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CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, FEBRUARY 13, 2018, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Tim O'Connell; Michael Broderick; Gloria Johnson-Scott; Bob Burdge; John George; Brian Paul; Frank Creyaufmiller, Chairman

Staff Present: Iola Mosley, Senior Assistant City Attorney
Rebecca Grohall, Planning Director
Kori Benton, Senior Planner
Alicia Rosenthal, Executive Assistant

4. CONSIDERATION OF ABSENCES

5. APPROVAL OF MINUTES

- a. Minutes from the January 9, 2018 meeting

Motion was made by John George, and seconded by Michael Broderick to approve the minutes from the January 9, 2018 meeting.

AYE: Bob Burdge, John George, Brian Paul, Tim O'Connell, Michael Broderick, Gloria Johnson-Scott, Chairman Frank Creyaufmiller

Passed

- b. Minutes from the January 23, 2018 Special Planning Board meeting

Motion was made by Michael Broderick, and seconded by John George to approve the minutes from the January 23, 2018 Special Planning Board meeting.

AYE: **Michael Broderick, Gloria Johnson-Scott, Bob Burdge, John George, Brian Paul, Tim O'Connell, Chairman Frank Creyaufmiller**

Passed

6. NEW BUSINESS

a. Conditional Use & Design Review - RG Towers - 2006 Orange Avenue

Ms. Grohall gave an overview of the application and answered questions from the Board regarding the irrigation system and landscaping. Holly Valdez, RG Towers Representative, provided additional information and answered questions from the Board regarding the length and width of the fence, health risk from cell towers, fall zone and antenna wattage.

Harlan Ginn, President, spoke about the FCC website and the cancer studies that have been done regarding cell towers.

Motion was made by Gloria Johnson-Scott, and seconded by John George to forward a recommendation of approval to the City Commission to construct a One Hundred & Fifty (150) foot tall Slim Pole Telecommunication Tower to include a zero radius fall zone with the following condition:

Pursuant to City Code 22-178 (c), an irrigation plan that shows the installation of a permanent irrigation system must be submitted with the building permit.

AYE: **Gloria Johnson-Scott, Bob Burdge, John George, Brian Paul, Tim O'Connell, Michael Broderick, Chairman Frank Creyaufmiller**

Passed

7. BOARD COMMENTS

Mr. Broderick provided a handout to the Board members to have follow up discussion to the consultant regarding Conditional Use issues with short term rentals in the R1 and R2 residential zoning districts. Mr. Broderick stated that the conversion of a R1 neighborhood into a commercial district for rental purposes is detrimental to the neighborhood. Mr. Broderick went on to say that homes coming up for resale are being purchased by investors with the sole intent of putting them into rental service.

Mr. Burdge agreed with Mr. Broderick and stated Florida State Statute 509.032(7)(b) says a local law ordinance or regulation may not restrict the use of vacation rentals, prohibit vacation rentals or regulate vacation rentals based solely on their classification, use or occupancy and it says this paragraph does not apply to any local law, ordinance or regulation adopted on or before June 1, 2011. Mr. Burdge stated the Conditional Use purpose was adopted on June 15, 1981 and it does state in the Conditional Use purpose "if controlled as to number".

Ms. Grohall explained that the issue can be brought back for a workshop once the Florida legislature has finished their business. She stated there are currently three different bills going through both the house and the senate that address short term rentals and preempt the ability of local government to regulate them in any way, shape or form. Ms. Grohall also urged Board members to contact the state legislature regarding their concerns on short term rentals.

Chairman Creyaufmiller stated the homeowners associations are watching the legislature closely and are working very diligently to protect their neighborhoods.

Mr. Benton told the Board he is transitioning to the St. Lucie County team. The Board members

wished Kori well and thanked him for his efforts, professionalism and always willingness to help.

Chairman Creyaufmiller asked that when changes are made to the staff report that the exact change be e-mailed to the Board members.

Mr. George inquired on the status of Celebration Pointe.

8. ADJOURNMENT