



CITY OF ANNA MARIA

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AGENDA

JANUARY 10, 2023, AT 9:00 A.M.
PLANNING AND ZONING BOARD MEETING
CITY HALL COMMISSION CHAMBERS

THIS PLANNING AND ZONING BOARD MEETING IS BEING HELD USING OPTIONAL TELECOMMUNICATIONS MEDIA TECHNOLOGY. TO ATTEND YOU MUST:

Dial in by using your phone.

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Out of courtesy for others, please mute your phone when not speaking

Pledge of Conduct: We may disagree, but we will be respectful of one another. We will direct all comments to the issues. We will avoid personal attacks.

CALL TO ORDER

PLEDGE TO THE FLAG

ROLL CALL

REGULAR MEETING

General Public Comment regarding non-agenda items and items not scheduled for future agendas will be taken at the beginning of the meeting with a limitation of three minutes. The Board's intent is that General Public comment is to be used for the public to inform the Board of new issues within the City. Public Comment regarding agenda items will be taken with each agenda item with a limitation of three minutes.

1. General Public Comment
2. Staff Comments
3. Public Hearing and Recommendation Regarding An Ordinance to Amend Chapter 70 General Provisions
4. Public Hearing and Recommendation Regarding An Ordinance to Amend Chapter 90 Internal Traffic Circulation Access and Storage
5. City Attorney Comments
6. Board Member Comments

CONSENT AGENDA: The following items are considered routine in nature and should be considered in a single motion. Items which warrant individual discussion should be removed from this list prior to the motion to adopt. Such items will be discussed separately.


1. Approval of Minutes: November 14, 2022

NEXT MEETING

To Be Discussed

Press Comment

Adjournment

 (FSS 286.26) IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATE STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ASSISTANCE TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CITY CLERK FOR ASSISTANCE AT LEAST THREE BUSINESS DAYS PRIOR TO THE MEETING (941) 708-6130. SHOULD ANY INTERESTED PARTY SEEK TO APPEAL ANY DECISION MADE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, THEY WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS BE MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.



City of Anna Maria

January 10, 2023

MEMORANDUM

TO: City of Anna Maria Planning and Zoning Board
FROM: Ashley Austin, City Planner
SUBJECT: Code Revisions

BACKGROUND

The City's Code of Ordinances ("code") contains regulations for the development and use of property including zoning, subdivisions, and other related land use activities. Building Department and Planning Staff monitors and continually identifies potential updates the code to simplify and streamline the permitting processes, assure compliance with state and federal regulations, and eliminate unnecessary barriers, redundancies and contradictions. Through these regular updates, the code will be more responsive to address the City's changing land use issues. Changes to the code shall follow the procedure set forth in DIVISION 3. - AMENDMENTS AND REZONING.

CITY INITIATED CODE CHANGES

At a regularly scheduled meeting held on November 14th, 2022, staff requested input from the Planning and Zoning Board on the proposed text changes. Staff incorporated the Board's input and sent the text changes to the City Attorney for review and compliance with Florida Statutes, etc. At this point in the process, the text changes are before to the planning and zoning board for a public hearing. All petitions to amend the regulations are subject to a hearing by the planning and zoning board in order to allow the planning and zoning board to recommend to the city commission approval of the petition, approval of the petition with conditions, or denial of the petition.

Attached to this memorandum are the proposed text changes in ~~Strikethrough~~ & Underline format for Planning and Zoning board consideration.

ORDINANCE NO. 23-910

AN ORDINANCE OF THE CITY OF ANNA MARIA, FLORIDA, AMENDING SECTION 70-1, "DEFINITIONS AND RULES OF CONSTRUCTION", OF CHAPTER 70 "GENERAL PROVISIONS" OF THE CODE OF THE CITY OF ANNA MARIA; PROVIDING FOR AMENDMENTS TO THE DEFINITIONS OF LANDSCAPING MATERIALS; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ANNA MARIA, FLORIDA:

SECTION 1: Section 70-1, "Definitions and Rules of Construction", of Chapter 70 "General Provisions", is hereby amended to read as follows:

Sec. 70-1. Definitions and rules of construction.

- (a) The following rules shall be observed in the application and interpretation of provisions of subpart B, Land Development Regulations, except when the context clearly requires otherwise:
 - (1) The words "shall," "should" and "must" are mandatory; the word "may" is permissive.
 - (2) Words used or defined in one tense or form shall include other tenses or derivative forms.
 - (3) Words in the singular shall include the plural; words in the plural shall include the singular; words in the masculine shall include the feminine.
 - (4) The word "includes" shall not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.
 - (5) The word "used" or "occupied" includes the words "intended, designed or arranged to be used or occupied."
 - (6) In the event of a conflict between the text of this subpart and any illustrations, captions, figures or other graphic material, the text shall control.
 - (7) Unless specifically defined in subsection (b) of this section, words or phrases used in this subpart shall have the meaning of common usage which gives this subpart its most reasonable application.
- (b) The following words, terms and phrases, when used in subpart B, Land Development Regulations, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Abut means to physically touch or border upon, or to share a common property line.

Accessory building, structure or use means a structure or use on the same lot with and of a nature customarily incidental and subordinate to the principal use or structure.

Accessory use means a use of land, buildings or structures or a portion thereof customarily incidental and subordinate to the principal use of the land, buildings or structures and located on the same parcel or lot with the principal use.

Adult congregate living facility (ACLF) means a type of residential care facility as defined by Florida Statutes.

Adult day care home means an occupied dwelling unit, whether operated for profit or not, which undertakes, through its ownership or management, to provide basic services to no more than five adults, not related to the owner/operator by blood or marriage, who require such services. Basic services shall include but not be limited to providing a protective setting, social activities, self-care training, rest and nutritional services.

Ad valorem tax means a tax levied in proportion to the assessed value of taxable property.

Adult entertainment establishment.

(1) Adult entertainment establishment means those business operations whose primary business is to provide adult entertainment predominantly involving specified sexual activities or specified anatomical areas. Such establishments shall include but not be limited to cabarets, adult bookstores, adult theaters and adult photographic studios, which terms are more specifically defined as follows:

- a. *Adult bookstore* means an establishment having as a substantial or significant portion of its stock in trade books, magazines or other periodicals, printed matter, films, videotapes or photographic materials which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.
- b. *Adult theater* means an enclosed space within a building used for presenting either filmed or live material or performances which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.
- c. *Adult photographic studio* means any establishment which offers or advertises the use of its premises for the purpose of photographing or exhibiting specified sexual activities or specified anatomical areas.
- d. *Cabaret* means:
 1. Any bar, dancehall, restaurant or other place of business at which food or beverages are served, which features nude dancing, topless or bottomless dancers, strippers or similar entertainers, or topless waitresses;
 2. Any such establishment which is advertised or identified through the use of a sign or signs employing the word "adult," "topless" or "bottomless," or other words of similar import; or
 3. Any such establishment which provides adult entertainment involving exposure of specified anatomical areas.

- (2) For purposes of this definition, the term "specified sexual activities" means:
 - a. Human genitals in a state of sexual stimulation or arousal.
 - b. Acts of human masturbation, sexual intercourse or sodomy.
 - c. Fondling or other erotic touching of the human genitals, pubic region, buttocks or female breast.
- (3) For purposes of this definition, the term "specified anatomical area" means:
 - a. Less than completely and opaquely covered:
 - 1. Human genitals or pubic region;
 - 2. Buttocks; or
 - 3. Female breast below a point immediately above the top of the areola; and
 - b. Human male genitals in a discernibly erect state, even if completely and opaquely covered.

After-school care home means an occupied dwelling unit in which child care is regularly provided for no more than five school-age children and which receives a payment, fee or grant for any of the children receiving care, whether or not operated for profit.

Aggrieved person means any person who is suffering or will suffer an adverse effect to an interest protected or furthered by the comprehensive plan, including but not limited to interests related to health and safety; police and fire protection services; densities or intensities of development; transportation facilities; recreational facilities; educational facilities; health care facilities, equipment or services; and environmental or natural resources. The alleged adverse effect may be shared in common with other members of the community at large but must exceed in degree the general interest in community good shared by all persons.

Alley means a recorded accessway which affords only a secondary means of access to abutting property and which is not intended for general traffic circulation.

Alteration means any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders or interior partitions, as well as any change in doors or windows, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

Anchoring means holding a watercraft at rest in comparatively shallow water by means of an anchor on the sea bottom.

Antenna means equipment designed to transmit or receive electric signals.

Appeal means a request for a review of the building official's interpretation of any provision of this subpart.

Area of special flood hazard means the land in the floodplain within the city subject to a one percent or greater chance of flooding in any given year.

Arterial road means a roadway providing service which is relatively continuous or of relatively high traffic volume, long trip length and high operating speed. In addition, every United States numbered highway is an arterial road.

Automobile wash means a structure or portion thereof containing facilities for washing motor vehicles, using a production line or automated or semi-automated methods for washing, whether or not employing a chain conveyor, blower, steam cleaning or similar mechanical device.

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Basement means that portion of a building having its floor subgrade (below ground level) on all sides.

Beach means the zone of unconsolidated material that extends landward from the mean low-water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves. "Beach" is alternatively termed "shore."

Beach access means an accessway through private lands to lands seaward of the prescriptive easement or by any other legal means.

Beach soil consists of narrow strips of tide-washed sand bordering islands and parts of the mainland. Most areas are covered during storms and daily at high tide. The beach soil has been deposited, mixed and reworked by waves. It is firm or compact when moist and loose when dry. This soil is light gray to white and consists mainly of fine quartz particles in which there are varying quantities of medium to coarse shell fragments.

Bicycle and pedestrian ways means any road, path or way which is open to bicycle travel and traffic afoot and from which motor vehicles are excluded.

Boat livery means a parcel or lot used as a commercial establishment for the provision of rental of uncovered boat slips or dock space or enclosed dry storage space, rental or sale of boats and boat motors, repair and maintenance of boats and boat motors, marine fuel and lubricant sales, bait and fishing equipment sales, onshore restaurants, and small boat hauling or launching facilities. Such parcel or lot shall not include boat or motor manufacturing as an incidental use.

Boat mooring area means an area utilized for the purpose of mooring boats.

Boatyard and *boat ways* mean a parcel or lot used as a commercial establishment for the provision of all such facilities as are customary and necessary to the construction or reconstruction or repair or maintenance or sale of boats or marine engines or marine equipment, and marine service of all kinds, including but not limited to rental of covered or uncovered boat slips or dock space or enclosed dry storage space, or marine railways, or lifting or launching services.

Breakaway wall and *frangible wall*. See section 82-35, breakaway wall.

Buffer means a specified land area, together with the planting and landscaping required on the land, used to visibly separate one use from another or to shield or block noise, lights or other nuisances.

Building means any structure, either temporary or permanent, having a roof and supported by columns or walls, used or built for the shelter, enclosure, support or protection of persons, animals, chattels or property of any kind.

Building, accessory means a minor building that is located on the same parcel or lot as a principal building and that is used incidentally to a principal building or that houses an accessory use.

Building area means the portion of a lot or parcel other than required yard area.

Building code means the Florida Building Code as adopted by the state.

Building height means the vertical distance measured from the lowest floor, as established by the city, to the highest point of any portion of the building.

Building line means the line beyond which any part of a building shall not extend, except as specifically provided by this subpart.

Building official means the building official of the city, the person responsible for enforcement of this subpart. He shall be responsible for issuing building permits, certificates of occupancy and statements of zoning compliance.

Building permit means written permission issued by the city for the erection, construction, enlargement, repair or alteration of or addition to a structure.

Building, principal means the primary building on a parcel or lot or a building that houses a principal use.

Building support structure means any structure which supports floor, wall or column loads, and transmits such loads to the foundation, and includes beams, grade beams or joists and the lowest horizontal structural member exclusive of piles, columns or footings.

Business means the activity of providing or manufacturing goods or services in exchange for consideration.

Capital budget means the portion of the city's budget which reflects capital improvements scheduled for a fiscal year.

Capital improvement means physical assets constructed or purchased to provide, improve or replace a public facility and which are large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multiyear financing.

Carport means a roofed structure providing space for the parking or storage of motor vehicles and enclosed on not more than three sides.

Centerline means a line lying midway between the side lines of a street or alley right-of-way.

Certificate of level of service compliance means a certificate stating that proposed development will not degrade the level of service below the standard set forth in the comprehensive plan.

Certificate of occupancy means a document allowing the occupancy of a building or structure or the use of a parcel or lot and certifying that the building, structure or use has been constructed or will be used in compliance with all applicable codes and ordinances.

Certify. Whenever this subpart or another ordinance requires that some agency certify the existence of some fact or circumstance to the city, it may require that such certification be made in any manner that provides reasonable assurance of the accuracy of the certification. By way of illustration, and without limiting this definition, the city may accept certification by telephone from an agency when the circumstances warrant it, or the city may require that the certification be in the form of a letter or other document and the city may require that the signature on the document be notarized.

Child care means the care, protection and supervision of a child, for a period of less than 24 hours a day on a regular basis, which supplements parental care, enrichment and health supervision for the child, in accordance with his individual needs, and for which a payment, fee or grant is made for care, in accordance with Florida Statutes.

Child care facility means any child care center or child care arrangement which provides child care for more than five children unrelated to the operator of the facility and which receives a payment, fee or grant for any of the children receiving care, wherever operated and whether or not operated for profit. The following are not included: public schools and nonpublic schools and their integral programs, summer camps having children in full-time residence, summer day camps, and Bible schools normally conducted during vacation periods.

Church or other place of worship means any parcel or lot used principally as a place of worship and religious education, including but not limited to chapels, temples and synagogues. A parsonage or custodial residence shall be considered accessory to a church or other place of worship, but shall not be considered a church or place of worship when placed on a lot or parcel not associated with the principal place of worship.

City means the City of Anna Maria, Florida.

City commission means the City Commission of the City of Anna Maria, Florida.

Clearing means the removal of trees from a parcel or lot, except as otherwise provided in this subpart. The term does not include the removal of brush or the ordinary mowing of grass.

Club, private means a parcel, lot or facility owned and operated by a group or an association of persons and maintained and operated solely by and for the members of such group or association and their guests, and which is not available for unrestricted public access or use.

Coastal building zone means the land area from the seasonal high-water line to a line to 5,000 feet landward from the coastal construction control line established pursuant to F.S. § 161.053, or the entire city, whichever is less.

Coastal high-hazard areas and *high-hazard coastal areas* mean areas designated by local governments pursuant to F.S. § 163.3178(2)(h), including areas which have historically experienced destruction or severe damage, or are scientifically predicted to experience destruction or severe damage, from storm surge, waves, erosion or other manifestations of rapidly moving or storm-driven water. These areas shall include all areas within the city's jurisdiction where public facilities have been damaged or undermined by coastal storms, Federal Emergency Management Agency designated V zones, areas seaward of the coastal construction control line established by the state department of environmental protection, and inlets which are not structurally controlled.

Coastal or shore protection means shore-hardening structures, such as seawalls, bulkheads, revetments, rubble mound structures, groins, breakwaters, and aggregates of materials other than beach sand used for shoreline protection; beach and dune restoration; and other structures which are intended to prevent erosion or protect other structures from wave and hydrodynamic forces.

Coastal vegetative communities means vegetative communities characterized by their tolerance for conditions typical in coastal beach and dune areas, such as high salinity, high temperatures, limited nutrient availability, wind abrasion and extreme soil conditions.

Collector road means a roadway providing service which is of relatively moderate traffic volume, moderate trip length and moderate operating speed. Collector roads collect and distribute traffic between local roads or arterial roads.

Commercial fishery means a commercial establishment for the receiving, processing, packaging, storage and wholesale or retail distribution and sale of products of the sea. Included in this definition are facilities for the docking, loading, unloading, fueling, icing and provisioning of vessels and for the drying, maintenance and storage of equipment.

Commercial uses means activities which are predominantly connected with the sale, rental and distribution of products or performance of services.

Commercial vehicle means any vehicle designed, intended or used for transportation of people, goods or things, other than private passenger vehicles and private trailers used for nonprofit transport of goods and boats.

Community center means a building or group of buildings and associated playfields where members of a community may gather for group activities relative to social, cultural and recreational functions. Essential functions include but are not limited to, social and cultural programs and classes in the areas of arts, fitness, dance, crafts, cooking, computers, drama, games, hobbies, martial arts, music, along with recreational activities such as sports classes, baseball, softball, football, soccer, basketball and tennis. Community centers may also host tournaments, presentations, performances, clubs, camps, workshops, fund raisers and the like at different times.

Community park means a park located near major roadways and designed to serve the needs of more than one neighborhood.

Community residential home means a dwelling unit licensed to serve clients of the state department of health and rehabilitative services, which provides a living environment for seven to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of the residents.

Comprehensive plan means the plan adopted by the city which constitutes the required elements pursuant to F.S. § 163.3177, of the Local Government Comprehensive Planning and Land Development Regulation Act, F.S. § 163.2511 et seq., along with any amendments thereto.

Concurrency means the requirement that the necessary public facilities are in place at the time a development permit is issued, or when the impacts of the development occur. To satisfy the concurrency requirement, no development orders may be issued which would cause a decrease in the level of service for public facilities as adopted by the comprehensive plan.

Condominium means a form of ownership of real property as defined in F.S. ch. 718.

Conforming structure means a structure or building which conforms to all the present requirements of this Code.

Conservation uses means activities within land areas designated for the purpose of conserving or protecting natural resources or environmental quality, floodplain management or water quality, or vegetative communities or wildlife habitats and other uses in the public interest, which, through planned management and use of the resource or area, minimize adverse impact while conserving or protecting the natural integrity, character or ecological balance of the area and prevent its exploitation, destruction or neglect. Conservation use also means activities within areas designated

for the purpose of conserving natural resources or environmental quality, including certain uses, such as trails or dune walkovers, that provide for overriding public interest and which would not be viable unless placed within a conservation area. Conservation use may mean private uses such as single-family homes which are restricted in a manner which minimizes adverse impact while protecting the natural integrity, character or ecological balance of the area and which are consistent with the regulations as established herein.

Construction means any manmade change to improved or unimproved real estate, including but not limited to construction of buildings or other structures, clearing, mining, dredging, filing, grading, paving or excavation. When appropriate to the context, the word "construction" refers to the art of construction or the result of construction.

Construction drawings means drawings which show the location, elevations, dimensions and materials of improvements, buildings or structures to be installed on a parcel.

Construction project use means any contractor's office, construction equipment storage shed, watchman's residence, or construction material storage, processing or fabrication, including a mobile home or recreational vehicle whose use is limited to the above purposes, which is constructed, placed or used in connection with an active construction project.

Construction service establishment means any parcel or lot where the principal use is the provision of services off-site that directly result in the fabrication, construction, addition, alteration, repair or development of land, buildings or other structures on a given parcel or lot, normally on a contract basis or for sale, resale, lease or rent, or for a fee, charge or other means of compensation, including the equipment, materials and other items normally utilized in connection with such services.

Contiguous means next to, abutting or touching and having a boundary, or portion thereof, which is conterminous.

Convenience store means a one-story retail store containing less than 2,000 square feet of gross floor area that is designed and stocked to sell primarily food, beverages and other household supplies to customers who purchase only a relatively few items, in contrast to a supermarket. A convenience store is designed to attract and depends upon a large volume of stop-and-go traffic.

Corner lot means a lot that abuts on more than one intersecting street.

County means the County of Manatee, Florida.

Coverage means that portion of the land, lot or parcel that is covered by buildings and structures or covered by buildings, structures and other impervious surfaces.

Cul-de-sac means the turnaround at the end of a dead-end street.

Density, gross means the total number of dwelling units divided by the area of the total parcel or lot area, less public right-of-way.

Developer means any person, firm, partnership, association, corporation or organization of any kind engaged in any type of construction, including, without limitation, the construction, reconstruction or demolition of buildings, structures or improvements thereon or the clearing of land for use.

Development and development activity mean the addition to or improvement of real estate, including any of the following activities:

- (1) Construction, clearing, filling, excavating, grading, paving, dredging, drilling or otherwise significantly disturbing the soil of the site.
- (2) Building, installing, enlarging, replacing or substantially restoring a structure, impervious surface or water management system, including the longterm storage of materials.
- (3) Subdividing land into three or more parcels.
- (4) Erection of a permanent sign unless expressly exempted by this Code.
- (5) Changing the use of a site so that the need for parking is increased.
- (6) Construction, elimination or alteration of a driveway onto a public street.

Development order means any order granting, denying or granting with conditions an application for approval of a development project or activity.

Development plan means the site plan for one or more lots or parcels on which is shown the existing and proposed conditions of the site and project, including topography, vegetation, drainage, floodplains, environmentally sensitive areas, water bodies and waterways, open spaces, walkways, means of ingress and egress, utility services, landscaping, structures, signs, lighting, screening and buffering, and any other information that may reasonably be required in order that an informed decision can be made by the approving authority.

Dimensional nonconformity means a nonconforming situation that occurs when the height, size or minimum floorspace of a building or structure or the relationship between any existing building or buildings and other buildings or lot lines does not conform to the regulations applicable to the zoning district in which the property is located.

Dock means a structure built to extend into a body of water which allows for access to or for the dockage of boats.

Docking facility means an area containing one or more docks or boat mooring areas.

Drainage means:

- (1) Surface water runoff.
- (2) The removal of surface water or groundwater from land by drains, grading or other means which include runoff controls to minimize erosion and sedimentation during and after construction or development, the means for preserving the water supply, and the prevention or alleviation of flooding.

Drainage basin means an area defined by topographic boundaries which contributes stormwater to a drainage system, estuarine or oceanic waters, including all areas artificially added to the basin.

Drainage detention structure means a structure which collects and temporarily stores stormwater for the purpose of treatment through physical, chemical or biological processes with subsequent gradual release of the stormwater.

Drainage facilities means a system of manmade structures designed to collect, convey, hold, divert or discharge stormwater, and includes stormwater sewers, canals, drainage detention structures and drainage retention structures.

Drainage retention structure means a structure designed to collect and prevent the release of a given volume of stormwater by complete on-site storage.

Dredging means a method for deepening streams, swamps or coastal waters by removing solids from the bottom.

Driveway means a private approach to a building, e.g., from a street to one's carport or private garage.

Dune means a mound or ridge of loose sediments, usually sand-sized sediments, lying landward of the beach and extending inland to the landward toe of the dune which intercepts the 100-year storm surge.

Dune, frontal means the low dune or dunal zone located nearest to the beach which is characterized by low-lying herbaceous vegetation which is tolerant of salt spray.

Dune vegetation means vegetation adapted to conditions on the dune, and may include but is not limited to sea oats, sea rocket, seagrape, seashore elder, inkberry, sea purslane, beach morning glory, coastal panicgrass and bitter panicum.

Dwelling means a building or portion thereof which is used exclusively for human habitation.

Dwelling, multifamily means a building containing three or more dwelling units, not to include a hotel or motel.

Dwelling, single-family means a building containing only one dwelling unit to be occupied by one family.

Dwelling, two-family or duplex means a building containing two dwelling units.

Dwelling unit means a room or rooms connected together, constituting a single housing unit providing complete, independent living facilities for one family, for owner occupancy or rental or lease, and physically separated from any other rooms or dwelling units which may be in the same structure, including permanent provisions for living, sleeping, eating, and sanitation facilities and one kitchen.

Easement means a grant by a property owner of the use of a specified portion of his land to another party for a specific purpose.

Educational uses means activities and facilities of public or private primary or secondary schools, vocational and technical schools and colleges and universities licensed by the state department of education, including the areas of buildings, structures, campus open space, dormitories, recreational facilities or parking.

Elevated building means a nonbasement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls or breakaway walls.

Emergency repair means repair or restoration of existing structures or improved areas as a result of a sudden catastrophe, but not exceeding 50 percent of the pre-catastrophe value, providing no expansion of such structures or improved area occurs.

Encroachment means any obstruction in a delineated floodway, right-of-way or adjacent land.

Engineer means a professional who is registered with the state and licensed as a professional engineer.

Engineer of record means the engineer designated in the application filed by the developer or property owner for any approval under this subpart as exercising principal responsibility for all engineering involved in the project.

Environmentally sensitive lands means lands with one or more of the following characteristics: floodplains; soils classified as having a high water table, such as hydric soils or soils subject to periodic inundation; soils classified as highly erodible, subject to erosion or highly acidic; soils classified as having a high potential for radon emission; land incapable of meeting percolation requirements; land formerly used for hazardous industrial use; estuaries; climax communities of native vegetation; aquifer recharge and discharge areas; sinkholes; barrier beaches and islands; lands which contain habitat or breeding grounds for species of endangered, threatened or special concern status; shellfish harvesting beds; or lands designated by state or federal agencies for preservation or conservation.

Erect means to construct, build, raise, assemble, place, attach, create or in any way bring into being or establish any kind of fence, wall, building or other structure.

Erosion means the general process by which soil particles are moved by flowing surface or subsurface water or wind, or the actual movement of soil particles by such means.

Essential services means public utility facilities related to the water, sanitary sewer, storm drainage, solid waste, telephone, cable television, gas and electrical collection or distribution systems serving the city, but not including buildings housing employees or public safety facilities such as fire and police stations.

Estuary means a semi-enclosed, naturally existing coastal body of water in which salt water is naturally diluted by fresh water and which has an open connection with oceanic waters. Estuaries include bays, embayments, lagoons, sounds and tidal streams.

Evacuation routes means routes designated by civil defense authorities or the regional evacuation plan for the movement of persons to safety in the event of natural or manmade disasters.

Existing use means the use of a lot of record, parcel, structure or building at the time of the enactment of the comprehensive plan.

Family means any number of individuals related by blood, marriage or legal adoption, and not more than four persons not so related, living together as a single housekeeping unit. Foster children are considered part of a family.

Family day care home means an occupied dwelling unit in which child care is regularly provided for no more than five preschool children and which receives a payment, fee or grant for any of the children receiving care, whether or not operated for profit. The maximum number of five preschool children includes preschool children living in the home and preschool children received for day care who are not related to the resident caregiver.

Fence means a freestanding structure of metal, masonry, composition, wood or any combination thereof resting on or partially buried in the ground and rising above ground level and used to enclose, partition or screen areas of land. A fence shall further mean anything erected for the purposes of protection of property or separation of land uses, including barriers which are intended to prevent escape or intrusion or to mark a boundary. This includes walls when used as a fence, screen, buffer or retention area between separate or adjoining parcels or lots or along the side of

any alley or street (public or private). Particular types of fences and definitions pertaining to fences are as follows:

- (1) *Barbed wire fence* means a fence made with twisted wires armed with barbs or sharp points.
- (2) *Concrete fence* means a fence constructed of rock or concrete or concrete block and so spaced to allow air flow.
- (3) *Electric fence* means a fence which is electrified.
- (4) *Height* means the height of a fence measured in inches or feet from finished grade to the uppermost part of the fence.
- (5) *Maintain* includes general servicing and upkeep in a safe and attractive condition.
- (6) *Retaining wall* means a wall built of masonry, rock or wood to prevent erosion of the land.
- (7) *Masonry or rock wall* means a wall or fence of solid rock or concrete or concrete block.
- (8) *Screen* means a nonweight-bearing partition or frame, composed or covered with loose or perforated material in the nature of a net, mesh, fabric or curtain.
- (9) *Temporary fence* means any fence which is not intended to be a permanent improvement or addition to the property.
- (10) *Wire fence* means a fence made of wire which is woven into a mesh.
- (11) *Wood fence* means a fence constructed of wood and so spaced to allow air flow.
- (12) *Wood wall* means a wall constructed of wood and solids.

Fence, repair: A repair to a fence shall be defined as maintenance to a fence where replacement of materials does not exceed 16 linear feet of the length of the fence and does not change the scope, location or dimensions of the fence. Repairs shall be made using the same material, or material with comparable composition, color, size, shape and quality of the original fence to which the repair is being made.

Fill means any material deposited for the purpose of raising the level of the natural land surface.

Flood and flooding mean a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood, base means the flood having a one percent chance of being equaled or exceeded in any given year, also known as the 100-year flood.

Flood insurance rate map (FIRM) means the official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood insurance study means the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the flood boundary/floodway map and the water surface elevation of the base flood.

Floodplains means areas inundated during the 100-year flood event or identified by the National Flood Insurance Program as an A zone or V zone on flood insurance rate maps or flood hazard boundary maps.

Floodproofing means structural changes or adjustments incorporated in the design or construction of a building or structure so as to make the building or structure watertight, with walls substantially impermeable to the passage of water and with structural components having the capacity to resist hydrostatic and hydrodynamic loads and uplift forces.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor means the top surface of an enclosed area in a building, i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Floor area, gross means the total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Floor, habitable means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation or any combination thereof. Areas used only for limited storage purposes, for parking vehicles, or as entryways are not included in this definition.

Foster care facility/group home means a facility licensed to serve six or fewer clients of the state department of health and rehabilitative services and which otherwise meets the definition of a community residential home pursuant to F.S. ch. 419.

Functionally dependent facility means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include longterm storage, manufacture, sales or service facilities.

Garage, private means a building or structure used as an accessory to or part of a principal building permitted in any residential district and providing for storage.

Gas station. See *Service station.*

Group home facility means a dwelling unit used for the housing, supervision and care of dependent children, the elderly, and physically handicapped, mentally disabled and nondangerous mentally ill persons, where adult supervision is needed. A group home may provide for no more than eight individuals not related to the immediate family operating the facility. Adult congregate living facilities comparable in size to group homes are included in this definition. It shall not include rooming or boarding homes, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes or emergency shelters.

Habitable area means that area within a dwelling normally fit to be dwelt or lived in. A habitable area includes finished floors, exterior walls, interior walls, and ceilings, and is protected

from the weather, and is climate controlled. A habitable area excludes utility areas such as attics, garages, carports, screened porches, open lanais, covered and uncovered decks and similar unfinished areas not intended for occupant habitation.

Hazardous waste means solid waste, or a combination of solid wastes, which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated or otherwise managed. Hazardous waste shall also include those materials defined as hazardous waste by federal or state law.

Highest adjacent grade means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

Historic resources means all areas, districts or sites containing properties listed on the Florida Master Site File or the National Register of Historic Places, or designated by the city as historically, architecturally or archaeologically significant.

Historically significant housing means dwellings that are listed in the National Register of Historic Sites or on the Florida Master Site File or with the city.

Home. See *Dwelling*.

Home occupation means a nonresidential use or business conducted within a dwelling and complying with the provisions of this subpart.

Hotel and *motel* mean a building or structure or group of buildings or structures which provides three or more lodging units within a parcel or lot kept, used, maintained or advertised as, or held out to the public to be, a place where sleeping or housekeeping accommodations are supplied for pay to transient or permanent guests or tenants. A hotel or motel shall be deemed to include establishments which provide residential living accommodations on a more-or-less permanent basis, such as an apartment hotel.

Impervious surface coverage means the area of a surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes but is not limited to semi-impervious surfaces such as compacted clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots and other similar structures.

Improvement means any manmade, immovable item which becomes part of, is placed upon or is affixed to real estate.

Industrial uses means activities predominantly connected with manufacturing, assembly, processing or storage of products.

Infrastructure means those manmade structures which serve the common needs of the population, such as sewage disposal systems, potable water systems, potable water wells serving a system, solid waste disposal sites or retention areas, stormwater systems, utilities, piers, docks, wharves, breakwaters, bulkheads, seawalls, bulwarks, revetments, causeways, navigation channels, bridges and roadways.

Intensity means the degree to which land is occupied or the density of development. There is no single measure of the intensity of land use. Rather, a land use is relatively more or less intense

than another use. Generally, a particular use may be more intense due to one or more characteristics, such as traffic generated, bulk of the buildings or structures, or number of employees, or because of a nuisance such as pollution, noise, light, etc.

Kitchen is an area within a structure used for preparation or cooking of food which contains a sink and a significant cooking appliance (electric/gas range with or without oven). In all districts, significant cooking appliances also shall include, but not be limited to: stoves, microwaves or other ovens, hot plates or cook tops. Significant cooking appliances shall not include grills for exterior use. Multiple appliances within a space occupied as a single household unit by the same family and not rented separately shall constitute one kitchen.

Land use means the development, activity or use that has occurred on or is proposed for a parcel or lot.

Landscaping means the alteration of appearance or beautification of a parcel or lot by the planting of trees, grass, shrubs or other plant materials or by altering of the contours of the ground.

Landscaping materials means the plant materials used to adorn or improve a lot or parcel. Landscaping materials shall also include those items normally associated with and complementing such plantings, including mulch, shell, edging, stone and gravel, large rocks and boulders, coral, planter pots and retaining lumber. Landscaping materials permanent in nature permanently attached to any structure or a lot or parcel shall meet front and side setback requirements. All rocks used as landscaping materials shall not be located as to impede drainage placed in any required setback shall be less than 12 inches in height.

Level of service means an indicator of the extent or degree of service provided by, or proposed to be provided by, a facility, based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility.

Live-aboard means any watercraft, the whole or any part of which is utilized as a residence, living quarters or for dwelling purposes by one or more persons, either temporarily or permanently, whether continuously or transiently, with or without cooking facilities.

Living area ratio (LAR) is a ratio of the total habitable area of all floors of all structures on the lot or parcel to the size of the lot or parcel upon which the structure(s) is/are built. As a formula: Total Habitable Area = THFA/Lot Size (total habitable floor area on all floors of all buildings on a certain lot or parcel divided by the area of the lot or parcel). The living area ratio shall be measured from the exterior dimensions of the structures. Stairwells shall be included in each level as habitable floor area.

Living marine resources means oceanic or estuarine plants or animals, such as mangroves, seagrasses, algae, coral reefs and living marine habitat; fish, shellfish, crustacea and fisheries; and sea turtles and marine mammals.

Local peacetime emergency plan means the plans prepared by county emergency management agency addressing weather-related natural hazards and manmade disasters except power plant accidents and war. The plan covers hazard mitigation, emergency preparedness, emergency response, emergency recovery and, in coastal counties, hurricane evacuation.

Local road means a roadway providing service which is of relatively low traffic volume, short average trip length or minimal through traffic movements, and high-volume land access for abutting property.

Lot area means the total area within the lot lines of a lot or parcel, excluding any public street right-of-way.

Lot, corner means a lot abutting two or more streets at a street intersection.

Lot coverage means that portion of the lot that is covered by buildings and structures or covered by buildings, structures and other impervious surfaces.

Lot, depth means the linear measure in a mean direction of the side lines of the lot from the midpoint of the front line to the midpoint of the rear line of a parcel of land.

Lot lines means the lines bounding a parcel or lot as established by ownership, except that, where a lot line lies within a public or private street, right-of-way or alley, the edge of the street, alley or right-of-way shall be considered to be the lot line for the purposes of calculating density, size, yard and bulk requirements.

Lot of record means a parcel of land as originally subdivided or subsequently resubdivided and properly recorded in the county as a lot within a subdivision. A lot of record is also referred to in this subpart as a lot.

Lot, through means a non-corner lot having frontage on two streets.

Lot, width means the linear measure of the front side abutting the street.

Major structure means houses, apartment buildings, condominiums, motels, hotels, restaurants, towers, other types of residential, commercial or public buildings, and other construction having the potential for substantial impact on coastal zones.

Manatees means marine mammals of the species *Trichechus manatus*.

Mangrove stand means an assemblage of mangrove trees, which are mostly low trees noted for a copious development of interlacing adventitious roots above the ground, containing one or more of the following species: black mangrove (*Avicennia germinans*), red mangrove (*Rhizophora mangle*), white mangrove (*Languncularia racemosa*) and buttonwood (*Conocarpus erecta*).

Manufactured housing. Manufactured housing has the following features or characteristics. It is:

- (1) Mass-produced in a factory.
- (2) Designed and constructed for transportation to a site for installation and use when connected to required utilities.
- (3) Either an independent, individual building or a module for combination with other elements to form a building on the site.

Marina means a parcel or lot used as a commercial establishment for the provision of rental of uncovered boat slips or dock space or enclosed dry storage space, marine fuel and lubricant sales, onshore restaurants, onshore lodgings, onshore sundries stores and onshore sanitary facilities.

Marine sanitation device means any equipment required to be installed on board a watercraft for the purpose of receiving and treating, prior to discharge, human body wastes and the wastes from toilets and other receptacles intended to receive body wastes, or equipment required to hold or retain and any process to treat such wastes.

Marine wetlands means areas with a water regime determined primarily by tides and where the dominant vegetation is salt-tolerant plant species including those species regulated pursuant to Florida Statutes.

Mass transit means passenger service provided by public, private or nonprofit entities such as the following surface transit modes: commuter rail, rail rapid transit, light rail transit, light guideway transit, express bus and local fixed route bus.

Mean high-water line means 1.46 feet above the mean sea level datum for the county.

Mean sea level means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. The term is synonymous with National Geodetic Vertical Datum (NGVD).

Millage means the tax rate expressed as dollars per \$1,000.00 of taxable value.

Minerals means all solid minerals, including clay, gravel, phosphate rock, lime, shells (excluding live shellfish), stone, sand, heavy minerals and any rare earths, which are contained in the soils or waters of the state.

Minor maintenance means maintenance of existing structures or improved areas required to restore or preserve such structures or areas, according to the original design and function, in good, safe and attractive condition, providing no expansion of such structures or improved areas occurs.

Mobile home means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, and which is designed and built on a metal frame, but is intended to be used as a permanent home.

Model home means a residential building used for demonstration purposes, not occupied as a dwelling unit and open to the public for inspection.

Mooring piling means a stake, post, pillar or pilings used for the purpose of berthing buoyant vessels either temporarily or indefinitely or for a finite period, whether or not used in conjunction with a dock.

Mooring site. An approved mooring site shall be a commercial site, such as a marina or yacht club, which provides dock space and facilities for the accommodation of watercraft on an overnight basis or for a longer period of time and which provides facilities for the appropriate removal of all trash, garbage, rubbish and waste generated by the persons mooring watercraft at the facility for live-aboard purposes or can arrange for the removal of such materials.

Multiple property manager. Property owners who own more than one resort housing dwelling unit within the city or third parties who act as agents for more than one property owner or for more than one dwelling unit shall be considered a multiple property manager.

National Geodetic Vertical Datum (NGVD), as corrected in 1929, means a vertical control used as a reference for establishing varying elevations within the floodplain. Effective December 1, 2016, documents containing the term National Geodetic Vertical Datum (NGVD) shall be interpreted as intending vertical datum as defined by the North American Vertical Datum of 1988 (NAVD).

Native shoreline wetland vegetation means indigenous shoreline vegetation typically adapted for life in saturated soil conditions and characterized by wetland species listed in chapter 17-3, Florida Administrative Code, as amended from time to time.

Native vegetation means plant life that is indigenous to the Tampa Bay region.

Neighborhood park means a park which serves the population of a neighborhood and is generally accessible by bicycle or pedestrian ways.

New construction means buildings or structures for which the start of construction commenced on or after the effective date of the comprehensive plan.

Nonconformity. Within the districts established by this subpart or amendments that later may be adopted, there exist lots, parcels, buildings, structures and uses which were lawful before this subpart was passed, the new establishment of which would be prohibited by this subpart. These lots, parcels, buildings, structures and uses are defined as nonconformities. Nonconformities include nonconforming lots or parcels, nonconforming buildings or structures and nonconforming uses. Nonconformities are further defined in article III of chapter 114.

Occupant means the individual or individuals in actual possession of premises.

Office means a room or group of rooms used for conducting the affairs of a business, profession, service, industry or government.

Office building means a building used primarily for conducting the affairs of a business, profession, service, industry or government, or like activity, that may include ancillary services for office workers.

Open space means any land, which is open and unobstructed from the ground to the sky, and not covered by any buildings, structures, parking, driveways or impervious surfaces, and which may be suitable for stormwater management, active or passive recreation, conservation or preservation uses. Open space areas shall include plant or lawn ground cover so as to provide protection from erosion.

Parcel means a tract of land of at least sufficient size to meet minimum zoning requirements, improved or intended for improvement by a building, together with its accessory buildings and structures, including the open space required under this subpart. The word "parcel" shall be taken to mean any number of contiguous lots of record or portions thereof not separated by a street, alley, public way or water body upon which one or more principal buildings for a single use are erected or are to be erected.

Park means a tract of land designated and used by the public for active and passive recreation.

Parking area means any public or private land area designed and used for parking motor vehicles, including parking lots, garages, private driveways and legally designated areas of public streets.

Permit means written governmental permission issued by an authorized official empowering the holder thereof to do some act not forbidden by law, but not allowed without such authorization.

Permitted use means any use allowed in a zoning district and subject to the regulations applicable to that zoning district.

Person means an individual, partnership, association, corporation, organization, trustee, executor, other fiduciary or other entity acting as a unit.

Pier means a structure, supported on piles and built to extend some distance into a body of water, and used to provide access to or for the dockage of boats or fishing.

Plat means a preliminary subdivision plat or final subdivision plat, as the context requires.

Plat, platting and replatting mean, in whatever tense used, to divide or subdivide lands into lots, blocks, parcels, tracts, sites or other divisions, however designated, and the recording of the approved plat in the office of the clerk of the circuit court of the county in the manner authorized by F.S. ch. 177 and this Code.

Platform area means the surface or planked area of docking facilities.

Playground means a recreation area with play apparatus for children.

Preschool means a structure or building used solely as a child care facility the purpose of which is to provide a preacademic readiness program for children from approximately 31 months through five years of age.

Preservation use means activities within areas designated for the purpose of preserving natural resources or environmental quality, including certain uses, such as trails or dune walkovers, that provide for overriding public interest and which would not be viable unless placed within a preservation area and which are restricted in a manner which minimizes adverse impact while protecting the natural integrity, character or ecological balance of the area and prevents its exploitation, destruction or neglect.

Primary or principal building or structure means the principal or main use building, or that structure or building in which is conducted the principal use on the lot on which it is located.

Primary or principal use means that use intended to be the predominant use in a zoning district. For this purpose and ease of identification, respective zoning districts bear the name of the primary use permitted.

Private recreation sites means parcels owned by private, commercial or nonprofit entities available to the public for purposes of recreational use.

Prohibited use means a use that is not permitted in a zoning district.

Property line. See *Lot line.*

Property owner means any owner of fee title to the land in question, including authorized agents of the owner.

Public, when used in reference to any use, area, building or structure, refers to being held, used or controlled exclusively for public purposes by a department or branch of government, without reference to the ownership of the building or structure or of the realty upon which it is situated.

Public access means the ability of the public to physically reach, enter or use recreation sites, including beaches and shores.

Public buildings and grounds means structures or lands that are owned, leased or operated by a government entity, such as civic and community centers, hospitals, libraries, police stations, fire stations and government administration buildings.

Public facilities means transportation systems or facilities, sewer systems or facilities, solid waste systems or facilities, drainage systems or facilities, potable water systems or facilities, educational systems or facilities, parks and recreation systems or facilities, and public health systems or facilities.

Public hearing means a meeting announced and advertised in advance and open to the public, with the public given an opportunity to speak and participate.

Public interest means that which is in the interest of the people as a whole.

Recreation facility means a place designed and equipped for the conduct of sports, leisure-time activities and other customary and usual recreational activities.

Recreation facility, private means a recreation facility provided as an accessory use on the same lot or parcel as the principal permitted use and designed to be used primarily by the owners or occupants of the principal use and their guests.

Recreation facility, public means a recreation facility operated by a governmental entity or its designated agent and open to the general public.

Remodeling means to give new shape or form to the interior or exterior of a structure without changing the extent or general nature of the use.

Residential area means land areas used predominantly for housing.

Residential use means activities within land areas used predominantly for housing.

Restaurant means any building of a permanent nature, or any room or division wholly within such building, that is maintained and operated as a place where food is regularly prepared, served, or sold for immediate consumption within the building and/or on the premises associated with the building with seating for a minimum of nine patrons. The term "restaurant" includes, but is not limited to, the terms "cafeteria," "cafe," "coffeeshop," "snack bar" and other similar terms. Hot dog stands, hamburger stands, or similar stands, whether or not furnishing curb or car-side service, are not considered restaurants for the purposes of this subpart. Additionally, "restaurant" shall not include the preparation and service of food in association with a temporary or special event, such as a community festival, religious or fraternal organization meals, or fund raising activity. Where the context requires, the term "restaurant" shall mean the use of such building, or portion thereof, for such purposes.

Restrictive covenant means a restriction on the use of land, usually set forth in a deed.

Rezone means to change the zoning classification of particular lots or parcels of land.

Right-of-way means a strip of land occupied or intended to be occupied by a road, sidewalk, railroad, electric transmission line, oil or gas pipeline, water line, sanitary or storm sewer or other similar use.

Riprap means a loose assemblage of unconsolidated boulders, rocks or clean concrete rubble arranged along the natural slope of the shoreline, often over a porous filter cloth, intended to stabilize the shoreline and reduce erosion. Concrete rubble shall be free of exposed reinforcing rods or similar protrusions, tar, asphalt and paint.

Sand dunes means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Screening means a method of visually shielding or obscuring abutting or nearby buildings, structures or uses from another by fencing, walls or densely planted vegetation.

Seawall means a wall or embankment that acts as a breakwater and is used to protect land from erosion.

Service station means any building, parcel or lot, or a portion thereof, used or intended to be used for the retail dispensing or sale of vehicular fuels and including as an accessory use the sale and installation of lubricants, tires, batteries and similar accessories. Service stations may also include sales of cold drinks, packaged foods, tobacco and similar convenience goods for service station customers, but only when such sales are conducted inside the principal building or accessory refreshment center buildings.

Setback means required minimum distance between the street right-of-way line or any other lot or property line in the outer most vertical plane of any building or structure which is over 12 inches in height. It is intended that a setback is a clear zone void of any structures or mechanical devices over 12-inches in height. Notwithstanding the foregoing, roof over hangs and minor, non-structural protrusions such as lighting fixtures and shutters, may intrude into a required setback no more than 24 inches.

Shore protection structures means shore-hardening structures, such as seawalls, bulkheads, revetments, groins and aggregates of materials other than natural sediments, used to prevent erosion or protect other structures from waves and other hydrodynamic forces.

Shoreline means the immediate interface of land and water: the mean high tide line in nonvegetated areas, and the landward extent of wetland species of vegetation as listed in chapter 17-4, Florida Administrative Code, where such marine species constitute the dominant plant community.

Shrubbery means a number of plants, each with several branching woody stems and no main trunk, which grow to a minimum height of three feet.

Sign means any advertising display, device or combination thereof placed, attached, painted, erected, fastened or manufactured in any manner whatsoever for visual communication that is used for the purpose of bringing the subject thereof to the attention of others and which is displayed in any manner outdoors.

Sign area means the entire face of a sign, including the advertising surface and any framing, structure or molding, but not including the supporting structure.

Sign, freestanding means a sign that is attached to, erected on or supported by some structure, such as a pole, mast, frame or other structure, that is not itself an integral part of or attached to a building or other structure having a principal function other than the support of a sign. A sign that stands without supporting elements, such as a sandwich sign, is also a freestanding sign.

Sign, nonconforming means a sign that, on the effective date of the ordinance from which the sign chapter 28 is derived, does not conform to one or more of the regulations set forth in this subpart.

Sign permit means a permit issued by the city that authorizes the holder to erect, move, enlarge or substantially alter a sign.

Sign, political means a temporary sign announcing or supporting political candidates or issues in connection with any national, state or local election.

Sign, temporary means a sign used for a noncommercial one-time event such as a garage sale or community festival. Temporary signs shall not be placed more than one week prior to the event to which the sign refers.

Site plan means the development plan for a parcel or lot or one or more lots on which are shown the existing and proposed conditions of the parcel or lot, including buildings, structures, topography, drainage, floodplains, waterways, open spaces, walkways, means of ingress and egress, utility services, landscaping, signs, lighting, screening devices and any other information that reasonably may be required in order that an informed decision can be made by the approving authority.

Special exception means a land use which, when controlled as to number, location and design, may be appropriate in a zoning district in which the same uses without restriction would be incompatible.

Special flood hazard means an area having special flood or flood-related erosion hazards, and shown on the flood insurance rate map as zone A or V.

Start of construction, for other than new construction or substantial improvements under the Coastal Barrier Resources Act, includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure, including a modular unit dwelling, on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a modular unit dwelling on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structures.

State minimum building codes means the recognized model building construction codes as identified in F.S. § 553.73.

Stormwater management system means the features of the property which are designed to collect, convey, channel, hold, inhibit or divert the movement of stormwater.

Stormwater runoff means the water flowing over land during and immediately after a rainfall.

Story means a horizontal division of a building (space between floor and ceiling) located above the ground level area of the interior of a building.

Street means a strip of land intended for vehicular traffic and providing the principal means of access to property, including but not limited to a road, lane, drive, avenue, highway, expressway, boulevard or any other thoroughfare. The term "street" shall not be deemed to include alleys. A street may be public or private.

Street line means the dividing line between a street and a lot or parcel. For public streets, the street line shall be the existing right-of-way line; for private streets, the street line shall be the edge of the maintained roadway, or the boundary of the legally described street, whichever is greater.

Street, private means a street, way or easement, not a component of the state system or the city thoroughfare system, which is not available for use by the general public.

Street, public means a platted street or alley, dedicated and accepted or maintained for the use of the general public, in order that every person has the right to pass and to use it at all times, for all purposes of travel, transportation or parking to which it is adapted and devoted.

Structure means anything constructed or erected which is located 12 inches above the ground or attached to something located on the ground, exclusive of landscape materials.

Subdivision means the division of real property into two or more lots, parcels, tracts, tiers, blocks, sites or units, or any other division of land for the purpose of establishing a new building site or sites. Any realignment of platted lot lines within a formally platted or common law platted subdivision shall be deemed additional subdivision of the original property and subject to subdivision review and regulation. Subdivision shall also include establishment of new streets and alleys, additions, and resubdivisions. When appropriate to the context, subdivision relates to the process of subdividing or to the lands or area subdivided.

Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Tavern means an alcoholic beverage establishment primarily engaged in the sale for on-premises consumption of alcoholic beverages. A tavern shall not include that portion of any establishment where alcoholic beverages are served for on-premises consumption which is part of a larger establishment earning 51 percent or more of its revenue from service of full-course meals. A tavern is also known as a bar or saloon.

Travel trailer means a vehicular portable unit, mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a motorized vehicle. It is primarily designed and constructed to provide temporary living quarters for recreational, camping or travel use. It is of a body width of no more than eight feet and a body length of no more than 40 feet when factory equipped for the road.

Tree means a woody, self-supporting plant having a main stem or cluster of main stems, and having a diameter of at least three inches measured four and one-half feet above the ground level and that grows to a minimum of ten feet in height, and not limited to, but including, all sizes of red mangrove, white mangrove, black mangrove and buttonwood mangrove, which are, by designation in this subpart, classified and referred to as trees.

Use means the purpose or activity for which land, structures or buildings are designed, arranged or intended, or for which land, structures or buildings are occupied or maintained.

Use, accessory. See *Accessory use*.

Use, existing means the use of a lot, parcel, building or structure at the time of the enactment of the comprehensive plan.

Use, permitted. See *Permitted use*.

Use, principal. See *Principal use or building.*

Utility easement means those easements which have not already been extinguished or abandoned and are intended for public utility use.

Variance means a departure from the terms of this subpart pertinent to width, depth and area of buildings and structures and sizes of yards, open spaces and encroachments.

Watercraft means any boat, houseboat, barge or sailboat, whether self-propelled, propelled by natural elements such as wind, or towed, regardless of size, if utilized for live-aboard purposes.

Waterway boundary. On shorelines without bulkheads or seawalls, the waterway boundary is determined to be the mean high-water line.

Waterways means waterways, canals, boat channels and boat basins which provide navigable access to property along such waterways.

Yard means a required open space unoccupied by any structure or portion of a structure above the ground upward, except as otherwise permitted in this subpart.

Yard, front means a yard across the full width of the parcel or lot, extended from the front building line to the front street line of the lot or parcel. The front yard is the yard facing on a city street, regardless of the location of the front entrance.

Yard, rear means a yard extending across the full width of a lot or parcel and measured between the rear line of the lot or parcel and the rear building line of the main building. In the case of corner lots or parcels, the rear yard shall be the yard opposite the yard designated as the front yard.

Yard, side means a yard between the building line and the side property line of the lot or parcel, extending through from the front building line to the rear yard, or to the rear property line of the lot or parcel where no rear yard is required.

Yard, waterfront means a yard on lots or parcels abutting a body of water extending across the full width of the lot or parcel and measured from the mean high-water line or retaining wall, whichever is closer, and the closest building line.

SECTION 2. CONFLICTS. All Ordinances or parts of Ordinances, insofar as they are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of any conflict.

SECTION 3. CODIFICATION. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Anna Maria. The sections of this Ordinance may be renumbered or relettered to accomplish such intention.

SECTION 4. SEVERABILITY. In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent

jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance on which shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final passage and adoption.

PASSED AND ADOPTED, by the City Commission of the City of Anna Maria, Florida, in regular session assembled, this ____ day of _____, 2023.

Jonathan Crane, Commissioner
Doris Sebring, Commissioner
Mark Short, Commissioner
Robert Kingan, Commissioner

Mark Short, Chairman

I hereby approve this Ordinance:

Dan Murphy, Mayor

_____, 2023

ATTEST:

Approved as to form and legality for
the use and reliance of the City of
Anna Maria only

LeAnne Addy, City Clerk

Gretchen R. H. "Becky" Vose, City Attorney

ORDINANCE NO. 23-911

AN ORDINANCE OF THE CITY OF ANNA MARIA, FLORIDA, AMENDING SECTION 90-3, "OFF-STREET PARKING REQUIREMENTS", OF CHAPTER 90 "INTERNAL TRAFFIC CIRCULATION, ACCESS AND STORAGE" OF THE CODE OF THE CITY OF ANNA MARIA; PROVIDING FOR AMENDMENTS TO ALLOWABLE OFF-STREET PARKING FOR SINGLE FAMILY AND DUPLEX USES FOR OVER THREE BEDROOMS AND TANDEM PARKING; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ANNA MARIA, FLORIDA:

SECTION 1: Section 90-3, "Off-Street Parking Requirements", of Chapter 90 "Internal Traffic Circulation, Access and Storage", is hereby amended to read as follows:

Sec. 90-3. Off-street parking requirements.

- (a) *Generally.* Every building, structure or other land use shall be provided with off-street parking facilities for the use of occupants, employees, visitors or patrons as prescribed in this section.
- (b) *Existing buildings.* Existing conforming buildings may be expanded, altered or repaired in conformity with this section, provided required parking spaces are provided and designated.
- (c) *Increase in floor area or capacity.* When an existing building, structure or use is enlarged in floor area or in capacity, it shall be considered a completely new construction project and shall be subject to minimum off-street parking requirements.
- (d) *Location.* Off-street parking facilities required by this section shall be located on the same lot or parcel of land they are intended to serve. When such an arrangement creates undue hardship or is impractical, parking facilities must be located within at least 300 feet of the perimeter of the development. Such location for off-site parking must be approved through the site plan review process, and parking spaces located off-site shall be clearly marked in a manner approved by the city to indicate that they shall only be used as off-site parking for the particular business.
- (e) *Delineation.* Nonresidential parking spaces shall be designated with a parking bumper with the parking bumper not to exceed five inches in height.
- (f) *Parking space dimensions.* Standard parking spaces shall have the following minimum dimensions:

- (1) Head-in or angled parking spaces shall be a minimum of nine feet wide by 18 feet long.
- (2) Parallel parking spaces shall be 12 feet wide by 25 feet long.
- (3) Handicapped parking spaces shall be 12 feet wide by 20 feet long.
- (g) *Aisles and driveways.* All parking shall provide sufficient unobstructed room for easy ingress and egress. All parking lots in excess of ten parking spaces shall provide a minimum 20 feet of driveway/reservoir space, as measured from the property line, prior to accessing any parking space.
- (h) *Aisle width dimensions.* Aisle widths shall have the following minimum dimensions:
 - (1) One-way aisle width of 12 feet for parallel and 45° angled parking spaces;
 - (2) One-way aisle width of 16 feet for 60° angled parking spaces;
 - (3) One-way aisle width of 24 feet for 90° angled spaces; and
 - (4) Two-way aisle width of 24 feet regardless of parking space angle.
- (i) *Number and design of handicapped spaces.* The number, design and location of marked handicapped parking spaces shall be consistent with the requirements of F.S. §§ 316.1955 and 316.1956, or succeeding provisions, but in no case shall be less than the following:
 - (1) One space for the first 25 parking spaces or fraction thereof.
 - (2) One additional space for each 25 spaces or fraction thereof up to 100 spaces.
 - (3) One additional space for each 100 spaces or fraction thereof up to a total of 1,000 spaces.

All spaces shall be accessible to a curb ramp or curb cut when necessary to allow access to the building, structure or use served, and shall be so located that users are not compelled to wheel behind parked vehicles.

- (j) *Combined uses.* Where a combination of uses is developed, parking shall be provided for each of the uses individually, as prescribed in subsection (k) of this section, unless a reduction is granted by the city commission.
- (k) *Required number of spaces.* When determination of the number of off-street parking spaces required by this section results in a fractional space, another whole space shall be required. The minimum required number of spaces for various uses shall be as follows:

(1) *Commercial uses.*

Unit of Measurement	Spaces Required
Each 100 square feet of floor area	0.25
Each seat (restaurant, bar) plus spaces required for employees	0.33
Each employee (restaurant, bar)	0.25
Each boat berthing space available for rent or lease	0.25

Each boat land-storage space available for rent or lease	0.25
Each person regularly employed	0.75
Each sleeping unit (hotel, motel, apartment, etc.)	1.00
Each chair (barbershop, beauty shop, etc.)	0.75

Parking space requirements for each business will be determined by whatever unit of measurement requires the greater number of spaces.

(2) *Public and quasipublic uses.*

- a. Any PSP district facility must provide parking accommodations adequate for visitors, members or participants as may be necessary.
- b. For churches, theaters or other activities in connection with which auditorium facilities are utilized, adequate parking will require one space for every three seats in the auditorium, and such parking facilities must be provided within 300 feet of the building involved.

(3) *Single-family and duplex uses.* All single-family and duplex uses shall make provision for off-street parking for each dwelling unit as follows:

- a. *One bedroom and two bedrooms:* Two spaces.
- b. *Three bedrooms:* Three spaces.
- c. *Over three bedrooms:* One additional space for each two bedrooms or fraction thereof.

One such required parking space for each dwelling unit shall be in a covered garage or carport. Dwelling units complying with chapter 82, existing construction definition are exempt from the requirement of providing one parking space in a garage or carport. Single-family and duplex units having individual driveways may fulfill such requirement by including spaces located in the driveway located on the lot or parcel and not extending in the right-of-way. **Permeable Pparking spaces shall not be included in the lot coverage calculations.**

(4) *Uses not listed.* For any uses not listed, the parking requirement shall be determined by the city commission after review and recommendation of the planning and zoning board. An applicant proposing to develop an unlisted use, shared parking use or bicycle parking may submit a parking study to the city as justification to support any proposed change in the parking requirement.

(5) *Tandem parking* All single-family dwelling units (including manufactured housing), upper-story residential and two-family dwelling units may provide required parking as tandem spaces. Such tandem spaces shall not extend over the right-of-way, sidewalk or otherwise interfere with pedestrian or vehicular traffic. **Tandem parking spaces shall be in a straight line and no more than two (2) in a single row.**

- (l) *Surfacing.* Except for single-family and two-family dwellings and related uses, every off-street parking area shall be surfaced with a permeable material such as turf block, washed shell, stone or gravel, or asphaltic or cement pavement or an equivalent improvement, so as to provide a durable and dustless surface compliant with chapter 102. Parking for seasonal uses or uses not active on a daily basis may be exempted from the paving requirements as determined by the city. All off-street parking lots shall be graded and drained in accordance with applicable stormwater management requirements.
- (m) *General design standards.* All off-street parking areas, including all areas for maneuvering, shall be located solely on the subject property, shall not use public rights-of-way, shall have vehicular access to a public street, and shall be designed to provide safe and convenient circulation in accordance with commonly accepted traffic engineering practices.
- (n) *Lighting.* All commercial off-street parking areas open to use by the public shall have a minimum of one horizontal footcandle power of artificial lighting. Lighting, when provided, shall be directed away from public streets and residential areas and shall not be a hazard or distraction to motorists traveling on a street and shall comply with all other pertinent city ordinances.
- (o) *Nonresidential parking on residentially zoned property.* Residentially zoned property may not be used for nonresidential parking.

SECTION 2. CONFLICTS. All Ordinances or parts of Ordinances, insofar as they are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of any conflict.

SECTION 3. CODIFICATION. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Anna Maria. The sections of this Ordinance may be renumbered or relettered to accomplish such intention.

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SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final passage and adoption.

(SIGNATURE AND ADOPTION PAGE FOLLOWS)

PASSED AND ADOPTED, by the City Commission of the City of Anna Maria, Florida, in regular session assembled, this ____ day of _____, 2023.

Jonathan Crane, Commissioner
Doris Sebring, Commissioner
Mark Short, Commissioner
Robert Kingan, Commissioner

Mark Short, Chairman

I hereby approve this Ordinance:

Dan Murphy, Mayor

_____, 2023

ATTEST:

Approved as to form and legality for
the use and reliance of the City of
Anna Maria only

LeAnne Addy, City Clerk

Gretchen R. H. "Becky" Vose
City Attorney



CITY OF ANNA MARIA

P.O. Box 779, 10005 Gulf Drive, Anna Maria, FL 34216
Phone (941) 708-6130 Fax (941) 708-6134

MINUTES

NOVEMBER 14, 2022, AT 9:00 A.M.
PLANNING AND ZONING BOARD MEETING
CITY HALL COMMISSION CHAMBERS

THIS PLANNING AND ZONING BOARD MEETING IS BEING HELD USING OPTIONAL TELECOMMUNICATIONS MEDIA TECHNOLOGY. TO ATTEND YOU MUST:

Dial in by using your phone.

United States: + 1 (929) 205-6099

Access Code: 856-9556-7017

Out of courtesy for others, please mute your phone when not speaking

Pledge of Conduct: We may disagree, but we will be respectful of one another. We will direct all comments to the issues. We will avoid personal attacks.

CALL TO ORDER

PLEDGE TO THE FLAG

ROLL CALL

REGULAR MEETING

General Public Comment regarding non-agenda items and items not scheduled for future agendas will be taken at the beginning of the meeting with a limitation of three minutes. The Board's intent is that General Public comment is to be used for the public to inform the Board of new issues within the City. Public Comment regarding agenda items will be taken with each agenda item with a limitation of three minutes.

1. General Public Comment
None
2. Staff Comments

Mayor Murphy announced that this meeting would be Board member Carter's last meeting and thanked him for his time serving on the board.

The mayor announced that City Commission passed an emergency ordinance reducing the number of required board members. The mayor noted that City Planner Austin would be presenting the formal ordinance to the board at this meeting. The ordinance would then go back to City Commission. He noted that there are several reasons why someone would not want to serve on the board or public service, including personal lives being made public.

Salem thanked board member Carter for his positive influence on the direction of the board. He noted that getting involved in public service helps you better understand what drives the city. A lot of people with good ideas that want to make an impact. Trade-off with private issues the mayor raised but there is a lot of reward with a small amount of effort. He encouraged residents to get involved and make a difference

Dr. Erbella thanked Carter for his mentorship and hoped Carter could still offer advice when needed.

Carter thanked the City for the opportunity to serve. He has learned that there are limits on what you can do. He noted the changes that he has experienced during his tenure.

3. Public hearing and Recommendation Regarding an Ordinance to Decrease the Number of Required Planning and Zoning Board Members

The current ordinance required a minimum of five members and a maximum of seven. The proposed ordinance would reduce the number of required members to a minimum of three and a maximum of five. Alternate members would be allowed but would not count towards a quorum.

Board discussed keeping the maximum at seven members.

Planner Austin clarified the ordinance process.

Board member Haddox made a motion to approve with ordinance with the recommendation that the maximum number of board members be kept at seven. Second by Board member Erbella.

Roll call vote as follows:

Carter-yes

Haddox-yes

Salem-yes

Erbella- yes

4. Land Development Code Workshop/Discussion – Chapter 70 General Provisions; Chapter 90 Internal Traffic Circulation, Access and Storage; Chapter 114 Zoning

- Landscaping

Planner Austin explained that the code does not permit landscape rocks within any setbacks. On-site, large rocks are found within setbacks, appear to be decorative in nature, and do not appear to impede drainage. Materials are easily placed in backyards well after a CO is issued making it difficult to police and enforce. Planner Austin recommended that landscape materials be permitted in backyards within rear and side setbacks so long as they do not impede drainage.

Haddox suggested adding an oxford comma. He also recommended adding clarifying language for large decorative rocks and coral.

Carter noted that his neighbor has large rocks right up to public access which Planner Austin confirmed would not be compliant with today's Code.

Discussion about landscape rocks in the front setback, interference with parking spaces, and other potential issues ensued. Haddox confirmed that the front setback is 20-feet.

Planner Austin noted that the idea behind the proposed amendment is to allow more freedom for the homeowner to place lawn adornments in their backyards. Thought behind retaining the prohibition for landscape materials in the front setback is to eliminate any potential conflicts with regards to access to utility easements and parking.

Erbella would like to stay out of peoples front yards and backyards. All board members agree.

Board members agreed that moveable landscape material should be permitted within any setback. Language already exists and will remain to prevent the larger, more permanent rocks and materials from being located within a setback.

- Parking

Planner Austin advised that parking spaces currently count towards lot coverage regardless of the material that they are parked on. Typically, driveways are installed with permeable paver systems with stormwater infiltration underneath.

Haddox confirmed that if the driveway is impervious, it will count towards impervious coverage/lot coverage.

Planner Austin proposed language to clarify that tandem parking means parking spaces oriented in the same direction and no more than two in a single row.

Haddox suggested that “oriented in the same direction” should be revised to “in a straight line”.

No other suggestions.

- Mechanical equipment

Planner Austin presented redlines that would eliminate redundancies and inconsistencies pertaining to mechanical equipment setbacks. She provided information on how nearby cities treat mechanical equipment and requested direction from the board on how to treat mechanical equipment moving forward.

Salem noted that the current regulations have been in place a long time. Builders and contractors should know and should prepare their plans accordingly.

Erbella likes the homes that provide built-in areas on the exterior of the structure for the equipment.

Board members like the idea of having the screening requirement.

Planner Austin will bring examples of screening language and materials.

Erbella noted that elevated units could be screened as well. Haddox cited screened units at the pier as an example.

Salem proposed keeping the 10' required setback but provide an exception that screened units can encroach into the setback.

Planner Austin will find out what the standard dimensions are for equipment pads.

- LAR/GFA

Austin presented new definitions for gross floor area and floor area ratio. Austin explained that our Code currently limits habitable space on a second floor to 33%. Several plans have been submitted with areas designated as "unconditioned attic or storage space" which does not count towards habitable space. This appears to be a loophole so that after a CO is issued, these spaces are easily converted to living space. More bodies can fit into a house which can affect noise and parking issues. Does not meet the intent of the LAR standards. Austin recommends replacing "living area ratio" with "floor area ratio". This would include all area within an exterior wall.

Discussion ensued about total living area and whether it should be reduced from the currently allotted 40%. Board members feel that 40% may be too generous as nearby cities only allow a maximum of 30% or 35%.

Haddox does not want big box like homes. He cited a newer home on Kumquat. Carter also has a box-like home on his street.

Building Official Gilson noted the challenges in remedying the storage conversion to living area during the vacation rental permitting process. Unintentional disconnect between vacation rentals and building code.

Salem would like to better understand the enforcement authority and practice.

Austin will do a benchmark on overall living area using nearby cities.

Haddox suggested limiting wall height to prevent large voids of space on the second living story from not being included in FAR calculations.

5. City Attorney Comments

NONE

6. Board Member Comments

NONE

CONSENT AGENDA: The following items are considered routine in nature and should be considered in a single motion. Items which warrant individual discussion should be removed from this list prior to the motion to adopt. Such items will be discussed separately.

1. Approval of Minutes: September 13, 2022

2. Approval of Minutes: October 12, 2022


Motion to approve the minutes of September 13, 2022 and October 12, 2022 by Haddox and seconded by Erbella. The motion passed unanimously.

NEXT MEETING

December 12, 2022 at 9am

Press Comment

Adjournment

 (FSS 286.26) IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATE STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ASSISTANCE TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CITY CLERK FOR ASSISTANCE AT LEAST THREE BUSINESS DAYS PRIOR TO THE MEETING (941) 708-6130. SHOULD ANY INTERESTED PARTY SEEK TO APPEAL ANY DECISION MADE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, THEY WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS BE MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.