

**MINUTES OF THE SPECIAL MEETING OF
THE CITY OF CAPE CORAL
PLANNING & ZONING COMMISSION/LOCAL PLANNING AGENCY**

WEDNESDAY, AUGUST 15, 2018

COUNCIL CHAMBERS

9:00 A.M.

Chair Read called the meeting to order at 9:00 a.m.

A moment of silence was observed.

Pledge of Allegiance.

ROLL CALL: Peterson, Ranfranz, Read, Slapper, and Alternate O'Connor were present. Marmo, and Stevens were excused. Bennie arrived at 9:06 a.m.

ALSO PRESENT: Robert Pederson, Planning Manager
Wyatt Daltrey, Planning Team Coordinator
Amy Yearsley, Housing Coordinator
Brian Bartos, Assistant City Attorney
John Naclerio, Assistant City Attorney

CITIZENS INPUT

No Speakers.

BUSINESS

PLANNING AND ZONING COMMISSION/LOCAL PLANNING AGENCY

Ordinance 50-18 (LU 18-0004)

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral Comprehensive Plan by amending the Future Land Use Map from Mixed Use Preserve, Class IV, Type D (MUP IV-D) to Mixed Use (MX) Land Use Designation for property located in Section 5, Township 43 South, Range 24 East, Lee County, Florida, and located in Section 6, Township 43 South, Range 24 East, Lee County, Florida; from Mixed Use Preserve, Conservation (CONS) to Natural Resources/Preservation (PRES) Land Use Designation for property located in Section 5, Township 43 South, Range 24 East, Lee County, Florida, and located in Section 7, Township 43 South, Range 24 East, Lee County, Florida, and located in Section 20, Township 43 South, Range 23 East, Lee County, Florida; from Mixed Use Preserve, Class III, Type D (MUP III-D) To Multi-Family Residential (MF) Land Use Designation for property located in Section 7, Township 43 South, Range 24 East, Lee County Florida; from Highway Commercial to Commercial Professional Land Use Designation for Lots 1, 2 and 5, Alabar Vista, an Unrecorded Subdivision; from Low Density Residential (LDR I) to Low Density Residential (LDR) for property located in Section 30, Township 43 South, Range

23 East, Lee County, Florida; from Mixed Use Preserve, Class III, Type C (MUP III-C) To Mixed Use (MX) Land Use Designation for property located in Section 30, Township 43 South, Range 23 East, Lee County, Florida; from Mixed Use Preserve, Class III, Type C (MUP III-C) to Single Family Residential (SF) Land Use Designation for property located in Westchester Estates, an Unrecorded Subdivision; from Mixed Use Preserve Class III, Type D (MUP III-D) to Mixed Use (MX) Land Use Designation for property located in Section 20, Township 43 South, Range 23 East, Lee County, Florida, and located in Section 29, Township 44 South, Range 23 East, Lee County, Florida, all as more particularly described herein.

Assistant City Attorney Bartos read the title of the Ordinance.

Planning Team Coordinator Daltry presented a power point titled Ordinance 50-18 with the following slides:

- LU18-0004 - Land Uses
- Subject Parcels
- Subject Area Parcels
- FLUMA and Zoning Amendments
- Background - Comprehensive Plan to implement LDC
- Approximate - Boundary subject properties
- Consideration – Regional Plans Proposed Amendments
- Considerations – Comprehensive Plan
- Recommendation Transmittal

Discussion held regarding deleting the Mixed Use Preserve and changing it to Mixed Use. The proposal is to eliminate Highway Commercial Future Land Use classification. This is not for rezoning. The designations must be replaced by the New Future Land Use classification.

Mr. Daltry stated there is not much multifamily residential for a City of this size.

Public hearing opened.

No Speakers.

Public hearing opened.

Commissioner Slapper asked if these are the only properties that are going to be changed?

Mr. Daltry stated staff is amending properties, and we will have more properties to present in the future. The purpose for this Ordinance is to prepare for a cleanup.

Commissioner Peterson moved, seconded by Commissioner Slapper to recommend Transmittal of Ordinance 50-18.

Commission polled as follows: Bennie, Peterson, Ranfranz, Read, Slapper, and O'Connor voted "aye." All "ayes." Motion carried.

Land Development Code Updates - ORDINANCE 35-18

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance repealing Articles I-X and XII of the City of Cape Coral Land Use and Development Regulations and adopting Article 1-10, 12 and 13 of the new City of Cape Coral Land Development Code. Re-write Updates continuation.

Assistant City Attorney Bartos stated the title is subject to change.

Planning Manager, Robert Pederson, stated Amy Yearsley will be covering the changes on the signs. He gave an overview about Article 11 definitions. He explained the strike outs shown in our code. This will allow for you to see the changes as we move forward. This will show some are preserved and some are going to be changed. He stated for legal reasons regarding the Vacation Rentals we need to preserve definitions in our Code.

Mr. Pederson stated on September 26, 2018, the Committee of the Whole (COW) will discuss Article 6 Parking. One of the topics will be whether there should be a limit on how many boats are parked on a residential property, and whether Commercial vehicles should be allowed to park in residential driveways.

Mr. Pederson discussed Article 5 duplex design options about parking on the grass in front of the duplex. He introduced Amy Yearsley, Housing Coordinator to cover the changes regarding the signs.

Housing Coordinator, Amy Yearsley stated this is a regulation on sign content. She gave the example of a real estate sign and how the content will need to be neutral. The City Attorney looked at the town of Gilbert to see how they handled the needed changes. There has always been a prohibition on the Animated signs regarding blinking, flashing, and intermission. She mentioned a large variety of signs. Temporary signs have been removed and replaced with one standard sign based on your zoning district. If you have a special event, you can put a sign on someone's property if they allow you. A model home can have a feather banner.

Ms. Yearsley shared a power point presentation:

- Revisions Prohibited Signs
- Temporary Signs, Residential Zoning Districts, All Non-Residential Districts.
- Electronic Message Centers
- Codes Regulations Simulation is 3 seconds to 10 second hold time transition.
- Hold time industry recommendation is maximum 8 seconds

Discussion held regarding the following:

- Studies have been done on the brightness of the signs.
- Regulation is determined by what is allowed during the day and night time.
- If the sign is too bright, there is no way to measure it.
- Adopt a 0.3-foot candle meter a preset distance.
- Not to exceed 12 inches in height.
- EMC's automatic adjusts to day and night time lighting.
- Recommended minimum display time is 8 seconds.

Commissioner Slapper inquired about how many suppliers of electronic messenger Companies are in the area. He questioned whether a standard can be set.

Ms. Yearsley stated there are about three electronic messenger Companies in the area, and there is no way to set a standard.

Commissioner Peterson inquired about the temporary sign limits. If the sign is removed prior to the 30 days, can they display it again?

Mr. Yearsley stated she would look at the definition of what temporary means.

Chair Read inquired about a bandit sign.

Ms. Yearsley stated it is a sign made of any material which is signed, tacked, or nailed. It can be pasted or glued to Public Utility poles or placed on Public property.

Commissioner O'Connor asked if the Entry signs are regulated?

Ms. Yearsley stated there is a specific process regulated by the State Statutes. She stated Billboards are not allowed in the City of Cape Coral.

Assistant City Attorney Bartos explained the electronic sign you see coming into the City of Cape Coral is controlled by the City, it is an Entry feature not a Billboard.

Ms. Yearsley stated a Billboard is strictly an off-site assignment.

Discussion held regarding the distinction between an animation and a video displayed.

Commissioner Bennie shared his concern about too many restrictions. He questioned the regulations for indoors vs outdoors.

Ms. Yearsley stated we only regulate window signs that are indoors.

Public hearing opened.

Bruce Marvin, shared his concern about residential parking on the grass. He expressed the need to address the signs on vehicles.

Public hearing closed.

Commissioner Peterson inquired about the concern Mr. Marvin had regarding parking.

Mr. Marvin stated there are no restrictions on commercial vehicles and the number of vehicles that can be parked on residential properties. A lot of developed areas that have deed restrictions or Homeowner's Associations will not need to be concerned. He shared his concern about all the other residential areas that will be affected.

Chair Read questioned now that we have online retail, is there any ratio amount to determine the amount of retail space the City is required to have?

Mr. Daltry stated we do not know what the online retail has done to the amount of retail and the affect it has on the City.

Mr. Pederson stated the ideal amount would be 60 percent residential and 40 percent nonresidential.

Chair Read stated the commercial market is slowing and the residential market is really growing.

Mr. Pederson stated a lot of people are looking for retail, we get a lot of calls for light Industrial Warehouses. We should not allow retail to build in the Industrial areas.

STAFF UPDATES

None.

OTHER BUSINESS

None.

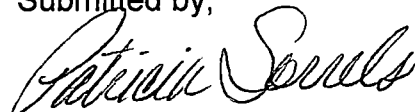
DATE AND TIME OF NEXT MEETING

Regular meeting scheduled for Wednesday, September 5, 2018, at 9:00 a.m. in Council Chambers.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:02 a.m.

Submitted by,



Patricia Sorrels
Recording Secretary