

ORDINANCE NO. 360-H

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF ST. PETERSBURG, FLORIDA AND THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE; AMENDING CHAPTER 3, THE FUTURE LAND USE ELEMENT OF THE PLAN, TO ADD OUTDOOR PERFORMING ARTS VENUE AS A COMMERCIAL RECREATION USE FOR THE INDUSTRIAL GENERAL (IG) CATEGORY; AMENDING CHAPTER 16 OF THE CITY CODE TO INCLUDE OUTDOOR PERFORMING ARTS VENUE IN THE MATRIX: USE PERMISSIONS AND PARKING REQUIREMENTS AND CREATING A NEW SECTION 16.50.235 OUTDOOR PERFORMING ARTS VENUE ESTABLISHING THE USE AND DEVELOPMENT STANDARDS; PROVIDING A DEFINITION OF OUTDOOR PERFORMING ARTS VENUE IN SECTION 16.90.020.3; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, consistent with the requirements of Chapter 163, Florida Statutes, the City of St. Petersburg has adopted a Comprehensive Plan to establish goals, policies and objectives to guide the development and redevelopment of the City; and

WHEREAS, the goals and policies of the Comprehensive Plan are to be implemented by the City's Land Development Regulations, currently Chapter 16 of the City Code; and

WHEREAS, much of the City's industrial lands are concentrated in strings of property throughout the City located along old railroad supply lines instead of in a defined industrial park; and

WHEREAS, various areas within these industrial corridors may appear unattractive, with aged and obsolete buildings, and as such have resulted in increasing incidences of blight; and

WHEREAS, the Industrial Traditional (IT) zoning classification is the predominate industrial zoning district in the City; and

WHEREAS, allowing for an open air or outdoor performing arts venue in the IT zoning district provides an interim economic use for underperforming industrial parcels without permanently removing them from the City's supply of industrial zoned land, which allows land to remain available for industrial uses in the future; and

WHEREAS, a change is necessary to the Industrial General category of the Future Land Use Element of the Comprehensive Plan to allow an outdoor performing arts venue as a recreational use; and

WHEREAS, that upon amendment of the Comprehensive Plan, a concurrent amendment to the City's Land Development Regulations is required to create the outdoor performing arts venue use and establish development standards for the same; and

WHEREAS, the Community Planning and Preservation Commission (CPPC) of the City has reviewed the proposed amendments to the Comprehensive Plan at a public hearing on November 13, 2018, and has recommended Approval; and

WHEREAS, the Development Review Commission (DRC) of the City has reviewed the proposed amendments to the Land Development Regulations at a public hearing on December 5, 2018 and has recommended Approval; and

WHEREAS, the City Council, after taking into consideration the recommendations of both Commissions and the City Administration, and the comments received during the public hearing conducted on this matter, finds that the proposed amendments to the Comprehensive Plan and the Land Development Regulations are advisable and in the best interests of the City; now, therefore,

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section 1. Policy LU 3.1.C.2 Industrial General (IG) in Chapter 3 Future Land Use Element, of the City of St. Petersburg's Comprehensive Plan is hereby amended to read as follows:

LU3.1.C.2. Industrial General (IG) - Allowing a mixture of light or heavy industrial and industrial park uses with a floor area ratio up to 0.75. A buffer shall be provided between land designated Industrial General and adjoining plan classification other than Industrial or Transportation/Utility. Public/Semi-Public or Ancillary Non- Residential Uses, alone or when added to existing contiguous like uses which exceed or will exceed five (5) acres shall require a land use plan amendment which shall include such use and all contiguous like uses. Office, Retail Uses, Commercial Recreation, Commercial/Business Service and Personal/Office Service, shall be allowed as accessory uses within the structure to which it is accessory and shall not exceed 25% of the floor area of the principal use to which it is accessory. An outdoor performing arts venue shall be a Commercial Recreation use with no acreage limitation and shall not be required to be accessory to any other use.

Section 2. Section 16.10.020.1 Matrix: Use Permissions and Parking Requirements Matrix and Zoning Matrix of the St. Petersburg City Code is hereby amended to add a new use, "Outdoor Performing Arts Venue" under the category Arts Recreation and Entertainment Uses in the correct alphabetical order.

Section 3. Section 16.10.020.1 Matrix: Use Permissions and Parking Requirements Matrix and Zoning Matrix of the St. Petersburg City Code is hereby amended to add a new use definition for the “Outdoor Performing Arts Venue” use to read as follows:

Establishments used for regularly scheduled public presentation of live or prerecorded performances where public assembly areas are primarily located outside of fully enclosed buildings or structures. (See Use Specific Standards)

Section 4. The allowable uses for “Outdoor performing arts venue” within the zoning district columns in the matrix in Section 16.10.020.1 Matrix: Use Permissions and Parking Requirements Matrix and Zoning Matrix of the St. Petersburg City Code are hereby added to read as follows:

NT-1 + NT-2	NC	CCS-2	NC
NT-3	NC	CCS-3	NC
NT-4	NC	DC-C	NC
NS-E	NC	DC-1	NC
NS-1 +NS-2	NC	DC-2	NC
NSM-1 + NSM-2	NC	DC-3	NC
NMH	NC	DC-P	NC
NPUD-1 +NPUD-3	NC	RC-1	NC
NPUD-2	NC	RC-2	NC
CRT-1	NC	EC	NC
CRT-2	NC	IC (CRD)	NC
CRS-1	NC	IC (I)	NC
CRS-2	NC	IC (R/OG)	NC
CCT-1	NC	IC (T/U)	NC
CCT-2	NC	IT	SE
CCS-1	NC	IS	NC

Section 5. The minimum parking requirements for the traditional, suburban and downtown tiers for the ‘Outdoor performing arts venue’ use in the matrix in Section 16.10.020.1 of the St. Petersburg City Code are hereby added to read as follows:

Traditional tier – 1 per 150 sf of group seating areas or 1 per 100 sf of assembly areas where there are not fixed seats; 1 per 1,000 sf other areas

Suburban tier – not applicable (non-conforming)

Downtown tier – not applicable (non-conforming)

Section 6. The St. Petersburg City Code is hereby amended to create a new section 16.50.235 - Outdoor Performing Arts Venue, to read as follows:

Section 16.50.235. – Outdoor Performing Arts Venue

16.50.235.1 – Purpose and Intent

The purpose and intent of these regulations is to regulate the establishment of an outdoor performing arts venue in recognition of the public need and demand for a variety of recreational and cultural facilities and programs balanced against the impacts that such facilities may have on properties within the City and to provide an interim economic use for underperforming industrial parcels. This balance is established by the following development standards, which shall be applied during the Special Exception (SE) permit process.

16.50.235.2 – Establishment

An outdoor performing arts venue use shall be allowed as provided in the Matrix: Use Permissions and Parking Requirements and shall comply with the development standards of the zoning district, the general development standards, and this section.

16.50.235.3 – Development Standards

1. A noise mitigation and monitoring plan shall be prepared by a professional acoustical consultant or certified audio engineer and provided to the POD to demonstrate how the operation will comply with the noise ordinance and shall include the number and orientation of speakers, noise mitigation methods, operating hours, location of stage(s) and performing areas and monitoring requirements.
2. An operating plan shall be provided to the POD which shall include the frequency of events, projected number of attendees, days and hours of operation, and whether alcohol will be served.
3. An outdoor lighting (photometric) plan shall be provided to the POD which shall depict all outdoor security lighting, pedestrian lighting and event lighting. Lights shall be directed away from adjacent residential uses. The use of flashing, blinking, fluttering, strobe, laser beam lighting or lighting devices shall be prohibited if visible from any adjacent rights-of-way or adjacent properties.
4. A traffic circulation plan shall be provided to the POD to demonstrate event drop-off pick-up, site circulation, on-site parking, event loading, and pedestrian connections. Off-street loading for a minimum of one semi-tractor trailer shall be provided completely on the property. If off-site parking is proposed, the plan shall also demonstrate safe lighted pedestrian connections, and shall comply with off-site location requirements of this Code (currently, 16.40.090.3.2.C.2).

5. These regulations are in addition to other regulations that may be applicable, including but not necessarily limited to, certificates of appropriateness, community redevelopment plan reviews, and public safety permits related to group assembly events.

Section 7. Section 16.90.020.3 of the St. Petersburg City Code is hereby amended to add in the correct alphabetical order the definition of “Outdoor performing arts venue” to read as follows:

Outdoor performing arts venue. See Matrix: Use Permissions and Parking Requirements.

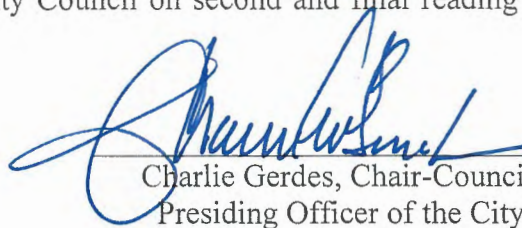
Section 8. Severability. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is deemed unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provision of this ordinance.

Section 9. Coding. As used in this ordinance, language appearing in struck-through type is language in the City of St. Petersburg Comprehensive Plan or City Code to be deleted, and underlined language is language to be added to the Comprehensive Plan or City Code, in the section, subsection, or other location where indicated. Language in the Comprehensive Plan or City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise.

Section 10. Effective date. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective 31 days after the state land planning agency notifies the City that the plan amendment package is complete, unless there is a timely administrative challenge in accordance with Section 163.3184(5), F.S., in which case the ordinance shall not become effective unless and until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment(s) to be in compliance. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective as described above.

First reading conducted on 7th day of February 2019.

Adopted by St. Petersburg City Council on second and final reading on the 21st day of February 2019.



Charlie Gerdes, Chair-Councilmember
Presiding Officer of the City Council

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ATTEST: 
Chan Srinivasa, City Clerk

Title Published: Times 1-t 2/8/19

Not vetoed. Effective date February 28, 2019 at 5:00 p.m.

