

THE CITY OF MADEIRA BEACH, FLORIDA
LOCAL PLANNING AGENCY / PLANNING COMMISSION
Madeira Beach City Hall, Patricia Shontz Commission Chambers
300 Municipal Drive, Madeira Beach, FL 33708
www.madeirabeachfl.gov | 727.391.9951
September 11, 2023 - MINUTES

1. CALL TO ORDER

Chairman Wyckoff called the meeting to order at 6:02 PM

2. ROLL CALL

Members in Attendance:

Chairman Wyckoff	Commissioner LaRue
Commissioner Meager	Commissioner Ghovae
Commissioner Dillon	Commissioner Connolly

Members Absent:

Commissioner Noble

Staff Representatives:

Jenny Rowan, Community Development Director
Marci Forbes, Community Development Engineer
Andrew Morris, Long Range Planner
Lisa Scheuermann, Program Coordinator/Board Secretary

3. PUBLIC COMMENTS

Chairman Wyckoff opened the floor to public comment on any topics not related to the agenda.

No residents came forward.

4. APPROVAL OF MINUTES

Minutes from the July meeting have not yet been completed.

5. NEW BUSINESS

A. Ordinance 2023-19 Definitions to be consistent with Forward Pinellas

The amendment was ready by Nancy Meyer, Esq.

A PowerPoint with items A through G was presented by Jenny Rowan.

Question by Wykoff regarding changes to Development Agreement. JR explained where we are inconsistent with Alternative Temporary Lodging.

Commissioner Ghovae asked why Madeira Beach Intensities and Densities were higher than Forward Pinellas, specifically, was it a previous mistake. Jenny Rowan answered: Yes.

Commissioner Wykoff asked what the downstream affects would be, JR responded that we are reducing by right, but a DA would be needed in the future.

Commissioner Dillon asked if the city is required to comply with Forward Pinellas. JR responded "Yes." She further explained that we can't be greater, but we can be less or equal.

Discussion followed and it was stated that Development Agreements do not allow exceptions to county requirements. Comprehensive Plan is the cap, and it can't be exceeded.

Commissioner Connelly asked if it is possible to go back and, in a few years, and find that we can increase something. JR said you can, or you can ask the country for a land use change.

Commissioner Ghovae asked if we give credit for wetlands. Ms. Rowan responded saying that Madeira Beach does not have wetlands, just Bird Key and that is preservation land and is not allowed to be developed.

Commissioner Dillon made the motion to Approve 2023-19 to be consistent with Forward Pinellas and Recommend approval to the Board of Commissioners.

Commissioner Connolly seconded the motion.

The motion passed unanimously.

B. Ordinance 2023-22 Future Land Use Element to be consistent with Forward Pinellas

Nancy Meyers, Esq. read the definition.

Jenny Rowan presented.

Discussion followed regarding Floor Area Ratio and Density in residential areas vs. commercial and mixed-use areas. Commissioner Ghovae offered density calculations. Commissioner Larue commented regarding differences. Chairman Wykoff said that Madeira Beach is different from other cities; and noted that it's hard to comply with county and may result in unintended consequences. Ms. Rowan said if standards don't work in the future, we could ask the county for a land use change.

Attorney Meyer referenced code for non-conforming use.

Commissioner Dillon asked a question regarding Town Center. Ms. Rowan stated that nothing in Town Center is changing. Dillon replied that he thinks Town Center is too dense.

The discussion went to temporary lodging units per acre and size limits per acre and Ms. Rowan stated the Town Center used a PD and DA, stressing that nothing is changing, and this is just a reformatting to a matrix, only a formatting change.

Andrew Morris explained.

Commissioner Meagher asked what would happen if we didn't pass the ordinance. Ms. Rowan replied that she doesn't know. Andrew Morris noted that the county would reference noncompliance every single time we ask for something.

Nancy noted that there may be a provision for a consequence or league action such as a fine if we aren't compliant.

Our densities are significantly lower than county standards. Places like the Barefoot Beach club are 60 and the county allows 125.

Commissioner Ghouvae asked if we reduce density and intensity would we have to address nonconforming and had a question re: resort facility vs. Temporary Alternative Lodging and hotel vs. resort would reduce units per acre by size and amenities. How big can a hotel unit be and still be considered a resort.

Dillon stated that descriptions are defined in the DA.

Discussion followed covering whether the language should be changed to say equal or lesser than Forward Pinellas.

Nancy clarified that consistent doesn't mean identical.

Chairman Wykoff asked if anyone in the audience would like to participate.

No one came forward.

Commissioner Dillon made the motion to Approve 2023-22 to be consistent with Forward Pinellas and Recommend approval to the Board of Commissioners.

Commissioner Ghouvae seconded the motion.

The motion passed unanimously.

C. Ordinance 2023-26: R-3 Medium Density Multifamily Residential Zoning District to be consistent with the Countywide Plan

Nancy Meyer read the definitions of 2023-26.

Ms. Rowan presented, noting that 2023-26 through 2023-30 are all similar. We are adding language to zoning. Density is not changing.

Commissioner Ghovae asked if we are modifying zoning. Ms. Rowan replied that we are only changing some terminology.

Commissioner Dillon asked what defines a multifamily. Nancy Meyer referred to section 82.2 for the definition. Three or more units is already in code. Basically, it's 18 units per acre. Discussion followed regarding DFE=BFE + four feet.

Commissioner Connolly asked why we are lower than county, stressing that if we were equal to county, tax revenue would be higher.

Ms. Rowan stated that alt tempory would be done via DA.

Discussion followed among the commissioners regarding beautification of parks, UPA, scale, and character of the area and future opportunities for larger UPA in more commercial areas.

A typo was noted to change 30 from gross to net for motions.

Chairman Wykoff asked if anyone in the audience would like to participate.

No one came forward.

Commissioner Dillon made the motion to Approve 2023-26 to be consistent with Forward Pinellas and Recommend approval to the Board of Commissioners with a word change on page 30 to state net land instead of gross.

Commissioner LaRue seconded.

The motion passed unanimously.

D. 2023-27: C-1 Tourist Commercial Zoning District to be consistent with the Countywide Plan

Nancy Meyer read the definition.

Ms. Rowan presented, stating that this is very similar to the other ones.

Discussion of the ordinance followed.

Commissioner LaRue made the motion to Approve 2023-27 to be consistent with Forward Pinellas and Recommend approval to the Board of Commissioners.

Commissioner Connolly seconded.

The motion passed unanimously.

E. Ordinance 2023-28: C-2 John's Pass Marine Commercial Zoning District to be consistent with the Countywide Plan

Nancy Meyer read the definition.

Ms. Rowan said this is imputing the definitions we talked about previously. Some discussion followed.

Chairman Wykoff asked if anyone in the audience would like to participate. No one came forward.

Commissioner LaRue made the motion to Approve 2023-28 to be consistent with Forward Pinellas and Recommend approval to the Board of Commissioners.

Commissioner Dillon seconded.

The motion passed unanimously.

F. Ordinance 2023-29: C-3 Retail Commercial Zoning District to be consistent with the Countywide Plan

Nancy Meyer read the definition. Ms. Rowan stated that this is about inputting new definitions and talked about including by-right and UPA and Alt temp lodging.

Discussion followed clarifying that like the others, it's a language change.

Commissioner LaRue made the motion to Approve 2023-29 to be consistent with Forward Pinellas and Recommend approval to the Board of Commissioners.

Commissioner Magher seconded.

The motion passed unanimously.

G. Ordinance 2023-30: C-4 Marine Commercial Zoning District to be consistent with the Countywide Plan

Nancy Meyer read the definition. Ms. Rowan said it's very similar to the others. Commissioner Dillon asked about the location so the C-4 areas. Ms. Rowan pointed them out on the map.

Chairman Wykoff asked if anyone in the audience would like to participate.

Mayor Rostek came forward, stating that he had been waiting for this one all night. He spoke about a problem property that has been going on for 18drug activity and to protective measure for ttresidenbts from the noise.

He made a case for his personal home and the noise that comes from the working waterfront.

He would like to have protective measures for the residents. The noise is very bothersome to him, at his home from the ice machine. He suggested limiting their **hours** of operation. He stressed that the noise from the Fishbusterz facility is a problem at all times, including when he is walking his dog.

Discussion from the commissioners followed, noting how it might be dealt with, even though it is not in the purview of the Planning Commission.

It was mentioned that the language could be added to the 2023-30 with the caveat that it goes to the BOC for them to decide on, since this is a code issue.

Ms. Rowan stated that the ordinance at hand is only about consistency with the county.

Discussion followed about how the Planning Commission might help the mayor with land development regulations in the future.

Nancy Meyer explained how it might be added to 2023-30 as it is sent to the BOC and mentioned that this is not the right spot to address the issue, but it can be sent to the BOC for them to decide.

Commissioner Connolly brought up live-aboard vessels. Ms. Rowan stated that it is not in this section.

The discussion continued.

Commissioner Ghovae asked for clarification about what the ordinance is actually covering, and made a motion to Approve 2023-30 to be consistent with Forward Pinellas and Recommend approval to the Board of Commissioners.

Commissioner LaRue seconded the motion.

The motion passed unanimously.

OLD BUSINESS:

There was no old business.

STAFF PRESENTATION:

There was no staff presentation.

Attorney Nancy Meyer said that she is not able to locate the answer to the question “what if we don’t want to be consistent with the county” and will speak with Mr. Trask and provide an answer to the Commission at a later date.

6. NEXT MEETING

Next meeting is scheduled for Monday October 2, 2023, at 6:00 PM.

7. ADJOURNMENT

Commissioner Wyckoff adjourned the meeting at 8:40 PM.

Respectfully submitted:

Michael Wyckoff, Chairman

Date

Lisa Scheuermann, Board Secretary

Date