

Tab 1

APPROVAL OF THE SEPTEMBER 16, 2010
MEETING MINUTES

**DRAFT MINUTES
CITY OF PALMETTO
PLANNING AND ZONING BOARD
SEPTEMBER 16, 2010 – 6:15 P.M.**

516 8th Avenue West
Palmetto, FL 34221

www.palmettofl.org
941-723-4570

PLANNING AND ZONING BOARD MEMBERS

BARBARA JENNINGS, Chair
JON MOORE, Vice Chair
ERIC GILBERT
CHARLIE UGARTE

CHRISTOPHER MOQUIN

School Board Appointee (Non-voting)

MIKE PENDLEY-Absent

Staff

Lorraine Lyn, City Planner
Linda Butler, Recording Secretary

Scott Rudacille, City Counsel

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:

1. **Approval of August 19, 2010 Meeting Minutes** Tab 1

Mr. Ugarte moved to approve the August 19, 2010 meeting minutes, Mr. Moore seconded. **MOTION CARRIED UNANIMOUSLY.**

2. **PUBLIC HEARING:**

Amendment to Zoning Code Ordinance 2010-12 Tab 2

An ordinance of the City Commission for the City of Palmetto, Florida amending code of ordinances, zoning code, to add Child Care Centers as a permitted use in the Commercial Core (CC) district within the schedule of permitted uses.

Ms. Lyn reported it has recently come to our attention that day care centers are currently not a permitted use in the Commercial Core (CC) district of the City Zoning Code. Based on staff review of the current land development regulations, *Section 4.2 Schedule of Permitted and Conditional Uses by District* permits Day Care Centers in all commercial zoning districts except the CC district and permits them as a Conditional Use in all residential zoning districts.

Ms. Lyn stated child care centers are essential support uses which should be available throughout the City. Staff recommends that the use be added to the CC category as a "permitted use".

Chair Jennings opened the public hearing. No one from the public present

Chair Jennings closed the public hearing.

Action request: Mr. Ugarte moved to recommend approval of Zoning Code Ordinance 2010-12 with added definition, "*Any establishment that provides on a regular basis supervision and care for more than five (5) children unrelated to the operator for a period of less than twenty-four (24) hours a day and which receives a payment, fee or grant for any of the children receiving care and whether or not operated for profit, except that the following are not included: public school and nonpublic schools which are in compliance with the compulsory school attendance law, Florida Statutes; summer camps having children in full-time residence; summer day camps and other school programs normally conducted during vacation periods. The term includes kindergartens, nurseries, nursery schools, day care centers and day nurseries*". Mr. Gilbert seconded. **MOTION CARRIED UNANIMOUSLY.**

3. Old Business

- Ms. Lyn informed the Board of a Manatee County EAR Scope meeting she attended. A representative from SWFWMD announced that the water supply plan for the District is being updated by the end of 2010. The law requires that all jurisdictions within that district have to comply with the district's plan within 18 months of its adoption. . Since Palmetto has not submitted a water supply plan, the City would have to prepare one and update its plan within 21 months. Due to the timing of the District's water supply plan update, the Department of Community Affairs (DCA) indicated that the city may postpone the preparation of its water supply plan until the District plan update is done. However we must show that there will be

enough water to serve the projected population for the next 20 years in the data and analysis.

- Mr. Ugarte's initiated a discussion regarding variances. It was the consensus of the Board to have consistency when approving or denying a variance; all the requirements must be met. The applicant must prove the variance request is a hardship. Mr. Ugarte will provide information to staff to be distributed to the members regarding variances.
- A discussion ensued regarding Board Members visiting the site or location of a proposed project.

Mr. Rudacille stated as a quasi judicial Board you should base your decision on what is presented by staff, the applicant and the public. If you visit a site and you witness something other than what is being presented, you should put it on the record that you visited the site and allow the applicant to speak to questions/concerns.

Mr. Gilbert stated it is the responsibility of staff to do due diligence and not the Board as investigators.

- Chair Jennings requested information regarding the Tree Board and also requested for future meetings, that staff provide a brief report on projects in the City that may not come before the Board. Ms. Lyn stated she will coordinate with Mr. Burton to provide information.

4. New Business

- Ms. Lyn briefed the Board on a proposed zoning code amendment addressing Shared Parking. She reviewed the current code, Sec. 28-74, Location of facilities and spaces, and the proposed code, Sec. 28-74, Joint Use of facilities and spaces. This item will be placed on an upcoming agenda for action.

Mr. Ugarte stated the shared parking language can apply to every business in the central core and should be encouraged. He also suggested that on street parking should be included and encouraged. Ms. Lyn stated she will look into the suggestion and review the DDG language.

- Ms. Lyn reported on a meeting she attended in Bradenton and stated the City is considering form based performing zoning. The City of Bradenton will host a series of workshop. Ms. Lyn stated that staff will e-mail the information to the Members.

5. **Adjournment 7:30**