

ORDINANCE NO. 2011-17

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 28 OF THE LAND DEVELOPMENT CODE AS IT RELATES TO HISTORIC PRESERVATION; AMENDING SECTION 28.11 TO REQUIRE THE OWNERS OF DESIGNATED AND/OR CONTRIBUTING STRUCTURES TO OBTAIN A CERTIFICATE OF APPROPRIATENESS PRIOR TO THE DEMOLITION OF THE STRUCTURE; ALLOWING THE HISTORIC PRESERVATION BOARD TO STAY THE DEMOLITION SO THAT ALTERNATIVES TO DEMOLITION CAN BE EXPLORED; 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 Future Land Use Element of the City's Comprehensive Plan encourages the preservation of historic structures; and

WHEREAS, the Historic Preservation Board has recommended that demolitions of contributing structures should be reviewed by the Board in order to explore a possible option to demolition;

WHEREAS, the City's Planning Board, as the City's Local Planning Agency, 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 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, 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 28 of the City of St. Pete Beach, Florida Land Development Code is amended as follows:

Sec. 28.11. Demolition permits.

(a) Structures that have been designated pursuant to this division and/or buildings considered contributing structures to the National Register Historic District shall not be issued a demolition permit until a Certificate of Appropriateness has been issued for the demolition. After a building or district has been designated under this division, the city manager shall refer all related applications for demolition permits to the historic preservation board for review prior to permit issuance.

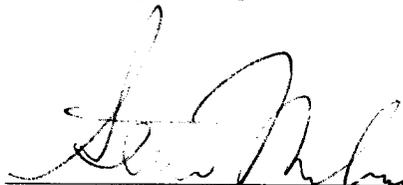
(b) The historic preservation board may not deny a request for a certificate of appropriateness for a demolition permit, but may impose a stay of demolition for up to 90 days for designated structures that have taken advantage of any preservation incentives or up to 30 days for either contributing structures or designated structures that have not taken advantage of any preservation incentives in order to inform the applicant about possible incentives for preservation of the structure or explore possible alternatives to the demolition of the designated structure. When reviewing a certificate of appropriateness request for the issuance of a demolition permit, the historic preservation board shall consider the following criteria:

- (1) The historic or architectural significance of the building.
- (2) The importance of the building to the character of a district, if applicable.
- (3) The difficulty or impossibility of reproducing such a building because of its design, texture, material, detail, or unique location.
- (4) Whether the building is one of the last remaining examples of its kind in the neighborhood or city.
- (5) Whether reasonable measures can be taken to save the building.
- (6) Whether the building is capable of earning a reasonable economic return on its value and whether the perpetuation of the building, considering its physical condition, its location and the anticipated expense of rehabilitation would be economically feasible.

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 upon adoption.



STEVE MCFARLIN, MAYOR

LPA HEARING	: May 17, 2011
PUBLISHED	: May 11, 2011
FIRST READING	: <u>June 14, 2011</u>
PUBLISHED	: <u>May 11, 2011</u>

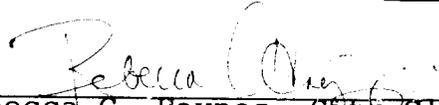
SECOND READING

: 6/28/2011

PUBLISHED

: 6/18/2011

I, Rebecca C. Haynes, City Clerk of the City of St,
Pete Beach, do hereby certify that the foregoing ordinance
was duly adopted in accordance with the provisions of
applicable law on this 28th day of June, 2011.



Rebecca C. Haynes, City Clerk