



LAKE MARY PLANNING AND ZONING BOARD

**Lake Mary City Hall
100 N. Country Club Road**

**Regular Meeting
AGENDA**

TUESDAY, MAY 14, 2024 6:00 PM

- 1. Call to Order**
- 2. Moment of Silence**
- 3. Pledge of Allegiance**
- 4. Roll Call - Determination of Quorum**
- 5. Approval of Planning and Zoning Board Minutes**
 - A. Draft Planning and Zoning Board Minutes - April 23, 2024**
- 6. Citizen Participation:** This is an opportunity for anyone to come forward and address the Commission on any matter relating to the City or of concern to our citizens. This also includes: 1) any item discussed at a previous work session; 2) any item not specifically listed on a previous agenda but discussed at a previous Commission meeting or 3) any item on tonight's agenda not labeled as a public hearing. Items requiring a public hearing are generally so noted on the agenda and public input will be taken when the item is considered.
- 7. P&Z Public Participation Process:** City staff and the applicant, or the agent for the applicant, will make their presentations first, followed by questions from the Planning and Zoning Board members. After the presentations from staff and the applicant, the Chairman will open the public hearing portion of the meeting to allow interested parties to speak for or against the item being considered. The public is instructed to keep their presentation factual, not be redundant, and to direct all comments to the Board, not to the applicant or to staff. From time to time, it may become necessary for the Chairman to limit the time that speakers may have. If a time limit is to be imposed, it will be announced at the time that the Public Hearing is opened. If a speaker wishes to be heard for the record but does not have any new information regarding the item being considered, the speaker shall give his/her name and address for the record and state that they agree with the presentation made by a previous speaker, giving the specific

name of the person. When the Chairman believes that no additional information is forthcoming, the Chairman shall close the public hearing portion of the meeting.

8. Old Business

9. New Business

- A. 2024-ZTA-02, Ordinance No. 1703, A recommendation to the Mayor and City Commission regarding a City initiated code amendment to amend Chapter 154, of Title XV, Land Usage. (Public Hearing – Legislative) (Sabreena Colbert, Project Manager)**

10. Community Development Director's Report

11. Other Business

12. Reports of Other Members

13. Adjournment

THE ORDER OF ITEMS ON THIS AGENDA IS SUBJECT TO CHANGE

NOTE: If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he or she may need a verbatim record of the proceedings including the testimony and evidence, which record is not provided by the City of Lake Mary.

PERSONS WITH DISABILITIES NEEDING ASSISTANCE IN ORDER TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY ADA COORDINATOR AT LEAST 48 HOURS IN ADVANCE OF THE MEETING AT (407) 585-1424.



LAKE MARY PLANNING AND ZONING BOARD

**Lake Mary City Hall
100 N. Country Club Road**

Regular Meeting MINUTES

TUESDAY, May 14, 2024, 6:00 PM

NO VIDEO RECORDING WAS MADE FOR THIS MEETING

1. Call to Order

The meeting was called to order by Chairman Hawkins at 5:57 PM.

2. Moment of Silence

3. Pledge of Allegiance

4. Roll Call – Determination of Quorum

Robert Hawkins, Chairman

Thomas Peet, Member

Benjamin Vogt, Member

Brittany Walker, Member

Nick Carlin, Alternate Member

Sabreena Colbert, Community Development Director

Christopher Carson, Senior Planner

Michael Lopez, Planner

Patrick Martin, Community Development Administrative Coordinator

Katie Reischmann, City Attorney

5. Approval of Planning and Zoning Board Minutes

A. Draft Planning & Zoning Board Minutes

Member Peet made a motion to approve the Draft Planning and Zoning Board Meeting Minutes of April 23, 2024. Member Vogt seconded the motion, and the motion carried unanimously, 5 to 0.

- 6. Citizen Participation:** This is an opportunity for anyone to come forward and address the Commission on any matter relating to the City or of concern to our citizens. This also includes: 1) any item discussed at a previous work session; 2) any item not specifically listed on a previous agenda but discussed at a previous Commission meeting or 3) any item on tonight's agenda not labeled as a public hearing. Items requiring a public hearing are generally so noted on the agenda and public input will be taken when the item is considered.

No one came forward and the citizen participation section was closed.

- 7. P&Z Public Participation Process:** City staff and the applicant, or the agent for the applicant, will make their presentations first, followed by questions from the Planning and Zoning Board members. After the presentations from staff and the applicant, the Chairman will open the public hearing portion of the meeting to allow interested parties to speak for or against the item being considered. The public is instructed to keep their presentation factual, not be redundant, and to direct all comments to the Board, not to the applicant or to staff. From time to time, it may become necessary for the Chairman to limit the time that speakers may have. If a time limit is to be imposed, it will be announced at the time that the Public Hearing is opened. If a speaker wishes to be heard for the record but does not have any new information regarding the item being considered, the speaker shall give his/her name and address for the record and state that they agree with the presentation made by a previous speaker, giving the specific name of the person. When the Chairman believes that no additional information is forthcoming, the Chairman shall close the public hearing portion of the meeting.

8. Old Business

There was no old business.

9. New Business

- A. 2024-ZTA-02, Ordinance No. 1703, A recommendation to the Mayor and City Commission regarding a City initiated code amendment to amend Chapter 154, of Title XV, Land Usage. (Public Hearing – Legislative) (Sabreena Colbert, Project Manager)**

Sabreena Colbert, Project Manager, came forward to present Item A. This is phase two of the updates we're making. At the last meeting, the Board recommended approval of the Comprehensive Plan amendment, and this is in concert with that to address Senate Bill 328, which was passed during the 2024 legislative session, amending provisions of the Live Local Act. Additional policies related to affordable housing and preemptions of local zoning and land use regulations in the bill make it necessary for the City to establish equitable regulations for Mixed Use / Mixed Income Developments in order to implement the provisions of the Live Local Act. The code updates proposed include defining additional terms, revising regulations and procedures, incorporating statutory preemption for floor area ratio, addressing the impact of height preemption on adjacent single-family residential zoning, and addressing the impact of preemptions for any density bonuses. The updates will also address the reduction of parking requirements for qualifying developments located within one half mile of a major transportation hub as defined in the Live Local Act and establish expectations and procedures for administrative approval of a qualifying development that will be required to be posted on the City's website once the bill is signed into law. Some additional updates are also included to address scrivener's errors in changes that have been made but are not consistent throughout multiple sections of the code. All updates were provided to you in the full strikethrough-underline. Staff recommends approval of Ordinance No. 1703, and the Mayor and City Commission will hear the first reading of the ordinance on Thursday, June 6, 2024, followed by the second reading on Thursday, June 20, 2024.

Chairman Hawkins asked Ms. Colbert to repeat the part about the reduction in parking. Ms. Colbert responded that the bill has an additional preemption for parking requirements. If a property is within one half mile of a major transportation hub, as defined in the language of the bill, it may be eligible for no on-site parking requirements. We are defining transit stop as well as major transportation hub for clarification, but basically if a property is within one half mile of Sunrail and is a Transit-Oriented Development there are no on-site parking requirements.

Ms. Reischmann added it would eliminate parking requirements entirely if the property is within a Transit-Oriented Development.

Chairman Hawkins commented that doesn't sound good. Ms. Colbert agreed and added especially when you are dealing with a Mixed-Use Development, since we are exempt with less than twenty percent of commercial and industrial designated property, and for commercial uses to be viable you have to have parking for people to frequent the businesses.

Ms. Reischmann added she believes this was designed for Miami.

Chairman Hawkins asked if they have to be in favor of this or will it just go through anyway. Ms. Colbert responded that the bill has already passed state legislation, but the Governor has not signed it into law yet. Ms. Reischmann added that the Governor has not signed it, but it was overwhelmingly passed so what we are trying to do is mitigate its effects and get something in place before it takes effect presuming that the governor is going to sign it. This is designed to

keep our Transit-Oriented Development area small and implement other measures that will allow us, within the scope of this Act, to require our normal parking requirements.

Chairman Hawkins asked if the requirement could be made smaller than a half a mile radius. Ms. Colbert and Ms. Reischmann responded, no. Chairman Hawkins asked who says it can be made smaller. Ms. Colbert responded it is the State.

Member Walker questioned that the bill hasn't been fully passed yet, or the Governor hasn't signed it into law. Ms. Reischmann responded that the Governor hasn't signed it, but that isn't because he doesn't like it. Things are just done at different times, so we don't have any reason whatsoever to believe he is not going to sign it. Member Walker asked if he doesn't sign it then we would have to follow whatever we put in place, which would mean that we would then have to come back to the table to reverse whatever we do now. Ms. Reischmann responded that we will know before the second reading at the Commission whether he's signed it.

Mr. Carson clarified that these standards are only for qualifying developments.

Chairman Hawkins asked if they have to jump through a lot of hoops to qualify. Ms. Colbert responded, part of the updates we are doing is incorporating a process for administrative approval because a qualifying development under the current Live Local Act, that is State law, is exempt from going through any public hearings. It requires any local government to do administrative approval, and when the new bill becomes law that will be required to be posted on the City's website. We are establishing processes for what a qualifying development would need, including a First Step Meeting with certain parameters they have to meet, full DRC review, a recommendation by DRC, and then approval by the Administrative Official which would be the City Manager in this case. It would not come forward for a public hearing unless the applicant is requesting any variances or deviations from the code outside of state preemptions.

Member Walker stated basically the power is taken out of the local governments on what can be developed. Ms. Reischmann added that some cities advocated for this because they want to be able to build affordable housing, but in our situation where we have limited commercial, industrial, and office properties available it's problematic. That is why we want to put this in place to try to mitigate that as well as put some standards in that we didn't have before.

Chairman Hawkins stated alright, I feel better. I can just see someone putting up an apartment complex and there are no parking spaces. Some developer would do it. Ms. Reischmann added we know that sometimes parking doesn't work even when we build to the best standards because you have all the employees and guests. Alternate Member Carlin added it could deter them as well.

Chairman Hawkins added that Fountain Parke doesn't have enough parking. Griffin Park, not enough parking. We told them, they did it anyway, and now people are fighting in Griffin Park and Fountain Parke because they don't have enough parking.

Item A was opened for public hearing. No one came forward and the public hearing was closed.

Member Vogt made a motion to recommend approval of Ordinance No. 1703, A recommendation to the Mayor and City Commission regarding a City initiated code amendment to amend Chapter 154, of Title XV, Land Usage. Member Peet seconded the motion, and the motion carried 5 to 0.

10. Community Development Director's Report

Sabreena Colbert, Community Development Director, since our last meeting the City Commission has approved Ordinance No. 1701 updating the Accessory Structure Code. Also, Ordinance No. 1702 for first reading of the Comprehensive Plan text amendment, that is in concert with what you just recommended for approval, has been sent to the Florida Department of Commerce for review. Once we receive feedback, it will move forward to the City Commission for adoption. We do anticipate having items for the June 11, 2024, meeting.

11. Other Business

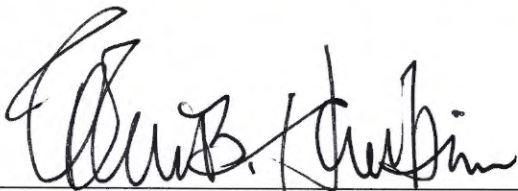
There was no other business.

12. Reports of Other Members

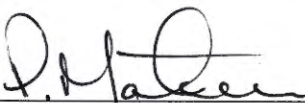
There were no other reports.

13. Adjournment

There being no further business, the meeting was adjourned at 6:08 PM.



Robert Hawkins, Chairman



Patrick Martin, Community Development Administrative Coordinator