

**ORDINANCE NO. 2013-04**

**AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA, AMENDING DIVISION 39 OF THE LAND DEVELOPMENT CODE AS IT RELATES TO THE OUTDOOR DISPLAY OF MERCHANDISE; 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 adopted Division 39 of the Land Development Code via Ordinance number 2008-12, establishing design standards for the Community Redevelopment District; and

**WHEREAS**, the City Commission finds it in the best interest of the City to promote good urban design of the District through regulating the outdoor display of merchandise; and

**WHEREAS**, the City's Planning Board, acting as the City's local planning agency, has reviewed this ordinance amending Division 39 and 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 of the health, 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 39 of the City of St. Pete Beach, Florida Land Development Code is hereby amended as illustrated 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**Section 2.** All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with this Ordinance.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 immediately upon adoption.



**STEVE MCFARLIN, MAYOR**

**LPA PUBLIC HEARING: 11/20/2012**

**PUBLISHED: 11/11/2012**

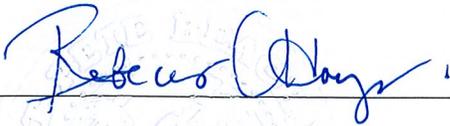
**FIRST READING: 1/8/2013**

**PUBLISHED: 12/23/2012**

**SECOND READING/ADOPTION HEARING: 1/22/2013**

**PUBLISHED: 1/17/2013**

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 22nd day of Jan, 2013



**Rebecca Haynes, City Clerk**

“Exhibit A”

Sec. 39.7. - Street-level facades.

The human scale and aesthetic appeal of street-level facades, and their relationship to the sidewalk, are essential to a pedestrian-friendly environment. Accordingly, at least 50 percent of the street level facades of buildings used for nonresidential purposes which abut a public street or pedestrian access way, will be transparent. For the purpose of this standard:

(a) Street level facade means that portion of a building facade from ground level to the allowable first story height;

(b) Transparent means windows or doors that allow pedestrians to see into:

(1) The building, or

(2) Landscaped or hardscaped courtyard or plazas, where street level facades are set back at least 15 feet from the edge of the sidewalk and the area between the sidewalk and the facade is a landscaped or hardscaped courtyard or plaza.

(c) Parking structures should utilize architectural details and design elements such as false recessed windows, arches, planter boxes, metal grillwork, etc. instead of transparent alternatives. When a parking garage abuts a public road or other public place, it will be designed such that the function of the building is not readily apparent except at points of ingress and egress.

(d) Window coverings and other opaque materials may cover no more than ten percent of the area of any street-level window in a nonresidential building that fronts on a public right-of-way.

(e) Building entrances should be aesthetically inviting, easily identified, preferably with a recessed entrance and also distinctive and visually interesting paving pattern.

~~(f) Goods for sale will not be displayed outside of a building, except as a permitted temporary use. This standard does not apply to outdoor food service establishments.~~

(fg) Awnings and other structures that offer pedestrians cover from the elements are recommended. Awnings help define entryways and provide storefront identity to both pedestrians and drivers.