

CITY OF PALMETTO
PLANNING AND ZONING BOARD
516 8TH 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 8th 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 8th Ave and 17th 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)**

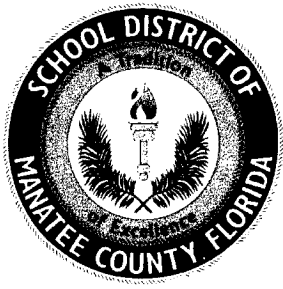
Mr. McCollum informed the Members that the City Commission will be meeting immediately after the P&Z meeting and invited the Board Member to stay.

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

Michael Burton, Chairman



SCHOOL DISTRICT OF MANATEE COUNTY

MEMORANDUM

SCHOOL BOARD

Walter E. Miller
Chair

Jane R. Pfeilsticker
Vice Chair

Robert C. Gause
Barbara A. Harvey
Harry G. Kinnan

SUPERINTENDENT

Tim McGonegal

To: Allen Tusing, Director of Public Works
From: Amy Anderson, Facilities, Sites & Planning Manager
Date: September 16, 2009
Subject: School Report: Planning and Zoning September 21, 2009

Please note the following development applications have been reviewed by School District Staff. The School District has no concerns at this time.

- I. Ordinance 009-999 Recreation and Amusement Services

Should you have any questions, please call 708-8800 X1223.

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Palmetto Planning and Zoning Board Meeting

SIGN-IN SHEET

9-21-09

Name	Address	Affiliation	Project
Del Couch	3704-16TH AVE E PALMETTO	NONE	HA
Telephone	Fax	Cellular	Email
Darlene Narwin	1023 Man. AVE W 34 205		
Name	Address	Affiliation	Project
Telephone	Fax	Cellular	Email
Name	Address	Affiliation	Project
Telephone	Fax	Cellular	Email
Name	Address	Affiliation	Project
Telephone	Fax	Cellular	Email
Name	Address	Affiliation	Project
Telephone	Fax	Cellular	Email
Name	Address	Affiliation	Project
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Name	Address	Affiliation	Project
Telephone	Fax	Cellular	Email

City of Palmetto Planning & Zoning Board Comment Form

Name: Dorenda Marvin

Address: 1023 Manatee Ave. W., Bton
34205

Topic: Rec Amusement Ordinance