

RESOLUTION 2018-03

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, AUTHORIZING A CONDITIONAL USE PERMIT FOR A CLASS I MOBILE FOOD TRUCK USE ON THE PREMISES OF AN EXISTING BUSINESS LOCATED AT 7701 BLIND PASS ROAD; INCORPORATING THE CONDITIONS OUTLINED HEREIN AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission supports independently owned businesses within the City; and,

WHEREAS, the applicant, Matthew Dahm owner and agent for Mastry's Brewing Company, filed with the City an Application on November 29, 2017, for a Conditional Use Class I Mobile Food Truck Use on the premises of an existing business located at 7701 Blind Pass Road, St. Pete Beach, Florida; and,

WHEREAS, the application for Conditional Use including the site plan prepared by Robert Reid Wedding, Inc. and dated February 16, 2017 (stamped by the city December 14, 2017) was reviewed by the Technical Review Committee on January 17, 2018, and the recommended conditions appropriate to mitigate potential impacts imposed by the use were determined and are outlined in the associated staff report submitted to the City Commission; and

WHEREAS, the City Commission held a quasi-judicial public hearing on February 13, 2018, to consider the Conditional Use Application and reviewed the application in accordance with all the criteria listed in the City of St. Pete Beach Land Development Code.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Pete Beach, that:

Section One: The above recitals are true and correct and are incorporated herein by reference.

Section Two: The City Commission hereby incorporates the following conditions into the Conditional Use permit:

1. If any of the stated conditions are violated, the City Commission may modify or revoke this Conditional Use Permit by resolution following a public hearing.
2. No grandfather status is granted with the Conditional Use Permit. The applicant must comply, within six (6) months of adoption, with any and all amendments to the Code of Ordinances and Land Development Code regarding this use including prohibition of use.
3. Food trucks shall be placed only on the three (3) places depicted on the approved site plan.

4. To the extent applicable to private property owners, the applicant shall meet all requirements included in Ordinance 2017-12 pertaining to Mobile Food Establishments and Mobile Food Trucks and conditions stated in this Conditional Use Permit, whichever is more restrictive.
5. The applicant may only have food trucks located on its property which comply with all Mobile Food Truck requirements as established by the City and other applicable regulatory agencies.
6. The applicant must ensure that NFPA food truck safety guidelines are followed.
7. In order to protect public safety, the applicant shall provide high visibility cones or other approved delineates along the curb of Blind Pass Road at the location of the food trucks in order to prevent ingress and egress.
8. This conditional use is not transferrable to another business or location.

Section Three: The effective date of this conditional use resolution shall be upon rendition of this resolution by the City Clerk with all signatures required below.

The Conditional Use Resolution is hereby approved, subject to the conditions contained herein, this 13th day of February 2018, by the City Commission of the City of St. Pete Beach, Florida.

Passed this 13th day of February 2018, by the City Commission of the City of St. Pete Beach, Florida.




Alan Johnson, Mayor

I, Rebecca C. Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Resolution was duly adopted in accordance with the provisions of applicable law this 20th day of February, 2018.



Rebecca C. Haynes, City Clerk

Approved as to legal form and correctness:



Andrew Dickman, City Attorney