

Tab 1

**APPROVAL OF THE P&Z APRIL 15, 2010 AND
MAY 4, 2010 MEETING MINUTES**

**DRAFT MINUTES
CITY OF PALMETTO
PLANNING AND ZONING BOARD
APRIL 15, 2010 – 6:15 P.M.**

516 8th Avenue West
Palmetto, FL 34221

www.palmettofl.org
941-723-4570

PLANNING AND ZONING BOARD MEMBERS

MICHAEL BURTON, Chair
BARBARA JENNINGS, Vice Chair
CHRISTOPHER MOQUIN
CHARLIE UGARTE

JON MOORE - **Absent**
ERIC GILBERT- **Absent**


School Board Appointee (Non-voting)

MIKE PENDLEY- **Absent**

Anyone wishing to speak before the Planning and Zoning Board must sign in prior to the meeting, stating name, address and topic to address. All comments will be limited to two minutes.

 Swearing in of all persons speaking to the Board:

ORDER OF BUSINESS:

 Change in agenda order, agenda item 4 was presented first, then back to the order of the agenda

4. **Comprehensive Plan Map Amendment** Tab 4


Mr. McCollum stated the relocation of 23rd street to accommodate the ball fields requires an adjustment to the Future Land Use map (FLU).

Mr. Barnebey requested a continuance of agenda item, Comprehensive Plan Map Amendment until May 4, 2010, 6:15.

Discussion ensued

 Chair Burton opened the public hearing


Ms. Leslie Gladfelter, representing Manatee Fruit Company stated it is important the parcels gets designated properly, they were all part of the agreement in 1998.

 Chair Burton continued the public hearing until May 4th 2010 at 6:15 pm

 Action Request: Ms. Jennings moved to continue the Comprehensive Plan Map Amendment until May 4, 2010, 6:15, Mr. Ugarte seconded. MOTION CARRIED UNANIMOUSLY.

 1. **Approval of February 18, 2010 Meeting Minutes** Tab 1

Action request: Mrs. Jennings moved to approve the February 18, 2010 Meeting Minutes. Mr. Ugarte seconded. MOTION CARRIED UNANIMOUSLY.

 2. **Lawrence Watson VAR-2010-01** Tab 2

Mr. McCollum reviewed the staff report and pictures of the Watson property. Mr. McCollum also pointed out in the Board Members packets Article XII, Planning and Zoning, powers and duties regarding variances. Mr. McCollum also noted that some updated information concerning this application was provided to the Board.

Mr. McCollum noted the lot is nonconforming and the application appears to be a self-imposed hardship.

 Chair Burton opened the public hearing

Mr. Watson, applicant, stated Mr. McCollum was thorough in his presentation.


Mr. Phil Cook, resident, stated he is the neighbor west to Mr. Watson, has no objections tot Mr. Watson request.

 Chair Burton closed the public hearing

Mr. Ugarte asked if a new structure is put in place on the lot will it need to be elevated to FEMA codes. Mr. McCollum stated per the Building Official the unit must be raised some, but not to the FEMA designated elevation.

Discussion ensued.

Mr. McCollum reviewed his reasons for and against the request.

 Mrs. Jennings move to approve Lawrence Watson VAR-2010-01 with stipulations:

1. The minimum 5-foot side lot line on the west side be maintained.
2. The minimum 5-foot rear lot line to Terra Ceia Bay be maintained.
3. The Variance along the east property line shall be consistent with the provided Sketch and, if possible, additional setbacks along the east side will be provided.
4. The Variance along the south side of the lot shall not exceed 1 foot in width, and the design of the carport shall maximize vehicular access into the carport.

Also on the positive side, 1) The granting of the Variance will not have a significant impact on health or safety of the residents, 2) The neighbor to the west would not be impacted by the Variance, and the property owner to the east has provided a letter of no objection, 3) The unique location of the lot would not set a precedent for other variance requests of this type within the mobile home park.

Mr. Moquin seconded.

Discussion

Mr. Ugarte stated on a technical level the variance application does not meet the criteria established in the code and it could establish a precedent, therefore he cannot agree with the motion although the intentions are good.

Mr. Rudacille stated the motion must spell out the language of how the variance request meets the criteria of special conditions.

Chair Burton noted that the four conditions on the application needs to be completed by the applicant and directed staff to assist if the applicant needs assistance.

Mr. Moquin withdrew the second. Mrs. Jennings withdrew the motion.

Chair Burton asked the applicant if they were willing to continue the hearing for the variance request. Applicant agreed.

Mr. Moquin moved to continue Lawrence Watson VAR-2010-01 until May 4, 2010 at 6:15 pm. Mr. Ugarte seconded. MOTION CARRIED UNANIMOUSLY.

 3.

Sharla Dorhout VAR-2010-02

Tab 3

Mr. McCollum reviewed the staff report and pictures of the Dorhout property, located at the Palmetto Mobile Home Club. The applicant is proposing to replace a single wide with a single wide. The unit is a much older unit and will be replaced with a new unit. The Mobile Home Club has no objection to the variance.

Mr. Ugarte stated the variance should be brought back on May 4, 2010, because application is not complete.

 Chair Burton opened the public hearing.

Mr. Gene Holcomb, dealer, stated he working on the project to help the applicant upgrade their home. The home is the 1960 era, and has been hit and repaired in the past. The applicant is not willing to continue to live in the existing home. Mr. Holcomb stated he believes this will be good for the area if it is approved.

 Chair Burton closed the public hearing.


Discussion

Mr. Ugarte stated if the lots are only 30 ft wide maybe the set back requirement needs to be changed for all the lots, because this will come before the Board each time someone wants to replace an old home or change out a home. Mr. McCollum stated he will discuss that suggestion with the Mobile Home Park.

Mr. Rudacille noted the Board has the ability to make recommendations on land development code revisions to the City Commission if they wish to do so.

Mrs. Jennings asked staff to ensure all applications are filled in completely when submitted to the City.

Mr. Ugarte asked staff to verify FEMA regulation on mobile homes.

 Action Request: Mr. Ugarte moved to continue the Dorhout Variance until May 4th 6:15 Mr. Moquin seconded. MOTION CARRIED UNANIMOUSLY.


 5. **Old Business**

- a. Directors' Comments – Mr. McCollum reviewed the hand-out in the Members' notebook regarding form-based codes.

Discussion ensued.

 6. **New Business**

- a. **Tree City USA** – Discussion ensued
- b. **P&Z Board Policies** – Board Members voiced concerns regarding obtaining the Ordinance at such a late date and how the ordinance was presented to them, in a draft ordinance format, it was handled very poorly. Board Members also noted they serve as volunteers and to exclude some of them from the Board because they may not live within the City limits is considered an issue.

 Mr. Moquin moved to request a joint meeting with the City Commissioners to discuss the new proposed policies. Mr. Ugarte seconded. MOTION CARRIED UNANIMOUSLY.

- c. **FPZA State Conference** - Mr. McCollum informed the Board of a state conference that will be held in Sarasota, and of a workshop titled "Planning in a Nutshell for Planners", and stated he believes it will be beneficial. Mr. Barnebey and Mr. Rudacille will be speakers at that workshop.

 7. **Adjournment 8:01**

Sign Workshop – To be rescheduled

**DRAFT
SPECIAL MEETING MINUTES
CITY OF PALMETTO
PLANNING AND ZONING BOARD
MAY 4TH, 2010 – 6:15 P.M.**

516 8th Avenue West
Palmetto, FL 34221

www.palmettofl.org
941-723-4570

PLANNING AND ZONING BOARD MEMBERS

MICHAEL BURTON-Present
BARBARA JENNINGS-Present
CHARLIE UGARTE -Present
JON MOORE-Present

CHRISTOPHERMOQUIN-Present
ERIC GILBERT-Present

Staff

Mark Barnebey, City Attorney
Tom McCollum, Interim City Planner
Linda Butler, Recording Secretary

Anyone wishing to speak before the Planning and Zoning Board must sign in prior to the meeting, stating name, address and topic to address. All comments will be limited to two minutes.

 **Swearing in of all persons speaking to the Board:**

“Do you swear or affirm that the evidence or factual representations that you are about to give or present to the Planning and Zoning Board on this 4th day of May 2010 are truthful?”

ORDER OF BUSINESS:

-  **1. Continuance - Lawrence Watson VAR-2010-01 (Public Hearing continued from April 15th 2010) Tab 1**


Mr. McCollum reviewed the information requested by the Board at the April 15th meeting regarding the special conditions or circumstances listed on the variance request application. Mr. McCollum also note as a follow up to the meeting he met with Mr. Watson in his Mobile Home. Because of the visual appearance of the unit, the age and general condition was not apparent from the street. After a more detailed review, it is clear that the unit has reached the end of its useful life and that the roof repairs may not be reasonable due to the age of the unit. Additionally, there are a

number of existing double wide units especially along the water within Tropic Isles. Which means the variance would generally be in compliance with the trend of replacing older waterfront units with newer double wide mobile homes.

Chair Burton opened the public hearing.

No one from the public came forward to speak.

Chair Burton closed the public hearing.

 Mrs. Jennings moved to approve Watson Variance 2010-01 with the following stipulations recommended by staff and changing the word "lot line" on stipulation 1 and 2, to "yard set-back".

1. The minimum 5-foot side yard set-back on the west side be maintained.
2. The minimum 5-foot rear yard set-back to Terra Ceia Bay be maintained.
3. The Variance along the east property line shall be consistent with the provided Sketch and, if possible, additional setbacks along the east side will be provided.
4. The Variance along the south side of the lot shall not exceed 1 foot in width, and the design of the carport shall maximize vehicular access into the carport.

Mr. Moquin seconded. MOTION CARRIED 5 to 1, Mr. Ugarte opposed.

 2.

Continuance **Sharla Dorhout VAR-2010-02 (Public Hearing continued from April 15, 2010)** Tab 2

Mr. McCollum reviewed the information requested by the Board at the April 15th meeting regarding the special conditions or circumstances listed on the variance request application.

Mr. Ugarte stated this variance is different from the previous one, this variance is not a self imposed hardship because the standard size of a mobile home have changed and by not approving this variance request it will be taking away the land owner right to use his property. Mr. Ugarte also asked if Mr. Titus reviewed the request. Mr. McCollum stated Mr. Titus is in agreement with the request.

Discussion ensued

 Chair Burton opened the public hearing

No one from the public came forward to speak.

Chair Burton closed the public hearing.

 Mr. Moquin moved to approve Dorhout Varinace 2010-02 with the following stipulation recommended by staff:

1. The minimum front and rear yard setbacks of 5 feet shall be retained.
2. The setbacks on the east and west side yard shall be a minimum of 2 feet 8 inches.
3. The width of the mobile home is limited to 13 feet 8 inches.
- 4 The location of the carport and mobile home shall be as provided on the attached Sketch.

Mrs. Jennings seconded. MOTION CARRIED UNANIMOUSLY.

 3. **Adjournment 6:55**

 **Sign Workshop** - Discussion only

Mr. McCollum introduced Mary Davis Wallace, ZNS Planner.

Ms. Wallace presented a slide show which covered the following topics:

- Outline of existing sign ordinance
 - Generally
 - Non-conforming Signs
 - Residential Districts
 - Industrial zoned Districts
 - Commercial Zoned Districts
- Outline of proposed sign ordinance
 - General Provisions
 - Exempt Signs
 - Permitted Permanent Signs
 - Prohibited Signs
 - Violations, Non-conforming

- Procedures
- Time of Compliance
- Enforcement and Remedies
- Comparison of regulations
 - Residential regulations - current and proposed
 - Non-residential regulations (industrial/commercial) - current and proposed

Ms. Wallace stated the criteria for signs will change.

Mr. Ugarte stated height and size may not be appropriate for all areas or districts due to the character of the location.

Mr. Barnebey stated different standards including height and size can be established for different areas if the Board so desire. Also determination of where to place electronic message signs within the City can be established.

A recommendation was made to educate new businesses coming into the City (at Business Tax application process) of what is and is not permitted; this can be done through informational brochures, i.e., Signs in the City of Palmetto.

Discussion ensued.

Adjourn

SIGN WORKSHOP

1. Itinerary
2. Memorandum
3. Attachment 1
4. Attachment 2

**City of Palmetto
Sign Ordinance Workshop 2
May 20, 2010
6:15pm**

Itinerary

Good Afternoon All,

Attached are a few items Staff has put together for discussion at our next workshop, which will take place after the regularly scheduled Planning and Zoning meeting on May 20, 2010, at 6:15pm. There is nothing on the regular agenda at this time.

As you will see, Staff has made a first attempt to outline as many items of question that occur in Sections 3-5 of the proposed Sign Ordinance with suggested changes. Items have been cross referenced with the current Code (which you may want to have handy when looking at these documents, as well as the proposed Sign Ordinance), and suggestions for additional language, re-wording, or deletions have been documented for your review. Many of these changes are minor, with a few sections remaining just as they are in the proposed Ordinance.

Once you review these suggestions and any others that may occur during the Workshop, Staff will then transfer the comments into the new draft Ordinance and present these to you in a true strikethrough/cross out format.

Then we will move onto sections 6-9 for our final session.

Please feel free to jot down comments, questions or additional suggestions for the Workshop, and if you would like to discuss these documents prior to the workshop date, I am available, and welcome your suggestions.

I look forward to working through the new draft Ordinance with you, and as always, your time and efforts are greatly appreciated.

Have a wonderful weekend,

Mary Davis
marydavisw@znseng.com
941-748-8080 ext. 123

MEMORANDUM

To: **Planning & Zoning Board**

From: **Tom McCollum, Interim City Planner**
Mary Davis Wallace, Staff

Date: **May 20, 2010**

Subject: **Sign Ordinance Workshop**

Section 1.04.00 – Definitions and Interpretations

(Add) Canopy Sign: Add the words, “/Awning” to title to read as “Canopy/Awning Sign”.

(Deletion) Commercial Message Sign: Remove in its entirety as follows:
“Any sign wording, logo, or other representation that directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.”

(Change) Freestanding Sign: Add the word, “Pole” to the title to read as “Freestanding/Pole Sign”. And an addition of the following language referring to pole height to be as follows: “Height of all freestanding/pole signs shall be measured to the top of sign” or something thereof.

(Change) Ground Sign: Remove the following from existing text:
“and which does not exceed four (4) feet in height, twenty (20) feet in length and fifteen (15) inches in width, except as otherwise provided for by this Code.”

(New) Illuminated Sign: ‘Any sign that either emits, provides, or reflects light by a light source within, on the surface of, or being projected onto the surface of the sign”.

(Change) Incidental/Directional Sign: Remove the word, "Incidental" from the title to read, "Directional Sign".

Remove following sentence:

"No sign with a commercial message legible from a position off the zoning lot on which the sign is located shall be considered incidental."

Add following new language:

"The name of the business and address is permitted. No any language pertaining to services provided by that business will be permitted on a directional sign."

(New) Off-Site Advertising Sign: Shall mean any structure adverting, an establishment, merchandise, service, or entertainment that is not provided on the parcel where the sign is located. This shall include billboards, off-premises signs, or off-site signs.

(Deletion) Person: Remove in its entirety as follows:

"Any association, company, corporation, firm, organization, or partnership, singular or plural, of any kind."

(Deletion) Street: Remove in its entirety as follows:

"A strip of land or way subject to vehicular traffic (as well as pedestrian traffic) that provides direct or indirect access to property, including, but not limited to, alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails, or other thoroughfares."

(Deletion) Zoning Lot: Remove in its entirety as follows:

"A parcel of land in single ownership that is of sufficient size to meet minimum zoning requirements for area, coverage, and use, and that can provide such yards and other open spaces as required by the zoning regulations."

Section 2.00.00 - Exempt Signs

Exempt Signs Introduction: Added following sentence to end of existing sentence:

"All signs included in this section will be permitted only to be placed outside of the right-of-way."

(Add) Right-of-Way language for all.

(Change) Flags, emblems, or insignia of any nation, state, or political subdivision: Revised Flag Pole height from "35" feet to "30" feet – This should coordinate with 30 feet per height.

(Add) Holiday, seasonal, or commemorative decorations: Need to add language to reflect "not in right-of-way".

(Add) Real Estate Signs: Add new second sentence stating:

"One (1) sign will be allowed on properties for sale on public waterways."

Section 3 – Permitted Permanent Signs

(Change) Child Care Center:

3.02.02.02: Changed following existing language:

“The sign shall be located flush with the building and shall not be located in the clear sight/visibility triangle. The minimum setback from the property line shall be five (5) feet.”

to:

“The sign shall be attached, flush to, the building.”

(Change) 3.02.03 Home Occupation: Change from “1” square feet to “6” square feet.

To read as follows:

“An unlighted sign or nameplate, not more than **six (6)** square feet in area, attached to and not projecting from the building more than twelve (12) inches shall be permitted.”

(Add) 3.03.01.02: Freestanding or Ground Signs: Add language to reflect that “businesses with less than 50 linear feet from frontage are not permitted freestanding signage”.

(Change) 3.03.01.04 Height. “Ground signs shall be allowed a maximum sign height of **six (6)** feet. No freestanding/pole sign shall exceed **thirty (30)** feet in height.”

(New) 3.04.00: Off-Site Advertising Signs: Language taken from City Code Section 3.67(a) through (f) Off-Site Advertising Signs (see Attachment 1).

(New) Sandwich Signs: (New section number to be determined at a later date) (See Attachment 2).

(Add) 3.03.05 Electronic Message Sign: Add following language to existing language beginning with:

“Electronic Message Signs shall be allowed only in non-residential districts identified in the Sign Exception Districts section of this Ordinance.” (To be determined at a later date)

(Deletion) 3.04.01.03 Off-Site Directional Sign: Removed in its entirety:

To read as follows:

“Reserved”

(Change) 3.04.01.04 Off-Site Directional Sign: Height changed from 10 feet to six feet as follows:

“Off-site directional signs shall not exceed sixteen (16) square feet of sign area, and the sign shall not exceed **six (6)** feet in height.”

(Add) 3.04.01.08 Off-Site Directional Sign: Add the following as last sentence:

“A notarized letter of permission from the property owner upon which the sign would be located is required”.

Section 4 – Prohibited Signs

(Add) 4.02.03 Specifically: Add “handheld signs” after “curb side signs”.

(Deletion) 4.02.06 Specifically: Removed “Sandwich signs”.

Section 5 – Permitted Temporary Signs

(Add) 5.04.00 Flags and Balloons: Add following new language as follows:

“Note Section 4.02.19 prohibited inflatable signs, balloons, and floating items.”

Enclosures: Attachment 1: Current City Code Section 3.67 Off-Site Advertising Signs
Attachment 2: New Language for Sandwich Signs

**City of Palmetto
Sign Ordinance Workshop 2
May 20, 2010
6:15pm**

Attachment 1

As taken from the Current City of Palmetto **Section 3.67 Offsite Advertising Signs** to be inserted into the proposed Ordinance as follows (new section number to be determined):

Off-site advertising signs.

(a) No off-site advertising sign of any type shall be authorized by permit in any zoning district unless specifically permitted in this section and unless all restrictions and standards under this article or other pertinent codes are fully met.

(b) Any off-site advertising sign erected after July 21, 1986 without a permit shall be declared a violation and removed under penalties provided in sections 3-70 and 3-92.

(c) Off-site advertising signs shall be in good repair, in use or fully available for use in order to be claimed to be existing or qualified to be grandfathered in as established nonconforming structures.

(d) Off-site advertising signs shall be permitted in accordance with the requirements of this article in the following zoning districts and in compliance with all applicable state and federal regulations:

(1) Commercial zoned district:

a. Size includes border and trim but excludes supports:

1. Minimum of two hundred (200) square feet;
2. Maximum of eight hundred (800) square feet;

b. Height shall be measured from the centerline grade of the road or highway at the highest point of the centerline of the road located where it adjoins the property upon which the sign is to be placed:

1. Minimum of six (6) feet to bottom of sign;
2. Maximum of twenty (20) feet to top of sign.

c. Setback shall be fifty (50) feet from the street right-of-way.

d. Spacing shall be one thousand (1,000) feet on the same side of the road.

(2) Industrial zoned district:

a. Size includes border and trim but excludes supports:

1. Minimum of two hundred (200) square feet;
2. Maximum of eight hundred (800) square feet.

b. Height, measured from average grade of the road or highway:

1. Minimum of six (6) feet to bottom of sign;
2. Maximum of thirty (30) feet to top of sign.

c. Setback shall be twenty-five (25) feet from right-of-way.

d. Spacing shall be one thousand (1,000) feet on the same side of the road.

(e) All off-site signs must have engineer approval of plans showing construction, supports, posts, braces, and other supports as appropriate to avoid danger of storm, fire and high winds.

(f) No off-site sign may be erected on a parcel of land where there is an ongoing business with on-site signs.

(Ord. No. 273, § 3(D), 7-21-86)

**City of Palmetto
Sign Ordinance Workshop 2
May 20, 2010
6:15pm**

Attachment 2

Sandwich Board Signs

Shall mean any double faced portable sign which may be readily moved from place to place.

Standards are as follows:

- A. Sandwich signs shall be displayed only during the hours of operation by the business displaying the sign.
- B. Sign dimensions shall not exceed 32 inches wide by 48 inches high.
- C. The signs must be stabilized in such a way as to prevent them from becoming hazardous during inclement weather.
- D. The signs must be made of durable, weather resistant material and kept in good condition.
- E. Sandwich Boards signs shall not be located as to:
 - displace required off street parking
 - impair pedestrian traffic on a public sidewalk
 - violate any state or federal statute regulation
 - impair vehicle traffic within a driveway or drive aisle
 - impair drivers visibility of oncoming traffic or create an unsafe traffic condition