

**PLANNING COMMISSION
MEETING
AUGUST 27, 2018**

MEMBERS PRESENT: Charles Thomas, Chairman
Bradford Gamblin, Harvey Goldberg,
Donna Peterman, Roger Peterson

MEMBERS ABSENT: Joseph Comeaux, Massey Loughman

OTHERS PRESENT: Lisa Hannon, Zoning Official
Bob Fritz, Geri Waksler, Kurt Pentelecuc, Brian Evjen

CALL TO ORDER/ANNOUNCEMENTS

- A. Roll Call
- B. Next Scheduled Meeting
- 1. September 24, 2018

CITIZENS COMMENTS ON AGENDA ITEMS ONLY

- Mr. Bob Fritz questioned if other watercraft would be prohibited from storage on docks.
- Mr. Thomas responded staff would clarify same during the public hearing.

APPROVAL OF MINUTES

- A. May 29, 2018
- Mr. Goldberg MOVED, Mr. Gamblin SECONDED approval of the May 29, 2018 minutes.
MOTION CARRIED UNANIMOUSLY.
- Recording Secretary Welch swore in all participants.

PUBLIC HEARINGS

- A. ZA-06-18 – An Ordinance of the City of Punta Gorda, Florida, amending Punta Gorda Code Chapter 26, “Land Development Regulations”, Article 3, “Regulating Districts”, Section 3.13 “Special Residential Overlay District”, Subsection (l), “Storage of Vehicles and Watercraft”, to clarify provisions for the storage of small watercraft on racks on a dock; renumbering accordingly; providing for conflict and severability; and providing an effective date.
- Ms. Lisa Hannon, Zoning Official, announced the proposed ordinance had previously been reviewed by the Land Development Regulations (LDR) Review Committee, the Planning Commission and City Council, explaining City Council requested City Code be amended to allow the storage of small watercraft on racks on docks within certain limitations; however, small watercraft could still be stored directly on docks.
- Mr. Fritz confirmed the proposed ordinance would allow a small dinghy to be stored on a small rack on a dock or directly on a dock.

- Ms. Hannon clarified storage racks had previously been prohibited.
 - Mr. Thomas clarified the specific watercraft listed in the ordinance served only as examples and were not exclusive. He then called three times for anyone to speak on ZA-06-18.
 - Mr. Goldberg MOVED, Ms. Peterman SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
 - Mr. Goldberg MOVED, Ms. Peterman SECONDED to find ZA-06-18 consistent with the Comprehensive Plan and to recommend approval of the request based on the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.
- B. ZA-08-18 - An Ordinance of the City Council of the City of Punta Gorda, Florida, providing requirements for the location and permitting of medical marijuana treatment center dispensing facilities located within the municipal boundaries of Punta Gorda consistent with Chapter 381, Florida Statutes by amending Punta Gorda Code Chapter 26, "Land Development Regulations", Article 3, "Regulating Districts"; amending Section 3.8, "NC, Neighborhood Center District", Subsection (a), "Permitted Principle Uses and Structures" by adding a new Subparagraph (18), relating to pharmacies, and a new Subparagraph (19), relating to medical marijuana treatment center dispensing facilities; amending Section 3.9, "CC, City Center District", Subsection (a)(1)(a), "Permitted Principle Uses and Structures", by adding medical marijuana treatment center dispensing facilities; amending Section 3.10, "HC, Highway Commercial District", Subsection (a)(1)(a), "Permitted Principle Uses and Structures" by adding medical marijuana treatment center dispensing facilities; amending Section 3.17, "MO, Medical Overlay District", Subsection (a), "Permitted Principle Uses and Structures", by adding a new Subparagraph (17), relating to pharmacies, and a new Subparagraph (18), relating to medical marijuana treatment center dispensing facilities; providing for conflict and severability; and providing an effective date.
- Ms. Hannon reviewed the history of the proposed ordinance and the repealed moratorium on dispensaries, both delineated in the agenda materials, noting State Statute required medical marijuana dispensaries to be allowed wherever pharmacies were permitted. She explained prior to permitting dispensaries, the LDRs required an amendment to identify the Neighborhood Center, City Center, Highway Commercial and Medical Overlay Districts as allowed zoning districts.
 - Mr. Thomas called three times for anyone to speak on ZA-08-18.
 - Ms. Peterman MOVED, Mr. Gamblin SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.

- Mr. Goldberg noted dispensaries would be allowed throughout a large portion of the City, inquiring as to the process to establish a dispensary.
- Ms. Hannon replied the State licensed same prior to the proprietor obtaining a Local Business Tax Receipt from the City Clerk's Office.
- Mr. Goldberg asked if any applications had been submitted to date.
- Ms. Hannon voiced uncertainty regarding same.
- Ms. Peterman MOVED, Mr. Gamblin SECONDED to find ZA-08-18 consistent with the Comprehensive Plan and to recommend approval of the request based on the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.

QUASI-JUDICIAL PUBLIC HEARINGS

- A. PD-02-18 – An Ordinance of the City of Punta Gorda, Florida, amending the conceptual site plan previously adopted with Ordinance No. 1801-14, adding a new site specific plan for the westerly ½ of Lot 15, 4.52 +/- acres, generally described as 24420 Airport Road, Punta Gorda, Florida, and more particularly described in Exhibit "A" attached hereto, providing for certain modifications to the regulations applicable to the development; providing for conflict and severability; and providing an effective date.
- Ms. Hannon entered the staff report, as delineated in the agenda material, into the record by reference, explaining the proposed Ordinance would allow the following deviations from the LDRs: a maximum of 56 affordable housing units not specifically limited to senior affordable housing, ingress and egress driveways with less than 20 feet of separation, multi-family residential buildings of 25,000 feet, 4 3-story buildings at a maximum height of 50 feet above Base Flood Elevation. She concluded staff and the Development Review Committee recommended approval.
 - Ms. Geri Waksler, applicant's attorney, announced this request would allow affordable housing for the general community, explaining the affordable senior housing development on the adjacent parcel had caused the Punta Gorda Housing Authority (PGHA) to alter their plans for the site. She reviewed the request's conformity to the Comprehensive Plan, as delineated in the agenda material, requesting a recommendation of approval.
 - Mr. Thomas requested clarification of "affordable housing."
 - Ms. Waksler responded four units would be set aside for use by Section 8 voucher holders with the remainder being income restricted.
 - Mr. Thomas clarified the property's location in relation to Emerald Lakes, asking if any residents of the latter had contacted the City.
 - Ms. Hannon replied in the negative, noting she received an inquiry regarding the location of the project.

- Mr. Goldberg commented favorably on this project, confirming PD-02-18 would be presented to City Council on September 5, 2018. He then questioned the project's time frame.
- Mr. Brian Evjen, Norstar Development, replied same was subject to financing, explaining application would be made for low income housing tax credits once the project was approved.
- Mr. Thomas called three times for anyone else to speak on PD-02-18.
- Mr. Goldberg MOVED, Ms. Peterman SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
- Mr. Gamblin MOVED, Mr. Peterson SECONDED to find PD-02-18 consistent with the Comprehensive Plan and to recommend approval of the request based on the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

A. Electric Vehicle Charging Stations

- Ms. Hannon announced electric vehicles in the City had brought about conversation regarding the establishment of charging stations in parking lots, clarifying the City would not install same. She requested direction regarding design guidelines, asserting charging stations would be market-driven instead of City-mandated.
- Mr. Thomas suggested staff investigate other communities' regulations.
- Ms. Hannon replied the communities she researched had required businesses to install or pay a fee in lieu of charging stations.
- Mr. Goldberg noted Boca Raton had established certain specifications which could be taken into consideration.
- Ms. Peterman inquired as to how communities addressed the high demand for charging stations, suggesting same be considered.
- Mr. Goldberg replied multiple stations could be built.
- Ms. Hannon advised a time limit could be implemented.
- Mr. Goldberg stated a Florida Power and Light (FPL) representative indicated charging stations should be market-driven, noting FPL would entertain partnerships with manufacturers.
- Mr. Gamblin voiced approval of taking a proactive approach to this issue.

B. Storm Shutter Regulations

- Ms. Hannon announced Charlotte County recently established regulations regarding the timeframe for storm shutter installation and removal, noting the LDR Review Committee was opposed to pursuing regulations regarding same.
- Mr. Goldberg requested clarification of Charlotte County's regulations.

- Ms. Hannon responded removal of shutters was required within 30 days of the hurricane season's end.
- Mr. Gamblin stated regulations would be difficult to implement due to the seasonal nature of much of Punta Gorda's population.
- Mr. Peterson questioned if Charlotte County regulations addressed installation.
- Ms. Hannon replied shutters could not be installed prior to hurricane season.
- Consensus was not to pursue storm shutter regulations.

UNFINISHED BUSINESS

- A. Interchange Commercial Zoning District
- Ms. Hannon announced City Council directed staff to develop a new zoning designation for properties within The Loop and interstate activity areas, reviewing a preliminary draft of the proposed ordinance, as delineated in the agenda material.
 - Mr. Thomas confirmed the Interchange Commercial (IC) zoning district could apply to the west side of US 41 as well.
 - Discussion ensued with regard to the timing of establishment of an IC district as it related to the Master Plan timeframe.
 - Mr. Thomas asked if the proposed regulations could be applied to the Highway Commercial zoning district.
 - Ms. Hannon responded regulations would not be mandated.
 - Mr. David Hilston, Chief Planner, recalled a similar situation when the LDRs were adopted in 2005.
 - Consensus was to continue the process to adopt an IC zoning classification.

ADJOURNMENT

- Meeting Adjourned: 2:40 p.m.

Charles Thomas, Chairman

Sara Welch, Recording Secretary