



# City of Anna Maria

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**MINUTES  
PLANNING & ZONING BOARD MEETING  
CITY OF ANNA MARIA COMMISSION CHAMBERS  
TUESDAY, MAY 17, 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 4:05 p.m.

## **PLEDGE TO THE FLAG**

## **ROLL CALL**

**Present:** Boardmember Jim Conoly, Boardmember David Youngs, Chair Jonathan Crane, Boardmember Margaret Jenkins (4:35 p.m.), and Boardmember Carl Pearman.

**Also Present:** City Clerk Diane Percycoe and City Planner Bruce McLaughlin.

**Press:** Islander and Sun.

## **OLD BUSINESS**

### **1. Records Preservation Request**

*City Clerk Percycoe* informed a records request has been received and she is asking that the City preserves all records having to do with City business as it relates to Shawn Kaleta. Pursuant to the records retention requirements, the City most likely has all records being requested. However, the Board is being forewarned that the issue will most likely be addressed in court.

While no records have been compiled at this time, City Clerk Percycoe has informed the necessary staff of the request, and all Board members. The requester has met and interviewed many of the staff members, of which any could receive a subpoena for a court case. All records will need to be preserved including any social media conversations, emails, etc. She reminded any emails on the City's account will be part of the City's email archives. Any personal emails relating to City business should be forwarded to City Clerk Percycoe, or printed out and brought to her, since it would be a public record.

### **2. Infrastructure Element of the City of Anna Maria's Comprehensive Plan**

*Planner McLaughlin* informed the Infrastructure Element discussion would be in two parts -- first to clarify some of the existing Policy, and then to address the proposed Internet Wireless Communication Element. Amendments cannot be sent to the State until the Evaluation and Appraisal Report (EAR) is completed and sent to the State. There are four more Elements to review after the Infrastructure Element. Planner McLaughlin hopes to have the EAR completed by September, while also finalizing the remaining Comprehensive Plan Elements.

Planner McLaughlin said he's aware in Indian Rocks Beach there is a potential effort being pursued by some to lobby the State Legislature to repeal the Vacation Rental Ordinances.

A review of changes for the Infrastructure Element followed. Changes were agreed upon as follows:

- **GOALS, STANDARDS, AND OBJECTIVES AND POLICIES**
- Remove last sentence under A. Introduction.
- Policy 1.1.1 – The Level of Service numbers listed are based on Manatee County numbers. Planner McLaughlin will verify the current gallons/day/capita that's listed.

- Policy 1.1.3 - The “Public Facilities” no longer exists. Reference to the “Public Facilities” has been replaced with WASTEWATER, SOLID WASTE, AND WATER SUPPLY.
- Policy 1.1.4 – In the event there are still properties in Anna Maria on septic tanks, the date for the elimination of all septic tanks has been updated from 2008 to 2017.
- Policy 1.1.5 – The current Franchise Agreement expires December 31, 2016 with the renegotiated policy running for an additional ten years. Policy 1.1.5 language to be removed in its entirety.
- Policy 1.1.6 - Renumbered to Policy 1.1.5. The planning period is estimated as 2027.
- Policy 1.2.1 – Removal of the following language: ~~“pursuant to Section 553.14, FS, as may be amended from time to time; and sanitary reference recognized as the minimum standard for such devices.”~~
- Policy 1.2.5 – Remove the following language: ~~“in corporation with Florida Neighborhood and Yards Program.”~~
- Policy 3.2.1 – Update policy to read as follows:  
Encourage the underground placement of existing above-ground wired facilities, thus supporting a more reliable information technology.
- Policy 3.1.6 – Update Policy to read as follows:  
Work with internet telecommunications service providers to ensure quality, universal affordable high-speed Internet throughout Anna Maria for residents, businesses, and visitors.

Discussion followed.

**Motion: Move to accept the Infrastructure Element as amended.**

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

**Motion carried – All Aye.**

### 3. Consideration of Potential Additional Comprehensive Plan Elements

*Chair Crane* informed there is no requirement to limit the number of Elements in the Comprehensive Plan, and additional Elements could be added. Additional suggested Elements were: Vision, Economic Development, Tourism Enhancement and Impact Mitigation Element, and a Historic District Element.

*Planner McLaughlin* informed that Mayor Murphy asked that the Historic District Element be deferred. Historic District activities are currently underway and being handled through the Mayor’s office.

*Chair Crane* asked if there were any other suggested Elements for adding into the Comprehensive Plan.

*Boardmember Pearman* felt the Tourism Enhancement and Impact Mitigation Element and Historic District Element were the only two that should be added. He did not feel an Economic or Agricultural Element would be appropriate for Anna Maria.

Tourism Enhancement and Impact Mitigation Element – *Chair Crane* stated as of now, the Bradenton Visitors and Business Bureau, with guidance of the Tourist Development Council (TDC), spends a lot of money bringing in tourism. However, it’s difficult for the City to be granted any of the TDC funds. *Chair Crane* felt it was important for the City to create a way to communicate with the County by adopting something that can be referred to as part of the City’s Comprehensive Plan. He felt doing so would allow some of the Transportation Polices, along with the Tourism Enhancement Element, the ability to get some of the funds.

*Chair Crane* pointed out there is a current TDC position open if anyone was interested in applying.

*Boardmember Jenkins* feels the City should be provided more of the TDC funds than they receive. She used the example of a billboard seen in Poland that was advertising Anna Maria Island. In her opinion, advertising overseas should be cut back, and more of the funds should be utilized to address infrastructure.

P&Z Board discussion followed relating to how the TDC distributes the tourist tax, the County's requirements for a 50/50 match of funding, etc.

*Boardmember Pearman* pointed out all three Island Mayors have been addressing the County about the TDC funds. He questioned if adding specific language into the Comp Plan would actually make it easier – or would make it worse. He believes the pressure should be placed on the County as a group. He did not feel it was necessary to add a Tourism Element in the Comprehensive Plan.

*Boardmember Jenkins* suggested the TDC is provided statistics based on the number of tourists that come to Anna Maria - to include the amount of infrastructure damage caused as a result of additional tourism.

**Motion: Move to defer taking action relating to the Tourism Element until the next P&Z Board Meeting.**

**Action: Moved by Boardmember Margaret Jenkins, Seconded by Boardmember David Youngs.**

Discussion:

*Chair Crane* said in his opinion, the Tourism concept needs to be in the Comprehensive Plan to allow the Mayor and Commission the backup for presenting to the TDC. He confirmed he would be willing to discuss the issue with the Mayor.

*City Clerk Percycoe* stated her understanding of the Comprehensive Plan was it serves as a guidebook for future Commissions.

**Amended Motion: Boardmember Youngs amended the motion to defer taking action relating to the Tourism Element until Chair Crane has consulted with the Mayor relating to the issue. Boardmember Jenkins Seconded the amended motion.**

**Action: Motion carried – All Aye.**

**4. Report on Site Plan Review Amendment**

*Planner McLaughlin* anticipates recommending two cycles of the amendments to the Land Development Code (LDC). The first amendment will be to clean up sections of the LDC, followed by a more thorough review of the LDC – similar to the Comprehensive Plan review. The review would be chapter-by-chapter over a period of several months.

As part of timing, Planner McLaughlin recommended the Site Plan review process be part of the overall review of the Ordinance to insure nothing in Chapter 91 conflicts with the Site Plan Review Chapter – rather than the Site Plan Review being an Ordinance on its own.

*Chair Crane* pointed out that due to existing Site Plans having no occupancy restrictions, there would not be an eight-person maximum occupancy requirement on Pine Avenue. The only time to review the occupancy requirements was a change of ownership – or during a Site Plan Amendment. Chair Crane stated the City is currently working on the process for insuring the maximum occupancy requirements are being met in the Residential District.

Discussion followed and Planner McLaughlin informed he just had a couple of meetings. One of the applicants may be doing a small commercial development - requiring Site Plan approval.

**NEW BUSINESS**

**5. Possible Tourism Enhancement and Impact Mitigation Element – Deferred - See discussions under Old Business.**

**6. Possible Historic District Element – Deferred - See discussions under Old Business.**

**7. Future Topics**

**Variance Application and Ex-Parte Communications**

*Planner McLaughlin* announced it is more than conceivable that some Variance Applications will be submitted. He reminded the Variance process is site-specific and a Quasi-Judicial process. While Boardmembers are allowed to have ex-parte communications with the applicants, they will be required to disclose all communications at the beginning of the meeting.

**MINUTES**

**Consider approval of April 12, 2016 Planning & Zoning Board Meeting Minutes**

*Chair Crane* recommended the following amendments:

- Page 2 – Discussion of Minutes. Chair Crane clarified he had questioned why the Board was receiving three months' worth of minutes to review at the same meeting – versus having the minutes from the past meeting on the following meeting agenda for consideration. He recommended the April 12 minutes be amended as follows:

“Chair Crane asked that the minutes “of each meeting” be completed and provided to the P&Z Board for their consideration at their meeting that would follow.”

*Planner McLaughlin* noted there were two meetings in March that were only a week apart. As a result, there was not enough time for the minutes to be turned around.

- Page 4 – last paragraph – change “followed” to “swallowed”.

**Motion: Move that the April 12, 2016 Planning & Zoning Board Meeting Minutes be approved as amended.**

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

**Motion carried – All Aye.**

**NEXT MEETING**

The next meeting is scheduled for Tuesday, June 14, 2016.

**ADJOURNMENT**

The meeting was adjourned at 5:37 p.m. on motion made by Boardmember Carl Pearman and seconded by Boardmember David Youngs.

*Diana L. Percycoc*

Diana L. Percycoc, CMC, City Clerk

Minutes approved: June 14, 2016