

Ms. Dolan responded that City staff also doesn't have the expertise to review these aspects, which is why a consultant does this review.

Mr. Saunders asked if it is a consistent requirement that the Airpark and the City's consultant review these applications.

Ms. Dolan confirmed this. She stated that the City collects the application and fee and then passes this along to the consultant to review.

Mr. Stacer asked if anyone in the audience wished to speak. There were none.

MOTION was made by Rhonda Eaton and seconded by Joan Kovac to recommend approval of the proposed amendments to the Chapter 154 and 155 to clarify the advertising requirements for Comprehensive Plan Amendments. All voted in favor of the motion.

MOTION was made by Rhonda Eaton and seconded by Richard Klosiewicz to recommend approval of the proposed amendments to Chapter 155 to increase compliance with Chapter 333 related to airpark obstruction permitting and airpark zoning. All voted in favor of the motion.

9. TEXT AMENDMENTS TO CHAPTER 155, ZONING CODE
ARTICLE 4 – USE STANDARDS & USE-SPECIFIC STANDARDS

Ms. Jennifer Gomez explained that staff is recommending text amendments to Chapter 155 which clarifies several use specific standards in Article 4 related to manufacturing of ammunition and boat dry storage facility. She explained that State statute prohibits the prohibition of ammunition manufacturing, so this is being made an allowable industrial use. The boat dry storage amendment is to fix an inconsistency in the code. Also, the Department proposes to amend Chapter 155 to be consistent with the Comprehensive Plan element in regards to Hotels. The City and County Comp plans allow for the doubling of allowable density for hotel units. She stated that the former zoning code also made this provision, but that it was left out in the new zoning code. This amendment would correct this inconsistency and allow for this doubling of density.

Ms. Gomez added a last-minute request to the Board regarding the allowance of lodges or clubs in industrial areas. She explained that this issue just came up recently and that City staff has determined that this would be consistent with the Comprehensive Plan. She stated that since the other similar text amendments were being brought to the Board tonight, staff thought that perhaps the Board would be comfortable also making a determination on this use issue as well. If not, it can be included on the next month's agenda. The CRA has no objections to this last-minute amendment.

Ms. Eaton asked which zoning districts would permit ammunition manufacturing.

Ms. Gomez responded that it would be I-IX and theoretically a Planned Commercial Development.

Mr. Hill asked if there is no option to make the use a Special Exception use.

Ms. Gomez responded that the state statute is very prohibitive in how jurisdictions may regulate this use.

MOTION was made by Richard Klosiewicz and seconded by Jerry Mills to recommend approval of the proposed text amendments to Chapter 155 regarding the manufacturing of ammunition per the submitted staff report. All voted in favor of the motion.

Mr. Hill asked if there is currently any boat dry storage in the OIP district.

Ms. Gomez responded that she is unsure but can find out before the City Commission meeting.

MOTION was made by Joan Kovac and seconded by Tony Hill to recommend approval of the proposed text amendments to Chapter 155 regarding boat dry storage facility per the submitted staff report. All voted in favor of the motion.

Mr. Hill asked why is this only on residential and why does it double the allowable density. He also asked if this is only for condo hotels.

Ms. Gomez responded that this would be for all hotels and motels. She stated that there are not density restrictions on hotels if they are in commercial zones, but that they are limited by bulk standards. As such, this amendment deals only for hotels in residential districts. She stated that the intent is to make the zoning code clear and consistent with the Comprehensive Plan.

Mr. Hill asked what the Comprehensive Plan states regarding density.

Ms. Gomez responded that it counts two hotel units as one dwelling unit in residential zoning districts. She stated that it is simply an oversight in the zoning code that this amendment seeks to address.

Mr. Hill asked why the standards for commercially zoned hotels couldn't be used.

Ms. Gomez responded that the Comprehensive Plan measures it by density, so this would create an inconsistency.

MOTION was made by Rhonda Eaton and seconded by Richard Klosiewicz to recommend approval of the proposed text amendments to Chapter 155 regarding allowable hotel density per the submitted staff report. All voted in favor of the motion.

Ms. Eaton commented that the allowance of certain kinds of retail should be permitted within office parks as a way to encourage mixed-use developments. She stated that there should be flexibility in the City's zoning.

Mr. Hill agreed with this. He stated that he doesn't understand why this use isn't allowed in industrial districts. He commented, however, that the Board was recently upset by last-minute documents provided by an applicant at a previous meeting, yet they are being asked to consider this request without having the opportunity to fully review it. He reiterated that he has no objection to the content of the request but pointed out that the Board should have more time to review.

Mr. Klosiewicz stated that the Board doesn't need to take this up tonight if it doesn't wish to.

MOTION was made by Jerry Mills and seconded by Tony Hill to recommend approval of the proposed text amendments to Chapter 155 regarding lodges or clubs in industrial districts per the submitted staff report. All voted in favor of the motion.

L. REPORTS BY STAFF

- 10.** Comprehensive Plan – Future Land Use Element: Monthly Reporting Requirement

M. AUDIENCE TO BE HEARD

There was no one in the audience who wished to speak.

N. BOARD MEMBERS DISCUSSION

Dr. Mills asked for legal guidance regarding what the Board member can and cannot do regarding input on agenda items.

Mr. Saunders responded that since this is a quasi-judicial proceeding, the Board has to make decisions based on testimony or evidence that is actually present at the hearing. He expressed that the Board members need to be very careful in visiting application sites or speaking with people, because they should be concerned about partaking in ex-parte communications. Applicants will have the right to question Board members should they bring up conversations such as these and they can establish that a Board member had some prejudice before their hearing even began. He advised that it is best to let applicants make their argument as to how they satisfy the applicable review criteria. He stated that Board members are held to the same standards as the City Commissioners, and that it is best for