

PLANNING BOARD MEETING MINUTES

January 26, 2026 - 4:00PM

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

STAFF PRESENT: Brandon Berry, Senior Planner
Ralf Brookes, City Attorney
Ginny Bodkin, Deputy City Clerk

Chair Hubbard called the meeting to order at 4:00 PM, followed by the Pledge of Allegiance.

1. Approval of the Agenda –

Senior Planner Brandon Berry requested that item 4.c. be heard first as there were two experts present on Zoom for that item.

Motion: Member Perry moved, and Member Izzi seconded, to approve the January 26, 2026 agenda as amended; the motion carried unanimously.

2. Audience Comments – Deborah Schechner of Boca Ciega Isle Drive expressed concern about a large country music festival planned during sea turtle and skimmer nesting season, stating that beach crowds, noise, and lighting could harm protected wildlife, which are protected by law. She pointed out inadequate enforcement of existing laws and urged the City to prioritize wildlife protection over development and special events.

3. Approval of Minutes – Minutes December 15, 2025

Motion: Member Perry moved and Member Lorenzen seconded, to approve the December 15, 2025 minutes as presented; the motion carried unanimously.

Chair Hubbard adjourned the Planning Board and convened the Local Planning Agency at 4:05 PM.

4. Action Items –

- a. Recommendation of Resolution 2026-01 to the City Commission: Vacating three-foot easements located at the rear of Lots 5 and 6 of Block C of Sunset Park Replat as recorded in Plat Book 18, Page 6, of the Public Records of Pinellas County, Florida (103 24th Avenue).

City Attorney Ralf Brookes read Resolution 2026-01 in title only.

Public Comment: Attorney Amy Lettelleir, representing adjacent property owners David and Melinda Gallagher, opposed the easement vacation due to an ongoing sewer service dispute. She stated that the Pezzas cut the Gallaghers' sewer line without approval, disrupting service, and that the City required reconnection and withheld permits. Citing advice from the City Attorney, she argued that vacating the easement during an active dispute could expose the City to liability and recommended deferring action until sewer issues are resolved. She requested that the item be removed from the City Commission agenda until the matter is settled.

Senior Planner Brandon Berry summarized this request from property owners Mike and Gina Pezza. The presentation included a plat and new residence plan. Letters of no conflict had been received by the utility companies. The City does not have any basis to retain the easement and drainage will be provided through swales during development. The neighbor's sewer line connects into the subject property's sewer line which runs to a manhole at the rear of the property. This is a known issue and is not directly related to the vacation, but final action to discontinue the line requires resolution of this issue. His presentation is part of the meeting record. He added that this Board makes recommendations to the City Commission and neither denies nor approves.

Applicant Michael Pezza stated that the sewer line was not intentionally cut, was severed without authorization by a contractor, and was promptly repaired. He explained that the sewer line issue predates the easement request, involves an allegedly unrecorded and illegal line beneath his property, and has caused delays, added costs, and hardship to his planned improvements. He noted unsuccessful efforts to resolve the issue with the affected owners, stated the City previously considered it a private matter with relocation options provided, and argued that the sewer line should be relocated and not tied to or delay the requested easement vacation.

Attorney Brookes stated that the City is not required to determine whether a valid private easement exists for the sewer line, as that issue is for the courts or the parties to resolve. He emphasized that the City's responsibility is to protect public health, safety, and welfare and that it cannot allow actions that would result in a sewer spill or sewage backing up into a residence. He recommended that any approval of the easement vacation be conditioned so it does not take effect until the affected property owners reach an agreement on how the sewer line will be addressed .

Motion: Member Lorenzen moved, and Member Izzi seconded to recommend approval of Resolution 2026-01, vacating the three foot easement, to the City Commission. The motion carried 4-1 with Chair Hubbard voting no.

- b. Recommendation of Resolution 2026-03 to the City Commission: Vacating two five-foot drainage and utility easements along the common side lot lines of Lots 1 and 2 of Block 79 of the plat of North Unit No. 1., as recorded in Book 21, Page 27, of the Public Records of Pinellas County, Florida (645 78th Avenue.)

Attorney Brookes read Resolution 2026-03 in title only.

There was no public comment.

Mr. Berry presented the request from property owner Leanne Faris. Letters of no objection were received by three utilities; responses are awaited from TECO and Charter Communications. The City does not have any basis to retain the easement: drainage will be provided through swales during development. His presentation is part of the meeting record.

Motion: Member Izzi moved, and Member Perry seconded, to recommend approval of Resolution 2026-03 to the City Commission. The motion carried 5-0.

- c. Recommendation of Ordinance 2025-16 to the City Commission: Marine turtle and coastal wildlife protection

Attorney Brookes read Ordinance 2025-16 in title only.

There was no public comment.

Mr. Berry thanked subject experts Stacey Gallagher of the Sea Turtle Conservancy and Kate Becker of the National Wildlife Federation for attending the meeting via Zoom to answer questions. He reviewed a presentation of the modifications, which were originally reviewed at the December Planning Board meeting. The amendment would remove the effective ban on nighttime beach special events during marine turtle nesting season and allow such events with safeguards. Approval would require a special event lighting plan using turtle-friendly, long-wavelength, low-mounted, and shielded lighting, with exemptions for existing compliant lighting. The City may also require third-party review and inspection of complex lighting setups.

Staff consulted with the experts regarding the use of barriers instead of lighting controls. They were advised that barriers are not effective in lieu due to the meandering paths of sea turtle hatchlings and paths that follow horizons, they do not prevent disorientation of nesting turtles, indirect lighting on the beach is cumulative, and barriers require maintenance. Consistency with the Comp Plan was reviewed, as it was at the December meeting. The presentation is part of the meeting record.

Mr. Berry explained that transient lighting language was added directly from the Florida model lighting ordinance and Ms. Gallagher reported that the Sea Turtle Conservancy lighting team opinion is that it is better to regulate that in some way rather than having no regulation at all. She commended the city in taking these steps.

Member Perry asked for a moment to speak regarding Black Skimmers, and Rule 68A-27.003 of Florida Administrative Code, prohibiting harm and harassment of the species. She provided a document, which is part of the meeting record. She also provided a video of the effects of fireworks on the birds. She stressed education of the public.

Staff explained the provision allowing final inspection prior to issuance of a certificate of occupancy for new construction is intended to cover coastal construction involving additions or modifications, excluding minor maintenance, and is meant to ensure City inspection of non-certified fixtures, windows, doors, and lighting for compliance with turtle-protection standards. The board discussed offshore fireworks, noting they remain subject to state and local permitting and are carefully sited away from bird nesting areas in coordination with wildlife agencies, a process the board agreed has been effective. The board also discussed penalty provisions for lighting violations, clarifying that each noncompliant light source could be cited separately to encourage timely correction; code enforcement includes notice with time to remedy violations before penalties are imposed.

Mr. Berry summarized that there are educational meetings with hoteliers coming up and staff have shared this ordinance with them.

Motion: Member Perry moved, and Vice Chair Angelides seconded, to recommend Ordinance 2025-16 to the City Commission and find the Ordinance consistent with the Comprehensive Plan. The motion carried 5-0 .

- d. Recommendation of Ordinance 2026-01: Amending Land Development Code standards pertaining to accessory structures, ancillary equipment, nonconforming uses and structures, stair and balcony encroachments, and providing for consistency in floodplain management regulations and definitions, to the City Commission.

Attorney Brookes read Resolution 2026-01 in title only.

There was no public comment on this item.

Mr. Berry explained that the ordinance is being reintroduced with a new number and amended content to ensure consistency with prior code changes and state requirements. Last year, the City adopted amendments to its technical amendments to the Florida Building Code allowing property owners with flood-damaged equipment, who are not elevating their homes, to reinstall that equipment at four feet above grade rather than above the floodplain. These amendments were coordinated with the State and incorporated into the City's Code of Ordinances. As part of the State's agreement to allow these local amendments the City was asked to review and update its LDC. The current amendments focus on definitional and standard updates needed to align the LDC with Chapter 98 of the City Code and applicable Florida Building Code floodplain management requirements. Mr. Berry reviewed a short presentation, which is part of the meeting record. The ordinance went to the City Commission two weeks ago with the final reading scheduled for tomorrow.

Key changes included updated floodplain definitions, revisions to stair openness standards, clarification of limits on substantial improvements to historic structures, and technical consistency updates. Board discussion focused primarily on the staircase encroachment provisions, particularly the decision to extend additional stair encroachment allowances to new construction, not just hurricane-damaged or elevated existing homes. Several members questioned the rationale and data supporting this extension, expressing concern that the ordinance provided more relief to new builds than to storm-damaged properties and suggesting that new construction should instead rely on the variance process. Others noted constraints on undersized lots and post-storm redevelopment conditions.

The Board conducted a detailed review of the proposed ordinance and identified technical inconsistencies related to stair openness percentages, rebuilding permit timelines, nonconforming use language, and building height measurement standards. The Board supported revising permit language to require permits to be applied for and kept active to avoid penalizing applicants for processing delays, and staff agreed to update all references to reflect a consistent 70% stair transparency requirement. Questions were raised about the 8-foot height measurement standard, with staff explaining its intent to ensure consistent single-family home heights and noting the issue may warrant future review. Staff also agreed to align inconsistent rebuilding timeframe provisions.

Staff clarified exterior stair encroachments. Following discussion, it was determined to revise the ordinance language to clearly distinguish between front-yard-only encroachments and general three-foot encroachments into any required yard.

Staff requested that any board recommendation clearly state whether the stair encroachment provisions should apply to new construction or be limited to elevated or storm-damaged structures, as this was a central policy issue for City Commission consideration.

Motion: Member Izzi moved, and Member Lorenzen seconded, to recommend Ordinance 2026-01 to the City Commission with the administrative changes discussed today, the removal of the allowance for new residences, and find the Ordinance consistent with the Comprehensive Plan. The motion carried 4-1 with Member Angelides voting no.

Chair Hubbard adjourned as the Local Planning Agency and reconvened as the Planning Board at 5:31 PM.

5. Discussion Items -

a. 2026 Florida Legislative Session Introduction

Mr. Berry reviewed a presentation that highlighted the major subjects of applicable bills; the presentation is part of the meeting record.

SB 840 shortens the moratorium on adopting more restrictive local land-use regulations from October 2027 to June 2026 and clarifies that, after future storms, cities may impose limited post-storm moratoria, enforce existing LDC and Comprehensive Plan standards, adjust review procedures without extending timelines, and adopt stricter requirements when mandated by state or federal law or the Florida Building Code. The bill amends SB 180 (2025) without altering its applicability to St. Pete Beach.

Proposed SB 1138 / HB 927 would require cities to maintain a registry of qualified private contractors to review zoning and planning applications, similar to private building reviewers. Smaller cities would need at least three reviewers, with conflict-of-interest safeguards and no geographic limits. The bill would reduce application fees to account for private review costs, allow limited clerical fees, and require applications to be approved within 10 business days unless a valid basis for denial is provided.

Proposed SB 948 (Starter Homes Act) would limit local zoning controls by capping minimum lot area at 1,200 sq. ft. per dwelling for single- through four-family housing in residential districts and restricting local standards to basic height, setback, and Building Code requirements.

Proposed SB 48 (Accessory Dwellings) would allow accessory dwelling units by right in all single-family zoning districts, with limited local regulation. The bill removes owner-occupancy and additional parking requirements in many cases, restricts local limits on size and lot coverage to those applied to the primary home, and allows prohibition of short-term rentals only.

Proposed SB 208 would require development review fees to reflect actual review costs and prohibit percentage-based fees, aligning with the City's current practices. It would also mandate the use of specific massing, architectural, and design standards when reviewing residential projects, especially multifamily developments, while preserving existing preemptions for historic districts, though some uncertainty remains regarding its interaction with state limits on single-family design regulations. The presentation briefly summarized SB 302 (nature-based solutions for coastal resilience), HB 479 (land and water management), and HB 105 (local government enforcement actions).

6. Adjournment - Next meeting February 26, 2026.

There being no further business, Chair Hubbard adjourned the meeting at 6:00 PM.

These minutes were approved at the February 26, 2026 meeting of the Planning Board.