

TOWN OF LONGBOAT KEY
PLANNING AND ZONING BOARD
MINUTES OF REGULAR MEETING

MARCH 22, 2016

The regular meeting of the Planning and Zoning Board was called to order at 9:04 AM by Chair Jim Brown.

Members Present: Chair Jim Brown; Vice Chair BJ Bishop; Secretary Ken Schneier; Members Leonard Garner, Stephen Madva; George Symanski

Members Absent: Member Andrew Aitken

Also Present: Maggie Mooney-Portale, Town Attorney; Alaina Ray, Planning, Zoning & Building Director; Steve Schield, Planner; Maika Arnold, Planner; Donna Chipman, Office Manager

AGENDA ITEM 1
PUBLIC TO BE HEARD
Opportunity for Public to Address Planning and Zoning Board

No one wished to address the board.

AGENDA ITEM 2
CONSENT AGENDA

APPROVAL OF THE MINUTES OF THE JANUARY 19, 2016, REGULAR MEETING AND SETTING THE FUTURE MEETING DATE FOR APRIL 19, 2016, REGULAR MEETING WERE UNANIMOUSLY APPROVED.

AGENDA ITEM 4
ORDINANCE 2016-09, COMPREHENSIVE PLAN AMENDMENTS

Pursuant to published notice, the public hearing was opened.

Alaina Ray, Planning, Zoning & Building Director, provided an overview of the ordinance noting:

- In 2015 began work to review a 'results neutral crosswalk' of the various elements of the Comprehensive Plan in order to create a more user-friendly Comprehensive Plan that was easier to read, understand, and apply

- In 2011, the Town Commission adopted a Vision Plan, and that plan laid out strategies and various policies for the Town to meet its goals
- There was no attempt to bring any of that into the Comprehensive Plan; each year staff prepares a list of strategies from the Vision Plan in order to incorporate into the Comprehensive Plan

Chair Brown provided an overview of how the 'Vision Plan' was compiled and discussed that in 2007, the Planning & Zoning (P&Z) Board was tasked by the Town Commission to prepare the plan, which was presented to the Town Commission, but turned out to be a controversial subject.

Ms. Ray informed the Board that the documents being reviewed at this meeting were several of the elements contained in the Comprehensive Plan. Concerning the updates to the Zoning Code, the Town has selected a consultant from Clearwater to prepare revisions to the code, and they were currently in contract negotiations, with the Town Attorney reviewing the contract. Staff was anticipating having a signed and approved contract within the next week. She noted the first part of the Zoning Code rewrite would be the planned unit development (PUD) code. Ms. Ray pointed out the consultant had no problem with the timeline in order to have a revised code ready for adoption in the fall.

Mr. Schneier noted that the Town had been working with the University of Florida (UF), but questioned why now they were contracting with a consultant. Ms. Ray explained that UF did a lot of behind the scenes work, such as GIS layering, which provided the Town a more robust mapping program. They completed a lot of work getting the policy from the Town Commission. She mentioned they were working on the direction the Town wished to go in order to bring into conformance all the non-conforming properties. She anticipated that once that policy was decided, they would bring in a consultant, who was experienced in rewriting an entire zoning code.

Ms. Ray continued with reviewing the Comprehensive Plan amendments:

- This was an introduction to the document and not a finished product
- Staff was requesting the Board's comments regarding some of the major issues
- Would like to request that if a board member had any comments on these elements, to provide to Ms. Ray; any edits will be compiled and provided to the other members prior to the workshop
- staff will schedule a round-table workshop where the Board can review the revisions line-by-line and provide edits
- suggested reviewing the Vision Plan and comparing it to the elements and determine if some of the strategies have been incorporated

Mr. Schneier believed they were only going to be taking parts of the Comprehensive Plan and 'cleaning' it up, and taking the language and summarizing; what was being described sounded more substantive. He noted that the new language had a lot less detail than what was in the old language. Ms. Ray responded the language was already

captured in other codes of the Town, so the question was whether there was a need to include that level of detail in the Comprehensive Plan.

Chair Brown commented that some of these were policies that the Town might not have control over. He asked if the Board should be stating to the Town Commission they could change something that could not be changed. Ms. Ray responded they could ask if it was something that should be in the Comprehensive Plan. Maggie Mooney-Portale, Town Attorney, explained there were provisions, under the state statute, of what elements had to be in the Comprehensive Plan. There is some language that was governed by the statutes that could not be changed and had to be included. Ms. Ray noted that the Board will be reviewing a majority of the plan and have an opportunity for input.

Discussion continued on:

- Whether the Comprehensive Plan addressed protection of the passes; was it something that could be written into the plan (that the Town will work with state and local authorities to protect and maintain the passes, which was important to the health of Longboat Key)
- That the Housing Element discussed identifying vacant land, but the reality was Longboat Key was “ripe” for redevelopment as there was very little in new development
- The redevelopment of aging housing

Chair Brown requested Board members forward their comments to Ms. Ray, but do not copy other Board members. Ms. Ray noted staff would compile the comments and present them to the Board. She asked if a workshop setting was appropriate for the Board pointing out that staff would provide reference materials/documents prior to the workshop.

There was consensus to proceed with a workshop discussion of the Comprehensive Plan amendments during the April 19, 2016, regular meeting.

Mr. Schneier commented it would be helpful to have a new document with specific annotations as to what was required and what was non-negotiable. The document could also include further annotation that the items were somewhere else in the code, or should be somewhere else, along with the location of items from the Vision Plan and the Urban Land Institute (ULI) recommendations.

AGENDA ITEM 5

ORDINANCE 2016-10, COMPREHENSIVE PLAN AMENDMENT-MOBILITY ELEMENT

Pursuant to published notice, the public hearing was opened.

Alaina Ray, Planning, Zoning & Building Director, provided an overview of the ordinance noting:

- In 2015 began work to review a 'results neutral crosswalk' of the various elements of the Comprehensive Plan in order to create a more user-friendly Comprehensive Plan that was easier to read, understand, and apply
- The Town has been working over the last year with Sarasota County on an interlocal agreement related to transportation
- Sarasota County has discussed setting up the Sarasota portion of Longboat Key as a 'Mobility District'; fees collected have been set aside in an account for improvements to the area at Gulfstream and US 41
- Staff talked with Sarasota County to determine what else could be done with those funds; one of the ideas that the Town Commission had put forward for exploration was a study for a turn lane in front of Country Club Shores
- Sarasota County agreed the funds could be used for a study, and the Florida Department of Transportation (FDOT) agreed to conduct that study
- Staff informed Sarasota County that Longboat Key would like to see the funds sent to the County used on the island
- In the future, any funds collected from a project on Longboat Key for transportation impact fees would be used on Longboat Key
- There was a need to revise the Transportation Element to coordinate with the new interlocal agreement with Sarasota County
- The new element brings in a level of integration with the interlocal agreement and complete streets
- The Comprehensive Plan will drive how those funds were utilized

Mr. Madva questioned where roundabouts fell within the plan. Ms. Ray explained the roundabouts were an item the plan could promote, but they would not want to state in the plan there will be roundabouts. She noted the plan could allude to the importance of considering them for alleviating traffic issues.

Chair Brown asked if when discussing Gulf of Mexico Drive it was true that in addition to the interlocal agreement with Sarasota County, the Town had to include FDOT. Ms. Ray replied yes, and also the Southwest Florida Water Management District (SWFWMD).

Ms. Bishop questioned, with the new interlocal agreement, whether there was a level of comprehension, or agreement, specifically with Sarasota County, on the timing of the lights; that they do not work in the best interest of the traffic going on or off the key. Ms. Ray commented staff was not only working with Sarasota County, but also with the City of Sarasota and FDOT. She pointed out the Mobility Plan can include policies and strategies discussing the timing and areas that were impacted, which the City of Sarasota and FDOT have control over. Chair Brown asked if there were similar agreements with Manatee County. Ms. Ray responded not as much; staff makes attempts to gain coordination, but unfortunately, the level of coordination has not been successful as with Sarasota County. The Town did not collect transportation impact fees for the north end of the island.

Ms. Ray requested that the Board take an in-depth look at the level of detail that was in the current Comprehensive Plan compared to what was provided with the new

language. She asked that they determine what items they were not comfortable with, and review the new items being included. There would be discussion on strategy and determining whether the item was adequate to implement the goals and policies.

Mr. Symanski asked if staff was considering whether to allow raising of seawalls. Ms. Ray explained staff was looking at the potential to allow a rise in the height of the walls, as there were currently properties that flooded at high tide due to the walls being built low. She noted it also caused erosion behind the wall, so they were looking at the potential of increasing the height. Staff has also been directed to review the potential impacts and consequences if the Town allowed seawalls in more areas.

Mr. Symanski questioned the point where the Board would review projects, such as the Colony Beach & Tennis Resort, and other items; do they wait until the owners submit an application of what they want to do, or would the Board plan the properties. Ms. Ray noted that part of the Future Land Use Element (FLUE) revision would be to review properties that were 'ripe' for development; staff will be working on that element through the summer in hopes of bringing it to the Board for review in the fall, in conjunction with the rewrite of the Zoning Code. Mr. Garner commented that during one of the meetings, the Board had discussed, and agreed, that there was a PUD category in the code. The Board was not capable of examining every possible utilization of a property, like the Colony Beach. They would be served better by allowing the owner to come in and provide their interpretation, and then the Board could review and approve or not approve. Ms. Ray noted the Board could create things in the FLUE that they would like to see in certain areas.

Chair Brown referred to the Colony Beach property. Ms. Ray explained the FLUE can direct and encourage certain areas to contain certain uses; the Board can put policies in place that could discourage residential in certain areas, or encourage tourism in certain areas, but they could not state they will not have those uses. Attorney Mooney-Portale discussed there was a potential developer of the Colony Beach property and cautioned the Board on speaking as to a particular property, when the developer has not submitted an application at this time. The Town was currently in the policy development phase for the land development regulations (LDRs) and the Comprehensive Plan, and she encouraged the Board to keep it in that realm as opposed to speaking of a particular property. Ms. Ray encouraged if any Board members had questions to please contact her.

Attorney Mooney-Portale requested a deadline be set for receiving comments to ensure staff has time to review and place into a format that could be provided with the next agenda. Ms. Ray requested comments be provided to staff by April 8th.

STAFF UPDATE

Ms. Ray informed the Board that there had been a significant Supreme Court decision that caused turmoil regarding sign codes, and that they could not regulate content in signs. She noted that Longboat Key's Sign Code has a fairly significant content related

section. Staff was working with a gentleman, who was a leading expert on sign code law in the nation, to rewrite the Town's Sign Code. She noted the revised code will look different.

Mr. Garner left the meeting at 10:21 am.

Mr. Madva requested an update on the proposed improvements to Bayfront Park. Ms. Ray responded that she had not been involved in the project management for that facility, but noted that the schedule anticipated renovations to begin in June of this year.

ADJOURNMENT

The meeting was adjourned at 10:22 AM

Ken Schneier, Secretary
Planning and Zoning Board