



## VILLAGE OF PALMETTO BAY

Mayor Karyn Cunningham  
Vice Mayor John DuBois  
Council Member Patrick Fiore (Seat 1)  
Council Member David Singer (Seat 2)  
Council Member Marsha Matson (Seat 3)

Village Manager Edward Silva  
Village Attorney Dexter Lehtinen  
Village Clerk Missy Arocha

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter, or hearing impaired to participate in this proceeding should contact the Village Clerk at (305) 259-1234 for assistance no later than four days prior to the meeting.

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# AGENDA

## SPECIAL VILLAGE COUNCIL MEETING

### WEDNESDAY, JANUARY 9, 2019 – 7:00 PM

Village Hall Chambers, 9705 E. Hibiscus Street  
(305) 259-1234

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1. **CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, AND DECORUM STATEMENT:** Any person making impertinent or slanderous remarks, or who becomes boisterous, while addressing the Council may be barred from further appearance before the Council by the Mayor, unless permission to continue or again address the Council is granted by a majority vote of the Council. Applauding speakers shall be discouraged. Heckling or verbal outbursts in support or opposition to a speaker, or his or her remarks, shall be prohibited. No signs or placards shall be allowed in the Council meeting. Persons exiting the Council meeting shall do so quietly. All cellular telephones and beepers are to be silenced during the meeting.
2. **REQUESTS, PETITIONS AND PUBLIC COMMENTS**
3. **ORDINANCE FOR FIRST READING WITH PUBLIC COMMENT**
  - A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF PALMETTO BAY, FLORIDA, RELATING TO THE DOWNTOWN URBAN VILLAGE (DUV) ZONING DISTRICT, AMENDING SECTION 30-50.23 OF THE VILLAGE ZONING ORDINANCE; PROVIDING FOR MAXIMUM RESIDENTIAL DENSITY OF SIXTY (60) RESIDENTIAL UNITS PER GROSS ACRE FOR THE DOWNTOWN GENERAL (DG) SECTOR, FORTY-EIGHT (48) RESIDENTIAL UNITS PER GROSS

ACRE FOR THE DOWNTOWN VILLAGE (DV) SECTOR, THIRTY-SIX (36) RESIDENTIAL UNITS PER GROSS ACRE FOR THE URBAN VILLAGE (UV) SECTOR, AND SIXTEEN (16) RESIDENTIAL UNITS PER GROSS ACRE FOR THE NEIGHBORHOOD VILLAGE (NV) DISTRICT; PROVIDING FOR MAXIMUM BUILDING HEIGHT OF FIVE (5) STORIES FOR THE DOWNTOWN GENERAL (DG) SECTOR, FIVE (5) STORIES FOR THE DOWNTOWN VILLAGE (DV) SECTOR, FOUR (4) STORIES FOR THE URBAN VILLAGE (UV) SECTOR, AND THREE (3) STORIES FOR THE NEIGHBORHOOD VILLAGE (NV) SECTOR; AMENDING THE SECTOR BOUNDARIES IN THE DUV TO CHANGE THE NORTHERLY BOUNDARY OF THE DOWNTOWN GENERAL (DG) SECTOR FROM ITS CURRENT LIMIT AT THE LOCATION OF SW 167<sup>TH</sup> STREET TO SW 169<sup>TH</sup> STREET, WITH THE PARTS OF THE DG SECTOR NORTH OF SW 169<sup>TH</sup> STREET HEREBY DESIGNATED AS PART OF THE DOWNTOWN VILLAGE (DV) SECTOR; PROVIDING THAT HARDSHIP FACTORS SHALL NOT BE CONSIDERED AS A CRITERIA FOR DESIGN CONSIDERATION; PROVIDING THAT REQUIRED STEPBACKS SHALL OCCUR ON AT LEAST ONE FLOOR, EXCEPT THAT BUILDINGS CONTIGUOUS TO THE EASTERN BOUNDARY OF THE DUV SHALL HAVE STEPBACKS OCCUR NO HIGHER THAN THE THIRD FLOOR AND SHALL BE NO LESS THAN FIFTY (50) FEET; PROVIDING THAT BUILDINGS ON CATEGORY "A" STREETS MUST HAVE A MINIMUM OF TEN (10) FEET STEPBACK ON AT LEAST ONE FLOOR; PROVIDING THAT BUILDINGS ON FRANJO ROAD SHALL HAVE COMMERCIAL RETAIL BAYS ON THE FRANJO ROAD SIDE AT GROUND LEVEL, FOR NO LESS THAN FORTY (40) FEET IN BUILDING DEPTH; PROVIDING THAT RESERVE UNITS AND BONUSES MAY ONLY BE GRANTED TO APPLICANTS WHO HAVE 100% OF FIRST FLOOR FRONTAGE AS COMMERCIAL RETAIL WITH A MINIMUM OF FORTY (40) FEET IN DEPTH; AND PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. *(Sponsored by Vice Mayor John DuBois)*

**4. PROPOSED ACTION MEMORANDUM SPONSORED BY COUNCILMEMBER MARSHA MATSON:**

- (1) Proposed amendment to the Village's existing Downtown Urban Village (DUV) Code

**5. COUNCIL COMMENTS**

**6. NEXT MEETING AND ADJOURNMENT**

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WE, THE VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, HEREBY COMMIT OURSELVES TO MAINTAINING CIVILITY IN OUR PUBLIC AND POLITICAL DISCOURSE AND PLEDGE TO THE FOLLOWING PRINCIPLES:

- We will respect the right of all citizens in our community to hold different opinions;
- We will avoid rhetoric intended to humiliate or question the wisdom of those whose opinions are different from ours;
- We will strive to understand differing perspectives;
- We will choose our words carefully;
- We will speak truthfully without accusation and we will avoid distortion;
- We will speak out against violence, prejudice, and incivility in all of their forms, whenever and wherever they occur.

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PURSUANT TO FLORIDA STATUTES 286.0105, THE VILLAGE HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE VILLAGE FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

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