

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

JULY 19, 2011

The special meeting of the Planning and Zoning Board was called to order at 9:36 AM.

Members Present: Chair BJ Webb, Secretary John Wild, Members Walter Hackett, Leonard Garner, George Symanski

Members
participating
by phone:

Vice Chairman Allen Hixon, Members Jack Daly, Laurin Goldner,

Also Present: Nancy Stroud, Special Counsel; David Persson, Town Attorney; Kelly Martinson, Assistant Town Attorney; Monica Simpson, Planning, Zoning & Building Director; Steve Schield, Planner; Ric Hartman, Planner; Donna Chipman, Office Manager

AGENDA ITEM #1
COMPREHENSIVE PLAN AMENDMENTS

Nancy Stroud, Special Counsel, commented there were two topics to consider, and one was the low impact development comprehensive plan policy, and the second topic dealt with changes to transportation policies. She continued with discussing the "Low Impact Development" policy (Policy 1.2.5) which states, *"The Town will encourage the use of low impact development, stormwater management, and site planning, such as minimizing impervious surfaces on site, using bio detention and bio retention, stormwater reuse, and green roofs, consistent with effective stormwater treatment."* She explained the idea was to set out a general policy, and then follow it up with changes to the land development regulations (LDRs) that would allow these techniques to be used.

Mr. Hackett requested an explanation of 'green roofs.' Attorney Stroud noted that 'green roofs' were roofs that had landscaping and vegetation on them. The landscaping helps to reduce the heat that goes to the building, and helps with climate issues. Mr. Hackett asked if other materials would qualify. Attorney Stroud commented it only meant vegetative roofs. Mr. Wild asked if the roofs were done in layers so there was drainage and asked how often they were maintained. Attorney Stroud responded there was a variety of material that could be used. Chair Webb commented that each time the Town moved forward in encouraging new technology and improvements, she wished to ensure that the language was general enough so the Town was not "behind the times" and limited in what was included in the plan.

Mr. Garner discussed that when talking about green roofs, he was not aware of any system that had been developed where the water retention was controlled to the extent that people were comfortable; it was something that had merit, but was a long way from being proved as far as the construction and the concerns structurally from the additional weight of the water. Attorney Stroud believed that was a valid concern and noted it was an evolving technology, which was the reason for the last part of the policy. Discussion ensued on the policy language, with Mr. Garner suggesting the policy include language stating, "Pursue all avenues of stormwater management for review." Mr. Wild understood Mr. Garner's comments and suggested removing the reference to bio-retention and bio-detention, and the green roofs, so the policy read, "*The Town will encourage the use of low impact development, stormwater management, and site planning, minimizing impervious surfaces on site, using stormwater reuse, and other technology advances, consistent with effective stormwater treatment.*"

Attorney Stroud noted that the consensus was to change the policy to state, "*The Town will encourage the use of all avenues of low impact development, stormwater management, and site planning, such as minimizing impervious surfaces on site, stormwater reuse, and other technology advancements consistent with effective stormwater treatment.*"

Mr. Garner objected to the last word of the sentence and recommended it be changed to "stormwater management." **There was consensus to move forward with Attorney Stroud's revised policy with the amendment to the word 'treatment,' as suggested by Mr. Garner.**

Attorney Stroud noted there were three additional meetings scheduled in August and two in September. It was anticipated to bring back discussion on telecommunications at the August meeting, including a technical person to address the board. She noted it was also anticipated, depending on the direction provided at this meeting, to bring back language on transportation policies during the August meeting, along with possible discussion of the issue of tourism occupancy. She noted that staff was hoping to bring back an entire package that included all amendments and an ordinance at the September 13, 2011, meeting.

Bill Oliver, Tindale-Oliver, commented the current comprehensive plan and the growth management concurrency system that it set up for transportation was not "workable." He noted the point of this discussion was to reconfirm the statements and what were the viable options. He continued with reviewing a PowerPoint presentation (see attached).

Mr. Garner asked how it was determined there were road congestion concerns, and what were the solutions that would be considered, but not available. Mr. Oliver explained the current comprehensive plan established a roadway level of service (LOS) standard (Level E), which was approaching near 100 percent full. His statement was based on those criteria, which might not be the right criteria. He commented that the criteria were tied to the 100th highest hour of traffic. He discussed the standards for the conditions that existed. He believed the consensus was that the Town wished to allow the development to occur, and keep the economy vibrant, and as a result, there was a need to alter the standard so the comprehensive plan can reflect the values.

Mr. Oliver reiterated the three statements that he was requesting input on from the board: 1) Viable work congestion solutions were not available in at least the near or mid-term future; 2) A local circulator or shuttle transit system might be worth investigating as a mobility alternative to provide more options for moving around on the island itself; and 3) Bicycle and pedestrian facility enhancements were reasonable.

Mr. Hackett referred to Item 2 and asked if it was referring to an existing “trolley” service on the island, or was it for a service for Longboat Key only. Mr. Oliver responded there was experience with an on island circulator, the trolley concept that may be continued service, or something that extended on to St. Armand’s Circle. Monica Simpson, Planning, Zoning & Building Director, explained any public transportation services provided to Longboat Key was in cooperation and partnership with both Manatee and Sarasota counties, which happened to run through their bus line. She noted it was paid for and funded by the counties, with a donation this year from the Town. She pointed out that the purpose of the item was to ask whether the board believed it was worth staff to further investigate any options or alternatives dealing with public transportation in any form.

Mr. Wild commented the Town was limited by the bridges, and asked if there were other communities in Florida that had the same situation and accepted it, and not focus on the LOS. Mr. Oliver replied yes; there were other communities that acknowledged the situation. Chair Webb pointed out that another critical component was in terms of the residents of Longboat Key and that traffic issues would diminish if there was local retail on the island that served their immediate needs. A local circulator shuttle, that was reasonable for people to use, might improve some of the transportation issues, along with improved bicycle and pedestrian access.

Mr. Hixon commented that while public transportation was popular in metro areas, and while it may be desirable for a method of traffic to have some type of shuttle system, there needed to be areas for the bus to pull out of traffic, so they were not blocking traffic. Chair Webb asked if Mr. Hixon was stating that if there were “pull-offs” for the buses to get out of the traffic that would solve his concern. Mr. Hixon responded that was part of his concern, but there was a need for some minor adjustments.

Mr. Symanski commented the Town was at a LOS of ‘E,’ and Mr. Oliver was suggesting it be dropped. Mr. Oliver replied yes. Mr. Symanski discussed the impact of that position if the Town wished to turn down a development. Mr. Oliver explained that the adoption of a mobility fee or impact fee, or opting into Sarasota County’s transportation impact fee, could address some of the concerns with the financial contribution to the transportation infrastructure. He noted there were not that many opportunities to make improvements if the Town wished to do some type of development specific assessment. Mr. Symanski voiced his concern with dropping the LOS to fail so everyone met the standard. Mr. Oliver pointed out there was a slide in his presentation which asked if there was a degree of congestion that the Town did not feel comfortable with regardless of the circumstance.

Mr. Oliver discussed the fourth bullet of his presentation, which stated, “*The Town should or should not press for, or financially support, improvements to out of town congestion locations.*” He commented that if it was the residents of the community that was affected by those locations, would the Town consider either politically supporting or financially supporting, and how proactive would the Town be towards helping with solutions at those locations.

Discussion continued on the development of more commerce on the island, along with the availability of an enhanced trolley system or connecting buses that would remove cars from the road and provide customers to the local shops; the use of the trolley system by residents of Longboat Key versus tourists; and a suggestion that the timing of the buses be changed to every 20 minutes rather than every hour. Ms. Goldner noted that she could foresee employees using the bus services, but did not see residents using the system to go to the shops. Mr. Wild commented he was considering the aging population. Mr. Daly suggested that there was a significant number of elderly on the island who might look favorably on a shuttle service back and forth to the local shops.

Mr. Hackett asked if there was a gauge from the traffic counts as to what traffic passes through Longboat Key. Mr. Oliver responded the transportation modeling could provide that estimate. The University of Florida did a study for St. Armands and Cortez Road, but it was only an estimate. Mr. Garner asked if there was a traffic report provided in presentations from several years ago. Mr. Oliver pointed out there might have been traffic studies provided for the Longboat Key Club project, but that study would not have measured the main portion of the traffic. Chair Webb asked if the Board could be provided data during the August meeting. Ms. Simpson noted that staff had researched everything that had been completed in the recent past and could not find anything. She explained that the CUTR study that was done by the University of South Florida did not include that data.

Mr. Oliver continued reviewing his PowerPoint presentation addressing traditional concurrency. He discussed that with recent changes in the state law, the state no longer mandated concurrency, but some communities were taking the position that if they had already had the zoning then they were done; if there was an impact fee, they still had to pay the impact fee. For the discretionary approvals, which did cause greater intensity of traffic generation, the state was still considering implementing some type of transportation review process to ensure the facilities did not get overloaded to some extreme that the community was not willing to accept. He questioned whether the Town: 1) felt there should be a limit; and 2) did they wish to still apply it to rezoning and land use plan amendments. Chair Webb referred to item 2 and commented for land that had already been zoned, she could not see turning down someone's ability to move forward with developing land that had already been zoned and approved. Concerning the first question, she referred back to previous discussion and noted there should be some discretionary way to determine that traffic intensity, and also the flexibility to acknowledge the change in intensity of traffic in non-peak season.

Mr. Wild believed one of the limitations was the height limitation on the island so they were protected by not allowing large, tall buildings that would add a lot of people. He agreed with Chair Webb and commented that they needed to find something that would give them the tools to mandate that if there was a large redevelopment they could be given approval, but they would need to maintain some ability to transfer the people to and from the local shopping areas to reduce the congestion. Mr. Symanski agreed with item 1; however, with item 2, he was concerned with the word 'zoning,' because the Planned Developments (PDs) would state they had the zoning, but they still required development approval. He believed the word needed to be clarified.

Attorney Stroud commented that part of the discussion should realize that even without a concurrency system, the Town had the ability to take care of traffic impacts directly related to the site; concurrency was about impacts that were related off site.

She did not believe the board wished to take away the ability to have traffic impact studies of site development, but that was separate from concurrency. She mentioned that under concurrency they could not say no, but the statute had changed so that if they retained the concurrency system, it would only allow the ability to take a proportionate fair share fee from the developer. Discussion ensued on concurrency and allowing a developer the option to pay a fee; they could pay the money, but the developer had to be allowed to move forward; and, the money needed to be spent on improvements needed as a result of the development. Mr. Symanski asked if the Town had to identify the improvement that needed to be made for concurrency. Attorney Stroud responded that under the state statute, if they had a concurrency system, then they were suppose to identify the improvements in the Capital Improvements Element (CIE) of the comprehensive plan.

Mr. Garner left the meeting at 10:57 am.

Mr. Wild asked if the Town eliminated the concurrency system, was there another way to address the traffic issues. Attorney Stroud replied they could utilize the traffic impact analysis that was required at site development, and for major developments, most would go through the Outline Development (ODP) process.

Mr. Daly asked if it was the consensus to eliminate the concurrency requirement. Chair Webb responded she believed that was the consensus.

Mr. Oliver continued with reviewing the question, *“Should preferential treatment be given to desired land uses (i.e. retail and/or service land uses) over residential or rental types of land uses, or perhaps a development in specific geographic areas.”* He noted that some communities had identified promotion of certain types of land uses in their comprehensive plan. Mr. Daly asked for examples of a few benefits being discussed. Mr. Oliver explained they could undertake a different kind of traffic review where they did not examine as extensive a geographic area, basically offering them less exposure to traffic mitigation requirements. He mentioned that in Pasco County, the county had stepped in and stated they would pay their impact fees for land uses in full or part, to make their county more attractive for those land uses.

Mr. Oliver continued with his PowerPoint with slides that required the board's direction for staff:

Bullet 1: To propose modifications to the Comprehensive Plan that provides a less restrictive form of concurrency than is currently prescribed.

There was consensus to move forward with modifications to concurrency.

Bullet 2: Prepare propose modifications to the land development code to implement a traffic review for:

- a) Development proposal that is limited to site access from Gulf of Mexico Drive to the site.

Mr. Symanski asked if the review would not take into account the impact to Gulf of Mexico Drive. Mr. Oliver replied it would include the need for turn lanes on Gulf of Mexico Drive; it would be for property that had zoning in place.

- b) The land use plan amendments and/or rezonings that does consider a geographically more extensive analysis of the traffic impacts on Gulf of Mexico Drive.

Mr. Oliver noted this was more like the traditional traffic concurrency study that went out further in either direction to evaluate operations.

Chair Webb commented she was comfortable with Bullet 2, but for Bullet 1, she voiced concern it was limiting the Town to not reviewing the bigger impacts to Gulf of Mexico Drive. Mr. Wild asked what could be done to Gulf of Mexico Drive if they were to create more extensive deceleration/acceleration lanes. He asked what restrictions the state would place on the Town in their ability to mandate to a developer an extended deceleration/acceleration lane. Mr. Oliver explained the design of those facilities was critical, and he believed there were opportunities to provide for “pull-out bays and turn lanes” on Gulf of Mexico Drive. The one thing he would be concerned about was enhancing vehicle speed with acceleration lanes. He believed the objective was moderated flow of speed of traffic, but smooth and efficient flow of traffic.

Mr. Hackett asked if there was a set formula for the length of deceleration/acceleration lanes required by the state. Mr. Oliver noted there was a minimum, but no maximum; the design provision was based on the volume of traffic that was turning. Ms. Simpson commented if the board recalled the discussion with the Florida Department of Transportation (FDOT), they identified that a number of the deceleration lanes on Longboat Key were not official due to the length and/or striping, which allowed them to remove signs. She noted that if the lanes were increased, the FDOT would install additional signs.

There was consensus to move forward with Bullet 2(b).

- c) To coordinate with partner transportation agencies, like the city of Sarasota, Bradenton Beach, Florida Department of Transportation, SCAT, MCAT, MPO and so forth to coordinate all these services and strategies.
- d) Direct staff to quantify the travel demands of expected new development on the road system, and estimate the financial resources that would be required to accomplish a mobility plan, and is kind of required by state statute.

Mr. Oliver believed the intent was to update the comprehensive plan to make a clear statement of what the Town intended for Gulf of Mexico Drive to operate as, and how they intended to serve not just the road, but the possibility of a transit circulating system, bicycle and pedestrian facility.

- e) Report to the Planning Board a revised development review procedure in September 2011.

Ms. Simpson pointed out that one of the things the board had to remember that as the local planning agency, they were a recommendation to the Town Commission who may choose to go in another direction. Chair Webb reiterated that staff would be providing a proposed revised draft development procedure in September.

ADJOURNMENT

The meeting was adjourned at 11:21 am.

John Wild, Secretary
Planning and Zoning Board