

Ordinance 2020-13

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN; TO PROVIDE CLARIFICATION ON RATIONALE RELATED TO AWARDING UNITS FROM THE CITY'S DENSITY POOLS WITHIN THE BOUTIQUE HOTEL/CONDO DISTRICT (B-HC), THE ACTIVITY CENTER DISTRICT (AC), THE BAYOU RESIDENTIAL DISTRICT (BR), THE TOWN CENTER CORE DISTRICT (TC-1), THE TOWN CENTER COREY CIRCLE DISTRICT (TC-2) AND THE TOWN CENTER COQUINA WEST DISTRICT (TC-2); PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Pete Beach periodically finds sections in its Comprehensive Plan which require clarification, updating and/or amending; and

WHEREAS, the City's Comprehensive Plan also serves to create a vision for the City's future that ensures the City will remain a desirable place to live and visit that includes overall quality land management and emphasis on strict management of redevelopment in designated core areas of the City; and

WHEREAS, on February 24, 2020, the Planning Board viewed several of these proposed changes as a discussion item and made no recommendations to staff; and

WHEREAS, on June 15, 2020, the City's Planning Board sitting as the Local Planning Agency held a public hearing to consider the proposed Comprehensive Plan changes and provided recommendations to the City Commission; and

WHEREAS, the City Commission has found this ordinance to be in the best interest of the citizens of the City, and preserves safety and welfare 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. Recitals. The above recitals ("Whereas" clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. Language in the City's Comprehensive Plan is to be amended as follows:

II. – Future Land Use Plan Element, Special Designation – Community Redevelopment District (CRD), B. Community Redevelopment District,

Community Redevelopment District General redevelopment guidelines, standards and initiatives, (b) Temporary Lodging Unit Density Pools (“TLU Density Pools”) – Generally shall be amended as follows:

2. Limiting Overall Density. Realistically, not all existing resort properties can or will be redeveloped as such. In some cases, the existing density is not only higher than the 30 units per acre allowed under the existing land use designation is higher than the density allowed in the character districts providing for increased density for temporary lodging uses within the Community Redevelopment District. Therefore, rather than allowing every existing property the maximum potential density which would overestimate the need for density, and further, to ensure that almost every existing property first and foremost has the opportunity to become a conforming property in terms of use, TLU Density Pools shall be created to allow density to be utilized in meaningful ways in the areas of the City where temporary lodging uses currently exist. The goal and intent is to promote economic redevelopment but also provide an absolute overall maximum density cap to ensure that the overall approved density for the Community Redevelopment District is not exceeded and overdevelopment does not occur. Each TLU Density Pool shall have a maximum cap on the allocation of density on a project by project basis to ensure the redevelopment occurs on an orderly basis over time throughout each character district, and This is to avoid a potential overdevelopment scenario that could arise without a cap and a program that evaluates projects on a case-by-case basis of first-come first-serve.

3. TLU Density Pools Established. TLU Density Pools shall be established in the following seven specific character districts*:
 - a. Boutique Hotel/Condo*
 - b. Town Center Core*
 - c. Upham Beach Village*
 - d. Town Center Core Corey Circle**
 - e. Town Center Core Coquina West**
 - f. Activity Center **
 - g. Bayou Residential**

The total number of temporary lodging units approved in 2005 as part of transient unit density pools for the three character districts designated with one asterisk* was 350 units. That 350 unit total for those three designated character districts* remains unchanged in this plan.

In the 2007 amendment, temporary lodging use density was reduced in the Large Resort District from 80 to 75 units per acre over 65.16 acres. The total temporary lodging unit decrease in the Large Resort District is 325 units. Therefore, these 325 units are available for redistribution to character districts with the potential for temporary lodging use redevelopment. These 325 available units are redistributed for potential use in the Town Center Core Corey Circle, Coquina West, Activity

Center, and Bayou Residential Districts** upon approval of a conditional use request and on a ~~first come, first serve~~ case-by-case basis through evaluation of criteria specified in the Land Development Code. These two additional character districts are identified as having temporary lodging use redevelopment potential as a result of their location at either terminus of the Corey Avenue main street corridor and proximity to waterfront.

II. – Future Land Use Plan Element, Special Designation – Community Redevelopment District (CRD), C. Gulf Boulevard Redevelopment District, Boutique Hotel/Condo District (B-HC), Permitted Uses and Standards, (c) Density/Intensity and Height Standards shall be amended as follows:

2. Temporary Lodging Unit Density Pool ("TLU Density Pool") - The City shall establish a TLU Density Pool not to exceed a total of 125 units for the entire Boutique Hotel/Condo district and the following shall govern the allocation of density from the TLU Density Pool:
 - a. The TLU Density Pool shall be allocated to individual projects by ordinance of the City Commission upon request of an individual property owner on a case-by-case basis, with evaluation through criteria specified in the Land Development Code; and

II. – Future Land Use Plan Element, Special Designation – Community Redevelopment District (CRD), C. Gulf Boulevard Redevelopment District, Activity Center District (AC), Permitted Uses and Standards, (c) Density/Intensity and Height Standards shall be amended as follows:

5. Temporary Lodging Unit Density Pool ("TLU Density Pool") - The City shall establish a TLU Density Pool not to exceed a total of 325 units for the entire TC-2, Bayou Residential, and Activity Center districts and the following shall govern the allocation of density from the TLU Density Pool:
 - a. The TLU Density Pool shall be allocated to individual projects by ordinance of the City Commission upon request of an individual property owner on a case-by-case basis, with evaluation through criteria specified in the Land Development Code; and

II. – Future Land Use Plan Element, Special Designation – Community Redevelopment District (CRD), C. Gulf Boulevard Redevelopment District, Bayou Residential District (BR), Permitted Uses and Standards, (c) Density/Intensity and Height Standards shall be amended as follows:

4. Temporary Lodging Unit Density Pool ("TLU Density Pool") - The City shall establish a TLU Density Pool not to exceed a total of 325 units for the entire TC-2, Bayou Residential, and Activity Center districts and the following shall govern the allocation of density from the TLU Density Pool:
 - a. The TLU Density Pool shall be allocated to individual projects by ordinance of the City Commission upon request of an individual property owner on a case-by-case basis, with evaluation through criteria specified in the Land Development Code; and

II. – Future Land Use Plan Element, Special Designation – Community Redevelopment District (CRD), D. Downtown Redevelopment District, Town Center Core District (TC-1), Permitted Uses and Standards, (c) Density/Intensity and Height Standards shall be amended as follows:

3. Temporary Lodging Unit Density Pool ("TLU Density Pool"): In addition to any density and intensity which may be allowed in the Town Center Core District, the City shall also establish a TLU Density Pool, not to exceed a total of fifty (50) units for the entire Town Center Core District. The following shall govern the implementation of the TLU Density Pool:
 - a. The TLU Density Pool shall be allocated by Ordinance of the City Commission upon request of an individual property owner on a case-by-case basis, with evaluation through criteria specified in the Land Development Code; and

II. – Future Land Use Plan Element, Special Designation – Community Redevelopment District (CRD), D. Downtown Redevelopment District, TC-2 Temporary Lodging Use shall be amended as follows:

(a) **Density** - TC-2 Temporary Lodging Unit Density Pool ("TC-2 TLU Density Pool"): The City shall establish a TC-2 TLU Density Pool, not to exceed a total of three-hundred and twenty-five (325) units for the entire Town Center Corey Circle and Coquina West Districts (TC-2). These density pool units may also be allocated to the Activity Center and Bayou Residential Districts. The following shall govern the allocation of temporary lodging units from the TLU Density Pool:

- 1. The TC-2 TLU Density Pool shall be allocated by Ordinance of the City Commission upon request of an individual property owner on a case-by-case basis, with evaluation through criteria specified in the Land Development Code; and

SECTION 3. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 4. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 5. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 6. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 7. Effective Date. This ordinance shall take effect immediately upon adoption.

PUBLISHED: 08/12/2020
FIRST READING: 08/25/2020
PUBLISHED: 09/23/2020
SECOND READING: 09/28/2020
PUBLIC HEARING: 09/28/2020

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

Alan Johnson, Mayor

I, Amber LaRowe, 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 _____ day of _____, 2020.

Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Andrew Dickman, City Attorney

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II. – Future Land Use Plan Element, Special Designation – Community Redevelopment District (CRD), C. Gulf Boulevard Redevelopment District, Boutique Hotel/Condo District

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

Alan Johnson, Mayor

I, Amber LaRowe, 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 28 day of September 2020.



Amber LaRowe, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Andrew Dickman, City Attorney