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CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE SPECIAL MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON MONDAY, **AUGUST 23, 2021**, 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: Michael Broderick; Gloria Johnson-Scott; Bob Burdge; Marcia Baker; Nichelle Clemons; Harold Albury; Frank Creyaufmiller, Chairman

Staff Present: Jennifer Hofmeister-Drew, Planning Director
Rebeca Guerra, Assistant Planning Director
Alicia Rosenthal, Executive Assistant

4. CONSIDERATION OF ABSENCES

All members were in attendance.

5. HEARING OF THE LOCAL PLANNING AGENCY

a. Comprehensive Plan Amendment - Property Rights Element

Ms. Guerra gave an overview of the Property Rights Element. She stated that the Florida Statute was passed during the 2021 Florida Legislative session and it requires that a local government adopt and include a property rights element in its Comprehensive Plan. Ms. Guerra explained that the element affects any proposed Comprehensive Plan amendment initiated after July 1, 2021.

Ms. Guerra provided the proposed text, which was taken from the State statute's language.

The City shall ensure that the following private property rights are considered in their local

decision-making process:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

Ms. Guerra answered questions from the Board on federal rules and ordinances being included, interfering with other city ordinances, homeowner associations reviewing the sale of property, and changing the wording of "his or her" to "their" throughout the proposed Element.

Chairman Creyaufmiller and Mr. Burdge did not agree with the wording change.

Motion was made by Marcia Baker, and seconded by Nichelle Clemons to recommend approval and transmittal of the Comprehensive Plan Amendment for a new Property Rights Element with the change to the language to replace "his or her" to "their".

AYE: Bob Burdge, Marcia Baker, Nichelle Clemons, Harold Albury, Michael Broderick,
Gloria Johnson-Scott

NAY: Chairman Frank Creyaufmiller
Passed

6. **COMMENTS FROM THE PUBLIC**

There were no comments from the public.

7. **STAFF AND BOARD COMMENTS**

Ms. Guerra informed the Board of text amendments that the Planning Board will be reviewing which include: Home Occupations, Boarding Houses, Conditional Use and Process, Landscape Code, Edgartown Settlement and the Port.

Mr. Burdge asked if the landscape code will include the two year landscape bond. Ms. Hofmeister-Drew stated the bond review period will be sooner and larger size trees will be included for longevity.

Chairman Creyaufmiller asked if the Board can review the text amendments prior to the agenda being published and he also asked staff to add the height/flood elevation discussion to a Planning Board agenda.

8. **ADJOURNMENT**