

VILLAGE OF PALMETTO BAY
Minutes of the Local Planning Agency Meeting of Monday, December 21, 2009
Deering Estate Visitor's Center
16701 SW 72 Avenue

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

Mayor Eugene P. Flinn, Jr.
Vice Mayor Brian W. Pariser
Council Member Ed Feller
Council Member Howard Tendrich
Council Member Shelley Stanczyk

Staff present:
Village Manager Ron E. Williams
Village Attorney Eve A. Boutsis
Village Clerk Meighan J. Rader
Director of Planning and Zoning Julian Perez

Mayor Flinn called the meeting to order at 7:00 p.m. Mayor Flinn led the pledge of allegiance.

2. ORDINANCES FOR SECOND READING (PUBLIC HEARING)

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING AS THE LAND PLANNING AGENCY, RELATING TO ZONING; EXTENDING THE EXISTING MORATORIUM BY TWO MONTHS ON THE ISSUANCE OF BUILDING PERMITS FOR DEVELOPMENTS OF MORE THAN FIVE CONTIGUOUS ACRES SO THAT THE VILLAGE CAN ADOPT THE FINAL PORTIONS OF THE VILLAGE'S LAND DEVELOPMENT CODE, INCLUDING BUT NOT LIMITED TO ZONING PROCEDURES, TELECOMMUNICATIONS AND GREEN/LEED DESIGN CRITERIA; SUCH TEMPORARY MORATORIUM TO APPLY TO ALL PROPERTIES OVER FIVE ACRES IN CONTIGUOUS SIZE LOCATED WITHIN THE VILLAGE OF PALMETTO BAY; EXEMPTING PUBLIC FACILITIES DEVELOPED FOR THE PUBLIC HEALTH, SAFETY, AND WELFARE; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Councilwoman Stanczyk moved this matter forward. Seconded by Councilman Tendrich.

Attorney Boutsis reported that the Ordinance has not been modified since first reading. She further explained that this final extension of the moratorium shall allow for the completion of the land development code; staff shall be bringing a draft of

green ordinance to the January Committee of the Whole meeting and then to the February Council meeting.

Director Perez concurred, adding that the "green" ordinance would be the final item in order to complete the land development code.

Mayor Flinn opened the public hearing. No one wished to be heard. Mayor Flinn closed the public hearing.

Vice Mayor Pariser asked the expiration date of the moratorium. Director Perez responded that the moratorium expires on February 19, 2010.

Mayor Flinn called the question. All voted in favor. The Ordinance was adopted unanimously (5 to 0.)

- B. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, ACTING IN ITS CAPACITY AS THE LOCAL PLANNING AGENCY, RELATING TO THE COMPREHENSIVE PLAN AMENDMENTS AND PROPOSED MODIFICATIONS TO THE FUTURE LAND USE MAP (FLUM); PROVIDING FOR TRANSMITTAL OF THE ENTIRE COMPREHENSIVE PLAN AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, TO OTHER UNITS OF LOCAL GOVERNMENT AND TO OTHER REVIEW AGENCIES AS REQUIRED BY LAW FOR ADOPTION; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Councilman Feller moved this item forward. Seconded by Councilwoman Stanczyk.

Attorney Boutsis provided staff report. She advised that the Council had conducted three hearings in 2009 concerning the Comprehensive Plan. She noted that the Comprehensive Plan must coincide with the Zoning Map so that all existing uses would be in concurrence. She reported that the revisions offered at the hearings were included. Attorney Boutsis advised that the proposed Ordinance also includes revisions based upon the Florida Department of Community Affairs' (FDCA) review. She noted that the plan is reviewed by several government agencies and the FDCA issues its Objections, Recommendations, and Comments (ORC) report. She asked Council to consider approval of staff's recommendation to incorporate the changes relating to FDCA's ORC report, which are included on page 4 of 5 in staff's memorandum.

Mayor Flinn thanked staff for reaching out to the public and expressed his approval of the significant amount of public input.

Director Perez explained the process that was undertaken and stated that the resulting document represents a major accomplishment by staff.

Attorney Boutsis advised that with the adoption of this ordinance, the land development code will be finished, as far as zoning is concerned.

Vice Mayor Pariser asked if there were deadlines for submitting amendments.

Attorney Boutsis advised that major amendments are undertaken twice per year.

Councilman Feller asked for clarification regarding hotels in the Village.

Director Perez noted that staff would review that land use when staff begins review of the EAR (Evaluation Appraisal Report.)

Attorney Boutsis added that staff was following Council direction, and did not modify existing zoning, if modification was not necessary. She stated that the hotel zoning district was pre-existing from the County's code.

Mayor Flinn asked if the Council had discretion concerning the recommendations offered by staff. Attorney Boutsis replied that staff is hopeful that Council will accept all recommendations.

Councilman Feller moved to amend and include the revisions provided by staff. Seconded by Councilman Tendrich. All voted in favor (5 to 0.)

Mayor Flinn opened the public hearing. Mr. Eric Tullberg, 7884 SW 179 Terrace, addressed the Council concerning revisions to the bicycle/pedestrian elements of the plan. Mayor Flinn closed the public hearing.

Attorney Boutsis advised the Council that throughout the next two years, staff will review the EAR and consider all amendments to the Comprehensive Plan.

Councilwoman Stanczyk thanked staff for their work on this matter.

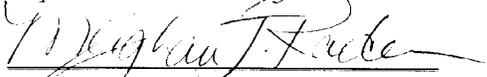
Mayor Flinn remarked that the Comprehensive Plan is a "living document" that will be updated as needed.

All voted in favor of the Ordinance, as amended. The Ordinance was adopted unanimously (5-0.)

3. NEXT MEETING AND ADJOURNMENT

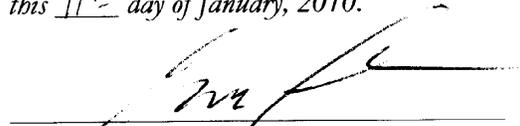
The Meeting was officially adjourned at 7:30 pm.

Prepared and submitted by:



*Meighan J. Rader, CMC
Village Clerk*

*Adopted by the Village Council on
this 11th day of January, 2010.*



Eugene P. Flinn, Jr., Mayor

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