

**CITY OF ST. PETE BEACH**

**ORDINANCE NO. 2012-22**

**AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR AMENDMENTS TO THE LAND DEVELOPMENT CODE AS THEY RELATE TO THE COMMUNITY REDEVELOPMENT DISTRICT; AMENDING THE BAYOU RESIDENTIAL ZONING DISTRICT REGARDING THE ALLOCATION OF TEMPORARY LODGING UNITS FROM THE DENSITY POOL AND THE REGULATION AND SITE REQUIREMENTS OF TEMPORARY LODGING AND MIXED USES, FURTHER ILLUSTRATED IN EXHIBIT "A"; 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 of the City St. Pete Beach adopted a large scale comprehensive plan amendment, establishing what is known as the Community Redevelopment District via Ordinance 2011-19; and

**WHEREAS**, 163.3202 Florida Statutes, requires local governments to adopt land development regulations consistent with its adopted comprehensive plan; and

**WHEREAS**, changes in the economy and existing uses and parcel sizes in the Bayou Residential District have encouraged the City to re-evaluate and adjust regulations in the Comprehensive Plan and Land Development Code to allow for more flexibility in the allocation and regulation of temporary lodging units and their accessory commercial uses; and

**WHEREAS**, the Planning Board of the City of St. Pete Beach conducted a public hearing on August 21, 2012, noticed pursuant to Florida law and conducted pursuant to Ordinance 88-36 of the City of St. Pete Beach and found these changes to the Comprehensive Plan to be in the best interest of the citizens of the City of St. Pete Beach; and

**WHEREAS**, City Commission of the City of St. Pete Beach conducted public hearings on and 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 text amendment to the Land Development Code to be Consistent with the Goals, Objectives, and Policies of the Comprehensive Plan; and

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

**Section 1.** The Land Development Regulations are hereby amended as shown in "Exhibit A".

**Section 2.** All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.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 30 days from the date of adoption.



**STEVE MCFARLIN, MAYOR**

**LPA NOTICE PUBLISHED: 8/11/2012**

**LPA PUBLIC HEARING: 8/21/2012**

**FIRST READING: 10/23/2012**

**PUBLISHED: 10/10/2012**

**SECOND READING/ADOPTION HEARING: 11/13/2012**

**PUBLISHED: 10/27/2012**

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 13<sup>th</sup> day of November, 2012.



**Rebecca Haynes, City Clerk**

## “Exhibit A”

### Text amendments to the Land Development Code

Sec. 42.1. - Purpose and intent.

The BR Bayou Residential District is intended to support multi-family residential or temporary lodging projects with limited non-residential uses mixed with the residential uses.

Sec. 42.2. - Permitted primary and secondary uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted primary and secondary uses and structures in the Bayou Residential District are as follows:

Primary Uses:

- (a) Residential uses - Attached single family, two family, and multi-family.

Secondary Uses:

- (a) Commercial ~~or retail~~ uses as a mixed-use component with multi-family residential. ~~(minimum 2-acre site).~~

Sec. 42.3. - Permitted accessory uses and structures.

- (a) Uses and structures, as regulated in sections 6.12 and 6.13, which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures and are not of a nature prohibited. ~~under section 42.5~~
- (b) Home occupations, subject to the conditions set forth in section 6.5 of this Code;
- (c) Temporary structures under the provisions of section 6.11 of this Code;
- (d) Electric vehicle charging stations.

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) (a)~~ Docks, commercial—Class A

~~(a)(c)~~ Docks, commercial: Class B

~~(cb)~~ 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).

Sec. 42.5. - Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Bayou Residential District.

Sec. 42.6. - Density and intensity.

(a) Exclusive rResidential uses shall not exceed 15 units per acre. ~~on a site less than two (2) acres.~~

~~(b) Residential uses shall not exceed 18 units per acre on a buildable site two (2) acres or more.~~

(c) Residential density of up to 18 units per acre ~~on a buildable site of two (2) acres or more only mixed~~ with a commercial non-residential mixed use component with a minimum of 0.2 FAR and a maximum Floor Area Ratio of 0.3. ~~FAR.~~

(d) 40 temporary lodging units per acre not to exceed ~~a total of 50 units per project nor~~ the density pool allocated. The temporary lodging use can be mixed with a commercial use. The maximum floor area ratio for the commercial portion of a mixed use project is 0.3.

Sec. 42.7. - Height and setbacks.

For the Bayou Residential District, height and setbacks are regulated as follows: front yard setbacks for exclusively residential and temporary loading uses are based on height per the Comprehensive Plan and as follows:

Use	Height and Front Yard Setbacks
<del>Exclusive Residential on less than 2 acres</del>	35 feet with a minimum setback of 20 feet from Gulf Blvd.

<u>Residential uses mixed with commercial uses Residential on 2 acres or greater</u>	5445 feet with a minimum setback of 30 feet from Gulf Blvd.
Tourist Lodging <u>with or without a mixed use commercial component</u>	54 feet with a minimum setback of 40 feet from Gulf Blvd.

Other Setback Requirements:

<b>Front Yard for Commercial Mixed with Residential</b>	<b>The Commercial portion of a mixed use development shall be set back a minimum of 15 feet.</b>
Secondary Front:	20 Feet
Side yard:	10 percent of lot width per side; 10 foot minimum setback required.
Rear yard	20 feet. No setback shall be required for any structural pedestrian facilities adjacent to any body of water. Outdoor seating areas for permitted commercial uses may be placed within the required rear yard setback.

Section 42.8. Maximum impervious surface ratio.

Maximum impervious surface ratio (ISR) for exclusively residential uses~~all uses~~: 0.70

Maximum impervious surface ratio (ISR) for all other uses: 0.85

Section 42.9. Minimum Off-Street Parking Requirements

Shall be in accordance with the requirements of Division 23 of the Land Development Code, Off Street Parking and Loading.

Section 42.10 Landscaping

Shall be in accordance with the requirements of Division 22 of the Land Development Code, Landscaping and Tree Protection.

#### Section 42.11 Design Standards

Design standards shall be in accordance with Division 39.

#### Section 42.12 Signs

Shall be in accordance with Division 26.

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