**SPECIAL CALL MEETING**
**PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY**
Monday, December 7, 2009
Community Center-509 Ocean Avenue
7:00 pm

**MINUTES**

## I CALL TO ORDER

Present were:

Chairman David Campbell
Member Susan Dieterle
Member James Flanagan
Alternate Member Tom Davis
Alternate Member Kurt Belsten

Town Attorney Paul Gougelman
Town Manager Jim Bursick
Town Planner Dennis Ragsdale
Deputy Town Clerk Rhonda Danielle

A roll call was taken of members. Member Schwartz and Member Doyle were absent.

## II. APPROVAL OF MINUTES- November 5, 2009 Regular Meeting
**November 12, 2009 Special Call Meeting**

Moved by Member Dieterle; seconded by Member Flanagan to approve the minutes of November 5, 2009 with corrections. Question called; motion carried 5-0.

Moved by Member Dieterle; seconded by Member Flanagan to approve November 12, 2009 minutes as is. Question called; motion carried, 5-0.

## III. PUBLIC HEARINGS

None

## V. NEW BUSINESS

**1. Video regarding Sunshine Law/Public Records training.**

Town Clerk Hoffkins showed two movies regarding the Florida Sunshine Law and Public Records Training.

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## VI. OLD BUSINESS

**1. Discussion regarding the following elements:**

**A. Future Land Use Element – (Draft 3)**
**B. Transportation Element – (Draft 2)**
**C. Intergovernmental Coordination Element - (Draft 2)**
**D. Housing Element - Draft 1)**
**E. Infrastructure Element – (Draft 1)**
**F. Zoning Map**

The board began discussion on the Future Land Use Element and Town Planner Ragsdale went over the changes that the board requested at the last meeting.

Chairman Campbell asked that if on page 10 after the underlined word commercial if a heading needed to be there.

Town Planner Ragsdale stated yes, there does need to be a heading there. He also stated that it might be able to be shifted to a different section.

Chairman Campbell stated that on page 11, 7 lines from the bottom, the sentence begins. "An ordinance… He asked what that sentence meant.

Planner Ragsdale told him that it was existing language and that he will look at it again and try to clear it up.

Chairman Campbell noticed that on page 17, policy 8.1, it says "we're going to prohibit development". He asked if that was a requirement from the State.

Planner Ragsdale stated yes and that he would change the dates throughout to reflect 12/31/2012 and that he would address it.

Member Dieterle read the sentence on page 17, under goal, objective 10.0 that reads, "Maintain those areas that will not distract from residential neighborhoods or encourage conversion of residential properties". She asked if that should be just the opposite.

Planner Ragsdale said that it was current language and that their saying not to convert residential properties to commercial. He asked if the board would like him to reword that objective for clarity.

Member Dieterle stated that she would like him to reword it.

Chairman Campbell asked if there were any comments from the audience. There were none.

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Attorney Gougelman suggested that the board should take some uses that we wouldn't want to see but which are probably permitted under the permitted use categories and our zoning code and use the comprehensive plan elements to see if they would promote those uses, development of those uses or whether they would hinder the development of those uses. What would the comprehensive plan do to either encourage or hinder that to happen.

Planner Ragsdale thought that was a great idea.

The next item to be discussed by the board was the transportation element.

Planner Ragsdale went over the changes that were made from the last meeting to show corrections.

Chairman Campbell pointed out that on page 3, the last sentence, it reads that the nearest east/west access to the mainland is the Melbourne Causeway, SR 500, but throughout the rest of the document it talks about US 192.

Planner Ragsdale stated that SR 500 is also US 192.

Chairman Campbell read policy 4.2 on page 19 and asked if that implied commercial or residential.

Planner Ragsdale stated that it was really for commercial. He said that he could add non-residential and multiple family residential.

Chairman Campbell asked if there were any comments from the audience. There were none.

The next item to be discussed by the board was the Intergovernmental Coordination Element.

Planner Ragsdale went over the changes he made from the last meeting.

Chairman Campbell asked what the 5th sentence from the bottom of page 3 meant.

Planner Ragsdale said that he would correct that and make it more clear.

Chairman Campbell noted that on page 7 that the word DEP is in there twice.

Planner Ragsdale replied that he would eliminate one and consolidate.

Chairman Campbell stated that on page 10 it mentions Waste Management. He asked if there was a way to generically state that instead of using the name of the company we are currently working with.

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Planner Ragsdale stated that he would try to use the term private haulers but he wasn't sure if the DCA would request that he be more specific.

Chairman Campbell pointed out that on page 11 in the 2nd paragraph there is some missing words.

Planner Ragsdale said that it should read, "While an interlocal agreement…..

The next issue to be discussed by the board was the Housing Development.

Planner Ragsdale gave an overview of what the Housing Element will encompass.

Planner Ragsdale said that on page 9, policy 4.3 and 4.4 that those are the two things that require them to interact and come up with some policies that are county wide that supply the housing needs that would be applicable to the town. He thought that these would suffice but he didn't know until he sends them to the DCA and they send it back.

Member Dieterle asked what the definition of special population was.

Planner Ragsdale explained that he couldn't quote the definition. He said that you have to meet different criteria of low income.

Chairman Campbell stated that on page 3 Ragsdale uses the word infill. He asked for clarification on what that means.

Planner Ragsdale told him that infill means typically any development you do in this town will be infill. You want to use the word infill because it means it's not sprawl.

Chairman Campbell stated that on page 4 under percents of units lacking that he didn't think that they were percentages.

Planner Ragsdale said that he would change them to percentages.

Planner Ragsdale found that on page 9, policy 6.1 after the words Land Development Code, the word it has to be removed.

Chairman Campbell asked about page 8, policy 3.1 and what it means.

Planner Ragsdale replied that it means that you can't break state law. It's whatever the law is at the time as to what you comply with.

The next item discussed by the board was the infrastructure element.

Chairman Campbell pointed out that the packets were missing the even pages and the board didn't have a chance to review it.

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Planner Ragsdale stated they would do it next time.

The next item discussed by the board was the zoning maps.

Alternate member Belsten suggested that perhaps Planner Ragsdale change up the colors a little bit.

Planner Ragsdale stated that they could print it in color or black and white.

Alternate member Belsten also suggested that they could label the major streets.

Attorney Gougelman suggested that maybe Planner Ragsdale could do a series of maps including where special exceptions and variances have been issued.

Planner Ragsdale said that he could do it but the town would have to give him the information.

Member Dieterle asked if he could put in subdivision names.

Planner Ragsdale stated that he could do that and asked the board to make a list of things they want added.

**2. Discussion regarding an amendment to the Land Development Code to address non-conforming commercial building lot**s.

Chairman Campbell pointed out that the ordinance description is wrong.

Attorney Gougelman said that he would correct it.

Chairman Campbell discussed page 5, item b, in reference to platted lots or a combination of platted lots with continuous coverage.

Member Dieterle asked what the definition of single ownership was.

Attorney Gougelman replied that it means that the names on the deed are identical.

The board continued to hold discussion on paragraph B on page 5.

Chairman Campbell told Attorney Gougelman not to change paragraphs A and B And leave C like it is but to fix the title.

Chairman Campbell asked a question on page 2, paragraph 2. He said that it doesn’t talk about zoning at all. This proposed ordinance doesn’t have anything to do with it.

Attorney Gougelman responded that it’s a zoning ordinance.

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Attorney Gougelman asked if it could be advertised for a public hearing.

Chairman Campbell replied yes.

**3. Discussion regarding an amendment to the Land Development Code incorporating reviews of site plans for single – family residential structures by the Planning and Zoning Board.**

Member Dieterle asked if the zoning official or Building official would look at it first.

Chairman Campbell answered yes.

Chairman Campbell asked why on page 3, paragraph 3, the word certain was in there.

Attorney Gougelman said that he would take it out.

Chairman Campbell asked where the zoning official is defined.

Attorney Gougelman replied that it's in the definitions on page 151.

Chairman Campbell asked the board Attorney Gougelman to reword the ordinance and advertise it.

Member Dieterle answered yes with the revisions.

## VII. ITEMS TO BE ADDED TO THE AGENDA FOR FUTURE MEETINGS

**1. Discussion of a parking meter system for Ocean Park.**

Chairman Campbell asked that it be placed on the agenda for next month.

Chairman Campbell then asked Planner Ragsdale what items he would be bringing next month.

Planner Ragsdale answered:

A. Either conservation or coastal development
B. Infrastructure
C. Capital Improvements
D. Definitions

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## VIII. ADJOURNMENT

Motion made to adjourn by Alternate Member Davis. Motion seconded by Member Dieterle. Question called; motion carried 5-0.

Meeting adjourned at 9:13 pm.

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| Rhonda Danielle<br>Deputy Town Clerk | David Campbell<br>Chairman |

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