



# City of Anna Maria

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October 3, 2017

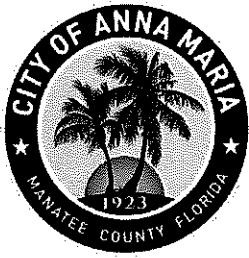
## MEMORANDUM

TO: City of Anna Maria Planning and Zoning Board

FROM: Robin D. Meyer, AICP

SUBJECT: Planning and Zoning Board Agenda for October 10, 2017

Planning and Zoning Board Members, please find attached a copy of the RESIDENTIAL/OFFICE/RETAIL DISTRICT from the Comprehensive Plan and the Land Development Code. Staff will provide an overview of the two documents to provide a starting point for a discussion and review of the regulations. In addition we will have a discussion of the proposed Multi Use Path. If you have any questions please do not hesitate to contact me.



# City of Anna Maria

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**AGENDA**  
**PLANNING AND ZONING BOARD MEETING**  
**CITY OF ANNA MARIA COMMISSION CHAMBERS**  
**Tuesday, October 10, 2017, 4:00 pm**

**Continued from September 12, 2017**

**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  
PLEDGE TO THE FLAG  
ROLL CALL  
PUBLIC COMMENT**

**OLD BUSINESS**

1. None

**NEW BUSINESS**

2. Overview of the Outlook email system.
3. Discussion of the Pine Avenue and the ROR, RESIDENTIAL/OFFICE/RETAIL DISTRICT
4. Multi Use Path
5. Other

**MINUTES**


Meeting of July 11, 2017

**NEXT MEETING**

Regular Meeting – November 14, 2017

**Adjournment**

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) 708-6130.

## **2. Commercial Land Use Categories**

### **a. General Commercial Land Use**

The General Commercial Land Use Category is intended to provide for the day-to-day commercial (i.e., convenience goods and personal services) and professional office needs of the residents and seasonal population of the City. Recognizing that although limited in number, these establishments are intended to serve the immediate commercial needs of the tourist population (i.e., restaurants, motels, marinas) as permitted in this land use category. Strip commercial development will be discouraged. Residential development is not allowed in this category. Commercial development will be limited to 90% lot coverage including parking and drainage facilities. The 10% must be a natural landscaped area.

### **b. Residential/Office/Retail (0 to 6.0 units/gross acre)**

The Residential/Office/Retail Land Use Category is intended to provide an opportunity for flexible development of mixed uses along the City's main traffic corridor. The residential portion of this land use category is limited to a density of 6.0 residential units per gross acre. Commercial development will be limited to 90% lot or parcel coverage including parking and drainage facilities. The remaining 10% of a lot or parcel must be a landscaped area.

It is designed to minimize the incompatibility associated with areas of abutting residential and retail uses through either new development or the redevelopment of existing structures. This elimination of incompatible uses can be accomplished through the combination of two or more uses in a designed setting.

To protect the single family residential character of the City within the Residential/Office/Retail Land Use Category, commercial and/or office uses shall be limited to the first floor. The first floor commercial may be ground level or elevated. Structures that have commercial on the first floor with second floor residential are limited to one residential unit. All structures shall be limited to two residential habitable floors. The first floor can be ground level or elevated.

Structures in this category are limited to no more than three usable floors with only one residential unit and may consist of one of the following configurations:

1. One story ground level commercial;
2. One story elevated commercial;
3. One ground level commercial with one or two story residential;
4. One elevated commercial with only one story of residential;
5. One story elevated residential; or
6. Two story elevated residential.

**3. Recreation/Open Space Land Use Category**

The Recreation/Open Space Land Use Category is intended to provide for open space and recreational facilities to be spatially distributed throughout the community in order to: Recognize the recreational value of the natural environment as exemplified by the Gulf beaches; provide relief from the urban environment; and provide adequate active and passive recreational areas for the residents of the City and citizens from surrounding areas. Development within this designated area is limited to a variety of active and passive park and recreational uses.

**4. Conservation Land Use Category**

The Conservation Land Use Category is intended for areas considered to be areas of significant environmental resources. Areas within the Conservation Land Use Category should be either preserved or conserved, depending on conditions existing on site. Land within the Conservation Land Use Category may be appropriate for single-family residential development and related passive recreational facilities in limited circumstances. Limited areas for permitted and accessory single-family residential development and related passive recreational facilities shall be determined by delineating the extent and location of the coastal dune vegetative communities on the property as established in the Land Development Regulations which recognizes the sensitive nature of the land while

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- **DIVISION 5. - ROR, RESIDENTIAL/OFFICE/RETAIL DISTRICT**

- **Sec. 114-281. - Use regulations.**

(a)

*Generally.* Specific uses are either allowable in the ROR district, allowable as accessory uses to the permitted principal use, or prohibited as incompatible with the intent and character of the district.

(b)

*Permitted uses.* Permitted uses are as follows:

(1)

Single-family detached dwellings; provided, however that such dwellings shall have a maximum over-night occupancy of two persons per bedroom, plus two people, with a maximum over-night occupancy of eight persons, when such dwelling is rented to guests more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests. The occupancy limit shall not apply when the dwelling is occupied by the owner of the dwelling. The occupancy limit shall also not apply to dwellings for which a site plan was approved by the city commission and/or the planning and zoning board; provided, however, that such exemption shall no longer apply if a site plan is amended after the effective date of this ordinance, or if there is a change in ownership, interior modifications, alterations, or demolition. Note: Single-family detached dwellings may only comprise up to 60 percent of the land area within the ROR land use category.

(2)

Office, retail and service uses, such as but not limited to the following:

a.

Radio and television broadcasting studio;

b.

Antique shops;

c.

Nurseries for plants, shrubs and trees;

d.

Beauty shops;

e.

Barbershops;

f.

Day nurseries for children;

g.

Restaurants;

h.

Light repair businesses such as lawn equipment, electronic and computer repairs;

i.

Tailoring, dressmaking, alteration and clothing repair shops;

j.

Arts, crafts and hobby shops;

k.

Office buildings, art gallery and art studios, classroom work in art, crafts and hobbies. Articles created or fabricated in connection with such activity may be sold;

l.

Pet shops;

m.

Small animal clinics (not including boarding);

n.

Retail uses;

o.

Other uses similar in character and intensity;

p.

Light food manufacturing such as confectioners and catering;

q.

Parking lots (site plan approval required); and

r.

Dog agility and training facility provided such center shall be limited to a maximum of six dogs, shall only operate between the hours of 8:00 a.m. to 7:00 p.m., and all dogs will be supervised at all times.

(3)

One residential unit above the ground floor over a permitted retail/service or office use, provided that:

a.

There is only one residential unit per lot or per structure;

b.

There is provision of separate entrances for residential and commercial uses;

c.

Separate parking is reserved for residential uses;

d.

Structures existing as of the date of the ordinance from which this chapter is derived may be converted to mixed residential and nonresidential use even if such residential use is located on the

ground floor. There shall be no interconnecting doors or other access between the residential and nonresidential uses; and

e.

Such residential unit shall have a maximum over-night occupancy of two persons per bedroom, plus two people, with a maximum over-night occupancy of eight persons, when such unit is rented to guests more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests. The occupancy limit shall not apply when the unit is occupied by the owner of the unit. The occupancy limit shall also not apply to units for which a site plan was approved by the city commission and/or the planning and zoning board; provided, however, that such exemption shall no longer apply if a site plan is amended after the effective date of this ordinance, or if there is a change in ownership, interior modifications, alterations, or demolition.

(c)

*Accessory uses.* The following are allowed as accessory uses:

(1)

Outdoor storage of equipment directly accessory to the operation of the principal permitted use on the premises; provided, however, that areas used for such purposes shall be completely screened from view with a fence six feet high from the ground and such storage shall not be within the front yard setback.

(2)

Swimming pools as an accessory use. There shall be only one swimming pool per lot containing a residential unit. The swimming pool shall be for the use of the residential unit only and shall not be for any commercial activity.

(3)

Classroom work in arts, crafts and hobbies. Articles created or fabricated in connection with such activity may be sold.

(d)

*Prohibited uses.* The following uses are prohibited:

(1)

Bowling alleys;

(2)

Drive-in operations of any kind;

(3)

Motels;

(4)

Wholesale establishments;

(5)

Manufacturing establishments;

(6)

Car lots;



(7)

Commercial or industrial uses deemed obnoxious or detrimental to the public health, safety or welfare;

(8)

Outdoor storage, staging, assembly or erection of equipment or merchandise, except as a direct accessory use in the operation of a permitted business on the premises, except as permitted as an accessory use;

(9)

Amusement arcades containing three or more coin-operated machines;

(10)

Outdoor flea markets or outdoor sales complexes except by special event permit only;

(11)

Newspaper printing;

(12)

Adult entertainment establishments;

(13)

Taverns;

(14)

Radio and television broadcast antennas; and

(15)

It shall be unlawful for any person to land or operate any aircraft, including helicopters, within the city limits of the residential/office/retail district of the City of Anna Maria. Nothing in this section shall, however, be construed to prohibit emergency landings, landing by the U.S. Coast Guard, or other governmental agencies, landing for medical emergencies, and landings by law enforcement officers in the performance of their law enforcement duties.

(Ord. No. 96-549, § 1(3.04.01), 2-16-96; Ord. No. 03-610, § 8A, 1-22-04; Ord. No. 08-687, § 2, 5-29-08; Ord. No. 09-697, § 2, 2-12-09; Ord. No. 12-742, § 7, 8-23-12; Ord. No. 16-812, § 1, 5-26-2016)

• **Sec. 114-282. - Lot, yard, bulk and parking regulations.**

Lot, yard, bulk and parking regulations for the ROR district are as follows:

(1)

*Minimum dimensions* . Minimum dimensions are as follows:

	Area (square feet)	Width (feet)	Depth (feet)

For lots platted prior to February 15, 2009	5,000	50	*
For lots platted after February 15, 2009	7,500	75	*

\* Residential lot depth may be adjusted so long as minimum area requirements are complied with and lot width is at least 50 feet of frontage on a public road or approved private access.

(2)

*Allowable lot coverage and living area ratio (LAR) .*

a.

The LAR shall not exceed 40 percent for any lot or parcel area up to 15,000 square feet, plus 35 percent for that area of the lot or parcel between 15,001 square feet to 21,000 square feet, plus 30 percent for that area of the lot or parcel over 21,000 square feet. For structures 27 feet in height or less, no more than 50 percent of the total living area ratio may be located on a second living level. For structures greater than 27 feet in height, no more than 33 percent of the total living area ratio may be located on a second living level.

b.

Maximum impervious surface including building coverage: 40 percent of the lot or parcel. The stormwater provisions of chapter 102 must be met.

c.

Minimum open space: Five percent of the lot or parcel (see definitions section).

(3)

*Height of building and structures .* No building or structure or part thereof shall exceed 37 feet as measured from the crown of the road to the highest point of the roof. Where property adjoins two or more streets, the referenced street level shall be the highest street level adjoining the property.

Building and structures are limited to three usable floors and shall be:

a.

One-story ground level office/retail;

b.

One-story elevated office/retail;

c.

One-story ground level office/retail with one or two story residential;

d.

One-story elevated office/retail and one story residential;

e.

One-story ground level residential;

f.

One-story elevated residential; or

g.

Two-story elevated residential.

(4)

Setback requirements.

a.

*Dimensions* . Setback requirements are as follows:

	With Lot Depth at Least 140 (feet)
Front yard	
Side yard	
Side yard	
Street side yard	
Rear yard:	
Adjacent to alley	
Waterfront (except adjacent to water bodies wholly contained within a lot or parcel)	

	With Lot Depth at Least 140 (feet)
Through lots (from each street)	
	With Lot Depth

Refer to sections 70-1, setback definition, and 114-422, measurement of setbacks, for additional information.

b.

*Access for emergency personnel* . These side setback areas must be kept clear of any form of obstruction at all times so that safe and convenient passage of police or firefighters or other emergency personnel will be constantly maintained. All fences located within the side yard must contain an unlocked access gate.

c.

*Walls and fences; landscaping* . Approved landscaping pursuant to section 114-420 will be required at the rear of improved properties to screen adjacent residential areas.

d.

*Swimming pools* . Swimming pools and hot tubs permitted after January 1, 2016 shall be counted as impervious surface coverage. Swimming pools and hot tubs permitted prior to January 1, 2016 and swimming pools and hot tubs included within the perimeter of the residence building, enclosed and under a conventional roof shall not be counted as impervious surface coverage. Waterfalls, fountain features and pool slides are prohibited. Permits may be issued for the repair or replacement of existing waterfalls, water features or pool slides. All impervious decking surrounding the pool and hot tub shall be counted as impervious surface coverage. Caged and uncaged swimming pools, hot tubs and the swimming pool and hot tub equipment shall be set back from the lot line or property line the minimum setback required for the particular yard with the exception of the side yard setback which shall be ten feet. Uncaged swimming pools located on through lots shall be set back a minimum of five feet from the adjoining lot line or property line if the pool is located in the street yard which does not contain the structure's main entrance. Pools permitted prior to January 1, 2016, shall be deemed as grandfathered related to the side yard setbacks. There shall be only one swimming pool per lot containing a residential unit. The swimming pool shall be for the use of the residential unit only and shall not be for any commercial activity.

*Off-street parking* . See chapter 90 and chapter 91. All off-street parking shall comply with the city's ordinances and the laws of the state and regulations of all applicable governmental agencies.

(Ord. No. 96-549, § 1(3.04.02), 2-16-96; Ord. No. 97-560, § 23, 4-22-97; Ord. No. 02-601, § 6, 1-23-03; Ord. No. 03-610, § 8B, 1-22-04; Ord. No. 06-665, § 2, 8-24-06; Ord. No. 06-662, § 8, 3-22-07; Ord. No. 08-687, § 3, 5-29-08; Ord. No. 09-697, § 3, 2-12-09; Ord. No. 11-716, § 2, 4-14-11; Ord. No. 11-719, § 11, 9-22-11; Ord. No. 12-742, § 8, 8-23-12; Ord. No. 13-754, § 5, 5-23-13; Ord. No. 15-801, § 3, 11-4-15; Ord. No. 15-804, § 2, 11-4-15; Ord. No. 16-810, § 1, 1-28-16)

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(2)

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Barbershops;

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Day nurseries for children;

g.

Restaurants;

h.

Light repair businesses such as lawn equipment, electronic and computer repairs;

i.

Tailoring, dressmaking, alteration and clothing repair shops;

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Arts, crafts and hobby shops;

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Office buildings, art gallery and art studios, classroom work in art, crafts and hobbies. Articles created or fabricated in connection with such activity may be sold;

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Pet shops;

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Small animal clinics (not including boarding);

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Retail uses;

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Other uses similar in character and intensity;

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Light food manufacturing such as confectioners and catering;

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Parking lots (site plan approval required); and

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Dog agility and training facility provided such center shall be limited to a maximum of six dogs, shall only operate between the hours of 8:00 a.m. to 7:00 p.m., and all dogs will be supervised at all times.

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	With Lot Depth at Least 140 (feet)
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Waterfront (except adjacent to water bodies wholly contained within a lot or parcel)	

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Through lots (from each street)	
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Refer to sections 70-1, setback definition, and 114-422, measurement of setbacks, for additional information.

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