



~ Draft Minutes ~

City of Fort Walton Beach Regular Meeting of the Local Planning Agency

Thursday, March 2, 2017

5:30 PM

CALL TO ORDER

5:30 PM Meeting was called to order on March 2, 2017 at Council Chamber, 107 Miracle Strip Parkway SW, Fort Walton Beach, FL.

Attendee Name	Title	Status	Arrived
Mary Albright		Present	5:33 pm
Wilbur Hugli		Present	
Sam Kinkaid		Present	
Ramon Quiray		Absent	
Dean Covey		Present	
Rick Stokes		Present	
Lili Hill		Present	
Susan Moss		Present	
Ron Brown		Absent	

Alternate Mary Albright arrived at 5:33 pm after the vote on the approval of the agenda was taken.

Board Member Ron Brown was an excused absence; Board Member Ramon Quiray was an unexcused absence.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

The vote on the motion to approve the agenda as presented carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Wilbur Hugli
SECONDER:	Rick Stokes
AYES:	Hugli, Kinkaid, Covey, Stokes, Hill, Moss
ABSENT:	Mary Albright

APPROVAL OF MINUTES

The vote to approve the minutes of January 12, 2017 carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Wilbur Hugli
SECONDER:	Dean Covey
AYES:	Albright, Hugli, Kinkaid, Covey, Stokes, Hill, Moss

PRESENTATIONS

None.

PUBLIC COMMENTS

None.

ORDINANCES--1971 Ordinance Amending Chapter 2 and Chapter 5 of the LDC

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, AMENDING CHAPTER 2, ZONING DISTRICTS AND USES, AND CHAPTER 5, ACCESSORY, TEMPORARY, AND SPECIAL USE SITUATIONS, OF THE LAND DEVELOPMENT CODE TO INCLUDE BOATYARD AS A PERMITTED USE IN MX-2 AND CTP ZONING DISTRICTS, AND TO ESTABLISH SUPPLEMENTAL STANDARDS FOR BOATYARDS; AND PROVIDING AN EFFECTIVE DATE.

Monica Cacace of the City Attorney's Office read Ordinance 1971 by title.

Tim Bolduc, Engineering/Utilities Services Director, advised that on February 13, 2017, the Engineering and Utility Services Department received an application for a Land Development Code Text Amendment to allow Boatyards as an allowable use with supplemental standards in certain zoning districts. Staff reviewed and evaluated the requested LDC changes to ensure consistency with the Code of Ordinances and Comprehensive Plan and discussed these with the applicant.

Mr. Bolduc addressed questions regarding the running/testing of boat engines near or against landscape buffers and the possible disturbance of adjacent property owners.

It was noted the ordinance, if adopted, will drastically change a legal nonconformity in the City and improve the appearance of the property.

Attorney John Dowd, representing the applicant, advised the applicant is sensitive to any noise from the business and will work to remedy the situation.

The vote on the motion of the Local Planning Agency to forward a recommendation of approval to City Council of Ordinance 1971 carried unanimously.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Lili Hill, Board Member
SECONDER:	Wilbur Hugli
AYES:	Albright, Hugli, Kinkaid, Covey, Stokes, Hill, Moss

1972 Ordinance Amending Chapter 2 and Chapter 5 of the LDC

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, AMENDING CHAPTER 2, ZONING DISTRICTS AND USES, AND CHAPTER 5, ACCESSORY, TEMPORARY, AND SPECIAL USE SITUATIONS, OF THE LAND DEVELOPMENT CODE TO INCLUDE MEDICAL MARIJUANA DISPENSARY AS A PERMITTED USE IN CG, MX-1, & MX-2 ZONING DISTRICTS, AND TO ESTABLISH SUPPLEMENTAL STANDARDS FOR MEDICAL MARIJUANA DISPENSARIES; AND PROVIDING AN EFFECTIVE DATE.

Ms. Cacace read Ordinance 1972 by title.

Michael Beedie, City Manager, presented background on the medical marijuana issue and that the reason it is being discussed this evening is to approve Ordinance 1972 which requests an amendment to Chapters 2 and 5 of the City's Land Development Code to include Medical Marijuana Dispensary as a permitted use with supplemental standards in the CG, MX-1 and MX-2 zoning districts.

The City Manager explained the use will be for medical or compassionate use only with certain conditions for its use. He continued that since the use of medical marijuana was approved in the November 2016 election, the City Council directed Staff to draft an ordinance designating where the dispensaries can be located within the City. It was stressed that the process will be treated as a retail business and that the City wants to be in the forefront of the issue.

The City Manager continued that the issuance of Business Tax Receipts for a medical marijuana dispensary shall be based upon the City's population. The ordinance states that the maximum number of Business Tax Receipts for a medical marijuana dispensary approved in the City shall not exceed one (1) for every 5,000 residents; however, after discussions Staff has decided to allow one (1) for every 10,000 residents, with the ordinance being reviewed every 12 months as and when the patient registry grows.

Scott Remington, attorney representing the dispensary, explained the process individuals will go through to obtain the medical marijuana, including presenting identification and a doctor's order. The process is very strict and must be approved by the state, and stressed that people will not be able to just walk in to the building and get marijuana.

Discussion included the distance requirements for a dispensary from schools; the process of growing the marijuana; and the ways it can be consumed, which does not include smoking.

The vote on the motion of the Local Planning Agency to forward a recommendation of approval to City Council of Ordinance 1972, as amended, to allow for one dispensary for every 10,000 residents, to request an amendment to Chapters 2 and 5 of the City's Land Development Code to include Medical Marijuana Dispensary as a permitted use with supplemental standards in the CG, MS-1, and MX-2 zoning districts, carried unanimously.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Lili Hill, Board Member
SECONDER:	Wilbur Hugli
AYES:	Albright, Hugli, Kinkaid, Covey, Stokes, Hill, Moss

BOARD MEMBER REPORTS

The Chairman asked for clarification regarding the issue of the rezoning of the four lots on Magnolia Avenue discussed at the last LPA meeting. Mr. Bolduc advised that upon further review of the Code by Staff, it was decided that the way the lot(s) were platted previously was the best use of the property and therefore did not need to go forward to Council. Mr. Bolduc stated this is a win-win for both the residents of the area and for the developers.

DIRECTOR REPORTS

None.

ADJOURNMENT: 6:29 pm