



AMENDMENT 4:

The St. Pete Beach Experience

St. Pete Beach, Florida



Speaker:

WARD J. FRISZOLOWSKI

St. Pete Beach City Commissioner 1994-1995

St. Pete Beach Vice Mayor 1995-2000

St. Pete Beach Mayor 2000-2008



St. Pete Beach, Florida



- St. Pete Beach is a barrier island in Pinellas County.
- 10,000 residents with a tourism based economy.
- Total of 25,000 people including visitors.

- The first, and only, municipality to adopt a local version of Amendment 4.
- Charter Amendment – requires a referendum vote on any changes to the City’s Comprehensive Plan
- Voted by the residents of St. Pete Beach in November, 2006

Comprehensive Plans are NOT “Sacred”

- A city’s Comprehensive Plan has to be a living, changing document reflecting the current will of its citizens.
- Comprehensive Plans need to respond to:
 - Economical Changes
 - Demographical Changes
 - Environmental Changes
 - Etc...



What Happened in St. Pete Beach?

- Our Comprehensive Plan, adopted in 1989, favored condominiums over hotels.
- Residents wanted to keep a strong hotel/tourism component to our town for economical reason.
- Our Comprehensive Plan was antiquated and didn't take into account current economic and social conditions.
- The process to change the Comprehensive Plan began in April 2002.

City Process Works - All is Well.

■ **April 2002-August 2003**

- City goes through comprehensive visioning and planning process – at least 22 public workshops or meetings are held

■ **August 2003-June 2005**

- Citizens and elected officials develop the comprehensive plan amendments to implement the adopted master plan. Amendments are approved by all reviewing agencies.

Sh*t Hits the Fan!



■ June 2005

- Small disgruntled local PAC group – Citizens for Responsible Growth (CRG) submit four petitions to amend the City Charter – one of which requires voter approval to adopt or amend a comprehensive plan that affects five or more parcels.
- City challenges legality in Circuit Court
- CRG submits two additional petitions to repeal the ordinances that amended the comprehensive plan (passed by only 22 votes).

Sh*t Hits the Fan!



■ **November 2006**

- Circuit Court sides with City
- CRG appeals to District Court of Appeals, Circuit Court is overruled
- Four items approved by the voters, including the “Hometown Democracy” provision and the repeal of the previously approved comprehensive plan

Living with the Mess!

Elections required as a result of our version of Amendment 4

■ **November 2006-November 2009**

- State mandated amendment dealing with the Coastal High Hazard Area.
- State mandated annual update to the CIP element. No projects. Issue with timing requirements and non-compliance with DCA.
- State mandated amendment to implement water supply plan. We are retail customers of Pinellas County. Worked with other cities to adopt uniform provisions. Again, problems with timing requirements and non-compliance with DCA.

Living with the Mess!

Elections required as a result of our version of Amendment 4

■ **November 2006-November 2009**

- State mandated amendment adopting a public schools facility element.
- State mandated EAR amendment.
- Fortunate all but one item has been approved on regularly scheduled election. Special election costs our city \$20K. Several times the city comprehensive plan has been in non-compliance for failing to meet deadlines due to timing of elections.

Living with the Mess!

Elections required as a result of our version of Amendment 4

■ **November 2006-November 2009**

- PAG SAP – 8th Avenue – 4 acre area in our historic district.
- Save Our Little Village (SOLV) petition – citizen initiated, placed ordinances previously repealed by CRG back on the ballot – plan amendment is 175 pages – passed 60%-40%
- CRG files six different legal challenges to the content, ballot language and procedural deficiencies

Mess is Finally Cleaned!

■ November 2009

- Voters amend Charter by 57%-43% to limit comp plan changes requiring voter approval to those changing height, density, intensity or use.

Amendment 4



The St. Pete Beach Experience

- Voter fatigue – issues are complicated and difficult for voters to understand – want to do the right thing but get frustrated when they are responsible for voting on something they don't fully understand. Bombarded with literature.
- Politicizing of issues – different information given out by different parties

The St. Pete Beach Experience

- SB 216 limits what the city can do in terms of promoting the issue, void is filled by PAC's, often with special interest, sometimes not even related to the subject – people begin to vote on issue based on who is supporting or opposing, rather than understanding the merit of the issue.
- **\$\$\$\$** wins elections – SOLV amendment had strong support from the business community.

The St. Pete Beach Experience

- Uncertainty – business owners are very uncertain of what to expect regarding long term planning within our community. Therefore, they are unwilling to invest.
- Economic hardship – with no opportunity to redevelop, our businesses are either being neglected or having to close down. Many areas are in blight, very unsightly for everyone, including residents.

The St. Pete Beach Experience

- St. Pete Beach was the “**poster child**” for Hometown Democracy in 2006.
- Now we’re their “**worst nightmare**” because it has been proven that it doesn’t work. Not only have citizens not had a greater say in the outcome of growth, it has cost the City thousands of dollars!

The St. Pete Beach Experience

- We now refer to our Amendment 4 as...
The attorney's retirement plan! Attorneys on both sides are the only ones profiting. **\$\$\$\$**
- Ross Burnaman, the same Tallahassee lawyer who co-founded and co-authored Amendment 4, has been personally involved in the litigation in my hometown to change the outcome of the “vote of the people”.

The St. Pete Beach Experience

- The most disturbing thing to our residents is the fact that the Amendment 4 supporters campaigned to “just let the people vote” to have a say on growth. However, when the citizens did vote overwhelmingly to adopt a new Comprehensive Plan on June 3, 2008, the Amendment 4 supporters filed a lawsuit to overturn the results.



The St. Pete Beach Experience

- Our experiment with Amendment 4 has turned St. Pete Beach into a battleground for special interests. It has not resulted in wiser growth management – it has erased growth management altogether. It has not empowered ordinary citizens – it has empowered lawyers and those with the deepest pockets. And at a time of economic hardship, it has caused extraordinary damage to our City's economy.

The St. Pete Beach Experience

- I ask the voters of Florida to learn more about St. Pete Beach – and to learn more from our mistakes.
- Amendment 4 supporters promise that they'll give you a “say on growth”. Don't believe it.... if you don't do what they want you get sued over and over and over again.
- ***Don't let them do to Florida what they already did to my hometown.***