LOCAL PLANNING AGENCY
THURSDAY, FEBRUARY 13, 2025 – 4:30 PM
10451 GULF BOULEVARD TREASURE ISLAND, FL 33706

MEETING NOTICE AND AGENDA

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1. **MEETING CALLED TO ORDER BY PRESIDING OFFICER**
2. **PLEDGE ALLEGIANCE**
3. **CELL PHONE ANNOUNCEMENT**
4. **OATH OF OFFICE**
5. **ROLL CALL**
6. **APPROVAL OF MINUTES**
7. **PRESENTATION OF ITEMS**

   6A. Request to approve Resolution 2025-01 recommending adoption of Ordinance 2025-01 creating a temporarily expanded time frame for Special Events.
   Ord 2025-01 Chapter 68 Special Event Ordinance (02809251).pdf
   Resolution 2025-01 LPA Ord 2025-01 Chapter 68 Spec Event Hurricane.pdf
   Business Impact Ord 2025-01.pdf

8. **LOCAL PLANNING AGENCY ISSUES, COMMENTS, OR DISCUSSION**
9. **REPORTS OF CITY ATTORNEY, STAFF AND BOARD MEMBERS**
10. **NEXT LPA MEETING**
11. **PUBLIC COMMENTS**
12. **ADJOURNMENT**

AGENDA ITEM NO. 6A.

Item Cover Page

LOCAL PLANNING AGENCY AGENDA ITEM REPORT

DATE: February 13, 2025

SUBMITTED BY: Kathryn Younkin, Community Development

ITEM TYPE: Resolutions

AGENDA SECTION: PRESENTATION OF ITEMS

SUBJECT: Request to approve Resolution 2025-01 recommending adoption of Ordinance 2025-01 creating a temporarily expanded time frame for Special Events.

BACKGROUND: In response to the extreme damage caused to structures in the city in the wake of three hurricanes in 2024, and two major hurricanes which damaged most structures in the city, staff has recommended the changes outlined in the Ordinance to allow businesses to operate on a temporary basis while the permanent structures are being repaired.

POLICY/PURPOSE: To provide relief to business owners in the post storm / reconstruction environment.

STRATEGIC PLAN RELEVANCE: Goal 1: Foster a vibrant business community

Objective 2: Implement the Economic Development Vision

Bold Action 1: Perform a review of local ordinances and Land Development Regulations

Bold Action 2: Update the City's Comprehensive Plan, local ordinances, and Land Development Regulations

ANALYSIS/DISCUSSION: Staff has brought forward a change to the Special Event section of Chapter 68 Land Development regulations for Special Events.

Special events are defined in Sect 68-2 as: Special event means an approved activity that can be either recurring or non-

recurring. Such event is usually for a short duration of time and is usually an entertainment, education, cultural, or neighborhood event including, but not limited to, activities such as organized neighborhood yard sales, neighborhood block parties, wedding receptions on the beach, spaghetti dinners, special beach events, beach clean-ups, outdoor concerts and movies, outdoor morning markets, bazaars, parades, and carnivals. Such events extend beyond the normal uses and standards allowed by the land development regulations of the city.

The city's current regulations limit special events to 9 days, and this proposed Ordinance will allow businesses that are in the process of rebuilding to extend the approval of events to six months, with an option for two additional three-month extensions. For instance, a restaurant may have food trucks, tents, restroom trailers, or other amenities as long as sufficient parking remains. Events will still be subject to conditions of approval as listed in the code for compliance with parking, lighting, noise, or hours of operation that will be set out in the specific approval.

FUNDING: N/A

MOTION: I move to approve Resolution 2025-01 recommending that the City Commission approve Ordinance 2025-01.

ATTACHMENTS:
Ord 2025-01 Chapter 68 Special Event Ordinance (02809251).pdf
Resolution 2025-01 LPA Ord 2025-01 Chapter 68 Spec Event Hurricane.pdf
Business Impact Ord 2025-01.pdf

ORDINANCE 2025-01

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING CHAPTER 68 "ZONING REGULATIONS" OF THE CITY OF TREASURE ISLAND CODE OF ORDINANCES BY AMENDING SECTION 68-571, "SPECIAL EVENT PERMIT" TO ALLOW FOR CERTAIN EXTENDED SPECIAL EVENTS FOR A LIMITED TIME IN THE AFTERMATH OF HURRICANES HELENE AND MILTON SO THAT BUSINESSES MAY BEGIN TEMPORARY OPERATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 68 of the City Code of Ordinances ("Code"), entitled "Zoning Regulations," regulates zoning within the City; and

WHEREAS, on September 26, 2024, storm surge and high winds from Hurricane Helene caused significant damage to properties throughout the City of Treasure Island; and

WHEREAS, the ground floor of almost every property in the City suffered flood damage from the storm surge and Hurricane Helene's damage is an extraordinary condition that warrants relief from certain event restrictions: and

WHEREAS, on October 9, 2024, flooding and high winds from Hurricane Milton caused further significant damage to properties throughout the City of Treasure Island and such damage is an extraordinary condition that warrants relief from certain event restrictions: and

WHEREAS, the City wished to provide relief from some of the existing City Code of Ordinances and Land Development Regulations ("Code") restrictions on special events, in this time of substantial repair, elevation, and reconstruction; and

WHEREAS, the current regulations restrict special events to a 9 day period and in order to support the business community by providing an opportunity to operate in a temporary manner for a longer time period while their buildings are under construction: and

WHEREAS, the Local Planning Agency has held a meeting to discuss these revisions and recommends approval of such revisions; and

WHEREAS, the City Commission has reviewed City's Comprehensive Plan and finds that revisions are consistent with the City's Comprehensive Plan; and

WHEREAS, the City Commission has reviewed the relevant current Code provisions of the City of Treasure Island and finds that certain modifications are necessary and desirable to revise various requirements in the Code; and

WHEREAS, the City Commission determines that the adoption of this Ordinance is in the interests of the public health, safety and welfare of the City and its residents.

NOW, THEREFORE, THE CITY OF TREASURE ISLAND, FLORIDA DOES ORDAIN:

SECTION 1. The recitals set forth in the "Whereas" clauses above are ratified and confirmed as true and correct and are hereby adopted as legislative findings by the City Commission of the City of Treasure Island, Florida, for the adoption of this Ordinance.

SECTION 2. That Section 68-571, Special event permit, of Chapter 68, Zoning Regulations, of the Code of Ordinances of the City of Treasure Island, Florida, is hereby amended to read as follows:

Sec. 68-571. - Special event permit.

(a) *Application procedure and permitting process for a special event permit on private property or when closing city streets.* An applicant shall provide the community improvement department with the following written information and accompanied fee no less than 45 working days prior to the proposed event or activity in support of its application for a permit hereunder:

(1) Name, address, and contact information of the applicant and a contact person (sponsoring business or organization);
(2) Location of activities for which permit is sought;
(3) A notarized letter of permission from the property owner if the location of the special event is being held on private property not owned by the applicant;
(4) Detailed description of the proposed special event; specific nature and purpose of all activities for which permit is sought; any fees charged to attend the event;
(5) Specific dates and hours of set-up and tear-down;
(6) Specific days and hours of activities sought to be permitted;
(7) Specific location and physical dimensions included in a drawing of any and all:
    a. Structures (existing and temporary);
    b. Event and vendor vehicle parking;
    c. All tents (Note: tents greater than ten feet by ten feet require a tent permit);
    d. Signs and/or banners on site;
    e. Generators;
    f. Stages;
    g. Sound equipment;
    h. Restroom facilities;
    i. Lighting;

j. Vendors booths;
l. Fencing; or
m. Any equipment sought to be used in conjunction with activities.

(8) Further, no permit shall be issued hereunder for the requested special event unless the applicant reasonably establishes that the following concerns have been addressed in a manner that is consistent with the interests of the public health, safety, and general welfare:

a. Traffic access egress/traffic circulation;
b. Pedestrian safety;
c. Sanitation and litter control;
d. Restroom facilities;
e. Event parking (on-site/off-site);
f Crowd control;
g. Liability insurance;
h. Vendors and their current licensure;
i. Entity responsible for maintenance during event and cleanup following each day of the event;
j. Alcohol control;
k. Temporary signage on or off site; and
~~j~~l. Location of any street and/or sidewalk closures.

Upon review of the requirements set forth in this section by the community improvement department after consultation with the appropriate city staff, and upon finding that the permitted activity as proposed will not unduly impair the public health, safety or welfare of the city and will minimize any possible disruptions to adjoining or neighboring residents or establishments, a permit shall be granted or granted with conditions unless upon staff's discretion, the special event permit requires city commission approval.

(b) *Number per year and duration.* Not more than four special event permits in any 12-month period shall be held at the same location. Each event from setup through breakdown shall not exceed nine consecutive days.

Time exemption. In response to the number of structures damaged by Hurricane Helene and Hurricane Milton in September and October of 2024, special events on commercial properties may be allowed to continue for a 6-month duration with an option for 3- one month extensions through February 18, 2026, as long as the building containing the principal use is not operational on the property and repair or replacement of the building is in the permitting process or under construction These time exempted special events must follow the parking requirements which would be applicable based on the event area size. All temporary structures are to be removed within 12 hours of issuance of a tropical storm or hurricane warning. All conditions of special event approval must be met throughout the duration of the special event. Except as otherwise provided in the Time Exemption, all other provisions of the special event permit regulations apply.

(c) *Conditions of special event permit approval.* In granting a special event permit, the community improvement department may prescribe appropriate conditions and safeguards. Conditions of approval may include, but are not limited to:

(1) Regulations of hours and days;

(2) Requirements/guarantees for cleanup and removal of tents/structures/equipment;

(3) Return of site to its original state within a specified period of time;

(4) Regulation of permit duration;

(5**)** Regulation of signs and advertising;

(6) Regulation of lighting;

(7) Regulation of public address or sound system;

(8) Regulation of gas, smoke, noise, fumes, vibrations or other nuisances; and

(9) Such other conditions as are deemed necessary to protect the health, safety and welfare of the community.

(d) *Permit denials, appeal and notice.* If a permit for a special event is denied, written notice of denial shall be given to the applicant. The applicant may appeal the decision to the city commission by giving written notice to the city clerk within 30 calendar days of the decision for denial

(e) *Revocation.*

(1) The special event permit may be revoked immediately if in the sole and absolute discretion of the city manager or designee the permittee is in violation of any law or activity that endangers the public health, safety, or general welfare.

(2) Any special event permit issued by the community improvement director shall be considered null and void if the operation or activity does not conform to the approved plan or plan of operations.

(f) *Fee.* The city commission shall set each fee in appendix A and said fees may be amended from time to time by city commission. All fees are non-refundable.

Staff will determine if the special event permit will need community improvement department director's approval or city commission approval during a pre-application meeting.

(g) *Exemptions.* This section shall not apply to:

(1) Neighborhood events including, but not limited to, activities such as organized neighborhood yard sales, neighborhood block parties, spaghetti dinners and other similar activities sponsored by neighborhood, civic, non-profit or religious organizations and beach clean-ups.

(2) City sponsored events, including but not limited to, special beach events, outdoor concerts and movies or outdoor morning markets.

(3) Other special events to be held at public facilities or recreation areas including the public beach, parks, and bay or gulf. Such activities require permission of the city commission.

SECTION 3. SEVERABILITY. It is the intention of the City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, or provision of this ordinance is held invalid, the remainder of the Ordinance shall not be affected.

SECTION 4. CONFLICT. All ordinance or portions of ordinances in conflict with or inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 5. CODIFICATION. Section~~s~~ 2-~~16~~ of this Ordinance shall be codified in the Code of Ordinances for the City of Treasure Island, Florida. The codifier is authorized to renumber or reclassify such other provision of the Code of Ordinance to accomplish such intention. The codifier is also authorized to make editorial changes not affecting the substance of this Ordinance in the substitution of article, ordinance, section, paragraph, or such other appropriate word or phrase in order to accomplish such intention.

SECTION 6. EFFECTIVE DATE. This ordinance shall take effect upon the first day of the month immediately following the adoption of the ordinance.

FIRST READING and PUBLIC HEARING on the ____ day of _____, 2025.

SECOND READING and PUBLIC HEARING on the ____ day of _____, 2025.

PUBLISHED in the Tampa Bay Times on the ____ day of _____, 2025.

The foregoing ordinance was offered during the meeting of the City Commission of the City of Treasure Island, Florida, sitting on the ____ day of _____, 2025 by Commissioner _____ who moved its adoption; was seconded by Commissioner _____ and upon roll call, the vote was:

YEAS:

NAYS:

ABSENT OR ABSTAINING:

_____
John Doctor, Mayor

ATTEST:

_____
Tia Payton, Interim City Clerk

LOCAL PLANNING AGENCY
RESOLUTION NO. 2025-01

A RECOMMENDATION TO THE CITY OF TREASURE ISLAND CITY COMMISSION FOR THE APPROVAL OF AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING CHAPTER 68 "ZONING REGULATIONS" OF THE CITY OF TREASURE ISLAND CODE OF ORDINANCES BY AMENDING SECTION 68-571, "SPECIAL EVENT PERMIT" TO ALLOW FOR CERTAIN EXTENDED SPECIAL EVENTS FOR A LIMITED TIME IN THE AFTERMATH OF HURRICANES HELENE AND MILTON SO THAT BUSINESSES MAY BEGIN TEMPORARY OPERATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3174, Fla. Stat., provides for the establishment of a "local planning agency"; and

WHEREAS, Section 163.3174, Fla. Stat., describes the duties and responsibilities of a Local Planning Agency, which include preparing and making recommendations of comprehensive plan amendments and proposed land development regulation amendments; and

WHEREAS, on February 13, 2025, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposed amendments provided herein and found the amendments consistent with the Treasure Island Comprehensive Plan and its elements; and

WHEREAS, on February 13, 2025, the Planning and Zoning Board, sitting as the Local Planning Agency, held a public hearing on Ordinance 2025-01 amending Chapter 68, Zoning Regulations and has considered the information received at said public hearing; and

WHEREAS, on February 13, 2025, the Planning and Zoning Board, sitting as the Local Planning Agency, recommended approval of Ordinance 2025-01 to the City Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Local Planning Agency of the City of Treasure Island, Florida, in a public meeting assembled:

The City of Treasure Island Local Planning Agency hereby transmits to the City Commission the proposed amendments to the Land Development Regulations, as set forth in Exhibit “A”, Ordinance 2025-01, with the recommendation to approve said amendments.

PASSED AND DULY ADOPTED BY THE CITY OF TREASURE ISLAND LOCAL PLANNING AGENCY, 19th Day of DECEMBER 2024.

TREASURE ISLAND LOCAL PLANNING AGENCY

_____ _____

Richard Harris, Chair Date
Local Planning Agency

City of Treasure Island
Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING CHAPTER 68 "ZONING REGULATIONS" OF THE CITY OF TREASURE ISLAND CODE OF ORDINANCES BY AMENDING SECTION 68-571, "SPECIAL EVENT PERMIT" TO ALLOW FOR CERTAIN EXTENDED SPECIAL EVENTS FOR A LIMITED TIME IN THE AFTERMATH OF HURRICANES HELENE AND MILTON SO THAT BUSINESSES MAY BEGIN TEMPORARY OPERATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

Question 1. Does the proposed ordinance meet one or more of the exceptions listed below? If so, then please check the applicable exception below and move to Question 2. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by section 166.041(4), Florida Statutes, for the proposed ordinance. If there is no applicable exception, proceed with completing the business impact estimate at Question 3.

☐ The proposed ordinance is required for compliance with Federal or State law or regulation;

☐ The proposed ordinance relates to the issuance or refinancing of debt;

☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;

☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;

☐ The proposed ordinance is an emergency ordinance;

☐ The ordinance relates to procurement; or

☐ The proposed ordinance is enacted to implement the following:

a. Development orders and development permits, as those terms are defined in section 163.3164, Florida Statutes, and development agreements, as authorized by the Florida Local Government Development Agreement Act under sections 163.3220-163.3243, Florida Statutes;
b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the City;
c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Question 2. Based on the exception you selected above and in accordance with the provisions of the controlling law, please provide an explanation below of why the ordinance meets the exception(s).

N/A

Question 3. If there is no applicable exception, proceed with completing the below Business Impact Estimate. This Business Impact Estimate may be revised following its initial posting. In accordance, the City hereby publishes the following information:

A. Summary of the proposed ordinance (must include a statement of the public purpose to be served by the proposed ordinance, such as serving the public health, safety, morals and welfare of the City):

Both Hurricane Helene in September 2024 and Hurricane Milton in October 2024, caused storm surge and high winds which caused significant damage to properties in the city.
The City wished to provide relief from some of the existing City Code of Ordinances and Land Development Regulations ("Code") time restrictions on special events, in this time of substantial repair, elevation, and reconstruction. The current regulations restrict special events to a 9-day period and in order to support the business community this Ordinance provides an opportunity to operate in a temporary manner for a longer time period (up to six months initially with 2 additional three month extensions available) while their buildings are under construction.

B. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, including the following, if any:

(1) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted;

The only cost would be the already existing cost for application for a Special Event permit, this Ordinance allows the time of the event to be extended.

(2) Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and

There is no new charge or fee.

(3) An estimate of the City's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

The regulatory costs would be the same as they are now, which involves a permit fee for the review of the special event application. This application may be reviewed by several departments and may include , building, zoning, floodplain, fire, police and public works, dependent on the complexity of the request.
This existing fee is either $100 (staff review) or $200 (City Commission review).

(4) Any other direct economic impacts of the proposed ordinance on private, for-profit businesses in the City that are not covered by (1), (2), or (3):
Having multiple options for visitors may increase business for other businesses within the city.

C. Good faith estimate of the number of businesses likely to be impacted by the ordinance:

All businesses in Treasure Island which have not yet opened post storm could potentially benefit from this Ordinance.

D. Additional information the governing body deems useful (if any):
[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses*).