



City of Indian Rocks Beach

1507 Bay Palm Boulevard • Indian Rocks Beach, Florida 33785 • www.indian-rocks-beach.com

Administrative (727) 595-2517 (727) 595-4627 (Fax)	City Clerk (727) 517-0204 (727) 595-4627 (Fax)	Public Services (727) 595-6889 (727) 593-5137 (Fax)	Building (727) 517-0404 (727) 596-4759 (Fax)	Planning & Zoning (727) 517-0404 (727) 596-4759 (Fax)
--	--	---	--	---

AGENDA PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY

**CITY COMMISSION CHAMBER
1507 BAY PALM BOULEVARD
INDIAN ROCKS BEACH, FL 33785**

**THURSDAY, AUGUST 17, 2017
6:00 P.M.**

- 1. ROLL CALL.**
- 2. APPROVAL OF MINUTES OF:** July 20, 2017.
- 3. ORDINANCE NO. 2017-08.** An ordinance of the City of Indian Rocks Beach, Florida, providing for amendments to the Code of Ordinances by amending Chapter 110, Zoning, Article I, In General, Section 110-1 Definitions; Article III, District Designation and Regulations, Division 1, Generally, Section 110-131, Establishment of zoning districts; Article IV, Supplementary District Regulations, Division 8, Offstreet Parking and Loading Facilities, Section 110-372, Required number of parking spaces; parking for compact cars; providing for definitions of craft/microbrewery, winery or distillery, establishing an allowable zoning district and parking standards for such use; providing for enforceability of existing land development regulations; providing for repeal of ordinances or parts of ordinances in conflict herewith to the extent of such conflict; providing for severability; providing for renumbering; and providing for an effective date.
- 4. ADJOURNMENT.**

APPEAL: If a person decides to appeal any decision made with respect to any matter discussed at such meeting or hearing, will need a record of the proceedings and for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, per s. 286.0105, F.S. Verbatim transcripts are not furnished by the City of Indian Rocks Beach and should one be desired, arrangements should be made in advance by the interested party (i.e. court reporter).

In accordance with the Americans with Disability Act and s. 286.26, F.S., any person with a disability requiring reasonable accommodation in order to participate in this meeting should contact the City Clerk's office with your request telephone 727/595-2517 or fax 727/595-4627 no later than four (4) days prior to the proceeding for assistance.

POSTED: August 11, 2017

**AGENDA MEMO
INDIAN ROCKS BEACH LOCAL PLANNING AGENCY**

MEETING OF: August 17, 2017 **AGENDA ITEM:** 2

**SUBMITTED AND
RECOMMENDED BY:**

Deanne B. O'Reilly, MMC, City Clerk

SUBJECT:

**APPROVAL OF THE JULY 20, 2017 PLANNING AND ZONING BOARD
AND LOCAL PLANNING AGENCY MINUTES.**

Attached are the July 20, 2018 Planning and Zoning Board/Local Planning Agency Minutes for approval.

MOTION:

I move to **APPROVE/DENY** the July 20, 2017 Planning and Zoning Board/Local Planning Agency Minutes.

/dor

MINUTES
CITY OF INDIAN ROCKS BEACH
PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

The Regular Meeting of the Indian Rocks Beach Local Planning Agency was held on **THURSDAY, JULY 20, 2017**, in the City Commission Chambers, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida.

Vice Chair Muneio ran the meeting because Chair McFall recently had surgery and preferred not to chair the meeting.

(The tape recorder was not properly turned on; therefore, there is no tape of the meeting.)

Vice Chair Muneio called the meeting to order at 6:00 p.m.

1. ROLL CALL:

Present: Chair Rick McFall
Vice Chair Patricia Muneio
Board Member Richard Antepenko
Board Member Joe McCall
Board Member Jude Bond
Hetty C. Harmon, Planner, AICP
City Attorney Randy D. Mora

Absent: Board Member John Patronis
Board Member Robert Clark

(To provide continuity for research, items are listed in agenda order although not necessarily discussed in that order.)

2. APPROVAL OF MINUTES OF: June 15, 2017.

**MOTION MADE BY MEMBER ANTEPENKO SECONDED BY MEMBER BOND,
TO APPROVE THE MINUTES OF JUNE 15, 2017, AS SUBMITTED.
UNANIMOUS APPROVAL.**

3A. ELECTION OF CHAIR:

Member Antepencko asked if the Board had to approve the officers tonight or if they could wait until they had a full Board. City Attorney Mora stated it is the Board's option to wait; however, there was a quorum.

Rick McFall was recommended and unanimously approved by the Board as the Chair.

3B. ELECTION OF VICE CHAIR:

Patti Muneio was recommended and unanimously approved by the Board as the Vice Chair.

4. ORDINANCE NO. 2017-07. An ordinance of the City of Indian Rocks Beach, Florida, repealing Article II, Community Impact Statements; by deleting Sections 78-31 through 78-34 concerning the purpose, applicability, content and review of community impact statements; providing for renumbering; providing for severability; and providing for an effective date.

City Attorney Mora read Ordinance No. 2017-07 by title only.

City Attorney Mora stated the City Commission recommended that the Planning and Zoning Board (PZB) review the idea of eliminating the requirement for community Impact statements because it is redundant of what staff does as part of their regular project review.

City Attorney Mora stated during the June 15, 2017 PZB Meeting, the consensus of the Board was to eliminate the requirement for community impact statement from the City Code.

Member Bond had several questions concerning the community impact statements as a new Board Member. He inquired why the City would not want to keep on requiring the community impact statement.

City Attorney Mora stated that the City of Indian Rocks Beach is the only Pinellas County community that requires such a document for a site plan review. Also, the developers have expressed a concern about the cost of preparing the document.

Vice Chair Muneio opened the public comment portion for this agenda item. Seeing and hearing no one wishing to speak, Vice Chair Muneio closed the public comment portion.

MOTION MADE BY MEMBER MCCALL, SECONDED BY CHAIR MCFALL, THAT THE LOCAL PLANNING AGENCY FINDS ORDINANCE NO. 2017-05 TO BE CONSISTENT WITH THE CITY'S ADOPTED COMPREHENSIVE PLAN BY REPEALING ARTICLE II, COMMUNITY IMPACT STATEMENTS; BY DELETING SECTIONS 78-31 THROUGH 78-34 CONCERNING THE PURPOSE, APPLICABILITY, CONTENT AND REVIEW OF COMMUNITY IMPACT STATEMENTS.

ROLL CALL:	ANTEPENKO	AYE
	BOND	AYE
	MCCALL	AYE
	MUNIEO	AYE
	MCFALL	AYE

MOTION CARRIED UNANIMOUSLY.

5A. LAND DEVELOPMENT REGULATIONS: DISCUSSION of Micro Breweries.

Planner Harmon presented an overview of the recommended changes to the land development code for the inclusion of microbreweries and each proposed change was reviewed by the Board as follows:

Sec. 110-1. Definitions.

Craft/micro brewery, winery or distillery: A small-scale, licensed manufacturing establishment which produces, processes, ferments, Rectifies or blends craft brews, wines or distilled spirits; may or may not offer tastings, and may or may not provide on-site sale and consumption of the products.

The Board discussed whether a distillery was appropriate in Indian Rocks Beach. There was discussion if the City was going to allow liquor to be distilled.

In response to a Board Member's question, Planner Harmon advised the Board that this definition came from the City of Dunedin.

Chair McFall stated that the beer and wine would have to go through a distillery process during the manufacturing process.

Sec. 110-131. Establishment of zoning districts.

(6) *Business zoning district—B.*

b. *Permitted uses.* The permitted uses in the B, business district are as follows:

1. Retail and personal services.
2. Business and financial service uses.
3. Offices.
4. Service stations.
5. Restaurants.
6. Public land and buildings.
7. Dwelling, single-family on the floors above commercial.
8. Dwelling, two-family on the floors above commercial.
9. Dwelling, multifamily on the floors above commercial.
10. Hotels, motels and motor lodges.
11. Bed and breakfast establishments in accordance with section 110-592.
12. Mixed use of commercial and residential.
13. Temporary lodging use.
14. Craft/micro brewery, winery or distillery.

Planner Harmon proposed allowing craft/micro brewery, winery or distilleries in the Business zoning district only. The Board discussed various locations in the City that might be sufficient for this type of use.

Vice Chair Muneio asked if the delivery hours would be defined.

Attorney Mora stated these businesses would follow the same laws that are in place for businesses in the Business zoning district.

Sec. 110-371. General standards for parking facilities.

- (9) Restaurants, nightclubs, craft/micro brewery, winery or distillery or other eating places: One space per each four seats. Open floor areas will require one parking space for every 60 square feet of floor area,

and bench type seating will require one parking space for every 80 lineal inches of bench area.

Planner Harmon proposed including the craft/micro brewery, winery or distillery to the parking standard for restaurants, nightclubs or other eating establishments.

CONSENSUS OF THE PLANNING AND ZONING BOARD RECOMMENDED PROCEEDING WITH ESTABLISHING A DEFINITION AND PARKING STANDARDS FOR CRAFT/MICROBREWERIES, WINERIES, OR DISTILLERIES IN THE BUSINESS ZONING DISTRICT.

The Board suggested staff look into the impacts that microbreweries have on the utility services, obtain more information on how these facilities actually operate by either touring other businesses or contacting owners of breweries who would like to speak at the next meeting about operations of their businesses.

6. ADJOURNMENT.

MOTION MADE BY MEMBER BOND, SECONDED BY MEMBER MCCALL, TO ADJOURN THE MEETING AT 7:05 P.M. UNANIMOUS APPROVAL.

August 17, 2017

Date Approved

Frederick "Rick" McFall, Chair

hh/rdm/dor

AGENDA MEMO
INDIAN ROCKS BEACH LOCAL PLANNING AGENCY

MEETING OF: August 17, 2017 **AGENDA ITEM:** 3

PREPARED BY: Deanne B. O'Reilly, MMC, City Clerk *DOB*

RECOMMENDED BY: Hetty Harmon, ACIP, Planner
Randy D. Mora, City Attorney

APPROVED BY: Brently Gregg Mims, City Manager *BGM*

SUBJECT: **ORDINANCE NO. 2017-08** – Amending Chapter 110, Zoning, Article I, In General, Section 110-1 Definitions; Article III, District Designation and Regulations, Division 1, Generally, Section 110-131, Establishment of zoning districts; Article IV, Supplementary District Regulations, Division 8, Offstreet Parking and Loading Facilities, Section 110-372, Required number of parking spaces; parking for compact cars; providing for definitions of craft/microbrewery, winery or distillery, establishing an allowable zoning district and parking standards for such use; providing for enforceability of existing land development regulations;

BACKGROUND:

On June 15, 2017, staff advised the Planning and Zoning Board microbreweries have been an issue du jour through Pinellas County and Florida, and that microbreweries are in virtually every community and the City has received some inquiries to permit the establishment of a microbrewery. State Laws regulate production, distribution and sales differently.

On July 20, 2017, the Planning and Zoning Board held a public meeting and recommended proceeding with establishing a definition and parking standards for craft/microbreweries, wineries, or distilleries in the Business zoning district.

ANALYSIS:

Amending Code Section 110-1, Definitions, by adding the definition of “craft/microbrewery, winery, or distillery”.

Craft/microbrewery, winery, or distillery: A small-scale, licensed manufacturing establishment which produces, processes, ferments, rectifies or blends craft brews, wines or distilled spirits; may offer tastings, and may provide on-site sale and consumption of the products.

Amending Code Section 110-131, Establishment of zoning districts, (6) Business zoning district - B, by adding Subsection (14) by allowing a craft/microbrewery, winery, or distillery in the Business zoning district.

- b. *Permitted uses.* The permitted uses in the B, business district are as follows:
1. Retail and personal services.
 2. Business and financial service uses.
 3. Offices.
 4. Service stations.
 5. Restaurants.
 6. Public land and buildings.
 7. Dwelling, single-family on the floors above commercial.
 8. Dwelling, two-family on the floors above commercial.
 9. Dwelling, multifamily on the floors above commercial.
 10. Hotels, motels and motor lodges.
 11. Bed and breakfast establishments in accordance with section 110-592.
 12. Mixed use of commercial and residential.
 13. Temporary lodging use.
 14. Craft/microbrewery, winery, or distillery.

Amending Code Section 110-372, Required number of parking spaces; parking for compact cars, Subsection (9) by adding language to establish parking requirements for craft/microbrewery, winery, or distillery in the Business district zoning.

- (9) *Restaurants, nightclubs, craft/microbreweries, wineries or distilleries or other eating places:* One space per each four seats. Open floor areas will require one parking space for every 60 square feet of floor area, and bench type seating will require one parking space for every 80 lineal inches of bench area.

MOTION:

I move to find/not find the proposed amendments consistent with the City's Comprehensive Plan.

/dor

**CITY OF INDIAN ROCKS BEACH
ORDINANCE NO. 2017-08**

AN ORDINANCE OF THE CITY OF INDIAN ROCKS BEACH, FLORIDA, PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES BY AMENDING CHAPTER 110, ZONING, ARTICLE I, IN GENERAL, SECTION 110-1 DEFINITIONS; ARTICLE III, DISTRICT DESIGNATION AND REGULATIONS, DIVISION 1, GENERALLY, SECTION 110-131, ESTABLISHMENT OF ZONING DISTRICTS; ARTICLE IV, SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 8, OFFSTREET PARKING AND LOADING FACILITIES, SECTION 110-372, REQUIRED NUMBER OF PARKING SPACES; PARKING FOR COMPACT CARS; PROVIDING FOR DEFINITIONS OF CRAFT/MICROBREWERY, WINERY OR DISTILLERY, ESTABLISHING AN ALLOWABLE ZONING DISTRICT AND PARKING STANDARDS FOR SUCH USE; PROVIDING FOR ENFORCEABILITY OF EXISTING LAND DEVELOPMENT REGULATIONS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR RENUMBERING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 20, 2017, the Planning and Zoning Board held a public meeting and recommended proceeding with allowing craft/microbreweries, winery, or distillery in the Business zoning district; and

WHEREAS, on _____, the Local Planning Agency held a public hearing and found the proposed amendments consistent with the Comprehensive Plan; and

WHEREAS, Section 13.1 of the City's Charter empowers the City Commission to regulate and restrict, among other things, the location and use of buildings, structures, and land and water for trade, industry, residence or other purposes in the City; and

WHEREAS, the City Commission for the City of Indian Rocks Beach finds the amendments set forth in this ordinance to be in the interest of promoting the health, safety and general welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF INDIAN ROCKS BEACH, FLORIDA, THAT:

SECTION 1. Chapter 110, Zoning; Article I, In General, Section 110-1, Definitions; of The Code of Ordinances, City of Indian Rocks Beach, Florida is hereby amended to read as follows:

Sec. 110-1. Definitions.

Craft/microbrewery, winery, or distillery: A small-scale, licensed manufacturing establishment which produces, processes, ferments, rectifies or blends craft brews, wines or distilled spirits; may offer tastings, and may provide on-site sale and consumption of the products.

Section 2. Chapter 110, Zoning; Article III, District Designation and Regulations, Division 1, Generally, Section 110-131, Establishment of zoning Districts, of The Code of Ordinances, City of Indian Rocks Beach, Florida is hereby amended to read as follows:

Sec. 110-131. Establishment of zoning districts.

(6) *Business zoning district—B.*

a. *Definition; purpose and intent.* The purpose of this district is to provide for retail shopping areas. The B, business district correlates with the CG, commercial general category of the countywide plan. Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Temporary lodging use of dwellings is permitted.

b. *Permitted uses.* The permitted uses in the B, business district are as follows:

1. Retail and personal services.
2. Business and financial service uses.
3. Offices.
4. Service stations.
5. Restaurants.
6. Public land and buildings.
7. Dwelling, single-family on the floors above commercial.

8. Dwelling, two-family on the floors above commercial.
9. Dwelling, multifamily on the floors above commercial.
10. Hotels, motels and motor lodges.
11. Bed and breakfast establishments in accordance with section 110-592.
12. Mixed use of commercial and residential.
13. Temporary lodging use.
14. Craft/microbrewery, winery, or distillery.

c. *Accessory uses.* The accessory uses in the B, business district are as follows:

1. Parking lots.
2. Essential services.
3. Publicly-owned parks or recreation areas.
4. Certain portions of outdoor dining establishments allowing dogs.
5. Home occupations.

d. *Special exception uses.* First-floor residential use.

e. *Minimum building site area requirements.*

1. The minimum building site area requirements in the B, business district is 5,808 square feet.
2. The number of businesses on a lot shall be regulated by sections 110-371 through 110-377 and chapter 86. Where a platted lot exists as of February 1, 1983, having an area of less than 5,808 square feet, that actual area shall be considered the minimum lot size requirement for that lot.

3. Density: The maximum density is 18 units per acre for permanent dwelling units and 15 units per acre for temporary lodging.
4. Minimum unit size: 200 square feet of area exclusive of garage, carport, or open space.
5. Residential equivalent use shall not exceed three beds per dwelling unit with 18 dwelling units per acre.

f. *Setback requirements.* The following minimum setbacks shall apply in the B, business district:

1. Front yard setback in B zoning is 25 feet measured from the property line.
 - i. All lots with a front, side or rear yard on Gulf Boulevard shall have a minimum of 25 feet from Gulf Boulevard as measured from the property line, unless elsewhere provided.
2. Rear yard:
 - i. Lots with an alley on the rear shall be setback 15 feet.
 - ii. Lots with no alley on the rear shall be setback 15 feet.
 - iii. Minimum rear setback on a north/south street 20 feet
3. Side yard:
 - i. Total side setback of 20 feet with a minimum of ten [feet] per side.
 - ii. If the property is a corner lot (fronts on two bisecting streets), the side setback shall be a minimum of 15 feet on the street and a minimum of ten feet on the other side.

g. *Maximum building height.* For buildings constructed on pilings, the maximum height of pilings is ten feet. The maximum height of a building above pilings is 25 feet.

h. *Maximum floor area ratio.* Maximum floor area ratio in the B business district for non-residential use is 0.55.

i. *Impervious surface ratio (ISR).* Maximum impervious surface ratio (ISR) in the B business district for non-residential use is 0.70.

j. *Construction on substandard lots.* A single-family home may be constructed on a lot of record existing on May 11, 1981, as a permitted use in accordance with section 110-211.

Section 3. Chapter 110, Zoning, Article IV, Supplementary District Regulations, Division 8, Off street Parking and Loading Facilities, Section 110-372, Required number of parking spaces; parking for compact cars, of The Code of Ordinances, City of Indian Rocks Beach, Florida is hereby amended to read as follows:

Sec. 110-372. Required number of parking spaces; parking for compact cars.

Off-street parking requirements are as provided in this section. Twenty percent of required parking may be for compact cars for the requirements in subsections (3) through (15) of this section. Those spaces shall be a minimum of nine feet wide by 15 feet long. Such spaces shall be properly identified. Bicycle parking facilities at least 50 square feet in size (space for five bicycles) may replace one required vehicle parking space for the requirements in subsections (3) through (15) of this section.

- (1) *Single-family and two-family dwellings:* Two spaces per dwelling unit.
- (2) *Multifamily dwellings:* Two spaces for one- and two-bedroom units; three spaces for three-bedroom units and above.
- (3) *Churches and other places of worship:* One space per six permanent seats in the main auditorium.
- (4) *Private, social, recreational or fraternal clubs:* One space per five seats.
- (5) *Office buildings:* One space per 250 gross square feet, with a minimum of two spaces.

- (6) *Hotels, motels and motor inns:* One space for one-bedroom, two-bedroom or sleeping units, plus one space for three or more bedrooms, and one space for each five units or portion thereof.
- (7) *Libraries or museums:* One space per 500 gross square feet of floor area.
- (8) *Medical or dental offices or clinics:* Five spaces for each doctor or dentist.
- (9) *Restaurants, nightclubs, craft/microbreweries, wineries or distilleries or other eating places:* One space per each four seats. Open floor areas will require one parking space for every 60 square feet of floor area, and bench type seating will require one parking space for every 80 lineal inches of bench area.
- (10) *Theaters and auditoriums:* One space per five seats.
- (11) *Schools (public or private):* Grades 6 and under, one space per 14 students; grades 7 to 9, one space per nine students; grades 10 and over, one space per three students.
- (12) *Hospitals:* One space per eight beds.
- (13) *Institutions:* Four spaces for the first 400 gross square feet of floor area, and one space for each additional 250 gross square feet of floor area in the building, or one space per six permanent seats in the main auditorium, whichever is either more applicable to the type of institutional use or is more restrictive.
- (14) *Hotels, motels or motor inns combined with restaurants, nightclubs, or other eating places:* One space per each six seats, plus one space for each bedroom or sleeping unit, plus one space for each five units or portion thereof.
- (15) *Other businesses:* Whenever any building is erected, reconstructed or converted for business purposes, there shall be provided parking space in the ratio of one space for each 250 gross square feet of floorspace or fraction thereof, but in no case less than two parking spaces per business entity.
- (16) *Uses not listed:*

- a. For any unlisted use, the building official shall determine under which of the categories of parking regulations the use falls.
- b. If no category is available, the building official shall determine a formula which reasonably applies to the specific use and shall make his recommendations to the city commission for its approval.

(17) *Bed and breakfast establishments:* One parking space for the manager or owner, and one additional parking space for each approved guest room. All parking shall be located on the property on approved parking surfaces, at the rear of the residence if possible. Parking spaces shall conform to the minimum dimensions as required in this chapter. Parking must be designed so as not to have adverse impacts on the neighborhood.

Section 4. In all other respects, the provisions of the Land Development Regulations of the City of Indian Rocks Beach, Florida, not hereby amended or modified shall remain in full force and effect.

Section 5. Each provision hereof be considered separable, and that the invalidity of any provision of this Ordinance shall not affect the validity of any other provision of this Ordinance or Subpart B of the City of Indian Rocks Beach Code of Ordinances.

Section 6. This Ordinance shall be included in the Land Development Regulations of the City of Indian Rocks Beach, Florida and the publisher of the Land Development Regulations may renumber or reclassify such other provisions of the Land Development Regulations to accomplish such intention.

Section 7. All ordinances or parts of ordinances, in conflict herewith are hereby repealed, to the extent of such conflicts.

Section 8. This Ordinance shall become effective immediately upon final passage as allowed by law.

PUBLISHED this ____ day of ____ 2017, in the Tampa Bay Times newspaper.

PASSED ON FIRST READING on the ___ day of ____ 2017, by the City Commission of the City of Indian Rocks Beach

PUBLISHED this ____ day of ____ 2017, in the Tampa Bay Times newspaper

ADOPTED ON SECOND AND FINAL READING on the ____ day of ____ 2017, by the City Commission of the City of Indian Rocks Beach, Florida.

R. B. Johnson, Mayor/Commissioner

ATTEST: _____
Deanne B. O'Reilly, MMC, City Clerk

Approved as to form and legal sufficiency:

Randy D. Mora, City Attorney

HH/RDM/dor

History: 6/15/2017 PZB; 7/20/2017 PZB; 8/17/17 LPA