

**AGENDA
TOWN OF BELLEAIR
TUESDAY, MARCH 4, 2014
5:30 P.M.**

Welcome. We are glad to have you join us. If you wish to speak, please wait to be recognized, then step to the podium and state your name and address. We also ask that you please turn-off all cell phones.

PLEDGE OF ALLEGIANCE

COMMISSION ROLL CALL

WORK SESSION

CITIZEN'S COMMENTS

(Discussion of items not on the agenda. Each speaker will be allowed 3 minutes to speak.)

TOWN MANAGER'S REPORT

TOWN ATTORNEY'S REPORT

MAYOR AND COMMISSIONERS' REPORT/BOARD AND COMMITTEE REPORTS

POLICE CHIEF'S REPORT

DISCUSSION ITEMS

1. Discussion of Ordinance 491 - Amending the Land Development Code

Documents: [ORDINANCE 491.PDF](#), [491 REV1 - DISTRICT AMENDMENT.PDF](#)

2. Discussion of Building Department Services Options

Documents: [BUILDING DEPT. COST COMPARISON.PDF](#), [BUILDING DEPARTMENT SERVICES AGENDA SUMMARY FINAL.DOCX](#)

3. Discussion of the Honoring of John Osborne

Documents: [OSBORNE.PDF](#)

OTHER BUSINESS

ADJOURNMENT

PROPOSED AGENDA

**TOWN OF BELLEAIR
MARCH 25, 2014
6:30 PM**

SCHEDULED PUBLIC HEARINGS

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they 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.

1. Second and Final Reading - Ordinance No. 490 - Amending the Comprehensive Plan
2. Second and Final Reading - Ordinance No. 495 - Amending The Land Development Code Pertaining to Hotel (H) District Minimum Size
3. Continued First Reading - Ordinance No. 496 - Vacating Right of Way at 955 Indian Rocks Road
4. First Reading - Ordinance 491 - Amending the Land Development Code
5. Proposed Resolution - Authorizing Lien for Delinquent Water Service Charges
6. Proposed Resolution - Authorizing Lien for Delinquent Sewer Service Charges
7. Proposed Resolution - Authorizing Lien for Delinquent Solid Waste Service Charges
8. Proposed Resolution - Authorizing Lien for Delinquent Stormwater Service Charges

CITIZEN'S COMMENTS

(Discussion of items not on the agenda. Each speaker will be allowed 3 minutes to speak.)

CONSENT AGENDA

1. Approval of Minutes - Regular Meeting - January 21, 2014
Special Meeting - February 4, 2014
Work Session - February 4, 2014
Regular meeting - February 18, 2014
2. Resolution No. 2014-11 – Authorizing disposal of certain records – Town Clerk's Department.

GENERAL AGENDA

1. Proposed Resolution - Honoring Santo "Sam" Casella
2. Clearwater Little League
3. Arbor Day Proclamation
4. Discussion of Proposed Amendments to Chapter 26 - Environment - Article 5 - Weeds, Overgrown Vegetation, Debris

OTHER BUSINESS

ADJOURNMENT

ANY PERSON WITH A DISABILITY REQUIRING REASONABLE ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING, SHOULD CALL (727) 588-3769.

Summary

To: Mayor and Commissioners

From: Micah Maxwell, Town Manager

Subject: Discussion of Land Development Code Changes – Ordinance 491

Date: 2/27/2014

Summary: The town is reviewing its land development code to identify what changes need to be made in order to provide for appropriate future development or redevelopment in the town. The area that will likely be most effected is presumed to be the Belleview Biltmore Hotel site.

Previous Board Action: The town commission heard this issue on first reading in January but did not approve it at that time. At the February commission meeting the commission asked staff to bring forward the ordinance for first reading again at the 3/25/2014 meeting with discussion at the March worksession.

Background/Problem Discussion: The town currently has two zoning options related to multi-family, RPD and RM-15. RPD is lower density, and takes into account the “sharing” of density with an open space, which then allows for a parcel to take advantage of the full density on a small area or property. With the BCC golf courses already being zoned RPD, and the town’s intent to restrict development rights on the Belleview Biltmore Course, use for such a zoning is really only to provide a multi-family option with a lower density. RM-15 allows for a higher density with a more traditional development scenario. Because of the higher density, RM-15 is a probable target of developer of larger parcels of land., however, the invariable height of 32 feet for RM-15 and RPD would seem to cause some issue with the placement of units on those larger sites in an aesthetic, and sustainable fashion. To combat this, staff has been working to create a third possibility for multi-family, RM-10. This district would allow for 10 units per acre, and would have the ability to provide for a height bonus if a developer were able to meet certain criteria. These criteria include the sheltering of parking and additional setbacks off of roadways and between buildings, while encouraging alternate size and scale for buildings, so as to not have many units that look and feel the exact same.

Alternatives/Options:

- I. Create RM-10 zoning district
 - a. Density – 10 Units per Acre
 - b. Unit Size – 1,200 SF minimum size, 1,800 SF average size (This represents what the original draft of the ordinance identified for unit size, a 1,500 sf minimum size with no average was discussed at the January meeting, but the item was not voted on or formally changed)
- II. Height Bonus

- a. Parking Bonus
- b. Setback bonus
- c. Height average

Financial Implications: N/A

Proposed Motion: None required.

PROPOSED ORDINANCE NO. 491

AN ORDINANCE OF THE TOWN OF BELLEAIR, FLORIDA, AMENDING THE TOWN OF BELLEAIR CODE OF ORDINANCES, PART II, SUBPART B LAND DEVELOPMENT CODE, PURSUANT TO THE REQUIREMENTS THEREFORE INCLUDING SECTIONS 74-82, 74-83, 74-84, 74-112, AND 74-155; PROVIDING FOR NEW ZONING DISTRICT ENTITLED RM-10, MULTIFAMILY RESIDENTIAL; PROVIDING FOR THE PERMITTED USES AND STANDARDS APPLICABLE THERETO, INCLUDING PROVISION FOR A HEIGHT BONUS FORMULA; PROVIDING FOR AMENDMENT OF THE PROVISION FOR ALTERNATIVE ACCESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Belleair adopted the Code of Ordinances as set forth in Ordinance No. 349, on April 19, 1994, including Subpart B, Land Development Code; and

WHEREAS, the Town Commission of the Town of Belleair has from time to time approved amendments to the Land Development Code; and

WHEREAS, the Town Commission over an extended period of time has reviewed and determined it necessary and prudent to update and revise the Land Development Code; and

WHEREAS, the Town Commission has received and considered the input and recommendation of the Planning and Zoning Board; and

WHEREAS, the Town Commission desires to amend the Land Development Code to establish a new multifamily residential zoning district that is less intensive and provides for greater flexibility of building height than the existing RM-15 multifamily residential district.

NOW, THEREFORE, BE IT ORDAINED BY THE Town Commission of the Town of Belleair, as follows:

Section 1. The Land Development Code, Sec. 74-82. Schedule of district regulations, is amended to insert the RM-10 district in the table as set forth below:

<i>District</i>	<i>Purpose</i>	<i>Permitted Use</i>	<i>Accessory Structures and Accessory Uses</i>
R-2, single-family residential	This district is composed of single-family dwellings with maximum density of land use b single-family residences. This district contains small lots and dwellings for those areas where this type of development is practical.	Single-family dwellings	Private garages and carports Private nurseries and greenhouses Private swimming pools, hot tubs, and cabanas Boat docks Gazebos Storage buildings, fences and fence walls Public parks, playgrounds and recreation areas Utility service structures
<u>RM-10, multifamily residential</u>	<u>This district is composed of low medium-density (10 units per acre) multiple-family residential dwelling areas where it is likely and desirable to provide for such type of development.</u>	<u>Single-family dwellings</u> <u>Duplex dwellings</u> <u>Multifamily residential</u> <u>(See section 74-83(ab))</u>	<u>Private garages and carports</u> <u>Private swimming pools, hot tubs, and cabanas</u> <u>Gazebos</u> <u>Storage buildings, fences and fence walls</u> <u>Public parks, playgrounds and recreation areas</u> <u>Utility service structures</u>
RM-15, multifamily residential	This district is composed of medium-density multiple-family residential areas with additional open areas where it is likely and desirable to extend such type of development.	Single-family dwellings Duplex dwellings Multifamily residential (See section 74-83(ab))	Private garages and carports Private swimming pools, hot tubs, and cabanas Gazebos Storage buildings, fences and fence walls Public parks, playgrounds and recreation areas Utility service structures

Note: All other parts of this table in Sec. 74-82 other than as noted above in red and underlined remain as previously set forth.

Section 2. The Land Development Code, Sec. 74-83. Special regulations for RM-15, RPD and H districts, is amended to read as follows and to insert the following as a new subparagraph (a) and change (a) to (b), (b) to (c), and (e) to (d):

Sec. 74-83. Special regulations for RM-10, RM-15, RPD, and H districts.

(a) Multifamily residential district regulations (RM-10 district.) This district is composed of low medium-density (10 units per acre) multiple-family residential dwelling areas with additional open areas where it is likely and desirable to extend such type of development and may serve as a transition from more intensive to less intensive development areas.

Site area requirements reflect the relative need for open space for the various types of residences based on the expected density of use. Permitted uses and minimum living space requirements shall be as follows:

(1) Permitted uses. Within any RM-10 multifamily residential district, only the following uses shall be permitted:

- a. Single-family and multifamily dwellings; and
- b. Accessory uses (see schedule of regulations).

(2) Minimum living space per unit. The minimum dwelling unit area shall be 1,200 square feet. Garages, breezeways, porches, balconies, common halls and stairways shall not be included in computing living space.

(3) Average unit size for any individual project. The average dwelling unit area for any project approved under the RM-10 district shall be not less than 1,800 sq. ft.

(4) Height bonus provisions. Additional height may be authorized in the RM-10 zoning district pursuant to the provisions of this subsection.

(a) The provisions in this subsection are cumulative and additional height may be authorized on the basis of one or all of these provisions; however, in no event shall the height of any building in the RM-10 zoning district exceed 2.5 times the height permitted by right in this zoning district.

(b) To be eligible for any height bonus, the average height of all buildings in the development, in proportion to the ground floor area of all buildings in the development, must not exceed the height otherwise permitted by right by more than (50) percent.

(c) Should a building take advantage of the parking height bonus identified in section d(2), the applicable height of the building will be reduced, as it relates to height calculation in d(3), by the distance, measured from floor to ceiling of any designated parking floor, provided that:

- (1) 75% of parking floor area is dedicated to parking
- (2) The cumulative height of all parking floors in a given building is below 20% of the unadjusted building height.

(d) The following three provisions may be used to qualify for a height bonus, either singularly or in combination, consistent with the above stated conditions:

(1) Setbacks - The height of a building may be increased by .5 feet up to a maximum of one-half of the height permitted as of right for every additional 1 feet the building is set back from required setbacks for either or both of the following:

- a) The distance from the property line or the centerline of the road, whichever is greater, and

- b) The distance between buildings on the parcel proposed for development.
- (2) Structured Parking - The height of a building may be increased up to a maximum of one-half of the height permitted as of right if 50% or more of the required parking is provided for in a parking structure beneath the building.
- (3) Average Height - The height of a building may be increased up to a maximum of one-half of the height permitted by right, provided that the average height of all buildings on the site, in proportion to the ground floor area of all buildings, does not exceed the height otherwise permitted by right by more than fifty (50) percent.

Section 3. The Land Development Code, Sec. 74-84. Schedule of dimensional regulations, is amended to inset the RM-10 district in the table as set forth below:

The schedule of dimensional regulations for the various zoning districts is as follows:

District	<u>Lot Minimums</u>			Density Maximum Dwelling Units peracre	<u>Minimum Yard Setbacks</u>			Minimum Offstreet Parking per Dwelling Unit ¹	Maximum Height ³ (feet)	Flood Zone	Minimum Living Area per Unit ² (square feet)	Floor Area Ratio (FAR)
	Area (Square Feet)	Width (feet)	Depth (feet)		Front (feet)	Side (feet)	Rear (feet)					
RE	18,000	100	100	2	25	7.5 ⁴	25 feet or 20% of lot depth, whichever is less	2	32	34	2,000	---
R-1	10000	80	100	4	25	7.5 ⁴	25 feet or 20% of lot depth, whichever is less	2	32	34	1,200	---
R-2	7500	75	90	4	25	7.5 ⁴	25 feet or 20% of lot depth, whichever is less	2	32	34	1,000	---
<u>RM-10⁵</u>	<u>5 acres</u>	<u>---</u>	<u>---</u>	<u>10</u>	<u>25</u>	<u>15⁴</u>	<u>25</u>	<u>1.5</u>	<u>32</u>	<u>34</u>	<u>1,200</u>	<u>---</u>
RM-15	10000	100	100	15	25	7.5 ⁴	15	1.5	32	34	1,000	---
RPD	5 acres	---	---	5	(See section 74-83)		---	---	32	---	1,200	---

Note: All other parts of this table in Sec. 74-84 other than as noted above are red and underlined as previously set forth.

¹ See article III, division 3, of this chapter, pertaining to Off-street parking regulations.

² Exclusive of garages, breezeways, porches and patios.

³ The height regulations contained in this section shall mean 32 or 34 feet from grade to the highest finished roof surface in the case of a flat roof, or to a point at the midpoint of the highest sloped roof, except for chimneys, parapets, bell towers and elevator penthouses. In no case shall a structure exceed 45 feet in height except in a RPD or RM-10 zoned district. Building height limitations for flood zone area construction are as follows: Any property which is located within an area of special flood hazard as designated on flood hazard boundary map or a flood insurance rate map, shall measure the maximum height standard from the Base Flood Elevation (BFE) of the flood zone the structure is located within. This shall not apply to any property located in the RPD district existing at the time of adoption of this land development code. See Sec. 74-83 (a)(4) for special height bonus provisions for RM-10 District.

⁴ See Section 74-113

⁵ See Sec. 74-83 (a) for additional requirements for RM-10 district.

Section 4. The Land Development Code, Sec. 74-112. Impervious surface coverage, is amended to add the RM-10 district to subparagraph (e) Table of Impervious Surface Ratios as set forth below:

(e) *Table of impervious surface ratios.* Maximum impervious surface ratios shall be as follows:

<i>Zoning District</i>	<i>Maximum Impervious Surface Ratio¹</i>
RE, R-1 and R-2 (residential districts)	60 percent
<u>RM-10 and RM-15 (multifamily districts)</u>	60 percent
RPD (planned residential district)	60 percent
H (hotel district)	70 percent
C-1 and C-2 (office and retail districts)	75 percent
C-3 and C-4 (retail and product distribution districts)	75 percent
C-5 (storage district)	75 percent
GC	As approved under site plan review
P: Institutional uses	85 percent
Transportation uses	90 percent
SPM	75 percent

¹ The maximum impervious surface ratio is given for each district, regardless of the type of use proposed and allowable pursuant to article II of this chapter.

Section 5. The Land Development Code, Sec. 74-155. Access. Subsection (3) Alternative designs, is amended to read as follows:

(3) Alternative designs. Where natural features, the previous development pattern and provisions for access, or spacing of existing driveways and roadways cause the access requirements set out in subsection (1) and (2) of this section to be physically or legally infeasible, alternate designs may be approved by the ~~town~~ Town Commission only as a function of their approval of a site development plan.

Section 6. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held illegal, invalid or unconstitutional by the decision of any court or regulatory body of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

Section 7. The effective date of this ordinance shall be the date the final ordinance is read and approved by the Town Commission as provided by law.

PASSED ON FIRST READING:

PASSED ON SECOND AND FINAL READING:

Mayor

ATTEST:

Town Clerk

Private Contractor	At 24 Hr/Wk Volume	At 32 Hr/Wk Volume	At 40 Hr/Wk Volume
Hourly Rate	\$ 75.00	\$ 75.00	\$ 75.00
Estimated Hours per week	24	32	40
Weekly cost	\$ 1,800.00	\$ 2,400.00	\$ 3,000.00
Subtotal	\$ 93,600.00	\$ 124,800.00	\$ 156,000.00
Days needed OT	10	13.33	16.67
Hours per day OT	2	2.00	2.00
Hours OT	20	26.67	33.33
OT Rate	\$ 112.50	\$ 112.50	\$ 112.50
Estimated OT	\$ 2,250.00	\$ 3,000.00	\$ 3,750.00
TOTAL PRIVATE CONTRACT COST ESTIMATED	\$ 95,850.00	\$ 127,800.00	\$ 159,750.00
Pinellas County	At 24 Hr/Wk Volume	At 32 Hr/Wk Volume	At 40 Hr/Wk Volume
Inspection Fees	\$ 97,200.00	\$ 129,600.00	\$ 162,000.00
Courier Fees	\$ 8,424.00	\$ 8,424.00	\$ 8,424.00
Monthly Building Official Fee	\$ 240.00	\$ 240.00	\$ 240.00
Development Review Services	\$ 4,258.30	\$ 5,677.73	\$ 7,097.16
TOTAL PINELLAS COUNTY COST ESTIMATED	\$ 110,122.30	\$ 143,941.73	\$ 177,761.16
In-House	Annual		
Salary	\$ 71,000.00		
Paid Leave	\$ 6,824.00		
FICA	\$ 5,431.50		
401k	\$ 6,390.00		
Family Medical for Directors	\$ 20,016.00		
Total Personnel Cost	\$ 109,661.50		
Contract labor	\$ 9,857.78		
Vehicle Replacement Annualized	\$ 2,910.13		
Workman's Comp	\$ 2,037.70		
TOTAL IN-HOUSE COST ESTIMATED	\$ 124,467.10		

Summary

To: Town Commission
From: Stefan Massol
Subject: Building Department Services Options
Memo Date: 2/27/2014

Summary: Staff will discuss options for inspection and plan review services in the Building Department.

Background/Problem Discussion: Fred Hawes, the town's former building official, retired in April 2013. Since his retirement the town has received inspection and plan review services from Pinellas County while staff evaluated long-term alternatives. Raymond Wells, the building official preceding Fred, was hired in January 1990 and served in a part-time capacity. The weekly workload is presently at a level that staff believes can be completed with 3-day service (~42 inspections per week and moderate plan review).

Alternatives/Options: The alternatives identified include: 1) Contract with a private entity for 3 days each week, 2) Continue the Pinellas County contract performed "as-needed" 5 days each week, 3) Hire a full-time building official. The Pinellas County contract provides inspections and plan review five days each week, however this level of frequency is not necessary for the current volume of work. Also, staff does not have the ability to schedule inspections at a particular time under the present agreement.

Financial Impact: The estimated costs associated with each option are as follows:

	Cost of Alternatives by Workload		
	Workload (in days per week)		
	3 days	4 days	5 days
Private Contract	\$ 96,000	\$ 128,000	\$ 160,000
Pinellas County	\$ 110,000	\$ 144,000	\$ 178,000
In-House Full-Time	\$ 124,000	\$ 124,000	\$ 124,000

A breakdown of these costs is available on the attached sheet. The private contract amount is based on one quote that staff has received.

Recommendation: Contract with a private entity. This option gives staff flexibility to increase and decrease the number of days as workload fluctuates. These companies offer a more comprehensive package of resources in terms of personnel and damage assessment than the town currently possesses. A private entity could seamlessly continue services if personnel changes become necessary. Finally, under a private contract the town would have the ability to schedule inspections at specific times, an added convenience to residents

Proposed Motion: Move to recommend that the town pursue a contract with a private entity for Building Department services.

Summary

To: Historic Preservation Board
From: Micah Maxwell, Town Manager
Subject: Discussion of the Honoring of John Osborne
Date: 2/27/14

Summary: The town commission has asked to have a discussion about how to honor John Osborne.

Previous Commission Action: None

Background/Problem Discussion: John Osborne bequeathed to the town the entirety of his estate, totaling around 4 million dollars. The town would like to do something to honor Mr. Osborne's generous actions.

Alternatives/Options:

- I. Name the town's golf course clubhouse after Mr. Osborne (This has been discussed with the current lessee and they have no issues with this action)
- II. Name the public works or town hall buildings after Mr. Osborne
- III. Name a park or the east field after Mr. Osborne
- IV. Name a street after Mr. Osborne

Financial Implications: Financial impacts are will vary depending on how the commission chooses to honor Mr. Osborne. Naming any of the buildings is the most costly option, the park or street option is significantly lower in cost, however the street renaming is probably the most involved option.

Recommendation: Name the golf course club house after John Osborne.

Proposed Motion: None Required.