



City of Anna Maria

MINUTES
PLANNING AND ZONING BOARD MEETING
CITY OF ANNA MARIA COMMISSION CHAMBERS
Tuesday May 8, 2018, 4:00 pm

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 to order at 4:03 PM

PLEDGE TO THE FLAG

ROLL CALL

Present: Board Member Conoly, Board Member Youngs, Chair Crane, Board Member Beard, Board Member Carter, Board Member Pearman, Board Member Jenkins
Staff Present: City Planner Robin Meyer and Administrative Assistant Liz Cleary

PUBLIC COMMENT

None

OLD BUSINESS

1. None

NEW BUSINESS

2. Solar Access Discussion

This discussion arose from a specific case regarding a current resident with a house that has solar panels already in place. The lot next to them sold and the neighbor is building to the 37' height line which will block the homeowner's sunlight. Per City Planner Meyer there is no recourse for the resident with the solar panels. Because of the Bert Harris act it is the property owner's right to build to 37' of height. The ratio requirements for second floors that the City has in place should help to reduce the shadow. Vegetation also might be an area that would provide the ability to require trimming to not block existing solar panels. Solar panels are not addressed in our code at all. Chair Crane asked about having more

restrictions on houses being built next to homes with solar panels. City Planner Meyer will look into that – the city couldn't take away height but could possibly require different types of buildings next to houses with existing solar panels. Board Member Youngs did find that no one has guaranteed rights to the sun. Board Member Carter said there are some California neighborhoods that have easements written in and perhaps that could be a possibility. Board Member Carter also expressed an interest in obtaining more information to see if there is a solution for people in this predicament. Board Member Youngs brought up addressing the ability to put ordinances on neighboring shrubbery/trees as an option to provide more sunlight to existing solar panels. The City would need someone with expertise regarding solar panels who could give the Board some ideas. City Planner Meyer will look into this and see if there is possibly a state organization or official who could speak to the Board.

3. Traffic Discussion

Sergeant Mike Jones attended for a traffic Q&A with the board.

Board Member Beard inquired about the rules on surreys. Rules on surreys fall under the bike law. They must stop at stop signs, allow pedestrian ROW, etc. Sergeant Jones was not aware of any minimum speed - but they cannot impede traffic. There is a 3-foot rule that a car should allow for bikes.

Chair Crane asked if there was an age requirement of a lead cyclist. Sergeant Jones said only age requirement is that ages 16 and younger are required to wear a helmet (this is state law).

Board Member Youngs inquired about pedestrians walking where there is no sidewalk. Sergeant Jones: Pedestrians are required to face traffic. He would need to check to see if that is a rule or just a suggestion. Chair Crane sees quite a few jaywalkers and Sergeant Jones said the Deputies usually warn people but don't officially ticket for it.

Sergeant Jones mentioned possibly talking to the Mayor about putting out literature or a mini-campaign to educate visitors.

Board Member Beard asked about ticketing cyclists. Again, Sergeant Jones said they rarely ticket cyclists, they try to educate them first.

Chair Crane asked about wearing seat belts in golf carts. Per Sergeant Jones people of all ages should be wearing seat belts in golf carts. Tags/registration are required in the City of Anna Maria. 16 years old is minimum age requirement of the driver but he was not 100% sure if a license or just learner's permit is required. But golf carts need to adhere to motor vehicle rules (turn signals, brake lights etc.).

Board Member Jenkins asked about cyclists taking up the road. Cyclists can only be 2 abreast. There are also several rules about lights on bikes at night – front, back and fenders.

Board Member Pearman asked about lack of sidewalks in the City. Sergeant Jones said that is not his area of expertise.

Board Member Pearman inquired about the relationship between City Code Enforcement and the Sheriff's Department. Code Enforcement is only city ordinances, building code violation, parking tickets. The Sheriff's Department does parking and vehicle traffic. Pearman asked about cyclists going thru stop signs. Deputies try to educate rather than write tickets.

Chair Crane asked about speeding. Sergeant Jones presented data from our 2 traffic radar devices (located on 300 block of Pine and 500 block of South Bay). The time period was 4/23 thru 5/6 and 22K vehicles were tracked in this time frame. 14% were violating (average rate of 38 mph). Board Member Carter commented about people coming to their dead end and then turning and speeding off. But spinning tires is no longer a valid offence per the Sergeant. He will watch the numbers to keep an eye on things to see if percentages change. As an aside he noted that from 4/15 thru 4/26, the Sheriff's Department issued 7 tickets, 10 warnings, 46 parking violations and 108 alcohol violations on the beach. As of March 1, 2018, 2 new deputies were added.

Chair Crane asked about the need for speed bumps. Sergeant Jones doesn't see a need at this time, he believes we can police it in other ways.

Board Member Pearman asked about people not wearing seatbelts. Per the Sergeant, whether the deputies ticket for that or not is discretionary.

Board Member Beard asked about people driving too slow. Sergeant Jones will have to check. Chair Crane asked about a statute for unsafe speed. Again, it is discretionary depending on how slow or how many cars stacked behind them. There is also no rule of thumb on how fast you have to be going to get pulled over. But you cannot be cited until you 6+ mph over the speed limit – 5 or under is just a warning.

Chair Crane asked if the Sergeant thought we needed more crosswalks. Sergeant Jones thinks we have plenty – at least on Pine. He believes we are covered where the heavy foot traffic is.

Chair Crane asked if there were any studies on the effectiveness of having the un-manned vehicles. The Sergeant has no studies on it, but Roser Church has requested its appearance there on Sundays.

MINUTES

Meeting of April 10, 2018

Motion to approve the minutes of April 10, 2018

Action: Motion passed by Board Member Beard, and seconded by Board Member Carter

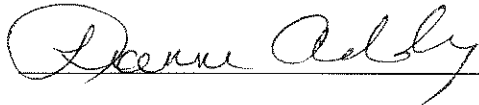
Approved with Board Member Beard's clarification of existing law enforcement ticketing process.

The motion passed unanimously.

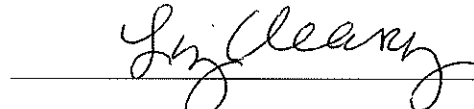
NEXT MEETING

Regular Meeting June 12, 2018

Adjournment at 4:59 PM on motion made by Board Member Carter, and second by Board Member Beard.



LeAnne Addy, City Clerk



Liz Cleary, Administrative Assistant

Minutes approved: 6-12-18

SHOULD ANY INTERESTED PARTY SEEK TO APPEAL ANY DECISION MADE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, THEY WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS BE MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.(FSS 286.26) IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATE STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ASSISTANCE TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CITY CLERK FOR ASSISTANCE AT LEAST THREE BUSINESS DAYS PRIOR TO THE MEETING (941) 708-613

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