

**MINUTES
CITY OF PALMETTO
PLANNING AND ZONING BOARD
MARCH 21ST, 2013 – 5:30 P.M.**

516 8th Avenue West
Palmetto, FL 34221

www.palmettofl.org
941-723-4570

Board Members Present

ERIC GILBERT, Chair
CHARLIE UGARTE
LEON KOTECKI

Board Members Absent

JAMES PASTOR, Vice Chair
JON MOORE

Staff Present

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

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.

ORDER OF BUSINESS:

1. **Approval of February 14th, 2013 Meeting Minutes** Tab 1

Mr. Kotecki commented that in paragraph four, Mr. Pastor made the comment to include indoor/outdoor shooting ranges in the definition of recreation and amusement services. He asked that the Planning Tech review the minutes and make any necessary changes. The February 14th, 2013 meeting minutes were changed to reflect this correction.

Motion by Mr. Kotecki to approve the minutes as amended. Mr. Ugarte seconded. **MOTION CARRIED UNANIMOUSLY.**

2. **AMENDING AND CLARIFYNG THE DOWNTOWN CORE DESIGN GUIDELINES** Tab 2

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING CODE OF ORDINANCES, ZONING CODE, TO PROVIDE FOR REVISIONS TO THE ADMINISTRATIVE INTERPRETATION AND PROCEDURES, AMENDING AND CLARIFYNG THE DOWNTOWN CORE DESIGN GUIDELINES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Lyn informed the board that recent proposal for new development in the downtown area has brought this issue to the forefront. Some revisions to the document are likely as it may be necessary to clarify the intent of the document, making it more flexible for implementation.

Mr. Barnebey explained the proposed changes to Ordinance 2013-05 as follows:

1. New boundaries:

East: Along the railroad tracks; North: properties adjoining 10th Street; West: properties adjoining 11th Avenue; South: Southern boundary of the City

2. Current boundaries:

East: 301/41 including Jet Mobile Home Park; North: South side of 10th Street; West: East side of 11th Avenue and South: Riverside Drive

3. Change the name from "Downtown Core Design Guideline" to "Downtown Core Design Code."

4. Verify that the term "Appropriate" means Required and that "Inappropriate" means Prohibited

5. Provide for an alternative proposal.

There was extensive discussion regarding the boundaries including reducing the size of the downtown core possibility to the railroad tracks or the Downtown Core plan category. Some Board members were present when the Waterfront Plan was prepared and supported the existing northern boundary of 10th Street and eastern boundary of 301/41 stating that there will be future major redevelopment in the larger area. The Waterfront Plan and the Downtown Design Guidelines share the same boundaries except that the Waterfront Plan extended northerly only to 7th Street West while the Downtown Design Guidelines extends to 10th Street West.

Mr. Barnebey continued that Downtown Guidelines procedure would be as follows:

1. Change the name of the instrument from "Downtown Core Design Guideline" to "Downtown Core Design Code."
2. Verify that the term "Appropriate means Required and that "Inappropriate" means Prohibited.
3. Exempt single family and duplex developments.
4. Provide for an alternative proposal: the Planning Board will have the final say with appeals going to the City Commission

The City Planner, with assistance from the CRA director, will review the applications and make suggestions/changes to the conditions of the proposed plan. If the applicant is not in agreement with the decision they can appeal to the City Commission, he continued to advise the Board that if they would like to be involved in the process they would review and determine if it was consistent with the intent/terms of the Downtown Guidelines then its recommendation would be forwarded on to the City Commission.

Mr. Barnebey informed the board that staff recommendation would make the Board the final decision maker on the review with a potential appeal to the Commission. Usually, the Board recommends reviews to the Commission excluding variances and appeals of the City Planner.

"At the discretion of the Public Works Director or the Director's designee, the Alternative Proposal may be forwarded to the Planning and Zoning Board for approval, approval with conditions or denial if the Alternative Proposal is found to be consistent with the intent of the Downtown Core Design Code as set forth in Section 4.4(b). The Planning and Zoning Board's decision may be appealed to the City Commission as set forth in Sec. 12.4 (d) of the Palmetto Code of Ordinances.

Discussion ensued following Mr. Ugarte's suggestion that this process be included for any project receiving CRA funding.

Mr. Ugarte questioned the proposed change allowing signs utilizing LED or other electronic changeable copy, except for governmentally owned informational signs. Discussion continued regarding using the sign for public advertising such as City events like monthly Movie in the Park, traffic, and emergency purposes. To date, Conditional Uses have been granted for electronic signs at Manatee County Convention Center, MSA, Palmetto High School, Spacebox, etc.

Mr. Ugarte suggested that the Board agree with the boundaries as they were presented to include both sides of 10th Street - encompassing Overpass Apts., Publix, gateway.

Mr. Kotecki recommended that the verbiage referring to page numbers relating to signs on page 8 be omitted.

Mr. Kotecki motioned to recommend approval of Ordinance 2013-05 with the following conditions:

1. Change all boundaries as recommended except the east side will remain US 301/41 of the Downtown Design Guidelines
2. To remove verbiage referring to page numbers relating to signs; e.g. "signs found on pages 73-75";
3. To add the following language:

At the discretion of the Public Works Director or the Director's designee, the Alternative Proposal may be forwarded to the Planning and Zoning Board for approval, approval with conditions or denial if the Alternative Proposal is found to be consistent with the intent of the Downtown Core Design Code as set forth in Section 4.4(b). The Planning and Zoning Board's decision may be appealed to the City Commission as set forth in Sec. 12.4 (d) of the Palmetto Code of Ordinances.

Mr. Ugarte seconded. **MOTION CARRIED UNANIMOUSLY.**

Chairman Gilbert opened Public comment

No Public comment

Chairman Gilbert closed Public comment

Mr. Kotecki motioned to reconfirm the motion for Ordinance 2013-05 as recommended by Mr. Barnebey. Mr. Ugarte Seconded. **MOTION CARRIED UNANIMOUSLY.**

3. **REVISING THE CURRENT TEMPORARY USE PERMIT CRITERIA** Tab 3

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING CODE OF ORDINANCES, ZONING CODE, TO PROVIDE FOR A DEFINITION OF MOBILE VENDORS; REVISING THE CURRENT TEMPORARY USE PERMIT CRITERIA AND ADDING CRITERIA FOR USE AND OPERATION OF MOBILE VENDORS, INCLUDING PUSH CARTS AND TEMPORARY VENDORS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Kotecki advised Chairman Gilbert that he had a prior engagement and would need to be excused.

Mr. Barnebey stated that there was not a quorum present and their options were to recommend continuation or open public hearing to discuss without taking any action.

Chairman Gilbert opened Public comment

No Public comment

Chairman Gilbert closed Public comment

Mr. Ugarte moved to continue Item #3 Revising the Current Temporary Use Permit Criteria to April 18th, 2013 at 5:30 p.m. Mr. Kotecki seconded. **MOTION CARRIED UNANIMOUSLY.**

3. Old Business: None

4. New Business: None

5. Adjournment: 6:40 p.m.