

**CITY OF ST. PETE BEACH**

**ORDINANCE NO. 2013-25**

**AN ORDINANCE AMENDING DIVISIONS 2, 30, AND 37 OF THE LAND DEVELOPMENT CODE OF THE CITY OF ST. PETE BEACH, FLORIDA PROVIDING FOR PERMITTED AND CONDITIONAL USES THAT ARE CONSISTENT WITH THE ST. PETE BEACH COMPREHENSIVE PLAN; 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 of St. Pete Beach continually seeks to gain consistency between the City Land Development Code and the City Comprehensive Plan; and

**WHEREAS**, certain permitted and conditional uses located in Division 30 and 37 of the Land Development Code are currently not identified or are inconsistent with the City Comprehensive Plan; and

**WHEREAS**, correcting these provisions will further the intent of the Comprehensive Plan; and

**WHEREAS**, The Planning Board, acting as the Local Planning Agency, conducted a public hearing regarding these changes on October 15, 2013 and unanimously recommended approval of the proposed changes; and

**WHEREAS**, the City Commission finds these text amendments to the Land Development Code are necessary to promote, protect and improve the health, safety and welfare of the citizens of the city;

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

**Section 1.** Division 2 of the St. Pete Beach, Florida Land Development Code is hereby amended as follows:

**DIVISION 2 DEFINITIONS**

**Sec. 2.1. Words, terms and phrases defined.**

All words used in this chapter shall carry their customary dictionary meanings, except the following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Pawn shop* means an establishment that engages, in whole or in part, in the business of loaning money on the security of pledges of personal property, or deposits or conditional sales of

personal property, or the purchase or sale of personal property including metals, such as gold, silver, and copper.

*Liquor store* means any business selling general alcoholic beverages, also known as sale of distilled spirits or hard liquor, for off-premises consumption. Liquor store does not include a business selling only beer and/or wine for off-premises consumption or any business that offers the sale of liquor where 25% or less of the gross floor area is dedicated to such use.

*Tobacco shop* means a retailer whose business exclusively or primarily involves the sale of tobacco products and related goods.

*Body art* means the practice of physical body adornment by establishments and artists using, but not limited to, the techniques of body piercing and tattooing. This definition does not include ear piercing.

*Check-cashing* means a person or business that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose.

*Automotive retail store* means a facility used for the retail sale of automotive parts and accessories. Such uses shall not include a car wash, automotive service and repair, or the sale of gasoline or other fuels, and all activities of automotive retail services businesses shall be conducted within an enclosed building.

*Automotive sales lot* means a lot or parcel, with or without structures, upon which new and/or used automobiles, light trucks, motorcycles, mopeds, recreational vehicles, and other licensed vehicles are displayed and sold. This definition shall not include non-licensed vehicles such as bicycles, segways, and golf carts.

*Automotive service and repair* means a use which provides specialized services and/or repairs for automobiles, trucks and other vehicles, including, but not limited to, muffler shops, body shops, transmission shops, automotive paint shops, tire stores which also offer mounting services, and quick-change oil and lubrication shops.

*Automotive service station* means a facility that is designed for the retail sales of gasoline and diesel fuels, which may include convenience food sales.

**Section 2.** Division 30 of the St. Pete Beach, Florida Land Development Code is hereby amended as follows:

## **DIVISION 30 TC-1 TOWN CENTER CORE DISTRICT**

### **Sec. 30.2. Permitted uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses in the TC-1 Town Center Core District are as follows:

- (a) Financial institutions without drive-through service.
- (b) Government buildings and other public or civic facilities, including parks and recreation facilities and transit stations and stops.
- (c) Office uses.
- (d) Personal service businesses such as barbershops, beauty shops, day spas, tailoring, garment alteration and repair, shoe repair, pet grooming, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact. Body art, bail-bond, check-cashing, and other similar services are prohibited.
- (e) Printing and copying.
- (f) Residential uses as a component of mixed-use development only. Residential uses shall not be allowed on the ground floor level of any structure.
- (g) Eating and drinking establishments with or without outdoor seating. Drive-through service is not permitted.
- (h) Retail uses except automotive sales lots, pawn shops, liquor stores, and tobacco shops.
- (i) Theaters, cinemas and other indoor commercial entertainment facilities.
- (j) Artist studios and art galleries.
- (k) Grocery stores and pharmacies without drive-through service.

**Sec. 30.4. Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the TC-1 Town Center Core District are as follows:

- (a) Automotive retail stores and automotive service stations with related services. Such uses shall only be allowed on lots which front directly on 75th Avenue.
- (b) Car washes.
- (c) Convenience stores without the sale of gasoline or other fuels.
- (d) Cigar shops and cigar bars
- (e) Financial institutions with drive-through service.
- (f) Pharmacies with drive-through service.
- (g) Public or private parking structures.
- (h) Bed and breakfast inns, subject to the following:
  - (1) In addition to any density and intensity which may be allowed, the city shall also establish a reserve of units, not to exceed 50 total temporary lodging units for the entire Town Center Core District, which shall be allocated by ordinance of the city commission upon request of an individual property owner on a first come, first serve basis. Such allocation shall not exceed ten units per acre, or a total of ten units per redevelopment project. The remaining number of available reserve temporary lodging units shall be specified in each city commission ordinance allocating such units and each such ordinance shall provide that no units beyond those remaining available shall be allocated to any subsequent project. This limitation shall be absolute and shall apply regardless of the proposed size or density of the project requesting such allocation.

**Section 3.** Division 37 of the St. Pete Beach, Florida Land Development Code is hereby amended as follows:

**DIVISION 37 TC-2 TOWN CENTER COREY CIRCLE AND COQUINA WEST DISTRICTS**

**Sec. 37.2. Permitted uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses in the TC-2 Town Center Corey Circle and Coquina West Districts are as follows.

- (a) Retail uses except automotive sales lots, pawn shops, liquor stores, and tobacco shops;
- (b) Grocery stores, markets, pharmacies without drive-through service;
- (c) Personal service businesses such as barbershops, beauty shops, salons, day spas, gyms and fitness centers, tailoring, garment alteration and repair, shoe repair, dry cleaning pick-up and drop-off and other personal service uses similar in character and impact. Body art, bail-bond, check-cashing and other similar services are prohibited;
- (d) Eating and drinking establishments - with or without outdoor seating;
- (e) Office uses;
- (f) Commercial recreation, public parks and/or recreational facilities;
- (g) Government buildings and other public facilities, including parks and recreation facilities;
- (h) Artist studios and art galleries;
- (i) Multifamily residential only as a component of mixed use. Residential uses are not permitted on the ground floor;
- (j) Vehicle for hire - Limited to rental of non-motorized (bicycles) and individual motorized vehicles such as segways, mopeds/scooters;
- (k) Other uses similar in character, nature and impact to permitted uses listed above.

**Sec. 37.5. Allowable conditional uses.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the TC-2 Town Center Corey Circle and Coquina West Districts are as follows.

- (a) Temporary lodging facilities — hotel, motel and resort condominium, awarded on a first come, first serve basis, to come from the density pool established in the Comprehensive Plan.
- (b) Commercial docks—Class A, B, C and D.
- (c) Vessel for hire (water taxis).
- (d) Cigar shops and cigar bars.

**Section 4.** All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.

**Section 5.** 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 6.** This Ordinance shall become immediately upon adoption.

ADOPTED this 26<sup>th</sup> day of November, 2013.

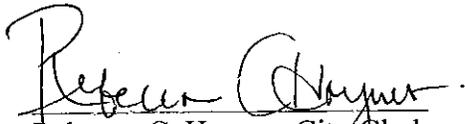
**CITY COMMISSION OF ST. PETE BEACH,  
FLORIDA**



---

Steve McFarlin, Mayor

ATTEST:



---

Rebecca C. Haynes, City Clerk