

M I N U T E S

SPECIAL COMMISSION MEETING
SOUTH PASADENA, FLORIDA

MONDAY, JULY 1, 2024
COMMISSION CHAMBERS 5:01 P.M.

**CITY COMMISSION ACTING AS THE
LOCAL PLANNING AGENCY**

MAYOR PENNY CALLED THE MEETING TO ORDER AT 5:03 P.M.

ROLL CALL: COMMISSIONERS BEN THOMAS, LYNDA THOMPSON, THOMAS REID, VICE MAYOR GAIL NEIDINGER, AND MAYOR ARTHUR PENNY. ALSO PRESENT: CITY CLERK CARLEY LEWIS, CITY ATTORNEY JULIA MANDELL, FINANCE DIRECTOR JAMES GRAHAM, PUBLIC SAFETY DIRECTOR DAVID MIXSON, PUBLIC WORKS DIRECTOR SHAWN SHIMKO, COMMUNITY IMPROVEMENT DIRECTOR TERESA SULLIVAN, AND DEPUTY CITY CLERK MARY JO BOWMAN.

Mayor Penny stated that the City Commission is acting as the Local Planning Agency (LPA) for this Special Commission Meeting.

PUBLIC HEARING

1. ORDINANCE NO. 2024-03 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA; AMENDING CHAPTER 130-10 AND CHAPTER 130-12 OF THE CITY CODE OF ORDINANCES PERTAINING TO PERMITTED USES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

City Attorney Mandell informed the participants about the record of hearing process.

City Clerk Lewis administered the oath of testimony to those intending to give testimony.

Mayor Penny opened the public hearing at 5:05 p.m. and asked City Attorney Mandell to present the subject item on behalf of staff.

City Attorney Mandell introduced and presented the item on behalf of staff. She reported that a Town Hall meeting was recently held to provide information to the public. She said that the intent of the ordinance is to amend the City Code to address property ownership and usage rights. She stated that she is recommending that the referenced Code sections be updated to replace "non-profit" with "accessory use to serve a residential community." She explained the

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proposed change allows the City to regulate how land is used rather than how land is owned. She noted that the current hearing is for the proposed ordinance only and not a previously approved special exception.

Mayor Penny invited members of the public to comment on the item.

Sandra Chiappetta, St. Petersburg, spoke in opposition of the item and submitted a handout (attached to Minutes as Exhibit A).

Resident Robert Calvillo, 14th Avenue South, spoke in opposition of the item.

Resident Lynda Calvillo, 14th Avenue South, questioned case law relating to the item.

There being no further comments, Mayor Penny called for written comments to be read.

City Clerk Lewis reported that no written comments were submitted from the public for the item.

Mayor Penny invited the LPA to respond to public comment.

There being no comments from the LPA, City Attorney Mandell requested permission to respond to public comment.

City Attorney Mandell spoke regarding property rights. She stated that the case law she previously referenced related to the item with regard to ownership rights and land use but not the specific circumstances.

There being no further comments, Mayor Penny closed the public hearing at 5:18 p.m.

MOTION WAS MADE BY COMMISSIONER REID, SECONDED BY COMMISSIONER THOMPSON, THAT ADEQUATE INFORMATION HAS BEEN PRESENTED AND THE PUBLIC HAS BEEN AFFORDED A MEANINGFUL OPPORTUNITY TO PARTICIPATE.

VOTE:	VICE MAYOR NEIDINGER	AYE
	COMMISSIONER THOMAS	AYE
	COMMISSIONER THOMPSON	AYE
	COMMISSIONER REID	AYE

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MAYOR PENNY AYE

UNANIMOUSLY APPROVED

MOTION WAS MADE BY VICE MAYOR NEIDINGER, SECONDED BY COMMISSIONER THOMAS, TO RECOMMEND APPROVAL OF ORDINANCE NO. 2024-03.

VOTE:	COMMISSIONER THOMAS	AYE
	COMMISSIONER THOMPSON	AYE
	COMMISSIONER REID	AYE
	VICE MAYOR NEIDINGER	AYE
	MAYOR PENNY	AYE

UNANIMOUSLY APPROVED

2. ORDINANCE NO. 2024-04 - AN ORDINANCE OF THE CITY OF SOUTH PASADENA, FLORIDA; AMENDING CHAPTER 130-46, CHAPTER 130-47, CHAPTER 130-48, CHAPTER 130-49, CHAPTER 130-50, AND CHAPTER 130-51 OF THE CITY CODE OF ORDINANCES PERTAINING TO REQUESTS FOR VARIANCES, SPECIAL EXCEPTION USE PERMITS, REZONING, AND SUBDIVISION APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Mayor Penny opened the public hearing at 5:19 p.m. and asked City Attorney Mandell to present the subject item on behalf of staff.

City Attorney Mandell introduced and presented the item on behalf of staff. She stated that the proposed ordinance amends the City Code to correct a glitch that requires duplicate meetings and public hearings. She explained that the Planning & Zoning Board was previously disbanded but instead of removing Planning & Zoning Board hearings, the Code was changed to replace the Board with the City Commission which has created a requirement for two hearings before the City Commission which is cumbersome and not legally necessary.

Mayor Penny invited members of the public to comment on the item.

There being no public comments, Mayor Penny called for written comments to be read.

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City Clerk Lewis reported that no written comments were submitted from the public for the item.

Mayor Penny invited the LPA to respond to public comment.

There being no comments, Mayor Penny closed the public hearing at 5:22 p.m.

MOTION WAS MADE BY COMMISSIONER THOMPSON, SECONDED BY VICE MAYOR NEIDINGER, THAT ADEQUATE INFORMATION HAS BEEN PRESENTED AND THE PUBLIC HAS BEEN AFFORDED A MEANINGFUL OPPORTUNITY TO PARTICIPATE.

VOTE:	COMMISSIONER THOMPSON	AYE
	COMMISSIONER REID	AYE
	VICE MAYOR NEIDINGER	AYE
	COMMISSIONER THOMAS	AYE
	MAYOR PENNY	AYE

UNANIMOUSLY APPROVED

MOTION WAS MADE BY COMMISSIONER REID, SECONDED BY COMMISSIONER THOMPSON, TO RECOMMEND APPROVAL OF ORDINANCE NO. 2024-04.

VOTE:	COMMISSIONER REID	AYE
	VICE MAYOR NEIDINGER	AYE
	COMMISSIONER THOMAS	AYE
	COMMISSIONER THOMPSON	AYE
	MAYOR PENNY	AYE

UNANIMOUSLY APPROVED

There being no further discussion, the meeting was adjourned at 5:25 p.m.

Arthur Penny

Arthur Penny, Mayor

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ATTEST:

Carley Lewis

Carley Lewis, City Clerk
07-01.24SCM

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