

CITY OF ST. PETE BEACH, FLORIDA

ORDINANCE NO. 2008-05

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENT OF SECTION 6.6 OF THE LAND DEVELOPMENT CODE, MIXED USE DEVELOPMENT STANDARDS, PROVIDING FOR EXCLUSION OF CERTAIN USES FROM FLOOR AREA LIMITATIONS; PROVIDING FOR THE REPEAL OF ORDINANCES, OR PARTS OF ORDINANCES, IN CONFLICT HEREWITH, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission wishes to improve the regulations in the City pertaining to regulation of mixed use development; and

WHEREAS, the City's Planning Board has reviewed this ordinance, found it to be consistent with the City's adopted comprehensive plan and has recommended approval thereof; and

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

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

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

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

Section 1. Division 6 of the City of St. Pete Beach, Florida Land Development Code is hereby amended in accordance with the following:

Sec. 6.6. Mixed uses (residential and transient accommodations with other uses).

Transient accommodation uses that include retail stores, conference and meeting room facilities, fitness centers, restaurants and other accessory nonresidential uses which exceed twenty (20) percent of the gross floor area of the project shall be considered mixed uses. Residential and transient accommodations with non-residential uses in mixed use developments share the allowable development rights available based on the size on the development site. Except as provided for above, the density and intensity of mixed uses shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property.

~~In order to determine the maximum permissible mixed use development for any site, one must first calculate the land area required for either the planned~~

residential transient accommodation units or planned non-residential use as shown in the following examples.

For purposes of both examples, it is assumed that the example property proposed for a mixed-use development contains 3.67 acres; the allowable residential density permitted within the example applicable zoning district is 15 units per acre; and the allowable non-residential intensity within the district is a 0.60 floor area ratio.

(a) *Example 1.* In this example, 35 residential units are proposed.

(1) To determine the land area required for the planned residential portion of the development:

TABLE INSET:

<p>_____ Step 1: 3.67 acres × 43,560 sq. ft. = 159,865.20 sq. ft. total site area (SA = Site Area).</p> <p>—</p>
<p>_____ Step 2: 43,560 sq. ft. ÷ 15 units per acre = 2,904 sq. ft. per unit. (This number can be found in the applicable district regulations.)*</p> <p>—</p>
<p>_____ Step 3: 2,904 sq. ft. × 35 proposed units = 101,640 sq. ft. are required to support the development of the proposed 35 residential units on the site (RA = Residential Area).</p> <p>—</p>

*Note that transient accommodation calculations are identical to the residential example shown above except for the need to substitute the appropriate allowable units per acre or minimum lot requirement per unit from the district regulations.

(2) To determine the amount of non-residential development can be built in conjunction with the proposed residential development:

TABLE INSET:

<p>_____ Step 1: 159,865.20 sq. ft. (SA) - 101,640 sq. ft. (RA) = 58,225.20 sq. ft. is the balance of the site available for the non-residential portion of the development (NR-BAL = Non-Residential Balance).</p> <p>—</p>
<p>_____ Step 2: 58,225.20 sq. ft. (NR-BAL) × 0.60 floor area ratio (FAR = Floor Area Ratio) = 34,935.12 sq. ft. gross floor area of non-residential structures can be constructed along with the proposed 35 residential units.</p> <p>—</p>

(b) *Example 2.* In this example, 60,000 square feet of non-residential development is proposed.

(1) To determine the land area required for the planned non-residential portion of the development:

TABLE INSET:

<p>_____ Step 1: 3.67 acres × 43,560 sq. ft. = 159,865.20 sq. ft. total site area (SA = Site Area).</p> <p>—</p>
<p>_____ Step 2: 60,000 sq. ft. proposed non-residential gross floor area ÷ 0.60 floor area ratio (FAR) = 100,000 sq. ft. of non-residential development (NR).</p> <p>—</p>
<p>_____ Step 3: 159,865.20 sq. ft. (SA) - 100,000 sq. ft. (NR) = 59,865.20 sq. ft.</p> <p>—</p>

ft. (RA) available.—

(2) To determined the number of residential units that can be built along with the non-residential portion of the development:

TABLE INSET:

_____ Step 1: 43,660 sq. ft. / 15 units per acre = 2,904 sq. ft required per unit.—

_____ Step 2: 59,865.20 sq. ft. (RA) / 2,904 sq. ft. = 20.61 = 20 residential units* can be constructed along with the proposed non-residential development.—

*See Section 1.3(d) regarding rounding.
(Ord. No. 03-7, § 3, 5-1-03)

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

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

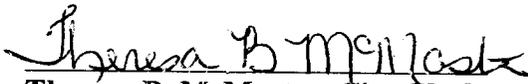
Section 4. This Ordinance shall become effective immediately upon adoption.



Mike Finnerty, MAYOR

FIRST READING : 2/26/08
PUBLISHED : 3/11/08
SECOND READING : 3/18/08
PUBLIC HEARING : 3/18/08

I, Theresa B. McMaster, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this 18th day of March, 2008.



Theresa B. McMaster, City Clerk