

ORDINANCE 2025-01

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING CHAPTER 68 “ZONING REGULATIONS” OF THE CITY OF TREASURE ISLAND CODE OF ORDINANCES BY AMENDING SECTION 68-571, “SPECIAL EVENT PERMIT” TO ALLOW FOR CERTAIN EXTENDED SPECIAL EVENTS FOR A LIMITED TIME IN THE AFTERMATH OF HURRICANES HELENE AND MILTON SO THAT BUSINESSES MAY BEGIN TEMPORARY OPERATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 68 of the City Code of Ordinances (“Code”), entitled “Zoning Regulations,” regulates zoning within the City; and

WHEREAS, on September 26, 2024, storm surge and high winds from Hurricane Helene caused significant damage to properties throughout the City of Treasure Island; and

WHEREAS, the ground floor of almost every property in the City suffered flood damage from the storm surge and Hurricane Helene’s damage is an extraordinary condition that warrants relief from certain event restrictions: and

WHEREAS, on October 9, 2024, flooding and high winds from Hurricane Milton caused further significant damage to properties throughout the City of Treasure Island and such damage is an extraordinary condition that warrants relief from certain event restrictions: and

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

WHEREAS, the current regulations restrict special events to a 9 day period and in order to support the business community by providing an opportunity to operate in a temporary manner for a longer time period while their buildings are under construction: and

WHEREAS, the Local Planning Agency has held a meeting to discuss these revisions and recommends approval of such revisions; 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 to revise various requirements in the Code; and

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

NOW, THEREFORE, THE CITY OF TREASURE ISLAND, FLORIDA DOES ORDAIN:

SECTION 1. The recitals set forth in the “Whereas” clauses above are ratified and confirmed as true and correct and are hereby adopted as legislative findings by the City Commission of the City of Treasure Island, Florida, for the adoption of this Ordinance.

SECTION 2. That Section 68-571, Special event permit, of Chapter 68, Zoning Regulations, of the Code of Ordinances of the City of Treasure Island, Florida, is hereby amended to read as follows:

Sec. 68-571. - Special event permit.

(a) Application procedure and permitting process for a special event permit on private property or when closing city streets. An applicant shall provide the community improvement department with the following written information and accompanied fee no less than 45 working days prior to the proposed event or activity in support of its application for a permit hereunder:

- (1) Name, address, and contact information of the applicant and a contact person (sponsoring business or organization);
- (2) Location of activities for which permit is sought;
- (3) A notarized letter of permission from the property owner if the location of the special event is being held on private property not owned by the applicant;
- (4) Detailed description of the proposed special event; specific nature and purpose of all activities for which permit is sought; any fees charged to attend the event;
- (5) Specific dates and hours of set-up and tear-down;
- (6) Specific days and hours of activities sought to be permitted;
- (7) Specific location and physical dimensions included in a drawing of any and all:
 - a. Structures (existing and temporary);
 - b. Event and vendor vehicle parking;
 - c. All tents (Note: tents greater than ten feet by ten feet require a tent permit);
 - d. Signs and/or banners on site;
 - e. Generators;
 - f. Stages;
 - g. Sound equipment;
 - h. Restroom facilities;
 - i. Lighting;

- j. Vendors booths;
- l. Fencing; or
- m. Any equipment sought to be used in conjunction with activities.

(8) Further, no permit shall be issued hereunder for the requested special event unless the applicant reasonably establishes that the following concerns have been addressed in a manner that is consistent with the interests of the public health, safety, and general welfare:

- a. Traffic access egress/traffic circulation;
- b. Pedestrian safety;
- c. Sanitation and litter control;
- d. Restroom facilities;
- e. Event parking (on-site/off-site);
- f. Crowd control;
- g. Liability insurance;
- h. Vendors and their current licensure;
- i. Entity responsible for maintenance during event and cleanup following each day of the event;
- j. Alcohol control;
- k. Temporary signage on or off site; and
- jl. Location of any street and/or sidewalk closures.

Upon review of the requirements set forth in this section by the community improvement department after consultation with the appropriate city staff, and upon finding that the permitted activity as proposed will not unduly impair the public health, safety or welfare of the city and will minimize any possible disruptions to adjoining or neighboring residents or establishments, a permit shall be granted or granted with conditions unless upon staff's discretion, the special event permit requires city commission approval.

(b) *Number per year and duration.* Not more than four special event permits in any 12-month period shall be held at the same location. Each event from setup through breakdown shall not exceed nine consecutive days.

Time exemption. In response to the number of structures damaged by Hurricane Helene and Hurricane Milton in September and October of 2024, special events on commercial properties may be allowed to continue for a 6-month duration with an option for 3- one month extensions through February 18, 2026, as long as the building containing the principal use is not operational on the property and repair or replacement of the building is in the permitting process or under construction. These time exempted special events must follow the parking requirements which would be applicable based on the event area size. All temporary structures are to be removed within 12 hours of issuance of a tropical storm or hurricane warning. All conditions of special event approval must be met throughout the duration of the special event. Except as otherwise provided in the Time Exemption, all other provisions of the special event permit regulations apply.

(c) *Conditions of special event permit approval.* In granting a special event permit, the community improvement department may prescribe appropriate conditions and safeguards. Conditions of approval may include, but are not limited to:

- (1) Regulations of hours and days;
- (2) Requirements/guarantees for cleanup and removal of tents/structures/equipment;
- (3) Return of site to its original state within a specified period of time;
- (4) Regulation of permit duration;
- (5) Regulation of signs and advertising;
- (6) Regulation of lighting;
- (7) Regulation of public address or sound system;
- (8) Regulation of gas, smoke, noise, fumes, vibrations or other nuisances; and
- (9) Such other conditions as are deemed necessary to protect the health, safety and welfare of the community.

(d) *Permit denials, appeal and notice.* If a permit for a special event is denied, written notice of denial shall be given to the applicant. The applicant may appeal the decision to the city commission by giving written notice to the city clerk within 30 calendar days of the decision for denial

(e) *Revocation.*

(1) The special event permit may be revoked immediately if in the sole and absolute discretion of the city manager or designee the permittee is in violation of any law or activity that endangers the public health, safety, or general welfare.

(2) Any special event permit issued by the community improvement director shall be considered null and void if the operation or activity does not conform to the approved plan or plan of operations.

(f) *Fee.* The city commission shall set each fee in appendix A and said fees may be amended from time to time by city commission. All fees are non-refundable.

Staff will determine if the special event permit will—need community improvement department director's approval or city commission approval during a pre-application meeting.

(g) *Exemptions.* This section shall not apply to:

(1) Neighborhood events including, but not limited to, activities such as organized neighborhood yard sales, neighborhood block parties, spaghetti dinners and other similar activities sponsored by neighborhood, civic, non-profit or religious organizations and beach clean-ups.

(2) City sponsored events, including but not limited to, special beach events, outdoor concerts and movies or outdoor morning markets.

(3) Other special events to be held at public facilities or recreation areas including the public beach, parks, and bay or gulf. Such activities require permission of the city commission.

SECTION 3. SEVERABILITY. It is the intention of the City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, or provision of this ordinance is held invalid, the remainder of the Ordinance shall not be affected.

SECTION 4. CONFLICT. All ordinance or portions of ordinances in conflict with or inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 5. CODIFICATION. Sections 2-16 of this Ordinance shall be codified in the Code of Ordinances for the City of Treasure Island, Florida. The codifier is authorized to renumber or reclassify such other provision of the Code of Ordinance to accomplish such intention. The codifier is also authorized to make editorial changes not affecting the substance of this Ordinance in the substitution of article, ordinance, section, paragraph, or such other appropriate word or phrase in order to accomplish such intention.

SECTION 6. EFFECTIVE DATE. This ordinance shall take effect upon the first day of the month immediately following the adoption of the ordinance.

FIRST READING and PUBLIC HEARING on the 18 day of February, 2025.

SECOND READING and PUBLIC HEARING on the 4 day of March, 2025.

PUBLISHED in the Tampa Bay Times on the 19 day of February, 2025.

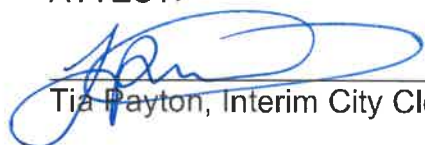
The foregoing ordinance was offered during the meeting of the City Commission of the City of Treasure Island, Florida, sitting on the 4 day of March, 2025 by Commissioner Diehery who moved its adoption; was seconded by Commissioner Toth and upon roll call, the vote was:

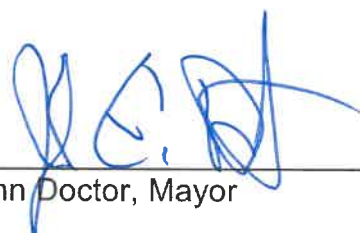
YEAS:

NAYS:

ABSENT OR ABSTAINING:

ATTEST:


Tia Payton, Interim City Clerk


John Doctor, Mayor



