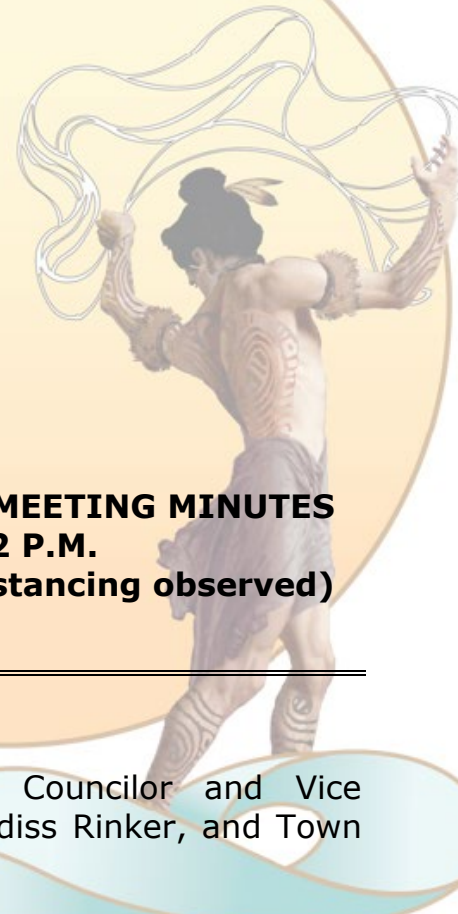


# INDIAN SHORES

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## HYBRID PLANNING, ZONING AND BUILDING COMMITTEE MEETING MINUTES TUESDAY, JANUARY 12, 2021, BEGAN AT 4:12 P.M. INDIAN SHORES MUNICIPAL CENTER 4<sup>th</sup> FLOOR (Social distancing observed) AND ZOOM MEETING PLATFORM

**The meeting convened at 4:12 p.m.**

**Those present:** Councilor and Chairperson Mike Hackerson, Councilor and Vice Chairperson Bill Smith, Citizen Member Dr. Candiss Rinker, and Town Attorney Regina Kardash.

**Also present:** Mayor Patrick C. Soranno, Vice Mayor Diantha Schear, Town Administrator Bonnie Dhonau, Town Clerk Freddie Lozano, Building Official Darin Cushing, and Fire Commissioner Larry Schear.

**Via ZOOM:** Newspaper Correspondent Jeannie Carlson.

**Those absent:** None

## VIRTUAL HYBRID MEETING ANNOUNCEMENT

### ITEM # AGENDA ITEM

#### 1.0 Consideration of approving the Hybrid Planning, Zoning and Building (PZB) Committee Meeting Agenda for January 12, 2021.

**Motion by Councilor Smith** – seconded by **Dr. Rinker** to approve the Hybrid Planning, Zoning and Building Committee Meeting Agenda for January 12, 2021.

**Mr. Lozano** polled the Council. All ayes. **Motion carried 3-0.**

#### 2.0 Comments from the public on any agenda item. None

Patrick C. Soranno  
Mayor

Diantha Schear  
Vice Mayor

Mike Hackerson  
Councilor

Michael (Mike) Petrucci  
Councilor

William F. (Bill) Smith  
Councilor

Bonnie Dhonau  
Town Administrator

Richard (Rick) Swann  
Chief of Police

Susan L. Scrogam  
Director of Finance  
and Personnel

Freddie G. Lozano  
Town Clerk

Regina Kardash, Esq.  
Town Attorney

**3.0 Consideration of approving the Virtual Planning, Zoning and Building Committee Meeting Minutes of November 10, 2020.**

**Motion** by **Dr. Rinker** – seconded by **Councilor Smith** to approve the Virtual Planning, Zoning and Building Committee Meeting Minutes of November 10, 2020.

**Mr. Lozano** polled the Council. All ayes. **Motion carried 3-0.**

**4.0 PUBLIC HEARING: Review of proposed Flood Ordinance 2021-01 for Council consideration of First Reading.**

**AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, AMENDING THE INDIAN SHORES CODE OF ORDINANCES, CHAPTER 86 -FLOODS, SUBPART B LAND DEVELOPMENT CODE, TO CORRECT SCRIVENERS ERRORS, TO IMPROVE CONSISTENCY WITH THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEAL OF ORDINANCE OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SERVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN OF INDIAN SHORES LAND DEVELOPMENT CODE; PROVIDING FOR CERTIFICATION BY THE TOWN COUNCIL THAT THIS ORDINANCE IS IN CONFORMANCE WITH THE TOWN'S COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.**

**Attorney Kardash** read Ordinance 2021-01 by title.

**Mr. Cushing** worked with the Federal Emergency Management Agency (FEMA) on the ordinance language that is agreeable to the state. The goal is to earn a better Community Rating System (CRS) classification score to lower flood insurance rates for the Town.

The floor was opened for public comments, which there were none.

**Attorney Kardash** did not work on this version of the flood ordinance and will not sign-off on it. This version did not contain any of the stricken or underlined language, which makes comparing the two versions difficult and will take some time to review to determine what has been changed. The title needs to reflect the changes being made to the document as required by law when passing an ordinance. A repeal and replace clause needs to be added to the title.

A recommendation to table the ordinance was made for further review and revisions.

**Motion** by **Dr. Rinker** – seconded by **Councilor Smith** to table the first reading of Ordinance 2021-01.

**Mr. Lozano** polled the Council. All ayes. **Motion carried 3-0.**

**5.0 PUBLIC HEARING: Review of proposed Driving on the Beach Ordinance 2021-02 for Council consideration of First Reading.**

**AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, AMENDING SECTION 106-76. – VEHICLES PROHIBITED; EXCEPTIONS, OF THE LAND DEVELOPMENT CODE TO ADD STANDARDS AND LIMITATIONS FOR BEACH DRIVING PERMISSIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Attorney Kardash** read Ordinance 2021-02 by title.

The floor was opened for public comments, which there were none.

**Attorney Kardash** touched on a portion of the language in Florida Statute 316.20655 regarding the definition of an electric bicycle and how a local government can exercise its powers under Florida Statute 316.008 to adopt an ordinance governing the operation of electric bicycles on streets, highways, sidewalks and sidewalk areas under the local government's jurisdiction. The legislation is silent on whether a local government has the authority to regulate electric bicycles on beach or beach areas.

The ordinance title must be updated. Additional clauses will be added to prohibit motor vehicles, electric bicycles, and motorized scooters on the beach. She has updated the ordinance with the correct definition for motor vehicles under FS 316.0344.

Discussion ensued on the length of time that one is granted permission to drive on the beach.

**Attorney Kardash** will schedule a meeting with Ms. Dhonau, Chief Swann, and Mr. Cushing to discuss further and come up with recommendations for the PZB Committee and Council for consideration. She suggested tabling the ordinance at this time.

**Motion** by **Dr. Rinker** – seconded by **Councilor Smith** to table the first reading of Ordinance 2021-02.

**Mr. Lozano** polled the Council. All ayes. **Motion carried 3-0.**

**6.0 Meeting adjournment.**

The meeting adjourned at 4:59 p.m.

A handwritten signature in black ink, appearing to read "Freddie Lozano", written over a horizontal line.

Freddie Lozano  
Town Clerk