



City of Anna Maria

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MINUTES
PLANNING & ZONING BOARD MEETING
CITY OF ANNA MARIA COMMISSION CHAMBERS
TUESDAY, MARCH 22, 2016 - 4:00 P.M.

Pledge of Conduct: We may disagree, but we will be respectful of one another. We will direct all comments to the issues. We will avoid personal attacks.

CALL TO ORDER

Chair Crane called the meeting to order at 4:00 p.m.

PLEDGE TO THE FLAG

Present: Boardmember Margaret Jenkins, Boardmember Carl Pearman, Boardmember Jim Conoly, Boardmember David Youngs, and Chair Jonathan Crane.

Also Present: Planning/Building Administration Char Patterson, City Planner Alan Garrett, and City Planner Bruce McLaughlin.

NEW BUSINESS

1. Public Hearing - Ordinance 16-812

Chair Crane referred to page two of the November 10, 2015 P&Z Board minutes stating there was something inconsistent with discussion in the minutes versus what the Board would be addressing that day. Referenced in the minutes was a comment made by City Attorney Vose that “the ROR has been excluded from the Anna Maria Vacation Rental Registration. The purpose of the Ordinance is to address commercial operation in the residential areas – R-1 and R-2 Districts. The ROR being the Retail/Office/Rental District is essentially commercial. Therefore, the argument of needing to regulate Vacation Rentals differently than single-family homes – because they are located within an exclusively residential district – would not apply.”

Chair Crane pointed out Ordinance 16-812 was to regulate the maximum occupancy in the ROR. He asked for clarification.

Planner Garrett explained after looking over all the Ordinance changes, the City Commission had recognized they had overlooked some areas of the ROR District, and some of the residential on Pine Avenue. The proposed Ordinance has been crafted to specifically exclude any development that has gone through a Site Plan review. The Ordinance will, however, require any single-family home on Pine Avenue to comply with the occupancy regulations. In addition, if any property owner with a previously approved Site Plan requests changes to their original Site Plan, the exemption would no longer apply.

Planner McLaughlin pointed out the minutes reference “Retail/Office/Rental” and should be “Residential/Office/Retail”.

Planner Garrett read the Ordinance title.

Chair Crane asked for P&Z Board comments.

Boardmember Pearman asked why Pine Avenue Restoration (PAR) was being exempted, but no other areas of the City were being exempted.

Planner Garrett noted there were also other Site Plans that had been approved along Pine Avenue. However, when they went through the Site Plan review, their Site Plan specified their number of bedrooms and parking. The owners feel they have a vested right to rent those units based on their approved Site Plans. As a result,

the Commission has agreed, by means of the proposed Ordinance, to not change the approval already granted to them. Site Plans were approved for PAR and for the Green Village. That exemption would no longer apply if any modifications are ever made to their Site Plans.

Planner Garrett noted the properties are limited to two, three, and four bedrooms, with limited parking - and most likely would not have an issue with the maximum occupancy requirements.

Boardmember Pearman felt exempting the ROR properties having approved Site Plans defeats the purpose of the Ordinance. Explanation followed relating to when Site Plan reviews are required, and the type of Site Plan amendments that may occur. Boardmember Pearman felt the purpose for excluding the properties as discussed was only due to the City's fear of a lawsuit.

Discussion continued relating to the previous provisions in the ROR where only the owner or retail tenant could live above the business. The Commission later look that provision away.

Chair Crane opened the public comment portion of the Public Hearing.
Hearing no public comment, Chair Crane closed the Public Hearing.

Chair Crane stated that he may vote in favor for approval, noting he understands the impact of a Site Plan review, noticing requirements, etc. However, he was not in favor of the "water-downed Vacation Rental Ordinance." He reminded the Board should feel free to not feel the vote has to be unanimous.

Boardmember Youngs asked about potential requirements for when there are updates to Site Plans. Any change in use was presented as an example.

The Board discussed whether or not the Ordinance was consistent with the Comprehensive Plan.

Boardmember Youngs questioned why the rest of the Rental Ordinance 15-807 was not added to the proposed Ordinance such as parking, Vacation Rental registration, etc. He recommended the Vacation Rental Ordinance be incorporated by reference in the proposed Ordinance.

- **Motion: Move that the P&Z Board makes a finding that Ordinance 16-812 is consistent with the City of Anna Maria's Comprehensive Plan.**
Action: Approved. Moved by Boardmember David Youngs, Seconded by Boardmember Jim Conoly.
Motion carried unanimously.

Boardmember Youngs asked if the Board would like to add the remaining references of the Vacation Rental Ordinance into the proposed Ordinance. He pointed out Ordinance 16-812 does not make any reference to the parking requirements, etc.

Planner Garrett presented a proposed motion change for Sec. 114-281 (b) (1) and (3) e. of Ordinance 16-812 that would incorporate Boardmember Young's recommendation as follows:

Sec. 114-281 (b)

- (1) Single-family detached dwellings; provided, however, that such dwellings shall be subject to the vacation rental ordinance, ~~shall have a maximum over night occupancy of two (2) persons per bedroom, plus two people, with a maximum over night occupancy of eight (8) persons,~~ when such dwelling is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, which is advertised or held out to the public as a place regularly rented to guests. The vacation rental ordinance occupancy limit shall not apply when the dwelling is occupied by the owner of the dwelling. The vacation rental ordinance occupancy limit shall also not apply to dwellings for which a site plan was approved by the city commission; provided, however, that such exemption shall no longer apply if a site plan is amended after the effective date of this ordinance. Note: Single-family detached dwellings may only comprise up to 60 percent of the land area within the ROR land use category.

Sec. 114-281 (b) (3)

e. Such residential unit shall ~~be subject to the vacation rental ordinance have a maximum over-night occupancy of two (2) persons per bedroom, plus two people, with a maximum over-night occupancy of eight (8) persons,~~ when such unit is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests. The vacation rental ordinance occupancy limit shall not apply when the unit is occupied by the owner of the unit. The vacation rental ordinance occupancy limit shall also not apply to units for which a site plan was approved by the city commission; provided, however, that such exemption shall no longer apply if a site plan is amended after the effective date of this ordinance.

Discussion continued with *Chair Crane* presenting options on action to be taken by the Board.

Boardmember Youngs mentioned the residential use, Site Plan reviews having to come forward to P&Z for any changes, burden on small business, requiring an annual Site Plan review within a specific time, having a sunset on the Site Plan review, etc., and amending the Site Plan review process as a future agenda item.

Planner Garrett reminded that single-family homes do not go through the Site Plan process.

Motion: Move to find Ordinance 16-812 as amended by the Planning & Zoning Board to be consistent with the Comprehensive Plan, and to recommend approval of Ordinance 16-812 as amended.

Action: Approved. Moved by Boardmember David Youngs, Seconded by Boardmember Carl Pearman.

Motion carried – All Aye.

2. Future topics

Chair ¹~~Crain~~Crane stated the P&Z Board would be discussing Site Plan reviews as a future agenda topic, and reviewing another Element in the Comprehensive Plan.

Boardmember Youngs asked staff to bring back suggested language regarding sun setting of a Site Plan and not allowing them to be in perpetuity.

Planner McLaughlin informed it was very typical for a Site Plan to expire after a certain period of time. He noted Citrus County was five years. He felt during Site Plan approval, a sun setting provision could be added as a condition.

MINUTES

Consider approval of November 10, 2015 Planning & Zoning Board Meeting Minutes.

Chair Crane pointed out the reference of “Retail/Office/Rental District” on page two by City Attorney Vose should be changed to correctly reflect “Residential/Office/Retail”.

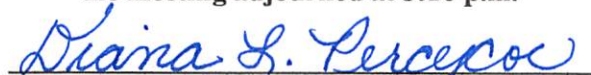
Motion: Move that the November 10, 2015 Planning & Zoning Board Meeting Minutes be approved as amended.

Action: Approved. Moved by Boardmember Jim Conoly, Seconded by Boardmember Carl Pearman.

Motion carried – All Aye.

ADJOURNMENT

On motion made by Boardmember David Youngs, and seconded by Boardmember Margaret Jenkins, the meeting adjourned at 5:10 p.m.


 Diana L. Percycoe, CMC, City Clerk

Minutes approved: April 12, 2016

¹ Corrected by P&Z Board at 4-12-16 meeting.