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COMMISSION MEETING CITY OF ST. PETE BEACH

155 Corey Avenue

Wednesday, September 09, 2015

6:00 PM

Call to Order
Pledge of Allegiance
Invocation
Roll Call

REGULAR MEETING

1. **Presentations** - Presentations shall be limited to 5 minutes for non-city government related items.
2. **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.
3. **Audience Comments** - Comments shall be limited to 3 minutes per person to issues not on the agenda, 21 minutes in total.
4. **Ordinance-Millage Rate**
 - a. **Ordinance 2015-24, First Reading and Public Hearing setting the millage rate for Fiscal Year 2016**

5. Consent

- a. Approval of City Commission minutes from the following meetings: July 13, 2015 Budget Workshop; July 15, 2015 Budget Workshop; and August 11, 2015 Regular.**
- b. Authorization to approve special event application and street closure for the 7th Annual VW Beach Bash scheduled for October 3, 2015. Closures would be 9th and 10th Avenues from 6am – 6pm.**

6. Action Items

- a. Consideration and Action on Application for Case 20150028 a Conditional Use for a Commercial Parking Lot located at the 3800 block of Gulf Blvd. with the requested variances.**
- b. Authorization for the City Manager to enter an agreement with Public Risk Management of Florida for renewal of the City insurance policies covering the period from 10/01/2015 to 09/30/2016 in the amount of \$503,930.**
- c. Acceptance by City Commission to recognize ImageNet as the low proposer for Document Scanning Services for the Community Development Department.**
- d. Approve the ranking and authorize the City Manager to enter into negotiations with the top responder of the Pass-a-Grille RFQ for design services.**

7. Ordinances

- a. Ordinance 2015-23, First Reading and Public Hearing, providing for wastewater fee adjustments for fiscal year 2016.**
- b. Ordinance 2015-25, First reading and public hearing, an ordinance of the City of St. Pete Beach, Florida adopting a budget for the fiscal year ending September 30, 2016; providing appropriations, and providing for an effective date.**
- c. Ordinance 2015-15, Final Reading and Public Hearing providing for an amendment to the Code of Ordinances regarding Flood Management.**
- d. Ordinance 2015-26 First Reading and Public Hearing providing for an amendment to the Code of Ordinances regarding Flood Management.**

8. Resolutions

- a. Resolution 2015-11, a Resolution of the City Commission of the City of St. Pete Beach, Florida, relating to the provision of stormwater management services provided by the City's stormwater system; imposing stormwater service assessments against assessed property located in the City for the fiscal years beginning October 1, 2015 through and including the fiscal year beginning October 1, 2019; approving the stormwater rates; approving the stormwater service assessment rolls, directing that the stormwater service assessment rolls be certified to the Pinellas County Tax Collector, and providing an effective date.**

9. Items for Discussion

10. Audience Comments 2 - Comments shall be limited to 3 minutes per person to issues not on the agenda, 21 minutes in total.

11. City Clerk, City Manager, City Attorney and City Commission Reports

12. Adjournment

APPEAL: If a person decides to appeal any decision made at this meeting, he/she will need a record of the proceeding and, for such purpose, will need to ensure that a verbatim recording of the meeting is made that includes the testimony and evidence on which to base the appeal. (Florida Statute 286.0105) The City does not furnish verbatim transcripts. Interested parties should make the necessary arrangements for verbatim transcripts.

AMERICANS WITH DISABILITIES ACT: In accordance with the Americans with Disabilities Act and Florida Statutes, Chapter 286.26, persons needing special accommodations to participate in a meeting should contact City Hall at (727) 367-2735 no later than four (4) days prior to the meeting for assistance.

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

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

Issue Considered: First Reading Ordinance 2015-24 setting the millage Rate for Fiscal Year 2016

Date: September 9, 2015

Prepared By: Elaine Edmunds, Administrative Services Director

Summary of Issue: The proposed 3.1500 operating millage (\$3.15 per \$1,000 of taxable valuation) is equal to the current year millage rate and .2195 higher than the rolled-back rate. The proposed millage rate will generate approximately \$7,224,194 in ad valorem taxes which is \$531,519 higher than the previous year's tax revenue.

The above millage rate will fund the proposed expenditures for fiscal year 2016 with \$137,206 going toward reserves. This millage is 7.49% higher than the rolled-back of 2.9305 and will result in an overall increase of tax revenue to the City.

Requested Motion: "I move that Ordinance No. 2015-24 (please read ordinance in its entirety) be approved on first reading."

Attachment: Ordinance 2015-24

**Reviewed by
City Manager:** WS

ORDINANCE NO. 2015-24

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA; ADOPTING A FINAL MILLAGE RATE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016: PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ST. PETE BEACH, FLORIDA, DOES ORDAIN:

Section 1. That a millage levy of 3.1500 general and operative levy is hereby fixed and adopted for the fiscal year of the City ending on September 30, 2016 and shall be placed upon the total taxable assessed valuation of property of any kind liable for and subject to taxation by the City of St. Pete Beach, Florida, including real and personal property, lying within the City of St. Pete Beach, Florida.

Section 2. Said monies as raised by the levy of 3.1500 mills, estimated at \$7,224,194 shall be used for the general operation of the City of St. Pete Beach including, but not limited to, salaries, insurance and energy costs and transfers for capital projects for the afore-mentioned fiscal period.

Section 3. The fiscal year 2016 operating millage rate of 3.1500 mills is higher than the rolled-back rate of 2.9305 mills by 7.49%.

Section 4. That a certified copy of this ordinance shall be forwarded to the Property Appraiser of Pinellas County, Florida, together with a request that the aforementioned levies be made by her office on behalf of the City of St. Pete Beach for the Fiscal Year 2015-2016.

Section 5. This ordinance shall become effective immediately upon its final passage.

Maria Lowe, Mayor

FIRST READING: _____
PUBLISHED _____
FINAL 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 _____, 2015.

Rebecca Haynes, City Clerk

CITY COMMISSION MEETING – BUDGET WORKSHOP

MINUTES

JULY 13, 2015

1:00 P.M.

CALL TO ORDER

The meeting was called to order at 1:10 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENT:

Maria Lowe, Mayor
Terri Finnerty, Vice Mayor
Rick Falkenstein, Commissioner
Gregory Premer, Commissioner (arrived at 1:12 p.m.)
Melinda Pletcher, Commissioner

ALSO PRESENT:

Wayne Saunders, City Manager
Andrew Dickman, City Attorney
Rebecca C. Haynes, City Clerk
Jennifer Bryla, Community Development Director
Elaine Edmunds, Administrative Services Director
Phyllis Ruscella, Library Administrator
John Kretzer, Interim Public Services Director
Jennifer McMahon, Recreation Director

1. Review Fiscal Year 2016 Proposed Budget

City Manager Wayne Saunders and Administrative Services Director Elaine Edmunds reviewed the funds, millage rate and budget process.

City Commission

City Commission received and filed with the following changes:

- Delete \$7,250 from Donations (retain \$8,000 for Neighborly Care Network and \$3,000 to Gulf Beaches Historical Museum)
- Reallocate Beach Goes Pops to the Recreation Department

- Allocate the newsletter costs to the Contingency Account
- Decrease the Travel & Training Account to \$7,500

Charter Offices

- a. City Clerk
 - Eliminate the two part-time positions at 32 hours per week
 - Increase one part-time position to 29 hours per week
 - Laptop for off-site meetings and new file cabinet system
- b. City Attorney

There were no recommended changes.

- c. City Manager
 - Increase in Professional/Contractual for pay plan
 - Increase in training for new hires in City Manager's office
 - Increase in employee recognition for longevity award program
 - Decrease in promotional activities
 - Transfer funds for Beach Goes Pops
 - Decrease in CIP fund, move item to City Commission budget

Community Development

- a. Planning Division
 - Increase in and reallocation of personnel
 - Increase for GIS mapping system
- b. Building Services Division
 - Reallocation of personnel
 - Transfer code enforcement to separate department
 - Purchase of new building and licensing software
- c. Code Enforcement Division
 - New division

Administrative Services Department

- a. IT Division

- Increase of one full-time position
 - Decrease in consulting services
 - Increase in capital equipment for e-mail exchange system, A/V equipment and disaster recovery
- b. Finance Division
- Reallocation and reclassification (increase) of personnel
- c. Library Division
- Reclassification (increase) of personnel
 - Increase in Travel/Training
 - Increase in Facility Maintenance
- d. Parking Enforcement Division
- Reallocation of personnel
 - Replacement of vehicle
 - Replacement of parking pay stations

Law Enforcement Department

- Increase of 2.92% from the Pinellas County Sheriff's Office for general services and an increase allocated for special details

Fire Department

- a. Fire Suppression Division and EMS Division
- Increase in personnel for the full-time fire marshal position
 - Increase for bathroom renovations to Station 22
 - Increase for equipment
 - Increase in vehicle replacement plan

Recreation Department

- a. Recreation Division and Aquatics Division
- Divided into two divisions
 - Increase in overall budget
 - Increase in personnel
 - Increase in instructors' fees offset by increase in revenue
 - Include fireworks display
 - Include Beach Goes Pops event

- Increase in vehicle replacement plan
- Increase in computer software

2. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 5:15 p.m.

Attest:

Rebecca C. Haynes, City Clerk

Maria Lowe, Mayor

Minutes approved on: _____

CITY COMMISSION MEETING – BUDGET WORKSHOP

MINUTES

JULY 15, 2015

1:00 P.M.

CALL TO ORDER

The meeting was called to order at 1:1 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENT:

Maria Lowe, Mayor
Terri Finnerty, Vice Mayor
Rick Falkenstein, Commissioner
Gregory Premer, Commissioner
Melinda Pletcher, Commissioner

ALSO PRESENT:

Wayne Saunders, City Manager
Andrew Dickman, City Attorney
Rebecca C. Haynes, City Clerk
Jennifer Bryla, Community Development Director
Elaine Edmunds, Administrative Services Director
Phyllis Ruscella, Library Administrator
John Kretzer, Interim Public Services Director
Jennifer McMahon, Recreation Director
Mary Jo Murphy, Deputy City Clerk

1. Review Fiscal Year 2016 Proposed Budget

City Manager Wayne Saunders and Administrative Services Director continued to review the funds, millage rate and budget process.

Public Services

- a. Administration Division
 - Reallocation (increase) of personnel

- Increase in Pinellas Suncoast Transit Authority (PSTA) costs
- Reallocation of fireworks display to Recreation Department
- b. Building Maintenance Division
 - Increase in personnel shared with the street division
 - Decrease in operational costs in regard to the former police building
 - Increase in vehicle replacement plan
 - Increase in capital outlay for security improvements to City Hall
- c. Streets Division
 - Increase in personnel shared with the building maintenance division
 - Reallocation of personnel
 - Increase for purchase of buoys
 - Increase in vehicle replacement plan
 - Increase for new entrance to the city signage
- d. Parks Division
 - Reallocation of personnel
 - Increase in vehicle replacement plan

Wastewater Fund

- a. Revenue
 - Increase in revenue due to a 9.75% increase in rates
 - Increase due to loan monies for Lift Station 3 and Pass-A-Grille Way Road Reconstruction Project, Phase II
- b. Expenses
 - Reallocation of personnel
 - Increase for analysis of wastewater impact fees
 - Increase for wastewater treatment costs
 - Increase in vehicle replacement plan
 - Increase in capital expenditures to cover lift station and pump station general repairs
 - Increase for capital lease on VAC truck
 - Increase for new note payment with Center State Bank

Reclaimed Water Fund

- a. Revenue
 - No rate change proposed
- b. Expenses
 - Increase for capital improvements per CIP
 - Transfer to CIP to cover reclaimed water in the Pass-A-Grille Way Road Reconstruction Project, Phase II
 - Repayment to general fund
 - Increase in vehicle replacement fund

Stormwater Fund

- a. Revenue
 - Increase in tier assessments
 - Southwest Florida Water Management District grant included
- b. Expenses
 - Reallocation of personnel
 - Increase for modeling of southern phase of Pass-A-Grille Way Road Reconstruction Project
 - Transfer to CIP fund for Pass-A-Grille Way Road Reconstruction Project
 - Increase for new note payment with Center State Bank

Vehicle Replacement Fund

Departments included in the vehicle replacement fund include:

- Finance - Parking Enforcement Division
- Fire Department
- Public Services – Buildings Division
- Public Services – Streets Division
- Public Services – Parks Division
- Recreation Department

Capital Improvements Projects (CIP)

CIP project rankings for FY 2016 through FY 2020 include City-wide Americans with Disabilities Act (ADA) Plan, Pass-A-Grille Way road reconstruction, street and alley rehabilitation, library expansion, Upham Beach concession stand, Warren Webster Community Center repairs, Merry Pier Dock, Pass-A-Grille restrooms, Gulf Winds Drive road reconstruction, playground replacement, seawall repairs, Egan Park lighting and

netting improvements, Hurley Park renovation, police station demonstration, jetty repair, Gulf Way sand wall, FDOT landscaping, City Hall generator, City Hall carpet, and Gulf Boulevard undergrounding of utilities.

2. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 4:50 p.m.

Attest:

Rebecca C. Haynes, City Clerk

Maria Lowe, Mayor

Minutes approved on: _____

CITY COMMISSION MEETING

MINUTES

AUGUST 11, 2015

6:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENT:

Maria Lowe, Mayor
Terri Finnerty, Vice Mayor
Rick Falkenstein, Commissioner
Gregory Premer, Commissioner

ABSENT:

Melinda Pletcher, Commissioner

ALSO PRESENT:

Wayne Saunders, City Manager
Andrew Dickman, City Attorney
Rebecca C. Haynes, City Clerk
Jennifer Bryla, Community Development Director
Bruce Cooper, Building Code Administrator
John Kretzer, Interim Public Services Director
Jennifer McMahon, Recreation Director

1. Presentations

There were no presentations.

2. Changes to the Agenda

There were no changes to the agenda.

3. Audience Comments

There were no audience comments.

4. Consent

- a. Approval of following City Commission meeting minutes: June 9, 2015; June 10, 2015; June 25, 2015; July 15, 2015; and July 17, 2015
- b. Authorization to hang banners over 75th Avenue at Boca Ciega Drive for the October Concert Series held each Friday in October 2015
- c. Authorization to approve street closures and wet zone for the St. Pete Beach Hometown Christmas Parade scheduled for Sunday, December 13, 2015. Closures would be Gulf Winds Drive from 64th Avenue to 70th Avenue, 70th Avenue between Gulf Winds Drive and Gulf Boulevard, and Corey Avenue from Gulf Boulevard to Mangrove Avenue
- d. Authorization for the City Manager to enter into an agreement with vendor CSM to replace the current phone system for a total cost of \$22,448.91
- e. Authorize the City Manager to enter into a purchase agreement with Augustine Construction, Inc., for \$312,940.10 for the Egan Park Stormwater BMP Project

City Manager Wayne Saunders reviewed the consent items and recommended approval as presented.

Vice Mayor Finnerty moved to approve Consent Items 4(a), (b), (c), (d) and (e) as presented. The motion was seconded by Commissioner Premier.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

5. Action Items

- a. Authorization for the City Manager to execute Change Order #2 with David Nelson Construction Company regarding the Pass-A-Grille Way Reconstruction from West Maritana Drive to 19th Avenue, providing for a reduction in the amount of \$1,190,581.01

City Manager Saunders noted that the proposed change order provides for a reduction to the contract as a result of the City purchasing certain materials directly from the vendors, thereby resulting in a savings of the sales tax.

Commissioner Premier moved to approve Item 5(a), to authorize the City Manager to execute Change Order #2 with David Nelson Construction

Company which provides for a reduction in the contract amount of \$1,190,581.01, resulting in a revised contract amount of \$9,795,175.19. It is further moved to authorize the City Manager to directly purchase permanent material items per the attachments. The motion was seconded by Commissioner Falkenstein.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

6. Ordinances

- a. Ordinance 2015-14, First Reading and Public Hearing, an ordinance of the City of St. Pete Beach, Florida providing for a supplemental appropriation to the general, wastewater, reclaimed water, stormwater and capital improvement funds for fiscal year ending September 30, 2015, providing for funding and providing for an effective date

City Manager Saunders explained that the proposed ordinance adjusts the current year's budget by providing necessary line item modifications, including donations and bond issues.

Vice Mayor Finnerty moved to approve Item 6(a), Ordinance 2015-14, on first reading, an ordinance of the City of St. Pete Beach, Florida, providing for a supplemental appropriation to the General, Wastewater, Reclaimed Water, Stormwater and Capital Improvement Funds for Fiscal Year ending September 30, 2015; providing for funding; providing for an effective date. The motion was seconded by Commissioner Falkenstein.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

- b. Ordinance 2015-15, First Reading and Public Hearing providing for an amendment to the Code of Ordinances regarding Flood Management

Bruce Cooper, Building Code Administrator, reviewed the "model ordinance" approved by the State of Florida Department of Emergency Management, the construction standards in flood hazard areas, the flood protection and the Community Rating Service (CRS). The CRS allows for communities to receive a discount on flood insurance policies. Mr. Cooper explained that every point below the rating of "10" provides for a

5% discount and the City's current classification is rated "7" which results in a 15% discount on policies.

Mr. Cooper further explained that additional modifications include: the requirement of a non-conversion agreement, entry doors and slider doors, temperature control and allowable storage items below the base flood elevation.

Commissioner Premer moved to approve Item 6(b), Ordinance 2015-15, on first reading, an ordinance of the City of St. Pete Beach, Florida, amending the City Code of Ordinances to repeal the current Article V, Chapter 98, Flood Hazard Mitigation Regulations, to adopt a new Article V, to re-adopt flood hazard maps, to adopt procedures and criteria for development in flood hazard areas and for other purposes; to adopt local administrative amendments and technical amendments to the Florida Building Code; to format existing provisions to be consistent with the Florida Building Code; providing for severability; and providing for an effective date. The motion was seconded by Vice Mayor Finnerty.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

- c. Ordinance 2015-16, First Reading and Public Hearing, Text Amendment to the Land Development Code, Section 40.9, relating to overhangs within the CRD-EA

Community Development Director Jennifer Bryla explained the proposed ordinance outlines setback issues located in the 8th Avenue, 9th Avenue and Gulf Way area of Pass-A-Grille to allow for encroachment of structures into the right-of-way consistent with the historic pattern of structures. The language was originally introduced in 2010 but was not incorporated into the Land Development Code. Ms. Bryla stated that non-conforming structures currently exist in the historic district, and this ordinance, therefore, does not create the non-conformance.

Vice Mayor Finnerty moved to approve Item 6(c), Ordinance 2015-16, on first reading, an ordinance of the City of St. Pete Beach, Pinellas County, Florida, providing for amendments to the Land Development Code; amending Division 40, Section 40.9, pertaining to setbacks for the Eighth Avenue Community Redevelopment District; 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. The motion was seconded by Commissioner Premer.

Mayor Lowe called for audience comments.

Hearing no audience comments, Mayor Lowe called for the vote.

The motion was unanimously approved by an individual roll call vote.

7. Resolutions

There were no resolutions presented.

8. Items for Discussion

There were no items presented for discussion.

9. Audience Comments

There were no audience comments.

10. City Clerk, City Manager, City Attorney and City Commission Reports

City Clerk Haynes:

- There was no report given

City Manager Saunders reported on the following items:

- The City's new "app," SPBConnect, is now available
- Pump Station 2 is near completion and 55th Avenue is paved
- Bid documents are being prepared for Pump Station 3 and Force Main 3
- Construction on Pass-A-Grille Way is delayed due to weather conditions but exploratory digging has begun
- The weekly update meetings for the Pass-A-Grille Way reconstruction project are well attended and residents' concerns are being addressed

City Attorney Dickman:

- There was no report given

Commissioner Premer reported on the following items:

- Visited five beaches during his recent family vacation
- Encouraged participation in the Tampa Bay Rays games

Commissioner Falkenstein reported on the following items:

- Suggested signs welcoming visitors to "The Sunset Capital of Florida" and displaying the time of sunset for the day
- iPad classes are held at the Library
- The last Dive-In movie is Friday, August 14th, at the community pool
- A yard sale at the Community Center is scheduled for Saturday, September 12th
- Pump Station 2 and 55th Avenue road repair are near completion
- Encouraged business owners to register their alarm systems

- Reminded residents to lock their homes and vehicles

Vice Mayor Finnerty reported on the following items:

- Requested the status of litigation in regard to the theatre on Corey Avenue
- Attended the Mayors' Council meeting on August 5th and listed items presented by the speakers at the meeting
- Requested an update to signage along Interstate 275 reading "St. Pete Bch" instead of "St. Pete Beach"
- Encouraged support of a proposed new performing arts center
- Offered appreciation to Firefighter Marc Roach for his assistance with Support Our Troops boxes
- Provided a reminder that Commissioners are invited to tour the Support Our Troops facility and help pack a box of donated items
- The Florida League of Cities Annual Conference is scheduled for August 13-15, 2015 in Orlando

Mayor Lowe reported on the following items:

- Communication in regard to wastewater pipe overflows
- Annual check-ups for children, adults, pets, homes, vehicles and hurricane re-entry tags
- Donations to school children
- Family birthday celebrations
- Serving as a mentor to children and parents

11. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 7:35 p.m.

Attest:

Rebecca C. Haynes, City Clerk

Maria Lowe, Mayor

Minutes approved on: _____

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

Issue Considered: Authorization to approve special event application and street closure for the 7th Annual VW Beach Bash scheduled for October 3, 2015. Closures would be 9th and 10th Avenues from 6am – 6pm.

Date: September 9, 2015

Prepared By: Jennifer McMahon, Recreation Director

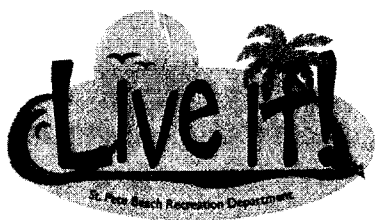
Summary of Issue: The 7th Annual VW Beach Bash is a Volkswagen car show that is held in Pass-a-Grille each year. This year they are requesting to close 9th and 10th avenues from Gulf Way to Pass-a-Grille Way and use the park between these 2 streets on October 3, 2015. The organizer is aware of the construction but wants to keep the event in Pass-a-Grille. The event is normally in Hurley Park but with construction vehicles using the park as a staging area it is not available. The event brings around 100 show cars, 10-15 art and craft vendors, and 3-4 food truck vendors. The event is free and open to everyone. No alcohol will be at the event.

Requested Motion: “I move to authorize the approval of The 7th Annual VW Beach Bash event application and street closures for October 3, 2015.”

Funding: N/A

Attachments: Event information and application

**Reviewed by
City Manager** WS



City of St. Pete Beach Recreation Department Event Application

Applicant

Name of Applicant: Amanda Trail Title (if applicable): event host

Name of Organization (if applicable): _____

Tax Exempt? Yes X No Non-Profit? Yes X NO *If yes on either, please provide documentation*

Mailing Address: 6540 Gulfport Blvd So., South Pasadena, FL 33707

Cell Phone: 717-658-6632 (contact for day of show also) Email: amandatrail@gmail.com

Event Information

Event Title: 7th Annual VW Beach Bash

Event/Organization Web Address: www.facebook.com/PassAGrilleVwBeachBash

Event Location(s): 1501 Gulf Way, St. Pete Beach (Hurley Park)

Event Date(s) & Time(s)

Date	Day of the Week	Start Time	End Time
10/3 Car/Vendor arrival	Saturday	7:30am	10am
10/3 Event Open	Saturday	10am	5pm
10/3 Tear Down	Saturday	5pm	6pm

Set Up Date(s): 10/3 Time(s) 6 AM to 10am 10/3

Cleanup Date(s): 10/3 Time(s) 5pm to 6pm

Description of Event: VW Car show with food trucks and vendors. This is the 7th year for the show. The event is perfect for all ages and pet friendly.

Will this be an Annual Event? X Yes No If yes, next year's date(s): October 2016

Event Logistics

Estimated Attendance 600-800 750
(includes event crew, participants, and spectators) This Year Last Year (if Applicable)

List all event activities: Car show, food trucks, vendors, award ceremony

List all food and beverage vendors: _____

Event Promoter is responsible for obtaining copies of all licenses and insurance forms from each vendor)

There will be around 5 food trucks. Trucks will be locked in by August 2015.

Will alcohol be served or sold? ☒_X_Served ☒_X_Sold ☐_No Alcohol

List all other vendors (may need to provide copy of certificate of insurance) vendors will be sponsors, local artists and other retail items. Preference is given to VW items.

Event Equipment (include dimensions, seating, staging, tents, platforms, booths, scaffolding, truck, etc. on site map) _____

Tent and Beer Truck (see site map)

All the above require a temporary structure permit. Cost for each is \$25.

Entertainment (Detail type, bands, DJs, dancers, clowns, etc)

TBD- working on a radio station

List times of music and/or amplified sound (list PA systems, microphone, speakers, amps)

TBD- if acquired 10-5pm

Electricity Needed ☒_X_Yes ☐_No Source: _for beer truck if acquired_____

Will portable restrooms be used? ☐_Yes ☒_X_No If yes (include on site plan): One ADA compliant toilet for every 10 per location

Will Dumpsters be used? ☐_Yes ☒_X_No If yes (include on site plan)

How Many? _____ Size: _____ Installation Date: _____ Removal Date: _____

Please list any admission charges, donations, parking, registration or other fees and how much?

Admission is free to the public

Does Event require any Road or Sidewalk Closures? ☒_x_Yes ☐_No

If yes, you must include **all the details** in the **site plan** including streets and times

Road	Start Intersection	End Intersection	Date	Times
9 th Ave	Gulf Way	PAG Way	-10/3	6A-6p
10 th Ave	Gulf Way	PAG Way	-10/3	6A-6p

As the Applicant, I hereby accept and understand the responsibility to oversee all contractors, vendors, or parties affiliated with the event and to insure compliance with the special event guide, the event rules guidelines, requirements for tents and all policies, rules, regulations, and code provisions of the City of St. Pete Beach. I understand that any violations may result in immediate cancellation and revocation of the Event permits. I further certify that all the facts contained in this request are accurate.

For events on Public property, I agree to obtain and furnish the City of St. Pete Beach with a certificate of general liability insurance in the amount of at least one million dollars (\$1,000,000) or greater as deemed satisfactory by the city. The insurance must name the City of St. Pete Beach as an additional insured.

I understand incomplete application or any outstanding financial obligations with any department with in the City of St. Pete Beach may result in a denial of my request.

Amanda Trail
Print Name

Amanda Trail
Signature

Corporation Name (if applicable)

1/20/2015
Date



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

Issue Considered: Public Hearing for Conditional Use and Variance Case 2015-0028 for the 3800 block of Gulf Boulevard.

Date: September 9, 2015

Prepared By: Chelsey Welden, Planner II, Community Development

Presented By: Jennifer Bryla, Community Development Director

Summary of Issue: The Applicant has requested the item to be withdrawn. Previously the applicant requested a conditional use approval for the establishment of a commercial parking lot on 3815, 3855, and 3859 Gulf Boulevard pursuant to Section 42.4(f) of the city's Land Development Code (LDC). This vacant lot spans the 3800 block of Gulf Blvd. This item was continued at the request of the applicant from the July 14th agenda.

For a complete summary of the project, refer to the staff report for the project.

Requested Motion: No motion is required.

**Reviewed by
City Manager:**

WS

Jennifer Bryla

From: Beth Morean <bethdolphin@aol.com>
Sent: Tuesday, September 01, 2015 5:34 PM
To: Jennifer Bryla
Subject: Re: Conditional Use Permit Application

Please withdraw my request for a Conditional Use Permit.
Beth Morean
bethdolphin@aol.com

On Sep 1, 2015, at 3:48 PM, Jennifer Bryla <jbryla@stpetebeach.org> wrote:

Ms. Morean,
Good Afternoon. I wanted to touch base with you regarding your Conditional Use application request. As you recall, per your direction, we tabled your item to the September 9th City Commission meeting so that advertisement would not need to be initiated again. My question to you now, knowing that you received your Variance approval on August 26, would you like to go forward with your Conditional Use application being heard by the City Commission or withdraw your item. Please let me know your preference when you can.

Kindly,

Jennifer C. Bryla, AICP
Community Development Director

City of St. Pete Beach
Sunset Capital of Florida
155 Corey Avenue
St. Pete Beach Florida 33706
jbryla@stpetebeach.org
727.363.9265 – voice
727.363.9222 – fax

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Beth Morean [<mailto:bethdolphin@aol.com>]
Sent: Tuesday, July 14, 2015 3:33 PM
To: Jennifer Bryla
Cc: Wayne Saunders; Maria Lowe
Subject: Conditional Use Permit Application

Please table my Conditional Use Permit Application, scheduled to be heard tonight, to a later date. I would like this to be heard by the Board of Adjustments in order to apply for a variance to

the Temporary Use Permit allowing me to use this for the next six months (Jan 1, 2016) during which time I will be submitting full plans for developing the property. Thank you.

Beth Morean
bethdolphin@aol.com

	St. Pete Beach City Commission 155 Corey Avenue St. Pete Beach, FL 33706 727-367-2735
09/09/15	
Item Number Conditional Use #2015-0028 Type of Application Conditional Use for a Commercial Parking lot Applicant & Agent Sungold LLC - Applicant Chad Nelson - Agent Location 3815, 3855 & 3859 Gulf Boulevard Commission District District 3 Project Planner Chelsey Welden Requested Action Approval of Conditional Use Permit for Commercial Parking Lot Staff Recommendation Approval subject to special conditions and approval of variances (TRC 06/17/15 Recommended several performance criteria be addressed prior to approval)	 ITEM SUMMARY: The applicant requests a Conditional Use approval for the establishment of a commercial parking lot on 3815, 3855 and 3859 Gulf Boulevard pursuant to Section 42.4(f) of the City's Land Development Code (LDC). PUBLIC NOTICE: Notice of public hearing has been advertised as required by State Statutes. As of the date of this report, no written comments have been received. Oral and written comments may be presented at the public hearing. COMPREHENSIVE PLAN/LAND DEVELOPMENT CODE: The proposed is not consistent with the City of St. Pete Beach's Comprehensive Plan as this Land Use Category and Zoning District, Bayou Residential (BR), is intended to serve as a transition area between higher intensity commercial uses along Gulf Boulevard and the lower density residential neighborhoods. This Land Use is ultimately intended for mixed use development that can take advantage of parcels that have been assembled to accommodate a cohesive development. The property is also located within the Gulf Boulevard District of the City's Community Redevelopment Districts (CRD). This area is one of two core areas within the CRD that emphasize pedestrian over vehicular mobility. The core area's intent is to provide a gathering space for the surrounding neighborhoods and any development should further the goals of the CRD. The Land Development Code (LDC) outlines specific criteria for commercial parking lots and does not differentiate from those parking lots that would be

Findings In its review of the proposed application, staff has determined: 1. The proposed application is consistent with Florida Statutes. 2. The proposed application is inconsistent with the Pinellas County Regional Policy Plan. 3. The proposed application requires variances to the following LDC sections: 23.6, 23.7(a), 23.7(b)(3), 23.11(a)(1)&(2), 39.10(b).	permitted to exist for 5 years or less and permanent lots. In addition Section 4.4 of the LDC outlines “standards for review” for conditional use applications and this application was reviewed by staff under that criteria. PROJECT DESCRIPTION: As indicated, the applicant is requesting the approval of a Conditional Use permit for a Commercial Parking lot within the Bayou Residential (BR) district. The BR district is intended to support multi-family residential or temporary lodging projects with limited non-residential uses mixed with the residential uses. Through the City of St. Pete Beach’s Comprehensive Plan, the Bayou Residential district is guided to encourage re-development in a physically constrained area. Focus should be placed on development that is aesthetically pleasing and relate to the human scale at the ground level for both the east and west sides of the property. The CRD calls for a particular emphasis on Gulf Boulevard. BACKGROUND: Records show that the lot has been vacant since a structure was demolished in 2006 and spans the 3800 block of Gulf Boulevard. The property has two permits presently open from 2002; one for electrical work and one for a sign application. Although these permits have expired, they have never been closed out. The property at 3855, which is one of the three lots comprising the application, had a code enforcement violation in 2001 which to staff’s knowledge was never closed. The owner received an initial temporary use permit for a commercial parking lot in 2011, as this was not a permitted use within the Bayou Residential District (BR). This temporary use permit expired in 2012. The owner received another temporary use permit for a commercial parking lot in 2014. Attached to that temporary use permit were the conditions outlining the hours of operation, access points, signage requirements, and the requirement for trash receptacles, a 4’ vertical fence and “no mooring” signage. During that period of 2014, the temporary use language was amended in the LDC to allow for only one 30 day extension to a temporary use. The applicant applied for and received an extension on May 28th 2015 which expired on June 28, 2015. The applicant has since gone to the Board of Adjustment (BOA) to request a variance to the section of the code that limits the extension to one. The applicant received the variance for an additional 30 day extension (5-0 vote); which will expire on July 28, 2015. The applicant failed to appear at the public hearing and there was no one to speak in opposition or as a proponent for the project. The applicant is requesting a conditional use permit for a commercial parking lot which is permissible with the adoption of Ordinance 2015-03. Should the parking lot be approved however, per Ordinance 2015-03, its operation is limited to two years. This item was originally on the July 14th City Commission agenda and continued to the Sept. 9th meeting to allow the
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Applicant time to secure additional approvals from the Board of Adjustment.

JUSTIFICATION / TECHNICAL REVIEW:

Per the standards for review outlined in the LDC (4.4 (1) – (7)), the applicant's requests are not consistent with the intent of the City of St. Pete Beach's Comprehensive Plan which envisions this property as a destination space to serve as a transition between the higher intensity uses of the Large Resort District and the surrounding residential neighborhoods as outlined earlier. The application is not compatible with the character of the existing area and its operation has had a negative impact on the existing development in the vicinity.

In review of LDC 4.4(3) staff is unsure if the transportation system adjacent to the site is capable of adequately supporting the lot as a Transportation Impact Analysis was not completed for the project. Per the site plan that was submitted with the application, the property has the ability to "park" close to 300 cars and is consistently full on weekend days and is open 7 days a week. An electronic crosswalk was installed approximately two (2) years ago to cross pedestrians from the eastside of Gulf Boulevard to the west at a mid-block location. This limited pedestrian movement falls short of the directive imposed by the Plan and places pedestrians at a potential risk.

During review of the request, staff became aware that the owner of the parking lot currently does not have a Business Tax License to operate the parking lot; which will need to be addressed prior to any continued operation. The project was reviewed by the Technical Review Committee (TRC) on June 17th 2015, at which time the applicant failed to appear. The TRC had the following comments:

- (1) Recreation:** No Comment
- (2) Building:** The lot will be required to incorporate handicap spaces and paved access to the public sidewalks.
- (3) Fire:** The access road identified on the site plan in and out of the parking lot must be an engineered, hard pan surface of some type to support 50,000 lbs. This access road is to include the entry way and the two-way area in the rear, running the entire length of the parking lot.
- (4) Public Services:** The City of St. Pete Beach is required by the Florida Department of Environmental Protection (FDEP) to maintain a National Pollution Discharge Elimination System (NPDES) permit. As such, the applicant will be required to install the proper sediment control measures at the project site. If planting of vegetative cover (or other temporary ground cover) is not considered feasible the City would require the proper installation of silt fence around the perimeter of the three lots included in this permit application.
- (5) Code Enforcement:** No Comment

(6) Planning and Zoning: the division requests the following enhancements to the project to help mitigate for the impacts of the lot: Trash receptacles to be increased to a level of one receptacle for every 15 cars parked, informational signage regarding beach regulations, including but not limited to alcohol, pets, glass, etc., directional signage on the lot and along Gulf Boulevard indicating beach access points, 6' fencing around the boundary of the property, removal of the existing docks on the east side, and restroom facilities for patrons of the lot.

The applicant would be required to receive the following variances to the City's LDC; as the project currently does not meet the minimum standards as presented:

- (1) Section 23.6** – which requires handicapped parking shall be consistent with the requirements of Florida Statutes.
- (2) Section 23.7(a)** – allows for grass parking in instances where a conditional use permit is acquired. The lot currently has partial covering of drought tolerant sod and would need to be enhanced.
- (3) Section 23.7(b)(3)** – allows for compliance with drainage requirements for storm water runoff set forth in Chapter 106 of the Code of Ordinances.
- (4) Section 23.11(a)(1)&(2)** – which requires that parking lots be constructed with a compact base and prohibit the use of loose material.
- (5)Section 39.10(b)** – which requires a continuous landscape buffer, including pedestrian amenities and lighting along Gulf Boulevard.

1. Consistency with Countywide Plan for Pinellas County

The lands included in the application are designated as a “Special Center” within the Pinellas Countywide Plan. Special Centers are a subcategory of the Activity Center category, and reflect areas delineated on the Countywide Map as a Transit Oriented Land Use. According to the Countywide Plan, this is considered a use that benefits from proximity to transit in a built environment characterized by compact, mixed-use, pedestrian-friendly, and higher density/intensity development. This may include target employment uses. In its present state the Commercial Parking Lot is not consistent with the goals and intents of the Countywide Plan.

2. Consistency with the St. Pete Beach Comprehensive Plan

Analysis included review of the Ordinance 2015-05, the enactment Ordinance that implements the Remedial Action Amendments to the Comprehensive Plan. As discussed previously the Comprehensive Plan calls for development in this area to be a mixture of uses. The Comprehensive Plan goes on to outline that development in this area should be comfortable for pedestrians, bicycles and other non-vehicular modes. It continues to provide further incentives to developments that are greater than two (2) acres in size. This property is approximately 3.2 acres and as such should provide increased pedestrian linkages to the

surrounding neighborhood. Conversely the project continues to serve a strictly vehicular use, making pedestrian movement a secondary priority in areas surrounding the project. In addition, the lot continues to serve a non-resident population as its primary user and should mitigate for such.

STAFF RECOMMENDATION:

It was determined by staff, if the commercial lot were permitted to continue, the improvements necessitated by the LDC, and outlined herein, would not preclude re-development of the lot and would further the efforts to bring the property into compliance with the Goals, Objectives and Policies for the area. Therefore, based on the site plan provided, it has been determined that the following conditions would need to be incorporated in order for staff to recommend approval of the application.

Conditions:

- (1)** A transportation impact analysis (TIA) be completed for the project which would identify the impacts to the surrounding systems.
- (2)** The access road identified on the site plan in and out of the parking lot shall be an engineered, hard pan surface of some type to support 50,000 lbs. This access road is to include the entry way and the two-way area in the rear, running the entire length of the parking lot.
- (3)** Trash receptacles at a generation rate of 1/15 spaces.
- (4)** Signage on the property informing patrons of beach regulations including but not limited to alcohol, pets, glass, etc..
- (5)** Directional signage on-site and along Gulf Boulevard to locate beach access points.
- (6)** 6' opaque fence along eastern edge of property and a visually intrusive 6' fence surrounding the balance of the property.
- (7)** Removal of existing docks along eastern waterfront.
- (8)** Permanent restrooms for patrons of the lot.

Upon review of the site plan provided, staff has determined that the following variances would have to be approved in order for a development order to be issued for the project.

Variances:

- (1) Section 23.6** – which requires handicapped parking shall be provided consistent with the requirements of Florida Statutes.
- (2) Section 23.7(a)** – allows for grass parking in instances where a conditional use permit is acquired. (The lot currently has partial covering of drought tolerant sod and would need to be enhanced to meet code).
- (3) Section 23.7(b)(3)** – applicants shall comply with drainage requirements for storm water runoff set forth in Chapter 106, St. Pete Beach Code of Ordinances.
- (4) Section 23.11(a)(1)&(2)** – which requires that parking lots be

constructed with a compact base and prohibit the use of loose material. (Should a variance be granted for the parking lot material it would not include the access points or ingress/egress from Gulf Boulevard)

(5)Section 39.10(b) A continuous landscape buffer, including pedestrian amenities and lighting along Gulf Boulevard.

Attachment A – Conditional Use Package

- (1) Exhibit A** – Aerial photograph
- (2) Exhibit B** – Photograph facing south
- (3) Exhibit C** – Photograph of ingress
- (4) Exhibit D** – Photograph of parking lot frontage along Gulf
- (5) Exhibit E** – Site Plan
- (6) Exhibit F** – Conditional Use Application
- (7) Exhibit G** – LDC code sections

Z:Community development/boards and committees/city commission/staff reports/Morean Sept 9.15



Facing South

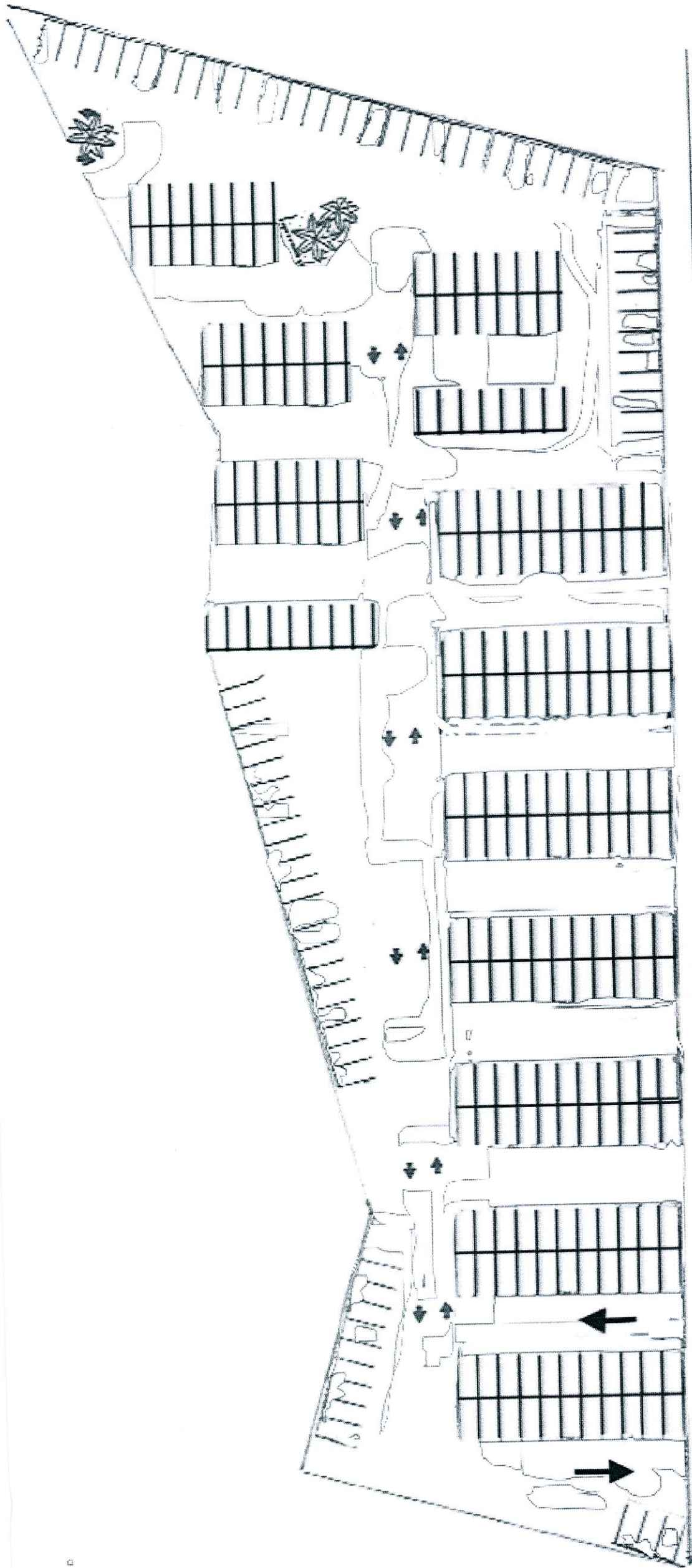


Parking Lot Ingress



Parking Lot Gulf Blvd. Frontage





CONCRETE SIDEWALK

CONCRETE SIDEWALK

GULF BOULEVARD
3800 BLOCK

RECEIVED
JUN 08 2015
COMMUNITY DEVELOPMENT

REVISED

1 AG SITE PLAN
89 = 53.8'



Drive Aisles = $\frac{1}{2}'' = 26 + \text{ft.}$ (reg. 24 ft.)
Parking Spaces = $\frac{1}{4}'' = 13 + \text{ft.}$ (reg. 9 ft.)



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



INFORMATION ON THE CONDITIONAL USE

What is a Conditional Use? A conditional use is a use that has operational, physical and other characteristics that may be different from those of the predominant permitted uses in a zoning district, but which is a use that compliments or may otherwise be compatible with the intended overall development within a district, provided the specified standards are met.

How do I apply for a Conditional Use? An applicant for conditional use must submit the following documents to the Community Development Department:

- A complete and signed application. Incomplete applications will not be processed and will be returned. As such, all applicants are **STRONGLY ENCOURAGED** to meet with Community Development staff prior to submission deadlines to discuss plan submissions and the review process. Appointments can be made by calling 727.363.9266.
- A completed and signed agent authorization form if someone else will be representing the property owner at the public hearing.
- An accurate, legible, and appropriately scaled survey of the property including all existing and proposed improvements. The survey shall have been performed not more than ten (10) years prior to the date of application and not less than two (2) 11"x17" copies of the survey are required for submittal.
- Scaled drawings depicting the request. The drawings can be sized from 8.5"x11" to a maximum of 24"x36" in size. These drawings are necessary to assist staff and the BOA or City Commission in the review of the request. Seven (7) copies of the drawings must be submitted if larger than 11"x17". Two (2) are acceptable for 11"x17" or under.
- Cash or check made payable to the City of St. Pete Beach for the amount of the application plus mailing fees. The application fee is \$500. The mailing fee can be calculated for you when you turn in your application, or you can calculate it yourself by searching for your property on the Pinellas County Property Appraiser's office website (www.pcpao.org), clicking on radius search at the top of the page, typing in 500 feet for the radius, and multiplying the number of properties times .65. For example, if 40 properties are within 500 feet of you, then the mailing fee would be \$26.00. The City is not equipped to accept Debit or Credit card transactions at this time.
- Staff may request additional information, if necessary.

When will my Conditional Use be heard? Applications are accepted at any time and shall be scheduled pursuant to the table below provided the application is determined to be complete. The time between meetings is necessary to assure a proper review and fluid process for both staff and applicant alike. In fairness to all applicants, there will be **NO** exceptions to this schedule so please plan accordingly. The 2013 schedule is as follows:

City Commission (Conditional Use) 2014	
<u>Deadline</u>	<u>Meeting Date</u>
12/24/13	01/28/14
01/21/14	02/25/14
02/18/14	03/25/14
03/18/14	04/22/14
04/22/14	05/27/14
05/20/14	06/24/14
06/17/14	07/22/14
07/22/14	08/26/14
08/19/14	09/23/14
09/23/14	10/28/14
10/21/14	11/25/14
11/18/13	TBD
Meeting time is 6:00pm in the City Commission Chambers unless otherwise posted	
Incomplete Application Will Not Be Accepted	

Can I ask for Variance with my Conditional Use application? It is not uncommon for projects that require conditional use approval to also seek variance approvals. The City Commission is authorized to hear both types of request at the same time. Accordingly, variance requests may be included as part of the Conditional Use request. An additional application form is included in this packet for this purpose.

Who decides if the Conditional Use should be granted? The City Commission is authorized to hear and make final determinations on all conditional use requests. Conditional use applications may also include variance requests as part of a conditional use application. In those cases, the City Commission also makes the final determination.

What is the City Commission and when do they meet? The City Commission is the elected body of officials who have overall responsibility for establishing policies and procedures for the operations of the City of St. Pete Beach. The Commission meetings are normally held two times a month on the second and fourth Tuesday at 6:00pm, in the City Commission Chambers at 155 Corey Avenue (City Hall).

What do I do after my Conditional Use is granted? You will receive a notice from the City immediately following your hearing. This notice is called a Development Order (DO) and it will summarize the results of the hearing including the decision to deny, approve, or approve with conditions. If approved, the owner/applicant will have one (1) year from the date the development order is signed to obtain a building permit for the proposed work. The permit must remain active during the life of the project. If a permit is not obtained within a year or if a permit does not remain active, the conditional use will expire.

What happens if my approved Conditional Use is appealed? Although rare, sometimes a neighbor or other affected party will appeal the Commission decision to the Circuit Court. Any such appeal must be taken within 30-days from the date of the decision. Should this occur, the City is normally removed from the appeal process and has no control over the timeframe or decision of the Court. The one-year timeframe for permit issuance noted above would begin from the Court's final decision date provided the applicant has properly advised the City of said appeal.

What can I do if my Conditional Use is not granted? You may correct your plans to meet current code requirements or you may file an appeal to the Pinellas County Circuit Court with 30-days of the final decision.

How are my application fees used? The application fee is primarily used to cover staff review costs. A conditional use application will typically involve reviews from multiple City agencies and may include County, State, or even Federal reviews depending on the nature of the request. All conditional use applications are required to be properly advertised and require notification to adjacent property owners. The mailing fees are used offset the cost incurred in meeting these requirements including the preparation of a legal ad and mailing costs associated to adjacent property owner notice. The City shall re-advertise a request, at no expense to the applicant, if a scheduled application is not heard due to an error by the City (i.e. lack of a quorum). Otherwise, the applicant will be responsible for any additional costs incurred as a result of his or her own (in)action.



Community Development
Department
155 Corey Avenue
St. Pete Beach, Florida 33706
727.363.9265
cddirector@stpetebeach.org

CONDITIONAL USE APPLICATION

Applicants must acknowledge understanding of the following. Initial each of the statements below. If you do not understand any of these, staff will explain them to you.

CW I understand that the City will not accept or process an incomplete application.

CW I understand that a non-conforming use or structure in a particular zoning district does not, in any way, provide justification for the granting of a conditional use. Furthermore, the existence of a permitted use or structure in adjacent districts does not constitute grounds for a conditional use.

CW On all conditional uses, a majority vote is required. Action on this application by the City Commission may be continued to a later meeting.

CW I understand that if a conditional use is approved by the City Commission, the applicant is required to obtain the appropriate building permits within 1 year from the date of the decision. If no permit is obtained within 1 year, the approval from the City Commission becomes voided.

CW I understand that any person aggrieved by the final decision has the right to file a petition in the Pinellas County Circuit Court within 30 calendar days after the decision. Permits for construction may be granted prior to the expiration of this 30-day period, but an appeal will be grounds for revocation of the permit.

CW I understand that I, as the applicant, or my authorized representative must be present at all scheduled public meetings on the application.

After acknowledgement of these conditions, complete the application form on the following pages

Chel Z Nehr
Signature of Applicant

~ 1-6-15
Date

CONDITIONAL USE APPLICATION

Case Number: 2015-0028

PROPERTY FOR PROPOSED VARIANCE

Legal Description: Belle Vista Beach 1st Add BLK A, Lots 17-22
Parcel ID: 07-32-16-07398-01-0170 LESS RD R/W
Address: 3855 Gulf Blvd. ON W
Current Zoning: LR FLUM Designation: LR Lot Area: _____
Existing Use: _____ Proposed Use: Parking

APPLICANT/AGENT:

Name: Chad Nelson

Address: 309 39th AVE

City: St. Pete Bch

State: FL

Zip: 33706

Phone: 727-599-3539

Email: Chad Nelson 1974@yahoo.com

PROPERTY OWNER:

Name: Beth Moreau

Address: 3618 EL CENTRO

City: St. Pete Bch

State: FL

Zip: 33706

Phone: 727-367-7911

Email: Beth.dolphin@aol

DETAILS OF THE REQUEST: Cite code sections for which conditional use is requested: (Add additional sheets if necessary)

~~For Temporary Parking~~
Commercial parking lot (Sec. 35.3(c)(4))

Attach the following supporting documentation to this application:

- Recent survey of the property
- A site plan, drawn to scale, illustrating the proposed conditional use

This completed application, together with all required supporting documents and fees, shall be submitted by 12:00 noon on the stated filing date for the City Commission. Failure to do so will delay your application to a later date. If any materials are missing or any part of this application is left blank, staff may refuse the application until such time as it is completed by the applicant. _____ (applicant's initials)

Application Checklist:

Check here if document is attached	Required Document
	Recent Survey of the property illustrating all boundaries, easements, and physical improvements.
	Site Plan drawn to scale showing proposed deviations of the code.

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

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

IT IS CONSISTANT IN THAT IT KEEPS PARKING OFF THE RESIDENTIAL STREETS AND CONTAINED IN ONE PARKING AREA.

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

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

THERE ARE PARKING LOTS ON THE NORTH SIDE AND THE SOUTH SIDE OF THIS PROPERTY THAT SERVE THE APARTMENTS AND CONDOS ON EACH SIDE.

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

N/A

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

A FENCE ALONG GULF BLVD. WAS REQUIRED AND INSTALLED APPROXIMATELY 4 YEARS AGO.

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

THE LOT WILL BE SUPERVISED WHEN IN USE. THE LOT IS IN OPERATION UNTIL SUNSET. GARBAGE CANS ARE PROVIDED AND THE PROPERTY IS MAINTAINED ON A DAILY BASIS.

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

A CROSSWALK WAS INSTALLED 2 YEARS AGO TO ALLOW CUSTOMERS TO SAFELY CROSS TO THE BEACH SIDE OF GULF BLVD.

- f. Whether the minimum off-street parking area required and the amount of space needed for the loading and unloading of trucks, if applicable, will be provided and will function properly and safely (please provide current and proposed number of parking and loading spaces);

N/A

- g. Whether generally, the public health, safety and welfare will be preserved, and any reasonable conditions necessary for such preservation have been made;

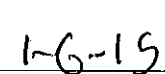
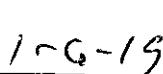
YES

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

YES

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

YES

			
Signature of Applicant	Date	Signature of Authorized Agent	Date

For office use only:

Hearing Date: _____ Fees: _____

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



Owner's Authorization for Agent
Community Development Department
City of St. Pete Beach, Florida

I/WE

Beth Morean
(print name of property owner)

hereby authorize

Chad Nelson
(print name of agent)

to represent me/us in an application for

conditional use for parking
(type of application: variance, conditional use, zoning, etc.)

Beth Morean
Signature of Owner

Beth Morean
Chad Nelson
Print Name of Owner

Signature of Owner

Beth Morean
Print Name of Owner

The forgoing instrument was acknowledged before me this 6 day of January
2015 by Chad Nelson who is personally known ✓
or produced _____ as identification.

C. R. Hollands
(Notary Signature)

1-6-2015
(Date)

My Commission Expires 1-27-2017

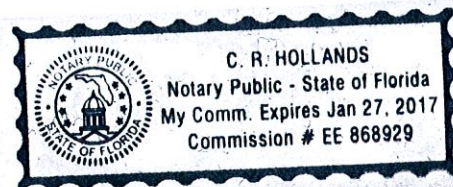


Exhibit G

Land Development Code Sections

-
- **Sec. 4.4. - Standards for review.**

(a)

Standards applicable to all conditional uses. When considering an application for approval of a conditional use, the city commission review shall consider the following standards:

(1) Whether the conditional use is consistent with the goals, objectives, and policies of the Comprehensive Plan, any adopted special area plan and these regulations;

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

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

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

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

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

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

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

- (5)Whether generally, the public health, safety and welfare will be preserved, and any reasonable conditions necessary for such preservation have been made;
- (6)Whether the applicant has demonstrated the financial and technical capacity to complete any improvements and mitigation necessitated by the development as proposed and has made adequate legal provision to guarantee the provision such improvements and mitigation; and
- (7)Whether the proposed use complies with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the regulations of the City of St. Pete Beach.

(Ord. No. 2005-44, § 1, 12-13-05)

- **Sec. 23.6. - Handicap parking requirements.**

Handicapped parking shall be provided consistent with the requirements of Florida Statutes, as may be amended.

(Ord. No. 2005-39, § 2, 11-8-05)

- **Sec. 23.7. - Grass and turf block parking.**

(a)*Grass parking.* Grass parking is allowed in the following instances:

- (1)For any land use where excess parking is provided, that portion of parking which exceeds required parking may be grass in any zoning district.
- (2)For houses of worship, up to 50 percent of required off-street parking facilities and any parking provided in excess of required number of spaces.
- (3)For parks and recreation facilities in a R/OS District.
- (4)For public and private schools offering academic courses.
- (5)For child care and family day care facilities, private clubs, and assisted living facilities, up to 30 percent of their required parking facilities.

(b)*Turf block.* When off-street parking facilities surfaced with turf grid systems [turf block] are permitted for either required parking or excess parking or both, the parking facilities shall be constructed in accordance with the following:

- (1)Access aisles shall be surfaced with asphalt, concrete material, clay brick or concrete paving units.
- (2)Parking areas shall be maintained such that the grass does not constitute a nuisance by virtue of its appearance or condition and is graded in a level condition. Access aisles shall be maintained in accordance with [section 23.10](#).
- (3)Comply with the drainage requirements for storm water runoff set forth in Chapter 106, St. Pete Beach Code of Ordinances.
- (4)Comply in all other respects with the requirements of this Code.

- **Sec. 23.11. - Parking construction and design requirements.**

(a) General construction requirements.

- (1) All driveway and off-street parking areas shall be constructed of asphaltic concrete, concrete, pavers or equal on a properly constructed and compacted base unless an alternative is approved by the city.
- (2) No slag, rock, pea gravel or other loose type of material shall be used.
- (3) All driveway aprons within the public rights-of-way shall be constructed of concrete.
- (4) All points of ingress/egress from parking areas to public rights-of-way shall be constructed only upon approval from the city or other public agency having jurisdiction over the right-of-way.

(b) Single-family and two-family residential.

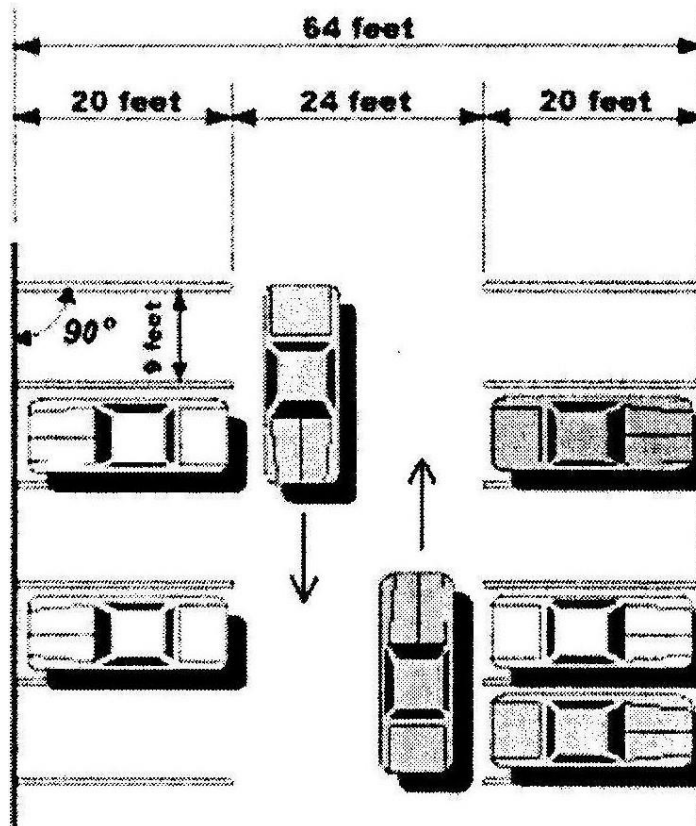
- (1) For each single family and two-family zoning lots there shall be no more than two driveways providing access to one street, however, in the case of corner lots, no more than three driveways shall be permitted for any lot.
- (2) The minimum width of any driveway shall be 12 feet, and the maximum width of any driveway shall be 24 feet measured along the property line.

(c) All other uses.

- (1) In addition to meeting the general construction requirements of paragraph (a) above, all off-street parking areas shall be designed and constructed in accordance with the dimensional requirements illustrated below, except that in developments requiring more than 50 total parking spaces, a maximum of 25 percent of such spaces may be designed for compact car parking and may be as small as 8 feet by 16 feet in dimension. Any such space provided must be identified by legible signage as a compact car parking space.

a. Parallel. The dimensional requirements for parallel parking spaces are nine feet in width and 24 feet in length.

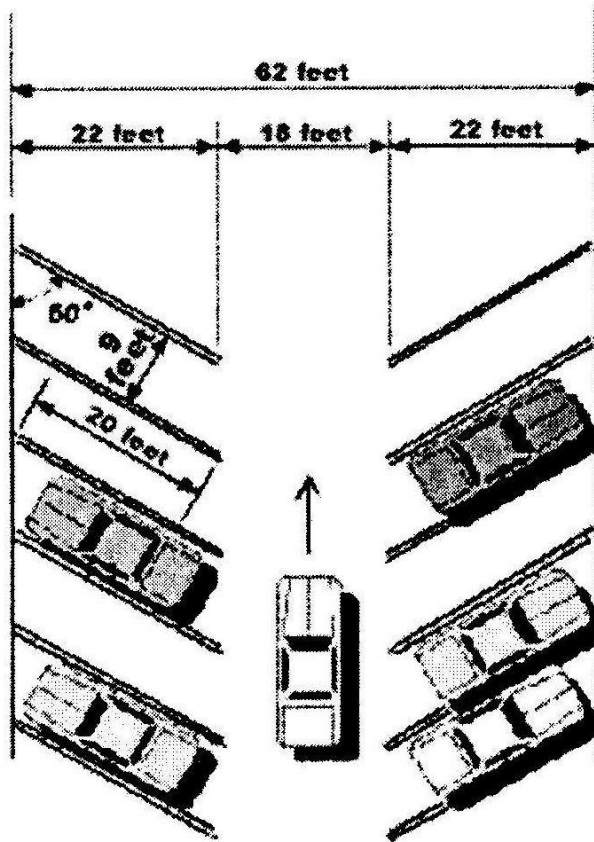
b. Perpendicular - 90 Degree. The dimensional requirements for this configuration are:



Description
Parking space width
Parking space length
Driving aisle width (2-way)
Two rows plus aisle width

c.

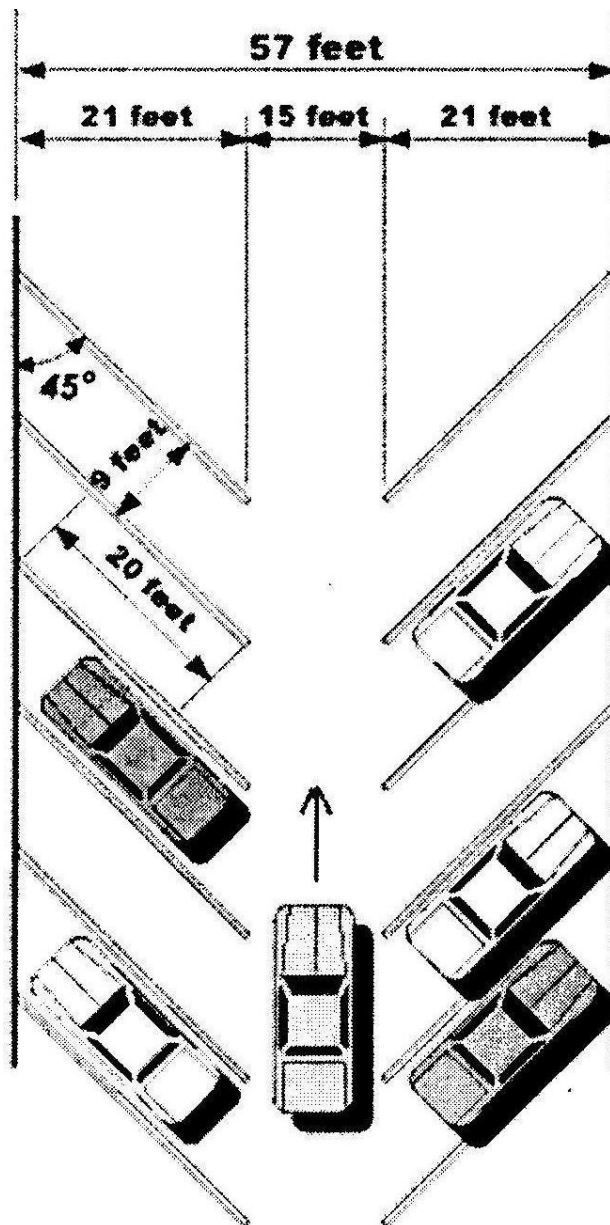
Angled - 60 Degree. The standard dimensions for this configuration are:



Description
Parking space width
Parking space length
Driving aisle width (1-way)
Two rows plus aisle width

d.

Angled - 45 Degree. The standard dimensions for this configuration are:



Description
Parking space width
Parking space length
Driving aisle width (1-way)
Two rows plus aisle width

(Ord. No. 2005-39, § 2, 11-8-05)

Sec. 39.10. - Streetscape design required elements.

(b) On all streets not designated a Main street or a street type "A" in [section 39.2](#), a minimum eight-foot wide private landscape zone shall be installed along the property between the sidewalk and the building face; minimum building setbacks may be increased in accordance with the width of the landscape zone. The landscape zone proposal shall be reviewed for compliance during the design review/site plan approval process, and may be reduced to five feet by the city manager when warranted to coordinate and integrate new development into an overall streetscape plan.

- (1) Trees shall be placed in the landscape zone using the following specifications:
 - (i) Trees shall be placed not more than 30 feet apart within the landscape zone. Drought tolerant and native shade trees to reduce urban heat and offer protection to the pedestrian from the sun are encouraged.
 - (ii) Where there are physical restrictions, spacing of street trees shall be adjusted, provided the adjustment is the minimum needed to avoid the obstruction.
 - (iii) Tree spacing can be adjusted so as not to block, obscure, or interfere with the operation of traffic signals, utilities, or any existing sign, awning, or other public infrastructure that was placed prior to the planting of the landscape zone, provided the adjustment is the minimum required for such avoidance.
 - (iv) Street trees shall not be planted in a manner that will diminish adequate sight distance.
 - (v) No street tree shall be planted within ten feet of a light standard or utility pole.
 - (vi) Tree species should be selected with root growth habits that will not cause damage to sidewalks or anything contained within the public right-of-way, or such tree species should be sited away from such hard-surfaced areas.
- (2) Landscaping plans shall show all obstructions that may affect plant placement and installation limitations including all underground utilities.
- (3) All exposed dirt areas shall be covered with bark, mulch, or other weed control measures included as part of the final landscape plan. The use of non-cypress mulch is strongly encouraged in support of "green" practices for a sustainable community.
- (4) The property owner shall ensure the upkeep, health, and aesthetics of the landscape zone through the use of proper reclaimed irrigation of plant species in the landscape zone, regular maintenance of the landscape zone and replacement of items located within the landscape zone. Waterwise Florida friendly landscapes are encouraged and use of drought tolerant plant material and turf.
- (5) Within the landscape zone on the main commercial corridor the developer shall provide at least two of the following pedestrian amenities for each 200 feet of street frontage that shall be accessible to the sidewalk:
 - (i) Benches;
 - (ii) Trash receptacles;
 - (iii) A design element that offers protection from the weather;
 - (iv) Secured bicycle storage;
 - (v) Public art;
 - (vi) Or other similar design feature integrated into the overall design of the building or portion of the landscape zone in order to enhance the pedestrian environment.
- (6) Pedestrian-scale decorative lighting fixtures are required every 30 feet on the main commercial corridor within the landscape/pedestrian zone. Where there are physical restrictions, spacing of lighting standards shall be adjusted, provided the adjustment is the minimum needed to avoid the obstruction, subject to approval by the city manager. The

lighting shall be a style approved by the city manager as part of an overall Master Boulevard or Master Streetscape Plan and Program. In addition to providing the pedestrian-scale decorative lighting, a two-foot by two-foot dedicated easement adjacent to the public right-of-way shall be provided to allow adequate maintenance by the city of the lighting fixtures. Energy efficient or solar lighting is required.

(Ord. No. 2008-12, § 1, 6-3-08)

- **Sec. 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) Residential docks

(b) Docks, commercial—Class A

(c) Docks, commercial: Class B

[d] Temporary Lodging with or without a commercial component, 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).

(e) Off-premise parking lot.

(f) Commercial parking lot.

(Ord. No. 2010-21, § 1(Exh. A), 11-22-11; Ord. No. 2012-22, § 1(Exh. A), 11-13-12)

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

Issue Considered: Authorization for the City Manager to enter an agreement with Public Risk Management of Florida for renewal of the City insurance policies covering the period from 10/01/2015 to 09/30/2016 in the amount of \$503,930.

Date: September 09, 2015

Prepared By: Dan O'Connor, Administrative Services Supervisor

Through: Elaine Edmunds, Administrative Services Director

Summary of Issue: This is an annual request for authorization to enter into an agreement with Public Risk Management of Florida for renewal of the City insurance policies and preferred membership in the Public Risk Management of Florida insurance pool. The total proposed fiscal year 2016 insurance premiums are by type of coverage are listed below.

Lines of Coverage:

Property and Crime	\$174,848	(-2.15%) decrease
Liability	142,162	(+5.00%) increase
Workers Compensation	199,841	(+2.00%) increase
Boiler and Machinery	2,422	(-2.03%) decrease
Pollution Liability	4,629	(-.900%) decrease
PRM Preferred Credit	<u>(19,972)</u>	

Coverage Total **\$503,930**

Optional/ancillary coverages for inverse condemnation and non-monetary damages are now included in the overall premium.

The above represents an overall 2.3% increase in premiums. The City has been a preferred member of the Public Risk Management of Florida insurance pool of over 50 governmental entities for over a decade. In 2012 staff did seek competitive bids from alternative carriers and found PRM to be the lowest cost provider of insurance to governmental entities. All members of PRM are experiencing an increase in rates and premiums.

Requested Motion: "I move that the City Manager be authorized to enter into an agreement with Public Risk Management for renewal of the City insurance policies covering the period from 10/01/2015 to 09/30/2016 in the amount of \$503,930."

Attachments: Public Risk Management of Florida binding authority

**Reviewed by
City Manager:** WS



Proposal Pricing & Binding Authority

After careful consideration of the referenced proposal, we accept your insurance program as indicated with an "X" below:

	2014/2015	2015/2016	% Change
☐ PRM PROPERTY AND CRIME	\$178,692	\$174,848	-2.15%
☐ PRM GL/AL/E&O/LEL	\$135,392	\$142,162	+5.00%
☐ PRM WORKERS' COMPENSATION	\$195,923	\$199,841	+2.00%
☐ PRM BOILER & MACHINERY	\$2,472	\$2,422	-2.03%
Preferred Member Participation Credit	-\$24,404	-\$19,972	
GRAND TOTAL	\$488,075	\$499,301	+2.30%
OPTIONAL/ANCILLARY COVERAGES:			
☐ Inverse Condemnation - \$100,000 Per Occ/Agg	\$12,375	INCLUDED	0.0%
☐ Non-Monetary Damage - \$10,000 Per Occ/Agg	\$1,800	INCLUDED	0.0%
☐ Pollution Liability	\$4,675	\$4,629	-.9%

PAYMENT PLAN: PRM allows their members to pay their total costs in four (4) quarterly installments. The first installment is due at inception and is equal to 60% of all costs. The remaining costs will be paid over the next three (3) quarters.

This warrants that you have no knowledge of any claim, or incident that may result in a claim, that has not been reported to the insurance carrier.

It is understood and agreed that referenced proposal provides only a summary of the insurance program options offered. The actual policies will contain the complete terms, conditions, deductibles, exclusions, etcetera. Please review policy language for a full understanding of purchased program.

Member Signature

Date

Print Member Name

SIGNED BINDING AUTHORITY TO BE RETURNED BY
SEPTEMBER 14, 2015 TO WRM.

THIS DOCUMENT IN ITS ENTIRETY IS CONFIDENTIAL & PRIVILEGED PROPRIETARY DOCUMENTATION-NOT PUBLIC RECORD.

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

Issue Considered: Authorize City Commission to accept ImageNet as the apparent low bidder for the Document Scanning Services project for an amount not to exceed \$41,000.00.

Date: September 9, 2015

Prepared By: Jennifer Bryla– Community Development Director

Through: Wayne Saunders – City Manager

Summary of Issue On August 6, 2015, the City of St. Pete Beach received proposals from four firms capable of completing scanning services for the Community Development Department. The four firms were ImageNet, Vdocs, Image One and MCCi. Of the four firms Imagenet had the lowest cost for scanning per piece in the format specified by the City.

This authorization would allow the Community Development Department to continue with the exercise to scan historical files and drawings up to \$41,000. These funds were included in the 2014 budget.

The ultimate goal of the Department is to scan all of our paper records and move to an electronic processing format.

Funding: 2014 Budget

Requested Motion: “I move to authorize City Commission to designate ImageNet as the apparent low bidder for the Scanning Design Services for an amount not to exceed \$41,000.00”.

Attachment: Rate Sheet

Reviewed by the City Manager WS

RFP Document Scanning				
Item	Imagenet	Vdocs	Image One	MCCi
text 11x17 or less	0.04		0.04	0.114
color	0.06	0.075		
Photograph	0.1			
plans				
Color 18 x 24	1.1	0.7		
B&W 24 x 36	0.4	0.7		
Color 24 x 36	1.1	0.7		
B&W 30 x 42	0.5	0.7		
B&W 36 x 48	0.75	0.7	0.45	
Color 36 x 48	1	0.7		
12'x8'	.4/sq. ft.			
Indexing	included	included	0.03	0.12
Low Bid				

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

Issue Considered: Approve the ranking and authorize the City Manager to enter into negotiations with the top responder of the Pass-a-Grille RFQ for design services.

Date: September 9, 2015

Prepared By: Jennifer Bryla, Community Development Director

Summary of Issue: On July 31, 2015, the City published a Request for Qualifications (RFQ) to receive a Statement of Qualifications (SOQ) package from qualified firms capable of providing Design services for the Pass-A-Grille community. Each interested firm submitted an application package which included an overview of the firm (profile), and similar project experience.

On August 11th, 2015, the City received the RFQ's and formed a selection committee for internal ranking of the firms. The two top firms tied in their scoring and were requested to provide a brief presentation to the selection committee on August 31st. Following the presentations, the selection committee ranked the firms as follows: 1 - PlanActive, 2- Canin and Associates

Based on the evaluation criteria summarized on the scoring sheet, staff is requesting acceptance of Planactive as the top ranked professional with Canin and Associates ranking as first alternate. Requesting authorization for the City Manager to enter into negotiations for the Pass-A-Grille design service work.

Funding: 2014 budget

Requested Motion: "I move to approve the ranking as presented and authorize the City Manager to enter into negotiations with the top responder for the design services work.

**Reviewed by the
City Manager**

WS

City of St Pete Beach Request for Qualifications Pass-a-Grille Overlay District Design Guidelines

Submitted by:
PlanActive Studio
3708 Pelican Lane
Orlando, FL 32803
Contact: Tara Salmieri, AICP
tara@planactivestudio.com
August 11, 2015



**PLANACTIVE
STUDIO**



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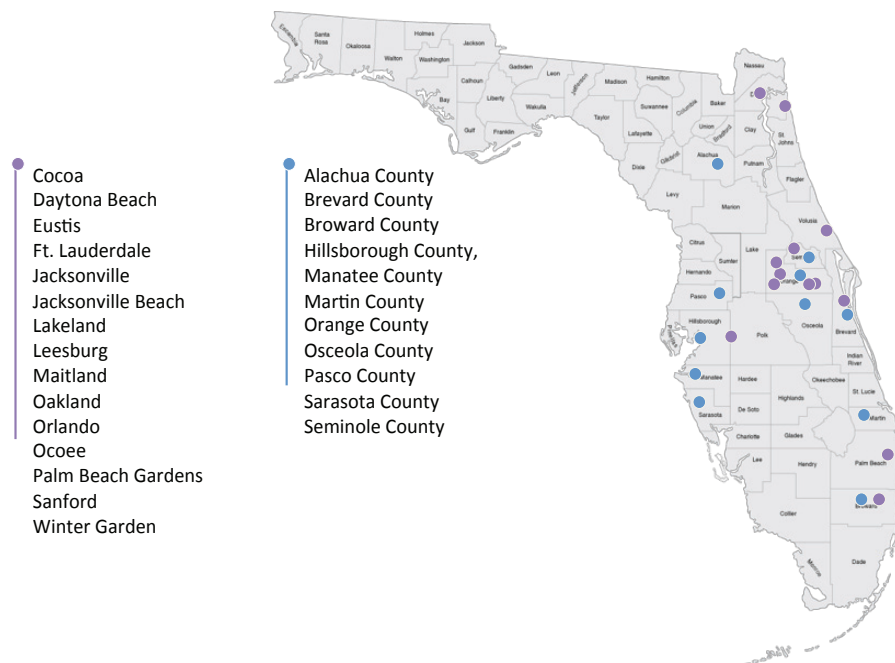
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TAB 01

Letter of Interest

PlanActive Studio's Florida Experience



August 11, 2015
City of St. Pete Beach
City Clerk's Office
155 Corey Avenue
St. Pete Beach, Florida 33706



RE: City of St. Pete Beach Request for Qualifications. Pass-a-Grille Design Services

Dear Selection Committee Members:

The PlanActive Studio Team is excited about the opportunity to put our expertise and knowledge to work for the City of St Pete Beach's Pass-a-Grille Design project. We are dedicated to assuring that the City, its residents, property owners and stakeholders will be well-served by our team. In addition to working as an extension of City staff, the PlanActive Studio Team will provide the City with the opportunity to capitalize on our competitive advantages of local/regional and national expertise, pride as Florida residents, and the proven ability to create community consensus, and develop a vision that will be implementable through a form-based code approach. PlanActive Studio has teamed with **Toole Design Group**, a planning, engineering and landscape architecture firm specializing in bicycle and pedestrian transportation.

Proven Results in Florida

As the President of PlanActive Studio and project manager for St. Pete Beach's Pass-a-Grille Design services, I bring forward substantial experience in policy formulation and experience in Florida planning that will Assist the City in a successful adoption and vision for Pass-a-Grille. I have spent over fifteen years in the State of Florida providing local governments land development regulations tailored to their community and have a proven track record on efficient, timely development of guidelines.

Understanding how to Regulate within Historic Districts

By way of example, in Eustis, Florida, within 2 years of the city adopting the form based codes, the City began to see new investment and, after 25 years, the first urban development had been approved in the downtown. Also, the City's downtown had a historic board, that confirmed the form-based standards would continue to support the downtown historic framework.

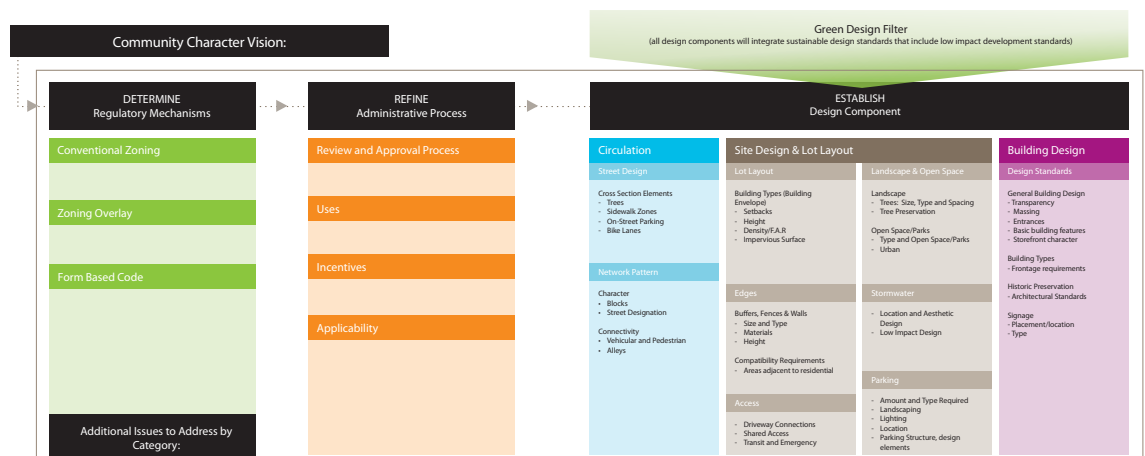
The PlanActive Studio Team has the expertise and ability to provide a full range of services that would set the framework for redevelopment and reinvestment for Pass-a-Grille. We are excited about the opportunity to provide design services for the City and appreciate the opportunity to present the team's qualifications.

Sincerely,

Tara Salmieri, AICP
President, PlanActive Studio
Phone (407) 454-1291
tara@planactivestudio.com

TAB 02

Project Specific Statement of Qualifications and Profile of the Firm



PlanActive Studio has a proven process to evaluate existing land development code's and communicate the necessary revisions to meet a city's vision for an area or areas.

PLANACTIVE STUDIO TEAM

Founded in 2011, Owner and President, Tara Salmieri has over 15 years of experience helping local government agencies ranging from small cities with no professional staff to large government agencies. PlanActive Studio is based in Orlando, Florida and works nationally with a focus predominately in Florida.

Tara has been certified by the Form Based Code Institute since 2008, and has successfully led the adoption of Form Based Code's in the State of Florida. Ms. Salmieri has developed codes, coupled with the process in this proposal, for multiple communities facing the challenges of disinvestment (see Jacksonville Beach, Ypsilanti, Cocoa project sheets) and has proven "built" results in Eustis, Florida and Jacksonville Beach, Florida.

Tara will serve as the project manger and provide the technical assistance in the preparation of the Pass-a-grille design ordinance. Tara will manage the team, develop the overall strategy of the project and be the lead technical writer and developer for the form-based code.

Additional team members are with **Toole Design Group:**

Toole Design Group, LLC (TDG) is the nation's leading planning, engineering and landscape architecture firm specializing in bicycle and pedestrian transportation. TDG has a national reputation in transportation master planning, traffic calming, pedestrian and bicycle research and facility design, trail planning and design, and transit accessibility. TDG is a Woman-Owned Business, with 80 employees and is certified as a Disadvantaged Business Enterprise (DBE) in over 35 states, including the State of Florida. Ian Lockwood, P.E and Ken Ray, RLA have developed a national practice helping local municipalities create successful visions that are easily translated in design standards. Tara has worked with both Ian and Ken for over 10 years and is committed to leading a team that will meet the City's needs for a successful Pass-a-Grille Design Services Project.

Ian Lockwood, P.E., is a Livable Transportation Engineer based in Orlando, FL and has worked for decades to advance inclusive public realms, multimodalism, community health, and livable transportation. He is known nationally as a pioneer in roadway design, walkability, Complete Streets, and traffic calming.

Ian will co-lead the visioning initiative, define the walkability of the area, determine any necessary street improvements and overall design approach.

Ken Ray, RLA, is a Landscape Architect, based in Washington D.C., with ten years of experience in urban design, site planning and transportation planning projects, primarily in the State of Florida.

Ken will provide the necessary illustrations, photo visualizations and any other graphic communications that will provide clarity to the text and guidelines being led by Tara.

Ken will also provide landscape architecture support to ensure the proper landscape requirements can be met based on the climate and needs of St. Pete Beach.

PROJECT MANAGER



As a certified planner, Tara has over 15 years of experience in both public sector planning and private consulting in the State of Florida. Tara began her career as the front line manager, of a small Florida city, responsible for all planning responsibilities ranging from development review, comprehensive planning, data analysis, code enforcement, staff reports and board presentations of a small city, south of Orlando, Florida.

Tara is a certified from the Form Based Code Institute, a member of the American Institute of Certified Planners, Florida Planning and Zoning Association and past Chairperson of the Board of Zoning Adjustment for the City of Orlando. PlanActive Studio is a registered WBE in Orange County, Florida, the State of Florida, City of Orlando and Florida Department of Transportation.

Many of the land development codes, developed and lead by Tara, have been within historic districts, both in the State of Florida and in Michigan. By way of example, Tara has developed regulations in Ypsilanti, Michigan, Eustis, Florida, Riverside/Avondale, Jacksonville, Florida, Bartow, Florida are all examples of cities and communities that also had historic district designations and requirements.

Tara will be the primary contact with the City Project Manager, and will develop a communication plan, for the sub consultants and city staff that meets the needs of the City's Project Manager.



Two infill projects in the heart of Eustis Florida's downtown; construction was completed in 2011 (far left) and was the first new building to come into downtown in 25 years. Both developments are located within the City's Historic District.

QUALIFICATIONS



Tara Salmieri, AICP, FBCI
President
PlanActive Studio, LLC

Education

Bachelor of Arts, Urban Growth Management, Planning and Politics: Rollins College (1999)

Professional Registrations

Conflict Resolution, July 2000
American Institute of Certified Planners, #0200636
Form Based Code Certified, 2008

DBE/WBE Certifications

Orange County, Florida, WBE
State of Florida, OSD
City of Orlando, WBE

Publications + Technical Papers

"Revitalization of Suburban Corridors and Strategies for Redevelopment," American Planning Association Urban Design Publication

Presentations

"Smart Growth and Land Use", Florida Planning and Zoning Conference 2014
"Smart Growth Land Use Case Studies" Florida Redevelopment Conference 2013
"VISION PLANNING - Getting from Conception to Groundbreaking", Florida Redevelopment Conference 2012
"Planning for safety and mobility a Form Based Code approach", FSITE 2012
"Codes on the Road," interactive course for multiple cities in Central Florida, April – September 2009, Local American Planning Association
"Aging Corridors," Florida Redevelopment Association, 2007
"Ideas about the Future of our Cities Form Based Code," October 2009, presenter Florida Redevelopment Association Conference
"Is there a Place for Placemaking in Planning's Economy," panelist, October 2009, Urban Land Institute

Professional History

2011 – Present
PlanActive Studio LLC
President/Owner

2009 – 2012 (February)
Design + Planning at AECOM
Associate Principal/ Studio Leader

2000 – 2009
Glatting Jackson Kercher Anglin, Inc. Orlando, Florida
Senior Associate

1999 – 2000
Herbert Halback Inc
Planner

1999
City of Belle Isle, Florida
General Services Coordinator

Project Experience

Transportation/Land Use Policy Implementation

SR Healthy Impact Analysis, Land Use and Health
LYNX, SR 50 Alternative Analysis, Land Use
Ocoee Evaluation and Appraisal Amendments, FL
University Boulevard, Broward MPO, AA- Land Use
Program Manager, Smart Growth Partnership, TOD policies, complete streets, 11 Cities in Broward County.
Broward Boulevard Corridor Study, Ft Lauderdale, FL, Phase One East
Broward Boulevard West Corridor Study, Ft. Lauderdale, FL
Model Transit Oriented Corridor and Station Area
Regulations, Rockhill/York County, Fort Mill. Charlotte Blue Line Extension.
PENNDOT, Land use training for Smart Transportation Pennsylvania
US 17/92 Corridor Strategy Plan, Seminole County, FL (included 5 municipalities and the county)
Route 9 Integrated Land Use and Transportation Plan, Ocean County, NJ. (13 municipalities)

Land Development Regulations

Town Of Oakland Gateway Corridor Overlay, Oakland, FL
Merritt Island, FL Policy Analysis and LDR
Ocoee Utilities Ordinance, Ocoee, FL
Gateway Corridor Zoning Overlay, Town of Oakland, FL
Cocoa Beach, Form Based Code, Cocoa, FL
Martin County, FL 7 CRA's Land Development Framework Form Based Code
Ypsilanti citywide Form Based Code, Ypsilanti, MI
City of Eustis, Form-Base Code Land Development Regulations, Eustis, FL
Maitland Westside, Citywide code updates, Maitland, FL
Jacksonville Beach, CBD Vision Plan and Form Based Code Jacksonville Beach, FL,
Lakeland Design Framework, FBC Lakeland, FL
Sanford Riverfront/Downtown Design Regulations. Sanford, Florida
Riverside Avondale Zoning Overlay District, Jacksonville, Florida
Unified Land Development Code, City of Leesburg, Leesburg, FL
Sarasota County, 2050 Land Development Regulations
Village, Hamlet, Conservation Subdivisions, Economic Development Overlays, Sarasota, FL
Winter garden SR 50, Overlay Standards, Winter Garden, FL
Baldwin Park Village Center, Sign Standards, Orlando, FL

Neighborhood Planning/Land Use Analysis

Round Rock, TX Visioning for Downtown Redevelopment
Ocoee EAR amendments, Ocoee, FL
Westside Neighborhood, New Smyrna Beach, FL
Historic Villages of Goldenrod, Orlando, FL
Lee Road Neighborhood Design Guidelines, Orange County, FL
Historic Northshore, St. Petersburg, FL
University Park, St. Petersburg, FL

Ian Lockwood, P.E. Livable Transportation Engineer



Ian Lockwood has devoted his career to advancing inclusive public realms, multimodalism, and community health, and all aspects of livable transportation. He is known nationally as a pioneer in station area planning, walkability, Complete Streets, and traffic calming. With fluency in collaborative processes and urban design, Ian works with stakeholders to develop and advance community visions into real projects. Through practical policy and technical direction, Ian has helped private clients, transit agencies, campuses, towns, cities, and states turn conventional processes and projects into ones that are healthier and more successful financially, environmentally, and socially.

Selected Project Experience

- **Heritage Square Redesign**, Sulphur Springs, TX
Ian led the revitalization of Heritage Square in downtown Sulphur Springs, while working at a previous firm. The project involved restoring two-way operations on the four one-way streets that bracketed the square. A beautiful and flexible public space was built in the center of the square with special attention paid to views, things to do, places to play, comfort, shade, places to sit, monument locations, easy special event set-up, ceremonial spaces, and supporting the historic County Court House. The project has attracted people and investment back to the downtown.
- **South Bend Two-way Restoration**, South Bend, IN
Ian served as the Project Manager and led several design charrettes involving a multitude of stakeholders, and the public, to develop a strategy and feasible plan to attract people and investment back to the downtown area. Ian oversaw the consulting team; conducted most of the stakeholder interviews; helped develop the one-way to two-way restoration and Complete Street plans, roundabout concepts, waterfront park plans; and worked with the developers on integrated their land use plans with the future streets.
- **Massachusetts DCR Parkway Vision Plan**
Ian led this work for the Department of Conservation and Recreation (DCR) prior to joining TDG. The Parkway Vision Plan was developed to create a framework for future policy and investment decisions, and to bring back the parkway as a “park with a road in it”. The Vision Plan draws inspiration from the design details and character of the historic Parkway. New furnishings, signage, railings, etc. along the Parkway and trails reflect the character and scale of historic furnishings used when the Parkways were originally designed.
- **Ocoee Downtown Plan and Trail Plan**, Ocoee Downtown Plan, FL
Ian, while at a previous firm, worked with developers and the City of Ocoee to help layout the new downtown. One of the challenges of the project was the nearby arterial State Road 50, which was congested and sensitive to any increases in traffic. Every opportunity was exploited to provide network and connect to the broader community including an area-wide trail network that connect the downtown with its surroundings and other nearby regional trails. The modelling indicated that the impact on State Road 50 would be a traffic reduction due to the robust new street network, trails, and new connections.

Professional Highlights

- Toole Design Group: 2014-Present
- AECOM: 2001-2014
(*Glattig Jackson legacy firm 2001-2009*)
- City of West Palm Beach, FL City Transportation Planner: 1996-2001
- J.P. Braaksma & Associates, Ltd.: 1987-1996
- Royal Canadian Engineers: 1978-1988

Education/Certification

- Loeb Fellow in Advanced Environmental Studies, Harvard University: 2012
- Master of Science, Civil Engineering, Carleton University: 1995
- Bachelor of Science, Civil Engineering, Carleton University: 1987
- Professional Engineer: ON

Awards

- Route 31/Flemington Smart Growth Project, ITE Project of the Year, 2009
- Journey through Hallowed Ground Corridor Plan, Pennsylvania Historic Preservation Award, 2009
- Charter Award, University of California, Santa Barbara, Master Plan, Congress for the New Urbanism, 2004

Ken Ray, RLA Urban Designer



Ken Ray is a landscape architect and urban designer with 11 years of experience and specializes in the design of high performing streetscapes that are highly inclusive and barrier free and are bicycle and pedestrian friendly. Ken was instrumental in streetscape projects in Greenville, SC, Sanford, FL, Orlando, FL, Jax Beach, FL and Miami; all which transformed their streets through effective landscape, beauty through good material choices, and keeping them at a human scale. Ken has a strong design skillset, grasp of innovative and implementable planning standards as related to multimobility in the downtown, and ability to graphically illustrate the projected futures of rejuvenated downtowns in which we work. Ken's undergraduate degree in horticulture, his graduate school years at the University of Florida, and his decade working in Florida has broadened his landscape knowledge to include south Florida tropical and coastal plants, and has allowed him to participate in projects that utilize LID stormwater techniques and address tropical environment issues.

Selected Project Experience

- **InVision Tampa, Tampa, FL**
Ken was working for the City of Tampa to create a Master Plan for the Center City. An integral part of the Plan was to incorporate citizen ideas, issues, and comments. To capture this insight, eight Neighborhood Design Workshops were held in each of the neighborhood areas around the Center City. Activities were geared to a variety of input methods, including a walking tour where community members could point to specific "on the ground" issues and opportunities, and a follow-up meeting with group exercises to discuss site observations and opportunities for change.
- **Charlottesville Streets That Work Street Design Guidelines, Charlottesville, VA**
Ken is the Project Manager and lead designer for the Charlottesville Street Design Guidelines. The project is building off of a four day charrette which included a series of stakeholder meetings, public presentations, and design workshop before culminating with a community vision for the City's streets. The Guidelines will incorporate recommendations from several concurrent planning projects, including the 2015 Bicycle and Pedestrian Master Plan Update, the Green Infrastructure Plan, a Code Audit and recently completed small area plans. As the lead designer, Ken is compiling information on existing conditions and writing the text that will accompany the drawings of the recommended street cross sections.
- **Asheville in Motion Mobility Plan, Asheville, NC**
Ken played a key role as urban designer for the Asheville In Motion (AIM) Plan. The AIM Plan will coordinate all modes of transportation in Asheville into a unified network. Ken revisited the previously completed Bicycle Master Plan and refine recommendations to dovetail with other transportation initiatives identified in the AIM Plan and to bring current thinking and best practices to the original recommendations. Ken also took part in the public participation efforts for the plan, including a multi-day public workshop. The outcome of this Plan will be a comprehensive picture of all modes of transportation in the City and provide specific corridors of improvement that the City can prioritize and implement.

Professional Highlights

- Toole Design Group: 2013-Present
- AECOM: 2009-2013
- Glatting Jackson Kercher Anglin, Inc.: 2005-2009
- Rolling Hills Nursery: 2001-2004

Education/Certification

- Master of Landscape Architecture, University of Florida: 2007
- Bachelor of Arts, Agriculture Area of Horticulture, Murray State University: 2000
- Registered Landscape Architect: FL, MD, OH, SC, VA

TAB 03

Services Approach



“Codes on the Road” was developed by Tara Salmieri, and she has provided this service for every client that desires a hands on experience of how existing development provides an understanding of current and/or past policies have affected the character of a community.

SERVICES APPROACH

The PlanActive Studio team understands how to successfully develop a set of design criteria to enhance and support the historic context of the Pass-a-Grille area.

We understand the City has already engaged the community in regards to design standards, holding four community workshops and summarizing the findings in the July 2014 Pass-a-Grill Historic Community Engagement Strategy. While it has been over a year, we believe the past initiatives within the community will benefit the next steps in developing land development regulations that: respect the historic nature of Pass-a-Grille, understand the challenges to FEMA requirements, and embrace the assets of the built environment. PlanActive Studio has a consistent success rate in developing and adopting form based code regulations using the following 4 step process:

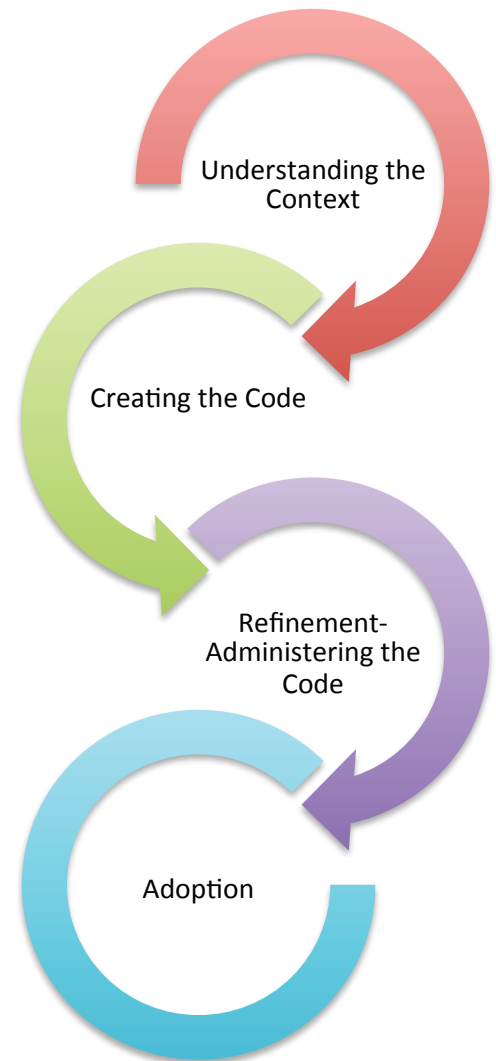
Step One: Understand the Context

The goal is to develop a form-based code that protects and enhances the community's most desirable places and qualities, while ensuring that new development and redevelopment complement the character of Pass-a-Grille. If one listens in on any contested zoning hearing anywhere in the country, they are likely to hear an objecting neighbor assert that the proposed project will "destroy the character of the neighborhood." Yet, all too often, the zoning code does not speak directly to issues of community character. Therefore, the neighbor is not protected, and without a legal basis for addressing the neighbor's legitimate concerns, the decision-makers may be compelled to allow the development to proceed as proposed.

PlanActive Studio and its teammates understand how regulations affect community character, and how to craft zoning districts and regulations that are based on shared understandings of character, which is more than just use, building form, height, density, or intensity. The vocabulary of community character allows for a variety of combinations of these elements, while providing a consistent experience within the context of the area.

Our focus and experience will help the City develop a regulatory program and shared vocabulary that addresses community character directly, which will facilitate decision making based on the points that matter most to the community.

PlanActive's 4 Step Process



Developing an effective form-based code begins with an evaluation of existing conditions and community context. The evaluation is approached by:

- 1) Reviewing the existing regulatory framework of St. Pete Beach (existing zoning regulations and the Pass-a-Grille Overlay);**
- 2) A physical analysis of the area; and**
- 3) Engaging the public.**

SERVICES APPROACH

Regulatory Review

Because Pass-a-Grille is primarily a redevelopment and infill area, we will review the City's current regulations and identify what already is working in the current code and incorporate those elements into the new code to ensure a smooth transition of regulations.

Physical Context

From a physical context, we will analyze how streets are functioning, whether buildings interact well with the streets and sidewalks, if the public realm (parks and open space) reflects the community's character, which parks are under-utilized, whether the area needs more open space, and other land-development issues specific to the City.

Public Engagement

With an understanding of the context, we then help cultivate the community vision. We will provide a detailed public outreach plan that identifies the range of tools that can be used to inform a variety of stakeholders on what a form-based code is, what it can accomplish and how it will be applied in the Pass-a-Grille area.



Community participation is an integral part of developing successful visions and design codes.

Step Two: Creating the Code

This step is the creation of the form-based code that infuses the design concepts with the necessary regulatory framework. This development can also include types of uses, parking requirements, landscape and signage standards.

Visioning Effort

The most efficient and effective way of developing regulations, is to confirm and establish a vision for Pass-a-Grille. We believe the most efficient process for the vision effort should be a multi-day workshop, commonly termed a charrette. The team will come to St. Pete Beach and set up a studio for 3 to 4 days. The team will meet with City staff, stakeholders, and any other groups identified by the City. Two formal community workshops will be conducted during the multi-day workshops- the first workshop will kick off the multi-day charrette, and at the end of the multi-day workshop, the PlanActive Team will present the overall strategies, vision, and design developments during the second community workshop.

Regulating Plan

The community vision, which is developed during the public engagement process, becomes the framework for a "regulating plan," which includes three key elements: **building form, circulation and access, and parks and public spaces.**

SERVICES APPROACH

Establishing the Building Form

It is important to ensure the new development is compatible with the community, PlanActive Studio will develop parameters that respond to the community vision, such as determining the various building envelopes best suited for Pass-a-Grille's context, how the building should address the street, and the development of building types that integrate and respect with the surrounding area.



Creating the Circulation Framework

The treatment of existing streets and the creation of new streets are equally important. To understand the context of an area, we examine the “bone” structure of the community- its streets. New streets should be multi-modal and accommodate all users. Street types will include descriptions of target speed, travel ways, lane widths, median types, and the total right-of-way needed. Public frontages, most commonly in the form of sidewalks where the public realm interfaces with the private realm, are important aspects of form-based code.

Regulating Parks and Public Space

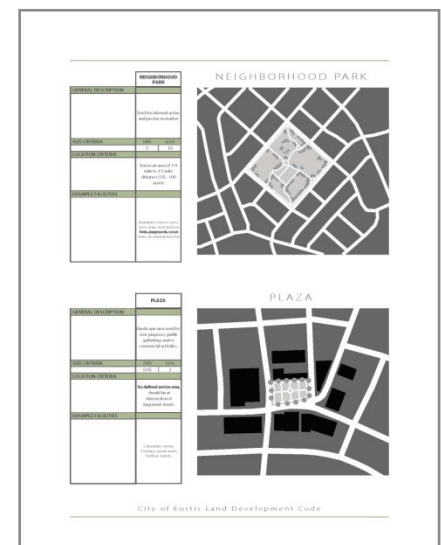
Parks and public space should balance any new development within Pass-a-Grille by developing a range of public spaces, such as outdoor seating, interactive fountains, or a quiet place for reflection. An evaluation of park space and location for this project will be completed during as described in Step One to determine the needs, if any, within Pass-a-Grille.

Step Three: Refinement and Administering the Code

Review and Testing

Review Draft Land Development Regulations and Zoning Code amendments. The PlanActive Team will meet with city staff and any other stakeholders identified during Step One to review the Draft Code to solicit comments and input. Based on comments, a Final Draft for public review will be prepared for the next phase of the code development. Once the draft code has been evaluated by the staff and other necessary stakeholders, we will perform a “testing of the code”.

The purpose of this step is to evaluate the effect of the recommended Code amendments by “testing” the draft regulations on actual parcels within Pass-a-Grille. The results and outcomes will be used to refine the recommended code language, help communicate the effect of these recommendations on property located within Pass-a-Grille by demonstrating the potential outcomes of the proposed code updates.



Illustrations and tables should be easy to understand and apply within the Pass-a-Grille area.

SERVICES APPROACH

Second Community Meeting

Presentation of the Pass-a-Grille Code. The PlanActive Team will develop a presentation to present the draft code. The presentation may be made to a special audience of neighborhood residents or stakeholders, or may be presented before a joint gathering of municipal boards and committees, as determined by City staff.

Step Four: Adoption

Once the draft form-based code has been vetted with the City staff, stakeholders and technical team, we will represent the code to each relevant board within the City. After adoption, if needed, we can also provide in-house training to the planning staff that reviews the code at site plan approval stage or any other step of approval that the City identifies a need for assistance with staff.



City of Eustis adopted a citywide form-based code, Tara Salmieri led and developed the standards adopted in 2008.

QUALITY CONTROL

The PlanActive Studio Team will utilize effective controls to maintain both the schedule and budget for the Pass-a-Grille Design Services Project. At the outset of the project, we will develop a detailed scope of services and project schedule based on the needs of the City that clearly defines project deliverables, project milestones/due dates, and community workshops, board meetings and the adoption process.

PlanActive Studio has developed a reputation for quality work products and places the utmost importance on maintaining product quality. Quality control and assurance is much more than checking deliverables just prior to submitting documents and plans, it begins during the earliest phases of the study. Several tools will be used to ensure that only quality products are submitted. These tools include:

Quality Control Package – will be provided to all team members at the beginning of this task, which includes: a checklist, a project status update form, and a detailed project schedule;

Project Team Meetings – will be held on a regular basis, providing an opportunity to share project information, identify potential problems, and head them off before they become schedule stoppers;

Review Process – an extensive process including in-house design reviews so that all reasonable solutions are addressed;

Progress Meetings with the Client – to remain informed about the project, to understand the approach, and to avoid surprises, all while remaining on schedule; and

Documentation - of project activities that identify the assumptions made and procedures followed.

TAB 04

References



Communication through photo visualizations is an effective tool to “highlight” current regulations, when development pre-dates the land development regulations in place.

REFERENCES

PlanActive Studio References:

City of Ypsilanti, Michigan
Citywide Vision and Land Development Code, Adopted December 2014

Bonnie Wessler Community Development Division
City of Ypsilanti
One South Huron Street
Ypsilanti, MI 48197
Phone (734)483-9646
Email: wesslerb@cityofypsilanti.com

Town of Oakland, Florida
Gateway Corridor Overlay, Adopted December 2014

Maxwell Spann, Planning & Zoning Director
Town of Oakland, Florida
P.O. Box 98 | Oakland, FL 34760
Phone (407) 656-1117 x2107
Email: mspann@oaktownusa.com

City of Cocoa, Florida
Cocoa Waterfront Code, Adopted May 2013
Steven Belden, Director of Community Development
65 Stone Street
Cocoa, FL 32922
Phone (321) 639-7565
Email: sbelden@cocoafl.org

Central Business District Vision Plan,
Form Based Code & Streetscape Design, 2011

George Forbes, City Manager
City of Jacksonville Beach, FL
11 N. 3rd Street
Jacksonville Beach FL 32250
Phone (904) 247-6268
Email: gforbes@jaxbchfl.net

Toole Design References:

City of Sulphur Springs
Marc Maxwell, City Manager
City of Sulphur Springs
125 S. Davis Street
Sulphur Springs, TX 75482
Phone (903)885-7541
Email: mmaxwell@sulphurspringstx.org

Tampa, Florida
InVision Tampa, Completed in 2013
Randy Goers, Project Manager

1400 N. Boulevard
Tampa, FL 33607
Phone (813)274-3100
Email:Randy.Goers@ci.tampa.fl.us

Boston Transportation Department
Vineet Gupta, Director of Planning
One City Hall Square, Room 721
Boston, MA 02201
Phone (617) 635-2756
Email: vineet.gupta@cityofboston.gov

PROJECT EXAMPLES

Jacksonville Beach, Florida Vision Plan/ Form-based Code August 2011

Tara Salmieri was the Project Manager, lead technical writer for this multiyear and multidiscipline project as an employee of Glatting Jackson Kercher Anglin Lopez Rinehart and AECOM.

The Vision

The City of Jacksonville Beach, in 2007, was experiencing a renewed development interest in and around Downtown. The City was careful to ensure that new development does not take away from this beach town's charm and livability. In its proactive effort, the City hired legacy firm Glatting Jackson, to lead a visioning and planning process that resulted in a plan that provided a thoughtful approach to how new development would not only maintain but improve quality of life and identify public investment projects to complement the investment needed by private developers.

The process of creating the Vision Plan relied on a strong community involvement process which provided a variety of opportunities for public input through stakeholder interviews, a walking audit of the Downtown and a multiple day Charrette with two formal presentations and more than two days of open house working sessions.

Form Based Code

Concurrent to the Vision Plan, the consultants developed a form based code for the Downtown that would provide the necessary flexibility for redevelopment of the downtown. The city's land development regulations prior to the adoption of the Form-based Code permitted a wide range of development opportunities ignoring the current context of the area. After several infill developments that did not respect the adjacent neighborhoods or the city's identity, the citizens requested design standards, better surety of what would be developed downtown. The use of 3-d graphics, photo visualizations and illustrations provided the citizenry with enough information to feel comfortable with the standards and led to a consensus for developers and the citizens. The form-based code was adopted in July of 2008.

Awards: Spacecoast Chapter, Florida American Planning Association "Outstanding Planning"

Public Investment

The Downtown Jacksonville Beach Streetscape project is the next phase in an on-going effort to revitalize a unique beachfront business and entertainment district. This project includes all of the streets located within the downtown Central Business District. The Streetscape design uses "shared space" strategies to create a vibrant public environment that is functionally flexible, barrier-free, and safe for pedestrians and bicyclists. The removal of vertical curbs and additions of 'chicanes' slows traffic, creates more usable pedestrian space and allows on-street parking and landscape islands. The paving, site furnishings and landscape palette are driven by both the cultural and ecological history of Jacksonville Beach. The shared space concept will be one of the first street designs in Florida that recognizes that all modes of transportation are equal. Construction of 1st Street is currently underway and was completed in the fall of 2011.



The first step of the project, was to develop a master plan/vision plan for the City's downtown.



Infill is a challenge in Jacksonville Beach's Downtown. These new infill projects were approved and developed under the City's Downtown Form Based Code, created by Glatting Jackson. Parking is provided on the roof of the building so the developer could maximize the square footage for the development.



The last phase of the project, was to implement a downtown streetscape, creating a "festival street" parallel to the beach.

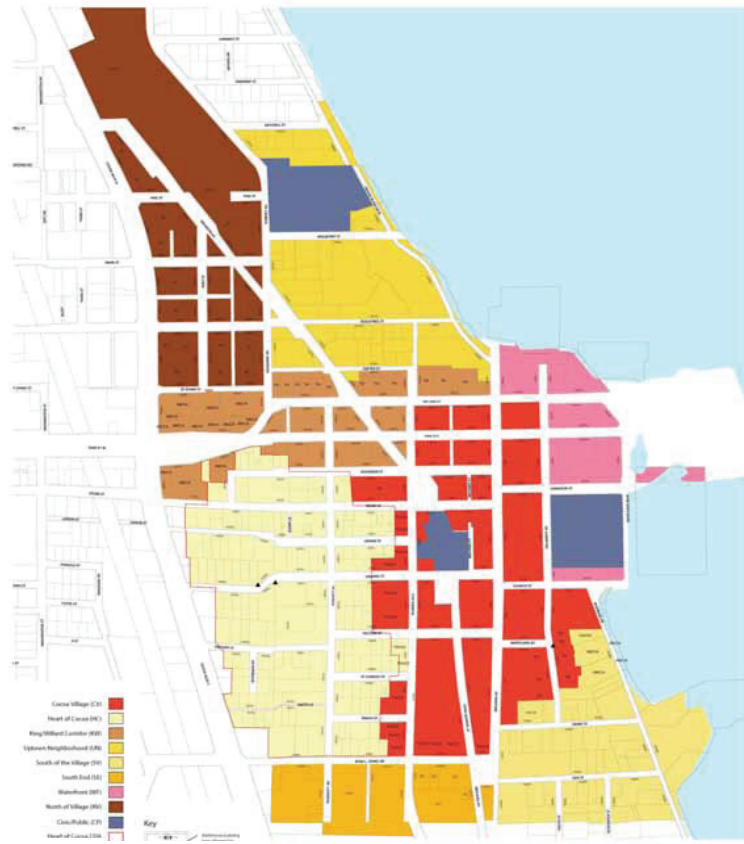


Cocoa, Florida
Form-based Code
May 2013

Cocoa's Waterfront Code

The city of Cocoa's downtown and surrounding waterfront development has a distinct context and character in which the citizens, business owners and visitors cherish. In 2008, a master plan was developed for the City's Community Redevelopment area which included their downtown, major corridors accessing the downtown, existing neighborhoods and waterfront land. A form based code was developed by PlanActive Studio and AECOM that includes a Regulating Plan for Seven Subdistricts identified in the Master Plan Visioning Process then refined as the Regulating Plan was developed. A range of 14 building types were coded to reflect the existing context and character of the form of the City. A Circulation Map was also developed for future significant redevelopment that will allow for the connections of existing roadways to the waterfront, adjacent properties and to help reconnect the City's Community Redevelopment Area.

The City Commission unanimously approved the Form Based Code in May, 2013. PlanActive Studio's has been the lead planner, developer of the Form Based Code.



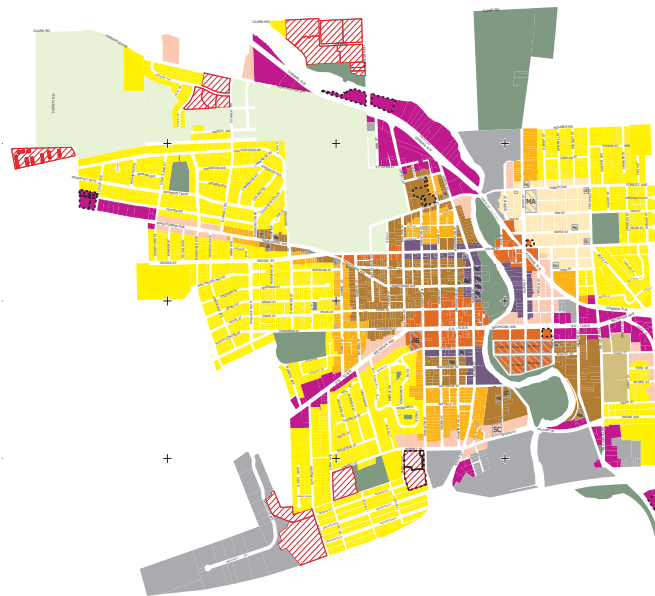
14 building types were calibrated to the existing context of Cocoa's Community Redevelopment Area.



Ypsilanti Form-based Code

The approach for Ypsilanti's Form-based codes was to emphasize the physical character of development (its form) and to also include the regulation of land uses. As in Ypsilanti's Master Plan, land uses are regulated, but land use is typically regulated more broadly, with land use categories with the Zoning Ordinance that further refine the Zoning Categories that are centered around specific permitted uses. Ypsilanti's form-based code will focused on how development relates to the context of the surrounding community, especially the relationships between buildings and the street, pedestrians and vehicles, and public and private spaces. The code will addresses these relationships by regulating site design, circulation, and overall building form while respecting the cities historic district areas within the core of the downtown.

The City Commission adopted the citywide zoning updates, including the Form Based Code in December 2014. PlanActive Studio's has been the lead planner, developer of the Form Based Code and supported the overall vision and master plan developed by ENP, Associates.



Regulating Plan and Zoning Map

MA MANSION

A building lot located and designed to accommodate a very large detached building with large side, rear yards and front yards. This building typology is only permitted by the Planning Commission.

LOT REQUIREMENTS	MIN	MAX
A. Lot Width (ft)	120	—
B. Lot Depth (ft)	120	—
C. Lot Size (sq ft)	14,400	—
D. Lot Coverage (%)	—	30

BUILDING ENVELOPE	MIN	MAX
E. Street Setback (ft)	30 (12)	—
F. Side Setback (ft)	25	—
G. Rear Setback (ft)	40	—
H. Frontage Building (ft)	—	—

ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
I. Street Setback (ft)	10	—
J. Side Setback (ft)	10	—
K. Rear Setback (ft)	10	—

BUILDING HEIGHT	MIN	MAX
L. Building Footprint (sq ft)	—	1,200

PERMITTED PROVISIONS	MIN	MAX
M. Principal Building (sq ft)	1	3
N. Accessory Structure (sq ft)	—	15

Location: P, U, S, D, and R

Private Frontages: Required

(1) The front setback will be determined by the average of the front yards of existing buildings on the same street side and block in which the new building is being proposed.

CA COURTYARD APARTMENT

A building lot located and designed to accommodate multiple dwellings arranged around and fronting on a central garden or courtyard that may be partially or wholly open to the street.

LOT REQUIREMENTS	MIN	MAX
A. Lot Width (ft)	60	120
B. Lot Depth (ft)	80	120
C. Lot Size (sq ft)	4,800	14,400
D. Lot Coverage (%)	—	40

BUILDING ENVELOPE	MIN	MAX
E. Street Setback (ft)	15	40
F. Side Setback (ft)	5*	10
G. Rear Setback (ft)	10	—

ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
H. Frontage Building (ft)	10	15
I. Street Setback (ft)	10	—
J. Side Setback (ft)	10	—
K. Rear Setback (ft)	10	—

BUILDING HEIGHT	MIN	MAX
L. Building Footprint (sq ft)	—	800

PERMITTED PROVISIONS	MIN	MAX
M. Principal Building (sq ft)	2	4
N. Accessory Structure (sq ft)	—	15

Location: U and R

Private Frontages: Required

* 5' Setback required from adjacent detached building.

AH APARTMENT HOUSE

A building lot located and designed to accommodate multiple dwellings above or beside each other in a building that occupies most of its building lot width and is placed close to the sidewalk. Minimum units is 2 per building.

LOT REQUIREMENTS	MIN	MAX
A. Lot Width (ft)	40	120
B. Lot Depth (ft)	100	120
C. Lot Size (sq ft)	4,000	14,400
D. Lot Coverage (%)	—	30

BUILDING ENVELOPE	MIN	MAX
E. Street Setback (ft)	10	20
F. Side Setback (ft)	5	—
G. Rear Setback (ft)	20	—

ACCESSORY STRUCTURE ENVELOPE	MIN	MAX
H. Frontage Building (ft)	10	20
I. Street Setback (ft)	10	—
J. Side Setback (ft)	10	—
K. Rear Setback (ft)	10	—

BUILDING HEIGHT	MIN	MAX
L. Building Footprint (sq ft)	—	800

PERMITTED PROVISIONS	MIN	MAX
M. Principal Building (sq ft)	2	3
N. Accessory Structure (sq ft)	—	15

Location: R, S, D, and R

Private Frontages: Required

(1) The front setback will be determined by the average of the front yards of existing buildings on the same street side and block in which the new building is being proposed or 10 feet, whichever is greater.

15 building types were calibrated to the existing contexts identified within the City of Ypsilanti

Town of Oakland, Florida
Land Development Regulations
November 2014

Town of Oakland, FL
Gateway Corridor Overlay

PlanActive Studio provided an update to the Town’s Gateway Corridor Overlay District. The existing overlay was revised to meet the Town’s Visioning Initiative that had been adopted in 2013. The Overlay Standards provide an urban framework for any new commercial developed that is located within the boundaries of the Overlay. A variety of building typologies and landscape options were developed to permit and encourage a more urban, walkable environment as identified, by the community, during the Visioning Initiative. The overlay also included the provisions for an Appearance Review Board. The Planning Commission and Town Commission unanimously approved the new Overlay in 2014.

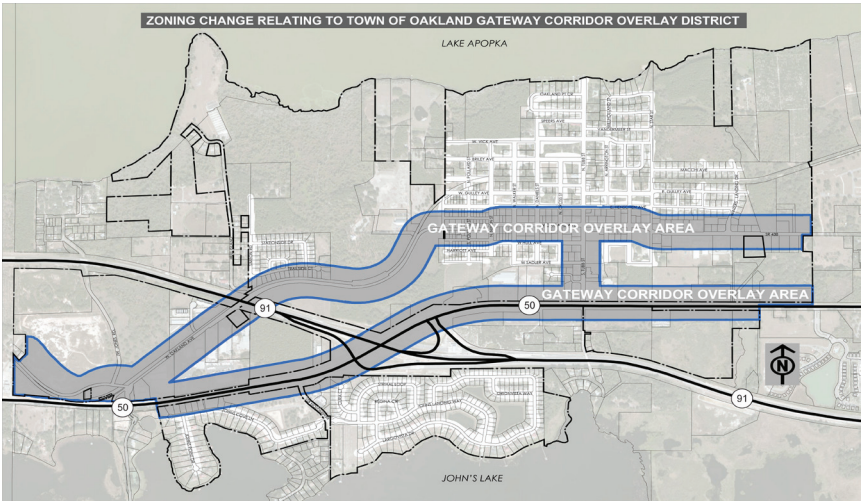


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ARTICLE XVI. GATEWAY CORRIDOR OVERLAY DISTRICT

SECTION 16.1 ESTABLISHMENT.....

SECTION 16.2 INTENT.....

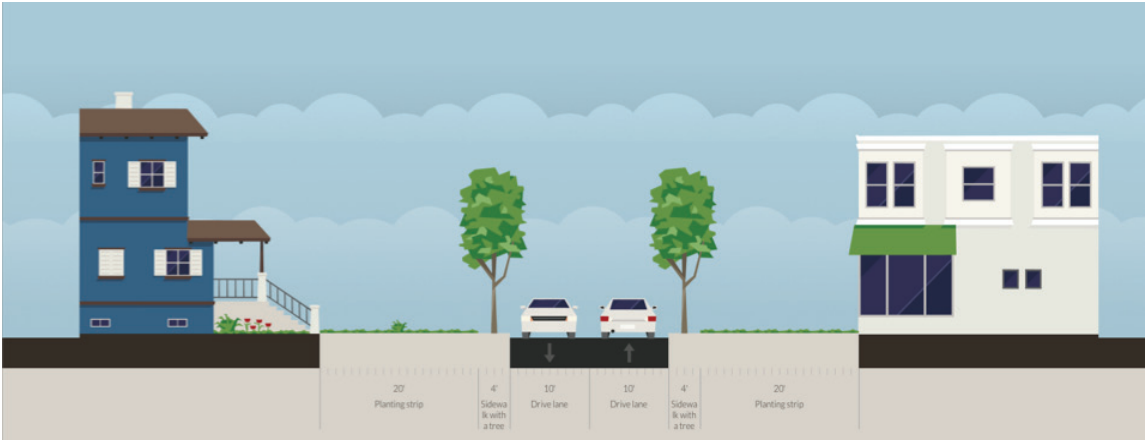
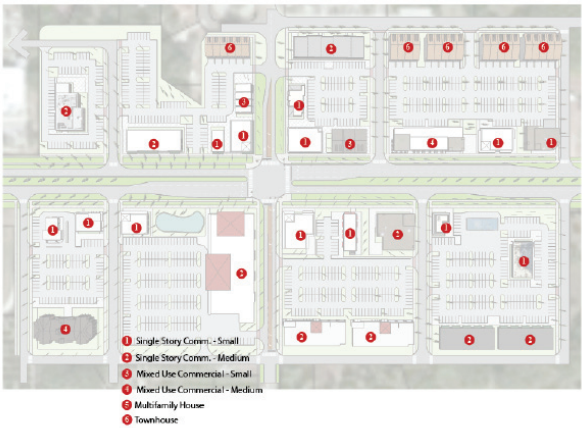
SECTION 16.3 APPLICABILITY

SECTION 16.4 DESIGNATED GATEWAY CORRIDORS:.....

SECTION 16.5 ALLOWABLE USES.....

SECTION 16.6 DEFINITIONS:.....

SECTION 16.7 REQUIRED DRAWINGS:.....



Sulphur Springs, TX Heritage Square Redesign



Ian Lockwood, P.E. led the revitalization of Heritage Square in downtown Sulphur Springs, while working at a previous firm. The project involved restoring two-way operations on the four one-way streets that bracketed the square. A beautiful and flexible public space was built in the center of the square with special attention paid to views, things to do, places to play, comfort, shade, places to sit, monument locations, easy special event set-up, ceremonial spaces, and supporting the historic County Court House. Most of the parking supply, provided by the desolate surface parking lot, was provided via the on-street parking which better supports the commercial land uses. The streets were paved in bricks to help reduce speeds and to add

beauty. The streets were made curbside to provide barrier-free space for large events. The square became a welcoming public space, with a splash fountain and two public restrooms. The restrooms were featured on the *Learning Channel* for their innovative one-way mirrored walls that allow people to see out but not in.

The project has attracted people and investment back to the downtown. There are plenty of people around, businesses are opening and bustling, upper floors are being renovated for residential uses, regular events take place, and the downtown is a source of community pride.

Client

City of Sulphur Springs
Marc Maxwell, City Manager
City of Sulphur Springs
125 S. Davis Street
Sulphur Springs, TX 75482
903.885.7541
mmaxwell@sulphurspringstx.org

InVision Tampa Tampa, Florida

Ken Ray, RLA, provided design support, lead graphics, community involvement, conducted walking audits throughout eight neighborhoods around Tampa's city center. The overall project, led by AECOM was to work with the City of Tampa to develop the InVision Tampa Center City Plan, providing a view toward its future as a successful and competitive waterfront city. The Plan sets a clear direction for the City, defining its role in development along with that of other public and private partners by creating a framework of Vision, Building Blocks, and Forward Moves as an organizational structure for the many individual ideas and comments brought forward by the community.

The Vision, "A community of livable places, connected people, and collaborative progress that embraces and celebrates its river and waterfront" is aspirational and broad, setting the course for the future, and is supported by five Building Blocks, which are future goals and broad principles describing direction.



Above (before condition) Below (vision)



Above (before condition) Below (vision)



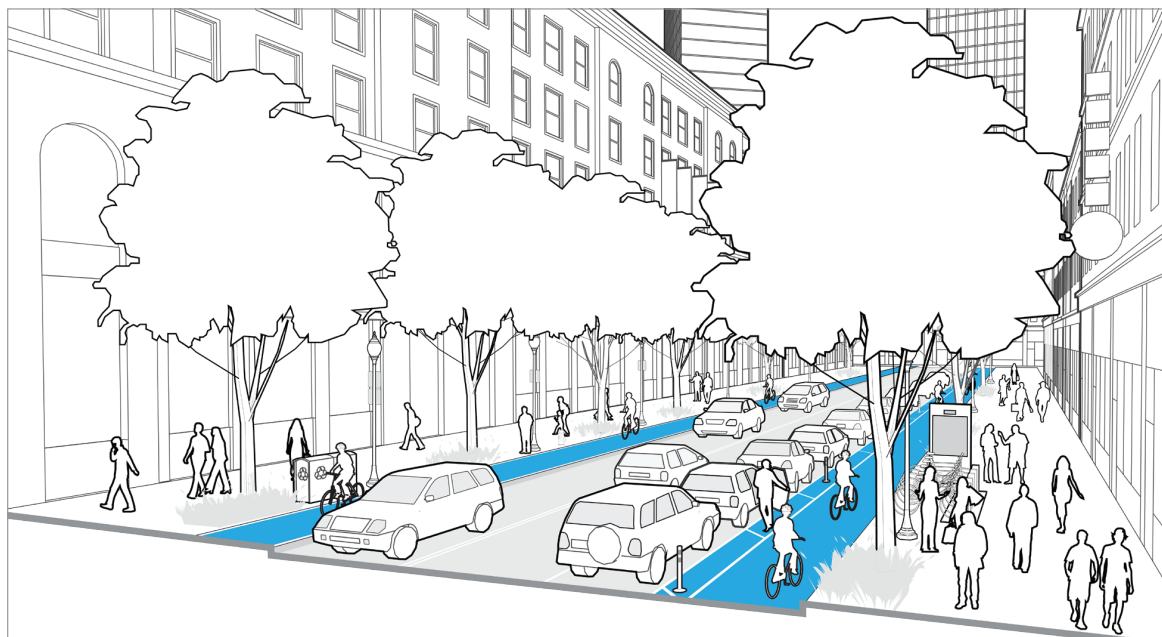
Above (before condition) Below (vision)



Ken developed a series of photo visualizations to communicate the communities desire and summarized potential initiatives the City could consider implementing.



Boston, MA Boston Complete Streets Guidelines



Toole Design Group (TDG) was the prime contractor for the City of Boston's Complete Streets Design Guidelines. The Guidelines represent a fundamental change in Boston's approach to street design and operations, in concert with Boston's vision for becoming a more walkable, bikeable, transit-friendly, and livable city. The Guidelines are structured around three major street design themes: multimodal, green and smart (use of technology in the public ROW). The Guidelines establish a new set of context-sensitive street types for Boston and include recommendations for minimum lane widths as well as dimensions for the different zones that make up sidewalks. The Guidelines also feature detailed intersection design guidance on topics ranging from pedestrian signal timing to separated bike lane (cycle track) design at

intersections. TDG was responsible for all aspects of the project, including development of the guidelines, coordination between numerous city agencies and an advisory panel that included a wide array of stakeholders, and final publication and production of the guidelines. TDG is now serving as a consultant to the City to facilitate implementation of the guidelines.

The City of Boston's Complete Streets Design Guidelines has won the Congress for New Urbanism New England Grand Award; the Institute of Transportation Engineers, Pedestrian and Bicycle Council Best Project Award; and the National Planning Excellence Award for a Communications Initiative.

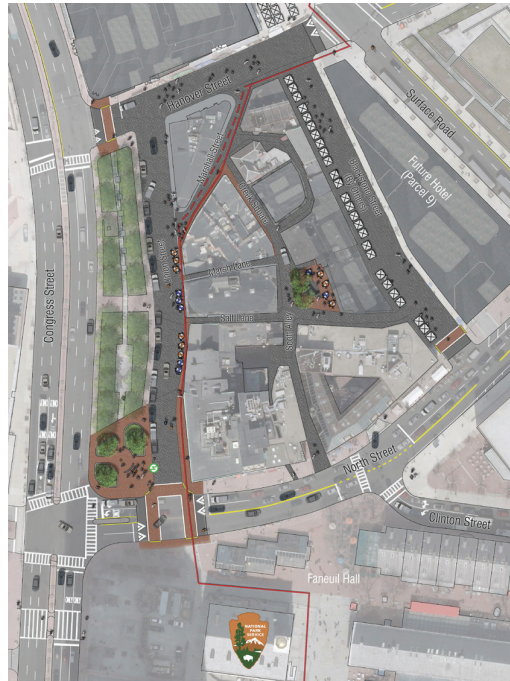
Client

Boston Transportation Department
Vineet Gupta, Director of Planning
One City Hall Square, Room 721
Boston, MA 02201
617.635.2756
vineet.gupta@cityofboston.gov

PROJECT EXAMPLES



Boston, MA Connect Historic Boston



Toole Design Group (TDG) worked closely with the City of Boston and the National Park Service (NPS) on the Connect Historic Boston (CHB) project to develop conceptual designs for five major infrastructure projects. The CHB project approach sought to bring together and improve walking, bicycling, and public transit connectivity to historic site locations in Downtown Boston. TDG's concept designs blended the unique historic roadway character of Boston and developed project wide best practice recommendations for improved multimodal connectivity.

As lead for the project, TDG and the team of subconsultants conducted extensive fieldwork and traffic analysis, site specific recommendations, and developed preliminary conceptual design plans. TDG evaluated traffic control (signing, marking, and signal) changes, street furnishings, site materials, landscaping, and geometric (pavement, curb, and sidewalk) modifications for all five proposed project sites. Throughout the conceptual design process, the TDG team met with stakeholders, the City's Landmark

Commission, and Boston Transportation Department to coordinate all proposed design recommendations. At two integral historic project sites, Boston's Blackstone Block and Joy Street, TDG proposed a curbside or shared street concept with site specific recommendations for implementation. The proposed project improvements would facilitate and increase pedestrian space and accessibility to numerous sites along Boston's historic Freedom Trail.

In partnership with the City and NPS, TDG authored a winning federal Transportation Investment Generating Economic Recovery (TIGER) grant for \$15.5 million to design and construct four of the CHB conceptual designs.

Client

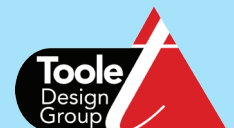
Boston Transportation Department
Vineet Gupta, Director of Planning
One City Hall Square, Room 721
Boston, MA 02201
617.635.2756
vineet.gupta@cityofboston.gov

TooleDesignGroup

PlanActive Studio
collaborate.innovate.engage.reform



PLANACTIVE
STUDIO





City of St. Pete Beach

RFQ:
Pass-A-Grille
Design Services

August 11, 2015

CANIN ASSOCIATES

500 Delaney Avenue
Suite 404
Orlando, FL 32801

Phone: 407-422-4040
Fax: 407-425-7427 fax

canin.com

Please Contact:

Eliza Harris Juliano
Director of Urbanism
ejuliano@canin.com

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Appendix A: Resumes

500 Delaney Avenue
Orlando, FL 32801
(407) 422 - 4040

August 11, 2015

City of St. Pete Beach
City Clerk's Office
c/o Jennifer Bryla
155 Corey Avenue
St. Pete Beach, FL 33706

Dear Ms. Bryla and Members of the Selection Committee,

We are thrilled to submit this proposal to provide design services for the Pass-A-Grille Historic District. Canin Associates is an Orlando-based urban planning and design firm with a focus on creating great people places. Our interdisciplinary team also includes in-house resources for architectural design, landscape architecture, and transportation design. As a group of passionate professionals with diverse skills, we are committed to performing the required consulting services for the Pass-A-Grille overlay area.

Since 1980, Canin Associates has overseen the design and entitlement of hundreds of developments locally, nationally, and around the world. Within the state of Florida, we have partnered with over 35 governmental entities, including numerous city- and county-level leaders and organizations to promote the highest quality urban design standards. Our initiatives have ranged in size from single-lot projects to complex master planning of entire new cities. We have successfully completed projects spanning code evaluations and amendments, design standard creation, visioning and community involvement, mapping and analysis, and form-based code development.

Canin Associates' previous coding experiences include form-based codes for the City of Winter Park in Orange County, City of Edgewater in Volusia County, and Lake Flores in Manatee County, as well as comprehensive plan amendments for the City of Destin. We are a state leader in developing community plans, projecting scenarios that balance competing interests, and identifying opportunities for mutually beneficial outcomes. We work closely with governmental entities and residents alike to assess and update codes that are not only realistic, but match the needs and the character of the communities they will affect.

We look forward to working closely with your team as your on-call planning consultants. Should you require any additional information beyond this proposal, please do not hesitate to contact us.

Sincerely,



Brian C. Canin
President / Principal-in-Charge
Canin Associates
407.422.4040
bcanin@canin.com



Eliza Harris Juliano
Director of Urbanism / Project Manager
Canin Associates
407.422.4040
ejuliano@canin.com

Project-Specific Statement of Qualifications

Canin Associates is a certified Architect Corporation and a registered Landscape Architect Business comprised of 14 design professionals and two interns. Our team members hold various individual certifications and registrations: Brian Canin is a registered architect and planner; Greg Witherspoon is a registered planner and landscape architect; Andy Hughes is a registered landscape architect; Eliza Juliano and Alex Lenhoff are accredited members of the Congress of the New Urbanism. Each team member's individual qualifications are described below. For more information, please reference each person's resume in Appendix A.

Brian Canin, a licensed architect and registered planner, is the President of Canin Associates. He holds a Master of Architecture in Urban Design from Harvard University. For the last 40 years, Brian has focused on creating sustainable communities through the practice of urban design and creative placemaking, resulting in award-winning, enduring communities that provide a unique sense of place. As Principal-in-Charge, he has overseen hundreds of urban design, planning, architectural design, and landscape projects over the past 30+ years.

Eliza Harris Juliano is the company's Director of Urbanism and will serve as Project Manager for this initiative. She holds a Masters in Urban Planning from Harvard University and is an accredited member of the Congress for the New Urbanism, where she also sits on the National Board and oversees the local Orlando chapter. Eliza's strengths include land use and transportation planning, GIS analysis, and smart growth advocacy.

Kenneth VanDerveer brings over 30 years of experience to the team as Principal Urban Designer. He has applied his urban planning and design skills to over 250 projects across Florida, the United States, and internationally. From large-scale master planning to detailed urban designs, each of his projects closely ties into the history, character, and essence of its community.

Greg Witherspoon's 20-year career in urban planning and landscape architecture has provided him with a wide array of experience in both public and private projects. As a registered planner (AICP) and licensed landscape architect, Greg specializes in community planning and design. He possesses an in-depth understanding of smart growth principles,

land-based analysis, and form-based codes. He works closely with **Andrew Hughes**, a Senior Landscape Architect at Canin Associates and a licensed landscape architect with over 13 years of experience.

Tony Weremeichik, a Certified Professional Building Designer (CPBD) and Certified Green Professional (CGP), is the Principal of the Architectural Design Studio at Canin Associates. Part of Tony's team is **Henry Tamura**, an Associate Architectural Designer whose expertise includes project visioning, urban design, village center design, and mixed-use design.

Jurgen Duncan is a Transportation Specialist at Canin Associates with a focus on urban design and redevelopment solutions. His innovative road, trail, and transit designs have responded to a range of challenges, turning thoroughfares into community builders.

Additional team members for this project include:

- **Monica Pinjani Chawla**, Senior Designer with a Master's of Science in Architecture and Urban Design from Columbia University
- **Alex Lenhoff**, Urban Planner with a Master's of Planning in Civic Urbanism and an accredited member of CNU
- **Michael Richardson**, Architectural Designer with a BArch from the University of Miami School of Architecture and Town Planning

Communication is key for each and every project we undertake. Brian Canin will act as the Principal-in-Charge for this effort, working closely with Eliza Harris Juliano, the Project Manager. Together, they will regularly interface with the Client through site visits, teleconferences, presentations, and written communications. Regularly scheduled internal team meetings will keep everyone up to speed on project developments and deliverables.

Profile of the Firm

Since 1980, Canin Associates has managed hundreds of urban design, entitlement, architectural design, and landscape architecture projects. With a strong track record of working with both public and private entities, we have developed a rich portfolio of projects and non-profit initiatives centered on building strong communities through smart design.

Over the years, we have worked closely with the Florida Department of State's Division of Historical Resources to complete over 30 developments of regional impact (DRIs). As part of every DRI, the significance of each project area is evaluated and assessed on historical and archaeological terms. Through our experience, we have learned to work in tandem with the opportunities and limitations presented by each development's unique historical context. Moreover, our architectural and urban designs are heavily influenced by traditional development styles, including New Urbanism and vernacular architecture. Our team members possess a thorough understanding of traditional Florida architectural styles and regularly apply them to new and existing communities.

Office Location

Canin Associates is a local firm based in downtown Orlando at:

500 Delaney Avenue
Suite 404
Orlando, FL 32801

All work for this project will be performed at this location.

Services Approach

Project Understanding

St. Pete Beach has an incredible opportunity to protect, preserve, and enhance the charming beach-front neighborhood of Pass-A-Grille. A beloved beach getaway for nearly a century, redevelopment in recent decades threatens the historic character of many of the area's buildings. That, combined with aging public infrastructure, has resulted in the need to create a set of design guidelines within the overlay district that realigns new development with historic appreciation and enhanced beautification.

Approach

Our team's holistic approach to urban design, planning, architecture, and landscape architecture allows us an ideal vantage point for creating and executing new design guidelines. As a research-driven firm, we have found that the most successful projects are those that are based in sound information. Therefore, we begin every project with a **detailed review** of the area's history, context, physical assets and constraints, current regulatory context, and existing trends in development. We collect this data and analyze it to gain a strong understanding of which elements and forces will influence the future of the site. Our in-house GIS and graphics capabilities allow us to communicate our findings visually as well as verbally.

Once our findings have been established, we will conduct a **needs assessment** for enhancing public realm aesthetics while maintaining or improving transportation outcomes. Site visits to Pass-A-Grille and stakeholder interviews help us gain an understanding of which public realm elements need upgrading or redesigning. Our team of landscape architects is trained to carefully analyze the existing environment at the site. The landscape team will work closely with our transportation specialist, who will assess the current transportation conditions and can provide a range of additional solutions.

Based on this needs assessment, we will create a **vision** of how and where an overlay district will impact and improve the Pass-A-Grille historic district. Our urban designers and planners have the ability to create two-dimensional and three-dimensional scenarios to graphically

communicate how design guidelines might shape future development. These site plans and models allow leaders, stakeholders, and citizens to better understand the real-world implications of design standards. With a firm grasp of potential outcomes, we can ensure that those involved have the ability to make sound decisions.

Informed by the historic district's vision, we will develop **strategies** that encourage the preservation of history, historical structures, and traditional development patterns. It is important that plans and programs reflect the community's needs and desires, which is why gaining consensus from all stakeholders is an essential step. We have practiced community outreach, citizen participation, and leadership education for communities small and large. We synthesize and respond to a range of recommendations, objections, and comments from all affected parties in order to create realistic and robust action plans for code implementation, with a focus on transitioning from existing codes to new codes.

Once a vision and strategies are in place, we will craft **recommendations** for new Pass-A-Grille Overlay District Design Guidelines. We are well-versed in both conventional and form-based codes, having written codes for both public and private clients. Two recent coding examples include a form-based code for the 5,000-acre Restoration project (which was honored for Outstanding Innovation & Design by the Surfcoast Chapter of the Florida Planning and Zoning Association) and a design code for Lake Flores, a recently approved, 1,300-acre infill development project in Manatee County. In our codes, we take special care to communicate the contained regulations as clearly as possible. Our writing is straightforward and concise, accompanied by graphics and case studies that illustrate the application of these regulations. Design guidelines for the Pass-A-Grille district must also be consistent with the City's Comprehensive Plan, especially those underlying regulations that affect the overlay district.

Deliverables

In addition to the new design guidelines, final deliverables will include maps, concept plans, and examples that illustrate the goals and objectives of the new design code. Our design guidelines are graphically rich, easy-to-understand documents which, tied into our vision and strategies, are easily adoptable and implementable. Form-based design standards will address issues including densities and intensities; landscaping, lighting, and amenities; roads, streets,

alleys, sidewalks, bicycle paths, and multi-modal trails; parking needs; transit-oriented developments; and building uses.

In accordance with the Pass-A-Grille Design Services RFQ, Canin Associates will submit the following deliverables:

- Project Schedule
- Participation in at least two Community Meetings
- Four Presentations to the following groups:
 - Planning Board
 - Historic Preservation Board
 - City Commission
- A *Pass-A-Grille Guidelines Report* Document (hardcopy and digital)
- Draft *Ordinance and Implementation of Guidelines* Document

Quality Assurance

At Canin Associates, we are dedicated to the highest standards of quality in both our work and in our process. Our firm is intentionally small, agile, and cross-disciplinary so we can focus on deep involvement in every one of our projects. Therefore, our firm's president, Brian Canin, will oversee every aspect of the Pass-A-Grille design code development as the Principal-in-Charge. With over 40 years of planning and design experience, he will provide both expertise and quality assurance throughout this effort. He will lead the team with Eliza Harris Juliano, our Director of Urbanism and the Project Manager.

Together, Brian and Eliza will execute our proven quality assurance plan, which includes

- kick-off meetings with key team members,
- a Project Schedule including meetings and deliverable due dates,
- weekly project updates on tasks and deliverables,
- regular scheduled communication with the Client,
- and written memos and presentations as determined by the Client.

ENVISION EDGEWATER

City of Edgewater, Florida

Starting in the summer of 2008, the Canin Associates' not-for-profit organization, the Central Florida Sustainable Communities Initiative (CFSCI), undertook a public visioning project with the City of Edgewater in Volusia County, Florida. Realizing that the City of Edgewater currently has no identified center and given the city's beautiful natural asset of the intercoastal waterway, the visioning process focused on moving the city forward through the creation of a lively, well functioning downtown that would be able to support new business, while also offering a vibrant place for residents and visitors to enjoy the waterfront.

Held over the course of two Saturdays, Envision Edgewater consisted of two public workshops in which participants had the opportunity to speak their minds about what they thought the future should hold for Edgewater. At the first workshop, a series of visioning sessions, including preference mapping, a Community Value Survey (CVS), a visualization exercise and vision statement compilation allowed participants to become fully engaged in the process of determining what their city should become. The second workshop focused on the physical manifestation of the identified community vision in the downtown, with the ultimate goal of creating a Vision Plan for the downtown. The results of both workshops were featured on the project website, for all to see and comment upon.

Guided by the CFSCI team, participants were able to build consensus on solutions to a number of challenges regarding development in the downtown. One of the most important considerations for participants to understand and work through was the City's existing height limitation and its effect on the potential development of the downtown. The CFSCI team was able to effectively show this variation through the use of architectural renderings based on the results of the CVS. The plan, along with all of the project's results, was showcased in a user-friendly, highly illustrative Community Vision Book.

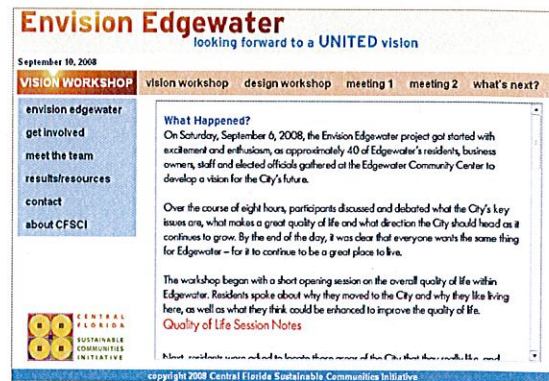
A **CFSCI** Project



Existing Land Use



Vision Plan



Project Website

REFERENCE

Tracey Barlow, City Manager
City of Edgewater
P.O. Box 100, Edgewater, FL 32789
Phone: 386-424-2400
Email: ttbarlow@cityofedgewater.org
Completed: 2008
Public Client - Downtown Vision Plan - Public Involvement - Non-code project

RESTORATION

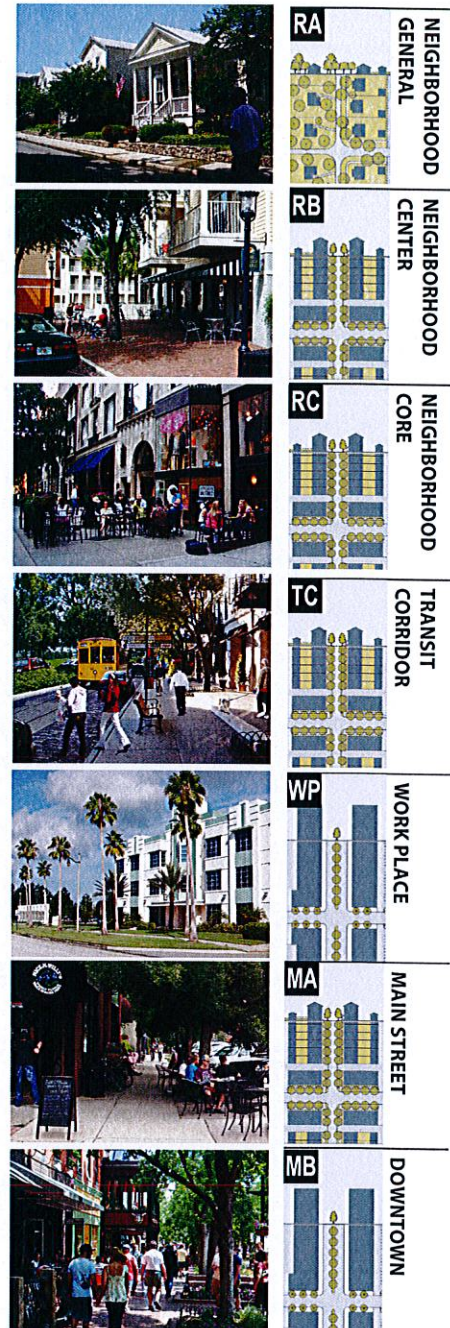
Edgewater, Florida

Restoration is planned as a mixed use town composed of 8,500 residential units and 3.2 million square feet of retail and workplace occupying only 1,315 acres of development of a 5,187 acre site. The community is designed as a complete and functional new town with a town center and a mixed use boulevard that runs the length of the project. It will include a full range of civic uses including schools, emergency services, and places of worship. The entire town is located within a 10 minute walk of a multi-way boulevard served by streetcars with a gross density (excluding 4,00 acres of preserve and lakes) of 7.4 units per acre.

The SCD/PUD Form-Based Code allows for the project to evolve to meet market demands and lifestyle preferences over the project's 20 year plus built-out while also providing the City with predictability about the physical development and high expectations for environmental outcomes including the creation of walkable neighborhoods. The code ensures that civic spaces, streets and the way private construction work in concert to create walkable, social and economically resilient neighborhoods. The code governs dimensional requirements, landscape standards, multi-modal circulation, parking and loading, signage, and lighting. Roads are scaled and designed to result in low speeds compatible with walking, biking and transit.

A major challenge in the coding was how to ensure high quality, walkable environments without designing every block of the 1,315 development acres and thus locking neighborhoods that may not start construction for another 15 years into potentially unworkable or outdated detailed plans. The code requires specific phasing for development areas that ensures conceptual planning of a larger development area before any individual parcel is built. In addition the land use districts and designations as well as the basic road network outlined by the code provide enough predictability to ensure the overall structure while permitting a fine-grained variety, dynamic neighborhoods, and market responsiveness.

The incorporation of cooperative research with a University of Florida's Project for Resource Efficient Communities documented the potential environmental and economic benefits of the Restoration approach.



REFERENCE

Tracey Barlow, City Manager
City of Edgewater
P.O. Box 100, Edgewater, FL 32789
Phone: 386-424-2400
Email: ttbarlow@cityofedgewater.org
Completed: 2008
Public Client - Downtown Vision Plan - Public Involvement - Non-code project

ROADS: COST AND SUSTAINABILITY

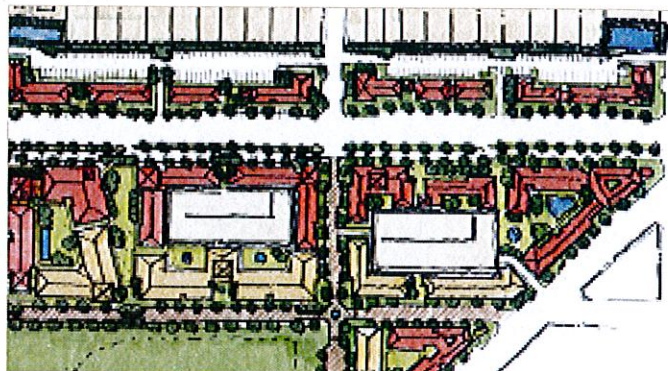
	Prior Plan	Coded Plan	Change	Savings
Miles of Roadway	72 miles	38 miles	47% fewer	34 miles
Roadway cost	\$336 million	\$209 million	38% lower	\$127 million
Roadway Impervious Surface	17 million sq.ft.	10 million sq.ft.	42% fewer	7 million sq.ft.

CITY OF WINTER PARK FORM-BASED CODE AND DESIGN GUIDELINES

Winter Park, FL

In 2007, Canin Associates was hired by the City of Winter Park to create consensus around a unified vision for the commercial corridors and central business district of Winter Park and to compose a form-based code and design guidelines to implement the vision. Canin Associates held twelve separate workshops with various community groups to determine key issues and opportunities, and to administer a visual preference survey. After much research on the City's opportunities and constraints and a GIS analysis to determine the redevelopment potential, the Canin Associates team measured the urban form metrics of the City's best places to form the basis of the form-based code. The main effort of the project was a five-day, public charrette, which culminated in a draft form-based code. By the week's end, consensus was achieved on the code's various components, including the new metrics for scale, height, public and private frontages. As a part of this project Canin Associates prepared alternative site plans for specific parcels within the study area. Canin Associates also utilized Photographic Visualization studies to depict potential growth under community defined goals.

Canin Associates has completed a series of planning services for Winter Park, including a review and assessment of the draft future Land Use Element in order to identify areas where the Element could be modified and enhanced and assessing the Element from a developer's standpoint to identify inconsistencies that could lead to misinterpretations. Canin Associates also assisted in analyzing and illustrating the effect of the standards of a proposed Urban Use District in relation to the character and urban form that would be instilled, using two of the City's most prominent new buildings as an example of how the standards could be interpreted with flawed results, and to give guidance on how the standards could be enhanced.



Illustrative Plan

VILLAGE CODE Winter Park, FL

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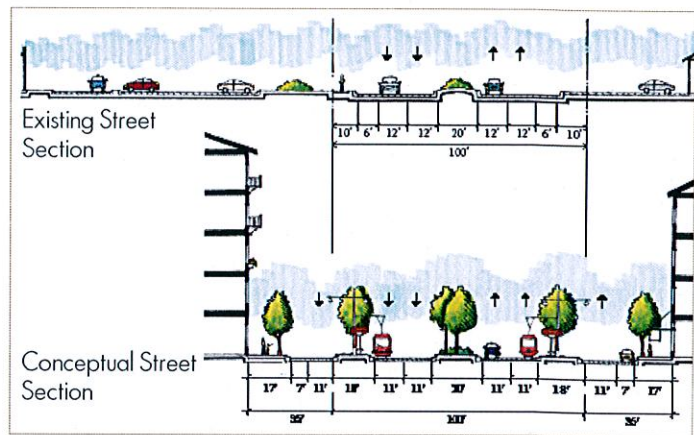
ALTERNATIVE & SUSTAINABLE LAND USE SCENARIOS - METROPLAN ORLANDO

Orange, Osceola & Seminole Counties, Florida

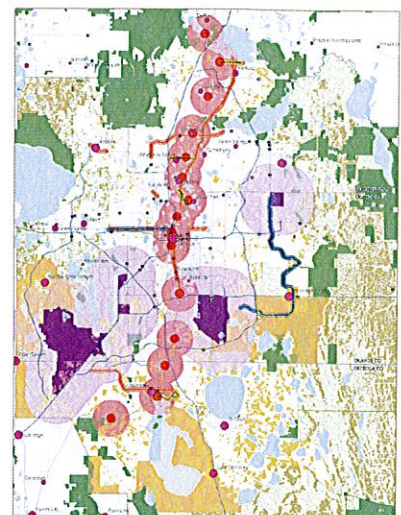
Canin Associates developed an alternative land use scenario for MetroPlan Orlando's 2030 Long Range Transportation Plan and returned to develop the Sustainable Land Use Scenario for the 2040 plan update. The Land Use Scenarios are multifaceted and innovative endeavors that supported a new transportation vision for the Central Florida region. For the first time, the Long Range plan includes an analysis of future development patterns with an eye for strategies that can optimize transportation outcomes. The Canin forecast demonstrates how smart land use and people-oriented urban form can improve transportation outcomes in terms of factors such as cost and congestion while providing a high quality of experience for urban dwellers and travelers.

The project includes GIS-based land use analyses for the three county area to assess current conditions and project future capacity to the Traffic Analysis Zone level. Work products include a full socioeconomic dataset necessary for the statewide traffic model including population and employment for three different income levels for each county consistent with BEBR county level population projections.

Canin incorporated design studies of sites throughout three counties into the 2030 land use vision as well as progressive concepts such as jobs to housing balance, multi-way boulevards, and streetcar neighborhoods to show how a combination of local and subregional initiatives can impact regional transportation outcomes.



Illustrative Plan



Regional Framework



Colonial Drive Photo Visualization

REFERENCE

Harry Barley
315 E. Robinson Street, Suite 355, Orlando, FL 32801
Phone: 407-481-5672
Email: hbarley@metroplanorlando.com
Completed: 2013 (Also prior iteration in 2008)
Size: 3 Counties
Public Client - Regional - Non-code project

AVALON PARK

Orlando, Florida



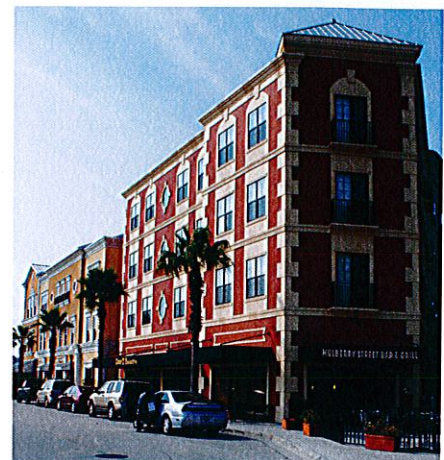
services
master planning
architectural design
entitlement acquisition

project size
1,868 acres

features
mixed-use town center
bike and trail system

client
avalon associates

Using new urbanist planning principles, Canin Associates designed the master plan and obtained approval for Avalon Park, a 1,868-acre new community accommodating 8,500 units. The highlight of Avalon Park, Orange County, Florida's first New Urbanist community, is its town center, featuring an urban park, mixed-use retail and high-density residential units. The modified grid system of streets and extensive trail network help to connect the surrounding seven neighborhoods with the town center area, allowing residents easy access to retail and community events. The master plan incorporated innovative approaches to roadway design for Orange County including traffic circles, one-way paired roadways and narrow lanes with on-street parking.



HUNTER'S CREEK

Orlando, Florida



services

master planning

landscape architecture

architectural design

managing entitlements

project size

4,000 acres

9,600 residential units

1.8 million s.f. office/commercial

features

extensive open space/park system

nature trails

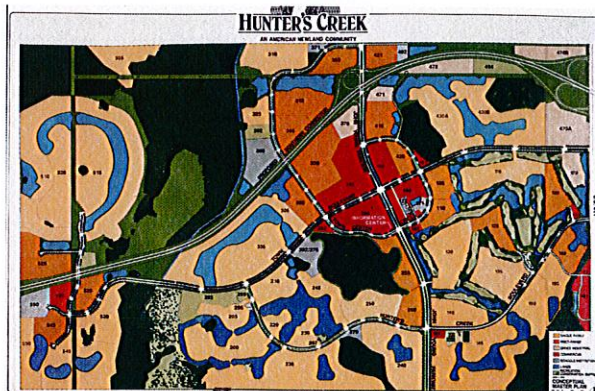
golf course

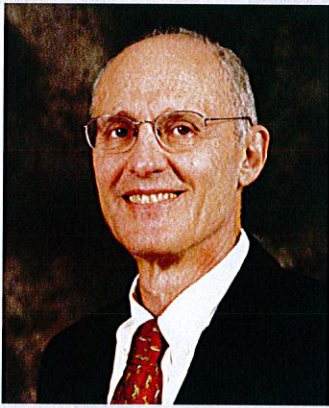
residential neighborhoods

client

newland communities

Hunter's Creek is a 4,000-acre new town in southwest Orange County and after 20 years of build-out, the master plan continues to act as a model approach to preservation of unique natural resources. Over 40% of the total site has been planned in various open space tracts that include natural preservation areas, man-made lakes, golf course, active recreation parks, nature trails and linear parks. The project includes a state-of-the-art environmental mitigation program designed to enhance the functional viability of Shingle Creek and its surrounding wetlands. Existing stands of cypress, oak and pine are preserved and integrated into the landscaping to add a gracious southern feeling and inviting backdrop for this award-winning development. The Hunter's Creek development demonstrates that pedestrian-oriented, compact urban villages can be combined with a subtropical setting to create a high-quality, award-winning residential lifestyle.





BRIAN C. CANIN, AIA, AICP, CNU-A

PRESIDENT / PRINCIPAL-IN-CHARGE

SELECT PUBLIC SECTOR PROJECTS

MetroPlan Orlando Long Range Transportation Plan 2040, Orange, Osceola, and Seminole Counties, Florida: *Principal Planner*; development of updated projections for a sustainable land use scenario to improve transportation outcomes in the metropolitan area. Coordination with counties and cities' planning staff to develop transportation and land use efficiency strategies.

MetroPlan Orlando Long Range Transportation Plan 2030, Orange, Seminole and Osceola Counties, Florida: *Principal-in-Charge*; 25-year regional growth analysis and preparation of Smart Growth data set through 2030.

Envision Edgewater, Edgewater, Florida: *Principal-in-Charge*; master planning, public visioning and design workshops; participated in public workshops to garner resident input, craft a city-wide vision statement and a downtown vision plan.

Town of Windermere, Florida: *Principal-in-Charge*; vision planning, downtown redevelopment, hardscape, landscape and roadway improvements; developed a 2020 Vision Plan for the Town of Windermere including design guidelines, roadway improvement plan, and creation of a pedestrian-friendly sense-of-place.

City of Orlando, Florida: *Principal-in-Charge*; examined various options to redesign a section of Downtown Orlando to support a center for the performing arts.

Citrus Park Village, Hillsborough County, Florida: *Principal-in-Charge*; developed design guidelines for new development within the TND northwest sector plan of Hillsborough County.

Town & Country, Hillsborough County, Florida: *Principal-in-Charge*; master planning, community visioning and development analysis; 525-acre infill site involving revitalization of the existing main street, town center creation and streetscape treatments.

Orange County Vision Northwest, Orange County, Florida: *Principal-in-Charge*; visioning and regional context plan for 44,000 acres of North Orange County.

Western Beltway Land Use Study, Orange County, Florida: *Principal-in-Charge*; analysis of land uses along Western Beltway corridor for Orlando-Orange County Expressway Authority.

Solutions Through Effective Planning, Orange and Seminole Counties, Florida: *Principal-in-Charge*; 120,000-acre vision plan for portions of Orange and Seminole Counties.

Central Florida Sustainable Communities Initiative (CFSCI): *Program Creator*; established to assist small Florida communities deal effectively with growth management and visioning.

Four Corners, Orange County, Florida: *Principal-in-Charge*; 105-acre main street development.

SELECT PRIVATE SECTOR PROJECTS

Solivita, Poinciana, Florida: *Principal-in-Charge, Principal Designer*; master planning, landscape architecture and entitlements; 3,300-acre project with 6,500 housing units, 105,000 sq. ft. town center, championship golf course and multi-use trails. Solivita is the recipient of more than 13 awards, including the Grand Aurora Award.

Palmer Ranch, Sarasota, Florida: *Principal-in-Charge*; town center design.

Bexley, Tampa, Florida: *Project Director*; preparation of design guidelines for new development.

Tradition, Port St. Lucie, Florida: *Project Director*; master planning, and design guidelines; 2,033-acre site with 6,200 dwelling units and 1.9 million sq. ft. of commercial. Canin Associates was honored with an ASLA award of excellence in research and communications for Tradition's Residential Landscape and Site Design Guidelines.

Restoration, New Smyrna Beach, Florida: *Principal-in-Charge*; master planning, urban design; 6,000-acre community restoring a former silviculture site and implementing a compact, walkable, new urbanist community with transit-ready design.

Victoria Park, DeLand, Florida: *Principal-in-Charge*; 1,860-acre community with 4,200 dwelling units, mixed-use village center and championship golf course.

Mr. Canin is recognized regionally and nationally for his leadership and commitment in the field of planning and urban design, and is sought after for his ability to find creative solutions to difficult challenges. For the last 40 years, Mr. Canin has focused on creating sustainable communities through the practice of urban design and creative placemaking. His combined talents have created award-winning, enduring communities that provide a unique sense of place.

EDUCATION

Master of Architecture in Urban Design,
Harvard University
Bachelor of Architecture,
University of the Witwatersrand

PROFESSIONAL AFFILIATIONS

American Institute of Architects -
Mid-Florida Chapter
American Institute of Certified Planners -
Charter Member
American Planning Association
Congress for the New Urbanism
Florida Planning and Zoning Association
Home Builders Association of Mid-Florida
Urban Land Institute

RECENT SPEAKING ENGAGEMENTS

2014 - Product Segmentation Driving
Sales for Homebuilders; ULI Spring
Meeting; Vancouver, BC.
2012 - Growing in the 21st Century:
Incremental Growth Pattern Session for
CNU 20; West Palm Beach, FL.
2010 - Resource Efficient Communities &
Florida's Development Future:
Restoration; APA Florida Annual
Conference; Tampa, FL.



ELIZA HARRIS JULIANO, CNU-A

DIRECTOR OF URBANISM

SELECT PUBLIC SECTOR PROJECTS

River to Sea TPO Long Range Transportation Plan 2040, Volusia County, Florida: *Project Manager*; Participating on consultant team as the lead for land use forecasting. Tasks include socio-economic data forecasting and the development of the land use for an alternative growth strategy.

Lake Flores, Manatee County, Florida: *Project Manager*; Master Planning, Rezoning, and Design Code for 1,300-acre mixed-use infill development.

MetroPlan Orlando Long Range Transportation Plan 2040, Orange, Osceola, and Seminole Counties, Florida: *Project Manager*; development of updated projections for a sustainable land use scenario to improve transportation outcomes in the metropolitan area. Coordination with counties and cities' planning staff to develop transportation and land use efficiency strategies.

Freight, Goods and Services Plan 2012, Orange, Osceola, Seminole, Volusia, Lake, Sumter and Brevard Counties, Florida: *Project Manager*; analysis of regional land use and recommendations to increase the efficiency of goods movement while increasing safety and reduce conflicts between the movement of freight and individuals in the region.

Avalon Groves, Lake County, Florida: *Project Manager*; design and rezoning approval for 1,600 unit mixed-use development. First project approved under new Comprehensive Plan.

MetroPlan Orlando Long Range Transportation Plan 2030, Orange, Osceola, and Seminole Counties, Florida: *Project Manager*; development of land use projections and design case studies for alternative land use scenario for the Long Range Transportation Plan. Integrates the principles of the Central Florida Regional Visioning effort and addresses the effects of land use and urban form on transportation outcomes.

Volusia MPO Visualization Project, Volusia County, Florida: *Project Manager*; conceptual land use and transportation planning; production of photo-realistic images depicting the phased infill and suburban retrofit into transit-oriented corridors.

Groveland State Road 50 PD&E, Groveland, Florida: *Urban Planner*; transportation design, public workshops, urban planning. Pilot context sensitive solutions project for FDOT District Five; reroute heavy truck traffic out of main street district while enhancing bicycle, pedestrian and local auto accessibility.

International Corporate Park, Orange County, Florida: *Assistant Project Manager*; urban design, perspective rendering, transportation analysis, and planning for a large scale mixed use project in East Orange County. Plan vignettes, hand drawn perspective images of key locations and workshop to identify key issues and solutions for the site.

YMCA of Central Florida, Orlando, Florida: *Project Manager*; Mapping and analysis of future growth and partnership potential. Drive times, school locations and demographics.

Envision Edgewater, Edgewater, Florida: *Urban Planner*; master planning, public vision and design workshops; participated in public workshops to garner resident input, craft a city-wide vision statement and a downtown vision plan.

Winter Park Form Based Codes/Design Guidelines, Winter Park, Florida: *Urban Planner*; assist the City with the calibration of a form based code and the development of design guidelines to shape the central business district and major corridors in the context of charrette-based community involvement.

Polk 2035 Population & Employment Projection, Polk County, Florida: *Urban Planner*; assist in school district level analysis and generation of data to be used in transportation models.

Bay Pines, Seminole, Florida: *Urban Planner*; master planning, perspective rendering, suburban retrofit. Design of mixed-use redevelopment project. Visioning of architectural styles through precedent research, Client Values Survey and perspective rendering.

Georgetown, Tampa, Florida: *Urban Planner*; master planning, architectural design, landscape architecture, development team workshop. Develop architectural vision and conceptual design of mixed use waterfront site on the west coast of Florida. Landscape architecture concepts for main axis of the site.

In her time at Canin Associates, Ms. Juliano has managed private and public sector projects including an innovative multi-county effort for the metro Orlando Long Range Transportation Plan that introduced land use as an important variable to improve transportation efficiency while contributing to sustainability and quality of life. In addition to land use, transportation, GIS analysis, and planning, Ms. Juliano is engaged in outreach and advocacy on smart growth issues and is active in the leadership of local and national peer organizations.

At Harvard's Graduate School of Design Ms. Juliano gained exposure to a broad slate of planning related issues ranging from policy to real estate to landscape ecology.

EDUCATION

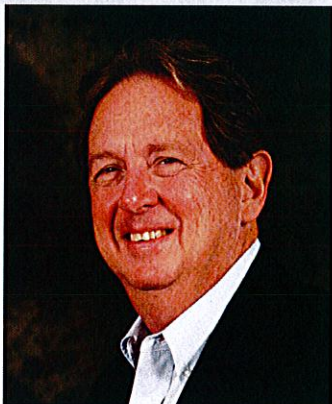
Master of Urban Planning,
Harvard Graduate School of Design
Artium Baccalaureus Cum Laude in
Biochemical Sciences, Harvard College

LEADERSHIP

Congress for the New Urbanism,
Board Member (national), Regional
Coordinator (Orlando)
Bike / Walk Central Florida, Board
Mayor's Greenworks Task Force, Orlando
Mayor's Sustainability Steering
Committee, Orange County

RECENT SPEAKING ENGAGEMENTS

2014 - "Next Urbanism", Congress for the
New Urbanism, Buffalo, NY
2014 - "Naked Streets" Florida Central
Florida MENSA conference
2013 - Florida Forward Transportation
panel, Orlando Sentinel Editorial Board;
2013 - What's Green About
Development? 5th Annual Green
Symposium at Stetson University



Mr. VanDerveer has been in a position of leadership with Canin Associates for 26 years, overseeing the planning and urban design projects for the firm. He is recognized in the planning community for his design talent, project management skills and ability to develop an uncompromising team. Mr. VanDerveer's uncanny client relation skills extend into every aspect of his work, covering more than 250 projects throughout Florida, the United States and internationally. He has extensive experience in large scale master planning, detailed urban design plans, charrette vision plans and community fabric details.

KENNETH L. VANDERVEER

PRINCIPAL URBAN DESIGNER

SELECT PUBLIC PROJECTS

Winter Park Form-Based Code: *Urban Designer*; develop a form based code and design guidelines for the Central Business District and the major commercial corridors of the city, including the new metrics for scale, height, public and private frontages.

Envision Edgewater, Edgewater, Florida: *Urban Designer*; master planning, public visioning and design workshops; participated in public workshops to garner resident input, craft a city-wide vision statement and a downtown vision plan.

Town of Windermere, Florida: *Urban Designer*; vision planning, downtown redevelopment, hardscape, landscape and roadway improvements; developed a 2020 Vision Plan for the Town of Windermere including design guidelines, roadway improvement plan, and creation of a pedestrian-friendly sense-of-place.

Orange County Vision Northwest, Orange County, Florida: *Urban Designer*; visioning and regional context plan for 44,000 acres of North Orange County.

Downtown Eustis Redevelopment, Florida: *Urban Designer*; master planning; through a public design charrette and discussions with local residents, business owners and community leaders, a series of themes were established as a framework for the redevelopment which included 254,000 sq.ft. retail, 155,000 sq.ft. office, 109,000 sq.ft. civic, 670 residential units and 1,600 off-street parking spaces.

Downtown Groveland Redevelopment, Florida: *Urban designer*; vision planning and phasing strategies; lead the Community Redevelopment Agency and the City of Groveland through the vision planning process for Downtown redevelopment; work included analysis of existing conditions, community workshops and the creation of an illustrative plan.

RECENT ENTITLED PROJECTS

Restoration Sustainable Development Code, Edgewater, Florida: *Principal Urban Designer*; 6,000-acre community restoring a former silviculture site while integrating clustered compact development that promotes long term sustainability.

Harmony, Westfield, Indiana: *Principal Urban Designer*; master-planning, landscape architecture, and architectural design; design for 700-unit infill master-planned community with town center, clubhouse, and park system.

BUILT PRIVATE PROJECTS

Avalon Park, Orange County, Florida: *Principal Urban Designer*; 1,868-acre traditional neighborhood design community and town center.

Lakewood Ranch, Bradenton, Florida: *Principal Urban Designer*; 8,500-acre new community with 30-acre town center, convention hotel, and office park. Awards include Best Master Planned Community of the Year (FHBA 2000).

Solivita, Poinciana, Florida: *Principal Urban Designer*; master planning, landscape architecture and entitlement acquisition; 3,300-acre project with 6,500 housing units, 105,000 sq.ft. town center, championship golf and multi-use trails.

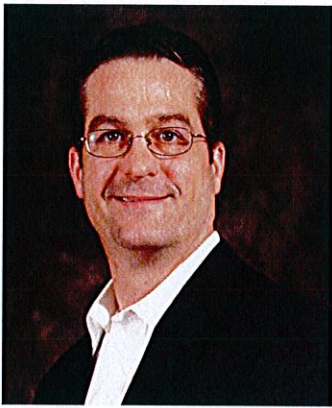
Hunter's Creek, Orange County, Florida: *Principal Urban Designer*; master planning and landscape architecture; 4,000-acre new town with 9,600 residential units and 1.8 million sq.ft. office and commercial.

Family Park, Wincheringen, Germany: *Principal Urban Designer*; urban planning, architectural design and landscape architecture design services; 350 single-family homes in a U.S.-style planned community being developed by Terri Properties.

Tradition, Port St. Lucie, Florida: *Principal Urban Designer*; master planning, landscape architecture, DRI processing and design guidelines; 2,033-acre site with 6,200 dwelling units and 1.9 million sq.ft. of commercial. Canin Associates was honored with an ASLA award of excellence in research and communications for Tradition's Residential Landscape and Site Design Guidelines.

Victoria Park, DeLand, Florida: *Principal Urban Designer*; 1,860-acre community with 4,200 dwelling units, mixed-use village center and championship golf course.

Bartram Park, Jacksonville, Florida: *Principal Urban Designer*; master planning; 2,600-acre community with 5,200 dwelling units and 6 million sq.ft. commercial space.



GREGORY S. WITHERSPOON, AICP

PRINCIPAL ANDSCAPE DESIGNER

LANDSCAPING AND URBAN DESIGN

Envision Edgewater, Edgewater, Florida: Urban Designer; master planning, public visioning and design workshops; participated in public workshops to garner resident input, craft a city-wide vision statement and a downtown vision plan.

City of Edgewater CRA Master Plan, Edgewater, Florida: Landscape Architect; building on previous vision, landscape architecture and master planning along US Highway 1, including gateway enhancements and corridor improvements.

Redevelopment Master Plan and Ridgewood Avenue Streetscape and Parks, Edgewater, Florida: Urban Designer and Landscape Architect: An extension of the Envision Edgewater project, this phase provided planning and landscape architecture services for the City's Community Redevelopment Master Plan, including entry sequences, land use changes, graphically designed documents, and landscape design.

International Corporate Park, Orange County, Florida: Project Manager; urban design, perspective rendering, transportation analysis, and planning for a large scale mixed use project in East Orange County. Plan vignettes and hand-drawn perspective images of key locations and workshop to identify key issues and solutions.

Groveland State Road 50 PD&E, Groveland, Florida: Project Manager; transportation design, public workshops, urban planning. Pilot context sensitive solutions project for FDOT District Five; reroute heavy truck traffic out of main street district while enhancing bicycle, pedestrian and local auto accessibility.

Northwest Quadrant Community Master Plan*, City of Santa Fe, New Mexico: Principal-in-Charge; master planning for future new village of 900 dwellings. The master plan area is approximately 540 acres in size, out of which approximately 280 acres is envisioned for future development with 70% affordable housing.

County and City of Santa Fe*, Santa Fe County, New Mexico: Principal-in-Charge; numerous trail and park designs for both the County and the City. These projects included public participation efforts and the creation of regional parks, regional trails, and detailed trail landscape architecture and construction observation.

REGIONAL & AREA-WIDE PLANNING

MetroPlan Orlando Long Range Transportation Plan 2040, Orange, Osceola, and Seminole Counties, Florida: Principal Planner; development of updated projections for a sustainable land use scenario to improve transportation outcomes in the metropolitan area. Coordination with counties and cities' planning staff to develop transportation and land use efficiency strategies.

Freight, Goods and Services Plan 2012, Orange, Osceola, Seminole, Volusia, Lake, Sumter and Brevard Counties, Florida: Principal Planner; analysis of regional land use and recommendations to increase the efficiency of goods movement while reducing conflicts between the movement of freight and individuals in the region.

Ruidoso Comprehensive Plan 2020*, Ruidoso, New Mexico: Project Manager; the Village of Ruidoso with 8,000 permanent residents experienced high residential growth since its initial comprehensive plan was developed in 1984. To accommodate this growth and plan for the future, the village hired Design Workshop in 2002 to develop a new comprehensive plan, which was formally adopted by the Village in 2004.

Santa Fe Community College District Plan*, Santa Fe County, New Mexico: Project Manager and Principal-in-Charge; master plan and new development code creation; 16,000-acre regional plan south of Santa Fe. Planning effort involved extensive public participation in the development of the plan over a multi year process.

Los Alamos National Laboratory*, Los Alamos, New Mexico: Project manager and Principal-in-Charge; provided external consulting services to support the entire 43 square mile laboratory, including the Comprehensive Site Plan 2000, with an emphasis on facility integration, urban design, sustainable development techniques, and landscape enhancement for the whole campus. Additional services included Area Development Plans, schematic landscape architecture, wayfinding signage design, transportation planning and design guidelines.

* Previous experience at Design Workshop.

Mr. Witherspoon's 19-year career in Landscape Architecture and Planning at a Principal level has provided him with experience in a wide array of project typologies and clients as a trained facilitator. He specializes in community planning and design, working from project conceptualization and visioning, project team management, planning and design to entitlement processing, and landscape architecture to construction documentation. With detailed experience in sustainable planning and design methods for communities and institutions, Mr. Witherspoon has an in-depth understanding of smart growth principles, land-based analysis and form-based codes. His passion lies in providing community planning and design services that demonstrate innovative technologies in the creation of places with enduring quality for future generations.

EDUCATION

Master of Landscape Architecture, University of Oklahoma
Master of Regional & City Planning, University of Oklahoma
Associate of Science - Engineering, Tulsa Junior College
Bachelor of Environmental Design, University of Oklahoma

PROFESSIONAL CERTIFICATIONS

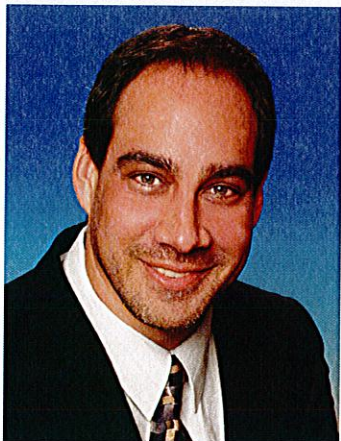
American Institute of Certified Planners
Registered Landscape Architect, New Mexico #362
Registered Landscape Architect, Florida #6667156

LEADERSHIP

City of Orlando Downtown Development Board, Appearance Review Board volunteer member
Urban Land Institute Central Florida, Management Committee Member and Co-Chair of Program Committee

TONY WEREMEICHIK, CPBD, AIBD, CGP

Principal, Architectural Design Studio



Certified Professional Building Designer (CPBD) through the National Council of Building Designer Certification (NCBDC)



American Institute of Building Design
Florida Society Vice President;
Professional Member



Certified Green Professional (CGP), through the National Association of Homebuilders (NAHB)

Orlando Sentinel
home design guide

Monthly Columnist



Tony can be reached at
407.422.4040 or
twereimeichik@canin.com
www.canin.com

Tony Weremeichik, CPBD, AIBD, CGP is the Principal of the Architectural Design Studio at Canin Associates - an urban planning, landscape architecture and architectural design firm in Orlando, Florida. His wide-ranging expertise in housing design includes advancing innovative design trends in new home, custom home and remodeling design. Tony has over 20 years of experience designing residential, mixed-use and community buildings in master planned communities and resorts throughout the United States, Europe and the Caribbean.

With his passion for design excellence and sharing knowledge, Tony is the Home Design columnist for the Orlando Sentinel and he frequently contributes articles on home design trends to numerous national publications including Builder Magazine, Luxury Living and The Wall Street Journal. He has appeared as a residential design expert in several episodes of a local home design television show as well as being a guest remodeling design expert on Talk Radio.

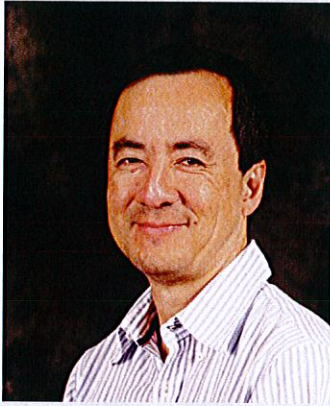
In addition to local educational seminar opportunities, Tony often speaks at some of the home building industry's biggest events including The Home and Garden Show, the International Builder's Show and the Southeast Builder's Conference.

Credentials:

- o Vice President and Professional member of the Florida Society of the American Institute of Building Design (A.I.B.D.) and serves on their board of directors
- o Home Builder's Association of Metro Orlando's 2011 Associate of the Year
- o Elected Associate Director on the Board of Directors for the Home Builder's Association of Metro Orlando and member of the Design Council (past Chairperson), Remodeler's Council, Sales and Marketing Council and Developer's Council
- o Listed and recognized in BUILDER & DEVELOPER Magazine Who's Who in Home Building, December 2012
- o Designer of Builder Magazine's Generation "X" Concept Home for the 2012 International Builders Show
- o Certified Green Professional designation through the National Association of Home Builders
- o Completed Classical and Traditional Architectural Design training through the Institute of Classical Architecture and Art (ICA)

Areas of Design Expertise:

- o Custom Homes and Remodels
- o New/Production Homes
- o High Density Single Family Detached Housing
- o Attached and Multi-Family Housing
- o Resort Housing
- o Town Center/Mixed Use Buildings
- o Master Planned Community Amenity Buildings and Clubhouses
- o Writing Architectural Design Guidelines and Pattern Books
- o Establishing/Participating on Architectural Review Boards
- o Judging for Aurora Awards, Parade of Homes and others



A native Colombian and graduate of the Universidad del Valle, Colombia, he has worked on projects all over the world, including Germany, Morocco, Spain, Canada, Costa Rica, Mexico, the Caribbean, Colombia, and the United States. His expertise includes project visioning and urban design as well as the design of village centers, hotels, resorts, residential, commercial, industrial, religious, and recreational buildings. During his 23-year career, Mr. Tamura has introduced design trends that have led to numerous design awards within Florida and Colombia.

EDUCATION

Bachelor of Architecture,
Universidad del Valle
Cali, Colombia

HENRY TAMURA

ASSOCIATE ARCHITECTURAL DESIGNER

SELECT PLANNING PROJECTS

Buena Vista, Bakersfield, California: *Architectural Designer*; conceptual master plan and conceptual design of 93 (duplex) units.

10.5-Acre Parcel, Eustis, Florida: *Architectural Designer*; conceptual master plan design of 24 townhome buildings.

Glenn Ridge, Winter Park, Florida: *Architectural Designer*; conceptual master plan study for 38 single-family homes on 23 acres.

Banyan Bay, Martin County, Florida: *Architectural Designer*; proposed master plan, and conceptual design of 145 townhomes, and 14 elevations for existing single-family models.

City of Winter Park, Winter Park, Florida: *Architectural Designer*; conceptual planning and urban design for the City of Winter Park.

City of Edgewater, Edgewater, Florida: *Architectural Designer*; design of a Vision Plan for the City of Edgewater.

RiverTown, St. Johns County, Florida: *Architectural Designer*; conceptual site planning of the town center for the master plan community near Jacksonville, Florida.

Gardens at Hammock Beach, Palm Coast, Florida: *Architectural Designer*; conceptual design for the "Third Place" Village Center, Vision Plan, and Master Plan on 493- acres.

Symphony, Carmel, Indiana: *Architectural Designer*; conceptual site planning for the Village Center, Vision Plan, and Master Plan on a 1,500 acre site.

SELECT ARCHITECTURAL DESIGN PROJECTS

Generation "X" Home for the International Builders' Show 2012, Orlando, Florida: *Architectural Designer*; design of a highly publicized single-family home within the Eagle Creek subdivision showcasing the latest design trends and features.

Milagro del Mar, Gran Pacifica Resort, Nicaragua: *Architectural Designer*; design of 28 villas, a 125 suite hotel and resort's maintenance building.

Temozon Hacienda, Yucatan, Mexico: *Architectural Designer*; design of village center (spa, fitness center, cultural center, welcome center, golf club and business center) multi-family buildings, townhomes and single-family home models.

Sol y Vida, Costa Rica: *Architectural Designer*; conceptual design of village center (40-suite hotel, business center, restaurant and spa), equestrian center, multi-family buildings and 8 single-family model homes.

Family Park, Wincheringen, Germany: *Architectural Designer*; conceptual design of village center (restaurant and fitness center), 18 townhomes and 5 single-family home models.

Channing Park, Brandon, Florida: *Architectural Designer*; design of 3,000 sq.ft. recreational facility and three single-family home models.

Sonesta Pointe, Winter Springs, Florida: *Architectural Designer*; 408 townhome units (40+ acres) and amenity building in British-Colonial theme with fitness room, lounge, multi-purpose room, kitchen, office and outside fireplace patio area (5,500 sq.ft. under roof).

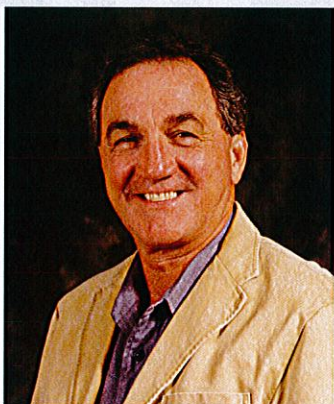
Finca Casa Blanca, Murcia, Spain: *Architectural Designer*; design of four-story multi-family buildings with retail on first floor, townhomes and three single-family home models.

Shell Beach, Antigua Islands: *Architectural Designer*; design of 52 luxury resort units. Main Street Square, Holly Springs, North Carolina: *Architectural Designer*; conceptual design of town center and four residential prototypes on 32.9 acres.

Lake Huntley, Lake Placid, Florida: *Architectural Designer*; coastal cottage style and pre-manufactured off-site construction; design of three models ranging from 1,200-2,300 sq.ft. and pool and boat house buildings.

Grenelefe, Polk County, Florida: *Architectural Designer*; conceptual design of 250-room hotel building, 100 condo resort units and a 20,000 sq.ft. spa facility.

Casitas del Sol, Yucatan, Mexico: *Architectural Designer*; design of 8 residential models, townhomes, coach homes, condos, guard house, ambulance building, sales center, and village center (including mixed-use building, spa, golf club, & fitness club).



Mr. Duncan is a transportation designer and specializes in urban design, regional and redevelopment solutions and has over 35 years of experience. His background as a long standing chief designer for a prominent national civil engineering firm where he specialized in traffic operations design provided a great foundation for the understanding of industry standards. Working on high profile national and international projects provided the opportunity to gain valuable knowledge in the development of innovative solutions that addressed complex transportation design challenges. Mr. Duncan's transportation design experience makes him a critical member of the urban planning studio where he contributes to Canin Associates' goal of the creation of Great People Places.

EDUCATION

Associate of Arts,
Valencia Community College
Orlando, Florida

PROFESSIONAL AFFILIATIONS

Institute of Traffic Engineers
Congress for the New Urbanism

JÜRGEN DUNCAN

TRANSPORTATION SPECIALIST

SELECT PUBLIC SECTOR PROJECTS

MetroPlan Orlando Long Range Transportation Plan 2040, Orange, Osceola, and Seminole Counties, Florida: *Transportation Designer*; development of sustainable land use scenario to improve transportation outcomes in the metropolitan area.

Freight, Goods and Services Plan 2012, Orange, Osceola, Seminole, Volusia, Lake, Sumter and Brevard Counties, Florida: *Transportation Designer*; recommendations to increase the efficiency of goods movement while increasing safety and reduce conflicts in the region.

Groveland State Road 50 PD&E, Groveland, Florida: *Transportation Designer*; transportation design, public workshops, urban planning. Pilot context sensitive solutions project for FDOT District Five; reroute heavy truck traffic out of main street district while enhancing bicycle, pedestrian and local auto accessibility.

MetroPlan Orlando Long Range Transportation Plan 2030, Orange, Osceola, and Seminole Counties, Florida: *Transportation Designer*; Case studies involving Smart Growth principles and roadway modifications that include use of multi-way boulevards and streetcars. Analysis of key corridors for redevelopment.

Developing Common Ground, Winter Park, Florida: *Transportation Designer*; charrette, vision planning; development of roadway enhancements for downtown corridors.

Envision Edgewater, Florida: *Transportation Designer*; master planning, public vision and design workshops; participated in public workshops to garner resident input, craft a city-wide vision statement and a downtown vision plan.

Town of Windermere, Orange County, Florida: *Transportation Designer*; 2020 Vision Plan including design guidelines, roadway improvement plan, and pedestrian-friendly sense-of-place. Plan incorporates urban roundabouts and raised mid-block crossing. Canin Associates managed the civil engineering and construction of the project.

Eustis Downtown Redevelopment Plan, Florida: *Transportation Designer*; US-19 cuts through downtown Eustis generating car and truck traffic impacts. Charrette with local residents, business owners and community leaders to develop alternative solutions for pedestrian mobility through downtown, major roadway streetscaping, traffic calming, enhancements of civic spaces and the addition of parking at key locations.

Groveland Downtown Redevelopment Plan, Florida: *Transportation Designer*; vision planning and phasing strategies; Analysis of existing conditions, community workshops and the creation of illustrative plan. Plan for re-routing of truck traffic and relocation of SR-50 to allow for redevelopment of Main Street corridor as a two-way, pedestrian-friendly street.

Mt. Plymouth-Sorrento, Florida: *Transportation Designer*; master planning and policy.

City of Orlando, Florida: *Traffic Operation Designer.*

Seminole County, Florida: *Traffic Operation Designer.*

Orange County, Florida: *Traffic Operation Designer.*

Florida Department of Transportation: *Traffic Operation Designer.*

SELECT PRIVATE SECTOR PROJECTS

Restoration, New Smyrna, Florida: *Roadway Master Planner*; master vision and landscape plans; 6,000-acre community with planned roadway and street-car system. Design code includes street sections and transportation design requirements.

Atlantis Resort, Paradise Island, Bahamas: *Detailed Roadway Designer*; development of master plan roadway system consistent with goals and objectives of the Atlantis Resort pedestrian friendly environment.

Walt Disney World, Orlando, France, China: *Roadway Master Planner*; transportation elements for Disney France, Animal Kingdom Orlando, Wide World of Sports Orlando, Downtown Disney expansion, and Disney China.

Tradition, Port St. Lucie, Florida: *Roadway Master Planner*; master planning, landscape architecture, DRI processing and design guidelines; 2,033-acre site with roadway system incorporating new interchange design and multi-lane roundabouts.



MONICA PINJANI CHAWLA

SENIOR DESIGNER

SELECT URBAN DESIGN PROJECTS AT CANIN ASSOCIATES

Wiregrass Town Center, Pasco County, Florida: *Designer;* Assisted in the development of a Town Center master plan, a detailed first phase plan, and a builder program with market segmentation criteria.

Envision Destin, Destin, Florida: *Designer;* Assisted in analysis, charrettes, reports, graphics, and community outreach through GIS analysis and 3D models.

Hillsborough County Northwest Wastewater Consolidation Program, Hillsborough County, Florida: *Designer;* Provided support for a series of conceptual site plans.

Panama Pacifico, Panama: *Designer;* Provided support for master planning exhibits for a 50,000-person new city.

SELECT ARCHITECTURAL DESIGN PROJECTS AT CANIN ASSOCIATES

Scharich Custom Residence, Monteverde, FL; *Architectural Designer;* assist in the design of a custom home remodel in on Bella Colina lot 374.

Grand Oaks Manor, Wildwood, FL; *Architectural Designer;* assist in the creation of new designs for an innovative community offering a variety of housing types for home buyers.

Ms. Chawla is a Senior Urban designer at Canin Associates. She holds a BArch from the Indus Valley School of Art and Architecture in Karachi, Pakistan, and a Master's of Science in Architecture and Urban Design (MSAUD) from Columbia University. Combining both a knowledge of architecture and a strong understanding of the built environment, Ms. Chawla has worked on a range of local and international projects spanning the public and private sectors.

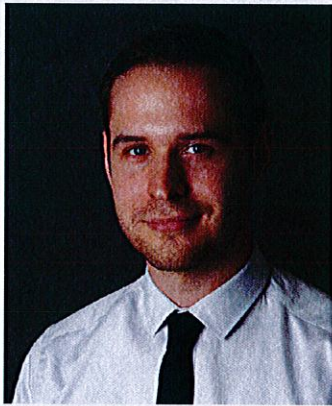
EDUCATION

Master of Science in Architecture and Urban Design, Columbia University

Bachelors in Architecture, Indus Valley School of Art and Architecture

AWARDS AND HONORS

William Kinne Urban Design Fellowship
Fulbright Scholar, Pakistan



ALEXANDER J. LENHOFF, CNU-A

PROJECT ROLE: URBAN PLANNER

SELECT PROJECTS

River to Sea TPO Long Range Transportation Plan 2040, Volusia County, Florida: *Urban Planner*, Participating on consultant team as land use forecasting support. Tasks include socio-economic data forecasting and the development of the land use for an alternative growth strategy.

Lake Flores, Manatee County, Florida: *Assistant Project Manager*; Master Planning, Rezoning, and Design Code for 1,300-acre mixed-use infill development.

Hillsborough County Northwest Wastewater Consolidation Program, Florida: *Assistant Project Manager*; GIS analysis and map creation.

Panama Pacifico, Panama: *Urban Planner*, Analyze and translate Spanish-language master plan documents; complete master planning exhibits and analyze entitlements through GIS.

Envision Destin, Destin, Florida: *Urban Planner*, Assist in analysis, charrettes, reports, graphics, and community outreach through website design and social media.

The Hills, Minneola, Florida: *Graphic Designer*, Create custom vision book / informational booklet for an upcoming development in Lake County.

Mr. Lenhoff is a graduate of the Master's of Planning in Civic Urbanism program at Rollins College. At his previous positions as the Coordinator at the Urban Land Institute - Central Florida and as a consultant for community-building organizations, he organized public and private events, helped plan and execute educational programs, and created social media strategies in the land-use arena.

EDUCATION

Masters of Planning in Civic Urbanism,
Rollins College, Winter Park, FL

PROFESSIONAL AFFILIATIONS

Urban Land Institute
CNU Accredited
American Planning Association
Florida Planning and Zoning Association



MICHAEL RICHARDSON

ARCHITECTURAL DESIGNER

ARCHITECTURAL DESIGN PROJECTS

Easterly X and Y, Winter Park, Florida; *Architectural Designer;* produce drawings for David Weekley Homes new models Easterly X and Y, 3,600 Square Feet 2 Story home.

David Weekley Homes Custom Classic Models, Orlando, Florida; *Architectural Designer;* produce drawings for customized DWH custom home models on Foss Ave in Baldwin Park.

Traditions, Oxford, Mississippi; *Architectural Designer;* produce drawings and construction documents for 5 new student housing, detached units ranging from 1,200 SF One bedroom unit to 2,800 SF 4 bedroom unit.

West 100, Oxford, Mississippi; *Architectural Designer;* produce drawings and construction documents for 2,600 SF Two story light commercial office building.

502 Langholm Drive, Winter Park, Florida; *Architectural Designer;* produce drawings for a 2,300 full house custom redesign and remodel.

Anderson/Hammond Custom Remodel, Orlando, FL; *Architectural Designer;* produce drawings for a 4,700 full home custom remodel.

* **Housing Finance Authority, Miami-Dade County;** *Design Guidelines Consultatant;* replaced and improved existing design guidelines for new projects; published booklet to be used as a branding and marketing tool.

* **Opa Locka CDC;** *Consulting Designer;* studied three major corridors in the city for design triage; created master plans for phasing and economic growth; created form-based codes and guidelines added to the city's comprehensive redevelopment and zoning plans to create the strong streetscape in these high-value areas.

* Projects previous to Canin Associates.

Mr. Richardson is a well-traveled urban designer with a passion for place-making and the psychology of space. In addition to his experience leading public charettes, his graphic design skills include master plan design, 3D vizualization, and marketing material production. Mr. Richardson is a graduate of the University of Miami School of Architecture and Town Planning.

EDUCATION

Bachelor of Architecture,
University of Miami, Miami, FL

PROFESSIONAL AFFILIATIONS

American Institute of Architects
NCARB
American Planning Association
Congress for the New Urbanism

**ST. PETE BEACH CITY COMMISSION
AGENDA REPORT**

Issue Considered: Ordinance 2015-23, First Reading and Public Hearing, providing for wastewater fee adjustments in Fiscal Year 2016

Date: September 9, 2015

Prepared By: Elaine Edmunds, Administrative Services Director

Summary of Issue: Due to the age and condition of the wastewater fund infrastructure, the City has experienced a significant increase in the number of capital projects necessary to upgrade the overall system. Earlier this fiscal year, staff contracted with Public Resource Management Group to update the City of St. Pete Beach Wastewater rate model. Results of that study showed that a 9.75% rate increase is necessary in Fiscal Year 2016 to provide adequate funding and reserves.

The model did project future increases may be necessary. However, staff is only recommending an increase in fiscal year 2016 to meet the immediate need and will re-evaluate the revenue projections in future years.

Requested Motion: “I move to approve Ordinance 2015-23(read title)”

Attachments: Ordinance 2015-23
Dashboard

Reviewed by:
City Manger: WS

ORDINANCE 2015-23

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AN AMENDMENT OF APPENDIX A – FEE SCHEDULE OF THE CODE OF ORDINANCE IMPLEMENTING A 9.75% INCREASE IN WASTEWATER FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES, IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, wastewater fees are reviewed annually by staff during fiscal year budget preparation and adjustments are recommended to City Commission; and

WHEREAS, for the benefit of the residents of St. Pete Beach it is imperative to fund improvements to the wastewater infrastructure as well as maintaining adequate operating and capital reserves for the wastewater system; and

WHEREAS, wastewater rates last increased 4% on October 1, 2013; and

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

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

Section One. Part II – Code of Ordinances, Appendix A Fee Schedule, Wastewater User Fees shall be increased by 9.75% as follows:

WASTEWATER USER FEES

Monthly wastewater (sewer) rates shall be charged to all customers using the wastewater (sewer) utility system of the city. The rate is based on a base component, flow component (3,000 gallons), rate for usage (1,000 gallons) over flow component, purchased wastewater (sewer) treatment pass-through, and annual index adjustment. Each wastewater (sewer) customer shall be billed as follows:

Residential base rate: ~~\$26.37~~ \$28.94 for the first 3,000 gallons, or fraction thereof, of potable water used per residential unit.

Residential excess rate: ~~\$8.70~~ \$9.55 for each 1,000 gallons, or fraction thereof, of potable water used by the customer in excess of the residential base rate.

Commercial base rate: ~~\$26.37~~ \$28.94 for the first 3,000 gallons, or fraction thereof, of potable water used by the customer.

Commercial excess rate: ~~\$8.70~~ \$9.55 for each 1,000 gallons, or fraction thereof, of potable water used by the customer in excess of the commercial base rate.

Section Two. If any portion, part or section of the Ordinance is declared invalid, the valid remainder hereof shall remain in full force and effect.

Section Three. All Ordinances or parts of Ordinances, in conflict herewith, are hereby repealed, to the extent of such conflict.

Section Four. This ordinance shall become effective upon October 1, 2015.

Maria Lowe, 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 _____, 2015.

Rebecca Haynes, City Clerk

Exhibit 1
City of St. Pete Beach, Florida
Wastewater System Financial Model

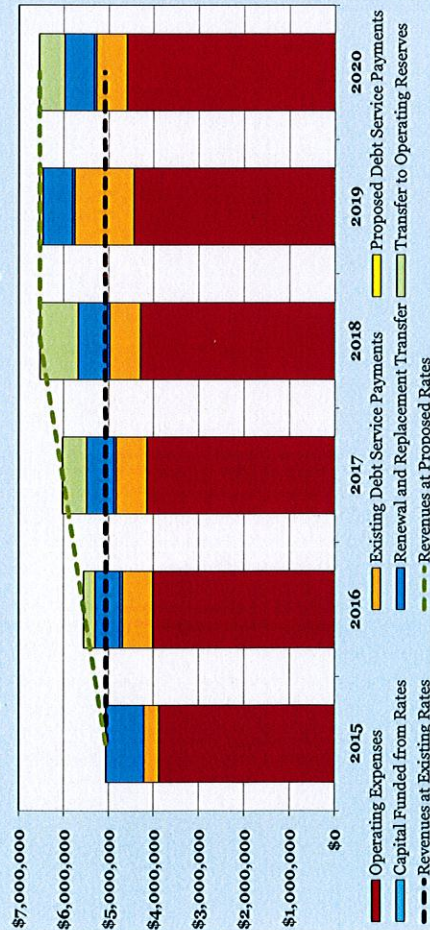
Performance Dashboards & Financial Metrics

Proposed Rate Revenue Adjustments:	Fiscal Year Ending September 30th.				
	2015	2016	2017	2018	2019
Wastewater System Rate Adjustment [1]	0.00%	9.75%	8.25%	8.25%	0.00%
Effective Month of Increase	Oct.	Oct.	Oct.	Oct.	Oct.
Percentage of Year Effective	100%	100%	100%	100%	100%
Cumulative Effective Increase	0.00%	9.75%	18.80%	28.61%	28.61%
Average Residential Bill @ 6,000 Gallons	\$52.47	\$57.59	\$62.34	\$67.48	\$67.48
Annual Revenue Surplus/Deficiency	\$0	\$0	\$0	\$0	\$0
[1] Adjustments assumed to be applied uniformly (or across the board) to all existing wastewater rates for service.					

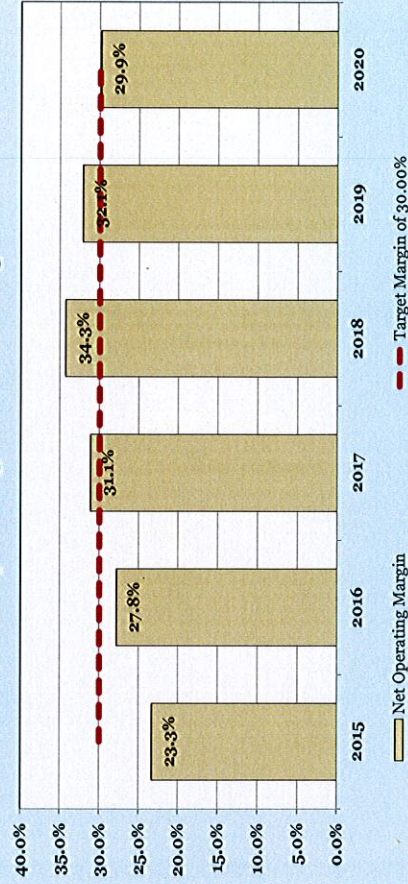
Model Financial Metric & Assumptions	Fiscal Year Ending September 30th.				
	2015	2016	2017	2018	2019
Operating Contingency (% of O&M)	1.00%	1.00%	1.00%	1.00%	1.00%
Bad Debt Expense (% of Revenues)	0.25%	0.25%	0.25%	0.25%	0.25%
R&R Transfer (% of Revenues) - Min.	10.00%	10.00%	10.00%	10.00%	10.00%
R&R Transfer (% of Revenues) - Addtl.	5.00%	0.00%	0.00%	0.00%	0.00%
Cash & Investment Interest Rates %	0.25%	0.25%	0.25%	0.25%	0.25%

Financial Metric Inputs:		115.00%	Subordinate Coverage	115.00%
All-In Debt Service Coverage	150.00%	Operating Margin Target	30.00%	Min. R&R Balance
Days of Cash Minimum	150			\$100,000

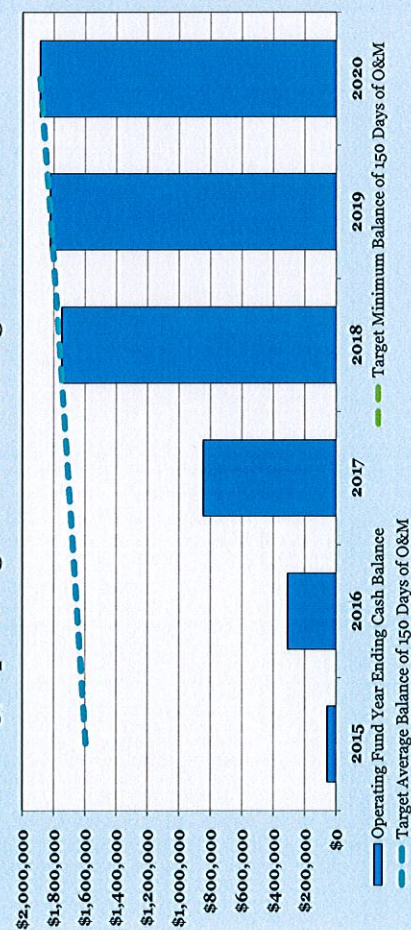
1) Projected Wastewater Revenue Requirements



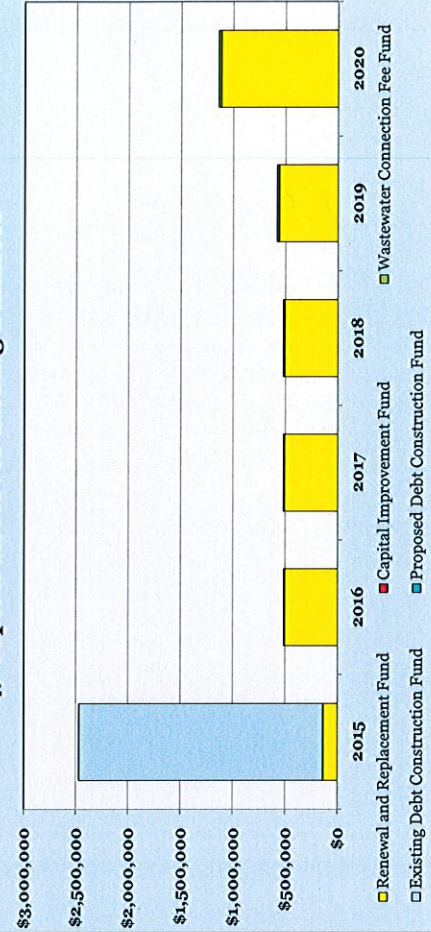
2) Net Operating Revenue Margin



3) Operating Reserves Ending Balances



4) Capital Reserves Ending Balances



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

Issue Considered: First Reading – Ordinance 2015-25 Budget Ordinance for FY 2016

Date: September 9, 2015

Prepared By: Elaine Edmunds, Administrative Services Director

Summary of Issue: The FY 2015/16 Budget total for all funds is \$43,711,702. Exhibit A as referenced in the Ordinance can be viewed on the City website at <http://www.stpetebeach.org/city-departments/administrativeservices/finance.html>

The following is a brief summary by fund.

General Fund Overall General Fund expenditures are expected to increase from \$16,036,773 to \$16,768,231 or approximately 4.56%. This figure includes a transfer to the Capital Projects Fund of \$1,975,000. The operating millage rate of 3.1500 mills is equal to the current year's millage rate and .2195 higher than the rolled-back rate. Therefore there is an increase in property tax revenue of approximately \$531,519.

Wastewater Fund The budget includes a 9.75% rate increase in FY 2016 which will generate approximately \$747,654 in additional revenue.

Reclaimed Water The budget does not include a rate increase in FY 2016.

Stormwater Fund Revenue for this fund comes from two separate non-ad valorem assessments on all properties in the City. The budget reflects a 45% increase in the tier one assessment. This assessment is a flat amount on all properties. The assessment will increase from \$38.27 annually to \$55.49 annually. The tier two assessment reflects a 25% increase. This assessment varies based on the amount of impervious surface area a property has. The residential amount will increase from \$47.09 annually to \$58.86 annually. The increase in tier one and two assessments is projected to generate additional revenue of \$131,942 and \$87,406 respectively.

Capital Improvement Program (CIP) - The CIP includes a variety of improvement projects throughout the City plus loan payments on the community center, fire truck and the Series 2015 \$13 million capital revenue bond. The total amount budgeted for FY 2016 is \$14,540,926.

Requested Motion: "I move that Ordinance No. 2015-25, an ordinance of the City of St. Pete Beach, Pinellas County, Florida; adopting a budget for the fiscal year beginning October 1, 2015 and ending September 30, 2016; providing appropriations; and providing an effective date be approved on ~~11th~~ 1st reading."

Attachment: Ordinance No 2015-25

**Reviewed by
City Manager:** WS

ORDINANCE NO. 2015-25

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA; ADOPTING A BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016; PROVIDING APPROPRIATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 166.241 Florida Statute requires each municipality to adopt a budget and make appropriations for each fiscal year; and

WHEREAS, Code Section 2.218(b) provides that the appropriation ordinance shall state in clear and precise terms that the budget is adopted by reference and is made a part of the ordinance and that the amounts therein are appropriated for the purposes and for the accounts indicated; and

WHEREAS, the City Manager has submitted a proposed annual budget to the City Commission as required by Section 4.04(e) of the City Charter; and

WHEREAS, the City Commission deems the proposed expenditures necessary and proper for the operation of the City Government and to provide for the health, safety, and welfare of its citizens.

THE CITY OF ST. PETE BEACH, FLORIDA, DOES ORDAIN:

Section 1. The annual budget for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016, as attached hereto as Exhibit "A" ("the Budget") is adopted by reference and is made a part of this ordinance and the amounts thereon are appropriated for the purposes and for the accounts thereon indicated. The Budget adopts and appropriates the sums of money appropriated for expenditures within each fund as indicated below and as further described in as Exhibit A for the Fiscal Year ending on September 30, 2016:

General Fund	\$16,768,231
Wastewater Fund	\$ 6,959,810
Reclaimed Water	\$ 1,112,356
Stormwater Fund	\$ 4,330,379
Capital Improvement	\$ 14,540,926

Section 2. That for the period of October 1, 2015 through September 30, 2016 all monies of the City shall be expended as appropriated herein and in accordance with the City Charter and ordinances of the City.

Section 3. This ordinance shall become effective immediately upon its final passage.

Maria Lowe, Mayor

FIRST READING: _____
PUBLISHED _____
FINAL 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 _____, 2015.

Rebecca Haynes, City Clerk

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

Issue Considered: Ordinance 2015-15 Amendment to the City of St. Pete Beach Code of Ordinances Article V.

Date: September 09, 2015

Prepared By: Bruce Cooper – Building Official

Through: Jennifer Bryla– Community Development Director

Summary of Issue The Ordinance was heard and voted on for first reading on August 11 and staff was directed to look at other opportunities that could be implemented to potentially lower our CRS rating. As staff has rewritten the Ordinance, including some more restrictive measures, that would allow the city to mitigate flood hazards, Ordinance 2015-15 will be retired and Ordinance 2015-26 will replace it with the data necessary to move toward a lower CRS rating. .

The Memo Report associated with Ordinance 2015-26 outlines the specifics.

Requested Motion: No motion required.

Attachment: Memo, Ordinance 2015-15

Reviewed by the City Manager WS

Memo

To: City Commission
From: Bruce Cooper
CC: Jennifer Bryla
Date: 8/25/2015
Re: Flood Management Ordinance, #2015-15

Enclosed is the proposed ordinance amending Article V of Chapter 98, City Code of Ordinances regarding the City's current Flood Ordinance. This proposed ordinance is a "Model Ordinance" approved by the State's Department of Emergency Management, which I have modified for the City of St Pete Beach. Since this model ordinance is 34 pages long, I felt it was more appropriate to repeal our current Article V and replace it with Ordinance 2015-15.

The new Florida Building Code, (2014) 5th Edition, became effective on June 30, 2015. The new code now has construction standards for communities that have flood hazard areas. Of course, the entire City is located within a flood hazard area. In addition, the Florida Statutes (F.S. 553.73(5) now allows communities to amend the Florida Building Code to be consistent the City's goals for Flood Protection beyond the model ordinance.

The City of St. Pete Beach participates with the Community Rating System (CRS) which is based on the amount of strategies the City can implement; the City can receive discounts for any flood insurance policy. Every point below the rating of "10" gives a 5% discount. The City's current Classification is "7" which gives a 15% discount on flood insurance policies.

This Flood Ordinance is being submitted in order to comply with the model ordinance, provide amendments to the Florida Building Code that coincide with the model Flood Ordinance and require the additional height above the base flood elevation. This increased height is commonly referred as "Free Board". One successful element that has been implemented in adjoining jurisdictions has been incorporating free board. CRS should award additional points, for such a change, which may result in a lower classification for the City.

Included in Ordinance 2015-15 is the requirement to have an additional two feet of height (free board) above the Base Flood Elevation (page 32, Section R322.2.1 and Sec.R322.3.2). This would mean that the finish floor (lowest floor) of any new home must be elevated to at least 10 feet above mean sea level. For instance, portions of Belle Vista and Vina Del Mar subdivisions have a designation of AE-10 or 10 feet above base flood. The new requirement would now be 12 feet above the base flood elevation. Our Land Development Code allows the maximum building height to be measured above the required base flood elevation; the only perceived negative impact in this new requirement is that a new home can be 2 feet higher than before.

In most cases, new homes are being built 2 feet above base flood elevation. As an example (see illustration), in an AE-10 flood zone, the existing grade on a lot is currently 5 feet above mean sea level. The new home would only have to be elevated an additional 5 to meet the 10 feet. Historically, parking is located under the main home which would raise the lowest floor to approximately 16 feet above mean sea level or an additional 6 feet above base flood elevation of 10 feet. This would allow for a 9 foot ceiling for the garage and 2 feet for the floor joists. In order to meet the criteria for additional points for our CRS rating, the jurisdiction must require the 2 feet above base flood elevation. In the past seven (7) years, one home has been elevated to minimum 10 feet without having a garage underneath.

The following are other items that have been added or modified from our current flood ordinance;

1. The requirement of a Non-conversion Agreement (page 11, Sec. 98-123.10. 2). This is a notarized and recorded document by the owner agreeing not to convert or modify in any manner that is inconsistent with terms of the building permit and the flood ordinance. The City passed Resolution 2014-05 accomplishing the same but now is contained within our Flood Ordinance.
2. The current ordinance limits the entry doors below base flood elevation to a single entry door. Based on the Planning Board's recommendation, Section R322.2.2 (page 32) and Section R322.3.5 (page 34) have been modified to allow one main entry door to be a double door and to allow single entry doors. No sliders are allowed.
3. The current ordinance doesn't prohibit temperature-control (air conditioning) below the base flood elevation. After checking with CRS, there are no points given for this prohibition. There is, however, a requirement (Section R322.2.2 2) to have air conditioning ductwork above the base flood elevation.
4. The draft ordinance that was presented to the Planning Board contained language in Section R322.2.2 stating, "Storage shall be limited to items which otherwise would be stored outside a building or items normally used outside (e.g., grill, lawn mower, folding chairs, etc.). The Planning Board did question the type of items that would be prohibited such as extra beds, clothes, etc. Again, CRS represented that there are no points allocated for this prohibition, therefore that language has been eliminated. If a homeowner desired to store items below the base flood elevation, those items would not be insured under their normal Flood Insurance for the building and would require an additional policy.

ORDINANCE NO. 2015-15

AN ORDINANCE OF THE CITY OF ST. PETE BEACH FLORIDA AMENDING THE CITY CODE TO REPEAL THE CURRENT ARTICLE V, OF CHAPTER 98, FLOOD HAZARD MITIGATION REGULATIONS TO ADOPT A NEW ARTICLE V, TO RE-ADOPT FLOOD HAZARD MAPS, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO ADOPT LOCAL ADMINISTRATIVE AMENDMENTS AND TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; TO FORMAT EXISTING PROVISIONS TO BE CONSISTENT WITH THE FLORIDA BUILDING CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the City of St. Pete Beach, Florida and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the City of St. Pete Beach, Florida was accepted for participation in the National Flood Insurance Program on July 25, 1972 and the City Council desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, called the Florida Building Code; and

WHEREAS, section 553.73(5), Florida Statutes, allows adoption of local administrative amendments to the Florida Building Code to implement the National Flood Insurance Program; and

WHEREAS, the City of St. Pete Beach is adopting a requirement to increase the minimum elevation requirement of the Florida Building Code, Residential for dwellings in flood hazard areas and, pursuant to section 553.73(5), Florida Statutes; and

WHEREAS, the City Council has determined that it is in the public interest to adopt the proposed floodplain management regulations that are coordinated with the Florida Building

Code.

THE CITY OF ST. PETE BEACH, FLORIDA, DOES ORDAIN:

SECTION 1.

The St. Pete Beach City Code is hereby amended by repealing and removing Article V and adopting a new Article V. to read as follows:

ARTICLE V

Sec 98-120.1 GENERALLY.

Sec. 98-120.1 Title. These regulations shall be known as the Floodplain Management Ordinance of the City of St. Petersburg, Florida, hereinafter referred to as “this section.”

Sec. 98-120.2 Scope. The provisions of this section shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the Florida Building Code; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

Sec. 98-120.3 Intent and Purpose.

The purpose of this section and the flood load and flood resistant construction requirements of the Florida Building Code are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

1. Minimize unnecessary or prolonged disruption of commerce, access and public service during times of flooding;
2. Require the use of appropriate practices, at the time of initial construction, in order to prevent or minimize future flood damage;
3. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
4. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
5. Minimize damage to public and private facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
6. Help maintain a stable tax base by providing for the sound use and development of flood

hazard areas in such a manner as to minimize future flood blight areas;

7. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events;
8. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22;
9. Protect human life and health;
10. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
11. Ensure that property owners are notified yearly the property is in a flood prone area;
12. Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights or velocities; and
13. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

Sec. 98-120.4 Findings of fact.

1. The flood hazard areas of the City are subject to periodic inundation which results in loss of life; loss of property; health and safety hazards; disruption of commerce and governmental services; extraordinary public expenditure for flood protection and relief; and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
2. These flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods or hazardous to other lands, which are inadequately elevated, flood proofed or otherwise protected from flood damage.

Sec. 98-120.5. Coordination with the Florida Building Code. This section is intended to be administered and enforced in conjunction with the Florida Building Code. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the Florida Building Code.

Sec. 98-120.6. Warning. The degree of flood protection required by this section and the Florida Building Code is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This section does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps (FIRM) and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency (FEMA), requiring the City to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use,

or future use is implied or expressed by compliance with this section.

Sec. 98-120.7 Disclaimer of Liability. This section shall not create liability on the part of the City, its officers, agents, elected or appointed officials or employees thereof for any flood damage that results from reliance on this section or any administrative decision lawfully made thereunder.

Sec. 98-121 APPLICABILITY.

Sec. 98-121.1 Conflict. Where there is a conflict between a general requirement and a specific requirement in this section, the specific requirement shall be applicable. Where the requirements of this section and another law, code or regulation conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Sec. 98-121.2. Areas to which this section applies. This section shall apply to all flood hazard areas within the City as established in Sec. 98-121.3

Sec. 98-121.3. Basis for establishing flood hazard areas. The Flood Insurance Study for Pinellas County, Florida and Incorporated Areas dated August 18, 2009, and all subsequent amendments and revisions, and the accompanying FIRMs, and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this section and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Community Development Department, Building Division, 155 Corey Ave, St Pete Beach, Florida 33706

Sec. 98-121.4. Submission of additional data to establish flood hazard areas. To establish flood hazard areas and base flood elevations, pursuant to Sec.98-124 the Building Official may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the City indicates that ground elevations:

1. Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this section and, as applicable, the requirements of the Florida Building Code.
2. Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the owner or owner's authorized agent (hereinafter "applicant") obtains a Letter of Map Change that removes the area from the special flood hazard area.

Sec. 98-121.5. Other laws. The provisions of this section shall not be deemed to nullify any provisions of state or federal law.

Sec. 98-121.6. Abrogation. This section supersedes any ordinance or City Code in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances or City Codes including but not limited to land development regulations, zoning ordinances, stormwater management regulations, or the Florida Building

Code. This section shall not repeal, abrogate, or impair any existing deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this section.

Sec. 98-121 7. Interpretation. In the interpretation and application of this section, all requirements shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the City; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

Sec. 98-122. ADMINISTRATION.

Sec.98-122.1. Designation. The Building Official is designated as the Floodplain Administrator for the purposes of this section. The Building Official may delegate the performance of certain duties to other employees.

Sec.98-122.2. General. The Building Official is authorized and directed to administer and enforce the provisions of this section. The Building Official shall have the authority to render interpretations of this section consistent with the intent and purpose of this section and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this section without the granting of a variance pursuant to this section.

Sec.98-122.3. Applications and permits. The duties of the Building Official shall include, but not be limited to:

1. Review all applications and plans to determine whether proposed new development will be located in flood hazard areas;
2. Review all applications for modification of any existing development in flood hazard areas for compliance with the requirements of this section;
3. Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries and a person contesting the determination shall have the opportunity to appeal the interpretation;
4. When interpretation is needed as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the Building Official shall make the necessary interpretation;
5. Provide available flood elevation and flood hazard information;
6. Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
7. Review all applications to determine whether proposed development will be reasonably safe from flooding;
8. Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the Florida Building Code, including buildings,

structures and facilities exempt from the Florida Building Code, when compliance with this section is demonstrated, or disapprove the same in the event of noncompliance;

9. Coordinate with and provide comments to the Building Department employees to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this section;
10. Review all applications for permits to ensure that the permit requirements of this section have been satisfied;
11. Advise applicant that additional federal and state permits may be required and ensure that all required state and federal permits have been received. The Building Official shall require that copies of such permits be provided and maintained on file with the City permit.

Sec.98-122.4. Substantial improvement and substantial damage determinations. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Building Official shall:

1. Require the applicant to obtain an appraisal of the current market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
3. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
4. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the Florida Building Code and this section is required.

For the purpose of making this determination, the cost to perform the improvements and the cost to perform the repairs shall not be cumulative from project to project. Costs of improvements and costs of repairs shall include all costs attributed to a project and shall be determined:

1. By submission of a detailed cost estimate by a licensed contractor, provided such estimate includes all work required to complete the work described in the permit application;
2. By submission of a summation of the prevailing market cost for all materials and labor including all expenses normally charged or incurred if the work were performed by a contractor (e.g., construction supervision and management, insurance, overhead and profit, demolition, etc.); or
3. By the Building Official if the applicant's submission and supporting data do not, in the opinion of the Building Official, reasonably reflect the actual project cost;

alternatively, the Building Official may require submission of another estimate. If determined by the Building Official, the Building Official may use (a) the most recent (at the start of construction) square foot valuation data for this area published by the International Code Council; or (b) the replacement cost less the depreciation costs (at the start of construction) identified in a certified appraisal less than 12 months old.

Sec.98-122.5. Modifications of the strict application of the requirements of the Florida Building Code. The Building Official shall review requests that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to this section.

Sec.98-122.6. Notices and orders. The Building Official shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this section.

Sec.98-122.7. Inspections. The Building Official shall make the required inspections as specified in this section for development that is not subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. The Building Official shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

Sec.98-122.8. Other duties of the Building Official. The Building Official shall have other duties, including but not limited to:

1. Establish procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Sec. 98-122.4
2. Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to FEMA and ensure that the entity responsible for maintenance within the altered or relocated portion of said watercourse is identified so that the flood-carrying capacity is not diminished;
3. Inform an applicant that if the watercourse being altered or relocated is noted as a water/drainage feature on the City's Future Land Use Map, any change to the watercourse would require a Comprehensive Plan amendment to change the map, subject to agency and local government review including the Departments of Economic Opportunity, Environmental Protection, State, Transportation, Tampa Bay Regional Planning Council and Pinellas County;
4. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the FIRMs if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations. Such submissions shall be made within six (6) months of such data becoming available;

5. Review required design certifications and documentation of elevations specified by this section and the Florida Building Code to determine that such certifications and documentations are complete; and
6. Notify FEMA when the corporate boundaries of the City are modified.

Sec.98-122.9. Floodplain management records. Regardless of any limitation on the period required for retention of public records, the Building Official shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this section and the flood resistant construction requirements of the Florida Building Code, including FIRMs; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the Florida Building Code and this section; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, in addition to documentation kept by the Zoning Official, including justification for issuance or denial; and records of enforcement actions taken pursuant to this section and the flood resistant construction requirements of the Florida Building Code. These records shall be available for public inspection at the Community Development Department, Building Division, 155 Corey Ave, St Pete Beach, Florida 33706.

Sec. 98-123 PERMITS.

Sec.98-123.1. Permits required. Any applicant who intends to undertake any development activity within the scope of this section, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Building Official and shall obtain the required permit(s) and approval(s). Permits shall include a condition that all other applicable City, state or federal permits be obtained before commencement of the permitted development. Issuance of a permit by the City does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Sec.98-123.2. Floodplain development permits or approvals. Floodplain development permits or approvals shall be issued pursuant to this section for any development activities not subject to the requirements of the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. Depending on the nature and extent of proposed development that includes a building or structure, the Building Official may determine that a floodplain development permit or approval is required in addition to a building permit.

Sec.98-123.3. Buildings, structures and facilities exempt from the Florida Building Code. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the

Florida Building Code and any further exemptions provided by law, which are subject to the requirements of this section:

1. Railroads and ancillary facilities associated with the railroad.
2. Nonresidential farm buildings on farms, as provided in section 604.50, Florida Statutes.
3. Temporary buildings or sheds used exclusively for construction purposes.
4. Mobile or modular structures used as temporary offices.
5. Those structures or facilities of electric utilities, as defined in section 366.02, Florida Statutes, which are directly involved in the generation, transmission, or distribution of electricity.
6. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term “chickee” means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
7. Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
8. Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
9. Structures identified in section 553.73(10)(k), Florida Statutes, are not exempt from the Florida Building Code if such structures are located in flood hazard areas established on Flood Insurance Rate Maps.

Sec.98-123.4. Permit Procedures. To obtain a permit or approval the applicant shall first file an application with the Building Official in writing on a form furnished by the City with any required fee prior to the start of development. The information provided shall include, but shall not be limited to, the following:

1. Identify and describe the development to be covered by the permit or approval;
2. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site;
3. Indicate the use and occupancy for which the proposed development is intended;
4. Be accompanied by a site plan or construction documents as specified in this section;
5. The plans or construction documents must be in duplicate and drawn to scale showing the nature, location, dimensions and elevations of the area in question, existing or proposed structure, fill, storage of materials, drainage facilities and their location;
6. State the valuation of the proposed work;
7. Evidence that the proposed development will fully comply with all the provisions of this section;
8. Base flood elevation data for subdivision proposals and other proposed development

which is greater than 50 lots or five acres, whichever is less;

9. Be signed by the applicant or the applicant's authorized agent;
10. Give such other data and information as required by the Building Official.

Sec.98-123.5. Validity of permit or approval. The issuance of a permit pursuant to this section shall not be construed to be a permit for, or approval of, any violation of this section, the Florida Building Code, or any other ordinance or City Code. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Building Official from requiring the correction of errors and omissions.

Sec.98-123.6. Issuance of permit. The Building Official shall issue a permit if the application fully complies with the provisions of this section, and shall deny the application and refuse to issue a permit if the application does not fully comply with the provisions of this section.

Sec.98-123.7. Expiration. A permit shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

Sec.98-123.8. Suspension or revocation. The Building Official is authorized to suspend or revoke a permit if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this section or any other City, state or federal ordinance, regulation or requirement.

Sec.98-123.9. Other permits required. Permits shall include a condition that all other applicable City, state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

1. The Southwest Florida Water Management District; section 373.036, Florida Statutes
2. Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, Florida Statutes and Chapter 64E-6, F.A.C.
3. Florida Department of Environmental Protection for construction, reconstruction, changes, or physical activities for shore protection or other activities seaward of the coastal construction control line; section 161.141, Florida Statutes
4. Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; section 161.055, Florida Statutes.
5. Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.
6. Federal permits and approvals.

Sec.98-123.10. Certificate of Occupancy. Prior to a Certificate of Occupancy being issued, the following must be submitted and approved by the Building Official:

1. Elevation Certificate.
2. Declaration of Land Restriction (Nonconversion Agreement)
3. Floodproof Certificate, if applicable.
4. V-Zone Certificate, if applicable
5. As-Built survey by a registered Land Surveyor.

Sec. 98-124. SITE PLANS AND CONSTRUCTION DOCUMENTS.

Sec.98-124.1. Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of this section shall be drawn to scale and shall include, as applicable to the proposed development:

1. Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.
2. Where base flood elevations, or floodway data are not included on the FIRM or in the FIS, they shall be established in accordance with Sec. 98-124.2 (2) or (3).
3. Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the FIS, such elevations shall be established in accordance with 16.40.050.5.2 (1).
4. Location of the proposed activity and proposed structures, and locations of existing buildings and structures.
5. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
6. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
7. Existing and proposed alignment of any proposed alteration of a watercourse.

The Building Official is authorized to waive the submission of site plans, construction documents, and other data that are required by this section but that are not required to be prepared by a licensed professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this section.

Sec.98-124.2. Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Building Official shall:

1. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.

2. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.
3. Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
 - a. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or
 - b. Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.
4. Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

Sec.98-124.3. Additional analyses and certifications. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed professional engineer for submission with the site plan and construction documents:

1. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Sec 98-124.4 and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
2. For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the FIS or on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
3. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Sec 98-124.4.

Sec.98-124.4. Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed professional engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

Sec. 98-125. INSPECTIONS.

Sec.98-125.1. General. Development for which a permit is required shall be subject to inspection.

Sec.98-125.2. Development other than buildings and structures. The Building Official shall inspect all development to determine compliance with the requirements of this section and the conditions of issued permits.

Sec.98-125.3. Buildings, structures and facilities exempt from the Florida Building Code. The Building Official shall inspect buildings, structures and facilities exempt from the Florida Building Code to determine compliance with the requirements of this section and the conditions of issued permits.

Sec.98-125.4. Buildings, structures and facilities exempt from the Florida Building Code, lowest floor inspection. Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the Florida Building Code, or the owner's authorized agent, shall submit to the Building Official:

1. If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or
2. If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Sec. 98-124.2 (3)(b), the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.

Sec.98-125.5. Buildings, structures and facilities exempt from the Florida Building Code, final inspection. As part of the final inspection, the owner or owner's authorized agent shall submit to the Building Official a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Sec. 98-125.4.

Sec.98-126. APPEALS AND VARIANCES.

Sec.98-126.1. General. The Historic Preservation Board shall hear and decide on requests for

variances from the strict application of this section for historic structures as designated by Division 28, Land Development Code. The City Commission shall hear and decide on request for variances on the strict application of this section on functional dependent use. Pursuant to section 553.73(5), Florida Statutes, the Historic Board shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the Florida Building Code. Pursuant to section 553.73(5), Florida Statutes, the City Commission shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the Florida Building Code.

Sec.98-126.2. Appeals. Any person aggrieved by the decision of the Historic Preservation Board City Commission may appeal such decision to the Circuit Court, as provided by Florida Statutes. The Building Official shall maintain the records of all appeals, both granted and denied and report any variances to FEMA as requested.

Sec.98-126.3. Limitations on authority to grant variances. Both the City Commission and/or Historic Preservation Board may authorize variances from the provisions of this section after receipt of an application which provides all relevant information required by the Building Official. Both the City Commission and/or Historic Preservation Board shall base its decisions on variances on technical justifications, the considerations for issuance in Sec.98-126.7, and the conditions of issuance, all of which are contained in Sec.98-126.8., and the comments and recommendations of the Building Official, including those based upon the Florida Building Code. Both the City Commission and Historic Preservation Board Commission has the right to attach such conditions as it deems necessary to further the purposes and objectives of this section.

Sec.98-126.4. Restrictions in floodways. A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in 16.40.050.5.3.

Sec.98-126.5. Historic buildings. A variance is authorized to be issued for the repair, improvement, reconstruction, restoration or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Buildings, upon a determination that the proposed repair, improvement, reconstruction, restoration or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, reconstruction, restoration and rehabilitation shall be subject to the requirements of the Florida Building Code. Historic properties may be required to obtain a certificate of appropriateness pursuant to the City Code.

Sec.98-126.6. Functionally dependent uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this section, provided the variance meets the requirements of Sec. 98-126.7 and Sec. 98-126.8., is the minimum necessary considering the flood hazard, and all due consideration

has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

Sec.98-126.7. Considerations for issuance of variances. In reviewing requests for variances, the Commission shall consider all technical evaluations, all other applicable provisions of the Florida Building Code, this section, and the following:

1. The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future individual owners;
4. The importance of the services provided by the proposed development to the community;
5. The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion for the proposed use;
6. The compatibility of the proposed use with existing and anticipated development;
7. The relationship of the proposed use to the Comprehensive Plan, the FIS for the area and this section;
8. The safety of access to the property in times of flooding for ordinary and emergency vehicles;
9. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
10. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges;
11. The necessity to the development of a waterfront location; and
12. Economic hardship and self-created hardship are not relevant factors and shall not be considered as reasons to grant a variance.

Sec.98-126.8. Conditions for issuance of variances. After consideration of the factors listed above and the purposes of this section variances shall be granted by the Commission only upon:

1. Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this section or the required elevation standards;
2. Determination by the Commission that:
 - a. Failure to grant the variance would result in exceptional hardship, based on the considerations set forth for issuance of a variance, due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship; and
 - b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause

fraud on or victimization of the public or conflict with existing laws and ordinances; and

- c. The variance is the minimum necessary, considering the flood hazard, to afford relief; and
 - d. The variance receives the affirmative vote of at least a majority of the Commission.
 - e. No variance shall be granted for development which was constructed without a permit, or beyond the scope of a permit, unless it meets the considerations set forth for the issuance of a variance and receives the affirmative vote of a super-majority of the Commission.
3. No variance, if granted, shall be effective until a copy of the variance with the name of the owner and the legal description of the property is recorded in the Office of the Clerk of the Court so that it appears in the chain of title of the affected parcel of land; and
 4. If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Building Official to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation and stating that construction below the base flood elevation increases risks to life and property. The application shall provide notice to, and each application shall acknowledge that, the granting of a variance will result in increased premium rates for flood insurance (in some cases amounts as high as \$25 for \$100 of insurance coverage or increases of 100% or greater) and construction pursuant to the variance increases risks to life and property.

Sec.98-127. VIOLATIONS.

Sec.98-127.1. Violations. Any development that is not within the scope of the Florida Building Code but that is regulated by this section that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this section, shall be deemed a violation of this section. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this section or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

Sec.98-127.1.2. Declaration of violation.

1. Where a violation of this section has been found to exist by:
 - a. A court of competent jurisdiction;
 - b. The Special Master
 - c. The written admission of a property owner; or
 - d. The City Council.

The violation has not been corrected, the City Council may declare the property to be in violation of this section and forward the declaration to FEMA. The issuance of the declaration may cause the property to be denied flood insurance and no permits will be issued for any improvements to the property except permits for the maintenance of structures existing at the time the declaration is made and permits for the removal of violations of this section.

2. The declaration shall be approved by resolution of the City Council and should meet the requirements of section 1316 of the National Flood Insurance Act of 1968 as implemented by part 73 of 44 CFR and any other applicable law. The declaration shall be recorded in the public records. The owner/occupant shall be required to obtain a new certificate of occupancy stating the existence of a compliant structure from the Building Official to ensure compliance. The declaration may be rescinded by resolution of the City Council, provided that the resolution meets the requirements of section 1316 of the National Flood Insurance Act.
3. Structures existing on the property at the time a declaration is approved by City Council shall not be, in addition, cited for violating the requirements of this section. Violations of the City Code, not including violations of this section, which exist on the date of the declaration, may be cited.
4. Any violation existing on the date of the declaration for which no building permit was issued which does not meet the requirements of the Florida Building Code (except the provisions of this section) shall be removed. Any violation which is required to obtain a building permit to correct shall be removed (except the provisions of this section).
5. The Building Official may require such documents and certificates and perform such inspections as are reasonably necessary prior to issuing a certificate of occupancy.
6. Any work done after the date of the declaration is a violation of this section, may be cited for violating this section, and shall be removed. No variances to this subsection shall be granted.

Sec.98-127.1.3. Authority. For development that is not within the scope of the Florida Building Code but that is regulated by this section and that is determined to be a violation, the Building Official is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

Sec.98-127.1.4. Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Sec.98-128. DEFINITIONS.

Sec.98-128.1. Scope. Unless otherwise expressly stated, the following words and terms shall have the meanings shown in this section.

Sec.98-128.2. Terms defined in the Florida Building Code. Where terms are not defined in this section or the City Code and are defined in the Florida Building Code, such terms shall have the meanings ascribed to them in the Florida Building Code.

Sec.98-128.3. Terms not defined. Where terms are not defined in this section, the City Code, or the Florida Building Code, such terms shall have the ordinarily accepted meanings such as the context implies.

Sec.98-128.4. Definitions.

Alteration of a watercourse means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

ASCE 24 means a standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood means a flood having a 1-percent chance of being equaled or exceeded in any given year. The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."

Base flood elevation means the elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the FIRM.

Basement means the portion of a building having its floor subgrade (below ground level) on all sides.

Building means any structure consisting of walls and a roof, built of permanent construction that is impervious to the elements, and built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

Coastal construction control line means the line established by the State of Florida pursuant to section 161.053, Florida Statutes, and recorded in the official records of the community, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.

Coastal high hazard area means a special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V Zones" and are designated on Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V.

Cost of improvement or repair means an itemized estimate provided by a licensed contractor or professional architect or engineer that incorporates both labor and materials and includes a copy of the construction contract; or, as an alternative, an estimated cost determined by the Building Official using current prices provided by Marshall and Swift, ICC valuation tables or other recognized estimating tools.

Declaration of Land Restriction (Nonconversion Agreement). A form signed by the owner and recorded on the property deed in Official Records of the Clerk of Courts, to agree not to convert or modify in any manner that is inconsistent with the terms of the building permit and these regulations, certain enclosures below elevated buildings.

Design flood means the flood associated with the greater of the following two areas:

1. Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
2. Area designated as a flood hazard area on the City's flood hazard map, or otherwise legally designated.

Design flood elevation means the elevation of the "design flood," including wave height, relative to the datum specified on the City's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to two (2) feet.

Development means any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

Encroachment means the placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Existing building and **existing structure** means any buildings and structures for which the "start of construction" commenced before July 25, 1972.

Federal Emergency Management Agency (FEMA) means the federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Fill means any material (usually soil, dirt, sand or similar nonbiodegradable material) used to elevate the grade of property to a level higher than the grade of the property as it existed prior to the start of construction.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land from:

1. The overflow of inland or tidal waters.

2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood damage-resistant materials means any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair.

Flood hazard area means the greater of the following two areas:

1. The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
2. The area designated as a flood hazard area on the City's flood hazard map, or otherwise legally designated.

Flood Insurance Rate Map (FIRM) means the official map of the City on which FEMA has delineated both special flood hazard areas and the risk premium zones applicable to the City.

Flood Insurance Study (FIS) means the official report provided by FEMA that contains the FIRM, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data.

Floodplain development permit or approval means an official document or certificate issued by the City, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this section.

Floodway or regulatory floodway means the channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

Floodway encroachment analysis means an engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a Florida licensed professional engineer using standard engineering methods and models.

Florida Building Code means the family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

Functionally dependent facility (use) means a facility (use) which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic structure means any structure that is:

- (1) Determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 11 Historic Buildings;
- (2) Listed individually on the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (3) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (4) Individually listed on the state inventory of historic places as long as the state historic preservation program is approved by the Secretary of the Interior; or
- (5) Individually listed as a local landmark pursuant to the City's historic preservation program as long as the City's historic preservation program is certified by the state as a certified local government program, and the state historic preservation program is approved by the Secretary of the Interior.

Letter of Map Change (LOMC) means an official determination issued by FEMA that amends or revises an effective FIRM or FIS. Letters of Map Change include:

Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective FIRM and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with this section. .

Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum National Flood Insurance Program requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective FIRM or FIS; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Light-duty truck. As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

1. Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
2. Designed primarily for transportation of persons and has a capacity of more than 12 persons; or

3. Available with special features enabling off-street or off-highway operation and use.

Lowest floor means the lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, usable solely for vehicle parking, building access or limited storage in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the on-elevation requirements of the Florida Building Code or ASCE 24.

Mangrove stand means an assemblage of trees which are mostly low trees noted for a copious development of interlacing adventitious roots above the ground and which contain one or more of the following species: black mangrove (*Avicennia germinans*); red mangrove (*Rhizophora mangle*); white mangrove (*Languncularia racemosa*); and, buttonwood (*Conocarpus erecta*).

Market value means the price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

Mean sea level means the mean sea level set forth in the National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum of 1988.

National Geodetic Vertical Datum (NGVD) means the vertical control used as a reference for establishing varying elevations within the floodplain.

New construction means for the purposes of administration of this section and the flood resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after July 25, 1972 and includes any subsequent improvements to such structures.

Nonconversion Agreement. A form signed by the owner to agree not to convert or modify in any manner that is inconsistent with the terms of the building permit and these regulations, certain enclosures below elevated buildings.

Project means any work done for which a permit is required during the time period from when the work begins until the permit is closed and shall include all work and permits necessary to make a structure safe to be occupied. A permit may be closed by issuance of a certificate of occupancy or an approved final inspection.

Special flood hazard area means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V.

Standard single exterior door means a movable barrier used to seal or close-off entry to a building which is constructed of wood, metal or glass, not more than thirty-six (36) inches wide and that swings on hinges.

Standard double exterior door means a movable barrier used to seal or close-off entry to a building which is constructed of wood, metal or glass, not more than seventy-six (76) inches wide and that swings on hinges.

Start of construction means the date the building permit was issued, for either new construction or substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement occurred within 180 days of the date of the permit was issued. The actual start of construction means either the first placement of permanent construction of a building on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Substantial damage means damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would be equal to or exceed 50 percent of the market value of the building or structure before the damage occurred.

Substantial improvement means any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

For the purpose of this definition, costs of improvements shall not be cumulative from project to project. Costs of improvements shall include all costs attributed to a project and shall be determined:

4. By submission of a detailed cost estimate by a licensed contractor, provided such estimate includes all work required to complete the work described in the permit application;
5. By submission of a summation of the prevailing market cost for all materials and labor including all expenses normally charged or incurred if the work were performed by a contractor (e.g., construction supervision and management,

- insurance, overhead and profit, demolition, etc.); or
6. By the Building Official if the applicant's submission and supporting data do not, in the opinion of the Building Official, reasonably reflect the actual project cost; alternatively, the Building Official may require submission of another estimate. If determined by the Building Official, the Building Official may use (a) the most recent (at the start of construction) square foot valuation data for this area published by the International Code Council; or (b) the replacement cost less depreciation (at the start of construction) identified in a certified appraisal less than 12 months old.

Variance means a grant of relief from the requirements of this section, or the flood resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this section or the Florida Building Code.

Watercourse means a river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

Sec.98-129. BUILDINGS AND STRUCTURES.

Sec.98-129.1. Design and construction of buildings, structures and facilities exempt from the Florida Building Code. Pursuant to Sec.98-125.4., buildings, structures, and facilities that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of Sec.98-133.

Sec.98-129.2 Buildings and structures seaward of the coastal construction control line. If extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area:

- (1) Buildings and structures shall be designed and constructed to comply with the more restrictive applicable requirements of the Florida Building Code, Building Section 3109 or Section 1612, or Florida Building Code, Residential Section R322, as applicable.
- (2) Minor structures and non-habitable major structures as defined in section 161.54, Florida Statutes, shall be designed and constructed to comply with the intent and applicable provisions of this section and ASCE 24.

Sec.98-130. SUBDIVISIONS.

Sec.98-130.1. Minimum requirements. Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
2. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage;

3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures; and

Sec.98-130.2. Subdivision plats. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

1. Compliance with the site improvement and utilities requirements of Sec.98-131.

Sec.98-131. SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS.

Sec.98-131.1. Minimum requirements. All proposed new development shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
2. In coastal high hazard areas (Zone V), buildings and structures are located a minimum of ten (10) feet landward of the reach of mean high tide;
3. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
4. Adequate drainage is provided to reduce exposure to flood hazards.

Sec.98-131.1.1. Use of structural and nonstructural fill in flood hazard areas (Zone A) In flood hazard areas other than coastal high hazard areas (Zone A), fill on the outside of the footprint of the foundation of residential structures on lots which are not part of a development with a master grading is prohibited, except for fill in the front yard which is necessary in the construction of a driveway to a garage and the front entrance for access to the structure. If a site plan with lot elevations and proposed fill is submitted for plan review prior to issuance of a permit and approved in advance by the Building Official, and if the use of fill does not create any additional stormwater runoff onto abutting properties, minor amounts of fill shall be allowed to:

1. Provide adequate lot grading for drainage;
2. Raise a side yard up to the elevation of an abutting property; and
3. The use of fill shall not create any additional stormwater runoff onto abutting property.
4. Proper swales along all abutting properties;
5. If proper swales are not sufficient or not desired, then a concrete wall at least 8 inches high shall be provided; and
6. All roofs adjacent to abutting properties shall have gutters with all roof surface water directed away from abutting properties.

Sec.98-131.1.2. Use of nonstructural fill in coastal high hazard areas (Zone V). In coastal

high hazard areas (Zone V), limited noncompacted fill may be used around the perimeter of a building for landscaping/aesthetic purposes provided the fill will wash out from storm surge (thereby rendering the building free of obstructions) prior to generating excessive loading forces, ramping effects or wave deflection. The Building Official shall approve design plans for landscaping/aesthetic fill only after the applicant has provided an analysis by an engineer, architect and/or soil scientist, along with the any supporting data required by the Building Official, which demonstrates that the following factors have been fully considered:

1. Particle composition of fill material does not have a tendency for excessive material compaction.
2. Volume and distribution of fill will not cause wave deflection to adjacent properties;
3. Slope of fill will not cause wave run up or ramping; and
4. The use of fill shall not create any additional stormwater runoff onto abutting property.

Sec.98-131.2. Sanitary sewage facilities. All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

Sec.98-131.3. Water supply facilities. All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

Sec.98-131.4. Limitations on sites in regulatory floodways. No development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in Sec. 98-124.3(1) demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

Sec.98-131.5 Limitations on placement of fill. Subject to the limitations of this section , fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the Florida Building Code, state and federal laws.

Sec.98-131.6. Limitations on sites in coastal high hazard areas (Zone V). In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by Sec. 98-124 demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with Sec. 98-133 (3).

Sec.98-132. TANKS.

Sec.98-132.1. Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

Sec.98-132.2. Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of Sec. 98-132.3. shall:

- (1) Be permitted in flood hazard areas (Zone A) other than coastal high hazard areas, provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.
- (2) Not be permitted in coastal high hazard areas (Zone V).

Sec.98-132.3. Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

Sec.98-132.4. Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:

1. At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
2. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

Sec.98-133. OTHER DEVELOPMENT.

Sec.98.133.1. General requirements for other development. All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in Section 16.40.050. or the Florida Building Code, shall:

1. Be located and constructed to minimize flood damage;
2. Meet the requirements of Sec. 98-141.4 if located in a regulated floodway;
3. Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
4. Be constructed of flood damage-resistant materials; and
5. Have mechanical, plumbing, and electrical systems above the design flood elevation,

except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of Florida Building Code for wet locations.

Sec.98.133.2. Fences in regulated floodways. Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Sec. 98-131.4.

Sec.98.133.3. Retaining walls, sidewalks and driveways in regulated floodways. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the requirements of Sec. 98-131.4.

Sec.98.133.4. Roads and watercourse crossings in regulated floodways. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Sec. 98-131.4. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of Sec. 98-143.3.

Sec.98.133.5. Concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses in coastal high hazard areas (Zone V). In coastal high hazard areas, concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses are permitted beneath or adjacent to buildings and structures provided the concrete slabs are designed and constructed to be:

- (1) Structurally independent of the foundation system of the building or structure;
- (2) Frangible and not reinforced, so as to minimize debris during flooding that is capable of causing significant damage to any structure; and
- (3) Have a maximum slab thickness of not more than four (4) inches.

Sec.98.133.6. Decks and patios in coastal high hazard areas (Zone V). In addition to the requirements of the Florida Building Code, in coastal high hazard areas decks and patios shall be located, designed, and constructed in compliance with the following:

- (1) A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural member at or above the design flood elevation and any supporting members that extend below the design flood elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck.
- (2) A deck or patio that is located below the design flood elevation shall be structurally independent from buildings or structures and their foundation systems, and shall be designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable of causing structural damage to the building or structure or to adjacent buildings and structures.

- (3) A deck or patio that has a vertical thickness of more than twelve (12) inches or that is constructed with more than the minimum amount of fill necessary for site drainage shall not be approved unless an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to the building or structure or to adjacent buildings and structures.
- (4) A deck or patio that has a vertical thickness of twelve (12) inches or less and that is at natural grade or on nonstructural fill material that is similar to and compatible with local soils and is the minimum amount necessary for site drainage may be approved without requiring analysis of the impact on diversion of floodwaters or wave runup and wave reflection.

Sec.98.133.7. Other development in coastal high hazard areas (Zone V). In coastal high hazard areas, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate federal, state or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include but are not limited to:

- (1) Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;
- (2) Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters; and
- (3) On-site sewage treatment and disposal systems defined in 64E-6.002, F.A.C., as filled systems or mound systems.

Sec.98.133.8. Nonstructural fill in coastal high hazard areas (Zone V). In coastal high hazard areas:

- (1) Minor grading and the placement of minor quantities of nonstructural fill shall be permitted for landscaping and for drainage purposes under and around buildings.
- (2) Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures.
- (3) Where authorized by the Florida Department of Environmental Protection or applicable local approval, sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave runup and wave reflection if the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.

Sec. 98-137. - Variance procedures.

- (a)
The appropriate board of authority shall hear and decide appeals and requests for variances from the requirements of this article.
- (b)
The appropriate board of authority shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the city manager in the enforcement or administration of this article.
- (c)
Any person aggrieved by the decision of the appropriate board of authority or any taxpayer may appeal such decision to the circuit court.
- (d)
Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (e)
Variances may be issued for the new construction and substantial improvements of a functionally dependent facility provided that the structure is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- (f)
In passing upon such applications, the appropriate board of authority shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this article, the effect on flood insurance premiums and:
 - (1)
The danger that materials may be swept onto other lands to the injury of others;
 - (2)
The danger to life and property due to flooding or erosion damage;
 - (3)
The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (4)
The importance of the services provided by the proposed facility to the community;
 - (5)
The necessity of the facility to a waterfront location, for a functionally dependent facility;
 - (6)
The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (7)
The compatibility of the proposed use with existing and anticipated development;
 - (8)

The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

(9)

The safety of access to the property in times of flood for ordinary and emergency vehicles;

(10)

The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and

(11)

The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

(g)

Upon consideration of the factors listed in subsection (e) of this section and the purposes of this article, the appropriate board of authority may attach such conditions to the granting of variances as it deems necessary to further the purposes of this article.

(h)

Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(i)

Conditions for variances shall be as follows:

(1)

Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief and, for a historical building, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.

(2)

Variances shall only be issued upon:

a.

A showing of good and sufficient cause;

b.

A determination that failure to grant the variance would result in exceptional hardship; and

c.

A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with local laws or ordinances.

(3)

A community shall notify the applicant in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high

as \$25.00 for \$100.00 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

(4)

The city manager shall maintain the records of all appeal actions, including justification for issuance, and report any variances to the Federal Emergency Management Agency upon request.

SECTION 2. The *Florida Building Code, Residential* is hereby amended by the following technical amendments.

Modify Sec. R322.2.1 as follows:

R322.2.1 Elevation requirements.

1. Buildings and structures in flood hazard areas not designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus 2 foot or the design flood elevation, whichever is higher.

Remainder unchanged

Modify Sec. R322.2.2 as follows:

R322.2.2 Enclosed areas below design flood elevation. Enclosed areas, including crawl spaces, that are below the design flood elevation shall:

1. Be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators. The limitation on partitions does not apply to crawlspace foundations. Storage shall be limited to items which otherwise would be stored outside a building or items normally used outside (e.g., grill, lawn mower, folding chairs, etc.). Access to enclosed areas shall be the minimum necessary to allow for permitted uses and limited to garage doors and standard single exterior doors and one double slab entry door. No sliders are permitted..

Remainder unchanged

Modify Sec. R322.3.2 as follows:

R322.3.2 Elevation requirements.

1. All buildings and structures erected within coastal high-hazard (V-Zones) areas shall be elevated so that the lowest portion of all structural members supporting

the lowest floor, with the exception of mat or raft foundations, piling, pile caps, columns, grade beams and bracing, is:

- 1.1 Located at or above the base flood elevation plus 2 foot or the design flood elevation, whichever is higher, if the lowest horizontal structural member is oriented parallel to the direction of wave approach, where parallel shall mean less than or equal to 20 degrees (0.35 rad) from the direction of approach, or
 - 1.2 Located at the base flood elevation plus 2 feet, or the design flood elevation, whichever is higher, if the lowest horizontal structural member is oriented perpendicular to the direction of wave approach, where perpendicular shall mean greater than 20 degrees (0.35 rad) from the direction of approach.
2. Basement floors that are below grade on all sides are prohibited.
 3. The use of fill for structural support is prohibited.
 4. Minor grading, and the placement of minor quantities of fill, shall be permitted for landscaping and for drainage purposes under and around buildings and for support of parking slabs, pool decks, patios and walkways.

Exception: Walls and partitions enclosing areas below the design flood elevation shall meet the requirements of Sections R322.3.4 and R322.3.5.

Modify Sec. R322.3.4 as follows:

R322.3.4 Walls below design flood elevation. ~~Walls and partitions~~ are permitted below the elevated floor, provided that such walls ~~and partitions~~ are not part of the structural support of the building or structure and:

1. Electrical, mechanical, and plumbing system components are not to be mounted on or penetrate through walls that are designed to break away under flood loads; and
2. Are constructed with insect screening or open lattice; or
3. Are designed to break away or collapse without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Such walls, framing and connections shall have a design safe loading resistance of not less than 10 (470 Pa) and no more than 20 pounds per square foot (958 Pa); or
4. Where wind loading values of this code exceed 20 pounds per square foot (958 Pa), the construction documents shall include documentation prepared and sealed by a registered design professional that:
 - 4.1. The walls ~~and partitions~~ below the design flood elevation have been designed to collapse from a water load less than that which would occur during the design flood.
 - 4.2. The elevated portion of the building and supporting foundation system have been designed to withstand the effects of wind and flood loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the design flood. Wind loading values used shall be those required by this code.

2. **R322.3.5 Enclosed areas below the design flood elevation.** Enclosed areas below the design flood elevation shall be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators. The limitation on partitions does not apply to crawlspace foundations. Storage shall be limited to items which otherwise would be stored outside a building or items normally used outside (e.g., grill, lawn mower, folding chairs, etc.). Access to enclosed areas shall be the minimum necessary to allow for permitted uses and limited to garage door and standard single exterior doors and one double entry door, No sliders are permitted..

SECTION 3. The provisions of this ordinance shall be deemed to be severable. If any portion of this ordinance is deemed unconstitutional it shall not affect the constitutionality of any other portion of this ordinance.

SECTION 4. SEVERABILITY. In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining provisions or sections of this Ordinance which shall remain in full force and effect.

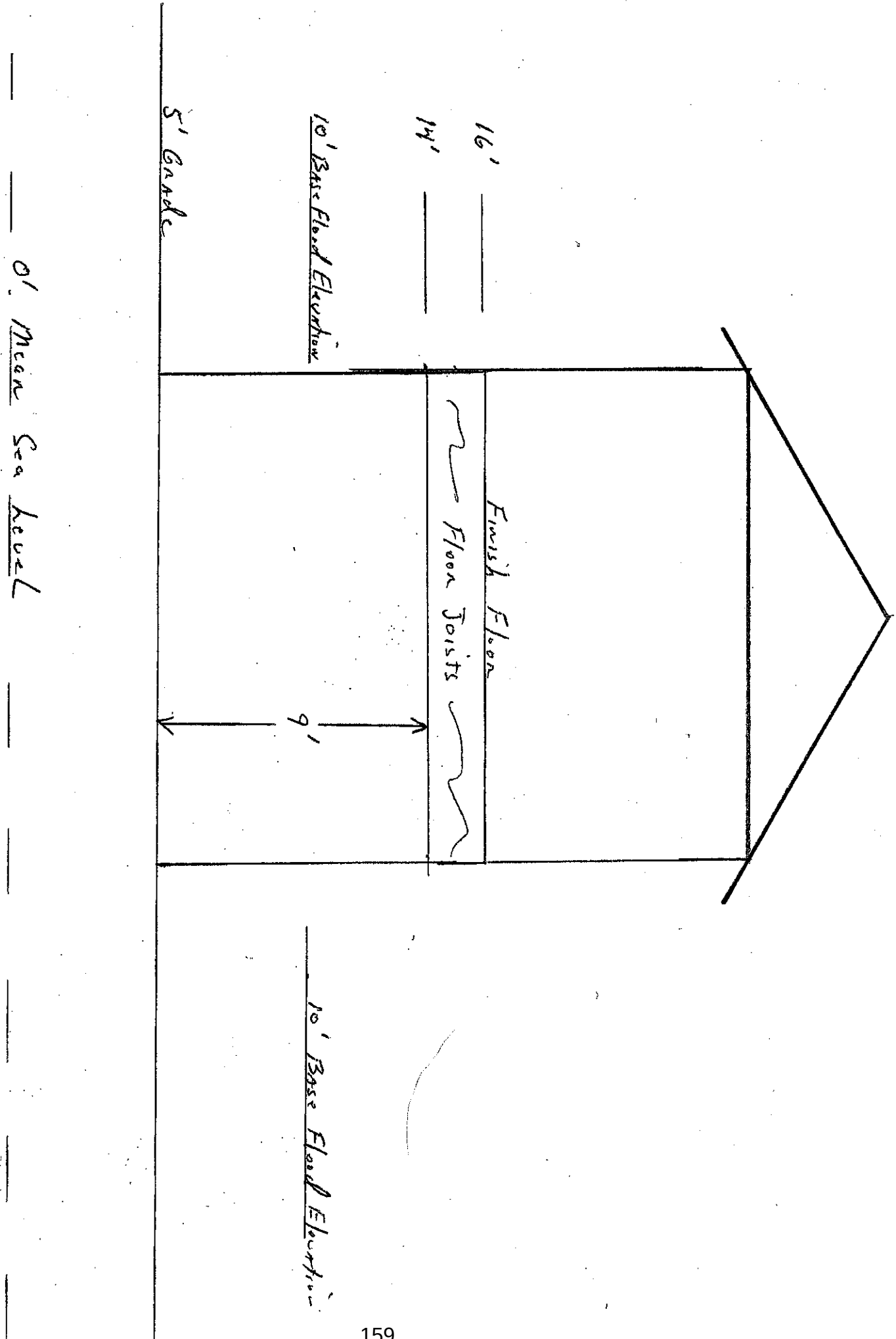
SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its adoption by the City Commission of the City of St. Pete Beach, Florida.

PASSED AND DULY ADOPTED, with a quorum present and voting, this ____ day of ____ 2015.

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

CITY OF ST. PETE BEACH,
FLORIDA, BY AND THROUGH
THE CITY COMMISSION OF THE
CITY OF ST. PETE BEACH

By: _____
Marie Lowe, Mayor



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

Issue Considered: Ordinance 2015-26 Amendment to the City of St. Pete Beach Code of Ordinances Article V.

Date: September 9, 2015

Prepared By: Bruce Cooper – Building Official

Through: Jennifer Bryla– Community Development Director

Summary of Issue The Ordinance follows the County’s recommendations for a “Model Ordinance” as it pertains to flood protection and is just one component in our list of items that comprise our CRS rating.

The Memo Report associated with the Ordinance outlines the specifics and CRS points associated with the additional items.

Requested Motion: “I move to approve Ordinance 2015-26 and move to the September 22nd agenda for adoption.”

Attachment: Memo, Ordinance 2015-26

**Reviewed by the
City Manager**

WS

	St. Pete Beach City Commission 155 Corey Avenue St. Pete Beach, FL 33706 727-367-2735
09/09/15	
Item Number Ordinance #2015-0026 Type of Application Amendment to Chapter 98 Article V of the Code of Ordinances Applicant City of St. Pete Beach Location City wide Project Planner Jennifer Bryla, AICP Requested Action Approval of “Model Ordinance” Staff Recommendation Approval Planning Board Heard Ord 2015-15 on July 21, 2015. Recommended approval (3-0)	ITEM SUMMARY: This City initiated amendment to Article V of Chapter 98 of the City’s Code of Ordinances, contains language that represents the “Model Ordinance” that was approved by the State’s Department of Emergency Management. In addition, Ordinance 2015-0026 contains modifications from the model ordinance that respond to the City’s specific needs. The newly adopted Florida Building code provides the ability for communities to amend the Building Code to be consistent with the City’s goals for flood protection beyond the Model Ordinance. The City participates with the Community Rating System (CRS) which is based on the amount of strategies the City can implement regarding flood management. The properties within the City then can receive discounts for any flood insurance policy. Every point below the rating of “10” gives a 5% discount on the policy. The city is currently at a rating of 7, with the changes proposed in Ordinance 2015-0026 the rating is anticipated to lower to a 6. The model Ordinance requires increased height above the base flood elevation. This increased height is commonly referred as “Free Board”. One successful element that has been implemented in adjoining jurisdictions has been incorporating free board. The following are additional items that have been added or modified from our current flood ordinance. Specifically the Ordinance is requiring 2 foot of “freeboard” for new residential development. Homes within the Pass-a- 

Findings In its review of the proposed application, staff has determined: 1. The proposed application is consistent with Florida Statutes. 2. The proposed application is consistent with the Pinellas County Regional Policy Plan. 3. The proposed application is consistent with the St. Pete Beach Comprehensive Plan. 4. The proposed application is consistent with the intent of the LDC.	grille overlay (PAG) would be excluded from this requirement as well as lands within commercial zoning districts. Another measure that the Ordinance is implementing is the requirement that prohibits “fill” being brought in, except for stem wall construction. PAG is exempt from this requirement as well as all commercial zoning districts. The City will also require a non-conversion statement for new construction below the base flood elevation as well as limit the number of main entry doors below base to one double door and no sliding doors.. The current ordinance doesn’t prohibit temperature-control (air conditioning) below the base flood elevation. After checking with CRS, there are no points given for this prohibition. There is, however, a requirement (Section R322.2.2 2) to have air conditioning ductwork above the base flood elevation. PUBLIC NOTICE: Notice of public hearing has been advertised as required by State Statutes. As of the date of this report, no written comments have been received. Oral and written comments may be presented at the public hearing. COMPREHENSIVE PLAN/LAND DEVELOPMENT CODE: The proposed amendment is consistent with the City of St. Pete Beach’s Comprehensive Plan. Specifically Objective 1.2 of the Coastal and Conservation Element which states that regulations within the 100 year flood plain will be strictly enforced. BACKGROUND: Ordinance 2015-15, the original “Flood” ordinance was tabled on August 25, 2015 in order for staff to review other regulatory options that the City could adopt within our Flood Management Ordinance that may provide additional points to our overall Community Rating System (CRS). In addition, there were some concerns, with the proposed 2 foot of Freeboard for certain areas of the City. Staff had the opportunity to review other jurisdictions and develop solutions that should give us sufficient points to give the City the Class 6 rating that the City Commission had asked staff to pursue. There are additional restrictions being proposed, therefore a new ordinance is required. This Flood Ordinance is being submitted in order to once again comply with the model ordinance; provide amendments to the Florida Building Code that coincides with the model Flood Ordinance PLANNING BOARD: The Planning Board heard Ordinance 2015-15 on July 21, 2015 and provided a recommendation of approval to the City Commission (3-0). As noted above, the Planning Board recommended that entry doors below the base flood could be a double door.
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JUSTIFICATION / TECHNICAL REVIEW:

Technical justification is documented in the building official memo included in the packet.

Consistency with County wide Plan for Pinellas County

The Amendment is consistent with the County wide Plan for Pinellas County, specifically Goal 14.0 which requires local governments continue to mitigate freshwater flooding risks.

STAFF RECOMMENDATION:

Upon review of the above guiding documents for the City of St. Pete Beach, staff recommends approval of Ordinance 2015-26.

Q:Community development/boards and committees/city commission/staff reports/Ord 2015-26

Memo

To: City Commission
From: Bruce Cooper
CC: Jennifer Bryla
Date: 9/9/2015
Re: Flood Management Ordinance, #2015-26

Ordinance 2015-15 was tabled on August 25, 2015 in order for staff to review other regulatory options that the City could adopt within our Flood Management Ordinance that should provide additional points to our overall Community Rating System (CRS). In addition, there were some concerns, with the proposed 2 foot of Freeboard for certain areas of the City. Staff has come up with some solutions and additional requirements that should give us sufficient points to give the City the Class 6 rating that the City Commission had asked staff to pursue. Since there are additional restrictions being proposed, we needed to start over with a new ordinance.

The following were 2 concerns in relation to the 2 foot of Freeboard;

1. In adopting the 2 foot of Freeboard, in most cases, this would require all construction to elevate the first living level over the garage. In order to encourage and in keeping with the overall character of the Pass-A-Grille Overlay District (PAG), staff worked with our Insurance Services Office (ISO) representative and decided that we could exclude the PAG area.
2. Regarding new commercial construction, smaller developments would raise the grade to gain some elevation to meet the Base Flood Elevation but then "Floodproof" the remaining portion of the building. Currently, the Florida Building Code would automatically require 1 foot of Freeboard. In talking with a local developer, it was brought to my attention that the additional 1 foot of Freeboard would dramatically increase the construction costs to meet engineering requirements. Again, working with ISO, it was determined that we could exclude our commercial areas from the 2 foot of Freeboard.

Regarding the 2 foot of Freeboard, Section R322.2.1 and Section R322.3.2 (page 30) has an exception for the PAG Overlay and the 10 commercial zoning districts. In addition, I added a provision to both sections to allow all existing homes to be considered compliant if they don't meet the new requirement of Freeboard.

Section 98-131.1.1 (page 25) is modified to prohibit fill except for stem wall construction. Minor fill is permitted for landscaping, driveways, sidewalks and other site improvements. Currently, all V-Zone areas have this same provision except you are not permitted to have stem wall construction. This requirement also excludes the PAG Overlay District and commercial districts.

ORDINANCE NO. 2015-26

AN ORDINANCE OF THE CITY OF ST. PETE BEACH FLORIDA AMENDING THE CITY CODE TO REPEAL THE CURRENT ARTICLE V, OF CHAPTER 98, FLOOD HAZARD MITIGATION REGULATIONS TO ADOPT A NEW ARTICLE V, TO RE-ADOPT FLOOD HAZARD MAPS, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO ADOPT LOCAL ADMINISTRATIVE AMENDMENTS AND TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; TO FORMAT EXISTING PROVISIONS TO BE CONSISTENT WITH THE FLORIDA BUILDING CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the City of St. Pete Beach, Florida and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the City of St. Pete Beach, Florida was accepted for participation in the National Flood Insurance Program on May 22, 1970 and the City Commission desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, called the Florida Building Code; and

WHEREAS, section 553.73(5), Florida Statutes, allows adoption of local administrative amendments to the Florida Building Code to implement the National Flood Insurance Program; and

WHEREAS, the City of St. Pete Beach is adopting a requirement to increase the minimum elevation requirement of the Florida Building Code, Residential for dwellings in flood hazard areas and, pursuant to section 553.73(5), Florida Statutes; and

WHEREAS, the City Commission has determined that it is in the public interest to adopt the proposed floodplain management regulations that are coordinated with the Florida Building

Code.

THE CITY OF ST. PETE BEACH, FLORIDA, DOES ORDAIN:

SECTION 1.

The St. Pete Beach City Code is hereby amended by repealing and removing Article V and adopting a new Article V. to read as follows:

ARTICLE V

Sec 98-120.1 GENERALLY.

Sec. 98-120.1 Title. These regulations shall be known as the Floodplain Management Ordinance of the City of St. Petersburg, Florida, hereinafter referred to as “this section.”

Sec. 98-120.2 Scopes. The provisions of this section shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the Florida Building Code; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

Sec. 98-120.3 Intent and Purpose.

The purpose of this section and the flood load and flood resistant construction requirements of the Florida Building Code are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

1. Minimize unnecessary or prolonged disruption of commerce, access and public service during times of flooding;
2. Require the use of appropriate practices, at the time of initial construction, in order to prevent or minimize future flood damage;
3. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
4. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
5. Minimize damage to public and private facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
6. Help maintain a stable tax base by providing for the sound use and development of flood

hazard areas in such a manner as to minimize future flood blight areas;

7. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events;
8. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22;
9. Protect human life and health;
10. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
11. Ensure that property owners are notified yearly the property is in a flood prone area;
12. Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights or velocities; and
13. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

Sec. 98-120.4 Findings of fact.

1. The flood hazard areas of the City are subject to periodic inundation which results in loss of life; loss of property; health and safety hazards; disruption of commerce and governmental services; extraordinary public expenditure for flood protection and relief; and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
2. These flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods or hazardous to other lands, which are inadequately elevated, flood proofed or otherwise protected from flood damage.

Sec. 98-120.5. Coordination with the Florida Building Code. This section is intended to be administered and enforced in conjunction with the Florida Building Code. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the Florida Building Code.

Sec. 98-120.6. Warning. The degree of flood protection required by this section and the Florida Building Code is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This section does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps (FIRM) and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency (FEMA), requiring the City to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use,

or future use is implied or expressed by compliance with this section.

Sec. 98-120.7 Disclaimer of Liability. This section shall not create liability on the part of the City, its officers, agents, elected or appointed officials or employees thereof for any flood damage that results from reliance on this section or any administrative decision lawfully made thereunder.

Sec. 98-121 APPLICABILITY.

Sec. 98-121.1 Conflict. Where there is a conflict between a general requirement and a specific requirement in this section, the specific requirement shall be applicable. Where the requirements of this section and another law, code or regulation conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Sec. 98-121.2. Areas to which this section applies. This section shall apply to all flood hazard areas within the City as established in Sec. 98-121.3

Sec. 98-121.3. Basis for establishing flood hazard areas. The Flood Insurance Study for Pinellas County, Florida and Incorporated Areas dated August 18, 2009, and all subsequent amendments and revisions, and the accompanying FIRMs, and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this section and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Community Development Department, Building Division, 155 Corey Ave, St Pete Beach, Florida 33706

Sec. 98-121.4. Submission of additional data to establish flood hazard areas. To establish flood hazard areas and base flood elevations, pursuant to Sec.98-124 the Building Official may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the City indicates that ground elevations:

1. Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this section and, as applicable, the requirements of the Florida Building Code.
2. Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the owner or owner's authorized agent (hereinafter "applicant") obtains a Letter of Map Change that removes the area from the special flood hazard area.

Sec. 98-121.5. Other laws. The provisions of this section shall not be deemed to nullify any provisions of state or federal law.

Sec. 98-121.6. Abrogation. This section supersedes any ordinance or City Code in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances or City Codes including but not limited to land development regulations, zoning ordinances, storm water management regulations, or the Florida Building

Code. This section shall not repeal, abrogate, or impair any existing deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this section.

Sec. 98-121 7. Interpretation. In the interpretation and application of this section, all requirements shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the City; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

Sec. 98-122. ADMINISTRATION.

Sec.98-122.1. Designation. The Building Official is designated as the Floodplain Administrator for the purposes of this section. The Building Official may delegate the performance of certain duties to other employees.

Sec.98-122.2. General. The Building Official is authorized and directed to administer and enforce the provisions of this section. The Building Official shall have the authority to render interpretations of this section consistent with the intent and purpose of this section and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this section without the granting of a variance pursuant to this section.

Sec.98-122.3. Applications and permits. The duties of the Building Official shall include, but not be limited to:

1. Review all applications and plans to determine whether proposed new development will be located in flood hazard areas;
2. Review all applications for modification of any existing development in flood hazard areas for compliance with the requirements of this section;
3. Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries and a person contesting the determination shall have the opportunity to appeal the interpretation;
4. When interpretation is needed as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the Building Official shall make the necessary interpretation;
5. Provide available flood elevation and flood hazard information;
6. Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
7. Review all applications to determine whether proposed development will be reasonably safe from flooding;
8. Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the Florida Building Code, including buildings,

structures and facilities exempt from the Florida Building Code, when compliance with this section is demonstrated, or disapprove the same in the event of noncompliance;

9. Coordinate with and provide comments to the Building Department employees to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this section;
10. Review all applications for permits to ensure that the permit requirements of this section have been satisfied;
11. Advise applicant that additional federal and state permits may be required and ensure that all required state and federal permits have been received. The Building Official shall require that copies of such permits be provided and maintained on file with the City permit.

Sec.98-122.4. Substantial improvement and substantial damage determinations. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Building Official shall:

1. Require the applicant to obtain an appraisal of the current market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
3. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
4. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the Florida Building Code and this section is required.

For the purpose of making this determination, the cost to perform the improvements and the cost to perform the repairs shall not be cumulative from project to project. Costs of improvements and costs of repairs shall include all costs attributed to a project and shall be determined:

1. By submission of a detailed cost estimate by a licensed contractor, provided such estimate includes all work required to complete the work described in the permit application;
2. By submission of a summation of the prevailing market cost for all materials and labor including all expenses normally charged or incurred if the work were performed by a contractor (e.g., construction supervision and management, insurance, overhead and profit, demolition, etc.); or
3. By the Building Official if the applicant's submission and supporting data do not, in the opinion of the Building Official, reasonably reflect the actual project cost;

alternatively, the Building Official may require submission of another estimate. If determined by the Building Official, the Building Official may use (a) the most recent (at the start of construction) square foot valuation data for this area published by the International Code Council; or (b) the replacement cost less the depreciation costs (at the start of construction) identified in a certified appraisal less than 12 months old.

Sec.98-122.5. Modifications of the strict application of the requirements of the Florida Building Code. The Building Official shall review requests that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to this section.

Sec.98-122.6. Notices and orders. The Building Official shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this section.

Sec.98-122.7. Inspections. The Building Official shall make the required inspections as specified in this section for development that is not subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. The Building Official shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

Sec.98-122.8. Other duties of the Building Official. The Building Official shall have other duties, including but not limited to:

1. Establish procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Sec. 98-122.4
2. Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to FEMA and ensure that the entity responsible for maintenance within the altered or relocated portion of said watercourse is identified so that the flood-carrying capacity is not diminished;
3. Inform an applicant that if the watercourse being altered or relocated is noted as a water/drainage feature on the City's Future Land Use Map, any change to the watercourse would require a Comprehensive Plan amendment to change the map, subject to agency and local government review including the Departments of Economic Opportunity, Environmental Protection, State, Transportation, Tampa Bay Regional Planning Council and Pinellas County;
4. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the FIRMs if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations. Such submissions shall be made within six (6) months of such data becoming available;

5. Review required design certifications and documentation of elevations specified by this section and the Florida Building Code to determine that such certifications and documentations are complete; and
6. Notify FEMA when the corporate boundaries of the City are modified.

Sec.98-122.9. Floodplain management records. Regardless of any limitation on the period required for retention of public records, the Building Official shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this section and the flood resistant construction requirements of the Florida Building Code, including FIRMs; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the Florida Building Code and this section; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, in addition to documentation kept by the Zoning Official, including justification for issuance or denial; and records of enforcement actions taken pursuant to this section and the flood resistant construction requirements of the Florida Building Code. These records shall be available for public inspection at the Community Development Department, Building Division, 155 Corey Ave, St Pete Beach, Florida 33706.

Sec. 98-123 PERMITS.

Sec.98-123.1. Permits required. Any applicant who intends to undertake any development activity within the scope of this section, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Building Official and shall obtain the required permit(s) and approval(s). Permits shall include a condition that all other applicable City, state or federal permits be obtained before commencement of the permitted development. Issuance of a permit by the City does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Sec.98-123.2. Floodplain development permits or approvals. Floodplain development permits or approvals shall be issued pursuant to this section for any development activities not subject to the requirements of the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. Depending on the nature and extent of proposed development that includes a building or structure, the Building Official may determine that a floodplain development permit or approval is required in addition to a building permit.

Sec.98-123.3. Buildings, structures and facilities exempt from the Florida Building Code. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the

Florida Building Code and any further exemptions provided by law, which are subject to the requirements of this section:

1. Railroads and ancillary facilities associated with the railroad.
2. Nonresidential farm buildings on farms, as provided in section 604.50, Florida Statutes.
3. Temporary buildings or sheds used exclusively for construction purposes.
4. Mobile or modular structures used as temporary offices.
5. Those structures or facilities of electric utilities, as defined in section 366.02, Florida Statutes, which are directly involved in the generation, transmission, or distribution of electricity.
6. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term “chickee” means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
7. Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
8. Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
9. Structures identified in section 553.73(10)(k), Florida Statutes, are not exempt from the Florida Building Code if such structures are located in flood hazard areas established on Flood Insurance Rate Maps.

Sec.98-123.4. Permit Procedures. To obtain a permit or approval the applicant shall first file an application with the Building Official in writing on a form furnished by the City with any required fee prior to the start of development. The information provided shall include, but shall not be limited to, the following:

1. Identify and describe the development to be covered by the permit or approval;
2. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site;
3. Indicate the use and occupancy for which the proposed development is intended;
4. Be accompanied by a site plan or construction documents as specified in this section;
5. The plans or construction documents must be in duplicate and drawn to scale showing the nature, location, dimensions and elevations of the area in question, existing or proposed structure, fill, storage of materials, drainage facilities and their location;
6. State the valuation of the proposed work;
7. Evidence that the proposed development will fully comply with all the provisions of this section;
8. Base flood elevation data for subdivision proposals and other proposed development

which is greater than 50 lots or five acres, whichever is less;

9. Be signed by the applicant or the applicant's authorized agent;
10. Give such other data and information as required by the Building Official.

Sec.98-123.5. Validity of permit or approval. The issuance of a permit pursuant to this section shall not be construed to be a permit for, or approval of, any violation of this section, the Florida Building Code, or any other ordinance or City Code. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Building Official from requiring the correction of errors and omissions.

Sec.98-123.6. Issuance of permit. The Building Official shall issue a permit if the application fully complies with the provisions of this section, and shall deny the application and refuse to issue a permit if the application does not fully comply with the provisions of this section.

Sec.98-123.7. Expiration. A permit shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

Sec.98-123.8. Suspension or revocation. The Building Official is authorized to suspend or revoke a permit if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this section or any other City, state or federal ordinance, regulation or requirement.

Sec.98-123.9. Other permits required. Permits shall include a condition that all other applicable City, state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

1. The Southwest Florida Water Management District; section 373.036, Florida Statutes
2. Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, Florida Statutes and Chapter 64E-6, F.A.C.
3. Florida Department of Environmental Protection for construction, reconstruction, changes, or physical activities for shore protection or other activities seaward of the coastal construction control line; section 161.141, Florida Statutes
4. Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; section 161.055, Florida Statutes.
5. Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.
6. Federal permits and approvals.

Sec.98-123.10. Certificate of Occupancy. Prior to a Certificate of Occupancy being issued, the following must be submitted and approved by the Building Official:

1. Elevation Certificate.
2. Declaration of Land Restriction (Nonconversion Agreement)
3. Flood proof Certificate, if applicable.
4. V-Zone Certificate, if applicable
5. As-Built survey by a registered Land Surveyor.

Sec. 98-124. SITE PLANS AND CONSTRUCTION DOCUMENTS.

Sec.98-124.1. Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of this section shall be drawn to scale and shall include, as applicable to the proposed development:

1. Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.
2. Where base flood elevations, or floodway data are not included on the FIRM or in the FIS, they shall be established in accordance with Sec. 98-124.2 (2) or (3).
3. Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the FIS, such elevations shall be established in accordance with 16.40.050.5.2 (1).
4. Location of the proposed activity and proposed structures, and locations of existing buildings and structures.
5. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
6. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
7. Existing and proposed alignment of any proposed alteration of a watercourse.

The Building Official is authorized to waive the submission of site plans, construction documents, and other data that are required by this section but that are not required to be prepared by a licensed professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this section.

Sec.98-124.2. Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Building Official shall:

1. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.

2. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.
3. Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
 - a. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or
 - b. Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.
4. Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

Sec.98-124.3. Additional analyses and certifications. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed professional engineer for submission with the site plan and construction documents:

1. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Sec 98-124.4 and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
2. For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the FIS or on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
3. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Sec 98-124.4.

Sec.98-124.4. Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed professional engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

Sec. 98-125. INSPECTIONS.

Sec.98-125.1. General. Development for which a permit is required shall be subject to inspection.

Sec.98-125.2. Development other than buildings and structures. The Building Official shall inspect all development to determine compliance with the requirements of this section and the conditions of issued permits.

Sec.98-125.3. Buildings, structures and facilities exempt from the Florida Building Code. The Building Official shall inspect buildings, structures and facilities exempt from the Florida Building Code to determine compliance with the requirements of this section and the conditions of issued permits.

Sec.98-125.4. Buildings, structures and facilities exempt from the Florida Building Code, lowest floor inspection. Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the Florida Building Code, or the owner's authorized agent, shall submit to the Building Official:

1. If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or
2. If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Sec. 98-124.2 (3)(b), the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.

Sec.98-125.5. Buildings, structures and facilities exempt from the Florida Building Code, final inspection. As part of the final inspection, the owner or owner's authorized agent shall submit to the Building Official a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Sec. 98-125.4.

Sec.98-126. APPEALS AND VARIANCES.

Sec.98-126.1. General. The Historic Preservation Board (hereinafter referred to as the "Board")

shall hear and decide on requests for variances from the strict application of this section for historic structures as designated by Division 28, Land Development Code. The City Commission shall hear and decide on request for variances on the strict application of this section on functional dependent use. . Pursuant to section 553.73(5), Florida Statutes, the Board shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the Florida Building Code. Pursuant to section 553.73(5), Florida Statutes, the Board shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the Florida Building Code.

Sec.98-126.2. Appeals. Any person aggrieved by the decision of the Board or City Commission may appeal such decision to the Circuit Court, as provided by Florida Statutes. The Building Official shall maintain the records of all appeals, both granted and denied and report any variances to FEMA as requested.

Sec.98-126.3. Limitations on authority to grant variances. Both the City Commission and/or Board may authorize variances from the provisions of this section after receipt of an application which provides all relevant information required by the Building Official. Both the City Commission and/or Board shall base its decisions on variances on technical justifications, the considerations for issuance in Sec.98-126.7, and the conditions of issuance, all of which are contained in Sec.98-126.8., and the comments and recommendations of the Building Official, including those based upon the Florida Building Code. Both the City Commission and Board have the right to attach such conditions as it deems necessary to further the purposes and objectives of this section.

Sec.98-126.4. Restrictions in floodways. A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in Section 98-124.3.

Sec.98-126.5. Historic buildings. A variance is authorized to be issued for the repair, improvement, reconstruction, restoration or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Buildings, upon a determination that the proposed repair, improvement, reconstruction, restoration or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, reconstruction, restoration and rehabilitation shall be subject to the requirements of the Florida Building Code. Historic properties may be required to obtain a certificate of appropriateness pursuant to the City Code.

Sec.98-126.6. Functionally dependent uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this section, provided the variance meets the requirements of Sec. 98-126.7 and Sec. 98-126.8., is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of

the base flood.

Sec.98-126.7. Considerations for issuance of variances. In reviewing requests for variances, the Board or City Commission shall consider all technical evaluations, all other applicable provisions of the Florida Building Code, this section, and the following:

1. The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future individual owners;
4. The importance of the services provided by the proposed development to the community;
5. The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion for the proposed use;
6. The compatibility of the proposed use with existing and anticipated development;
7. The relationship of the proposed use to the Comprehensive Plan, the FIS for the area and this section;
8. The safety of access to the property in times of flooding for ordinary and emergency vehicles;
9. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
10. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges;
11. The necessity to the development of a waterfront location; and
12. Economic hardship and self-created hardship are not relevant factors and shall not be considered as reasons to grant a variance.

Sec.98-126.8. Conditions for issuance of variances. After consideration of the factors listed above and the purposes of this section variances shall be granted by the Board or Commission only upon:

1. Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this section or the required elevation standards;
2. Determination by the Commission that:
 - a. Failure to grant the variance would result in exceptional hardship, based on the considerations set forth for issuance of a variance, due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship; and
 - b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause

- fraud on or victimization of the public or conflict with existing laws and ordinances; and
 - c. The variance is the minimum necessary, considering the flood hazard, to afford relief; and
 - d. The variance receives the affirmative vote of at least a majority of the Commission.
 - e. No variance shall be granted for development which was constructed without a permit, or beyond the scope of a permit, unless it meets the considerations set forth for the issuance of a variance and receives the affirmative vote of a super-majority of the Commission.
3. No variance, if granted, shall be effective until a copy of the variance with the name of the owner and the legal description of the property is recorded in the Office of the Clerk of the Court so that it appears in the chain of title of the affected parcel of land; and
 4. If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Building Official to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation and stating that construction below the base flood elevation increases risks to life and property. The application shall provide notice to, and each application shall acknowledge that, the granting of a variance will result in increased premium rates for flood insurance (in some cases amounts as high as \$25 for \$100 of insurance coverage or increases of 100% or greater) and construction pursuant to the variance increases risks to life and property.

Sec.98-127. VIOLATIONS.

Sec.98-127.1. Violations. Any development that is not within the scope of the Florida Building Code but that is regulated by this section that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this section, shall be deemed a violation of this section. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this section or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

Sec.98-127.1.2. Declaration of violation.

1. Where a violation of this section has been found to exist by:
 - a. A court of competent jurisdiction;
 - b. The Special Master
 - c. The written admission of a property owner; or
 - d. The City Commission

The violation has not been corrected, the City Commission may declare the property to be in violation of this section and forward the declaration to FEMA. The issuance of the declaration may cause the property to be denied flood insurance and no permits will be issued for any improvements to the property except permits for the maintenance of structures existing at the time the declaration is made and permits for the removal of violations of this section.

2. The declaration shall be approved by resolution of the City Commission and should meet the requirements of section 1316 of the National Flood Insurance Act of 1968 as implemented by part 73 of 44 CFR and any other applicable law. The declaration shall be recorded in the public records. The owner/occupant shall be required to obtain a new certificate of occupancy stating the existence of a compliant structure from the Building Official to ensure compliance. The declaration may be rescinded by resolution of the City Commission, provided that the resolution meets the requirements of section 1316 of the National Flood Insurance Act.
3. Structures existing on the property at the time a declaration is approved by City Commission shall not be, in addition, cited for violating the requirements of this section. Violations of the City Code, not including violations of this section, which exist on the date of the declaration, may be cited.
4. Any violation existing on the date of the declaration for which no building permit was issued which does not meet the requirements of the Florida Building Code (except the provisions of this section) shall be removed. Any violation which is required to obtain a building permit to correct shall be removed (except the provisions of this section).
5. The Building Official may require such documents and certificates and perform such inspections as are reasonably necessary prior to issuing a certificate of occupancy.
6. Any work done after the date of the declaration is a violation of this section, may be cited for violating this section, and shall be removed. No variances to this subsection shall be granted.

Sec.98-127.1.3. Authority. For development that is not within the scope of the Florida Building Code but that is regulated by this section and that is determined to be a violation, the Building Official is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

Sec.98-127.1.4. Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Sec.98-128. DEFINITIONS.

Sec.98-128.1. Scope. Unless otherwise expressly stated, the following words and terms shall have the meanings shown in this section.

Sec.98-128.2. Terms defined in the Florida Building Code. Where terms are not defined in this section or the City Code and are defined in the Florida Building Code, such terms shall have the meanings ascribed to them in the Florida Building Code.

Sec.98-128.3. Terms not defined. Where terms are not defined in this section, the City Code, or the Florida Building Code, such terms shall have the ordinarily accepted meanings such as the context implies.

Sec.98-128.4. Definitions.

Alteration of a watercourse means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

ASCE 24 means a standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood means a flood having a 1-percent chance of being equaled or exceeded in any given year. The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."

Base flood elevation means the elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the FIRM.

Basement means the portion of a building having its floor subgrade (below ground level) on all sides.

Building means any structure consisting of walls and a roof, built of permanent construction that is impervious to the elements, and built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

Coastal construction control line means the line established by the State of Florida pursuant to section 161.053, Florida Statutes, and recorded in the official records of the community, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.

Coastal high hazard area means a special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V Zones" and are designated on Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V.

Cost of improvement or repair means an itemized estimate provided by a licensed contractor or professional architect or engineer that incorporates both labor and materials and includes a copy of the construction contract; or, as an alternative, an estimated cost determined by the Building Official using current prices provided by Marshall and Swift, ICC valuation tables or other recognized estimating tools.

Declaration of Land Restriction (Nonconversion Agreement). A form signed by the owner and recorded on the property deed in Official Records of the Clerk of Courts, to agree not to convert or modify in any manner that is inconsistent with the terms of the building permit and these regulations, certain enclosures below elevated buildings.

Design flood means the flood associated with the greater of the following two areas:

1. Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
2. Area designated as a flood hazard area on the City's flood hazard map, or otherwise legally designated.

Design flood elevation means the elevation of the "design flood," including wave height, relative to the datum specified on the City's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to two (2) feet.

Development means any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

Encroachment means the placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Existing building and **existing structure** means any buildings and structures for which the "start of construction" commenced before May 22, 1970.

Federal Emergency Management Agency (FEMA) means the federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Fill means any material (usually soil, dirt, sand or similar nonbiodegradable material) used to elevate the grade of property to a level higher than the grade of the property as it existed prior to the start of construction.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land from:

1. The overflow of inland or tidal waters.

2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood damage-resistant materials means any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair.

Flood hazard area means the greater of the following two areas:

1. The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
2. The area designated as a flood hazard area on the City's flood hazard map, or otherwise legally designated.

Flood Insurance Rate Map (FIRM) means the official map of the City on which FEMA has delineated both special flood hazard areas and the risk premium zones applicable to the City.

Flood Insurance Study (FIS) means the official report provided by FEMA that contains the FIRM, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data.

Floodplain development permit or approval means an official document or certificate issued by the City, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this section.

Floodway or regulatory floodway means the channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

Floodway encroachment analysis means an engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a Florida licensed professional engineer using standard engineering methods and models.

Florida Building Code means the family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

Functionally dependent facility (use) means a facility (use) which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic structure means any structure that is:

- (1) Determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 11 Historic Buildings;
- (2) Listed individually on the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (3) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (4) Individually listed on the state inventory of historic places as long as the state historic preservation program is approved by the Secretary of the Interior; or
- (5) Individually listed as a local landmark pursuant to the City's historic preservation program as long as the City's historic preservation program is certified by the state as a certified local government program, and the state historic preservation program is approved by the Secretary of the Interior.

Letter of Map Change (LOMC) means an official determination issued by FEMA that amends or revises an effective FIRM or FIS. Letters of Map Change include:

Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective FIRM and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with this section. .

Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum National Flood Insurance Program requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective FIRM or FIS; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Light-duty truck. As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

1. Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
2. Designed primarily for transportation of persons and has a capacity of more than 12 persons; or

3. Available with special features enabling off-street or off-highway operation and use.

Lowest floor means the lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, usable solely for vehicle parking, building access or limited storage in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the on-elevation requirements of the Florida Building Code or ASCE 24.

Mangrove stand means an assemblage of trees which are mostly low trees noted for a copious development of interlacing adventitious roots above the ground and which contain one or more of the following species: black mangrove (*Avicennia germinans*); red mangrove (*Rhizophora mangle*); white mangrove (*Languncularia racemosa*); and, buttonwood (*Conocarpus erecta*).

Market value means the price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

Mean sea level means the mean sea level set forth in the National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum of 1988.

National Geodetic Vertical Datum (NGVD) means the vertical control used as a reference for establishing varying elevations within the floodplain.

New construction means for the purposes of administration of this section and the flood resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after July 25, 1972 and includes any subsequent improvements to such structures.

Nonconversion Agreement. A form signed by the owner to agree not to convert or modify in any manner that is inconsistent with the terms of the building permit and these regulations, certain enclosures below elevated buildings.

Project means any work done for which a permit is required during the time period from when the work begins until the permit is closed and shall include all work and permits necessary to make a structure safe to be occupied. A permit may be closed by issuance of a certificate of occupancy or an approved final inspection.

Special flood hazard area means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V.

Standard single exterior door means a movable barrier used to seal or close-off entry to a building which is constructed of wood, metal or glass, not more than thirty-six (36) inches wide and that swings on hinges.

Standard double exterior door means a movable barrier used to seal or close-off entry to a building which is constructed of wood, metal or glass, not more than seventy-six (76) inches wide and that swings on hinges.

Start of construction means the date the building permit was issued, for either new construction or substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement occurred within 180 days of the date of the permit was issued. The actual start of construction means either the first placement of permanent construction of a building on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Substantial damage means damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would be equal to or exceed 50 percent of the market value of the building or structure before the damage occurred.

Substantial improvement means any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

For the purpose of this definition, costs of improvements shall not be cumulative from project to project. Costs of improvements shall include all costs attributed to a project and shall be determined:

3. By submission of a detailed cost estimate by a licensed contractor, provided such estimate includes all work required to complete the work described in the permit application;
4. By submission of a summation of the prevailing market cost for all materials and labor including all expenses normally charged or incurred if the work were performed by a

contractor (e.g., construction supervision and management, insurance, overhead and profit, demolition, etc.); or

5. By the Building Official if the applicant's submission and supporting data do not, in the opinion of the Building Official, reasonably reflect the actual project cost; alternatively, the Building Official may require submission of another estimate. If determined by the Building Official, the Building Official may use (a) the most recent (at the start of construction) square foot valuation data for this area published by the International Code Council; or (b) the replacement cost less depreciation (at the start of construction) identified in a certified appraisal less than 12 months old.

Variance means a grant of relief from the requirements of this section, or the flood resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this section or the Florida Building Code.

Watercourse means a river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

Sec.98-129. BUILDINGS AND STRUCTURES.

Sec.98-129.1. Design and construction of buildings, structures and facilities exempt from the Florida Building Code. Pursuant to Sec.98-125.4., buildings, structures, and facilities that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of Sec.98-133.

Sec.98-129.2 Buildings and structures seaward of the coastal construction control line. If extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area:

1. Buildings and structures shall be designed and constructed to comply with the more restrictive applicable requirements of the Florida Building Code, Building Section 3109 or Section 1612, or Florida Building Code, Residential Section R322, as applicable.
2. Minor structures and non-habitable major structures as defined in section 161.54, Florida Statutes, shall be designed and constructed to comply with the intent and applicable provisions of this section and ASCE 24.

Sec.98-130. SUBDIVISIONS.

Sec.98-130.1. Minimum requirements. Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
2. All public utilities and facilities such as sewer, gas, electric, communications, and water

systems are located and constructed to minimize or eliminate flood damage;

3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures; and

Sec.98-130.2. Subdivision plats. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

1. Compliance with the site improvement and utilities requirements of Sec.98-131.

Sec.98-131. SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS.

Sec.98-131.1. Minimum requirements. All proposed new development shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
2. In coastal high hazard areas (Zone V), buildings and structures are located a minimum of ten (10) feet landward of the reach of mean high tide;
3. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
4. Adequate drainage is provided to reduce exposure to flood hazards.

Sec.98-131.1.1. Use of structural and nonstructural fill in flood hazard areas (Zones AE) In flood hazard areas other than coastal high hazard areas (Zone V), the use of fill is prohibited except for stem wall construction. Minor amounts of fill shall be allowed to:

1. Provide adequate lot grading for drainage;
2. The use of fill shall not create any additional storm water runoff onto abutting property.
3. Proper swales along all abutting properties;
4. Landscaping, sidewalks and driveways;
5. If proper swales are not sufficient or not desired, then a concrete wall at least 8 inches high shall be provided; and
6. All roofs adjacent to abutting properties shall have gutters with all roof surface water directed away from abutting properties.

Exception:

The following zoning districts are exempt;

CC-1 Commercial District, CC-2 Commercial District, TC-1 Town Center Core District, TC-2 Town Center Core Circle and Coquina West Districts, Traditional Hotel District THD, CC1 Commercial Corridor Blind Pass Road District, CC2 Commercial Corridor

Gulf Blvd. District, (LR) Large Resort, AC Activity Center District, PAG Pass-A-Grille Overlay District and B/HC Boutique Hotel/Condo District.

Sec.98-131.1.2. Use of nonstructural fills in coastal high hazard areas (Zone V). In coastal high hazard areas (Zone V), limited noncompacted fill may be used around the perimeter of a building for landscaping/aesthetic purposes provided the fill will wash out from storm surge (thereby rendering the building free of obstructions) prior to generating excessive loading forces, ramping effects or wave deflection. The Building Official shall approve design plans for landscaping/aesthetic fill only after the applicant has provided an analysis by an engineer, architect and/or soil scientist, along with the any supporting data required by the Building Official, which demonstrates that the following factors have been fully considered:

1. Particle composition of fill material does not have a tendency for excessive material compaction.
2. Volume and distribution of fill will not cause wave deflection to adjacent properties;
3. Slope of fill will not cause wave run up or ramping; and
4. The use of fill shall not create any additional storm water runoff onto abutting property.

Sec.98-131.2. Sanitary sewage facilities. All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

Sec.98-131.3. Water supply facilities. All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

Sec.98-131.4. Limitations on sites in regulatory floodways. No development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in Sec. 98-124.3(1) demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

Sec.98-131.5 Limitations on placement of fill. Subject to the limitations of this section, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour.

Sec.98-131.6. Limitations on sites in coastal high hazard areas (Zone V). In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by Sec. 98-124 demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with Sec. 98-133 (3).

Sec.98-132. TANKS.

Sec.98-132.1. Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

Sec.98-132.2. Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of Sec. 98-132.3. shall:

1. Be permitted in flood hazard areas (Zone A) other than coastal high hazard areas, provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.
2. Not be permitted in coastal high hazard areas (Zone V).

Sec.98-132.3. Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

Sec.98-132.4. Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:

1. At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
2. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

Sec.98-133. OTHER DEVELOPMENT.

Sec.98.133.1. General requirements for other development. All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in Section 16.40.050. or the Florida Building Code, shall:

1. Be located and constructed to minimize flood damage;
2. Meet the requirements of Sec. 98-141.4 if located in a regulated floodway;

3. Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
4. Be constructed of flood damage-resistant materials; and
5. Have mechanical, plumbing, and electrical systems above the design flood elevation, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of Florida Building Code for wet locations.

Sec.98.133.2. Fences in regulated floodways. Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Sec. 98-131.4.

Sec.98.133.3. Retaining walls, sidewalks and driveways in regulated floodways. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the requirements of Sec. 98-131.4.

Sec.98.133.4. Roads and watercourse crossings in regulated floodways. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Sec. 98-131.4. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of Sec. 98-143.3.

Sec.98.133.5. Concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses in coastal high hazard areas (Zone V). In coastal high hazard areas, concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses are permitted beneath or adjacent to buildings and structures provided the concrete slabs are designed and constructed to be:

1. Structurally independent of the foundation system of the building or structure;
2. Frangible and not reinforced, so as to minimize debris during flooding that is capable of causing significant damage to any structure; and
3. Have a maximum slab thickness of not more than four (4) inches.

Sec.98.133.6. Decks and patios in coastal high hazard areas (Zone V). In addition to the requirements of the Florida Building Code, in coastal high hazard areas decks and patios shall be located, designed, and constructed in compliance with the following:

1. A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural member at or above the design flood elevation and any supporting members that extend below the design flood elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck.
2. A deck or patio that is located below the design flood elevation shall be structurally independent from buildings or structures and their foundation systems, and shall be

designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable of causing structural damage to the building or structure or to adjacent buildings and structures.

3. A deck or patio that has a vertical thickness of more than twelve (12) inches or that is constructed with more than the minimum amount of fill necessary for site drainage shall not be approved unless an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave run-up and wave reflection that would increase damage to the building or structure or to adjacent buildings and structures.
4. A deck or patio that has a vertical thickness of twelve (12) inches or less and that is at natural grade or on nonstructural fill material that is similar to and compatible with local soils and is the minimum amount necessary for site drainage may be approved without requiring analysis of the impact on diversion of floodwaters or wave run-up and wave reflection.

Sec.98.133.7. Other development in coastal high hazard areas (Zone V). In coastal high hazard areas, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate federal, state or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave run-up and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include but are not limited to:

1. Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;
2. Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters; and
3. On-site sewage treatment and disposal systems defined in 64E-6.002, F.A.C., as filled systems or mound systems.

Sec.98.133.8. Nonstructural fill in coastal high hazard areas (Zone V). In coastal high hazard areas:

1. Minor grading and the placement of minor quantities of nonstructural fill shall be permitted for landscaping and for drainage purposes under and around buildings.
2. Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave run-up and wave reflection that would increase damage to adjacent buildings and structures.
3. Where authorized by the Florida Department of Environmental Protection or applicable local approval, sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave run-up and wave reflection if the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest

horizontal structural member of the building.

SECTION 2. The *Florida Building Code, Residential* is hereby amended by the following technical amendments.

Modify Sec. R322.2.1 as follows:

R322.2.1 Elevation requirements.

1. Buildings and structures in flood hazard areas not designated as Coastal V Zones shall have the lowest floors elevated to or above the base flood elevation plus 2 feet or the design flood elevation, whichever is higher.

Exception:

The following zoning districts are exempt from the 2 feet and must follow base flood elevation;

CC-1 Commercial District, CC-2 Commercial District, TC-1 Town Center Core District, TC-2 Town Center Corey Circle and Coquina West Districts, Traditional Hotel District THD, CC1 Commercial Corridor Blind Pass Road District, CC2 Commercial Corridor Gulf Blvd. District, (LR) Large Resort, AC Activity Center District, PAG Pass-A-Grille Overlay District and B/HC Boutique Hotel/Condo District.

2. When an existing building or structure permitted under this section complies with the FIRM at the time of issuance of a permit for new construction/addition, neither the existing building nor the new construction/addition, is required to comply with the additional building height footage required to be added to the base flood elevation by this section.

Remainder unchanged

Modify Sec. R322.3.2 as follows:

R322.3.2 Elevation requirements.

1. All buildings and structures erected within the coastal high hazard areas shall be elevated so that the lowest portion of all structural members supporting the lowest floor with the exception of mat or raft foundations, piling, pile, cap, columns, grade beams and bracing, is elevated to or above the base flood elevation plus 2 feet or the design flood elevation, whichever is higher

Exception:

The following zoning districts are exempt from the 2 feet and must follow base flood elevation;

CC-1 Commercial District, CC-2 Commercial District, TC-1 Town Center Core District, TC-2 Town Center Corey Circle and Coquina West Districts, Traditional Hotel District THD, CC1 Commercial Corridor Blind Pass Road District, CC2 Commercial Corridor Gulf Blvd. District, (LR) Large Resort, AC Activity Center District, PAG Pass-A-Grille Overlay District and B/HC Boutique Hotel/Condo District.

2. When an existing building or structure permitted under this section complies with the FIRM at the time of issuance of a permit for new construction/addition, neither the existing building height footage required to be added to the base flood elevation by this section.

Remainder unchanged

R322.3.4 Walls below design flood elevation. Walls are permitted below the elevated floor, provided that such walls are not part of the structural support of the building or structure and:

1. Electrical, mechanical, and plumbing system components are not to be mounted on or penetrate through walls that are designed to break away under flood loads; and
 2. Are constructed with insect screening or open lattice; or
 3. Are designed to break away or collapse without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Such walls, framing and connections shall have a design safe loading resistance of not less than 10 (470 Pa) and no more than 20 pounds per square foot (958 Pa); or
 4. Where wind loading values of this code exceed 20 pounds per square foot (958 Pa), the construction documents shall include documentation prepared and sealed by a registered design professional that:
 - 4.1. The walls ~~and partitions~~ below the design flood elevation have been designed to collapse from a water load less than that which would occur during the design flood.
 - 4.2. The elevated portion of the building and supporting foundation system have been designed to withstand the effects of wind and flood loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the design flood. Wind loading values used shall be those required by this code.
1. **R322.3.5 Enclosed areas below the design flood elevation.** Enclosed areas below the design flood elevation shall be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators. The limitation on

partitions does not apply to crawlspace foundations. Storage shall be limited to items which otherwise would be stored outside a building or items normally used outside (e.g., grill, lawn mower, folding chairs, etc.). Access to enclosed areas shall be the minimum necessary to allow for permitted uses and limited to garage door and standard single exterior doors and one double entry door. No sliders are permitted. All utilities such as electrical, heating, plumbing, and air conditioning equipment and other services facilities (including ductwork) must be elevated or waterproof to the base flood elevation plus freeboard.

Words that are struck through shall be deleted from the existing Florida Building Code and City Code and language which is underlined shall be added to the existing Florida Building Code and City Code with a single underline to show changes from the Florida Building Code language. Provisions not specifically amended shall continue in full force and effect.

SECTION 3. SEVERABILITY. In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

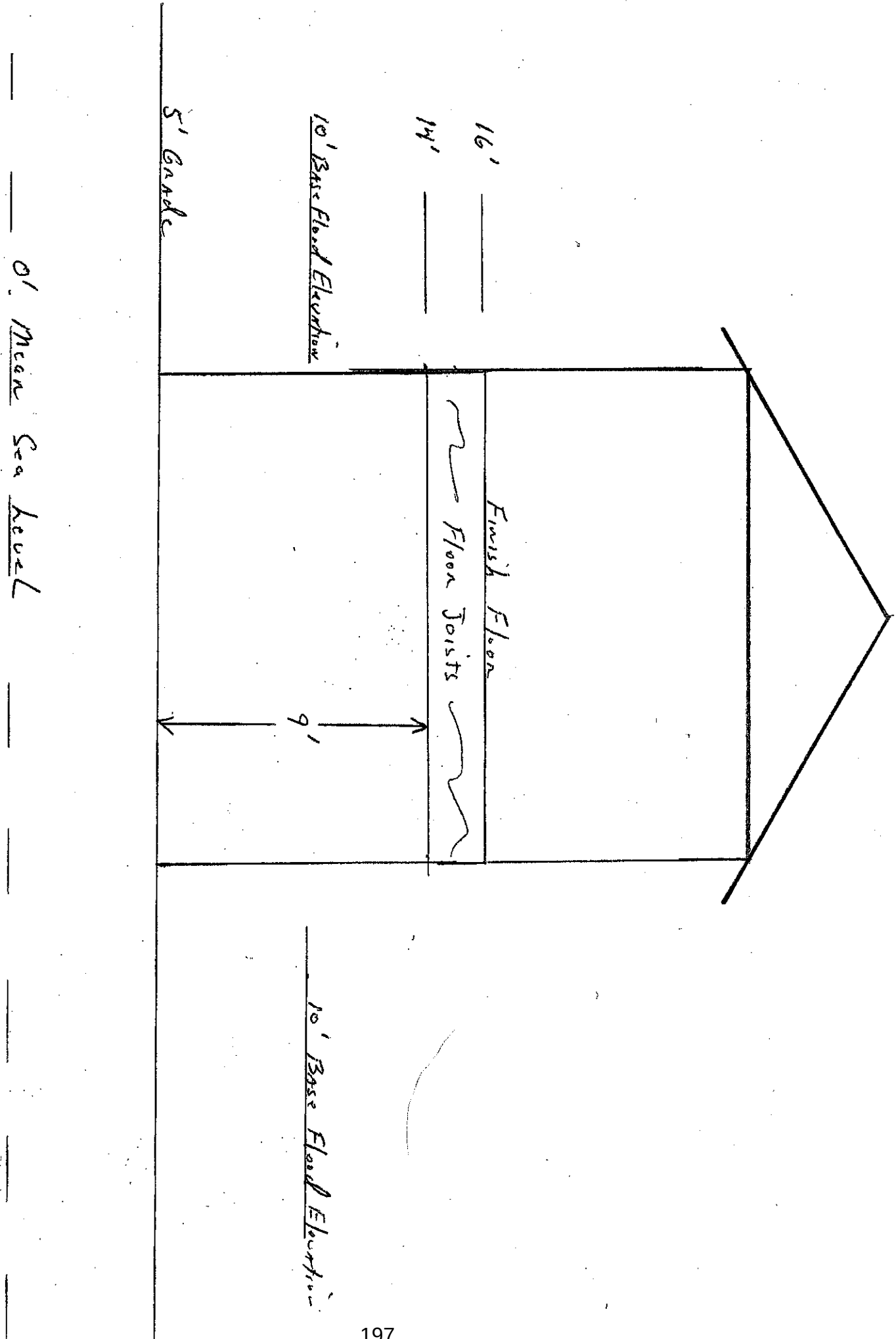
SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its adoption by the City Commission of the City of St. Pete Beach, Florida.

PASSED AND DULY ADOPTED, with a quorum present and voting, this ____ day of ____ 2015.

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

CITY OF ST. PETE BEACH,
FLORIDA, BY AND THROUGH
THE CITY COMMISSION OF THE
CITY OF ST. PETE BEACH

By: _____
Marie Lowe, Mayor



ST. PETE BEACH CITY COMMISSION AGENDA REPORT

Issue Considered: Adoption of Resolution 2015-11 relating to the provision of stormwater management services provided by the City's stormwater system; imposing stormwater service assessments against assessed property located in the City for fiscal years beginning October 1, 2015 through and including the fiscal year beginning October 1, 2019; approving the stormwater rates; approving the stormwater assessment rolls and directing that the stormwater service assessment rolls be certified to the Pinellas County Tax Collector.

Date: September 9, 2015

Prepared By: Elaine Edmunds, Administrative Services Director

Summary of Issue: The City consulted with Burton & Associates to examine the funding needs of our stormwater system for the next five years. All of the stormwater non-ad valorem assessment collections are dedicated to stormwater management services and cannot be used for any other purpose.

Fiscal year 2016 includes major stormwater infrastructure improvement to be completed on Pass A Grille Way. Fiscal years 2016 thru 2020 outline \$600,000 annually to be dedicated to stormwater improvements throughout the City. Fiscal years 2019 and 2020 also include major stormwater improvements relating to the Gulf Winds Drive reconstruction project.

Below is a summary of the proposed rate increases:

Description	Current	FY16	FY17	FY18	FY19	FY20
Tier 1 (Fixed ^D _U - O & M)	\$38.27	\$55.49	\$57.15	\$58.86	\$60.63	\$62.45
Tier 2 (Variable ^e - Capital)	47.09	58.86	79.46	90.19	101.01	111.62
Total ^t _o	\$85.36	\$114.35	\$136.61	\$149.05	\$161.64	\$174.07

The City expects to collect \$852,511 for Fiscal Year 2015-16 through the stormwater non-ad valorem assessment. The assessment will be imposed at the rate of \$55.49 per parcel for tier 1 plus \$58.86 per ERU for tier 2. Such amounts include a pro rata share of administration and collection costs associated with the stormwater assessments and have been increased to account for maximum discount for early payment of non-ad valorem assessments on the same bill as ad valorem taxes.

Requested Motion: “I move to approve Resolution 2015-11(read title)”

Attachments: Resolution 2015-11
Burton & Associates Power Point Presentation

Reviewed by:
City Manger: WS

RESOLUTION NO. 2015-11

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, RELATING TO THE PROVISION OF STORMWATER MANAGEMENT SERVICES PROVIDED BY THE CITY'S STORMWATER SYSTEM; IMPOSING STORMWATER SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED IN THE CITY FOR THE FISCAL YEARS BEGINNING OCTOBER 1, 2015 THROUGH AND INCLUDING THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; APPROVING THE STORMWATER RATES; APPROVING THE STORMWATER SERVICE ASSESSMENT ROLLS; DIRECTING THAT THE STORMWATER SERVICE ASSESSMENT ROLLS BE CERTIFIED TO THE PINELLAS COUNTY TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA:

SECTION 1. AUTHORITY. This Annual Assessment Resolution of the City of St. Pete Beach, Florida (the "City") is adopted pursuant to Chapter 166, Florida Statutes, City Ordinance No. 2009-30 (the "Assessment Ordinance"), City Resolutions Nos. 2010-07, 2010-08, 2011-18 and 2011-19, as amended and supplemented (collectively, the "Stormwater Resolutions"), and other applicable provisions of law.

SECTION 2. DEFINITIONS. All capitalized terms used in this Annual Assessment Resolution shall have the meanings defined in the Assessment Ordinance and Stormwater Resolutions.

SECTION 3. FINDINGS. It is hereby ascertained, determined and declared as follows:

(A) Pursuant to the Assessment Ordinance, the City adopted the Stormwater Resolutions imposing Stormwater Service Assessments against real property burdening the City's Stormwater System, and thus specially benefited by, the City's Stormwater Management Services.

(B) The imposition of a Stormwater Service Assessment is an equitable and efficient method of allocating and apportioning the cost of the City's Stormwater Management Service among parcels of property that are burdening the City's Stormwater System and thus specially benefited by provision of the Stormwater Management Service.

(C) The City desires to reimpose the Stormwater Service Assessments using the tax bill method for Fiscal Years beginning on or after October 1, 2015.

(D) In order to reimpose Stormwater Service Assessments for the Fiscal Year beginning October 1, 2015, the Assessment Ordinance requires the City to adopt an Annual Stormwater Resolution during its budget adoption process for each Fiscal Year, which establishes the rate of Stormwater Service Assessments and approves the Stormwater Service Assessment Rolls for the upcoming Fiscal Year, with such amendments as the City deems appropriate, after hearing comments and objections from all interested parties.

(E) The updated Stormwater Service Assessment Rolls have heretofore been made available for inspection by the public, as required by the Assessment Ordinance.

(F) As required by the terms of the Assessment Ordinance, notice of a public hearing has been published and mailed to each property owner whose Stormwater Service Assessment has been increased or which will be charged for the first time and notifying such property owner of the opportunity to be heard. The proof of publication and an affidavit of mailing are attached hereto as EXHIBIT A and B, respectively.

(G) A public hearing has been duly held on September 9, 2015, and comments and objections from all interested persons have been heard and considered as required by the terms of the Assessment Ordinance.

(H) The Stormwater Service Assessments contemplated hereunder are imposed by the City, not the Pinellas County Property Appraiser or the Pinellas County Tax Collector. Any activity of the Pinellas County Property Appraiser or the Pinellas County Tax Collector under the provisions of this Annual Assessment Resolution shall be construed solely as ministerial.

(I) The legislative determinations and findings set forth in the Stormwater Resolutions are hereby ratified, confirmed and incorporated herein by reference.

SECTION 4. REIMPOSITION OF STORMWATER SERVICE ASSESSMENTS; APPROVAL OF STORMWATER SERVICE ASSESSMENT ROLLS. The Tax Parcels of Assessed Property described in the Stormwater Service Assessment Rolls, as updated, are hereby found to be specially benefited by the City's Stormwater Management Services in the amount of the Stormwater Service Assessments, copies of which were present or available for inspection at the above referenced public hearing and are incorporated herein by reference, and are hereby approved. The table below describes the rate of Stormwater Service Assessments that is hereby approved for each Fiscal Year shown below.

Description	Fiscal Year Beginning October 1				
	2015	2016	2017	2018	2019
Tier 1 (fixed) per tax parcel	\$55.49	\$57.15	\$58.86	\$60.63	\$62.45
Tier 2 (variable) per ERU	58.86	79.46	90.19	101.01	111.62

It is hereby ascertained, determined and declared that the estimated revenue to be derived each Fiscal Year from the imposition of Stormwater Service Assessments at the rates shown above does not exceed the budgeted Stormwater Management Services, which includes a pro rata share of collection and administration costs and amounts necessary to account for the maximum discount for early payment of non-ad valorem assessments on the same bill as ad valorem taxes. Stormwater Service Assessments in the amounts set forth in the Stormwater Service Assessment Rolls are hereby levied and reimposed on all Tax Parcels described in the Stormwater Service Assessment Rolls. Adoption of this Annual Stormwater Resolution constitutes a legislative determination that all parcels charged derive a special benefit in a manner consistent with the legislative declarations, determinations and findings as set forth in the Stormwater Resolutions from the City's Stormwater Management Services, and that the Stormwater Service Assessments are fairly and reasonably apportioned among the properties that burden the Stormwater System and thus receive the special benefit.

SECTION 5. CONFIRMATION OF STORMWATER RESOLUTIONS. The Stormwater Resolutions are hereby ratified and confirmed.

SECTION 6. COLLECTION OF STORMWATER SERVICE ASSESSMENTS. The Stormwater Service Assessments shall be collected pursuant to the Uniform Assessment Collection Act, as provided in the Assessment Ordinance and the Stormwater Resolutions. The City Manager is hereby authorized and directed to certify and deliver, or cause the certification and delivery of, the Stormwater Service Assessment Rolls for the Stormwater Service Assessments to the Tax Collector by September 15, 2015, in the manner prescribed by the Uniform Assessment Collection Act. The Stormwater Service Assessment Rolls for the Stormwater Service Assessments, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the same form as attached hereto as EXHIBIT C.

SECTION 7. STORMWATER SERVICE ASSESSMENT LIENS. Such Stormwater Service Assessments imposed within the City listed on the Stormwater Service Assessments Rolls described in Section 4 hereof shall constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims until paid. The lien for Stormwater Service Assessments shall be deemed perfected upon adoption of

this Annual Stormwater Resolution. Upon perfection, the lien for Stormwater Service Assessments collected under the Uniform Assessment Collection Act shall attach to the property included on the Stormwater Service Assessments Rolls as of January 1, 2015, the lien date for ad valorem taxes.

SECTION 8. EFFECT OF ADOPTION OF ANNUAL STORMWATER RESOLUTION. The adoption of this Annual Stormwater Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the apportionment methodology, the rate of the special assessments and the adoption of the Stormwater Service Assessments Rolls), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the effective date of this Annual Stormwater Resolution.

SECTION 9. CONFLICTS. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 10. SEVERABILITY. If any clause, section, other part or application of this Annual Stormwater Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or by application, it shall not affect the validity of the remaining portions or applications of this Annual Stormwater Resolution.

SECTION 11. EFFECTIVE DATE. This Annual Stormwater Resolution shall become effective immediately upon its adoption.

DULY ADOPTED this 9th day of September, 2015.

CITY OF ST. PETE BEACH, FLORIDA

(SEAL)

By: _____
Maria Lowe, Mayor

ATTEST:

Rebecca C. Haynes, City Clerk

EXHIBIT A

PROOF OF PUBLICATION

EXHIBIT B

AFFIDAVIT OF MAILING

AFFIDAVIT OF MAILING

**STATE OF FLORIDA
COUNTY OF PINELLAS**

BEFORE ME, the undersigned authority, personally appeared _____, who, after being duly sworn, deposes and say:

I, _____, have been designated by the City of St. Pete Beach, Florida, to mail the notices required by Sections 2.06 and 2.08 of City Ordinance 2009-30 (the "Assessment Ordinance"). On or before August 21, 2015, I mailed or directed the mailing of, a notice in accordance with Sections 2.06 and 2.08 of the Assessment Ordinance by first class mail, to each owner of property included on the Stormwater Service Assessment Rolls in conformance with the requirements of the Assessment Ordinance, at the address shown on the real property assessment tax roll maintained by the Pinellas County Property Appraiser for the purpose of the levy and collection of ad valorem taxes. An exemplary form of such notice is attached hereto.

FURTHER AFFIANTS SAYETH NOT.

Affiant

The foregoing instrument was acknowledged before me by _____, who is personally known to me or who has produced _____ as identification and did take an oath.

WITNESS, my hand and official seal this ____ day of _____, A.D., 2015.

Signature of person taking acknowledgment

Name of acknowledger (printed)

My commission expires: _____

EXHIBIT C

FORM OF CERTIFICATE TO NON-AD VALOREM ASSESSMENT ROLL

**CERTIFICATE
TO
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the City Manager of the City Commission of the City of St. Pete Beach, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non ad valorem assessment roll for stormwater management services (the "Non-Ad Valorem Assessment Roll") for the City is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the Pinellas County Tax Collector by September 15, 2015.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Pinellas County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this _____ day of September, 2015.

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

By: _____
City Manager

Stormwater System Financial Management Plan



City Commission Meeting: June 9, 2015

Presentation By:
Andrew Burnham, Senior Vice President

Summary of Results

- ▶ Existing assessments do not generate sufficient revenue
 - ▶ With O&M, debt service, and multi-year CIP, fund balance is exhausted by FY 17
- ▶ Developed a sustainable ten-year financial management plan

Description	Current	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Tier 1 (Fixed - O&M)	\$ 38.27	\$ 55.49	\$ 57.15	\$ 58.86	\$ 60.63	\$ 62.45
Tier 2 (Variable - Capital)	\$ 47.09	\$ 58.86	\$ 79.46	\$ 90.19	\$ 101.01	\$ 111.62
Annual Assessment	\$ 85.36	\$ 114.35	\$ 136.61	\$ 149.05	\$ 161.64	\$ 174.07
Annual \$ Change	N/A	\$ 28.99	\$ 22.26	\$ 12.44	\$ 12.59	\$ 12.43
Effective Monthly Cost	\$ 7.11	\$ 9.53	\$ 11.38	\$ 12.42	\$ 13.47	\$ 14.51
Monthly \$ Change	N/A	\$ 2.42	\$ 1.86	\$ 1.04	\$ 1.05	\$ 1.04

- ▶ No increases identified for remainder of period from FY 2021 – FY 2025
- ▶ Comparative Monthly Stormwater Fee Survey:
 - ▶ Current fee is comparable to those of other neighboring communities
 - ▶ Expectation: As others adopt fee increases, City should remain competitive

Source Data & Assumptions

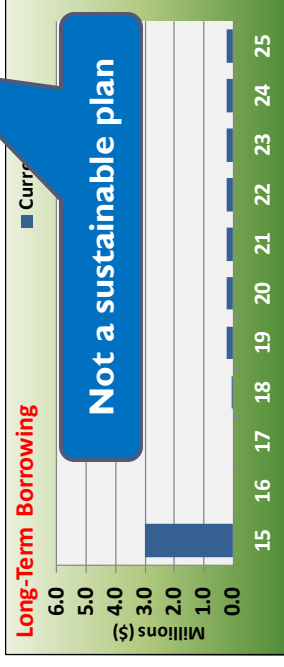
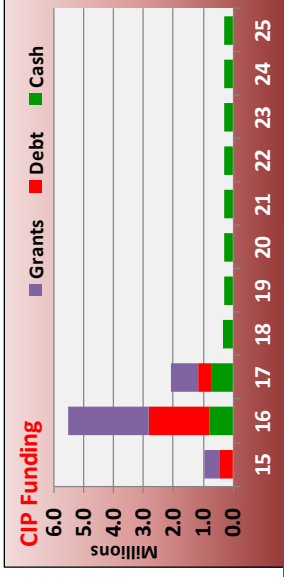
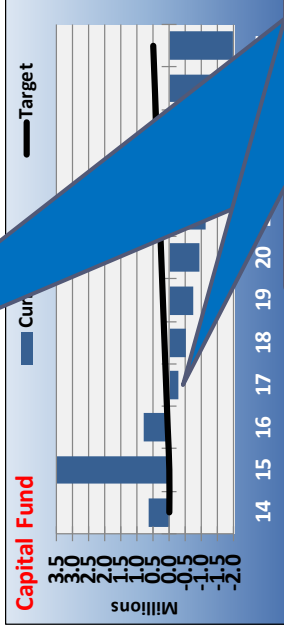
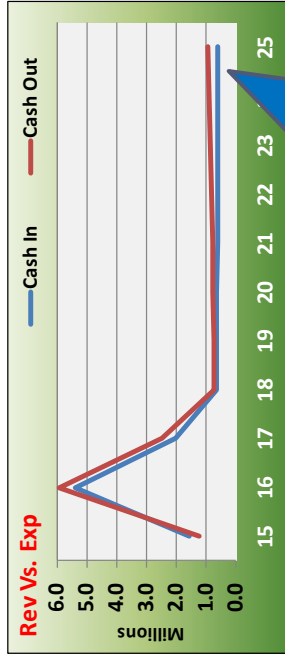
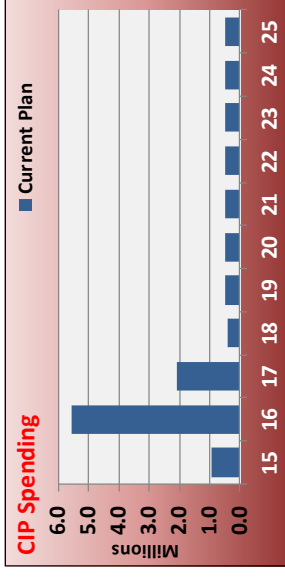
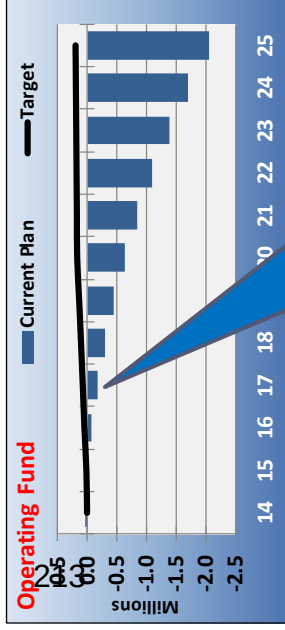
- ▶ Fund balances as of Sept. 30, 2014
- ▶ Revenue based upon parcels/ERU's from FY 15 Assessment Roll
- ▶ Operating expenses per FY 16 Proposed Budget, plus future inflation
 - ▶ Escalation factors developed with staff per historical trends and current conditions
 - ▶ Weighted average annual cost inflation of 3.0% per year
- ▶ Capital requirements discussed at length with staff
 - ▶ Annual debt service of \$255k for recent \$3M loan
 - ▶ Additional funding of \$1,200,000 required in FY 2016 & FY 2017 for Pass-A-Grille Way
 - ▶ Other CIP: \$300k in FY 2017, \$400k in FY 2018, and \$500k in FY 2019 and thereafter
- ▶ Long-term minimum reserve targets
 - ▶ Tier 1 fund balance equal to 6 mos. of O&M expenses (\$150k in current dollars)
 - ▶ Tier 2 fund balance equal to one-year's average annual CIP (\$500k)
 - ▶ Consistent with Rating Agency Guidelines and observed industry practices

Financial Model Screen Capture: Status Quo

Assumes no increases to Stormwater Assessments

FINANCIAL ANALYSIS

	SAVE	CALC	ROLL	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Cumulative Change
Fixed (Tier 1) Rate Increases				0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Variable (Tier 2) Rate Increases				0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Rate Covenant				1.99	1.26	1.22	1.18	1.13	1.09	1.03	0.97	0.92	0.86		OMV FY16 ▶ 100.0%
CIP Execution % ▶				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	
Operating Reserve Mo ▶				1	2	3	4	5	6	6	6	6	6	6	
Total Assessment				\$85.36	85.36	85.36	85.36	85.36	85.36	85.36	85.36	85.36	85.36	85.36	



Fund balance exhausted by FY 17;
Total deficit over \$4M by FY 25

Not a sustainable plan

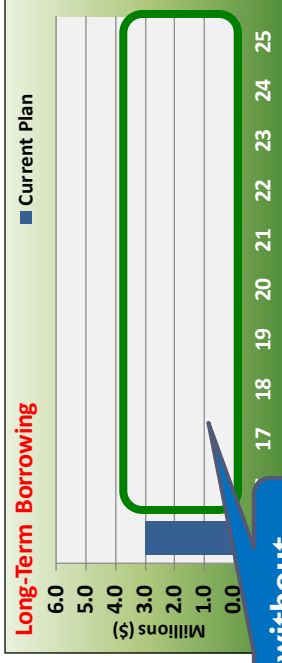
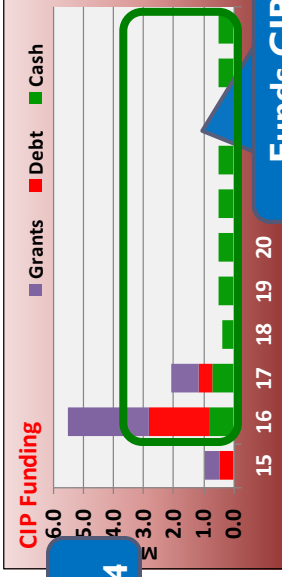
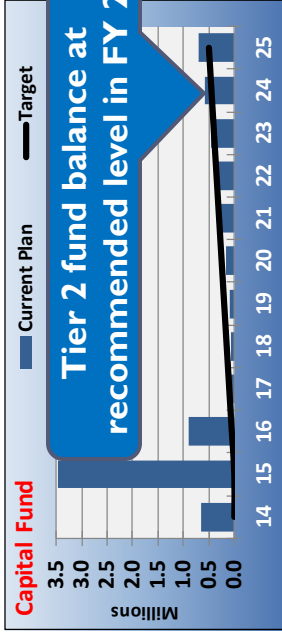
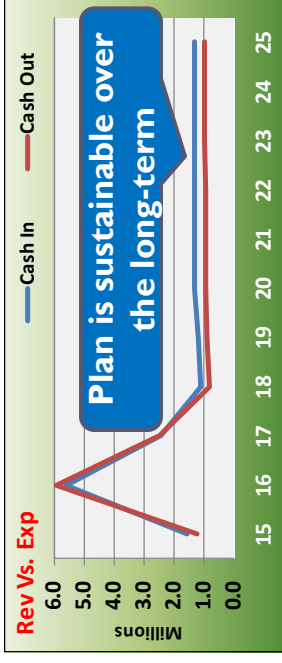
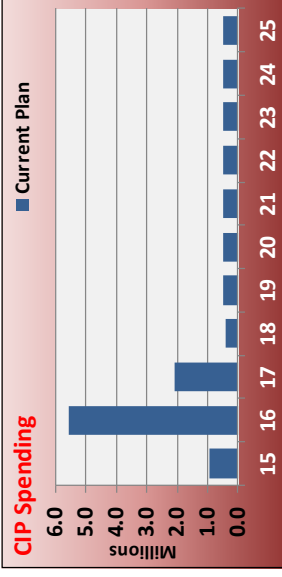
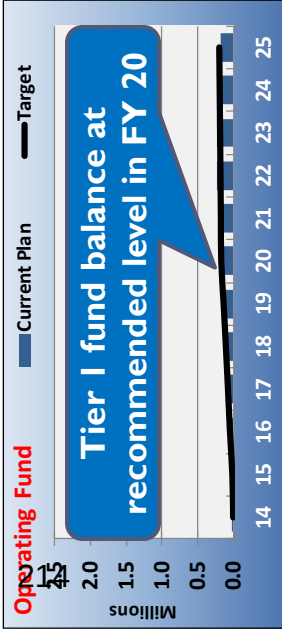
Financial Model Screen Capture: Recommended Multi-Year Plan

Increases to assessments; FY 16 – FY 20

No future increases required

FINANCIAL ANALYSIS AND MANAGEMENT SYSTEM (FAMS) SUMMARY

	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Cumulative Change
SAVE	CALC	ROLL										
Fixed (Tier 1) Rate Increases	0.00%	45.00%	3.00%	3.00%	3.00%	3.00%	0.00%	0.00%	0.00%	0.00%	0.00%	63.18%
Variable (Tier 2) Rate Increases	0.00%	25.00%	35.00%	13.50%	12.00%	10.50%	0.00%	0.00%	0.00%	0.00%	0.00%	OMV FY16 ▶ 100.0%
Rate Covenant		3.28	2.76	3.09	3.44	3.77	3.77	3.76	3.73	3.70	3.68	
CIP Execution % ▶	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	
Operating Reserve Mo ▶	1	2	3	4	5	6	6	6	6	6	6	
Total Assessment	\$85.36	114.35	136.61	149.05	161.64	174.07	174.07	174.07	174.07	174.07	174.07	

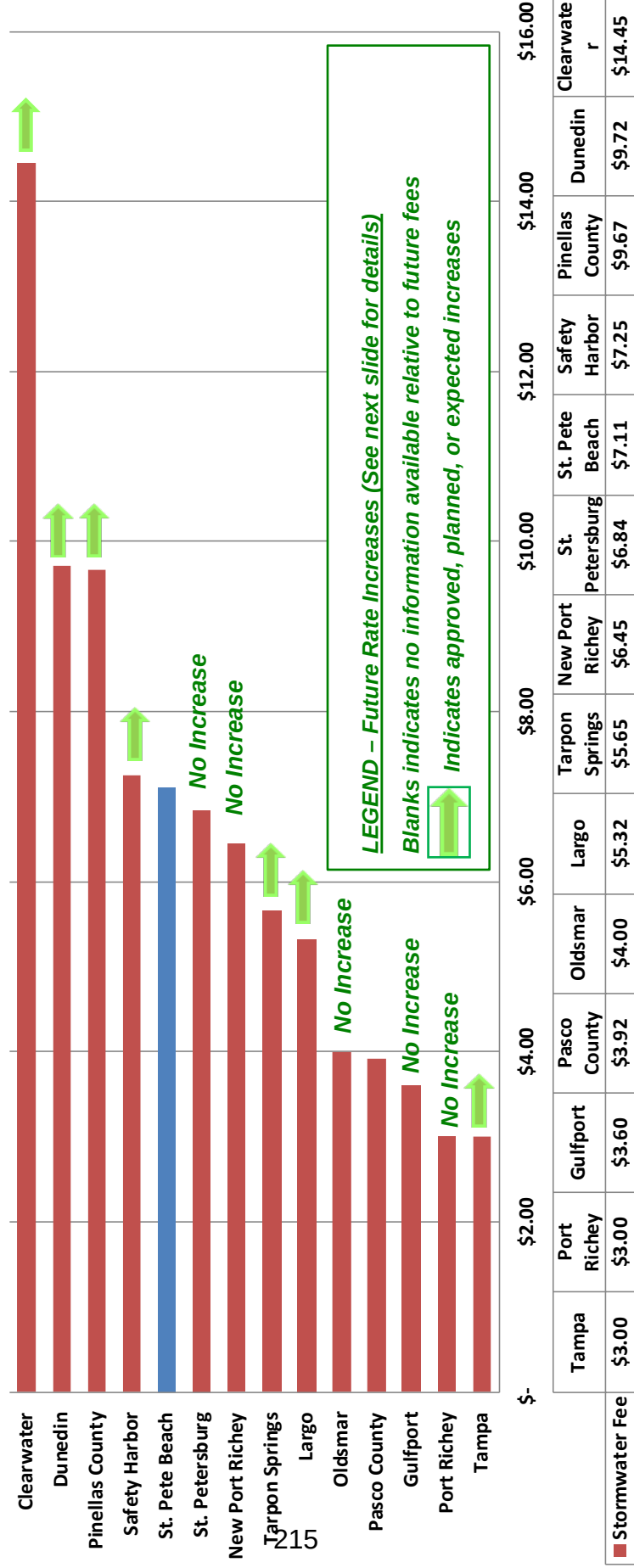


Funds CIP without issuance of debt

Local Monthly Stormwater Fee Survey

(For Typical Residential Property, or 1 ERU)

FY 2015 Comparative Stormwater Fee Survey



Potential Stormwater Fee Increases

(Per Research & Inquiries)

- ▶ **Clearwater:** 2.75% annual increases approved thru FY 17; conducting rate study
- ▶ **Dunedin:** Per FY 14 rate study, 4.5% in FY 16 & FY 17, 3.5% in FY 18 & FY 19
- ▶ **Pinellas County:** No increase planned for FY 16; future increases unknown
- ▶ **Safety Harbor:** No increase planned for FY 16; FY 16 Budget to include rate study
- ▶ **Tarpon Springs:** Increases anticipated due to capital needs of system; currently conducting rate study to determine new multi-year plan of increases
- ▶ **St. Petersburg:** No increases currently planned through FY 18; however, future increases likely as debt service increases significantly in FY 19 (unless refinanced)
- ▶ **New Port Richey:** No increases planned for near future
- ▶ **Largo:** 25% increase proposed for FY 16; additional future increases anticipated
- ▶ **Oldsmar:** Future increases likely, but presently unknown
- ▶ **Port Richey:** No plan at this time, but understand fee is low and needs adjustment
- ▶ **Tampa:** Potential increase in fee from \$3 up to as much as \$15!
- ▶ **Pasco County:** Information regarding future increases not available
- ▶ **Gulfport:** No plans to increase rate over the next two years

Causes for Differences in Fees

- ▶ **Level of Service**
 - ▶ Higher level of service typically results in higher charges
- ▶ **Topography**
 - ▶ Level of flooding dictates amount of capital and maintenance requirements
- ▶ **Rate/Assessment Structure**
 - ▶ One-size fits all, impervious area, tier systems, etc.
- ▶ **Level of Cost Recovery**
 - ▶ Policy decision of elected officials in each community
 - ▶ Some communities subsidize large portions of stormwater system costs
 - ▶ With use of funds from General Fund, Sales Tax, Utilities, etc...
 - ▶ Results in fees that do not recover full stormwater system costs

Discussion & Next Steps

SOLUTIONS

PROVIDING SOLUTIONS
THROUGH CLEAR VISION

Presentation Contact Information:

Andrew Burnham, Senior Vice President
Office: 813-443-5138 • Mobile: 904-631-5109
Email: aburnham@burtonandassociates.com

