

ORDINANCE NO. 2011-18

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 6 OF THE LAND DEVELOPMENT CODE AS IT RELATES TO SUPPLEMENTAL STANDARDS FOR DOCKS; AMENDING SECTION 6.23, ALLOWING THE REPAIR AND REPLACEMENT OF RESIDENTIAL DOCKS IN THE SAME CONFIGURATION WITHOUT A VARIANCE; 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 recognizes that a number of existing docks do not meet current Land Development Regulations pertaining to side yard setbacks; and

WHEREAS, the City wishes to lessen the regulatory burden for residential property owners who simply wish to replace a dock in its current configuration;

WHEREAS, the City's Planning Board, as the City's Local Planning Agency, has reviewed this ordinance and has recommended denial 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 6 of the City of St. Pete Beach, Florida Land Development Code is amended as follows:

Sec. 6.23. Docks.

(f) *Dock repairs.*

(1) All dock repairs, including repairs to or replacement of permitted boat lifts, shall require a permit from the city, unless otherwise provided in this subsection.

(2) Replacement of deck boards, only, on a residential dock shall not require the issuance of a permit from the city. All deck boards shall meet the minimum construction criteria as required by the Pinellas County Water and Navigation Control Authority.

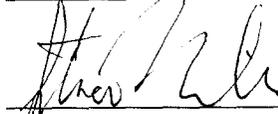
(3) Residential dock owners shall be permitted to repair or replace residential docks that ~~have been damaged by a catastrophic event~~ in the same size and configuration as the original permitted dock. A copy of the original county permits and drawings shall be submitted with the permit application. If original County permits cannot be provided, then the application will be reviewed as if it were a new dock permit request. This provision shall supersede requirements for nonconforming structures provided for elsewhere in the Code.

(g) *Disrepair or dilapidated docks.* If any dock falls into a state of disrepair and becomes a dangerous structure, creating risks to the safety and well-being of the community or individual members thereof, the entire structure shall either be removed or repaired so as to conform to the requirements of this section.

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.

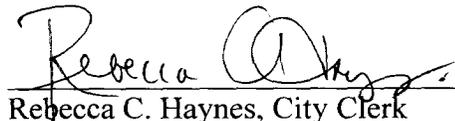
Section 4. This ordinance shall become effective upon adoption.



STEVE MCFARLIN, MAYOR

LPA HEARING: MAY 17, 2011
PUBLISHED : MAY 11, 2011
FIRST READING: JUNE 28, 2011
SECOND READING: JULY 12, 2011
PUBLISHED : JULY 02, 2011

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 12th day of July, 2011.



Rebecca C. Haynes, City Clerk