



This meeting will be live-streamed via the Town's website.

Town of Longboat Key Town Commission

Town Hall, 501 Bay Isles Road

Longboat Key, FL 34228

www.longboatkey.org

Ken Schneier, Mayor; Mike Haycock, Vice Mayor;
Sherry Dominick, District 1; Penny Gold, District 2;
Debra Williams, District 4; Maureen Merrigan, District 5;
and B.J. Bishop, At-Large

AGENDA REGULAR MEETING November 1, 2021 – 1:00 PM

1. Call to Order and Pledge of Allegiance

2. Pledge of Public Conduct

- We may disagree, but we will be respectful of one another.
- We will direct all comments to issues.
- We will avoid personal attacks.
- Audience members wishing to speak must be recognized by the Chair.
- Speaking without being recognized will be considered as "Out of Order."

3. Public to be Heard

Opportunity for Public to Address Town Commission

At each meeting, the Town Commission sets aside time for the public to address issues not on the agenda.

4. Reports

A. Committee Reports

B. COVID-19 Update

The Town Manager will brief Commissioners on the Town's response to the COVID-19 pandemic.

Recommended Action: None, informational only.

5. Consent Agenda

The purpose of the Consent Agenda is to expedite formal action on agenda items that are routine in nature. Any item on the Consent Agenda can be removed from the Consent Agenda and placed on the Regular Meeting Agenda by any member of the Commission without a motion, a second, or a vote. Otherwise, all items on the Consent Agenda are voted upon in their totality by one action (motion, second and vote) and are not subject to discussion. A vote in the affirmative on the Consent Agenda provides the formal action noted for each item.

A. Approval of Minutes

September 27, 2021 Regular Workshop Meeting; September 27, 2021 Special Meeting; October 4, 2021 Regular Meeting; and October 4, 2021 Special Workshop Meeting (Meet & Greet) Minutes.

Recommended Action: Approve Minutes.

B. Public Forum Permit (PFP) Application Requests for Waiver of Permit Fees

The St. Mary's Star of the Sea Catholic Church is requesting a PFP Application fee waiver of \$100 for their Annual Christmas Bazaar on Saturday November 13, 2021. The Kiwanis Club is requesting a PFP Application fee waiver of \$100 for their Gourmet Lawn Party on December 4, 2021.

Recommended Action: Waive the \$100 PFP application fees.

6. Ordinance – First Reading

A. Ordinance 2021-17, Establishing the 2022 Election Dates

The Town Commission will consider Ordinance 2021-17, which provides for the dates of January 26, 2022 for a Preliminary Election (if required), and March 8, 2022 for the General Municipal Election. It also provides for early voting in accordance with State law, for ballot presentation, and advertising.

Recommended Action: Forward Ordinance 2021-17 to the December 6, 2021 Regular Meeting for second reading and public hearing.

B. Ordinance 2021-13, Amending Chapter 130, Sound Regulations

Following adoption of Emergency Ordinance 2021-10 on July 2, 2021, the Town Attorney and Town Manager were directed to review Chapter 130 and develop a new Sound Ordinance to replace the existing Code to provide for objective standards, and criteria for enforcement.

Recommended Action: Forward Ordinance 2021-13, to the December 6, 2021 Regular Meeting for second reading and public hearing.

7. Ordinance – First Reading & Public Hearing

A. Ordinance 2021-16, Amending Chapter 158, Zoning Code, Section 158.114, Personal Wireless Service Facility Development Standards

The Town has received interest from a telecommunications provider to install its own equipment in various right-of-way locations in the Town to enhance cell service. Proposed amendments address spacing between infrastructure poles, and updates ancillary equipment dimensional standards.

Recommended Action: Forward Ordinance 2021-16 to the November 15, 2021 Special Meeting for second reading and public hearing.

B. Ordinance 2021-15, Amending Chapter 160, and the Town's Comprehensive Plan for Addition of a Property Rights Element

House Bill 59, adopted in 2021 and incorporated into Florida Statutes, requires all local governments to include a Property Rights Element in their Comprehensive Plan to ensure

constitutionally protected private property rights are considered in the Town's decision-making processes.

Recommended Action: Transmit Ordinance 2021-15 to the Department of Economic Opportunity (DEO) for review and comment. Schedule second reading and public hearing following DEO review.

- C. Ordinance 2021-08, Application for Amendment to Chapter 160, Comprehensive Plan, for 551 Broadway Street, 7009 and 7017 Longboat Drive North

Request of property owners, Cypress Cash, LLC., for a Comprehensive Plan amendment to change the Future Land Use designation of the subject property with addresses of 551 Broadway Street, 7009, and 7017 Longboat Drive North, on the Future Land Use Map from RH-6 to RH-6/CORD.

Recommended Action: Forward Ordinance 2021-08 to the December 6, 2021 Regular Meeting for second reading and public hearing.

8. Ordinance – Quasi-judicial First Reading & Public Hearing

Ordinance 2021-09, Application for Rezoning, 551 Broadway, 7009 and 7017 Longboat Drive North

Request of property owners, Cypress Cash, LLC., for approval of rezoning the property from R-6SF (High Density Mixed Residential District, 6 units per acre) to the R-6SF/CORD (High Density Mixed Residential District, 6 units per acre/Conformance Overlay Redevelopment District) which will take the properties at 551 Broadway Street, and 7009, and 7017 Longboat Drive North, from a non-conforming status to conforming for density. As a quasi-judicial item, the Town Commission will base their decision on competent and substantial evidence presented at this meeting.

Recommended Action: Forward Ordinance 2021-09 to the December 6, 2021 Regular Meeting for second reading and public hearing.

9. Ordinance – Second Reading and Public Hearing

Ordinance 2021-14, Amending Chapter 154, Flood Control

The Town participates in the National Flood Insurance Program (NFIP) and the Community Rating System (CRS) and is currently rated a Class 6 community, providing 20% discounts island-wide on applicable insurance policies. Based on changes in NFIP CRS effective January 12, 2021, the Town is required to amend the Town Code to eliminate the building elevation height exemption for manufactured homes, or the Town would be downgraded to a Class 9 CRS community with only a 5% discount island-wide on applicable insurance policies.

Recommended Action: Adopt Ordinance 2021-14.

10. Resolution & Public Hearing

Resolution 2021-25, Amending the FY21 General Fund Budget in the Amount of \$30,000 to Cover COVID-19 Expenses and Amending the Facilities Fire Stations Capital Fund in the amount of \$1,570 to Establish Account for the Longboat Key Garden Club Donation

Resolution 2021-25 provides for a FY21 Budget transfer as part of the required year-end adjustments to cover various unbudgeted expenses resulting for the on-going pandemic, and for a grant received for the Fire Stations beautification projects.

Recommended Action: Pass Resolution 2021-25.

11. Discussion Items

Appointment to the Zoning Board of Adjustment

The Town Commission will consider an appointment to the Zoning Board of Adjustment (ZBA) which currently has one vacancy for a partial term until May 10, 2023.

Recommended Action: Make appointment to the Zoning Board of Adjustment.

12. Town Commission Comments

13. Town Attorney Comments

14. Town Manager Comments

15. Adjournment

No verbatim record by a certified court reporter is made of these proceedings. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at these proceedings upon which any appeal is to be based (see Section 286.0105, Fla. Stat.).

In accordance with the Americans with Disabilities Act and Section 286.26, F.S., persons needing a special accommodation to participate in this proceeding should contact the Town Clerk's office at 941-316-1999 seventy-two (72) hours in advance of this proceeding. If you are hearing impaired, please call 941-316-8719.