**

1. NOTICE OF ATTORNEY/CLIENT SESSION

Mayor McFarlin read the following statement:

I now announce the commencement of an Attorney Client Session on Thursday, October 27, 2011 at 9:00 a.m. in accordance with FS 286.11 regarding the following lawsuits styled:

- *Kadoura v. Huhn, et al.*, Case No. 08-12498-CI-19;
- *Anderson v. St. Pete Beach*, Case No. 11-1319CI-11;
- *SOLV and St. Pete Beach v. Kadoura*, Case No. 2D11-503;
- *Kadoura v. St. Pete Beach*, Case No. 09-002732-CI-19; and
- *Kadoura v. Commissioner Garnett*, 2D10-4253.

The Attorney Client Session will be attended by some or all of the following persons, one or more of who may participate telephonically: Mayor Steve McFarlin, Commissioner Al Halpern, Commissioner Jim Parent, Commissioner Marvin Shavlan, Commissioner Beverly Garnett, City Manager Mike Bonfield, Suzanne Van Wyk, Esquire, Mike Davis, Esquire and an official court reporter, as provided by law. The length of the Attorney/Client Session is estimated to be approximately one (1) hour.

2. CLOSE ATTORNEY/CLIENT SESSION

Mayor McFarlin closed the session at 9:02 a.m.

3. REOPEN PUBLIC SESSION

Mayor McFarlin reopened the session at 10:43 a.m.

City Attorney Davis advised that he will continue the negotiations.

Upon the advice of City Attorney Davis, the City Commission agreed to hold a Shade Meeting on November 2, 2011 at 10: 30 a.m.

4. CONSIDERATION OF SETTLEMENT OFFER

There was no action taken on this item.

5. ADJOURNMENT

Mayor McFarlin announced the termination of the Attorney/Client Session and the meeting was adjourned at 10:45 a.m.

Attest:

Rebecca C. Haynes, City Clerk

Steve McFarlin, Mayor

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: Authorization for the Mayor and Police Chief to enter into a Mutual Aid Agreement with the City of Tampa and Tampa Police Department to receive and extend mutual aid law enforcement services.

Date: 11/22/2011

Prepared By: Chief David Romine, St. Pete Beach Police Department

Summary of Issue: The City of Tampa and Tampa Police Department have requested that our agencies receive and extend mutual aid law enforcement services. The Mutual Aid Assistance will include, but not be limited to, events such as the Annual Gasparilla Invasion. Requests for mutual aid shall be contingent upon approval by the Agency head, or his designee whose assistance is sought.

Requested Motion: "I move to authorize the Mayor and Police Chief to enter into a Mutual Aid Agreement with the City of Tampa and Tampa Police Department to receive and extend mutual aid law enforcement services."

Attachments: Mutual Aid Agreement

MUTUAL AID AGREEMENT

COMBINED OPERATIONAL ASSISTANCE AND VOLUNTARY COOPERATION AGREEMENT

WITNESSETH

WHEREAS, the subscribed law enforcement agencies are so located in relation to each other that it is to the advantage of each to receive and extend mutual aid in the form of law enforcement services and resources to adequately respond to: (1) intensive situations including, but not limited to, emergencies as defined under Section 252.34(3), F.S. and (2) continuing, multi-jurisdictional law enforcement problems, so as to protect the public peace and safety, and preserve the lives and property of the people; and,

WHEREAS, the subscribed law enforcement agencies have the authority under Part 1 of Chapter 23, Florida Statutes (2010), the Florida Mutual Aid Act, to enter into (1) a requested operational assistance agreement for the requesting and rendering of assistance in law enforcement emergencies, and (2) a voluntary cooperation agreement for assistance of a routine law enforcement nature that crosses jurisdictional lines;

NOW THEREFORE, the parties agree as follows:

SECTION I: PROVISIONS FOR OPERATIONAL ASSISTANCE

The aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies may request and render law enforcement assistance to the other to include, but not necessarily be limited to, dealing with civil disturbances, large protest demonstrations, aircraft disasters, fires, natural or man-made disasters, sporting events, automobile race events, concerts, parades, escapes from detention facilities, and incidents requiring utilization of specialized units.

SECTION II: PROVISION FOR VOLUNTARY COOPERATION

In addition, each of the aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies may also request and render law enforcement assistance to the other in dealing with any violations of Florida Statutes to include, but not necessarily be limited to, investigating homicides, sex offenses, robberies, assaults, burglaries, larcenies, gambling, motor vehicle thefts, drug violations pursuant to Chapter 893, F.S., back-up services during patrol activities, and inter-agency task forces, including but not limited to, traffic enforcement and drug enforcement task forces, and/or joint investigations.

SECTION III: POLICY AND PROCEDURE FOR REQUESTING ASSISTANCE

In the event that a party to this agreement is in need of assistance as set forth above, an authorized representative of the agency requiring assistance shall notify the agency head, or his designee whose assistance is sought, shall evaluate the situation and the agency's available resources, consult with his/her supervisors, if necessary, and will respond in a matter he/she deems appropriate. The agency head's decision in this regard shall be final.

SECTION IV: COMMAND AND SUPERVISORY RESPONSIBILITY

The resources or facilities that are assigned by the assisting agency shall be under the immediate command of a supervising officer designated by the assisting agency head. Such supervising officer shall be under the direct supervision and command of the agency head, or his designee in whose jurisdiction assistance is being given.

SECTION V: POWERS, PRIVILEGES, IMMUNITIES AND COSTS

a. Members of the participating agencies, when actually engaging in mutual cooperation and assistance outside of their jurisdictional limits but inside this state, under the terms of this agreement, shall, pursuant to the provisions of Section 23.127, Florida Statutes, have the same

powers, duties, rights, privileges and immunities as if they were performing their duties inside the member's political subdivision in which they are normally employed.

b. Each party agrees to furnish necessary equipment, resources and facilities and to render services to each other party to the agreement as set forth above; provided, however, that no party shall be required to deplete unreasonably its own equipment, resources, facilities and services in furnishing such mutual aid.

c. The agency that furnishes any equipment pursuant to this agreement shall bear the cost of loss or damage to such equipment and must pay any expense incurred in the operation and maintenance of that equipment.

d. The agency furnishing aid pursuant to this section shall compensate its appointees/employees during the time such aid is rendered and shall defray the actual travel and maintenance expenses of such employees while they are rendering such aid, including any amounts paid or due for compensation due to personal injury or death while such employers are engaged in rendering such aid.

e. All of the privileges and immunities from liability, exemption from laws, ordinances and rules, and all pension, insurance, relief, disability, workers' compensation, salary, death and other benefits which apply to the activity of such officers, agents, or employees of any such agency when performing their respective functions within the territorial limits of their respective public agencies shall apply to them to the same degree, manner and extent while engaged in the performance of any of their functions and duties extraterritorially under the provisions of this mutual aid agreement. The provisions of this section shall apply with equal effect to paid, volunteer and reserve employees.

f. Nothing herein shall prevent the requesting agency from requesting supplemental appropriations from the governing authority having budgeting jurisdiction to reimburse the assisting

agency for any actual costs or expenses incurred by the assisting agency performing hereunder when assistance is requested under Section I: PROVISIONS FOR OPERATIONAL ASSISTANCE.

SECTION VI: INDEMNIFICATION

Each party engaging in any mutual cooperation and assistance, pursuant to this agreement, agrees with respect to any suit or claim for damages resulting from any and all acts, omissions, or conduct of such party's own employees occurring while engaging in rendering such aid pursuant to this agreement, to hold harmless, defend and indemnify the other participating party and its appointees or employees, subject to provisions of Section 768.28, Florida Statutes, where applicable, and provided such party shall have control of the defense of any suit or claim to which said duty to indemnify applies.

SECTION VII: EFFECTIVE DATE

This agreement shall take effect upon execution and approval by the hereinafter-named officials and shall continue in full force and effect for one year and will renew automatically for one year terms thereafter until cancelled by delivery of written notice of cancellation from either party to the other. Under no circumstances may this agreement be amended except in writing.

SECTION VIII: CANCELLATION

This agreement may be cancelled by any party upon delivery of written notice to the other party or parties. Cancellation will be at the discretion of any subscribing party.

IN WITNESS WHEREOF, the parties hereto cause these presents to be signed on the date specified.

**FOR THE CITY OF TAMPA AND
THE TAMPA POLICE DEPARTMENT**

ATTEST:

BOB BUCKHORN
Mayor

City Clerk/Deputy City Clerk

Date Signed: _____

APPROVED AS TO FORM:

JANE CASTOR
Chief of Police

KIRBY C. RAINSBERGER
Assistant City Attorney

**FOR THE CITY OF ST. PETE BEACH
AND THE ST. PETE BEACH POLICE
DEPARTMENT**

ATTEST:

STEVE McFARLIN
Mayor

City Clerk/Deputy City Clerk

Date Signed: _____

APPROVED AS TO FORM:

DAVID ROMINE
Chief of Police

Legal Counsel

St. Pete Beach City Commission
Agenda Report

Issue Considered: Authorization for the City Manager to purchase St. Pete Beach Classic Race t-shirts from LogoHQ Promotional Products in the amount of \$18,174.00.

Date: November 22, 2011

Prepared By: Sharon M. Smith, Recreation Administrator

Through: Steven J. Hallock, Public Services Director

Summary of Issue: The City Commission approved expenditures toward the St. Pete Beach Classic Race in the FY2012 budget. Part of these expenditures include the race t-shirts. Under our *Purchasing Manual* all purchases exceeding \$10,000 but less than \$25,000 must be approved by the City Commission and placed on the consent agenda regardless of if they have already been approved by City Commission during the budget process.

This year seven (7) companies were asked to submit written quotes; five responded:

- LogoHQ - \$6.99/shirt
- Leslie Jordon- \$7.00/shirt
- Athletic House - \$7.19/shirt
- Helinger Advertising - \$8.25/shirt
- Tri-Life Outfitters -\$8.48/shirt.

The Race Committee met and they recommend accepting the written quote from LogoHQ on the basis of price, lead time and payment terms.

Requested Motion: "I move to authorize the City Manager to purchase St. Pete Beach Classic Race t-shirts from LogoHQ Promotional Products in the amount of \$18,174.00."

Attachments: LogoHQ T-Shirt Quote

Reviewed by
City Manager:

MB

**City of St. Pete Beach
Request for Proposal (RFP)**

Please submit your RFP via email to the following email address: recreation@stpetebeach.org

If you have samples to provide they can be delivered the following address:

7701 Boca Ciega Dr., St. Pete Beach, FL 33706 Attn: Sharon Smith, between the hours of 9 am – 5 pm (M-F)

Event Name: St. Pete Beach Classic Event Date: January 13-15, 2012

Your Company: LogoHQ Promotional Products Date: October 21, 2011

Contact: Philip Ruzicka Phone: (M) 727-422-7070 Email: phil.ruzicka@mylogohq.com

Please Quote the following: T-shirts for the SPB Classic road race Quantity: ~2600

Specifications/Description:

2200 White, 400 Safety Yellow (or similar)
Long-sleeve, "tech" shirt. Double layer, smooth finish
Screen printed – maximum six colors on front, single color on back
Artwork provided by purchaser

Comments to Specifications:

Sport-Tek® - Long Sleeve Competitor™ Tee: to include opaque multi-color simulated process imprinting with inks specified for tech shirt imprinting. Because there are colored shirts within the order, our quote accommodates up to 6 colors plus underbase, plus a single color plus underbase thus making the colored shirts a 7 or 8 color front and 2 color back. LogoHQ is highly experienced in providing superior quality products and services to the running and triathlon events markets. Our local, in house production capacity provides work for our local community. After all is carefully considered, LogoHQ is best capable of providing the best overall value for both Event Directors & Volunteers that demand the most efficient option available.

Delivery Schedule: 10 business days after order and art approval.

Price each: \$6.99 (including shipping)

Payment terms/schedule: Net 30 terms

Proposal Validity: Proposal pricing must be valid until 14 days after the event

Submit Proposal To: Sharon Smith, 7701 Boca Ciega Dr. St. Pete Beach, FL 33706; email: recreation@stpetebeach.org

Clarifications/Questions: Sharon Smith, or Al Johnson, 727-543-2794, email alanj@runmsm.com

Phil Ruzicka, President/CEO

Please submit proposals by 5 PM November 15, 2011

St. Pete Beach City Commission
Agenda Report

Issue Considered: Authorize City Manager to hang banners over 75th Avenue at Boca Ciega Drive and over the Pinellas Bayway at Granada Avenue for the Beach Goes Pops Concert.

Date: November 22, 2011

Prepared By: Connie Kest, Administrative Service Assistant

Thru: Steven J. Hallock, Public Services Director

Summary of Issue: David Zavac is requesting permission to have banners erected over 75th Avenue and the Pinellas Bayway announcing the Beach Goes Pops Concert. The City Commission must approve this request prior to receiving permission from FDOT to erect the banners. If approved, the banners will be installed on April 6, 2012 and removed April 23, 2012.

The Public Services Department charges \$184.00 for each banner installed. However, because the City is a sponsor of this event, there will be no charge.

Requested Motion: "I move Authorize City Manager to hang banners over 75th Avenue at Boca Ciega Drive and over the Pinellas Bayway at Granada Avenue for the Beach Goes Pops Concert."

Attachments: Banner Application

Reviewed by
City Manager: MB

APPLICATION TO PLACE BANNERS ON NON LIMITED ACCESS RIGHT OF WAY

FOR FDOT USE ONLY

Permit No.:

APPLICANT INFORMATIONName of Applicant/Organization: Beach Goes Pops Organizing CommitteeAddress: 225 S. 1st St., St. Pete Beach, FL 33706Telephone #: 278-1884 Fax #: _____ E-Mail: Dravac116.comContact person (This person will serve as the contact person for all questions concerning the banner application and placement): DAVID ZAVAC

Address (if different from above): _____

Telephone #: _____ Fax #: _____ E-Mail: _____

Date of Request: _____

LOCATION AND DISPLAY PERIODThis is a request to place ☐ pole banners ☐ street banners ☐ on the right of way of:Highway name & number: 75th AVENUE AND BOCA CIEGA DR. (SR 693)From (south or west limits): 0.096 To (north or east limits): _____Highway name & number: PINELLAS BAYWAY AND GRANADA (SR 682)From (south or west limits): 0.875 To (north or east limits): _____

Highway name & number: _____

From (south or west limits): _____ To (north or east limits): _____

Highway name & number: _____

From (south or west limits): _____ To (north or east limits): _____

Projected installation date: APRIL 6 2012Banners will be removed on or before (if applicable): APRIL 23 2012Signature of Applicant or Contact Person: David Zavac Date: 11-4-11**LOCAL GOVERNMENTAL ENTITY APPROVAL**Name of Local Governmental Entity: CITY OF ST. PETE BEACHName of signing official (please print): MICHAEL P. BONFIELD

Telephone #: _____ Fax #: _____ E-Mail: _____

Signature of local official: _____ Date: _____

CONDITIONS AND STIPULATIONS AGREED TO BY THE APPLICANT

1. Pole banners must be at least 14 ½ feet above the pavement elevation. Street banners must be a minimum of eighteen (18) feet above the pavement elevation.
2. Pole banners will clear the face of the curb (if present) by at least two (2) feet.
3. The applicant (or applicant's designee) will maintain the banners as permitted.
4. The installation of the banners will not require the installation of poles or other support devices on the right of way.
5. The applicant and sponsoring organization will hold the Florida Department of Transportation harmless to the extent allowed by the laws of Florida in all matters concerning the banners and bear all expenses for defense of claims against the Florida Department of Transportation.
6. The applicant is responsible for any damages to public property resulting from the materials or the work of this permit.
7. A sketch of the proposed banners is attached.
8. View of traffic control devices is not impeded to those served by the erection of these permitted banners.

Signature of District Permits
Engineer (or designee): _____

Date: _____

In the block space below, please sketch the lettering/what the banner will say.



Beach Goes Pops - 4-20 / 4-21-2011

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**APPLICATION TO PLACE BANNERS ON NON LIMITED ACCESS
RIGHT OF WAY**

APPLICATION FOR BANNER

AGREEMENT: By signing the reverse of this form, each applicant agrees to the provisions of Section 14-43.001(5)(d), Florida Administrative Code:

1. To the extent provided by law, the Applicant shall indemnify, defend, and hold harmless the Department and all of its officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of any act, error, omission, or negligent act by the Applicant(s), its agents or employees arising from activities under this permit.
2. When the Department receives a notice of claim for damages that may have been caused by the Applicant in the performance of activities that arise under this permit, the Department will forward the claim to the Applicant. The Applicant and the Department will evaluate the claim and report their findings to each other within 14 working days and will discuss options in defending the claim. The Applicant shall bear all expenses for defense of claims against the Department.

REQUIRED ATTACHMENTS:

- A sketch or drawing of the banner(s), drawn to scale, including any message, logo, or emblem that will appear on the banner.
- A sketch of the specific location(s) of the banner(s), including height, location of supports, proximity to utility poles.
- Sketches, photographs, or specific descriptions of the method used to affix the banner to the support structure.
- Load rating analysis (or photocopy of previously-submitted analysis) bearing the seal of a professional engineer.

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: Authorization for the City Manager to renew and continue the existing extended warranties, communications and software support that cover the 34 parking pay stations with vendor Cale Parking Systems for FY12 in the amount of \$47,928.00.

Date: November 22, 2011

Prepared By: Dan O'Connor, Administrative Services Supervisor

Through: Elaine Edmunds – Finance Director

Summary of Issue: This is an annual request for authorization to renew and continue the existing extended warranties, communications and software support that cover the 34 parking pay stations with vendor Cale Parking Systems. For FY12 the costs remain the same and are broken down as follows:

34 extended warranties @ \$62.47 per month each totaling \$25,488.00 for FY12.

34 communications connectivity and software support @ \$55.00 per month each totaling \$22,440.00 for FY12.

Motion: “I move to authorize the City Manager to renew and continue the existing extended warranties, communications and software support that cover the 34 parking pay stations with vendor Cale Parking Systems for FY12 in the amount of \$47,928.00.”

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Attachments: None

**Reviewed by
City Manager:** MB

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: Cancellation of the December 27, 2011 City Commission meeting

Date: November 22, 2011

Prepared By: Michael P. Bonfield, City Manager

Summary of Issue: The second City Commission meeting in December is scheduled for two days after the Christmas holiday and City Hall is closed on Monday, December 26th; therefore, staff recommends cancelling the meeting.

Requested Motion: “I move to approve the cancellation of the December 27, 2011 City Commission meeting.”

Attachments: N/A

St. Pete Beach City Commission
Agenda Report

Issue Considered: Authorization for the City Manager to sign a work proposal from George F. Young, Inc. in the amount of \$25,125 to provide the next level of detail relating to the downtown one-way couplet concept.

Date: November 22, 2011

Prepared By: Steven J. Hallock, Public Services Director

Summary of Issue: The City recently completed a downtown traffic analysis to find new ways to promote quality economic development, enhance alternative transportation modes and pedestrian safety, improve traffic flow and function, and beautify the downtown area. This traffic analysis indicated that a downtown one-way couplet concept is feasible so we are proposing to continue working on the concept in order to provide the next level of detail for the various stakeholders to consider.

City staff has had preliminary meetings with FDOT who are favorable to the concept and held two public meetings (November 11, 2010 and October 4, 2011) to discuss the one-way couplet concept. If this work proposal is approved we will be holding at least two additional public meetings to discuss additional details and provide graphics that we hope will allow everyone to visualize how the concept will work.

Requested Motion: "I move to authorize the City Manager to sign a work proposal from George F. Young, Inc. in the amount of \$25,125 to provide the next level of detail relating to the downtown one-way couplet concept."

Attachments: GFY Work Proposal

Reviewed by
City Manager: MB



George F. Young, Inc.

CLIENT AND CONSULTANT PROFESSIONAL SERVICES TASK ORDER AGREEMENT MASTER CONTRACT NO. 10Y01900SC

This task assignment is authorized this _____ day of _____, 2011, the effective date, for the attached Scope of Services and associated fees bound by the Agreement by and between George F. Young, Inc. and the City of St. Pete Beach executed on January 27, 2010:

CONSULTANT:

George F. Young, Inc.

Address:

299 Dr. Martin Luther King Jr. St. N.
St. Petersburg, FL 33701

Telephone: 727-822-4317

Email: gotwald@georgefyoung.com

Fax: 727-822-2919

CLIENT:

City of St. Pete Beach, Florida
Attn.: Steve Hallock

Address:

155 Corey Avenue
St. Pete Beach, FL 33706

Telephone: 727-363-9248

Email: s.hallock@stpetebeach.org

Fax: 727-367-2736

Project Name: Downtown One-Way Couplet – Detail, Parking, Signals, Signing and Marking Plans

Name and Address of Record Owner of Property (if other than Client):

N/A

The property upon which the services hereinafter described are to be performed is located at:

Various intersections within the St. Pete Beach city limits, downtown area.

Client intends to Provide Traffic Engineering services through sub-consultant LPA Group, Inc. as further described
In Exhibit "A"

(“the project”)

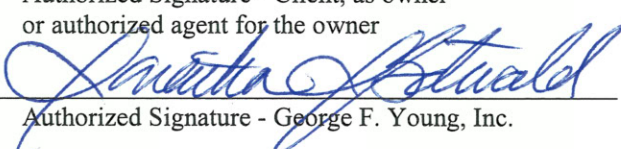
ACCEPTANCE

By execution of this agreement Client accepts the scope of services and associated fees hereof, acknowledges receipt of a copy hereof, including all exhibits, and authorizes Consultant to proceed with the work.

IN WITNESS THEREOF, the parties hereby execute this agreement upon the terms and conditions stated hereon and on the date first above written.

Accepted by: _____
Authorized Signature - Client, as owner
or authorized agent for the owner

Date: _____

Accepted by: 
Authorized Signature - George F. Young, Inc.

Date: 11/14/2011



George F. Young, Inc.

EXHIBIT A BASIC SCOPE OF SERVICES

George F. Young, Inc. will provide contract management and subconsultant liaison services for Gulf Boulevard and Blind Pass Road – Downtown One-way Couplet Traffic Engineering services.

The complete scope of these services provided by the Subconsultant (LPA Group, Inc.) includes:

Based upon the Commission workshop, which includes public comments, and per the direction of the City Manager and Public Services Director, by e-mail dated October 24, 2011, the following scope is proposed:

George F. Young, Inc.

Contract management and attendance at two (2) public meetings as outlined in Item 8 will be provided by George F. Young, Inc., totaling an estimated five (5) hours.

LPA Group, Inc.:

	<u>Fees</u>
1. LPA to integrate the Blind Pass Road (BPR), FDOT improvements, into the overall plan view aerial (GRAPHIC) as provided at the 10 04 11 workshop.	\$ 1,750
2. LPA to revise the GRAPHIC of the raised landscaped median on Gulf Boulevard at 73 rd Avenue to accommodate a northbound left turn movement. (Included in item 3)	\$ 0
3. LPA to provide a total of six (6) to scale large detail overall plan view aerials (GRAPHIC) of each intersection within the study area bounded by Gulf Boulevard, 73 rd Avenue, Blind Pass Road and 75 th Avenue.	\$12,000
4. LPA to provide an update to the traffic model to include distribution of traffic on Corey Avenue.	\$ 750
5. LPA to provide street view artist sketches/renderings (total of three (3) in color along Gulf Blvd., BPR, 75 th Ave., and East and West Corey. Sketches to be accomplished in color on 11x17 in CADD for reproduction in the future.	\$6,250
6. LPA to integrate the bus transfer location. (Included in item 3)	\$ 0
7. LPA to demonstrate how construction may be phased on a separate GRAPHIC similar to aerial downtown view.	\$ 1,500
8. LPA team to attend and speak at the next two (2) public meetings and prepare a power point presentation based upon City staff approval of the slides to be used from scope items 1 - 8.	\$ 1,600
9. LPA to provide two gloss plan aerial (GRAPHIC) view of items 1 – 7 and the second (GRAPHIC) of item 8. (Aerial that show all of the various projects in the area.)	\$ 500

Schedule: The GFY and LPA team can prepare scope items 1 – 8 and attend two meetings with the City prior to scope item 9 within four (4) weeks of a notice to proceed, work order from GFY. Scope item 9 schedule will be based upon City time frames.



George F. Young, Inc.

EXHIBIT B

CLIENT'S RESPONSIBILITIES

Article 3 of the Master Agreement is amended and supplemented to include the following agreement of the parties

In addition to other responsibilities of CLIENT as set forth in the Master Agreement, CLIENT shall:

NONE.



George F. Young, Inc.

EXHIBIT C

COMPENSATION SCHEDULE

Client shall pay Consultant for Basic Services set forth in Exhibit A in accordance with item A below:

A: LUMP SUM

1. A Lump Sum amount of \$25,125.00 based upon the following assumed distribution of compensation:

Contract Management (GFY):	\$ 775.00
Documents and Exhibits (LPA Group, Inc.)	\$ 24,350.00

2. Consultant may alter the distribution of compensation between the individual phases noted herein to be consistent with services actually rendered but shall not exceed the total Lump Sum amount for the Basic Services unless approved by the Client.
3. The portion of the Lump Sum amount billed for Consultant's services will be based upon Consultant's estimate of the proportion of the total services actually completed during the billing period to the Lump Sum.

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: Second Reading and Public Hearing of Ordinance 2011-32

Date: November 22, 2011

Prepared By: Catherine Hartley, AICP, CNU-A, Senior Planner

Summary of Issue: At the recommendation of the City's legal counsel, staff has proposed an ordinance repealing and re-adopting the Land Development Code (zoning) standards for the TC-1 and LR zoning districts (Town Center Core and Large Resort, respectively). Given this opportunity, staff has recommended some minor changes between that which was adopted in 2008 and that which is currently proposed for adoption. The purpose of the changes is to streamline and clarify the language, remove redundancy, and remove some internal inconsistencies with other section of the code.

The Planning Board reviewed the proposed ordinance at their regular meeting on October 26, 2011. The Board recommended approval of the ordinance by a 4-0 vote. The City Commission unanimously approved the ordinance on 1st reading.

Requested Motion: "I move to approve Ordinance 2011-32 (read title)"

Attachments: Ordinance 2011-32.

Reviewed by City Manager: MB

CITY OF ST. PETE BEACH

ORDINANCE NO. 2011-32

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENTS TO THE LAND DEVELOPMENT CODE AS THEY RELATE TO THE COMMUNITY REDEVELOPMENT DISTRICT; REPEALING DIVISION 30 TC-1 AND DIVISION 35 LR, AND ADOPTING NEW DIVISIONS 30 TC-1 AND 35 LR, REGULATING LAND DEVELOPMENT STANDARDS INCLUDING BUT NOT LIMITED TO PERMITTED AND PROHIBITED USES, DENSITY, INTENSITY, HEIGHT, AND OTHER RELATED SITE DESIGN REGULATIONS AS ILLUSTRATED IN EXHIBIT “A”; 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 Commission of the City St. Pete Beach adopted a large scale comprehensive plan amendment, establishing what is known as the Community Redevelopment District via Ordinance 2011-19; and

WHEREAS, 163.3202 Florida Statutes, requires local governments to adopt land development regulations consistent with its adopted comprehensive plan; and

WHEREAS, the Planning Board of the City of St. Pete Beach conducted a public hearing on October 26, 2011 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, City Commission of the City of St. Pete Beach conducted public hearings on November 8 2011 and November 22, 2011, 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 text amendment to the Land Development Code to be Consistent with the Goals, Objectives, and Policies of the Comprehensive Plan; and

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

Section 1. The Land Development Regulations are hereby amended as shown in “Exhibit 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 MCFARLIN, MAYOR

LPA NOTICE PUBLISHED: 10/12/2011 and 10/19/2011

LPA PUBLIC HEARING: 10/26/2011

FIRST READING: 11/8/2011

PUBLISHED: 11/2/2011

SECOND READING/ADOPTION HEARING: 11/22/2011

PUBLISHED : 11/13/2011

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 _____ day of _____, 2011

Rebecca Haynes, City Clerk

Exhibit "A"

DIVISION 30 TC-1 TOWN CENTER CORE DISTRICT

Sec. 30.1. Purpose and intent.

The TC-1 Town Center Core District is established as the government and business center of the city and is intended to support medium to high intensity land uses. The Town Center Core District exists to accommodate neighborhood commercial uses and downtown residential development in a pedestrian friendly environment. Residential uses will only be permitted as a component of a mixed-use development and shall not be allowed on the ground level of any structure.

(Ord. No. 2008-13, § 1, 6-3-08)

Sec. 30.2. 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 TC-1 Town Center Core District are as follows:

- (a) Financial institutions without drive-through service.
- (b) Government buildings and other public facilities, including parks and recreation facilities.
- (c) General and professional office uses.
- (d) Personal service businesses such as barbershops, beauty shops, tailoring, garment alteration and repair, shoe repair, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact.
- (e) Printing and copying.
- (f) Residential uses as a component of mixed-use development only. Residential uses shall not be allowed on the ground level of any structure.
- (g) Eating and drinking establishments, including bars, cocktail lounges, nightclubs or saloons. Drive-through service is not allowed.
- (h) Retail trade establishments.
- (i) Theaters, cinemas and other indoor commercial entertainment facilities.
- (j) Artist studios with retail and/or wholesale distribution space for artist's original handmade works, excluding mass produced or manufactured products.

(Ord. No. 2008-13, § 1, 6-3-08)

Sec. 30.3. 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 30.5.
- (b) Home occupations, subject to the conditions set forth in section 6.5 of this Code.
- (c) Temporary structures under the provisions of section 6.11 of this Code.

(Ord. No. 2008-13, § 1, 6-3-08)

Sec. 30.4. Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the TC-1 Town Center Core District are as follows:

- (a) Automobile service stations with related services. Such uses shall only be allowed on lots which front directly on 75th Avenue.

~~(b) Financial institutions with drive-through service.~~

~~(c) Pharmacies with drive-through service.~~

~~(d) Outdoor restaurant seating.~~

~~(e) Public or private parking structures.~~

~~(f) Public transit facilities.~~

~~(g) Bed and breakfast inns subject to the following:~~

~~1. In addition to any density and intensity which may be allowed, the city shall also establish a reserve of units, not to exceed 50 total temporary lodging units for the entire Town Center Core District, which shall be allocated by ordinance of the city commission upon request of an individual property owner. Such allocation shall not exceed ten units per acre, or a total of ten units per redevelopment project. The remaining number of available reserve temporary lodging units shall be specified in each city commission ordinance allocating such units and each such ordinance shall provide that no units beyond those remaining available shall be allocated to any subsequent project. 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.~~

~~2. All bed and breakfast inns shall comply with the provisions of sections 2.1 and 6.2, of this Code. In addition, all bed and breakfast shall comply with the temporary lodging use operational and occupancy restrictions, limitations and prohibitions contained in division 39.~~

~~(Ord. No. 2008-13, § 1, 6-3-08)~~

~~Sec. 30.5. Prohibited uses and structures.~~

~~All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the TC-1 Town Center Core District.~~

~~Any use which has been determined under the provisions of Chapter 46 of the Code of Ordinances to be potentially noxious, dangerous or offensive to residents of the district or to those who pass by on public roadways, or are likely for other reasons to be incompatible with the character of the district, is hereby prohibited in the TC-1 Town Center Core District. Uses which are not listed as permitted shall be prohibited, including the following:~~

~~(a) Automatic food and drink vending machines, newspaper vending machines at frontage lines.~~

~~(b) Any commercial use, which encourages patrons to remain in their automobiles while receiving goods or services.~~

~~(c) Manufacturing, storage or distribution as a primary use, except artisanal uses.~~

~~(d) Enameling, painting, or plating, except as an artist's studio. Such use must be limited exclusively to the interior of the structure.~~

~~(e) General advertising signs or billboards.~~

~~(f) Carting, moving or hauling yards.~~

~~(g) Prisons, detention centers or halfway houses.~~

~~(h) The manufacture, storage, or disposal of any hazardous wastes or materials.~~

~~(i) Scrap yards.~~

~~(j) Kennels, except as an ancillary use to police station.~~

~~(Ord. No. 2008-13, § 1, 6-3-08)~~

~~Sec. 30.6. General requirements.~~

- (a) ~~Street level uses shall consist exclusively of commercial floor area and internal parking. Functional retail street frontage shall be required for the entire length of any site abutting a "Main" street or "A" street.~~
- (b) ~~Residential uses are permitted only above the street level and only as part of a mixed-use project consisting of a non-residential component (exclusive of parking). Only one story of residential occupancy may be established in any structure and is limited to the second level of two-story mixed-use retail/residential project; or the third level of mixed-use project.~~
- (c) ~~The second level of a nonresidential use or three-story mixed-use project may provide retail or office uses.~~
- (d) ~~The street face of the second and third stories of all structures shall provide a minimum six-foot depth of unenclosed porch or balcony.~~
- (e) ~~A functional arcade overhanging the public sidewalk shall be established along "Mainstreet" frontage consistent with the physical design of existing "Mainstreet" properties.~~
- (Ord. No. 2008-13, § 1, 6-3-08)

~~Sec. 30.7. Density and intensity.~~

- (a) ~~Single use or multi-tenant non-residential uses shall not exceed a FAR of 1.00, exclusive of the area of any structured parking.~~
- (b) ~~The residential density of mixed-use developments shall not exceed 15 units per acre.~~
- (c) ~~Mixed-use developments with at least one level of residential use shall receive an additional FAR of 0.45, for a total allowable FAR of 1.45.~~
- (d) ~~Both maximum commercial FAR and maximum residential density shall be available based upon the entire site area, and the presence of one shall not limit the density or intensity of the other.~~
- (Ord. No. 2008-13, § 1, 6-3-08)

~~Sec. 30.8. Building height.~~

- (a) ~~A two-story mixed-use development with a residential or office use on the second level, shall not exceed 28 feet in height, subject to the restrictions and limitations set forth in division 39 and section 7.2(k) of this Code.~~
- (b) ~~A three-story mixed-use development with a residential component on the third level, shall not exceed three stories or 40 feet in height, subject to the restrictions and limitations set forth in division 39 and section 7.2(k) of this Code.~~
- (c) ~~Single use or multi-tenant non-residential structures shall not exceed two stories or 28 feet in height, subject to the restrictions and limitations set forth in division 39 and section 7.2(k) of this Code.~~
- (Ord. No. 2008-13, § 1, 6-3-08)

~~Sec. 30.9. Setbacks.~~

~~TABLE INSET:~~

Front yard:—	0 feet minimum; 5 feet maximum on "Mainstreet"—
—	5 feet minimum; 15 feet maximum on all other streets.—
Side yard:—	0 feet on "Mainstreet"—

—	10 percent of lot width on each side on all other streets.—
Rear yard—	5 feet on "Mainstreet"—
—	10 feet on all other streets.—

(Ord. No. 2008-13, § 1, 6-3-08)

~~Sec. 30.10. Maximum impervious surface ratio.
Maximum impervious surface ratio (ISR) for all uses shall not exceed 0.90.
(Ord. No. 2008-13, § 1, 6-3-08)~~

~~Sec. 30.11. Other development standards.
All other development standards are contained in division 39 providing for Redevelopment Area General Standards.
(Ord. No. 2008-13, § 1, 6-3-08)~~

~~DIVISION 35 (LR) LARGE RESORT DISTRICT~~

~~[Sec. 35.1. Purpose and intent.](#)
[Sec. 35.2. Definitions.](#)
[Sec. 35.3. Permitted principal uses and structures.](#)
[Sec. 35.4. Permitted accessory uses and structures.](#)
[Sec. 35.5. Prohibited uses and structures.](#)
[Sec. 35.6. Easements.](#)
[Sec. 35.7. Density and intensity.](#)
[Sec. 35.8. Building height.](#)
[Sec. 35.9. Setbacks.](#)
[Sec. 35.10. Temporary lodging amenity requirements and restrictions.](#)
[Sec. 35.11. Maximum impervious surface ratio \(ISR\).](#)
[Sec. 35.12. Energy and environmental building and site design standards.](#)
[Sec. 35.13. Community involvement.](#)
[Sec. 35.14. Other development standards and administrative site plan approval.](#)~~

~~Sec. 35.1. Purpose and intent.~~

~~(a) *Location and character.* The Large Resort District is a nine-mile strip of land located on the west side of Gulf Boulevard from the County park (46th Ave) northward to 64th Avenue, containing 65.16 acres of land or approximately five percent of the total land area of the city. The area is devoted almost exclusively to larger full-service temporary lodging uses; however there are existing high-rise multi-family residential condominiums in the district that likely will not be redeveloped in the foreseeable future. It is anticipated that no more than eight large resort projects potentially could be developed or redeveloped in the Large Resort District, it could be less if parcels are assembled into one unified development scheme.~~

~~The Large Resort District is intended to primarily support and encourage full-service integrated resort redevelopment projects to promote economic balance and compatibility of land uses. Large Resort District regulations provide higher density and intensity of temporary lodging use than provided in any other district in the city to support and encourage redevelopment of resort hotels where they primarily exist today and in consideration of the larger size and depth of the parcels that are adjacent to the Gulf beaches and allow greater setbacks from, as well as access to, Gulf Boulevard, a 4-lane State Road and evacuation route.~~

~~(b) Existing temporary lodging use density limitations effect redevelopment.~~ Gulf front properties had a significant percent of their property up to 67 percent and averaging 33 percent, designated preservation in 2003 by the city to comply with Countywide Plan rules. The existing temporary lodging properties located within the Large Resort District lost approximately 16.5 acres to the city's implementation of the countywide preservation designation in 2003. Prior to 2003, those 16.5 acres were calculated by the city for density purposes at 30 temporary lodging units per acre. As a result, 495 potential temporary lodging units were lost after November 2003.

The result left all of the city's Gulf front hotels non-conforming and therefore unable to build back the existing temporary lodging accommodation units in the event of a natural disaster or catastrophic event. The reduction of acreage by government regulation for every property abutting the Gulf beaches in 2003 created a significant disconnect between the number of units actually built on the ground as compared to the number of units that are potentially allowed under the current land development regulations. This circumstance is referred to as non-conforming density for a permitted land use.

The existing as-built density on the ground in the Large Resort District averages approximately 50 hotel units per acre, some properties are more, some just slightly less. One hotel property is already over 80 units per acre as it is built today. However, the current land use and zoning classifications only allow 30 units per acre, or roughly 60 percent or less of the number of units actually built. The result is that every single existing hotel and motel along the west side of Gulf Boulevard has a non-conforming density.

Non-conforming density status prohibits the rebuilding of the existing number of units in the event of a natural disaster or catastrophic event; and also precludes or severely limits financing or refinancing needed for reinvestment in these aging properties. Reinvestment into non-conforming properties is not practical or feasible unless a portion of the property is sold off as residential condominiums to raise capital for reinvestment. The non-conforming status of these temporary lodging properties as they continue to age and reach functional obsolescence, only serves to encourage redevelopment as residential condominiums, unless a regulatory remedy is adopted.

~~(c) Purpose of temporary lodging unit density increase is to eliminate non-conforming density and economic disparity.~~ Density for temporary lodging use in this district has been limited to the minimum that will provide comparatively equal market value between multi-family residential use and temporary lodging use for purposes of redevelopment. Initially, the need to increase temporary lodging use density from 30 units per acre to 50 units per acre is to reconcile the as-built density which averages between 45-52 units per acre with the city's land use and zoning regulations. The initial base level increase to 50 temporary lodging units per acre primarily allows a property owner the option to rebuild an existing temporary lodging facility in the event of destruction by a catastrophic event.

Any additional increase in density above 50 temporary lodging units per acre are a direct result of market conditions that value land for one beachfront residential condo to be equivalent in value to land for 5-6 beachfront hotel rooms. This creates an enormous economic disparity that is causing high rise residential development to overtake the beaches in waterfront communities all over the State. Pinellas County alone has seen a loss of 5,000 of its 40,000 hotel rooms and thousands of tourist related jobs from 2002-2006. The only way to eliminate all or most of that economic disparity with the goal of preserving our heritage as a resort destination with temporary lodging facilities that are the keystone of a tourist-based economy, is to level the economic playing field by increasing density for temporary lodging use only.

Thus, the increase from 50 to 75 temporary lodging units per acre will only be permitted for comprehensive redevelopment that provides full-service large-scale temporary lodging facilities to encourage redevelopment of destination resort facilities as a viable economic alternative long-term. These temporary lodging uses will form the basis of the local economy and work to shifting the current disproportionate tax burden away from residents and back to commercial properties in a healthy sustainable proportionate ratio.

~~(d) Purpose of height increase for temporary lodging use only.~~ The height increase for temporary lodging uses only is a direct result of needing additional space to accommodate the increased temporary lodging use density and extensive list of amenities required both by division 35 as well as current market conditions to create a destination family resort and attract visitors that have choices in a global travel market that were not available just ten years ago. The increased height will only be allowed for comprehensive redevelopment on parcels that are three acres or greater. The height increase will allow more open space between buildings, more green space, greater setbacks from Gulf Boulevard, wider sidewalks and landscaping, that combined are intended to avoid a "canyon" effect down Gulf Boulevard and preserve access to the beaches for all of our residents.

~~(e) Limitations and restrictions on residential condominium development.~~ To promote temporary lodging redevelopment and discourage residential condominium development along the Gulf beaches, density for exclusively residential condominiums is reduced from a maximum potential 18 residential dwelling per acre approved in the 1998 Comprehensive Plan to 15 dwelling units per acre in the LR District. In addition, existing height restrictions for multi-family residential use in the LR District remains unchanged.

~~(Ord. No. 2008-11, § 1, 6-3-08)~~

Sec. 35.2. Definitions.

The following term is defined and shall apply to development and redevelopment within the Large Resort District only:

~~Large-scale development.~~ Shall mean development or redevelopment of a buildable site that:

- ~~a. Is three acres in size or greater; and~~
- ~~b. New construction exceeds 67 percent of the combined aggregate floor area of new and existing principal buildings, structured parking and accessory structures that constitute the entire unified development scheme on the buildable site.~~

~~(Ord. No. 2008-11, § 1, 6-3-08)~~

Sec. 35.3. 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 LR District are as follows:

~~(a) Primary uses.—~~

~~(1) Temporary lodging uses, including hotels, motels, resort condominium hotels, as further defined in division 2 and this division 35.~~

~~(2) Multi-family residential use.~~

~~(b) Secondary uses.—~~

~~(1) Small-scale commercial and office uses may be developed as an additional nonresidential use bonus floor area that is not located within the principal building, provided that the project,~~

subject to the limitations contained in section 35.7(d)(6) and further provided, that the project contains a minimum of 200 temporary lodging units and may include:

- (i) ~~Retail trade establishments.~~
 - (ii) ~~Eating and drinking establishments, including bars and cocktail lounges.~~
 - (iii) ~~Indoor commercial entertainment facilities.~~
 - (2) ~~Multi-family residential use as a secondary use only to a temporary lodging use that contains a minimum of 200 temporary lodging units.~~
- (Ord. No. 2008-11, § 1, 6-3-08)

Sec. 35.4. 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 35.5. A temporary lodging use may include accessory uses, such as recreational facilities, restaurants, bars, and other eating and drinking establishments, as well as personal service uses, retail uses, meeting space, fitness centers, spa facilities, parking structures, on-site workforce living accommodations and other uses commonly associated with temporary lodging uses.~~
 - (b) ~~Home occupations for residential use only, subject to the conditions set forth in section 6.5 of this Code. Home occupational licensing shall be prohibited for any temporary lodging unit and any affordable workforce living accommodation.~~
 - (c) ~~Temporary structures under the provisions of section 6.11 of this Code.~~
- (Ord. No. 2008-11, § 1, 6-3-08)

Sec. 35.5. Prohibited uses and structures.

~~All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the LR District. Temporary lodging uses are further restricted and limited by the provisions contained in division 39.6 relating to operational and occupancy prohibitions, limitations and restrictions that shall include a legally enforceable recordable covenant for use and occupancy prohibitions associated with temporary lodging uses.~~

~~Any use which has been determined under the provisions of Chapter 46 of the Code of Ordinances to be potentially noxious, dangerous or offensive to residents of the district or to those who pass by on public roadways or likely for other reasons to be incompatible with the character of the district, is hereby prohibited in the LR District.~~

(Ord. No. 2008-11, § 1, 6-3-08)

Sec. 35.6. Easements.

- (a) ~~Sidewalk easement and construction.—~~
- (1) ~~In general.~~ The city may require construction or reconstruction of sidewalk improvements along Gulf Boulevard if a sidewalk does not exist or the existing sidewalk does not comply with the standards established in division 39. The sidewalk location, design and construction standards shall be determined during the site plan approval process in accordance with division 39 and made a condition of site plan approval. All reasonable efforts shall be made to integrate the on-site location with the off-site locations of existing sidewalks to provide a continuous safe pedestrian sidewalk as part of a Gulf Boulevard Improvement Program or Master Boulevard Streetscape Plan, as determined by the city. This easement shall be included in the density or

intensity calculations for the development site. Off-site sidewalk construction costs shall be eligible for credits against community improvements impact fees, as may be required.

(2) ~~All large-scale development and all development that exceeds 75 percent of the buildable site and is adjacent to boulevard shall be required to dedicate to the city a ten-foot easement generally along the existing front property line of the development site.~~

(3) ~~All other development not described in scenario (a)1. above, may be required to dedicate sidewalk easements along Gulf Boulevard if the buildable site is adjacent to Gulf Boulevard and existing site conditions and redevelopment plans permit the location of such easements that can be integrated into the redevelopment site plan without undue hardship to the property owner. For example, the property owner shall not be required to demolish existing site improvements or create or expand non-conformities to accommodate the dedication of an easement or construction of a sidewalk.~~

(b) ~~Utility easements.~~ All development in the LR District, regardless of size or use, may be required to provide a utility easement to accommodate the relocation of above-ground utilities to below-ground in a location and width determined by the city during the site plan approval process and if required, shall be a condition of site plan and building permit approval. This easement shall be included in the density or intensity calculations for the development site.

(c) ~~Relocating utilities below ground.~~ On-site overhead utilities shall be placed underground as part of all development projects and shall be a condition of site plan and building permit approval.

(d) ~~Public beach access easement.~~

(1) ~~In general.~~ The design and location of public beach access shall:

a. ~~Accommodate foot traffic and wheelchair access only and shall be directed to marked paths or dune walkovers in order to protect the dune system; and~~

b. ~~Wherever practical and feasible, be located in coordination with existing or future planned trolley stops. Additional width fronting Gulf Boulevard to accommodate a trolley stop may be required; and~~

c. ~~Wherever practicable and feasible, be located in coordination with existing or proposed pedestrian crosswalks, pedestrian and bike pathways for Gulf Boulevard; and~~

d. ~~Any public beach access easements and other design elements required pursuant to 35.6(d)1.-5. shall be a condition of site plan and building permit approval. Any easement required shall be included in the density or intensity calculations for the development site.~~

(2) ~~Large-scale temporary lodging use~~ as defined in section 35.2 shall provide:

a. ~~At least one functional public beach access a minimum of ten feet average width if:~~

(i) ~~New construction exceeds 67 percent or more of the total aggregate floor area located on the buildable site; and~~

(ii) ~~The buildable site is at least three gross acres in size; and~~

(ii) ~~The buildable site has a westerly boundary abutting the Gulf beaches or is part of an overall unified development that has a westerly boundary abutting the Gulf beaches.~~

b. ~~Abutting property owners will be encouraged to combine public beach access on adjacent boundaries in the site design process to maximize the width and meaningful public access to the Gulf beaches wherever possible. Any combined public beach access shall be a minimum average width of 15 feet.~~

c. ~~The public beach access area fronting Gulf Boulevard shall be designed to include distinctive sidewalk materials such as pavers or colored imprinted concrete to create a small pedestrian entrance plaza area. A small pavilion or other design element that provides shade and protection~~

from the sun and rain, bicycle racks and other street furniture including but not limited to lighting, benches and trash receptacles, public art or other pedestrian amenities are strongly encouraged in the public beach access entrance area from Gulf Boulevard and at least four such elements shall be required and determined in the site plan review and approval process.

(3) All other development that does not meet the requirements for large-scale development defined in section 35.2 is subject to the following:

a. A functional public beach access may be required that shall not exceed seven feet average width for temporary lodging use redevelopment projects if:

(i) New construction is less than 67 percent and 50 percent or more of the total aggregated floor area located on the buildable site; and

(ii) Has a westerly property boundary abutting the Gulf beaches; and

(iii) Only if the conditions of site redevelopment permit its location without causing undue hardship on the property owner as a result of existing site conditions that may impede the reasonable location of an easement for the public that can be integrated with the overall site development.

b. Abutting resort owners will be encouraged to combine public beach access on adjacent boundaries in the site design process to maximize the width and meaningful public access to the Gulf beaches wherever possible but shall not be required to exceed a maximum combined width of ten feet.

c. The public beach access area fronting Gulf Boulevard shall be designed to include distinctive sidewalk materials such as pavers or colored imprinted concrete to create a small pedestrian entrance plaza area. A design element that provides shade and protection from the sun and rain, bicycle racks and other street furniture including but not limited to lighting, benches and trash receptacles, public art or other pedestrian amenities are strongly encouraged in the public beach access entrance area from Gulf Boulevard and at least two such elements shall be required and determined in the site plan review process and made a condition of final site plan approval.

(e) *Gulf beach boardwalk easement.* All development in the LR District, regardless of size or use, may be required to provide a minimum ten foot width easement for the potential development of a trail or boardwalk along the Gulf beach side of the property, westward of the Florida Coastal Construction Control Line through the execution of easements or by other means agreeable to the city. The need for any such easements shall be determined during the site plan review process and such review shall consider whether or not an easement at that location will adversely impact the coastal environment or raise conservation concerns, and whether or not that location provides an opportunity for a continuous uninterrupted boardwalk or trail system that furthers city plans to construct a trail or boardwalk pedestrian beach system.

(f) *Easement form and recording.* The location and size of the easements required pursuant to section 35.6 shall be determined during the administrative site plan approval process and may be a condition of site plan and building permit approval. Any such easements shall be approved as to content, form and legality by the city and shall be recorded in the public records of Pinellas County at the time of building permit approval.

(Ord. No. 2008-11, § 1, 6-3-08)

Sec. 35.7. Density and intensity.

(a) *In general, density and intensity calculation.* Density and intensity shall be calculated on the basis of those portions of the site which are landward of the Florida Coastal Construction Control Line.

~~(1) Limitations on mixed-use development density.~~ Residential and temporary lodging units are permitted to be developed as separate buildings within the same development site; or combined within one building provided that a minimum of 200 temporary lodging units shall be constructed on the development site subject to the height limitations provided in section 35.8. Density shall be calculated based upon the pro rata acreage allocated to each land use.

~~(2) Limitations on temporary lodging use density.~~ For the purposes of this division, lockout temporary lodging units shall count against specified density limitations. A lockout unit shall be defined as a room or rooms with sanitary facilities, with or without cooking facilities, which is attached and has access to a temporary lodging unit by means of a door or doors that are lockable from within the lockout unit, and that has a separate lockable access to the public areas or corridors. A lockout unit is capable of being functionally separated from the temporary lodging unit to which it is attached and rented as a separate room.

~~(b) Density.~~

~~(1) Existing development and all development that does not meet the minimum requirements of large scale development defined in section 35.2 above shall not exceed the following density:~~

~~a. 50 temporary lodging accommodation units per acre; or~~

~~b. 15 residential units per acre; and~~

~~c. Variances to increase density shall be prohibited.~~

~~(2) Large scale development as defined in section 35.2 above shall not exceed the following density:~~

~~a. 75 temporary lodging units per acre excluding any affordable housing bonus that may be approved pursuant to 35.7(b)(3) below; or~~

~~b. 15 residential units per acre; or~~

~~c. A combination of residential and temporary lodging units which shall be prorated on an acreage basis allocated to each use, provided that a minimum of 200 temporary lodging units will be constructed on the development site; and~~

~~d. Variances to increase density shall be prohibited.~~

~~(3) Affordable housing density bonus.~~ An affordable housing density bonus shall be permitted for large scale temporary lodging use as defined in section 35.2 as follows:

~~a. A temporary lodging unit density bonus shall be permitted up to, but shall not exceed, under any circumstances whatsoever, an additional five bonus units per acre and an additional 0.2 floor area ratio to accommodate the additional temporary lodging units for a defined large scale resort redevelopment;~~

~~b. Temporary lodging accommodation density bonus units or on-site affordable workforce living accommodations provided in compliance with the general or large resort affordable housing mitigation programs, as applicable, shall not be subject to general or additional large resort affordable housing mitigation fees or other program requirements, as may be required in division 40 of this Code;~~

~~c. Any on-site affordable workforce living accommodations shall be deemed an accessory or ancillary use to defined large scale temporary lodging use and shall be exempt from maximum density and floor area ratio standards and shall be subject to the same hurricane closure and evacuation plan approved for the temporary lodging facility;~~

~~d. Any on-site affordable workforce living accommodations shall be prohibited from being advertised or otherwise used for guest temporary lodging or home occupational licensing purposes; and shall be exclusively used for providing affordable on-site living accommodations~~

for employees eligible for low income or very low income status as defined by the applicable county and city rules and guidelines;

e. ~~A legally enforceable restrictive covenant in a form and content acceptable to the city shall be required as a condition of site plan approval and recorded in the public records of Pinellas County upon issuance of a building permit setting forth the restrictions provided in subsections (i)d. above.~~

~~(c) Prohibition on conversion. Temporary lodging units existing, or approved to be developed or redeveloped in the LR District shall be prohibited from converting to residential dwelling units that exceed the density limitation of 15 residential dwelling units per acre; and further, shall be subject to the additional occupancy, operation and use restrictions and prohibitions contained in division 39.6.~~

~~(d) Intensity. —~~

~~(1) Existing temporary lodging use and development of temporary lodging use that does not satisfy the requirements of a large scale development as defined in section 35.2., shall calculate intensity as follows: Floor area ratio shall include indoor amenities and shall exclude structured parking, approved on-site affordable workforce living accommodations and outdoor amenities such as tennis courts, pools, and the like; and subject to the foregoing, intensity shall not exceed the following:—~~

~~a. Floor area ratio of 1.8; and~~

~~b. The preceding intensities may include the normal ancillary residential area for on-site security, maintenance and management and normal ancillary non-residential guest facilities; and~~

~~c. Freestanding nonresidential uses shall be prohibited; and~~

~~d. Variances to exceed the maximum floor area ratio above as established in this future land use plan shall be prohibited.~~

~~(2) Large scale temporary lodging use. Floor area ratio shall include indoor amenities and exclude structured parking, approved on-site affordable workforce living accommodations, and outdoor amenities including but not limited to: tennis courts, pools, and the like. Subject to the foregoing, intensity shall not exceed the following:—~~

~~a. Floor area ratio of 2.6; and~~

~~b. As a bonus, secondary commercial uses provided in section 35.3(b)(1) that serve the general public may be constructed but shall not exceed an additional floor area ratio of 0.15 of the buildings site, subject to the restrictions and limitations contained in 35.7(d)(6); and~~

~~c. The preceding intensities may include the normal ancillary residential area for on-site security, maintenance and management and normal ancillary non-residential guest facilities; and~~

~~d. Variances to exceed the maximum floor area ratio above as established in this future land use plan shall be prohibited.~~

~~(3) Density/intensity standards for large scale mixed use development. A development that provides a minimum of 200 temporary lodging units may include a secondary residential use component for a mixed use development project; density and intensity shall be determined on a pro-rata basis per acre allocated to each use based on the preceding densities and intensities.~~

~~(4) Building mass limitations on temporary lodging use or mixed use development. The area of each of the first three stories of any building in all temporary lodging use or mixed use development shall not exceed 85 percent of the buildable area of the development site. Buildable area shall be defined as total lot area minus any areas excluded by building setback requirements or other development controls, such as the applicable Florida Coastal Construction Control Line.~~

~~(5) *Building mass limitations on residential use.* The building footprint area for any building developed exclusively for residential use shall not exceed 70 percent of the buildable area of the site. Buildable area shall be defined as total lot area minus any areas excluded by building setback requirements or other development controls, such as the applicable Florida Coastal Construction Control Line.~~

~~(6) *Building limitations on bonus secondary commercial uses.* Secondary uses defined in section 35.3(b)(1) shall not be located within the principal temporary lodging building(s) and shall be located facing and adjacent to Gulf Boulevard in a building that is accessible primarily by the pedestrian at street level. Secondary commercial uses may be contained in a freestanding nonresidential building or may be located within a liner retail building facing and accessible to Gulf Boulevard and connected to a parking structure designed to conceal the parking facility from Gulf Boulevard. The parking structure with liner retail may or may not be connected to a main principal building located on-site with pedestrian bridges or other structured walkways.~~
(Ord. No. 2008-11, § 1, 6-3-08)

Sec. 35.8. Building height.

~~(a) *Restrictions and limitations.* The maximum height for each use within the LR District, subject to the height limitations set forth in section 7.2(k) of this Code, shall not exceed:-~~

~~(1) *Residential use only.* Building height shall not exceed 50 feet above base flood elevation regardless of development site size for any building containing residential units only.~~

~~(2) *Mixed temporary lodging/residential uses in same building.* Building height shall not exceed 50 feet above base flood elevation regardless of development site size for any building containing temporary lodging units and residential units.~~

~~(3) *Temporary lodging use only.*—~~

~~a. Development of a temporary lodging use that does not exceed 50 units per acre shall not exceed eight stories or 100 feet above base flood elevation.~~

~~b. Large scale development of a temporary lodging use that exceeds 50 units per acre shall not exceed 12 stories maximum or 146 feet above base flood elevation.~~

~~(4) *Secondary small-scale commercial uses.* Buildings containing the secondary commercial uses described in section 35.3(b)(1) and subject to the limitations and restrictions in section 35.7(d)(6), shall not exceed a maximum height of two stories or 28 feet. Notwithstanding the foregoing, if such uses are contained within a liner retail building facing Gulf Boulevard and designed to conceal a parking garage from the view along Gulf Boulevard, architectural features and facade treatments only shall be used to extend above the roof deck elevation to conceal the parking structure located behind the liner retail building provided in accordance with the provisions of section 7.2(k) of the LDC.~~

~~(b) Any increases to, including variances to increase, the maximum height set forth above for this large resort character district shall be prohibited unless approved by voter referendum, if required by the City Charter.~~

(Ord. No. 2008-11, § 1, 6-3-08)

Sec. 35.9. Setbacks.

~~(a) Large-scale development defined in section 35.2 and entire site demolition shall provide the following building and structure setbacks:~~

~~(1) *Gulf Boulevard:*—~~

a. ~~Large-scale development.~~ The setback for any building from Gulf Boulevard, excluding any secondary small-scale bonus commercial uses facing and adjacent to Gulf Boulevard and structured parking, shall be a minimum of 100 feet or one-third of the average depth of buildable site, measured from the Gulf Boulevard right-of-way line to the Florida Coastal Construction Control Line, as may be amended from time to time, whichever is less. However, in no event shall the front setback from Gulf Boulevard be less than 75 feet, subject to section 35.9(b) below for existing buildings to remain on-site as part of the overall unified development site plan.

b. ~~Entire site demolition.~~ All other development that is not large-scale development as defined in section 35.2 or any buildable site that is entirely demolished, shall provide a minimum setback from Gulf Boulevard of 75 feet, or one-quarter of the average depth of the buildable site, measured from the Gulf Boulevard right-of-way line to the Florida Coastal Construction Control Line, as may be amended from time to time, whichever is less. However, in no event shall the front setback from Gulf Boulevard be less than 60 feet.

c. ~~Secondary small-scale commercial any building containing small-scale bonus commercial uses~~ shall be setback a minimum of 20 feet from Gulf Boulevard. Building frontage shall occupy no less than 75 percent of the street frontage along Gulf Boulevard. Main building entrances shall be visible and directly accessible by the pedestrian from Gulf Boulevard and shall have a street-level storefront character in compliance with the General Redevelopment design standards contained in division 39.

(2) ~~Side yard:~~ All development shall provide a combined minimum side yard setback equal to at least 30 percent of the lot width, with a minimum of 20 feet on one side, not to exceed 60 feet combined for both side setbacks, subject to section 35.9(b) below for existing buildings to remain on-site as part of the overall unified development site plan.

All temporary lodging use development abutting beaches. For the purposes of this division only, any non-structural, active or passive recreational facilities shall be allowed to be placed within any portion of the side yard setback provided that if public beach access is located within the side yard setback, such access is maintained and integrated into the design and location of the active or passive recreational facilities provided. Such facilities may include, but are not limited to, swimming pools, tennis courts, playgrounds and parks.

(3) ~~Rear yard all development.~~ The rear yard setback for all development abutting the Gulf beaches shall be the Florida Coastal Construction Control Line or St. Pete Beach Coastal Construction Control Line, whichever is more restrictive.

Buildable sites that do not abut the Gulf beaches shall provide a minimum rear setback of 20 feet.

(4) ~~Side street.~~ All development that has parcel boundaries abutting a side street shall provide a minimum side street setback of 30 feet. For all buildable sites abutting Gulf Boulevard, all streets except Gulf Boulevard shall be defined as a side street for purposes of this division 35.

(b) ~~Partial site redevelopment.~~ All development that does not involve entire site demolition shall conform to the required setbacks set forth in section 35.9(a) above to the maximum extent practical and feasible. Non-conforming setbacks that exist on only those portions of the site where existing building(s) will remain as part of the overall redevelopment site plan shall be permitted; however, setback non-conformities shall not be increased, including by variance, for any new construction. In the case of side yard setbacks, if one side yard is adjacent to an existing building with a non-conforming setback, the minimum side yard setback for only that portion of the site immediately parallel to the location of the existing building or portion thereof resulting in the non-conforming setback, shall be increased from a minimum side yard setback of 20 feet to a

minimum side yard setback of 30 feet. This minimum side yard setback of 30 feet shall not include the non-conforming side yard setback distance; and further, all other areas of the site not affected by any existing building that may or may not comply with the setbacks provided herein, shall comply with all setbacks provided in section 35.9(a) above. Compliance with setback requirements shall not cause undue hardship upon the owner and/or applicant. For example, the owner and/or applicant shall not be required to remove, reconstruct, or otherwise alter existing paved surfaces or structures to comply with these setback requirements.
(Ord. No. 2008-11, § 1, 6-3-08)

Sec. 35.10. Temporary lodging amenity requirements and restrictions.

Within the LR Large Resort District, temporary lodging uses shall, at a minimum, comply with the following:

(a) *Temporary lodging operational and occupancy restrictions, limitations and prohibitions.* All temporary lodging uses shall be subject to the operational and occupancy restrictions, limitations and prohibitions provided in section 39.6 contained in division 39 of the LDC.

(b) *Temporary lodging services and amenity requirements.*

1. The following guest amenities are the minimum required for all new development of temporary lodging uses regardless of size or density:

a. Housekeeping services;

b. Swimming pool or spa;

1 Outdoor swimming pool(s) shall not be calculated as part of the floor area ratio permitted.

c. Fitness facility; and

d. Business center.

2. The following guest amenities are the minimum required for all large-scale development of temporary lodging use and one or more of these amenities are strongly encouraged for all other temporary lodging uses:

a. Concierge services;

b. Restaurants and other food services that include full service of a minimum of two meals daily open to the public as well as hotel guests;

c. Retail space serving hotel guests and the public; and

d. Meeting rooms or conference facilities available to serve the public and hotel guests.

3. Temporary lodging uses permitted prior to the adoption of these regulations are exempt from the requirements of this section 35.10(b).

(Ord. No. 2008-11, § 1, 6-3-08)

Sec. 35.11. Maximum impervious surface ratio (ISR).

(a) *In general.* The maximum impervious surface ratio for any new development or redevelopment project regardless of size shall be as follows:

(i) Temporary lodging use shall not exceed 0.85; or

(ii) Residential use shall not exceed 0.70; or

(iii) Combined temporary lodging and residential uses. In the event a portion of a development site is redeveloped in part as temporary lodging use and in part as residential use subject to the limitations and restrictions set forth in this division, the impervious surface ratio shall be provided for each use as required above on a pro-rated basis per acre dedicated to each use; and

(iv) Variances to exceed impervious surface ratio (ISR) requirements shall be prohibited.

(Ord. No. 2008-11, § 1, 6-3-08)

~~Sec. 35.12. Energy and environmental building and site design standards.~~

~~All development in the Large Resort District shall comply with a minimum of two of the eight standards contained in section 39.9 relating to energy and environmental design for new construction and major renovation. Any project that exceeds the minimum requirements of this section 35.12 and any minimum standards required to obtain two or more of the green building and green development certifications listed in section 39.9 located in division 39 of this Code, shall be eligible for, and receive credits against, community improvement impact fees provided for in division 41 and pursuant to section 39.9 of this Code.~~

~~(Ord. No. 2008-11, § 1, 6-3-08)~~

~~Sec. 35.13. Community involvement.~~

~~All development within the Large Resort District shall be subject to the community involvement requirements contained in division 39.~~

~~(Ord. No. 2008-11, § 1, 6-3-08)~~

~~Sec. 35.14. Other development standards and administrative site plan approval.~~

~~All other development, design, and landscape standards applicable to the use permitted in division 35, shall be required as part of the administrative site plan review and approval process provided in division 5, sections 5.1 and 5.2 of the Land Development Code. Such requirements and standards include, but are not limited to, those set forth in:~~

- ~~(a) Division 7, General Zoning Regulations; and~~
- ~~(b) Division 22, Landscape and Tree Protection; and~~
- ~~(c) Division 39, Community Redevelopment District General Standards; and~~
- ~~(d) Division 40, Affordable Housing; and~~
- ~~(e) Division 41 Impact Fees.~~

~~(Ord. No. 2008-11, § 1, 6-3-08)~~

Sec. 30.1. Purpose and intent.

The TC-1 Town Center Core District is established as the government and business center of the city and is intended to support medium to high intensity land uses. The Town Center Core District exists to accommodate neighborhood commercial uses and downtown residential development in a pedestrian-friendly environment. Residential uses will only be permitted as a component of a mixed-use development and shall not be allowed on the ground level of any structure.

Sec. 30.2. 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 TC-1 Town Center Core District are as follows:

- (a) Financial institutions without drive-through service.
- (b) Government buildings and other public or civic facilities, including parks and recreation facilities and transit stations and stops.
- (c) Office uses.
- (d) Personal service businesses such as barbershops, beauty shops, day spas, tailoring, garment alteration and repair, shoe repair, pet grooming, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact.
- (e) Printing and copying.
- (f) Residential uses as a component of mixed-use development only. Residential uses shall not be allowed on the ground floor level of any structure.
- (g) Eating and drinking establishments with or without outdoor seating. Drive-through service is not permitted.
- (h) Retail
- (i) Theaters, cinemas and other indoor commercial entertainment facilities.
- (j) Artist studios.
- (k) Grocery stores and pharmacies without drive through service.

Sec. 30.3. Permitted accessory uses and structures.

- (a) Electric vehicle charging stations.
- (b) 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 30.5.
- (c) Home occupations, subject to the conditions set forth in section 6.5 of this Code.
- (d) Temporary uses under the provisions of section 6.11 of this Code.

Sec. 30.4. Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the TC-1 Town Center Core District are as follows:

- (a) Automobile service stations with related services. Such uses shall only be allowed on lots which front directly on 75th Avenue.
- (b) Financial institutions with drive-through service.
- (c) Pharmacies with drive-through service.
- (d) Public or private parking structures.
- (e) Bed and Breakfast Inns, subject to the following:

1. In addition to any density and intensity which may be allowed, the city shall also establish a reserve of units, not to exceed 50 total temporary lodging units for the entire Town Center Core District, which shall be allocated by ordinance of the city commission upon request of an individual property owner on a first come, first serve basis. Such allocation shall not exceed ten units per acre, or a total of ten units per redevelopment project. The remaining number of available reserve temporary lodging units shall be specified in each city commission ordinance allocating such units and each such ordinance shall provide that no units beyond those remaining available shall be allocated to any subsequent project. This limitation shall be absolute and shall apply regardless of the proposed size or density of the project requesting such allocation.

Sec. 30.5. Prohibited uses and structures.

- (a) All uses and structures not of a nature specifically or conditionally permitted herein are hereby prohibited in the TC-1 Town Center Core District.
- (b) Any use which has been determined under the provisions of Chapter 46 of the Code of Ordinances to be potentially noxious, dangerous or offensive to residents of the district or to those who pass by on public roadways, or are likely for other reasons to be incompatible with the character of the district, is hereby prohibited in the TC-1 Town Center Core District. Uses which are not listed as permitted shall be prohibited, including the following:
 - (a) Manufacturing, storage or distribution as a primary use, except artisanal uses.
 - (b) Enameling, painting, or plating, except as an artist's studio. Such use must be limited exclusively to the interior of the structure.
 - (c) Carting, moving or hauling yards.
 - (d) Prisons or halfway houses.
 - (e) The manufacture, storage, or disposal of any hazardous wastes or materials.
 - (f) Scrap yards.
 - (g) Kennels, except as an ancillary use to a police station, veterinary office, or dog grooming facility.

Deleted: provisionally

Sec. 30.6. Density and intensity.

- (a) Single use or multi-tenant non-residential uses shall not exceed a FAR of 1.00, exclusive of the area of any structured parking.
- (b) The residential density of mixed-use developments shall not exceed 15 units per acre.
- (c) Mixed-use developments with at least one level of residential use shall receive an additional FAR of 0.45, for a total allowable FAR of 1.45.
- (d) Both maximum commercial FAR and maximum residential density shall be available based upon the entire site area, and the presence of one shall not limit the density or intensity of the other.

Sec. 30.7. Building height.

- a. Twenty-eight (28) feet for an exclusively nonresidential uses; or
- b. Forty (40) feet for bed and breakfasts and buildings containing nonresidential uses mixed with residential uses.

Sec. 30.8. Setbacks.

a. Setbacks are as follows:

<u>Front yard:</u>	<u>0 feet minimum; 5 feet maximum on Corey Avenue</u>
	<u>5 feet minimum; 15 feet maximum on all other streets.</u>
<u>Side yard:</u>	<u>0 feet on Corey Avenue</u>
	<u>10 percent of lot width on each side on all other streets.</u>
<u>Rear yard</u>	<u>5 feet on Corey Avenue</u>
	<u>10 feet on all other streets.</u>

Deleted: <#>Arcades or colonnades on a "main street" The City Commission may grant permission to construct an arcade or colonnade over the City Right of Way. The request shall be reviewed on a case by case basis and if permitted shall be executed via a right-of-way use permit. In no case shall any upper story over an arcade or colonnade be enclosed space. However, the space over the arcade or colonnade may be open balconies or patios. ¶

Deleted: "Mainstreet"

Deleted: "Mainstreet"

Comment [ch1]: Per division 39, Corey is the main street.

Deleted: "Mainstreet"

Sec. 30.9. Maximum impervious surface ratio.

Maximum impervious surface ratio (ISR) for all uses shall not exceed 0.90.

Section 30.10. Minimum Off-Street Parking Requirements

Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading.

Section 30.11 Landscaping

Shall be in accordance with the requirements of Division 22 of the Land Development Code, Landscaping and Tree Protection.

30.12 Design Requirements

Shall be in accordance with the requirements of Division 39.

34.12 Signs

Shall be in accordance with Division 26.

DIVISION 35 (LR) LARGE RESORT DISTRICT

Sec. 35.1. Purpose and intent.

The Large Resort District is intended to primarily support and encourage full-service integrated resort redevelopment projects to promote economic balance and compatibility of land uses. Large Resort District regulations provide higher density and intensity of temporary lodging use than provided in any other district in the city to support and encourage redevelopment of resort hotels and in consideration of the larger size and depth of the parcels that are adjacent to the Gulf beaches.

Sec. 35.2. Definitions.

The following terms are defined and shall apply to development and redevelopment within the Large Resort District only:

(a) Large-scale development. Shall mean development or redevelopment of a buildable site that:

1. Is three acres in size or greater; and
2. New construction exceeds 67 percent of the combined aggregate floor area of new and existing principal buildings, structured parking and accessory structures that constitute the entire unified development scheme on the buildable site.
3. Large scale development may also include secondary commercial uses pursuant to section 35.3.

(b) Small-scale development shall mean all other developments that fall below the thresholds of Large-scale development.

Sec. 35.3. Permitted principal and secondary uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this code, permitted uses and structures in the LR District are as follows:

(a) Primary uses.

- (1) Temporary lodging uses, including hotels, motels, resort condominium hotels;
- (2) Multi-family residential.

(b) Secondary uses.

Secondary commercial uses may be developed as an additional nonresidential use bonus floor area that is not located within the principal building, provided that the secondary commercial development is constructed with a minimum of 200 temporary lodging units. Secondary commercial uses include:

- (1) Retail;
- (2) Eating and drinking establishments, including bars and cocktail lounges, with or without outdoor seating;
- (3) Indoor commercial entertainment facilities;
- (4) Vehicles for hire;

Comment [ch2]: Move water sports to conditional uses.

Sec. 35.4. 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 35.5.

Deleted: (5) Commercial Water Sports.
¶

- (b) A temporary lodging use may include accessory uses such as management office space, housekeeping facilities, security and maintenance areas, recreational facilities, restaurants, bars, and other eating and drinking establishments, guest office centers, concierge services, personal service uses, retail uses, meeting rooms and conference areas, fitness centers, spa facilities, parking structures, and other uses commonly associated with temporary lodging uses, subject to the intensity limits established in Section 35.7(d)(2).
- (c) Home occupations for residential uses only, subject to the conditions set forth in section 6.5 of this Code. Home occupational licensing shall be prohibited for any temporary lodging unit and any affordable workforce living accommodation.
- (d) Temporary structures under the provisions of section 6.11 of this Code.

Sec. 35.5. Prohibited uses and structures

- (a) All uses and structures not of a nature specifically or conditionally permitted herein are hereby prohibited in the LR District.

Sec. 35.6 Variances

- (a) Variances to any maximum development standard established in the comprehensive plan, including but not limited to density, intensity, impervious surface ratios, and height, shall not be granted.

Sec. 35.7. Density and Intensity.

- (a) Density limitations on temporary lodging uses mixed with residential uses. Residential and temporary lodging units are permitted to be developed as separate buildings within the same development site or combined within one building, provided that a minimum of 200 temporary lodging units shall be constructed on the development site subject to the height limitations provided in section 35.8. Density shall be calculated based upon the pro rata acreage allocated to each land use. Temporary lodging units existing, or approved to be developed or redeveloped in the LR District shall be prohibited from converting to residential dwelling units that exceed the density limitation of 15 residential dwelling units per acre based on the pro-rata acreage.
- (b) Density limitations on temporary lodging lockout units: For the purposes of this division, lockout temporary lodging units shall count against specified density limitations. A lockout unit shall be defined as a room or rooms with sanitary facilities, with or without cooking facilities, which is attached and has access to a temporary lodging unit by means of a door or doors that are lockable from within the lockout unit, and that has a separate lockable access to the public areas or corridors. A lockout unit is capable of being functionally separated from the temporary lodging unit to which it is attached and rented as a separate room.
- (c) Density.
 - (1) Existing and/or small scale development, as defined in section 35.2 above, shall not exceed the following density:
 - a. 50 temporary lodging accommodation units per acre; or
 - b. 15 residential units per acre.

(2) Large-scale development as defined in section 35.2 above shall not exceed the following density:

- a. 75 temporary lodging units per acre excluding any affordable housing bonus that may be approved pursuant to 35.7(b)(3) below; or
- b. 15 residential units per acre; or
- c. A combination of residential and temporary lodging units which shall be prorated on an acreage basis allocated to each use, provided that a minimum of 200 temporary lodging units will be constructed on the development site.

(3) Affordable housing density bonus. An affordable housing density bonus shall be permitted for large-scale temporary lodging use as follows:

- a. A temporary lodging unit density bonus shall be permitted up to, but shall not exceed an additional five bonus units per acre for every one affordable unit provided.
- b. Any on-site affordable workforce units shall be prohibited from being advertised or otherwise used for guest temporary lodging or home occupational licensing purposes and shall be exclusively used for providing affordable on-site living accommodations for employees eligible for low income or very low income status as defined by the applicable county and city rules and guidelines;
- c. A legally enforceable restrictive covenant in a form and content acceptable to the City shall be required as a condition of site plan approval and recorded in the public records of Pinellas County.

(d) Intensity.

(1) Existing and small scale development. Floor area ratio shall not exceed 1.8.

(2) Large-scale development Floor area ratio shall not exceed 2.6.

(3) Secondary commercial as part of a large scale development: Secondary commercial uses permitted in section 35.3(b) shall not exceed an additional floor area ratio of 0.15 of the buildings site.

(4) On-site parking structures are exempt from the floor area ratio limits.

Sec. 35.8. Building height.

(a) Restrictions and limitations. The maximum height for each use within the LR District shall not exceed:

(1) Residential use only. Building height shall not exceed 50 feet.

(2) Mixed temporary lodging/residential uses in same building. Building height shall not exceed 50 feet regardless of development site size for any building containing temporary lodging units and residential units.

(3) Temporary lodging use only.

a. Development of a temporary lodging use that does not exceed 50 units per acre shall not exceed 100 feet.

b. Large-scale development of a temporary lodging use that exceeds 50 units per acre shall not exceed 146 feet.

(4) Secondary bonus commercial uses. Buildings containing the secondary commercial uses described in section 35.3(b) shall not exceed a maximum height of 28 feet.

Sec. 35.9. Setbacks.

(a) Any conforming use or structure built prior to the adoption of these regulations is exempt from the setback requirements of 35.9. Additions to existing structures and all new construction shall comply with the required setbacks below:

(1) Front Yard:

- a. Large-scale development. The setback for any building, excluding any secondary small-scale bonus commercial uses facing and adjacent to the Gulf Boulevard right of way, and parking structures located, shall be a minimum of 100 feet or one-third of the average depth of buildable site, measured from the front property line to the Florida Coastal Construction Control Line, as may be amended from time to time, whichever is less. However, in no event shall the front setback from Gulf Boulevard be less than 75 feet.
- b. Small Scale development. All small scale development as defined in section 35.2(b) shall provide a minimum setback of 75 feet, or one-quarter of the average depth of the buildable site, measured from the front property line to the Florida Coastal Construction Control Line, as may be amended from time to time, whichever is less. However, in no event shall the front setback be less than 60 feet.
- c. Secondary bonus commercial. Any building containing small-scale bonus commercial uses shall be setback 20 feet from Gulf Boulevard right of way. Main building entrances shall be visible and directly accessible by the pedestrian from Gulf Boulevard and shall have a street-level storefront character in compliance with the General Redevelopment design standards contained in division 39. Parking shall not be placed within the front yard setback or in front of the secondary commercial use.
- d. Parking structures located behind secondary retail uses are exempt from the setbacks in 35.9 (a) (1) a.

(2) Side yards for Large and Small scale development: Large and small scale development shall provide a combined minimum side yard setback equal to at least 30 percent of the lot width, with a minimum of 20 feet on one side, not to exceed 60 feet combined for both side setbacks.

(3) Side yards for Secondary bonus commercial uses: Secondary bonus commercial uses shall have a minimum 15 foot side yard setback.

(4) Rear yards. The rear yard setback for all development abutting the Gulf beaches shall be the Florida Coastal Construction Control Line or St. Pete Beach Coastal Construction Excavation Setback Line, whichever is more restrictive. Buildable sites that do not abut the Gulf beaches shall provide a minimum rear setback of 20 feet.

(5) Secondary front yards. All development that has parcel boundaries abutting a side street shall provide a minimum secondary front yard setback of 30 feet.

Sec. 35.10. Temporary lodging amenity requirements and restrictions.

Within the LR Large Resort District, temporary lodging uses shall, at a minimum, comply with the following:

(a) Temporary lodging operational and occupancy restrictions, limitations and prohibitions. All temporary lodging uses shall be subject to the operational and occupancy restrictions, limitations and prohibitions provided in Division 39 of the LDC.

(b) Temporary lodging services and amenity requirements.

- (1) The following guest amenities are the minimum required for all new development of temporary lodging uses regardless of size or density:
 - a. Housekeeping services;
 - b. Swimming pool or spa;
 - c. Fitness facility; and
 - d. Business center.
2. The following guest amenities are the minimum required for all large-scale development of temporary lodging use and one or more of these amenities are strongly encouraged for all other temporary lodging uses:
 - a. Concierge services;
 - b. Restaurants and other food services that include full service of a minimum of two meals daily open to the public as well as hotel guests;
 - c. Retail space serving hotel guests and the public; and
 - d. Meeting rooms or conference facilities available to serve the public and hotel guests.
3. Existing temporary lodging uses are exempt from the requirements of 35.10(b).

Sec. 35.11. Maximum impervious surface ratio (ISR).

(a) In general. The maximum impervious surface ratio for any new development or redevelopment project regardless of size shall be as follows:

- (1) Temporary lodging uses with or without secondary commercial uses shall not exceed 0.85; or
- (2) Residential use shall not exceed 0.70; or
- (3) Combined temporary lodging and residential uses. In the event a portion of a development site is redeveloped in part as temporary lodging use and in part as residential use subject to the limitations and restrictions set forth in this division, the impervious surface ratio shall be provided for each use as required above on a pro rated basis per acre dedicated to each use.

Section 35.12. Minimum Off-Street Parking Requirements

Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading.

Section 35.13 Landscaping

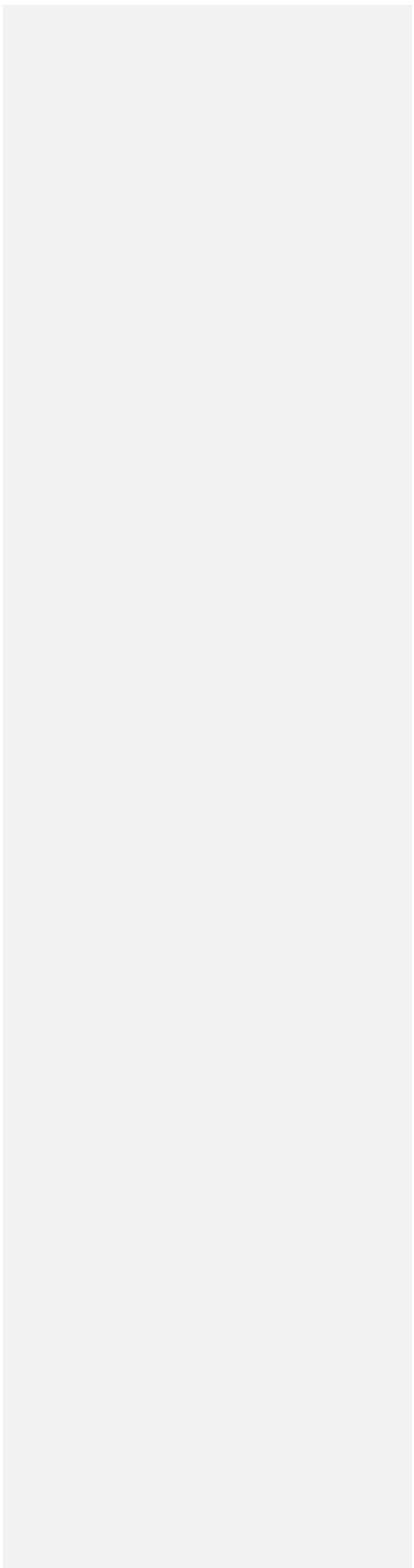
Shall be in accordance with the requirements of Division 22 of the Land Development Code, Landscaping and Tree Protection.

35.14 Design Requirements

Shall be in accordance with the requirements of Division 39.

35.15 Signs

Shall be in accordance with Division 26.



**St. Pete Beach City Commission
Agenda Report**

Issue Considered: Second Reading and Public Hearing for Ordinance 2010-21, providing for amendment of the Land Development Regulations of the City of St. Pete Beach to establish zoning standards for those areas of the Community Redevelopment District which do not yet have standards consistent with the adopted Comprehensive Plan. The ordinance also amends the official zoning map to include the character districts consistent with the Comprehensive Plan.

Date: November 22, 2011

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

Summary of Issue: The proposed amendment establishes zoning standards for the AC, BHC, UBV, TC-2, CC-1, and CC-2, DCR districts.

The proposed ordinance amends the official zoning map to include 10 zoning districts.

These amendments were recommended for approval by the Planning Board with a vote of 4-0 at their September 22, 2011 meeting. The City Commission unanimously approved the ordinance on 1st reading.

Requested Motion: “I move to approve Ordinance 2010-21 (read title)”

Attachments: Copy of Ordinance 2010-21.

Reviewed by City Manager: MB

CITY OF ST. PETE BEACH

ORDINANCE NO. 2010-21

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENTS TO THE LAND DEVELOPMENT CODE AS THEY RELATE TO THE COMMUNITY REDEVELOPMENT DISTRICT; ESTABLISHING LAND DEVELOPMENT REGULATIONS TO IMPLEMENT THE COMMUNITY REDEVELOPMENT DISTRICT AND OTHER COMPREHENSIVE PLAN AMENDMENTS ADOPTED IN ORDINANCE 2008-15; CREATING NINE ZONING DISTRICTS CORRESPONDING TO AND CONSISTENT WITH THE CHARACTER DISTRICTS ESTABLISHED IN THE COMPREHENSIVE PLAN; REGULATING SITE DESIGN STANDARDS INCLUDING BUT NOT LIMITED TO PERMITTED AND PROHIBITED USES, DENSITY, INTENSITY, HEIGHT, AND OTHER RELATED SITE DESIGN REGULATIONS AS ILLUSTRATED IN EXHIBIT “B”; AMENDING THE OFFICIAL ZONING MAP AS ILLUSTRATED IN EXHIBIT “A” ATTACHED HERETO AND ADOPTED HEREIN; 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 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 Division of Administrative Hearings found the Amendment “In Compliance” via Final Order on August 11, 2010 (case number 08-004772GM); and

WHEREAS, 163.3202 Florida Statutes, requires local governments to adopt land development regulations consistent with its adopted comprehensive plan; and

WHEREAS, the Planning Board of the City of St. Pete Beach conducted a public hearing on September 22, 2011 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, City Commission of the City of St. Pete Beach conducted public hearings on October 11, 2011 and _____, 2011, 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 text amendment to the Land Development Code and change to the official zoning map to be Consistent with the Goals, Objectives, and Policies of the Comprehensive Plan; and

WHEREAS, the City Commission finds this text amendment to the Land Development Code and change to the official zoning map 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 Zoning Map is hereby amended as shown in “Exhibit A”.

Section 2. The Land Development Regulations are hereby amended as shown in “Exhibit B”.

Section 3. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

Section 4. 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 5. This Ordinance shall become effective 30 days from the date of adoption.

STEVE MCFARLIN, MAYOR

LPA NOTICE PUBLISHED: 9/7/2011

LPA PUBLIC HEARING: 9/22/2011

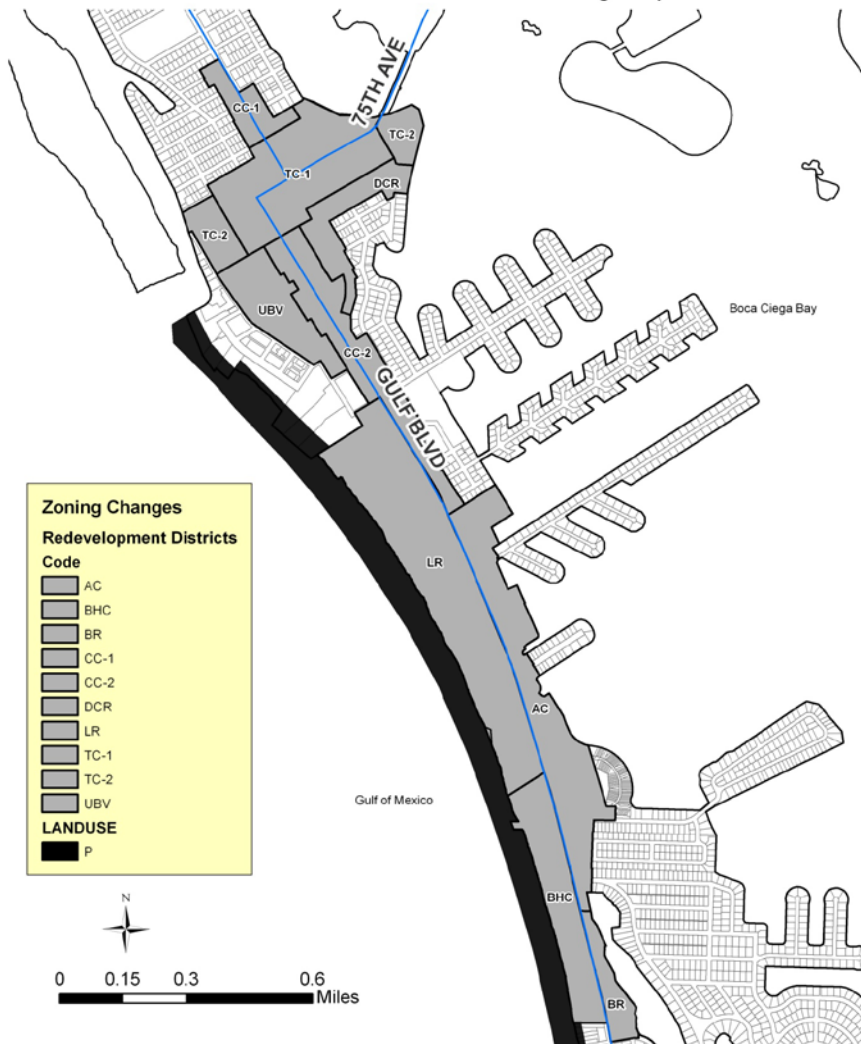
FIRST READING: 10/11/2011

PUBLISHED: 9/28/2011

SECOND READING/ADOPTION HEARING:

PUBLISHED :

Ordinance 2010-21
Exhibit "A"
Amendments to the Official Zoning Map



Text amendments to the Land Development Code

“Exhibit B”

Division 32. CC1 Commercial Corridor Blind Pass Road District.

Section 32.1. Purpose and intent.

The CC1 Commercial Corridor Blind Pass Road is intended to provide for general commercial and residential uses that properly buffer the adjacent residential districts that border the corridor. Residential uses will only be allowed as a component of mixed-use projects and design requirements will serve to create a more urban form for redeveloped properties.

Section 32.2. Permitted uses

Subject to the provisions or restrictions contained in this section and elsewhere in this code, permitted uses and structures in the CC1 Commercial Corridor Blind Pass Road are as follows.

- (a) Clinics;
- (b) Clubs, community service establishments;
- (c) Clubs, private;
- (d) Eating and drinking establishments –with or without outdoor seating;
- (e) Financial institutions with and without drive-through service;
- (f) Laundries, self-service;
- (g) Office uses;
- (h) Printing and copying services;
- (i) Retail uses;
- (j) Personal service businesses such as barbershops, beauty shops and salons, day spas, gyms and fitness centers, tailoring, garment alteration and repair, shoe repair, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact;
- (k) Social service agencies;
- (l) Veterinarians; dog grooming facilities;

- (m) Multi-family residential uses as a component of mixed-use development only. Multi-family residential uses shall not be allowed on the ground level of any structure;
- (n) Single-family, detached residential uses (Only on parcels which do not directly abut Blind Pass Road);
- (o) Government buildings and other public facilities, including parks and recreation facilities;
- (p) Artist studios with retail and/or wholesale distribution space for artist's original handmade works, excluding mass produced or manufactured products;
- (q) Public facilities such as schools, public parks and/or recreational facilities;
- (r) Other commercial uses similar in character, nature and impact to permitted uses listed above.

Section 32.3. 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 32.5;
- (b) Electric Vehicle charging stations;
- (c) Home occupations, subject to the conditions set forth in Section 6.5 of this code;
- (d) Temporary structures under the provisions of Section 6.11 of this code.

Section 32.4. Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this code, allowable conditional uses in the CC1 Commercial Corridor Blind Pass Road Districts are as follows.

- (a) Automotive rental agencies;
- (b) Automobile services –repair;
- (c) Automotive service stations, with or without a carwash and/or a convenience store;
- (d) Communication facilities;

- (e) Parking lots, commercial and/or off-premise.

Section 32.5. Prohibited uses and structures.

All uses and structures not of a nature specifically or conditionally permitted herein are hereby prohibited in the CC1 Commercial Corridor Blind Pass Road District.

Section 32.6. General requirements.

Only those lots that have direct access to Blind Pass Road shall be allowed commercial use, except that lots that do not have frontage on Blind Pass Road that are assembled and combined with lots that do have Blind Pass Road frontage may contain a commercial use. Such lots that are aggregated with lots that abut Blind Pass Road shall have an additional 10 foot landscaped buffer from residential uses pursuant to Section 32.9 and Division 22.

Section 32.7. Density and intensity.

- (a) Single family or duplex residential lots that do not abut Blind Pass Road shall be limited to a density of 7.5 units per acre.
- (b) The residential density of mixed-use developments shall not exceed 12 units per acre. Residential uses may only be established on lots that are a minimum of one-half acre in area, with commercial or office on the first floor at street level and residential use permitted on the second and third floors only. Non-residential uses are limited to a FAR of 0.90.
- (c) Non-residential uses shall not exceed a FAR of 0.70
- (d) Both maximum commercial FAR and maximum residential density shall be available based upon the entire site area, and the presence of one shall not limit the density or intensity of the other.

Section 32.8. Building height.

- (a) Single-family residential maximum height shall be thirty (30) feet.
- (b) Twenty-eight (28) feet for an exclusively non-residential use;
- (c) 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.

Section 32.9. Setbacks.

Use	Front Yard	Secondary Front Yard	Side Yard	Rear Yard
Single Family that do not directly access Blind Pass Road	20 feet	10 feet	10 % of lot width	20 feet
Non-Residential only	10 feet	10 feet	10 % of lot width	20 feet; additional 10 feet if abutting single family residential and properties are aggregated with those abutting Blind Pass road.
Mixed use – ground floor non-residential, residential above, ½ acre minimum site area	10 feet	10 feet	10 % of lot width-minimum of 10 feet if abutting single family residential	20 feet; additional 10 feet if abutting single family residential and properties are aggregated with those abutting Blind Pass road.

Section 32.10. Maximum impervious surface ratio.

Maximum impervious surface ratio (ISR) for all uses: 0.70

Section 32.10. Minimum Off-Street Parking Requirements

Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading.

Section 32.11 Landscaping

Shall be in accordance with the requirements of Division 22 of the Land Development Code, Landscaping and Tree Protection.

32.12 Design Requirements

Shall be in accordance with the requirements of Division 39.

32.13 Signs

Shall be in accordance with Division 26.

Division 33. CC2 Commercial Corridor Gulf Blvd District.

Section 33.1. Purpose and intent.

The CC2 Commercial Corridor Gulf Blvd is intended to provide for general commercial, office, retail, and residential uses that properly buffer the adjacent residential districts that border the corridor. Residential uses will only be allowed as a component of mixed-use projects and design requirements will serve to create a more urban form for redeveloped properties.

Section 33.2. Permitted uses

Subject to the provisions or restrictions contained in this section and elsewhere in this code, permitted uses and structures in the CC2 Commercial Corridor Gulf Blvd are as follows.

- (a) Clinics;
- (b) Eating and drinking establishments –with or without outdoor seating;
- (c) Financial institutions with or without drive-through service;
- (d) Laundries, self-service;
- (e) Office uses;
- (f) Printing and copying services;
- (g) Retail uses;
- (h) Personal service businesses such as barbershops, beauty shops, tailoring, garment alteration and repair, shoe repair, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact;
- (i) Veterinarians, dog grooming establishments;

- (j) Multi-family residential uses as a component of mixed-use development only. Multi-family residential uses shall not be allowed on the ground level of any structure;
- (k) Single-family, detached residential uses (Only on parcels which do not directly abut Gulf Boulevard);
- (l) Artist studios and galleries with retail and/or wholesale distribution space for artist's original handmade works, excluding mass produced or manufactured products.
- (m) Grocery stores, pharmacies, markets;
- (n) Commercial recreation, public parks and/or recreational facilities;
- (o) Sales, rentals, and/or service of bicycles, mopeds, motorcycles, segways, and scooters;
- (p) Other commercial uses similar in character, nature and impact to permitted uses listed above.

Section 33.3. 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 32.5;
- (b) Electric Vehicle charging stations;
- (c) Home occupations, subject to the conditions set forth in Section 6.5 of this code;
- (d) Temporary structures under the provisions of Section 6.11 of this code.

Section 33.4 Conditional Uses

- (a) Automotive rental agencies;
- (b) Automobile services –repair;
- (c) Automotive service stations, with or without a carwash and/or a convenience store;
- (d) Communication facilities;
- (e) Parking lots, commercial and/or off-premise.

Section 33.5. Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the CC2 Commercial Corridor Gulf Blvd District.

Section 33.6. General requirements.

- (a) Only those lots that have direct access to Gulf Blvd shall be allowed commercial use, except that lots that do not have frontage on Gulf Boulevard that are assembled and combined with lots that do have Gulf Boulevard frontage may contain a commercial use. Such lots that are aggregated with lots that abut Gulf Boulevard shall have an additional 10 foot landscaped buffer from residential uses pursuant to Section 33.8 and Division 22.
- (b) All other development standards are contained in Division 39, Redevelopment Area General Standards.

Section 33.7. Density and intensity.

- (a) Single residential lots that do not abut Gulf Blvd shall be limited to a density of 7.5 units per acre. Minimum lot width is 50 feet. Lots of record that do not meet the minimum density standards may construct one single family residential unit.
- (b) The multi-family residential density of mixed-use developments shall not exceed 12 units per acre. Residential uses may only be established on lots that are a minimum of one-half acre in area, with commercial or office on the first floor at street level and residential use permitted on the second and third floors only shall not exceed a FAR of 0.90
- (c) Single use or multi-tenant non-residential uses shall not exceed a FAR of 0.70
- (d) Both maximum commercial FAR and maximum residential density shall be available based upon the entire site area, and the presence of one shall not limit the density or intensity of the other.

Section 33.8. Building height.

- (a) Single-family residential maximum height shall be thirty (30) feet.
- (b) Twenty-eight (28) feet for an exclusively nonresidential use only;

- (c) 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.

Section 33.9. Setbacks or Build – To lines

Detached Single Family Setbacks	
Front yard Setback	Twenty (20) feet
Secondary front yard Setback	Ten (10) feet
Side yard Setback	Ten (10) percent of lot width per side
Rear yard Setback	Twenty (20) feet
All other uses	
Front yard	20 feet Maximum
Secondary front yard setback	10 feet
Side yard Setback	0 feet
Rear yard Setback	20 feet if year is abutting residential; 0 feet otherwise. Such lots that are aggregated with lots that abut Gulf Boulevard shall have an additional 10 foot landscaped buffer from residential uses.

Section 33.10. Maximum impervious surface ratio.

Maximum impervious surface ratio (ISR) for all uses: 0.70

Section 33.11. Minimum Off-Street Parking Requirements

Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading.

Section 33.12 Landscaping

Shall be in accordance with the requirements of Division 22 of the Land Development Code, Landscaping and Tree Protection.

33.13 Design Requirements

Shall be in accordance with the requirements of Division 39.

33.14 Signs

Shall be in accordance with Division 26.

Division 34. Downtown Core Residential District.

Section 34.1. Purpose and intent.

The Downtown Core Residential District (DCR) is intended to support single and multi-family residential development with traditional neighborhood design characteristics. Physical development patterns are intended to emphasize the relationship of this district to the City's urban core district.

Section 34.2. Permitted uses

Subject to the provisions or restrictions contained in this section and elsewhere in this code, permitted uses and structures in the Downtown Residential District are as follows.

- (a) Residential dwellings – Attached and detached single family, two-family and multifamily.
- (b) Residential Docks

Section 34.3. 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 33.5.
- (b) Home occupations, subject to the conditions set forth in Section 6.5 of this code.

Section 34.4. Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Downtown Core Residential District.

Section 34.5. General requirements.

All other development standards are contained in Division 39, Community Redevelopment District Standards. Landscaping and parking requirements are located in Divisions 22 and 23.

Section 34.6. Density

- (a) The maximum residential density shall be ten (10) units per acre.
- (b) Minimum lot area for residential shall be 4,356 square feet per unit.

Section 34.7. Building height.

- (a) Shall not exceed 35 feet.

Section 34.8. Setbacks.

Front yard:	10 feet minimum for principal structure; 15 feet for garages
Secondary front yard	10 feet
Side yard:	10 percent of lot width on each side
Rear yard	20 feet

Section 34.9. Maximum impervious surface ratio.

Maximum impervious surface ratio (ISR) for all uses: 0.70

Section 34.10. Minimum Off-Street Parking Requirements

Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading.

Section 34.11 Landscaping

Shall be in accordance with the requirements of Division 22 of the Land Development Code, Landscaping and Tree Protection.

34.12 Design Requirements

Shall be in accordance with the requirements of Division 39.

34.12 Signs

Shall be in accordance with Division 26.

Division 36. Upham Beach Village District.

Section 36.1. Purpose and intent.

The Upham Beach Village District is intended to provide primarily for medium intensity residential uses with principle orientation and connection to the waterfront. This district does not anticipate large scale redevelopment of existing facilities.

Section 36.2. Permitted uses

Subject to the provisions or restrictions contained in this section and elsewhere in this code, permitted uses and structures in the Upham Beach Village District are as follows.

- (a) Residential dwellings – Attached and detached single family, two-family and multifamily.
- (b) Temporary lodging use; Only existing temporary lodging uses may be redeveloped and new temporary lodging uses shall be strictly prohibited. All bed and breakfast inns shall comply with the provisions of Sections 2.1 and 6.2 of this code.

Section 36.3. 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 34.5.
- (b) Home occupations, subject to the conditions set forth in Section 6.5 of this code.
- (c) Temporary structures under the provisions of Section 6.11 of this code.

Section 36.4. Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Upham Beach Village District.

Section 36.5. General requirements.

- (a) All structural parking elements must be enclosed by a consistent building façade along all property lines (with the exception of entrance and exit points).
- (b) Other development standards are contained in Division 39, Community Redevelopment District General Standards. Landscaping and parking requirements are located in Divisions 22 and 23.

Section 36.6. Density and intensity.

- (a) One and Two Family Residential uses shall not exceed 7.5 units per acre. Minimum lot area shall be 5,808 square feet. Existing lots of record that do not meet the minimum lot size prescribed by density shall be permitted one (1) single family dwelling unit.
- (b) Multi Family Residential:
 - (1) 18 dwelling units per acre for multi-family residential use on a minimum $\frac{1}{3}$ acre buildable site; or
 - (2) 21 dwelling units per acre for multi-family residential use on a minimum $\frac{1}{2}$ acre buildable site; or
 - (3) 24 dwelling units per acre for multi-family residential use on a minimum $\frac{3}{4}$ acre buildable site.
- (c) Temporary Lodging Unit Density Pool ("TLU Density Pool"): Density for temporary lodging uses in the Upham Beach Village District shall be regulated as follows:
 - (1) Temporary lodging units shall be allocated to uses which are presently licensed with the City of St. Pete Beach and operating as a transient accommodation.
 - (2) Temporary lodging units shall be allocated on a first come first serve basis utilizing the Temporary Lodging Unit Density Pool.
 - (3) The TLU Density Pool shall not exceed 175 total units for the entire Upham Beach Village District.
 - (4) The TLU Density Pool shall be allocated by ordinance of the City Commission upon request of an individual property owner.
 - (5) Any TLU Density Pool allocation by ordinance per project shall not exceed the

number of existing temporary lodging units located on the development site.

- (6) The remaining number of available TLU Density Pool units shall be specified in each City Commission ordinance allocating such units and each such ordinance shall provide that no units beyond those remaining in the TLU Density Pool shall be allocated to any subsequent temporary lodging use project in the Upham Beach Village District.

Section 36.7. Building height.

- (a) Thirty-five (35) feet for single family homes, duplexes and multi-family uses 18 dwelling units per acre or less.
- (b) Forty-five (45) feet for multi-family residential use exceeding 18 dwelling units per acre and for all temporary lodging uses.

Section 36.8. Setbacks.

Front yard:	10 feet minimum; 20 feet maximum
Secondary Front yard:	10 feet
Side yard:	10 percent of lot width on each side; minimum required setback of seven (7) feet.
Rear yard	20 feet

Section 36.9. Maximum impervious surface ratio.

Maximum impervious surface ratio (ISR) for residential uses: 0.70
Maximum impervious surface ratio (ISR) for temporary lodging uses: 0.85

Section 36.10. Minimum Off-Street Parking Requirements

Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading.

Section 36.11 Landscaping

Shall be in accordance with the requirements of Division 22 of the Land Development Code, Landscaping and Tree Protection.

36.12 Design Requirements

Shall be in accordance with the requirements of Division 39.

36.13 Signs

Shall be in accordance with Division 26.

Division 37. TC-2 Town Center Corey Circle and Coquina West Districts.

Section 37.1. Purpose and intent.

The TC-2 Town Center Corey Circle District and TC-2 Coquina West District are established as mixed use districts anchoring either end of the Corey Avenue corridor. The TC-2 districts exist to accommodate medium intensity commercial and mixed-use developments oriented to the waterfront with retail and/or eating and drinking establishments on the ground level. The intent of these districts is to facilitate property assemblage and comprehensive redevelopment under unified project plans.

Section 37.2. Permitted uses

Subject to the provisions or restrictions contained in this section and elsewhere in this code, permitted uses and structures in the TC-2 Town Center Corey Circle and Coquina West Districts are as follows.

- (a) Retail uses;
- (b) Grocery stores, markets, pharmacies without drive through service;
- (c) Personal service businesses such as barbershops, beauty shops, salons, day spas, gyms and fitness centers, tailoring, garment alteration and repair, shoe repair, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact;
- (d) Eating and drinking establishments - with or without outdoor seating;
- (e) Office uses;
- (f) Commercial recreation, public parks and/or recreational facilities;
- (g) Government buildings and other public facilities, including parks and recreation facilities;
- (h) Artist studios and art galleries;
- (i) Multifamily residential only as a component of mixed use. Residential uses are not permitted on the ground floor;

- (j) Vehicle for hire – limited to rental of non-motorized (bicycles) and individual motorized vehicles such as segways, mopeds/scooters;
- (k) Other uses similar in character, nature and impact to permitted uses listed above.

Section 37.3. Secondary uses

(a) Marina – Wet Slip Only

Comment [ch1]: Moved from conditional use

Section 37.4 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 31.5.
- (b) Electric vehicle charging stations;
- (c) Home occupations, subject to the conditions set forth in Section 6.5 of this code.
- (d) Temporary structures under the provisions of Section 6.11 of this code.

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Section 37.5 Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this code, allowable conditional uses in the TC-2 Town Center Corey Circle and Coquina West Districts are as follows.

- (a) Temporary lodging facilities – hotel, motel and resort condominium, awarded on a first come, first serve basis, to come from the density pool established in the Comprehensive Plan.
- (b) Commercial docks – Class A, B, C and D.
- (c) Vessel for hire (water taxis)

Comment [ch2]: Moved to Secondary uses

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Section 37.6 Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the TC-2 Town Center Corey Circle and Coquina West Districts.

- (a) Detached and attached single and two family dwellings.

(b) Any type of vehicle sales or service.

(c) ~~Restaurants with drive-through service.~~

Deleted: Fast food

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(d) Industrial and other incompatible uses (including, but not limited to, day labor, pawn shops, check cashing, plasma centers, body piercing and tattoo parlors).

Comment [ch3]: This is in 37.10-14 below

Deleted: Section 37.6. General requirements.¶
All other development standards are contained in Division 39, Redevelopment Area General Standards. Landscaping and parking requirements are located in Divisions 22 and 23. ¶

Section 37.7. Density and intensity.

- (a) Residential densities of 24 units per acre as mixed-use projects developed on sites of a minimum of 1.8 acres. Commercial, office retail, or non-habitable portions of temporary lodging uses shall only be located on the first floor accessible at street level.
- (b) Maximum Floor Area Ratio for exclusively commercial/office/retail projects shall be limited to 0.55.
- (c) 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 two acre buildable site and shall also not exceed a cumulative total of 150 units per project subject to the requirements, restrictions and limitations for the TLU Density Pool for the Town Center Corey Circle and Coquina West Districts. Temporary lodging uses shall not exceed an aggregate floor area of 750 square feet per temporary lodging unit allocated by Ordinance, 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.

Section 37.8. Building height.

For areas designated Town Center Corey Circle or Town Center Coquina West on the Future Land Use map series, heights are limited to:

- (a) Exclusively non-residential uses shall be limited to a maximum height of twenty-eight (28) feet.
- (b) Up to seventy-six (76) feet for buildings containing non-residential uses on the first habitable floor accessible at street level mixed with a primary residential or temporary lodging use above.
- (d) Up to eighty-six (86) feet for buildings containing non-residential 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/restaurant uses at street level.

Comment [ch4]: At first reading, commission recommended that the two TC-2 areas have the same height.

Section 37.9. Setbacks.

Front yard	Mainstreet – Corey Avenue & Corey Circle -10 feet maximum for building elements up to 28 feet in height; 30 feet for all building elements above 28 feet. All other streets: 10 feet Minimum for building elements up to 28 feet in height; 30 feet for all elements above 28 feet. <u>Parts of the building that are stepped back above 28 feet on all streets may be used as patio or balcony space.</u>
Secondary front yard:	5 Feet minimum for building elements up to 28 feet in height; 30 feet for all elements above 28 feet. <u>Parts of the building that are stepped back above 28 feet on all streets may be used as patio or balcony space.</u>
Side yard:	10 percent of lot width minimum per side minimum for building elements up to 28 feet in height; 30 feet for all building elements above 28 feet. <u>Parts of the building that are stepped back above 28 feet on all streets may be used as patio or balcony space.</u>
Rear yard	20 feet for the first feet in height; 30 feet for all building elements above 28 feet; No setback shall be required for any structural pedestrian facilities adjacent to any body of water. Outdoor seating areas for permitted uses may be placed within the required rear yard setback. <u>Parts of the building that are stepped back above 28 feet on all streets may be used as patio or balcony space.</u>

Deleted: For areas designated Town Center Coquina West on the Future Land Use Map Series, heights shall be limited to: ¶

<#>Up to 28 feet for uses that are exclusively non-residential. ¶

<#>Up to fifty feet (50) for buildings containing non-residential uses on the first habitable floor accessible at street level mixed with a primary residential or temporary lodging use above. ¶

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Section 37.10. Maximum impervious surface ratio.

Maximum impervious surface ratio (ISR) for all uses: 0.70

Section 37.11. Minimum Off-Street Parking Requirements

Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading.

Section 37.12 Landscaping

Shall be in accordance with the requirements of Division 22 of the Land Development Code, Landscaping and Tree Protection.

37.13 Design Requirements

Shall be in accordance with the requirements of Division 39.

37.14 Signs

Shall be in accordance with Division 26.

Division 38. AC Activity Center District.

Section 38.1. Purpose and intent.

The AC Activity Center District is intended to support a high intensity of commercial development and secondary residential uses. Design features such as inter-parcel access and pedestrian facilities should be utilized to promote the functional integration of redevelopment sites.

Section 38.2. Permitted uses

Subject to the provisions or restrictions contained in this section and elsewhere in this code, permitted uses and structures in the AC Activity Center District are as follows.

- (a) Grocery stores, markets, pharmacies with or without drive through service;
- (b) Automotive rental agencies;
- (c) Automotive service stations;
- (d) Car wash facilities;
- (e) Clinics;
- (f) Clubs, community service;
- (g) Clubs, private;
- (h) Doctor's offices and medical clinics;
- (i) Eating and drinking establishments without outdoor seating;
- (j) Financial institutions with or without drive-through service;

- (k) Kennels without outdoor runs;
- (l) Laundries, self-service;
- (m) Office uses;
- (n) Printing and copying services;
- (o) Retail uses;
- (p) Government buildings and other public facilities, including parks and recreation facilities;
- (q) Personal service businesses such as barbershops, beauty shops and salons, day spas, gyms and fitness centers, tailoring, garment alteration and repair, shoe repair, dry cleaning drop-off and pick-up and other personal service uses similar in character and impact;
- (r) Private, specialized instruction, such as computer training, real estate courses, self-improvement classes, career training or fitness instruction;
- (s) Social service agencies;
- (t) Veterinarians and pet grooming facilities;
- (u) Multi-family residential only as a component of retail mixed-use development;
- (v) Artist studios and art galleries;
- (w) Vehicle for hire;
- (x) Marine electronics, sales, and service; and
- (y) Other commercial uses similar in character, nature and impact to permitted uses listed above.

Section 38.3. 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 38.5.
- (b) Home occupations, subject to the conditions set forth in Section 6.5 of this code.

- (c) Electric vehicle charging stations.

Section 38.4. Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this code, allowable conditional uses in the AC Activity Center District are as follows.

- (a) Assisted living facilities;
- (b) Charter and tour boat operations;
- (c) Communication facilities;
- (e) Docks, commercial – Classes A, B, C, and D;
- (f) Eating and drinking establishments with outdoor seating;
- (g) Kennels with outdoor runs;
- (h) Parking lots, commercial and/or off-premise;
- (i) Theatres
- (j) Vessel for hire businesses; and
- (k) Subject to the provisions or restrictions contained in this section and elsewhere in this code, temporary lodging units may be allocated from a density pool via a conditional use as follows:

40 temporary lodging uses per acre, not to exceed a total of either 50 units per project or the density pool allocated in the Comprehensive Plan (325 available units for potential use in the Town Center Core Corey Circle, Coquina West, Activity Center, and Bayou Residential Districts), 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 10 temporary lodging units, mixed with a minimum of 0.35 floor area ratio for commercial or office uses, is required.

Section 38.5. Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the AC Activity Center District.

Section 38.6. General requirements.

Commercial mixed with residential or temporary lodging uses may be mixed horizontally

under the following conditions:

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

Other development standards are contained in Division 39, Community Redevelopment District Standards.

Section 38.7. Density and intensity.

- (a) Exclusively non-residential development shall not exceed a maximum FAR of 0.75.
- (b) Residential density of up to 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 0.35 floor area ratio for commercial or office uses shall be required; or
- (c) Mixed-use projects may have up to 18 units per acre combined with 1.0 FAR if the project site is a minimum of four (4) acres. Projects must have a residential density of at least four (4) units per acre to be defined as mixed-use for the purposes of this standard.

Section 38.8. Building height and minimum lot sizes.

- (a) Twenty-eight (28) feet for exclusively commercial or office development;
- (b) Forty (40) feet for a structures containing non-residential uses on the first floor with secondary residential or temporary lodging uses above on a minimum one (1) acre parcel;
- (c) Eighty-six (86) feet, for a structure containing non-residential uses on the first floor with secondary residential uses above on a minimum parcel size of four (4) acres or more.

Section 38.9. Setbacks.

Front yard:	For building elements of up to twenty-eight (28) feet: 20 feet maximum on all streets.
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	For building elements over 28 feet: Must step back an additional half-foot for every foot in height above 28 feet from the front façade of the building. The open areas produced as a result of the stepped back portion of the building may be used as deck, patio, balcony, or other open space.
Secondary Front:	10 feet
Side yard:	10 percent of lot width per side; 10 foot minimum setback required.
Rear yard:	20 feet for the first 28 feet in height; 30 feet for all elements above 28 feet; No setback shall be required for any structural pedestrian facilities adjacent to any body of water. Outdoor seating areas for permitted businesses may be placed within the required rear yard setback if the zoning lot is not adjacent to a residential use.

Section 38.10. Maximum impervious surface ratio.

Maximum impervious surface ratio (ISR) for exclusively non-residential uses: 0.85

Maximum impervious surface ratio (ISR) for mixed residential/temporary lodging use: 0.70

Section 38.11. Minimum Off-Street Parking Requirements

Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading. Parking shall not be located in front of the building, but may be placed to the side or rear.

Section 38.12 Landscaping

Shall be in accordance with the requirements of Division 22 of the Land Development Code, Landscaping and Tree Protection.

Section 38.13 Design Requirements

Shall be in accordance with the requirements of Division 39.

Section 38.14 Signs

Shall be in accordance with Division 26.

Division 42. BR Bayou Residential District.

Section 42.1. Purpose and intent.

The BR Bayou Residential District is intended to support multi-family residential or Temporary Lodging projects with limited non-residential uses mixed with the Residential uses.

Section 42.2. Permitted Primary and Secondary Uses

Subject to the provisions or restrictions contained in this section and elsewhere in this code, permitted primary and secondary uses and structures in the Bayou Residential District are as follows.

Primary Uses:

- (a) Residential uses - Attached single family, two family, and multi-family.

Secondary Uses:

- (a) Commercial or retail uses as a mixed-use component with multi-family residential (minimum 2 acre site).

Section 42.3. 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 42.5.
- (b) Home occupations, subject to the conditions set forth in Section 6.5 of this code;
- (c) Temporary structures under the provisions of Section 6.11 of this code;
- (d) Electric vehicle charging stations.

Section 42.4. Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this code, allowable conditional uses in the Bayou Residential District are as follows.

- (a) Docks, commercial –Class A

- (b) Temporary Lodging, awarded on a first come, first serve basis, to come from the density pool established in the Comprehensive Plan (325 available units for potential use in the Town Center Core Corey Circle, Coquina West, Activity Center, and Bayou Residential Districts).

Section 42.5. Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Bayou Residential District.

Section 42.6. Density and intensity.

- (a) Residential uses shall not exceed 15 units per acre on a site less than two (2) acres.
- (b) Residential uses shall not exceed 18 units per acre on a buildable site two (2) acres or more.
- (c) Residential density of up to 18 units per acre on a buildable site of two (2) acres or more only with a non-residential mixed use component with a minimum of 0.2 FAR and a maximum of 0.3FAR.
- (d) 40 temporary lodging units per acre not to exceed a total of 50 units per project nor the density pool allocated.

Section 42.7. Height and Setbacks. For the Bayou Residential District, front yard setbacks for exclusively Residential and Temporary Loading uses are based on height per the Comprehensive Plan and as follows:

Use	Height and Front Yard Setbacks
Residential on less than 2 acres	35 feet with a minimum setback of 20 feet from Gulf Blvd.
Residential on 2 acres or greater	45 feet with a minimum setback of 30 feet from Gulf Blvd.
Tourist Lodging	54 feet with a minimum setback of 40 feet from Gulf Blvd.

Other Setback Requirements:

Front Yard for Commercial Mixed with Residential	The Commercial portion of a mixed use development shall be set back a minimum of 15 feet.
Secondary Front:	20 Feet
Side yard:	10 percent of lot width per side; 10 foot minimum setback required.
Rear yard	20 feet. No setback shall be required for any structural pedestrian

	facilities adjacent to any body of water. Outdoor seating areas for permitted commercial uses may be placed within the required rear yard setback.
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Section 42.8. Maximum impervious surface ratio.

Maximum impervious surface ratio (ISR) for all uses: 0.70

Section 42.9. Minimum Off-Street Parking Requirements

Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading.

Section 42.10 Landscaping

Shall be in accordance with the requirements of Division 22 of the Land Development Code, Landscaping and Tree Protection.

Section 42.11 Design Standards

Design standards shall be in accordance with Division 39.

Section 42.12 Signs

Shall be in accordance with Division 26.

Division 46. B/HC Boutique Hotel/Condo District.

Section 46.1. Purpose and intent.

The B/HC Boutique Hotel/Condo District is established to accommodate multi-family residential and medium intensity transient accommodation uses. This district is not intended to support commercial or other non-residential uses, except those that are accessory and subordinate to transient accommodation uses.

Section 46.2. Permitted uses

Subject to the provisions or restrictions contained in this section and elsewhere in this code, permitted uses and structures in the B/HC Boutique Hotel/Condo District are as follows.

- (a) Residential uses – multifamily only.
- (b) Transient accommodations – hotel, motel and resort condominium.
- (c) Non-residential uses that are accessory and subordinate to transient accommodation uses, such as recreational facilities, restaurants and bars, personal service uses, retail uses, meeting spaces/conference rooms, fitness centers, and spa facilities.

Section 46.3. 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 46.5.
- (b) Home occupations, subject to the conditions set forth in Section 6.5 of this code.
- (c) Electric vehicle charging stations.

Section 46.4. Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this code, additional temporary lodging units may be allocated from a density pool via a conditional use as follows:

In addition to any transient accommodation units which may be allowed on a per acre basis, there are hereby 125 total transient accommodation units for the entire Boutique Hotel/Condo district, which shall be allocated to individual projects by ordinance of the

City Commission upon request of an individual property owner. Such allocation shall not exceed an additional twenty (20) units per acre, nor a total of 60 units per redevelopment project, irrespective of total project acreage.

Section 46.5. Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the B/HC Boutique Hotel/Condo District.

Any use which has been determined under the provisions of Chapter 46 of the Code of Ordinances to be potentially noxious, dangerous or offensive to residents of the district or to those who pass by on public roadways or likely for other reasons to be incompatible with the character of the district, is hereby prohibited in the B/HC Boutique Hotel/Condo District.

Section 46.6. Density and intensity.

Density and intensity 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:

- (a) Residential uses shall not exceed 18 units per acre.
- (b) Transient accommodation uses shall not exceed 50 units per acre, except as provided for in Section 36.4.
- (c) The aggregate floor area of transient accommodation units in projects in this district shall not exceed the total allowable unit density multiplied by 750 square feet per 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. Common areas shall not include hallways, stairwells, elevator shafts, manager's office, restrooms, storage or mechanical areas, but shall include a lobby, reception/concierge areas, conference rooms, and common office (i.e. computer/business centers with computers, fax machines, copiers, etc) for guest use.

Example: Unit density = 50/acre; Aggregate floor area = 50 units X 750 square feet = 38,500 square feet of unit floor area plus 0.2 x total parcel area square feet for common areas and indoor amenities = total building square footage, excluding structured parking.

Actual unit count, configuration and average size shall be at the discretion of the developer, in accordance with the above specified limitation.

- (d) For the purposes of this Division, lockout units shall count against specified density limitations. A lockout unit shall be defined as a room or rooms with sanitary facilities, with or without cooking facilities, which is attached and has access to a transient accommodation unit by means of a door or doors

that are lockable from within the lockout unit, and that has a separate lockable access to the public areas or corridors. A lockout unit is capable of being functionally separated for the transient accommodation unit to which it is attached and rented as a separate room.

Section 46.7. Building height and front yard setbacks.

The maximum height shall be regulated by front setback as follows:

- (a) Seventy-six (76) feet for any building that exclusively contains only temporary lodging uses with a minimum setback of one hundred (100) feet from Gulf Boulevard; or
- (b) Sixty-five (65) feet for any building that exclusively contains only temporary lodging uses with a minimum setback of seventy-five (75) feet from Gulf Boulevard; or
- (c) 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 36.8.(a) and 36.8.(b) above, subject to a minimum setback of fifty (50) feet from Gulf Boulevard; or
- (d) Fifty (50) feet for temporary lodging with or without accessory uses as described in Section 36.2 c and residential uses are required to have a minimum front setback of twenty (20) feet.

Section 46.8. Secondary, rear, and sideyard setbacks.

Secondary Front yard:	10 feet
Side yard:	Minimum combined side yards of 30 percent of lot width, with a minimum of 10 percent on each side. No single side yard setback shall be less than 10 feet.
Rear yard	10 feet landward of the Florida Coastal Control Line or St Pete Beach Coastal Control Line, whichever is more restrictive.

Section 46.9. Maximum impervious surface ratio.

Maximum impervious surface ratio for any exclusive transient accommodation uses: 0.85

Maximum impervious surface ratio for any residential use or combined residential and transient accommodation use: 0.70

Section 46.10. Minimum Off-Street Parking Requirements

Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading.

Section 46.11 Landscaping

Shall be in accordance with the requirements of Division 22 of the Land Development Code, Landscaping and Tree Protection.

Section 46.12 Design Standards

Design standards shall be in accordance with Division 39.

Section 46.13 Signs

Shall be in accordance with Division 26.

**St. Pete Beach City Commission
Agenda Report**

Issue Considered: Second Reading and Public Hearing of Ordinance 2011-21: Amending Divisions 3 and 4 of the LDC to add application submission requirements for Variance and Conditional Use Applications.

Date: November 22, 2011

Prepared By: Catherine Hartley, AICP, CNU-A, Senior Planner

Summary of Issue: At a previous City Commission meeting, the Commissioners requested that applicants provide additional information for variance and conditional use requests in order to assist them in making a decision. Staff proposed amendments to the Land Development Code to codify application requirements. The Planning Board conducted a public hearing on Ordinance 2011-21 on October 26, 2011 and unanimously recommended approval (vote 4-0). The City Commission unanimously voted to adopt the ordinance on 1st reading.

Requested Motion: “I move to approve Ordinance 2011-21 (read title)”

Attachments: Ordinance 2011-21.

Reviewed by City Manager: MB

CITY OF ST. PETE BEACH

ORDINANCE NO. 2011-21

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENTS TO THE LAND DEVELOPMENT CODE AS THEY RELATE TO APPLICATION REQUIREMENTS FOR VARAINCE AND CONDITIONAL USE APPLICATIONS AS ILLUSTRATED IN EXHIBIT “A”; 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 of St. Pete Beach finds that consistent and complete applications assist in the decision making of appointed and elected board members; and

WHEREAS, the Planning Board of the City of St. Pete Beach conducted a public hearing on October 26, 2011 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; recommending approval of the Ordinance; and

WHEREAS, City Commission of the City of St. Pete Beach conducted public hearings on November 8, 2011 and November 22, 2011, 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 text amendment to the Land Development Code to be Consistent with the Goals, Objectives, and Policies of the Comprehensive Plan; and

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

Section 1. The Land Development Regulations are hereby amended as shown in “Exhibit 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 MCFARLIN, MAYOR

LPA NOTICE PUBLISHED: 10/12/2011 and 10/19/2011

LPA PUBLIC HEARING: 10/26/2011

FIRST READING: 11/8/2011

PUBLISHED: 11/2/2011

SECOND READING/ADOPTION HEARING: 11/22/2011

PUBLISHED : 11/13/2011

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 _____ day of _____, 2011

Rebecca Haynes, City Clerk

Exhibit "A"

Sec. 3.12. Variances.

(c) Application submission requirements

Each application is due no later than 30 days prior to the public hearing and shall contain the following information, accompanied by the payment of the applicable fee set forth in Appendix A, St. Pete Beach Code of Ordinances:

1. A completed application, signed by the property owner. The format of the application shall be determined by the City Manager.
2. Proof of ownership.
3. When the applicant is a representative of the property owner or purchaser under contract, a notarized statement authorizing the representative to act as an agent of the property owner with regard to the application and associated procedures.
4. A property survey containing the legal description, land area, and existing improvements on the site. The survey shall be signed and sealed by a surveyor licensed in the State, and shall have been performed not more than ten (10) years prior to the date of application. The survey shall accurately depict all improvements on the site. If all improvements are not depicted on the survey, the applicant shall conduct a new survey of the property and submit it with the application materials.
5. A site plan illustrating the request, drawn to scale. The sheet size shall not be less than eleven inches by seventeen inches (11 x 17) and shall not be more than thirty-six inches by forty-eight inches (36 x 48). An electronic version may be required.
6. Any stipulation, condition, or proffer the applicant wishes to offer along with the application.
7. Applicants are encouraged to submit additional information, such as elevations, photos, and/or product information, when appropriate.

Deleted: may be required

- (d) Determination of completeness of application. The city shall determine whether the application is complete. If the application is complete, the application shall be forwarded for review. If the application is not complete the city shall take no further action on the application until the required information is submitted by the applicant.

DIVISION 4 CONDITIONAL USE PERMITS

Sec. 4.2. Applications and administrative review procedures.

(a) *Simultaneous applications.* Applications for conditional uses, site plan review, zoning changes, variances and any other similar applications may be filed simultaneously by the applicant; however, all such applications shall be finalized before any permits or licenses are granted.

(b) *Application submission requirements.* ~~All applications shall be submitted to the city manager in a form specified by the city, accompanied by the payment of the applicable fee set forth in Appendix A, St. Pete Beach Code of Ordinances, as follows:~~

~~(1) All applications shall contain the submittal requirements established by administrative regulation. Each application is due no later than 30 days prior to the public hearing accompanied by the payment of the applicable fee set forth in Appendix A, St. Pete Beach Code of Ordinances, and shall contain the following information:~~

1. A completed application, signed by the property owner. The format of the application shall be determined by the City Manager.

2. Proof of ownership.

3. When the applicant is a representative of the property owner or purchaser under contract, a notarized statement authorizing the representative to act as an agent of the property owner with regard to the application and associated procedures.

4. A property survey containing the legal description, land area, and existing improvements on the site. The survey shall be signed and sealed by a surveyor licensed in the State, and shall have been performed not more than ten (10) years prior to the date of application. The survey shall accurately depict all improvements on the site. If all improvements are not depicted on the survey, the applicant shall conduct a new survey of the property and submit it with the application materials.

5. A site plan illustrating the request, drawn to scale. The sheet size shall not be less than eleven inches by seventeen inches (11 x 17) and shall not be more than thirty-six inches by forty-eight inches (36 x 48). An electronic version may be required.

(2) 6. ~~Applications—Applicants~~ are encouraged to submit additional information, such as elevations, photos, and/or product information, when appropriate, ~~after the initial submission.~~

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**St. Pete Beach City Commission
Agenda Report**

ISSUE CONSIDERED: Ordinance 2011-36 providing for an increase in budgeted monies in the general fund for fiscal year ending September 30, 2011 and providing for funding.

DATE: November 8, 2011

PREPARED BY: Elaine Edmunds, Finance Director

SUMMARY OF ISSUE: Final reading of Ordinance 2011-36 provides for an increase in budgeted monies for the general fund in the amount of \$143,000. The additional monies are needed for the following:

1. Extra legal costs paid in fiscal year 2011 were \$105,000 higher than budgeted. Additional funding will come from the City's reserves.
2. Revenue from fire insurance premium tax was \$28,000 higher than the amount budgeted. This is a pass thru revenue and is required to be transferred to the firefighter's pension fund.
3. Credit card processing fees for parking pay stations were higher than budgeted due to higher than expected usage thereby generating additional income as well as \$10,000 in additional costs.

Since first reading, the police department has gone over budget by approximately \$15,000 due to the liability accrual for a final payout on a police officer retiring September 30th. This is being covered by a transfer from the City Clerk's budget to the Police Department budget.

REQUESTED MOTION: "I move to approve on final reading, Ordinance 2011-36, (read title)...

ATTACHMENTS: Ordinance 2011-36

**REVIEWED BY
CITY MANAGER:** MB

ORDINANCE 2011-36

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING A SUPPLEMENTAL APPROPRIATION TO THE GENERAL FUND FOR FISCAL YEAR ENDING SEPTEMBER 30, 2011; PROVIDING FOR FUNDING; PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, estimated revenues and expenditures are provided in Ordinance 2010-25, Budget Ordinance; and

WHEREAS, the authority for appropriation amendments is provided in Article III, Section 3.13 (a) of the City Charter; and

WHEREAS, additional monies are necessary to pay for extra legal costs to be funded from City Reserves; and

WHEREAS, additional monies are necessary for the transfer payment to the firefighter's pension fund to be funded by revenue received from the State of Florida collected thru the fire insurance premium tax; and

WHEREAS, additional monies are necessary for the payment of credit card processing fees charged at the parking pay stations to be funded from additional revenues collected for parking fees; and

WHEREAS, a transfer from the City Clerk's budget to the Police Department's budget is necessary to fund a final payout of an officer retiring effective September 30, 2011.

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

Section One. For the General Fund, an increase in revenue in the amount of \$105,000 to be drawn from the City's general fund balance to fund the City Attorney Department, Extra Legal Costs of \$105,000.

Section Two. For the General Fund, an increase of \$28,000 in Fire Insurance Premium Tax Revenues to fund the Fire Department, Fire Suppression Division for the additional transfer required to the Firefighter's Pension Fund of \$28,000.

Section Three. For the General Fund, an increase of \$10,000 in Parking Revenue to fund the additional costs required to process credit card transactions to fund the Finance Department, Parking Enforcement Division, Operating Supplies of \$10,000.

Section Four. For the General Fund, a transfer of \$15,000 from the City Clerk's budget to the Police department budget to fund final payout of a police officer retiring September 30, 2011.

Section Five. This ordinance shall become effective upon final passage.

Steve McFarlin, MAYOR

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

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 _____ day of _____, 2011.

Rebecca Haynes, City Clerk