

CITY OF ST. PETE BEACH, FLORIDA

ORDINANCE NO. 2010-01

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY, FLORIDA AMENDING SECTION 3.4 OF THE LAND DEVELOPMEN CODE; PROVIDING FOR PUBLIC NOTICE FOR PROPOSED CHANGES TO THE OFFICIAL ZONING MAP; PROVIDING FOR PUBLIC NOTICE FOR PROPOSED CHANGES TO THE FUTURE LAND USE PLAN MAP; PROVIDING FOR PAYMENT OF COSTS ASSOCIATED WITH REQUIRED PUBLIC NOTICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City is required by its Municipal Charter and by Florida Statutes to provide for appropriate notice of public meetings, and

WHEREAS, in order to ensure that its citizens are aware of public hearings, the City has adopted additional requirements for public notice for certain quasi-judicial hearings, and

WHEREAS, the City wishes to ensure that meeting notices are noticed in a consistent manner; and

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

WHEREAS, the City Commission finds this Land Development Code amendment to be in the best interest of the citizens of the City of St. Pete Beach,

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

Section 1. Section 3.4 of the Land Development Code is hereby amended in accordance with the following:

Sec. 3.4. Public notice required.

(a) Notice of a public hearing to adopt ordinances or resolutions shall ~~be governed by~~ comply with all applicable the provisions of the City Charter ~~or of~~ and the Florida State Statutes; ~~whichever is more restrictive.~~ In cases of conflict, the more restrictive provision shall control.

Additionally, public hearings for the adoption of any ordinance to amend the Future Land Use or zoning designation of a property or properties, when such amendment is not initiated by the City, shall comply with all provisions established in paragraph (b) following.

(b) Prior to holding any other public hearing required under this Land Development Code, notice of the public hearing shall be as follows:

(1) All The notice, at a minimum, shall contain the time, date, place and subject of the public hearing.

(2) A legal notice of the public hearing shall be published in a newspaper of general circulation in accordance with the requirements set forth in this Code for each type of application.

(3) A notice shall be mailed at least ~~seven~~ fourteen days prior to the public hearing to owners of property located within ~~3500~~ 300 feet of any part of the property that is the subject of an application for a Future Land Use change, rezoning or Conditional Use. Notice for all other required public hearings shall be mailed at least fourteen days prior to the public hearing to owners of property located within 300 feet of any part of the property that is the subject of an application. Property owners shall be determined from the latest Pinellas County real property tax records available to the city.

(4) The city shall post a sign providing notice of the public hearing on the subject property at least seven days prior to the public hearing.

(5) Notice of the public hearing shall also be posted at City Hall.

(6) In addition to any application fee established by Appendix A Fee Schedule of the St. Pete Beach Code of Ordinances , prior to the mailing of any notice required by this Section, the applicant shall be responsible for payment in full to the city of all costs associated with such mailed notice. This shall include all postage costs as well as required materials. For the purposes of this provision, the City Manager shall establish and make publically available a standard material charge per item mailed.

(7) Failure to strictly comply with the foregoing public notice requirements shall not preclude the appropriate board of authority from considering the subject application, nor shall it affect the validity of any resulting decision.

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
Michael Finnerty, MAYOR

FIRST READING : 1-26-2010
PUBLISHED : 1-30-2010
SECOND READING : 2-9-2010
PUBLIC HEARING : 2-9-2010

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 9th day of February, 2010.

Theresa McMaster
Theresa B. McMaster, City Clerk

**St. Pete Beach Ordinances
2010**

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| 2010-01 | An Ordinance of the City of St. Pete Beach, Pinellas County, Florida amending Section 3.4 Of the Land Development Code; providing for public notice for proposed changes to the Official Zoning Map; providing for public notice for proposed changes to the Future Land Use Plan Map; providing for payment of costs associated with required public notice; providing for severability; providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date. | First 1/26/10
Final 2/09/10 |
| 2010-02 | An Ordinance of the City of St. Pete Beach, Pinellas County, Florida amending Division 26 of the Land Development Code regarding signs; amending definitions and prohibited signs; providing for appeals of administrative decisions to be heard pursuant to Section 3.14 of the Land Development Code; renumbering certain sections as necessary; adding new Sections 26.33 and 26.34 related to signage in the Town Center Core and Large Resort Districts; allowing sandwich boards in the ROR District; providing for severability; providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date. | First 1/26/10
Final 2/23/10 |
| 2010-03 | An Ordinance of the City of St. Pete Beach, Pinellas County, Florida providing for an amendment to Chapter 22, Article 7 of the code of Ordinances, related to the powers and duties of the Historic Preservation Board; amending Division 20 of the Land Development Code; establishing required yards and lot sizes for contributing historic structures within the Pass-A-Grille overlay and requiring properties that request a reduction in required yards to submit proposed alterations to the exterior of the contributing structure to the appropriate board of authority for review for consistency with the Secretary of the Interior's standards | First 4/13/10
Final 4/27/10 |

for the treatment of historic properties; amending Division 28 of the Land Development Code regarding historic preservation, deleting the limitation of additions to 1,000 square feet, and requiring minimum standards for the contents of applications for certificates of appropriateness; providing for the repeal of ordinances or parts of ordinances in conflict herewith to the extent of such conflict' providing for the severability; and providing for an effective date.

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| 2010-04 | An Ordinance of the City of St. Pete Beach, Florida, providing for amendment of paragraph (8) of Subsection (b) of Section 2-254 of Chapter 2 of the Code of Ordinances, pertaining to charges for off-duty police officers; administrative fees; providing for severability; providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date. | First 3/23/10
Final 4/13/10 |
| 2010-05 | An Ordinance of the City of St. Pete Beach, Florida, providing for amendment of Appendix A, Section 2-254 (b) (8), fee schedule of the Code of Ordinances, as set forth in attachment Appendix "A" to this ordinance; pertaining to charges for off-duty police officers; administrative fees; providing for charges for vehicles and vessels; providing for severability; providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date. | First 3/23/10
Final 4/13/10 |
| 2010-06 | An Ordinance of the City of St. Pete Beach, Florida providing for an amendment of Chapter 82, Article II, Division 1, Section 82-31, One Way Streets, providing for severability; providing for the repeal ordinances or parts of ordinances in conflict herewith to the extent of such conflict; and providing for an effective date. | First 5/11/10
Final 5/25/10 |
| 2010-07 | An Ordinance of the City of St. Pete Beach, Florida Providing for amendment of Subsections (b), (n), (o), (r) and (s) of Section 82-137 of Division 1, | First 5/11/10
Final 5/25/10 |

Article III, Chapter 82, of the Code of Ordinances; pertaining to stopping, standing or parking of vehicles; providing for parking restrictions on specific streets; providing for amendment of the City Parking Maps; providing for severability; providing for the repeal of all Ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date.

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| 2010-08 | An Ordinance of the City of St. Pete Beach, Florida Providing for amendment of Appendix "A", Section 82-205, Fee Schedule of the Code of Ordinances, as set forth in Attachment "A" to this Ordinance; providing for and increase the parking pay station fees at the County Park Beach Access Parking Lot; providing for severability; providing for the repeal of Ordinances or parts of Ordinances in conflict herewith to the extent of such conflict; and providing for an effective date. | First 5/11/10
Final 5/25/10 |
| 2010-09 | An Ordinance of the City of St. Pete Beach, Pinellas County, Florida providing for amendment of Chapter 90 of the St. Pete Beach Municipal Code; providing for amendment of the definition of public conveyance; providing for licensing requirements for public conveyances; providing for severability; providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date. | First 6/8/10
Final 6/22/10 |
| 2010-10 | An Ordinance of the City of St. Pete Beach, Pinellas County, Florida providing for an amendment to Division 3 of the Land Development Code, amending Section 3.10 regarding vested rights and non-conformities to allow for the raising of non-conforming structures to a minimum height, to allow for the construction of a garage, 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. | First 5/11/10
Final 5/25/10 |

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| 2010-11 | An Ordinance of the City of St. Pete Beach, Florida, providing for deletion of Chapter 22, Article XI, Section 22-171 thru Section 22-179 of the Code of Ordinances of the City, pertaining to the Environmental Stewardship Committee, 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. | First 4/13/10
Final 4/27/10 |
| 2010-12 | An Ordinance of the City of St. Pete Beach, Florida providing a supplemental appropriation to the General and Reclaimed Water Funds, establishing a Stormwater Fund for the fiscal year ending September 30, 2010; providing for funding; providing for an effective date. | First 5/11/10
Final 5/25/10 |
| 2010-13 | An Ordinance of the City of St. Pete Beach, Pinellas County, Florida providing for amendments to the Future Land Use Element of the Comprehensive Plan; amending Maps 1, 2, and 3 in the Community Redevelopment District to correct Scrivener's errors; deleting maps 10 and 11 in the Community Redevelopment District and references thereto; in the Activity Center and Bayou Residential Character Districts and establishing height and density limits; allowing the Activity Center and bayou Residential District to pull from the TC-2 Density Pool; allowing for horizontal mixed use in the Activity Center district; clarifying height limitations in the Community Redevelopment District; clarifying that the Density Pool for Upham Beach Village District is for the redevelopment of currently licensed transient accommodations only; providing for the repeal of ordinances in conflict herewith, to the extent of such conflict; providing for severability; and providing for an effective date. | First 6/8/10
*Not yet approved
On hold/K. Holley |
| 2010-14 | An Ordinance of the City of St. Pete Beach, Pinellas County, Florida providing for an amendment to the Capital Improvement Element of the Comprehensive Plan to incorporate the School Board's Five Year Work Program by reference; 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. | First 6/8/10
*Not yet approved
On hold/K. Holley |

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| 2010-15 | <p>An Ordinance of the City of St. Pete Beach, Pinellas County, Florida providing for amendments to the Future Land Use, Recreation, and Future Land Use Map elements of the Comprehensive Plan; amending the definitions; clarifying that density is waived for non-conforming uses but protected for catastrophic loss: deleting cross references to certain page numbers within the Plan; deleting references to specific section of the Land Development Code; deleting Police, Fire and Library infrastructure for purposes of Concurrency management in the Community Redevelopment District; amending minimum acreage standards in the TC-1 and TC-2 character districts; deleting general location description of each character district: stating the number of affordable unit to be constructed in order to receive a density bonus in the Large Resort District; amending the recreation level of service; adding the Community Redevelopment Districts to the Future Land Use Map element; providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; providing for severability; and providing for an effective date.</p> | <p>First 6/8/10
 *Not yet approved
 On hold/K. Holley</p> |
| 2010-16 | <p>An Ordinance of the City of St. Pete Beach, Florida Imposing a temporary moratorium on applications for Rezoning of property to the Traditional Hotel District; Providing for finding of fact; providing severability; and providing an effective date.</p> | <p>First 5/11/10
 *Not yet approved
 On hold/ K. Holley</p> |
| 2010-17 | <p>An Ordinance of the City of St. Pete Beach, Florida providing for amendment of Chapter 86 Utilities Article IV of the Code of Ordinances pertaining to the Reclaimed Water System; providing staff responsibilities; providing for change of the Reclaimed Water System from a special revenue fund to an enterprise fund; providing for adjustment of reclaimed water rates to promote full cost recovery; 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.</p> | <p>First 6/8/10
 Final 6/22/10</p> |

2010-18	An Ordinance of the City of St. Pete Beach, Pinellas County, Florida providing for amendment to the Land Development Code; adding a new Division 40 and amending Division 23 and 26 to implement the Eighth Avenue Community Redevelopment District, as written in Exhibit "A" attached hereto: amending the Official Zoning Map as illustrated in Exhibit "B" attached hereto and adopted herein; providing for the repeal of ordinances of parts of ordinances in conflict herewith, to the extent of such conflict; providing for severability; and providing for an effective date.	First 10/26/10 *Not yet approved On hold/K. Holley
2010-19	An Ordinance of the City of St. Pete Beach, Florida providing for amendment of Subsections (n), (o) and (r) of Sections 82-137 of Division 1 of Article III of Chapter 82 of the Code of Ordinances, pertaining to stopping, standing and parking of vehicles; providing for parking restriction on specific streets; providing for amendment of the City Parking Maps; providing for severability; providing for the repeal of all ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date.	First 7/13/10 Final 7/27/10
2010-20	An Ordinance of the City of St. Pete Beach, Florida amending Section 6-2, City Code; revising closing hours for establishments dealing in alcoholic beverages; providing for findings of fact; providing severability; and providing for an effective date.	First 7/13/10 Final 7/27/10
2010-21	On hold	
2012-22	Number not used.	
2010-23	An Ordinance of the City of St. Pete Beach, Pinellas County, Florida providing for allocations of 19 units tourist lodging density under provision of the Upham Beach Village district temporary lodging unit density pool, as established in the City of St. Pete Beach Comprehensive Plan, to property located at 600 71 st Avenue;	First 7/27/10 * *

providing for severability; providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date.

** (Withdrawn by applicant before final reading)

2010-24	An Ordinance of the City of St. Pete Beach, Florida, adopting a final millage rate for the Fiscal Year ending September 30, 2011 providing for an effective date.	First 9/15/10 Final 9/28/10
2010-25	An Ordinance of the City of St. Pete Beach, Florida adopting a budget for the Fiscal Year ending September 30, 2011; providing appropriations; and providing for an effective date.	First 9/15/10 Final 9/28/10
2010-26	An Ordinance of the City of St. Pete Beach, Florida amending the restating Chapter 66, Pensions and Retirement, Article II, General Employees' Retirement System, of the Code of Ordinances of the City of St. Pete Beach providing for severability of provisions; repealing All ordinances in conflict herewith and providing and effective date.	First 9/15/10 Final 9/28/10
2010-27	An Ordinance of the City of St. Pete Beach amending and restating Chapter 66, Pension and Retirement, Article III, Police Officers' Retirement System, Sections 66-141 through 66-250, inclusive, of the Code of Ordinances of the City of St. Pete Beach Police Officers' Retirement System; providing for severability of provisions; repealing all ordinances in conflict herewith and providing an effective date.	First 9/15/10 Final 9/28/10
2010-28	An Ordinance of the City of St. Pete Beach amending and restating Chapter 66, Pension and Retirement, Article IV, Firefighters' Retirement System, Section 66-251 through 66-338, inclusive, of the Code of Ordinances of the City of St. Pete Beach, by restating the City of St. Pete Beach Firefighters' Retirement System;	First 9/15/10 Final 9/28/10

providing for severability of provision; repealing all ordinances in conflict herewith and providing an effective date.

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| 2010-29 | Number not used. | |
| 2010-30 | An Ordinance of the City of St. Pete Beach, Florida providing for amendment of Chapter 82, Article II, Division 1, Section 82-31, One Way Street; providing for severability; providing for the repeal of ordinances or part of ordinances in conflict herewith to the extent of such conflict; and providing for an effective date. | First 9/15/10
Final 9/28/10 |
| 2010-31 | An Ordinance of the city of St. Pete Beach, Pinellas County, Florida providing for amendment of the Land Development Code; providing for amendment of Division 2 regarding the definitions of pools and spas; amending Section 31 of the Land Development Code as it relates to development standards for temporary lodging establishments in the Traditional Hotel district; amending Division 6 of the Land Development Code as it relates to temporary lodging establishments; 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. | First 2/8/11
Final 2/22/11 |
| 2010-32 | An Ordinance of the City of St. Pete Beach, Pinellas County, Florida providing for amendment of Division 26 of the Land Development Code; providing for amendment of the City of St. Pete Beach sign ordinance; providing for amendment of standards relating to sandwich board signs, designer signs, window signs and banners; providing for amendments to sections related to fees; providing severability; providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict and providing for an effective date. | First 11/9/10
Final 1/11/11 |
| 2010-33 | An Ordinance of the City of St. Pete Beach, Florida providing for amendment of Chapter 58 of the Code Ordinances, pertaining to Parks and Recreation; | First 9/28/10
Final 10/12/10 |

providing for amendment of Sections 58-1 thereof, pertaining to definitions; amendment of Section 58-5(a) rental fees; and providing for an effective date.

2010-34 On hold
2010-35 On hold

2010-36 An Ordinance of the City of St. Pete Beach, Florida First 11/23/10
Providing a supplemental appropriation to the General Final 12/14/10
Fund for Fiscal Year ending September 30, 2010;
Providing for funding; providing for an effective date.

2010-37 On hold

2010-38 An Ordinance of the City of St. Pete Beach, Florida, First 12/14/10
providing a supplemental appropriation to the General Final 1/11/11
and Capital Project Funds for Fiscal Year ending
September 30, 2011; providing for funding; providing for
an effective date.

2010-39 An Ordinance of the City of St. Pete Beach, Florida First 12/14/10
providing for amendment of Section 50 of the Code Final 1/11/11
of Ordinances of the City, pertaining to the Library; pro-
viding 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.

2010-40 An Ordinance of the City of St. Pete Beach, Florida First 12/13/10
proposing pursuant to Section 8.01 of the City Charter Final 1/6/11
an amendment to the City Charter repealing Section 3.15
of the City Charter which provides that except as otherwise
prohibited by law, voter approval is required for and
Comprehensive Plan or Plan amendment that affects more
than five parcels of land and which changes the density or
intensity of uses or the height of structures or that adds or
changes a Land Use category in the Comprehensive Plan;
providing for a ballot question to be submitted to the electors
of the City at a Referendum Election to be held on March 8, 2011;
providing for severability; providing for the repeal of ordinances
or parts of ordinances in conflict herewith, to the extent of such

conflict; and providing for an effective date.

- 2010-41 An Ordinance of the City of St. Pete Beach, Florida First 12/13/10
proposing pursuant to Section 8.01 of the City Charter Final 1/6/11
an amendment to the City Charter repealing Section 3.16
of the City Charter which provides that a Community
Redevelopment Plan, as defined in Florida Statutes,
shall not be adopted by the City Commission until such
proposed Community Redevelopment Plan is submitted to
a vote of the electors by referendum; providing for repeal of
said Section 3.16 of the City Charter; providing for a ballot
question to be submitted to the electors of the City at a
Referendum Election to be held on March 8, 2011; pro-
viding for severability; providing for the repeal of
ordinances or parts of ordinances in conflict herewith, to
the extent of such conflict; and providing for an effective date.
- 2010-42 An Ordinance of the City of St. Pete Beach, Florida First 12/13/10
proposing pursuant to Section 8.01 of the City Charter Final 1/6/11
an amendment to the City Charter repealing Section 3.18
of the city charter which provides that no amendment to
the City's Land Development Regulations changing the
allowable height of any structure shall be adopted until the
amendment is submitted to a vote of the electors by
referendum, unless the amendment has been previously
voted on in an approved Comprehensive Plan or Plan
amendment; providing for repeal of said Section 3.18 of the
City Charter; providing for a ballot question to be submitted
to the electors of the City at a Referendum Election to be
held on March 8, 2011; providing for severability; providing
for the repeal of ordinances or parts of ordinances in conflict
herewith, to the extent of such conflict; and providing for an
effective date.
- 2010-43 An Ordinance of the City of St. Pete Beach, Florida First 12/13/10
proposing pursuant to Section 8.01 of the City Charter **Not adopted
an amendment to City Charter Section 7.02 which
provides that the qualified voters of the City shall have power
to propose ordinances to the Commission and if the
Commission fails to adopt an ordinance so proposed, without

any change in substance to adopt it or reject it at a City election; providing for amendment of said Section 7.02 of the City Charter to exclude from this charter section certain types of ordinances; providing for a ballot question to be submitted to the electors of the City at a Referendum Election to be held on March 8, 2011; providing for severability; providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date.

2010-44 An Ordinance of the City of St. Pete Beach, Florida First 12/13/10
proposing pursuant to Section 8.01 of the City Charter **Not adopted
Section 7.03 which provides that the qualified voters of
the City shall have power to require reconsideration by the
Commission of any adopted ordinance and, if the Commission
fails to repeal an ordinance so reconsidered, to approve or
reject it at a city election; providing for amendment of said
Section 7.03 of the City Charter to exclude from said certain
types of ordinances; providing for a ballot question to be
submitted to the electors of the City at a Referendum Election
to be held on March 8, 2011; providing for severability; pro-
viding for the repeal of ordinances or parts of ordinances in
conflict herewith, to the extent of such conflict; and pro-
viding for an effective date.

2010-45 An Ordinance of the City of St. Pete Beach, Florida First 12/13/10
Proposing, pursuant to Section 8.01 of the City Charter, Final 1/6/11
Revision of City Charter Section 7.04 which provides
for initiative or referendum petitions, commencement of
proceedings, procedures for filing, suspension of effect of
an ordinance which is the object of a referendum petition,
action on petitions and results of election; to delete a specific
timeframe in which to hold an election on a proposed or
referred ordinance; to require that each petition blank advise
voters that the election shall be held at the next regular City
election unless the City Commission in its discretion elects
to hold a special election; to require that each petition blank
advise voters of the approximate cost of holding a special election;
to require that a certain percentage of the voters in each district
of the City sign a petition in order to initiate proceedings under
said section; to provide a time limit for gathering signatures and

submitting initiative or referendum petitions; to provide that no petition shall be considered valid if filed beyond that time period; to delete Subsection 7.14(d) which provides for suspension of effect of an ordinance upon filing of a referendum petition concerning that ordinance; and to provide for an effective date.

2010-46

An Ordinance of the City of St. Pete Beach, Florida proposing pursuant to Section 8.01 of the City Charter an amendment to City Charter to amend the Charter to eliminate references to the City Clerk; providing for a ballot question to be submitted on March 8, 2011; providing for severability; providing for the repeal of ordinances of parts of ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date.

First 12/13/10
**Not adopted