

INDIAN SHORES



19305 Gulf Boulevard, Indian Shores, FL 33785

www.myindianshores.com | Ph: 727.595.4020 | Fax: 727.596.0050

*** PUBLIC MEETING ***

PLANNING, ZONING AND BUILDING COMMITTEE MEETING AGENDA MONDAY, DECEMBER 15, 2025, BEGINS AT 2:00 P.M. INDIAN SHORES MUNICIPAL CENTER, 4TH FLOOR

(PLEASE SILENCE ALL CELL PHONES AND LIMIT PUBLIC COMMENTS TO 3 MINUTES.)

ITEM # AGENDA ITEM

- 1.0 Consideration of approval of the December 15, 2025, Planning, Zoning and Building (PZB) Committee Meeting agenda.
- 2.0 Comments from the public on any agenda item.
- 3.0 Review and discussion of Resolution No. 23-2025 regarding Building Department fee schedule updates for Council recommendation and consideration.
(Ref. pgs.: 1-2)
- 4.0 Review and discussion of Ordinance No. 2025-08 regarding Certified Recovery Residences for Council recommendation and consideration for First Reading.
(Ref. pgs.: 3-7)
- 5.0 PZB Committee Members' comments on any subject.
- 6.0 Meeting adjournment.

Freddie Lozano, CMC
Town Clerk

Any person who decides to appeal any decision of the Planning, Zoning and Building Committee and the Town Council with respect to any matter considered at any such meeting will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes that testimony and evidence upon which the appeal is to be based.

Any person with a disability requiring reasonable accommodation to participate in this meeting should contact the Town Clerk's office with your request within 24 hours prior to the start of the meeting. Phone 727.595.4020, Fax 727.596.0050

RESOLUTION NO. 23-2025

A RESOLUTION OF THE TOWN OF INDIAN SHORES, FLORIDA, ADOPTING A MINOR SUBDIVIDING AND COMBINING LOT FEE AND A PHYSICAL CURRENCY NICKEL ROUNDING POLICY FOR FEES; ADOPTING FINDINGS WITH RESPECT TO REASONABLENESS; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS INCONSISTENT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Indian Shores, Florida, (“Town”) is a municipal corporation located within Pinellas County; and

WHEREAS, the Town maintains a Building Department that reviews and files paperwork for the minor subdividing and combining of lots; and

WHEREAS, the Town of Indian Shores is entitled to recover the reasonable cost of providing such services; and

WHEREAS, the Federal Government eliminated the penny from circulation; and

WHEREAS, Customers who pay fees the Town using physical currency will not be about to use or receive currency to the nearest cent;

WHEREAS, the nickel is next smallest denomination; and

WHEREAS, Section 18-54 and Section 18-125 require that the Town Planning, Zoning, and Building Committee review and set the fee schedule in addition to final approval by the Town Council.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES, FLORIDA, AS FOLLOWS:

Section 1. That the Town Council hereby finds the above statements to be true and correct and incorporated as a material part of this Resolution.

Section 2. That a minor subdividing or combining of lots fee of \$150.00 shall be added to the fee schedule is hereby ratified.

Section 3. That payments made using physical currency will be rounded to the nearest nickel, such that charges ending in \$.01 and \$.02 will round down to \$.00, charges ending in \$.03, \$.04, \$.06, and \$.07 will round to \$.05, and \$.08 and \$.09 will round to up to \$.10 shall be hereby ratified.

Section 4. All other permit fees shall remain in full force and effect until changed or amended by further Resolution of the Town Council.

Section 5. That if any provision of this Resolution is found to be invalid or unenforceable as a matter of law by a court of competent jurisdiction, the offending provision(s) shall be severed, and the remainder shall continue in full force and effect.

Section 6. That all Resolutions or portions of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. That this Resolution shall become effective immediately upon passage and adoption in the manner provided by law.

The above and foregoing Resolution, upon Motion by _____ and seconded by _____, was duly approved and adopted at a Special Town Council meeting held on the 15th day of December, 2025.

Voting in favor of the Resolution:

Voting in opposition to the Resolution:

Absent:

Abstaining:

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES, FLORIDA, THIS 15th DAY OF December, 2025.

ATTEST:

Diantha Schear
Mayor

Freddie Lozano, CMC
Town Clerk

ORDINANCE NO. 2025-08

AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, AMENDING CHAPTER 110 – ZONING – AND AMENDING ARTICLE III. – DISTRICT REGULATIONS, DIVISION 3. – RESIDENTIAL/OFFICE/RETAIL (ROR) DISTRICT, ADDING SECTION 110-176, “CERTIFIED RECOVERY RESIDENCE”; CREATING A DEFINITION AND PROVIDING THE STANDARDS FOR CERTIFIED RECOVERY RESIDENCES; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Indian Shores (the “Town”) is a Florida municipal corporation and political subdivision of the State of Florida; and

WHEREAS, the Florida Legislature has passed SB 954, which the Governor has signed into law, thus creating Chapter 2025-182, amending Chapter 397, Florida Statutes, pertaining to the certification of recovery residences; and

WHEREAS, the new version of Florida Statute § 397.487(15)(a) requires the governing body of each county or municipality to adopt an ordinance establishing procedures for the review and approval of certified recovery residences within its jurisdiction. The ordinance must include a process for requesting reasonable accommodations from any local land use regulation that serves to prohibit the establishment of a certified recovery residence; and

WHEREAS, the Town Council intends to for this Ordinance and all actions of the Town pursuant to this Ordinance to be consistent with the Fair Housing Amendment of 1988, 48 U.S.C ss. 3601 et seq., and Title II of the Americans with Disabilities Act, 42 U.S.C. ss. 12131 et seq.

WHEREAS, this new statutory language necessitates revisions to the Town’s Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES:

Section 1: That all of the above recitals are true and correct, and the same are incorporated into this Ordinance as if fully set forth herein.

Section 2: Section 176 of Chapter 110 of the Town of Indian Shores Code of Ordinance shall hereby be created to read as follows:

Sec. 110-176. Certified Recovery Residences

(a) *Definitions.* For the purposes of this section, all words shall be defined as defined in § 397.311, Florida Statutes.

(b) *Review and Approval of Certified Recovery Residences*

(1) *Purpose.* The purpose of this section is to implement a procedure for processing, reviewing, and approving certified recovery residences within the Town and requests for reasonable accommodations from any Town land use regulation that serves to prohibit the establishment of a certified recovery residence, as the same is defined by Chapter 397, Florida Statutes.

(2) *Application*

- a. *Submittal.* A request by an applicant for the approval of a certified recovery residence, or for reasonable accommodation from any of the Town's land use regulations that serve to prohibit the establishment of a certified recovery residence, shall be submitted by the applicant, in writing, to the Town's Building Department on a form prescribed by the Town's Building Department. Upon receipt of the applicant's application, the Town shall date-stamp the application and, if additional information is required, notify the applicant in writing within thirty (30) days after receipt of the application and allow the applicant thirty-five (35) days to respond.
- b. *Application Requirements.* An application submitted pursuant to this Section must include, at minimum, the following information:
 - i. The name and contact information of the applicant or the applicant's representative, if applicable; and
 - ii. The property address and parcel identification number; and
 - iii. A description of the accommodation requested and the specific regulation or policy from which relief is sought; and
 - iv. Any other information requested on the application form provided by the Town's Building Department.
- c. *Final Determination.* If the establishment of a certified recovery residence complies and is consistent with the Town's Code of Ordinances and other applicable law, approval of the application shall be rendered administratively by the Building Official. In the event the applicant requests reasonable accommodation from any of the Town's land use regulations, a final determination on the application shall be issued by the Town Council in accordance with the terms set forth in this Section. In either event, a final determination on the application shall be issued within sixty (60) days after receipt of the completed application. If a final determination is not issued within sixty (60) days after receipt of the completed application, the request is deemed approved, unless

the applicant and the Town agree, in writing, to a reasonable extension of time. The final determination must:

(i) Approve the request in whole or in part, with or without conditions; or

(ii) Deny the request, stating with specificity the objective, evidence-based reasons for denial and identifying any deficiencies or actions necessary for reconsideration.

(iii) The notice requirements of Section 110-86 must be met prior to any public hearing on a Reasonable Accommodation request before the Town Council.

d. *Findings for Reasonable Accommodations.* In determining whether the reasonable accommodation request shall be granted or denied, the applicant shall be required to establish:

(i) The property that is the subject of the request for a reasonable accommodation will be used as a certified recovery residence pursuant to Chapter 397, Florida Statutes;

(ii) The requested accommodation is necessary to establish the property as a certified recovery residence;

(iii) The applicant agrees to adhere to the requirements set forth in Chapter 397, Florida Statutes, throughout the use of the property as a certified recovery residence; and

(iv) Provide a copy of existing conditions survey of the property, certified by a Registered Surveyor licensed in the State of Florida, clearly indicating the exact dimensions, setbacks, and location of existing structures, easements and other site improvements; and

(v) Provide a scale drawing showing all proposed site development, if applicable, including structures, landscaping, fencing, and any other proposed site improvements.

(c) *Revocation of Reasonable Accommodations.* Any reasonable accommodation received shall be deemed revoked if the applicant or the property upon which the reasonable accommodation is granted is found, by a court of law or by the special magistrate, to have violated a condition of approval or if the certification or licensure required under Chapter 397, Florida Statutes, for the certified recovery residence lapses, is revoked, or otherwise fails to be maintained and the certification or licensure is not reinstated within 180 days of the date of lapse, revocation, or other means of expiration.

Section 3: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: That if any provision or part of this Ordinance is declared invalid or unenforceable as a matter of law, the offending portion shall be stricken and all other provision hereof shall remain valid and enforceable.

Section 5: The provision of this Ordinance shall be incorporated as an appendix to the Code of Ordinances of the Town of Indian Shores, Florida, as an addition or amendment thereto.

Section 6: This Ordinance shall become effective immediately upon adoption in the manner provided by law.

FIRST READING this 15th day of December, 2025.

The first reading of the above Ordinance, upon motion by _____ and seconded by _____ as duly approved at a Special Town Council Meeting held on the 15th day of December, 2025.

Voting in favor of the First Reading:

Voting in opposition:

Absent:

Abstaining:

SECOND READING AND FINAL PASSAGE this 29th day of December, 2025.

The second reading of the above Ordinance, upon motion by _____ and seconded by _____ as duly approved at a Special Town Council Meeting held on the 29th day of December, 2025.

Voting in favor of the Second Reading:

Voting in opposition:

Absent:

Abstaining:

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES, FLORIDA, THIS _____ day of _____, 2025.

ATTEST:

Diantha Schear
Mayor

Freddie Lozano, CMC
Town Clerk

Approved as to form:

Daniel P. Lewis, Esq.
Town Attorney