

Tab 1

APPROVAL OF THE P&Z SEPTEMBER 21<sup>ST</sup>, 2009  
MEETING MINUTES

*CITY OF PALMETTO*  
PLANNING AND ZONING BOARD  
516 8<sup>TH</sup> Avenue West  
Palmetto, Florida 34221

MEETING MINUTES  
*September 21, 2009 – 6:15 P.M.*

**BOARD MEMBERS PRESENT**

Michael Burton, Chair  
Charlie Ugarte  
Ed Bennett  
Christopher Moquin  
Robert Smith  
Barbara Jennings

**MEMBERS ABSENT**

Jon Moore

**ALTERNATE PRESENT**

Eric Gilbert  
Jim Pastor

**SCHOOL BOARD APPOINTEE ABSENT**

Mike Pendley

**STAFF PRESENT**

Tom McCollum, Interim City Planner  
Linda Butler  
Scott Rudacille

The regular meeting of the Palmetto Planning and Zoning Board was called to order by Chair Burton, in the Palmetto City Hall Commission Chambers, 516 8<sup>th</sup> Ave. W., Palmetto, Florida at 6:15 p.m.

**ORDER OF BUSINESS**

1. Approval of Minutes the August 10, 2009 regular meeting.

MOTION: Mr. Ugarte moved and Mr. Smith seconded the motion to approve the August 10, 2009 meeting minutes. **MOTION CARRIED UNANIMOUSLY.**

2. Zoning Code Amendment Ordinance 09-999

Mr. McCollum reviewed the proposed Code Revision that would allow recreation and amusement services, stating after reviewing the City Code, it was determined that these uses are currently not permitted, although there is a definition in Appendix B - the Zoning Code, for such activities.

In conjunction with the City Attorney, a draft revision was prepared and presented at a workshop meeting before the City Commission on September 14, 2009. That Draft provided for these uses to be permitted uses in the GC and CHI Zoning Districts, with a requirement that each use meet three (3) objective criteria related to location, buffering, and hours of operation.

The City Commission gave staff direction to amend the draft to make all of the uses in this category Conditional Uses, which would be processed as Special Permits as provided in Section 15.4 of the City Code. Based on the discussion, the Commissioners want to be able to review these Uses in order to ensure compatibility with adjacent uses.

Mrs. Jennings stated in the staff report it reads "staff recommends that the use be added to the GCOM category as a "conditional use" and to the CHI category as a "permitted use", will the proposed change make the uses a conditional use in both GCOM and CHI categories. Mr. McCollum stated yes.

Mr. Moquin asked if the staff recommendation changed from what was originally recommended to show both categories as conditional uses. Mr. McCollum stated yes.

Chair Burton opened the public hearing.

Ms. Darena Marvin, Planner, Grime Goebel Grimes Hawkins Gladfelter & Galvano, stated they represent the owner of the former Movie Gallery on the corner of 8<sup>th</sup> Ave and 17<sup>th</sup> St W. Ms. Marvin stated the Code needs to be updated and be as simple as possible. The uses should be permitted administratively and meet objective criteria. Ms. Marvin stated they attended the September 14 Commission workshop but did not speak.

Ms. Marvin stated the conditions are consistent with the three that is listed in Section 6.22 in Ordinance 09-999 plus one additional condition which is, Recreation and Amusement Services that have a principal operation taking place outdoors (i. e. zoos, amusement parks, miniature golf, golf

driving ranges), shall not be permitted adjacent to residentially zoned land unless such site has received approval of a conditional use by the City Commission.

Mrs. Jennings asked what office would give the approval for the permitted use. Mr. McCollum stated if it is an administrative use, he would sign off on the permit.

Mr. Ugarte stated the proposal that is before the Board is to make both the GCOM and CHI categories conditional uses; however Ms. Marvin spoke against that due to the process for some uses that shouldn't go through conditional use process because it can be very arduous. How can we differentiate the uses and process? Mr. McCollum stated it will be the specific criteria that were given by Ms. Marvin, interior use, not adjacent to residential, the hours of operation and the frontage to arterial roadway that will determine the process.

Chair Burton closed the public hearing.

**MOTION:** Mr. Ugarte moved and Mr. Moquin seconded the motion to recommend approval to City Commission Ordinance Number 09-999 as an Administrative Permit with the following conditions.

- (a) All sites for Recreation and Amusement Services shall front on a principal arterial roadway and shall utilize such arterial roadway as the primary access for the site.
- (b) Recreation and Amusement Services shall not be permitted adjacent to residential uses or residentially zoned land. If residentially zoned or residentially used such site has to receive of a conditional use approval by the City Commission.
- (c) Hours of operation for Recreation and Amusement services shall be limited to the hours between 8:00 a.m. and 12:00 am (midnight)
- (d) Recreation and Amusement Services be totally within an enclosed building. If the principal operation is proposed outdoors, i.e., zoos, amusement parks, miniature golf, golf driving ranges, it shall not be permitted adjacent to residentially zoned or residentially used land unless such site has received approval of a conditional use permit by the City Commission.

**MOTION CARRIED UNANIMOUSLY.**

3. Old Business: (Interim City Planner Report)

Mr. McCollum informed the Members that the City Commission will be meeting immediately after the P&Z meeting and invited the Board Member to stay.

4. New Business

Mrs. Jennings asked Mr. McCollum how several items have gone before the Commission before coming to the P&Z, considering the P&Z Board is the starting point. Mr. McCollum stated it was a timing issue and after much discussion the City Commission requested that the item be brought before them.

5. Adjournment: 8:20 pm next P&Z meeting is September 21, 2009

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Michael Burton, Chairman