LOCAL PLANNING AGENCY
THURSDAY, JUNE 18, 2026 – 2:00 PM
10451 GULF BOULEVARD TREASURE ISLAND, FL 33706

MEETING NOTICE AND AGENDA

This meeting will immediately follow the Planning and Zoning Board Meeting

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

   6.A Review of Ordinance 2026-20 - Amending Administrative Waivers and Allowable Encroachments
   Final Ordinance 2026-20 Chapter 68 Balcony and Admin Waiver.docx
   Resolution 2026-03 Chapter 68 Balcony and Admin Waiver (2026-20).docx
   Business Impact Estimate - Ord 2026-20.docx

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

AGENDA ITEM NO. 6.A

Item Cover Page

LOCAL PLANNING AGENCY AGENDA ITEM REPORT

DATE: June 18, 2026

SUBMITTED BY: Maryellen Edwards, Community Development

ITEM TYPE: Presentations

AGENDA SECTION: PRESENTATION OF ITEMS

SUBJECT: Review of Ordinance 2026-20 - Amending Administrative Waivers and Allowable Encroachments

BACKGROUND:

The City of Treasure Island continues to experience significant redevelopment, repair, and elevation activity following the impacts of the 2024 hurricane season. As property owners rebuild and elevate existing structures to comply with current floodplain management requirements and the Florida Building Code, staff has identified certain provisions within the Land Development Regulations (LDRs) that may create practical challenges for otherwise compliant elevation projects.

The Local Planning Agency (LPA) has discussed the increasing number of variance requests associated with redevelopment and elevation projects and directed staff to evaluate opportunities to expand administrative relief where appropriate. The intent of this effort is to address minor site-specific constraints administratively while maintaining the overall purpose and intent of the City's development standards.

This ordinance amends two existing sections of Chapter 68. First, it amends Section 68-35, Administrative Waivers, to authorize a limited administrative waiver process for stair encroachments associated with the elevation of existing structures required to meet current floodplain requirements. Second, it amends Section 68-542, Allowable Encroachments,

to provide additional flexibility for balcony encroachments necessary to maintain access to existing exterior doors when structures are elevated.

POLICY/PURPOSE:

To provide relief to property owners in the post storm /reconstruction environment when elevating existing structures.

STRATEGIC PLAN RELEVANCE:

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:

The proposed amendments are intended to facilitate redevelopment and resiliency improvements while preserving the intent of the City's setback regulations and minimizing impacts to adjacent properties.

The amendment to Section 68-35 establishes an administrative waiver for stair encroachments associated with the elevation of existing structures. Currently, applicants may be required to seek a variance for relatively minor encroachments that are necessary to provide code-compliant access to elevated buildings. The proposed administrative waiver includes specific eligibility criteria and findings, including requirements that the structure be elevated to meet current floodplain standards, that site conditions prevent compliant stair placement within the required setback, and that the encroachment be minimized to the greatest extent practicable. By allowing qualifying requests to be reviewed administratively, the City may reduce the number of variance applications while maintaining appropriate development standards and safeguards.

The amendment to Section 68-542 expands the allowable balcony encroachment provisions for existing structures being elevated to meet floodplain requirements. The current standards may limit the ability to maintain functional access to existing exterior doors, including sliding glass doors, after a structure is elevated. The proposed revisions provide additional flexibility while retaining minimum setback requirements intended to protect adjacent properties.

FUNDING: No funding is requested.

MOTION: I move to approve Resolution 2026-03 recommending approval of Ordinance 2026-20 to the City Commission.

ATTACHMENTS:
Final Ordinance 2026-20 Chapter 68 Balcony and Admin Waiver.docx
Resolution 2026-03 Chapter 68 Balcony and Admin Waiver (2026-20).docx
Business Impact Estimate - Ord 2026-20.docx

ORDINANCE 2026-20

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING CHAPTER 68, "ZONING REGULATIONS," OF THE CITY OF TREASURE ISLAND LAND DEVELOPMENT REGULATIONS; AMENDING SECTION 68-35, "ADMINISTRATIVE WAIVERS," TO AUTHORIZE LIMITED ADMINISTRATIVE RELIEF FOR STAIR ENCROACHMENTS NECESSARY TO FACILITATE THE ELEVATION OF EXISTING STRUCTURES TO MEET FLOODPLAIN REQUIREMENTS; AMENDING SECTION 68-542, "ALLOWABLE ENCROACHMENTS," TO PROVIDE ADDITIONAL BALCONY ENCROACHMENT FLEXIBILITY FOR EXISTING STRUCTURES ELEVATED TO MEET FLOODPLAIN REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the Treasure Island is authorized to amend and adopt land development regulations pursuant to Chapter 163, Florida Statutes, and Chapter 177, Florida Statutes; and

WHEREAS, in August, September and October of 2024 the City of Treasure Island ("City") was affected by three hurricanes, two of which caused major structure damage throughout the City; and

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

WHEREAS, the City wishes to encourage rebuilding and elevating construction to meet the floodplain regulations of the Code and Florida Building Code; and

WHEREAS, the current balcony encroachment regulations in Section 68-542 may create practical difficulties for redevelopment and elevation of existing structures, particularly where compliance with floodplain management and building code requirements necessitates elevated finished floor elevations; and

WHEREAS, limited additional flexibility for balcony encroachments is necessary to maintain safe and functional access to existing exterior doors, including sliding glass doors, while continuing to preserve minimum separation from adjacent properties; and

WHEREAS, the inclusion of limited administrative waiver authority, including relief for stair encroachments associated with structure elevation and other minimal development standard adjustments, is necessary to provide flexibility during post-storm

reconstruction, ensure compliance with floodplain and building code requirements, and allow practical redevelopment of existing structures while maintaining consistent application of land development regulations and protection of surrounding properties;

WHEREAS, the amendments contained herein promote redevelopment and resiliency objectives while maintaining compatibility with surrounding properties and the intent of the City's setback regulations; and

WHEREAS, the Local Planning Agency met on June 18, 2026, and recommended approval of the following revisions to the Land Development Regulations as shown in Section 2, finding them consistent with the City's Comprehensive Plan and supportive of future post-storm redevelopment; 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 in support of future post-storm redevelopment; and

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

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF TREASURE ISLAND:

Section 1. The recitals set forth above are true and correct and adopted herein by reference as legislative findings by the City Commission of the City of Treasure Island, Florida, for the adoption of this Ordinance.

Section 2. Chapter 68 of the Code of Ordinances of the City of Treasure Island, Florida, is hereby amended and shall read as follows:

(Underlined terms are additions; ~~stricken~~ terms are deletions from the original text)

Sec. 68-35. - Administrative waivers.

(a) Purpose. Administrative waivers provide a process for the city staff to consider requests to waive or modify certain standards of this Code when, special circumstances applicable to the property, including location, shape, size, surroundings, topography, or other physical features, the strict application of the development regulations otherwise applicable to the property denies the property owner privileges enjoyed by other property owners in the vicinity and in the same zoning district.

(b) Applicability. An administrative waiver may be granted to waive or modify any requirement of the land development regulations (LDR) except: permitted land uses; density; floor area ratio; specific prohibitions (for example, prohibited signs), or procedural requirements.

(c) Review authority.

(1) Standard Administrative Waivers.

The CID director may approve an administrative waiver to grant relief from any of the following requirements of the LDR, up to a maximum variance of ten percent of the requirement or a maximum of one foot, whichever is smaller.

(~~1~~a) Distance between structures;

(~~2~~b) Parcel dimensions (not area);

(~~3~~c) Setbacks~~.~~;

(d) On-site parking, loading, and landscaping as provided in subsection (c)(2).

(2) Parking Loading and Landscaping.

An administrative waiver may also be used to grant relief from "on-site parking, loading, and landscaping" up to a maximum reduction of ten percent provided there is less than a one percent reduction in the impervious surface ratio on the site.

(3) Special Administrative Waiver for Stair Encroachments Associated with Structure Elevation.

Notwithstanding the limitations of subsection (c)(1) and to facilitate the elevation and resiliency retrofitting of existing structures, the CID Director may approve one additional stair encroachment up to:

- Forty percent (40%) of a required setback of ten (10) feet or less; or
- Twenty-five percent (25%) of a required setback greater than ten (10) feet;

The CID Director may approve the encroachment only upon finding that all the following conditions are met:

- An existing structure is being elevated to meet current Base Flood Elevation (BFE) or freeboard requirements;

- The staircase is necessary to provide access to a primary entrance, required means of egress, or required utility, mechanical, or service access.
- Existing structure configuration or site conditions prevent compliant stair access from being achieved within the required setback.
- The stair configuration is located to minimize impacts to adjacent properties to the maximum extent practicable.
- The staircase is the minimum width necessary to meet applicable access and building code requirements.
- No more than one (1) stair encroachment administrative waiver under this subsection shall be granted per structure.

~~(5) An administrative waiver may also be used to grant relief from "on-site parking, loading, and landscaping" up to a maximum reduction of ten percent provided there is less than a one percent reduction in the impervious surface ratio on the site.~~

(d) Application filing and processing. An application for an administrative waiver shall be completed, filed, the required application fee, as set by the city commission in appendix A, paid and processed in compliance with this chapter. It is the responsibility of the applicant to provide evidence in support of the findings required in subsection (f).

(e) Project review, notice and hearing. Each application shall be reviewed by the CID director to ensure that the proposal complies with this section, and other applicable requirements of the LDR. The CID director may approve or deny an administrative waiver without a public hearing or public notice.

(f) Findings and decision. The CID director may approve or deny an application for an administrative waiver. The CID director shall record the decision and the findings on which the decision is based.

(1) General findings. The CID director may approve an administrative waiver only after first making all of the following findings.

a. There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, so that the strict application of the LDR deprives the property of privileges enjoyed by other property in the vicinity and within the same zoning district;

b. The approval of the administrative waiver includes conditions of approval as necessary to ensure that the adjustment granted does not constitute a

grant of special privileges inconsistent with the limitations upon other properties in the vicinity and within the same zoning district; and

c. The administrative waiver is consistent with the comprehensive plan, and any other adopted plan or policy of the city.

(2) Reasonable accommodation. The CID director may also grant an administrative waiver to the site planning or development standards of the LDR in compliance with this section, based on the finding that the waiver is necessary to accomplish a reasonable accommodation of the needs of a disabled person, in compliance with the Americans with Disabilities Act (ADA).

(3) Sanitation service. The CID director may also grant an administrative waiver to the site planning or development standards of the LDR in compliance with this section, based on the finding that the waiver is necessary to install a dumpster and provide traffic circulation on the site for the sanitation vehicle.

(4) Improvements to existing buildings. The CID director may also grant an administrative waiver to a development standard of the LDR in compliance with this section, based on the finding that the improvement is required by the Florida Building Code.

(g) Conditions of approval. In approving an administrative waiver, the CID director:

(1) Shall impose conditions to ensure that the approval does not grant special privileges inconsistent with the limitations on other properties in the vicinity and zoning district in which the property is located; and

(2) May impose any reasonable conditions to ensure that the approval complies with the findings required by subsection (f).

(h) Appeal procedures. A property owner that is denied an administrative waiver may file an appeal which will be heard by the planning and zoning board. The fee and process of the appeal shall follow the requirements of an "appeals to administrative decisions."

Sec. 68-542. - Allowable encroachments.

There are two instances when the city permits encroachments into the required setbacks provided in sections 68-541 and 68-561 to meet the floodplain elevation requirements of the Florida Building Code and Chapter 66 of the Code.

(1) *Existing structure being elevated.* An encroachment to the setbacks provided in sections 68-541 and 68-561 is allowed specifically when existing structures are elevated to meet the floodplain elevation requirements of the Florida Building Code and Chapter 66 of the Code.

a. One set of stairs, which may include the required meter platform and stairs for meter access, is allowed to encroach into the setbacks. In all cases this encroachment must be designed to be the minimum encroachment necessary to allow access to the building and meter. The encroachment for the stairs shall be located as far from adjacent properties as possible. The maximum width for the stairs and landing is three feet clear and the maximum for the meter landing portion is five-foot clear, unless a greater width is mandated by the Florida Building Code.

b. To maintain access to existing doors, inclusive of sliding glass doors, ~~O~~one (1) balcony associated with the principal structure may ~~is allowed to~~ encroach into the required setbacks. The balcony may span the full width of all existing exterior doors on the side of the building facing the yard. The encroachment for the balcony shall be located as far from adjacent properties as possible. The maximum depth of the balcony if five (5) feet measured to the inside edge of the railing. ~~The maximum width for the balcony shall be 12 feet measured to the outside edge of the platform and the maximum depth for the balcony is three feet clear measured to the inside edge of the railing~~, unless a greater ~~width~~ depth is mandated by the Florida Building Code. In all cases, ~~This~~ the balcony shall maintain ~~be located at least~~ a minimum setback of five (5) feet from all property lines.

(2) *Existing structure is required to install a new elevated meter.* An encroachment to the setbacks provided in sections 68-541 and 68-561 is allowed specifically when existing structures must install a new elevated meter and meet the floodplain elevation requirements of the Florida Building Code and Chapter 66 of the Code.

One set of ~~the~~ stairs for meter access and the required meter platform is allowed to encroach into the setbacks. In all cases this encroachment must be designed to be the minimum encroachment necessary to allow access to the meter. The encroachment for the stairs shall be located as far from adjacent properties as possible. The maximum width for the stairs is three-foot clear and the maximum for the meter landing portion is five-foot clear, unless a greater width is mandated by the Florida Building Code.

Section 3. All ordinances in conflict herewith are repealed to the extent necessary to give this ordinance full force and effect.

Section 4. Should any section, paragraph, clause, sentence, item, word or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part hereof, not so declared to be invalid.

Section 5. It is the intent of the City Commission that the provisions of this Ordinance shall become codified and made a part of the Code of Ordinances of the City of Treasure Island, Florida, and the sections cited in this Ordinance may be renumbered, reformatted or re-lettered to accomplish such intention.

Section 6. This Ordinance shall become effective immediately upon its passage.

CITY OF TREASURE ISLAND, FLORIDA

FIRST READING and PUBLIC HEARING on the ____ day of _____, 2026.

SECOND READING and PUBLIC HEARING on the ____ day of _____, 2026.

PUBLISHED in the Tampa Bay Times on the ____ day of _____, 2026.

_____
John Doctor, Mayor

Attest:

_____
Lisa-Marie V. Kennedy, Clerk

Approved as to Form:

_____
Vose Law Firm, City Attorney

LOCAL PLANNING AGENCY
RESOLUTION NO. 2026-03

A RECOMMENDATION TO THE CITY OF TREASURE ISLAND CITY COMMISSION FOR THE APPROVAL OF AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING SECTION 68-35, "ADMINISTRATIVE WAIVERS," TO AUTHORIZE LIMITED ADMINISTRATIVE RELIEF FOR STAIR ENCROACHMENTS NECESSARY TO FACILITATE THE ELEVATION OF EXISTING STRUCTURES TO MEET FLOODPLAIN REQUIREMENTS; AMENDING SECTION 68-542, "ALLOWABLE ENCROACHMENTS," TO PROVIDE ADDITIONAL BALCONY ENCROACHMENT FLEXIBILITY FOR EXISTING STRUCTURES ELEVATED TO MEET FLOODPLAIN REQUIREMENTS"

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 June 18, 2026, 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 June 18, 2026, the Planning and Zoning Board, sitting as the Local Planning Agency, held a public hearing on Ordinance 2026-20 amending Chapter 68, "Zoning Regulations" and has considered the information received at said public hearing; and

WHEREAS, on June 18, 2026, the Planning and Zoning Board, sitting as the Local Planning Agency, recommended approval of Ordinance 2026-20 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 2026-20, with the recommendation to approve said amendments, as amended.

PASSED AND DULY ADOPTED BY THE CITY OF TREASURE ISLAND LOCAL PLANNING AGENCY, 18th Day of June 2026.

TREASURE ISLAND LOCAL PLANNING AGENCY

_____ _____
Richard Harris, Chair Date
Local Planning Agency

ATTEST:

_____
Lisa-Marie V. Kennedy, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

_____
Vose Law Firm, City Attorney

City of Treasure Island
Business Impact Estimate

Proposed ordinance's title/reference:

ORDINANCE 2026-10

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING CHAPTER 68, "ZONING REGULATIONS," OF THE CITY OF TREASURE ISLAND LAND DEVELOPMENT REGULATIONS; AMENDING SECTION 68-35, "ADMINISTRATIVE WAIVERS," TO AUTHORIZE LIMITED ADMINISTRATIVE RELIEF FOR STAIR ENCROACHMENTS NECESSARY TO FACILITATE THE ELEVATION OF EXISTING STRUCTURES TO MEET FLOODPLAIN REQUIREMENTS; AMENDING SECTION 68-542, "ALLOWABLE ENCROACHMENTS," TO PROVIDE ADDITIONAL BALCONY ENCROACHMENT FLEXIBILITY FOR EXISTING STRUCTURES ELEVATED TO MEET FLOODPLAIN REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; 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):

The purpose of the ordinance is to facilitate safe and functional rebuilding consistent with floodplain management and Florida Building Code requirements, while maintaining appropriate setbacks and compatibility with surrounding properties. This Ordinance supports post-storm recovery, redevelopment, and resiliency objectives, while promoting the public health, safety, and welfare of the City and its residents.

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: N/A

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

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

(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. N/A

(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): N/A

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

D. Additional information the governing body deems useful (if any): N/A