City of Anna Maria

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MNUTES
PLANNING & ZONING BOARD MEETING
CITY OF ANNA MARIA COMMISSION CHAMBERS
TUESDAY, APRIL 12, 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
ROLL CALL
Present: Boardmember Margaret Jenkins, Chair Jonathan Crane, Boardmember Carl Pearman, and Boardmember Jim Conoly.
Absent: Boardmember David Youngs.
Also present: City Clerk Diane Percycoe and City Planner Bruce McLaughlin.

OLD BUSINESS

Boardmember Pearman questioned what the next process will be relating to all the Comp Plan recommendations being made. He said there was not a consensus, and no final disposition, on a couple of the items.

Chair Crane noted currently only recommendations are being made and the City Planner was noting the changes by redlining them. At the end of the process, all recommendations will be forwarded to the City Commission. Towards the end of the process, Chair Crane will ask if anyone wants to bring up and re-review any of the elements.

Items with question marks during any meeting are then addressed by the Board at their next meeting.

Consider approval of the February 16, 2016, March 8, 2016, and March 22, 2016 Planning & Zoning Board Meeting Minutes.

Minutes - February 16, 2016

Page 5 – Correct "Policy 1.5.2" to read "Policy 1.5.1" in two separate locations.

Motion: Move that the February 16, 2016 Planning & Zoning Board Meeting Minutes be approved as corrected.
Action: Approved. Moved by Boardmember Carl Pearman, Seconded by Boardmember Margaret Jenkins.
Motion carried – All Aye.

Minutes - March 8, 2016

Page 4 – Policy 1.2.3 reference – correct "plans" to read "plants".

Chair Crane noted Boardmember Youngs had suggested adding "installation of high speed infrastructure" into the Comp Plan, and that his suggestion will be addressed at a future meeting.

Motion: Move that the March 8, 2016 Planning & Zoning Board Meeting Minutes be approved as corrected.
Action: Approved. Moved by Boardmember Carl Pearman, Seconded by Boardmember Margaret Jenkins.
Motion carried – All Aye.

Minutes - March 22, 2016

It was noted the spelling of Chair Crane's name under Agenda item 2 should be corrected to "Crane".

Motion: Move that the March 22, 2016 Planning & Zoning Board Meeting Minutes be approved as corrected.
Action: Approved. Moved by Boardmember Carl Pearman, Seconded by Boardmember Jim Conoly.
Motion carried – All Aye.

Chair Crane asked that the minutes [1]*of each meeting* be completed and provided to the P&Z Board for their consideration at their meeting that would follow.

City Clerk Percycoe will ask that the Minutes Clerk be provided the meeting audio immediately following each meeting.

NEW BUSINESS

1. **Housing Element of the City of Anna Maria's Comprehensive Plan**

Planner McLaughlin informed the seven-year Evaluation and Appraisal Report (EAR) review of the Comprehensive Plan should have been submitted to the State by December 1, 2015. Planning & Zoning Board responsibilities, under the City's code, is to move forward with its own review of the Comp Plan – Element by Element – then submit their recommendations to the City Commission. The City Commission will first adopt the EAR Report, then once approved by the State, those changes will be incorporated into the Comp Plan.

Planner McLaughlin stated there seems to have been concerns that the current Housing Element somewhat blurs the line as to what the City does with the Developer, and as a regulatory body.

A review of recommended updates to the Housing Element followed. There was consensus of the Planning & Zoning Board members for the following changes to the Housing Element:

HOUSING ELEMENT
GOALS, OBJECTIVES, AND POLICIES

➢ **A. Introduction**

~~These goals, Objectives, and Policies are intended to address the establishment of a long term end towards which the housing programs and activities of the community are ultimately directed.~~ *Along with water, sewer, roads, bridges, and schools, housing is an important component of a community's infrastructure. As such, governments have a responsibility to ensure that the housing system meets the needs of its residents. Unlike most infrastructure components, however, housing is provided primarily by the private sector. Even though the private sector constructs most housing units, local governments have a responsibility to ensure that the local housing market functions effectively and that the housing needs of the community are met. By doing so, governments can enhance economic development and maintain quality of life.*

➢ **B. ~~Unapplicable~~ *Inapplicable Items.***

[1] Amended by P&Z at 5-17-16 meeting

➢ **GOAL 1. THAT CITY SHALL ~~ASSIST IN~~ *THROUGH ITS LAND DEVELOPMENT CODES AND PROCEDURES HELP FACILITATE* THE PROVISION OF DECENT, SAFE AND SANITARY HOUSING IN SUITABLE NEIGHBORHOODS FOR THE EXISTING AND FUTURE POPULATION.**

➢ **Objective 1.1**

Policy 1.1.1:

Planner McLaughlin said after checking, he found the City has nothing available to provide the public as far as information and technical assistance to the private sector. As a result, he recommends that portion of Policy 1.1.1 be stricken.

Consensus for Policy 1.1.1 to read as follows:

Policy 1.1.1: The City shall provide information and technical assistance to the private sector. ~~(copies are available at City Hall) to maintain a housing production capacity sufficient to meet the housing demand.~~

➢ **Objective 1.1**

Policy 1.1.4

Boardmember Pearman felt Policy 1.1.4 should be stricken.

Planner McLaughlin stated Mobile Homes were permitted in the former R-2 Zone District. The R-2 Zone District has been rolled into the regulations of the R-1 Zone District, except for permitted uses. His understanding of the code is that new mobile homes would not be permitted. Therefore, the policy could be stricken.

Consensus for Policy 1.1.4 to be stricken in its entirety:

~~**Policy 1.1.4:** Mobile homes shall be allowed in the residential land uses in accordance with all applicable building codes, states statutory guidelines, FEMA and HUD regulations and other applicable development regulations.~~

➢ Discussion followed relating to Objective 1.2.

Objective 1.2: The City ~~shall implement programs to assist all citizens of the City to purchase or rent decent, safe and sanitary housing which they can afford;~~ *shall take all reasonable and feasible steps to ensure that purchase and sale and rental of safe and sanitary housing will be* free from arbitrary discrimination because of race, *color,* sex, *national origin,* handicap, ethnic background, age, *sexual orientation, religion,* or marital status. *

➢ **Objective 1.2**

Policy 1.2.1. Anna Maria prohibits discrimination in housing to include age and handicap in addition to race, color, sex, national origin, *ethnic background, sexual orientation,* ~~and~~ religion~~.~~ *or marital status.* *

Policy 1.2.2. The City shall notify enforcement agencies whenever discrimination is ~~encountered~~ *observed*.

➢ **As recommended by Planner McLaughlin, there was consensus to add the following Objective 1.8:**

Objective 1.8: *The City shall bring complaints regarding contractor's fraudulent behavior and non-compliance with building codes before the Construction Regulatory Board.*

P&Z Board discussion and review of the recommended changes followed:

- *Boardmember Jenkins* did not feel it was the City's responsibility to determine who a person can rent or sell to. She asked if there was a responsibility to ask someone about their sexual orientation, for example.

Chair Crane and *Planner McLaughlin* responded with examples. Discussion followed.

- *City Clerk Percycoe* questioned the removal of Objective 1.1, Policy 1.1.4 relating to mobile homes. She used the example of there being a storm and FEMA wanting to bring in temporary mobile homes. She questioned if removing that language would mean they would not be allowed.

  Chair Crane informed Federal Policy would pre-empt the City's Policies in that type situation.

- *City Clerk Percycoe* suggested both Objective 1.2 and Policy 1.2.1 have the same arbitrary discrimination language.

  Chair Crane agreed they should both be the same.
  (*Note: changes have been made to the proposed policies as part of the minutes in order to be consistent.)

➢ **Motion: Move to approve the recommended changes to the Housing Element, Goals, Objectives and Policies as discussed.**
Action: Moved by Boardmember Jim Conoly, Seconded by Chair Jonathan Crane.
Motion carried on a vote of 3 to 1 with Boardmember Margaret Jenkins voting No.

2. Consideration of Potential Additional Comprehensive Plan Elements
Chair Crane informed some cities have additional Elements in their Comprehensive Plans. Other than what is in the Anna Maria Comprehensive Plan, he asked if the Board would like to see additional elements added.

Planner McLaughlin informed there are eight required Comp Plan Elements – which Anna Maria has. He informed during the review, now would be a good time to include any additional Elements that might fit. He recommended the following additional Elements, which would provide good guidance and regulations, and would assist the City: Vision Element; Economic Development Element; Historic Preservation Element; and Plan Monitoring Element. A brief explanation of each Element followed.

Chair Crane stated prior to the Comprehensive Plan review, Planner Garrett had recommended the P&Z Board look at adding a Historical Preservation Element – and whether the Historic Piers should be designated with regulations. Chair Crane recommend the Board discuss the additional Elements at the next meeting. He provided other examples such as a Garden Element and Landscaping Element – in addition to the ones mentioned by Planner McLaughlin.

Consensus to place discussion of adding any additional Comprehensive Plan Elements on the next meeting agenda.

3. Schedule Discussion of Site Plan Review Procedure
Planner McLaughlin noted during the Board's discussion of Ordinance 16-812, members of the P&Z Board expressed concern about some of the Development Review provisions in the Land Development Code (LDC) – in the context of amended or revised Site Plans and approvals. He pointed out many City's P&Z Boards are assigned to do those tasks. However, in Anna Maria, the Board is tasked with reviewing amendments to the LDC – but it does not state the Board can initiate amendments to the LDC in the event of discovering any areas of concern.

Planner McLaughlin recommended the P&Z Board instruct him to prepare a report on the Development Review Procedures of the City's LDC, and make a recommendation to the City Commission with respect to possible amendments to the Code.

Chair Crane stated the Board's primary concern was that the exception [2]~~followed~~ *swallowed* the rule. He noted as part of the Vacation Rental Ordinance amendments, there was a proposal that all buildings having a Site Plan review in the ROR were exempt from the occupancy limits, and someone seeking a Site Plan

[2] Corrected by P&Z Board at 5-17-16 meeting

amendment was no longer exempted from the occupancy limits. The P&Z Board, however, felt that was a concern. He felt the Board's primary focus was what type of things would generate a Site Plan amendment, and then getting the Vacation Rental Ordinance consistent across the City. Also, whether or not the P&Z Board would be spinning its wheels in amending the Site Plan process.

Planner McLaughlin was asked if part of the PAR lawsuit settlement included that the City was not allowed to include the ROR District in the Vacation Rental Ordinance. Also, some Cities have a set time where a Site Plan has to automatically be reviewed.

Planner McLaughlin explained the Site Plan review process and how they are approved based on the Ordinances that have been adopted at the time. He pointed out the City's codes can change during the time period of a Site Plan that would be older. It was his understanding the City's Site Plan approval goes in perpetuity. Further explanation followed.

Chair Crane asked Planner McLaughlin to determine if the P&Z Board would or would not be able to change the Site Plan process. The item would then be placed on the next meeting agenda for further discussion.

NEXT MEETING DATE

The next meeting will be held on Tuesday, May 17, 2016, 4:00 p.m.

4. **Future Topics** – No discussion.

ADJOURNMENT

On motion made by Boardmember Jim Conoly and seconded by Boardmember Margaret Jenkins, the meeting was adjourned at 5:27 p.m. All Aye.

Diana L. Percycoe

Diana L. Percycoe, CMC, City Clerk

Minutes approved: May 17, 2016