

**CITY OF TREASURE ISLAND, FLORIDA
PLANNING AND ZONING BOARD
Sitting as the
LOCAL PLANNING AGENCY
March 20, 2008**

1. ROLL CALL:

Lynn Dayvault	Present
Susan Givens	Present
Daniel Helton	Present
Heidi Horak (Chair)	Present
Kevin Johnson	Present
Harry Long	Absent
Pam MacIntyre	Present
Joel Manings	Present
Frank McConnell	Present
Kathy McCreary	Absent
Joe Roberts	Present
Robert Shogren	Absent
Christopher Sierra (Vice-Chair)	Absent
Ruthie Starkey	Present

Chair Heidi Horak called the meeting to order at 2:07 pm and noted that the City Attorney, Maura Kiefer, was absent, the City Planner, Lynn Rosetti, and the Planning Associate, Steve Demerritt were present.

It was noted that Ms. McCreary, Mr. Shogren. Mr. Sierra and the City Attorney called to report their absence.

2. MINUTES

Corrections to the minutes of February 21, 2008 were requested by Ms. Starkey as follows: first paragraph under Rule of Procedures, page 6, delete **and applicants** from last sentence and also insert in last paragraph under rules of Procedure, page 6, ***I'm not asking the City Attorney to give me every reason why it can't be done, I know other cities can do it.*** The minutes as corrected were passed by unanimous consent.

3. ITEMS OF BUSINESS

a. Development Agreements

The Chair noted that the City Planner has prepared a draft ordinance for Development Agreements for review and possible recommendation to the City Commission.

The City Planner began a review of the Development Agreement and noted that she made only two changes. Ms. Rosetti referred the Board to page 2, c (2) and stated that the duration of the agreement was changed to 20 years and also that she added c (10) to this section.

Mr. McConnell had questions regarding the 20 year duration of the development agreement.

The City Planner explained proposed recommendations that the Pinellas Planning Council is working on and will present to the Planning Advisory Committee next month.

Ms. Starkey requested clarification on the duration of development agreements and also requested information as to the reason for the development agreement with the Victoria and questioned why there were no others.

The City Planner explained that state law restricts the duration of a development agreement to 20 years. Ms. Rosetti also explained the situations that existed to require a development agreement for the Victoria.

The Chair discussed the purpose of the Development Agreement and some other reasons to utilize them, their duration and also noted that most other cities do have a development agreement ordinance.

The City Planner noted that Development Agreements are being used a lot in the County to insure that developers who promise work force housing put in the work force housing as stated.

Ms. Givens called attention to an error in a (1) of the Development Agreement, page 1, and it was decided to delete the word **early**.

The Chair reviewed other things a development agreement could do and related to conditions that have been requested in the approval process that could be put into a development agreement.

3/20/08

Ms. Starkey noted that it seems that the Development Agreement Ordinance overlaps with the other uses the Chair mentioned.

The Chair noted that in those other uses the Development Agreement would be more restrictive and that it would enhance other Ordinances.

Mr. Helton requested clarification on the process to be used in generating a Development Agreement.

The City Planner explained that a Development Agreement is a legally binding contract and it needs to be written by lawyers. Ms. Rosetti reviewed the flow of the Development Agreement process.

The City Planner addressed the question regarding performance bonds and read from Sec. 70-131 of the code and also discussed situations where performance bonds apply.

Upon a request by Ms. Starkey that it be included in the Development Agreement Ordinance to have a requirement to have the Ordinance return to the P & Z Board after Commission review, the City Planner noted that the requirement was already noted in b (2) on page 1.

Board discussion ensued regarding the next steps to be followed in forwarding the Development Agreement to the City Commission.

ACTION:

Motion was made by Ms. Givens to approve that the Development Agreement moves forward to the City Commission for review in a draft form with the minor corrections that were made.

Ms. Starkey requested that Ms. Givens amend her motion to include that the Development Agreement come back before the Board after a review by the City Attorney.

Ms. Givens agreed to amend her motion to include that the Development Agreement be reviewed by the City Attorney.

Mr. McConnell seconded the motion.

3/20/08

The motion now reads: to approve that the Development Agreement moves forward to the City Commission for review in draft form and to be reviewed by the City Attorney prior to the Commission review.

Mr. McConnell withdrew his second.

Mr. Helton seconded the motion.

Upon roll call the vote to approve the motion was 6 ayes and 4 nays as follows:

Lynn Dayvault	aye	Pam MacIntyre	nay
Susan Givens	aye	Joel Manings	aye
Daniel Helton	aye	Frank McConnell	nay
Heidi Horak	aye	Joe Roberts	nay
Kevin Johnson	aye	Ruthie Starkey	nay

b. Priority List

The Chair began a review of the priority list and stated that she was told by the City Manager that in order for him to agree with the priority list he must receive direction from the City Commission who would also have to be in agreement with the priority list.

Ms. Starkey stated that the Ordinances are outdated and should be updated to reflect present laws.

The Chair explained what she meant regarding the Transfer of Development Rights and Intensity and Density/Intensity averaging which is 1 (b) of the Priority List.

The City Planner explained Unity of Title and how it reflects on Density/Intensity averaging.

Mr. Manings suggested that the Priority List be forwarded to the Commission for their discussion and to give direction to the City Manager.

Mr. Johnson questioned the special rules for transition areas and where they apply.

The Chair explained her intent with the special rules for transition areas.

3/20/08

Ms. Starkey requested an addition to the priority list to update ordinances.

The City Planner informed the Board that ordinance updates are on the City Manager's list.

Mr. Helton questioned the progressive design for stormwater collection.

The Chair rephrased 1 (e) by using promote innovative design for stormwater collection.

The City Planner reminded the Board that stormwater is an issue in the EAR.

The Chair will insert as #5 Ongoing revisions to ordinances to comply with current processes and procedures.

The Chair will revise the priority list and present it to the City Commission.

4. Old Business

There was no old business.

5. New Business

There was no new business.

6. Adjournment

Motion was made by Mr. Johnson and seconded by Ms. MacIntyre to adjourn the meeting. The meeting was adjourned at 3:32 pm.

Next LPA meeting will be Thursday, April 17, 2008 following the P & Z meeting.

A J. Sarko
Recording Secretary

Heidi Horak
Chair