

Planning Commission Meeting Minutes July 11, 2023

Minutes for the Regular Meeting for the Planning Commission of the City of Auburndale, Florida held Tuesday, July 11, 2023, at 4:00 pm in the City Commission Room at City Hall, after having been properly advertised with the following members present – Chairman Perry Price, Commissioners Danny Chandler, Mike Chevalier, and Jody Miller. Also, present was Community Development Director Julie Womble, City Planner Jesse Pearson, and Secretary Marsha Johnson. Absent were Commissioners Matt Maloney, Jere Stambaugh and Brian Toune.

Chairman Perry Price declared a quorum and the Meeting was called to order and opened with the pledge to the American Flag.

Motion was made by Commissioner Jody Miller and seconded by Commissioner Mike Chevalier to approve the minutes as written from the May 30, 2023, meeting. Upon vote all ayes.

Community Development Director Julie Womble announced Jere Stambaugh Form 8B from May 30, 2023, meeting. Also, there were other planning commission agenda items that were publicly advertised. They are not withdrawn; they are just going to be postponed until the next Planning Commission which will be readvertised. The reason is that the developments need Developer's Agreements with the City. The development agreements primarily state that the developer understands they can't tie into certain projects that are either completed or in the process. Each development agreement is different and will go before the City Commission for a one-time vote. The Developer Agreements did not go in time to the City Commission to make it to the Planning Commission date today. They will be continued to another Planning Commission as stated.

Chairman Perry Price closed the Regular Meeting and opened the Public Hearing.

AGENDA ITEM 1: PUBLIC HEARING – RECOMMENDATION AMENDING CHAPTER 5, ZONING, OF THE LAND DEVELOPMENT REGULATIONS

Notice of Public Hearing - 07/30/2023

City Planner Jesse Pearson stated the Planning Commission will take public comment and consider a proposed amendment to the Land Development Regulations before making a recommendation to the City Commission. City Staff is proposing an amendment to the Land Development Regulations (LDRs) clarifying permitted and prohibited storage on residentially zoned properties and define the regulations for storage uses within a Home Occupation. The suggested text amendment includes language intended to preserve the residential character of neighborhoods and prohibit commercial and trade storage in those residential zoning areas. Following Staff's presentation of the amendment and public comment, the proposed text amendment will be considered by the Planning Commission for a recommendation to the City Commission. Staff recommends approval of the proposed Land Development Regulation text amendment. At this time slides were shown on the screen.

Commissioner Jody Miller asked about paint.

City Planner Jesse Pearson stated that would not be allowed.

Commissioner Mike Chevalier asked about construction materials on your house.

City Planner Jesse Pearson stated if it is ongoing, active construction, that is allowed.

Commissioner Jody Miller asked who enforces this.

City Planner Jesse Pearson said you can call Code Enforcement, and they drive by.

Discussion was had.

Community Development Director Julie Womble stated she wanted to add to the presentation.

Chapter 2023-304 Compliance – regarding bill 250. We cannot ensue any hardships on properties that may have been affected by the hurricanes.

Section 14 of Chapter 2023-304, Laws of Florida, prohibits local governments situated within 100 miles of landfall of 2022 Hurricanes Ian and Nicole from proposing or adopting any moratorium on construction, reconstruction or redevelopment of parcels damaged or destroyed by either hurricane; any amendment to its comprehensive plan that is more restrictive or burdensome than the plan in effect on September 27, 2022; any amendment to its land development regulations that is more restrictive or burdensome than the regulations in effect on September 27, 2022; or any procedure concerning review, approval or issuance of a site plan, development permit or development order that is more restrictive or burdensome than the procedures in effect on September 27, 2022, unless both: (a) the proposal or adoption is initiated by a private party applicant; and (b) the subject of the proposal or adoption is property owned by the private party applicant.

The City of Auburndale lies approximately 98 miles from Cayo Costa, Florida, which is the point of landfall for Hurricane Ian on the Florida peninsula, and approximately 97 miles from North Hutchinson Island, Florida, which is the point of landfall of Hurricane Nicole on the Florida peninsula.

Staff has reviewed the proposed Land Development Text Amendment and does not feel the additional regulations for outdoor storage associated with home occupations is considered more restrictive or burdensome than the procedures in effect on September 27, 2022. The use of home occupations is still allowed, and the text amendment is only regulating the use of outdoor storage in association with the commercial use. The Auburndale Land Development Regulations, in most commercial zoning, has standards on outdoor storage. The LDR text amendment, presented to the Planning Commission on July 11, 2023, is following the same regulations in home occupations as already required in most commercial zoning categories in effect on September 27, 2022.

We are just tying up the code, so it is consistent throughout.

Chairman Perry Price – clarified that you can have an in-home business.

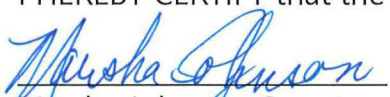
Chairman Perry Price closed the Public Hearing and reopened the Regular Meeting.

AGENDA ITEM 2: PUBLIC HEARING – RECOMMENDATION AMENDING CHAPTER 5, ZONING, OF THE LAND DEVELOPMENT REGULATIONS

Motion was made by Commissioner Mike Chevalier and seconded by Commissioner Danny Chandler to recommend approval to the City Commission the proposed Land Development Regulation text amendment changes. Upon vote all ayes.

Chairman Perry Price stated the meeting was adjourned at 4:11 p.m.

I HEREBY CERTIFY that the foregoing minutes are true and correct.


Marsha Johnson, Secretary