

**MINUTES
CITY OF PALMETTO
PLANNING AND ZONING BOARD
FEBRUARY 14TH, 2013 – 5:30 P.M.**

516 8th Avenue West
Palmetto, FL 34221

www.palmettofl.org
941-723-4570

Board Members Present

James Pastor
Charlie Urgarte
Leon Kotecki

Board Members Absent

Eric Gilbert
Jon Moore

Staff Present

Lorraine Lyn, City Planner
Mark Barnebey, City Attorney
Char Patterson, Planning Tech

ORDER OF BUSINESS:

1. **Approval of January 17th, 2013 Meeting Minutes** Tab 1

Mr. Ugarte motioned to approve the minutes dated January 17th, 2013. Mr. Kotecki seconded.
MOTION CARRIED UNANIMOUSLY.

2. **Amending the Definition of Recreation and Amusement Services** Tab 2

Ms. Lyn explained that the request for the recreation and amusement services zoning code amendment resulted from someone wanting to open a dance class in the Whittles Plaza; 900 block of 8th Avenue West. The current Zoning Code does not permit dance classes in the Commercial Core, CC zoning district; rather it is listed under Recreation and Amusement Services and permitted as a Conditional Use only in the CG and CHI zoning districts.

Recreation and Amusement Services are subject to standards relating to access on a principal arterial, screening when adjacent to residential and hours of operation outlined in Sec. 6.22 of the Code.

Ms. Lyn said dance classes along with other exercise classes could be considered personal services since they relate to the care of a person's health and well being. She recommended streamlining the current recreation and amusement uses by expanding Personal Services to include health clubs and exercise classes and to continue to allow these uses in all non-residential zoning districts. In addition, staff recommends consideration of recreation and amusement uses to be allowed as a Conditional use to the Commercial Core (CC) district.

The Board questioned and discussed why dance classes were excluded in the CC, especially shopping plazas and whether Recreation and Amusement Services should be included as a conditional use in the CN (Commercial Neighborhood), Ms. Lyn indicated that there is not much CN and GO zoning in the City. Mr. Kotecki suggested the including of indoor/outdoor shooting ranges in Recreation and Amusements.

Mr. Barnebey informed the Board that internet cafes fall under the Recreation and Amusements Services classification and that two such facilities have been approved in the City. Discussion continued regarding the City's moratorium imposed on Internet Cafés, the possibility of City Commission extending it another year while waiting on the review from the Florida legislation.

Motion by Mr. Kotecki to recommend approval of the Zoning Code change to revise Recreation and Amusement Services according to staff recommendations with the addition of shooting ranges as a recreational and amusement service. Mr. Ugarte seconded. **MOTION CARRIED UNANIMOUSLY.**

Mr. Barnebey stated for the record that there were not any public present at the meeting.

3. Old Business: None

4. New Business:

Mr. Barnebey shared with the Board that the Downtown Development Guidelines (DDG) are being reviewed by staff and for now it is the responsibility of City Planner to impose the conditions of the DDG.

Discussion continued regarding the process of the DDG and what happens if an applicant is in disagreement with the decisions of the City Planner after being consistent with the goals and objectives of the City's Comprehensive Plan. Is there a procedure in place or is the first step of disagreement suing in court? Mr. Barnebey indicated that the Code will need to be amended to add an appeal process and to rename the DDG to Downtown Core Design Regulations. These Ordinance changes will be coming to the P&Z Board for review and recommendation to the City Commission.

5. Adjournment 6:00 p.m.