

Ordinance 2020-11

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT CODE TO PROVIDE FOR THE DESIGNATION OF THE STREET-END DESCRIBED AS “80TH AVENUE EAST FROM BOCA CIEGA DRIVE TO THE INTRACOASTAL WATERWAY” FROM THE DESIGNATION OF ROS/SE-2 TO THE DESIGNATION OF ROS/SE-3; PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of St. Pete Beach has numerous street-ends that access the Gulf Beach or Boca Ciega Bay; and

WHEREAS, the Comprehensive Plan states that the City shall continue to maintain the community’s open space; and

WHEREAS, the owners of the properties abutting the 80th Avenue street-end, which runs east from Boca Ciega Drive to the Intracoastal Waterway, have made request to waive any right to vehicular access over the street-end and convey the fee title to the underlying street-end to the city and offered the appropriate documentation to effect such conveyance; and

WHEREAS, the City has agreed on the deed restrictions in the deed of conveyance; and

WHEREAS, the Land Development Code provides for the designation of street-ends as ROS/SE-3, for the purpose of recreation/open space, based on the criteria above;

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH FLORIDA, HEREBY ORDAINS:

SECTION 1. Recitals. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

SECTION 2. The provisions in this Section pertaining to the City’s Land Development Code are amended as follows:

Division 18, Sec. 18.13 (Street-ends designated ROS/SE-2) shall be amended as follows:

The following street-ends have been designated ROS/SE-2 Recreation Open Space/Street-end 2:

Coquina Way east 15 feet to Blind Pass Channel;

83rd Avenue east from Boca Ciega Drive to the Intracoastal Waterway.

Division 18, Sec. 18.17 (Street-ends designated ROS/SE-3) shall be amended as follows:

The following street-ends have been designated ROS/SE-3 Recreation Open Space/Street-end 3:

23rd Avenue west from Sunset Way to the beach;

80th Avenue east from Boca Ciega Drive to the Intracoastal Waterway.

SECTION 3. Conflicts. All ordinances or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

SECTION 4. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 5. Construction. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 6. Publication. This Ordinance shall be published in accordance with the requirements of law.

SECTION 7. Effective Date. This ordinance shall take effect immediately upon adoption.

FIRST READING:	07/14/2020
PUBLISHED:	07/29/2020
SECOND READING:	08/11/2020
PUBLIC HEARING:	08/11/2020

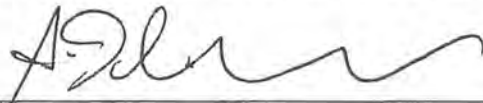
CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA.


Alan Johnson, Mayor

I, Ginny Bodkin, Interim City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this **11th day of August, 2020**.


Ginny Bodkin, Interim City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


Andrew Dickman, City Attorney