

**CITY OF ANNA MARIA
SPECIAL COMMISSION MEETING
MARCH 11, 2004
6:45 P.M.**

CALL TO ORDER (6:47)

PLEDGE TO THE FLAG

ROLL CALL: Commissioner John Quam, Commissioner Dale Woodland,
Commissioner Carol Ann Magill

Absent with excuse: Deputy Commission Chair Linda Cramer, Commissioner Duke Miller

Also present: Planning & Zoning (P&Z) Board Chair Ellen Trudelle, Sheriff's Deputy Sgt. John Kenney (7:05), Public Works Director George McKay, City Attorney Jim Dye, City Clerk Alice Baird, Minutes Clerk Sylvie Reichmann

Press: Sun, Islander

**1. PARTIAL BUILDING MORATORIUM EXTENSION ORDINANCE
#04-618 – 1ST READING AND PUBLIC HEARING – REQUEST OF THE
PLANNING & ZONING BOARD**

Chair John Quam read the Ordinance by title and declared the Public Hearing open.

Commissioner Dale Woodland said that his questions had all been contained in his memo of March 8th, 2004. Mayor SueLynn referred the Commissioner's questions to the City Attorney. City Attorney Jim Dye explained that the consequences of not extending the moratorium, as seen by the Planning & Zoning Board were with regard to the substantive, legislation related portion of their land development plan, since the procedural part was almost complete. Commissioner Woodland said that he was not concerned about subdivision, since it did not appear to have any current impact.

P&Z Board Chair Ellen Trudelle went over the areas affected by the moratorium ordinance, noting those which had not yet been addressed. She noted that the chapters and definitions needed to be changed relative to major and minor development. Chair Trudelle indicated that the P&Z Board had not yet approved the Site Plan Procedure Ordinance #04-619, and that it would be on the March 16th agenda.

City Attorney Dye expressed the opinion that extending the moratorium was a policy decision for the Commission. He said that he thought the P&Z Board could continue its work without the moratorium in place. He advised, however, that the City's Code would not have language in place to enforce the new procedures.

P&Z Chair Ellen Trudelle recommended that an exception list to the category of Major Development be included. She confirmed to Commission Chair Quam that the length of time it would take to complete the revisions was currently unknown.

Commissioner Carol Ann Magill said that she recognized the April 1st deadline left insufficient time within which to complete such a complex project. She asked for clarification of the exception list. City Attorney Dye clarified that under the proposed new land development ordinance, there would be exceptions to the rules for Major Development. He confirmed to the Commission that it would be possible to change the extension of the moratorium to accommodate certain cases as exceptions.

Chair Quam said that he felt the moratorium should remain in place until the P&Z Board had fully completed its work.

City Attorney Dye confirmed that an ordinance could be modified up until the time that the Commission vote is taken.

Commissioner Dale Woodland said that he would support extending the moratorium for items #1. and #2., only.

P&Z Chair Ellen Trudelle noted that ADA requirements had a large impact on Ch. 90.

Mayor SueLynn said that she appreciated the complexity of the task before the P&Z Board. She said that the only people she was aware of that had been severely affected by the moratorium was the Hunt family, and explained that they may have succeeded in avoiding the impact of the moratorium, had they been aware that it was impending.

Chair John Quam said that he would be in favor of making an exception for the Hunts, while allowing all the items in the Ordinance to remain.

Public Comment

A resident asked, if there were going to be exceptions made for new property owners, could other exceptions be made with regard to longstanding property owners.

Counsel for the Hunts said that his clients would not like the moratorium to be extended past April 1st, 2004. He said that until it was lifted, they could not even submit their site plan for review. The attorney suggested that any deficiencies in the Hunt's application relative to the new procedure could be addressed during the site plan review process.

A resident recommended granting the Hunts an exception to the moratorium. Chair Quam noted that the Commission would not vote on the Ordinance at this evening's meeting, and that a change could be made up until March 25th, 2004.

City Attorney Jim Dye noted that a new exception should be applied to a class of building activity, not simply to individuals.

Chair Quam asked for, and received consensus for an exception to be made for the Hunts. The City Attorney requested definition of the class of building the exception would apply to. Chair Ellen Trudelle suggested that this could eliminate all of the ROR. City Attorney Dye confirmed that ROR buildings that include a residence would be an appropriate class distinction. **There was further consensus to grant an exception to the moratorium to any commercial building in the ROR district that includes a residence.**

Chair Quam declared the Public Hearing closed.

2. SITE PLAN PROCEDURE ORDINANCE #04-619, 1ST READING

Commissioner Dale Woodland read the Ordinance by title.

City Attorney Dye explained that almost all development in the City, aside from such activities as single family construction and remodeling would become subject to a site plan review.

The City Attorney clarified that the attached checklist would not become part of the Ordinance.

Commissioner Carol Ann Magill noted a typographical error in the third paragraph of the third page, and P&Z Chair Ellen Trudelle noted several errors that Chair John Quam confirmed would be corrected for the next reading.

Commissioner Dale Woodland noted that it was not clear in the current Code that the applicant was required to provide concurrency data, and said that he did not see this addressed. He said he was also looking for a clause addressing reimbursement of costs, should the City be required to hire a consultant to assist with the site plan review. P&Z Chair Trudelle indicated that this would come under Final Site Plan approval, which was still being addressed by the Board.

Public Comment

None offered

Chair John Quam declared the Public Hearing closed and indicated that the second hearing would be on March 25th, 2004.

3. SPECIAL EVENT PERMIT APPLICATION – BEACH BISTRO ISLAND’S END SAINT PATRICK’S DAY PARADE (MARCH 14TH, 2004)

MOTION: Commission Chair John Quam moved to approve the application, provided the parade route not go down Magnolia, seconded by Commissioner Dale Woodland.

Vote: All Ayes. Motion carried.

Mayor SueLynn indicated that the parade route had been changed to go straight down Gulf, and not down Magnolia, as originally intended.

Commissioner Carol Ann Magill noted that the parade was scheduled for the same day as an arts festival, and expressed disappointment that the application had submitted so close to the date requested for the event. Mayor SueLynn said that she had discussed this with Sean Murphy in relation to his application for this year's St. Patrick's Day Event.

Public Comment

A resident objected to the parade organizer's advertisement that green beer would be served. City Attorney Dye confirmed to the Commission that the Community Center was exempt from the City's alcohol ordinance.

Another resident recommended that additional liability insurance be required if alcohol is to be served.

PUBLIC COMMENT

Public comment was heard throughout the meeting

PRESS COMMENT

None offered.

ADJOURNMENT

MOTION: Commissioner Dale Woodland moved to adjourn the meeting, seconded by Commissioner Carol Ann Magill.

Vote: All Ayes. Motion carried.

The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Alice Baird
City Clerk

Date