

**Land Planning Agency
Longwood City Commission Chambers
175 West Warren Avenue
Longwood, Florida**

**MINUTES
August 10, 2022
6:00 P.M.**

Present: JoAnne Rebello, Chair, Arrived at 6:14 p.m.
Judy Putz, Vice Chair
Michael Dodane, Member
John Blum II, Member
Mohamed Jaffer, Member
Chris Kintner, Community Development Director
Anjum Mukherjee, Senior Planner
Kristin Zack-Bowen, Planner/Recording Secretary

1. CALL TO ORDER

Vice Chair Putz called the meeting to order at 6:05 p.m.

2. ADDITIONS AND DELETIONS

None

3. APPROVAL OF THE MINUTES FOR

A. Regular Meeting held July 13, 2022

Member Dodane moved to approve the minutes from the July 13, 2022 meeting,
Seconded by Member Blum, and carried by a unanimous voice vote.

4. PUBLIC COMMENT

None

5. PUBLIC HEARING

A. ORDINANCE NO. 22-2227

**AN ORDINANCE OF THE CITY OF LONGWOOD, FLORIDA, AMENDING THE
LONGWOOD DEVELOPMENT CODE ARTICLE I GENERAL PROVISIONS,
ARTICLE II LAND USE DISTRICTS AND ZONING DISTRICTS, ARTICLE III
DEVELOPMENT DESIGN STANDARDS, ARTICLE V SUPPLEMENTAL
STANDARDS, ARTICLE IX HARDSHIP RELIEF AND SPECIAL EXCEPTIONS,
ARTICLE X ADMINISTRATION, ALLOWING TATTOO PARLORS IN THE**

GENERAL COMMERCIAL DISTRICT AND OTHER GENERAL UPDATES TO THE DEVELOPMENT CODE, PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND EFFECTIVE DATE.

Chris Kintner read Ordinance No. 22-2227 by title. Mr. Kintner introduced himself to new Member Jaffer and explained that the Board hears ordinance changes before they go to the City Commission when there are matters of the Longwood Development Code or the Comprehensive Plan. Ordinance No. 22-2227 was a direct result of the City Commission hearing a presentation from a business owner who lived in Longwood and wanted to open his tattoo shop in the City, however the City has had restrictions for tattoo shops in the past. The Commission initially had asked if staff could provide a special exception for the business owner, however, land use issues are not subject to special exception. Mr. Kintner explained that staff put together an allowance for tattoo parlors in a small portion of the general commercial district adjacent to the existing industrial district where tattoo shops are currently allowed. He added that it was not a significant encroachment on the general commercial area, but would allow this particular business owner to go where they want to. Mr. Kintner mentioned that the Ordinance also covered a section on trees that was now more streamlined with the same impact. Mr. Kintner concluded his report explaining that the Commission received a number of special exception requests regarding the placement of trailers in the front yard for residents who had issues storing them in the side yard. This Ordinance proposes criteria specific to that for the special exception review.

Member Dodane asked why the items were all rolled into one Ordinance.

Mr. Kintner responded that it was for timing purposes rather than having multiple meetings.

Vice Chair Putz asked if for the trailers it was this just for people that want to park trailers in the front yard.

Mr. Kintner replied that trailers parked in side and rear yard are allowed and there was actually no change to the code at all except that if someone applies for a special exception, there are standards for the Commission to consider such as the trailer being relevant for work.

Member Dodane asked if there were special exceptions in there previously.

Mr. Kintner responded that the special exceptions were in there now and that it was a process the Commission considers anyway, the only thing changing was under 9.3.3 for the criteria on how they considered it. The section related to trailers shall also consider the following: trailers used by the applicant in a business that is their primary source of income, trailers and daily or near daily use, the placement of the primary structure, regular shape of the lot or some other impediment that prevents them from putting it on the side or rear yard the way the code envisions.

Member Dodane expressed that he didn't think trailers should be allowed on the street or in the front of the house.

Vice Chair Putz disagreed, stating that there were people who needed the trailers in order to make a living.

Mr. Kintner explained that the thought process was it would be limited by the Commission looking at it them a case by case basis.

Discussion ensued on trailers, screening and storage options.

Chair Rebello arrived to the meeting at 6:14 p.m.

Chair Rebello spoke about the feedback given in the past from the community about not wanting certain types of business, such as tattoo parlors, in the main corridors and expressed a concern over changing the Code over a single business. She also asked if this could be done instead as an exception.

Mr. Kintner replied that they were not able to do it as an exception, and the Commission had initially asked for that, but it would not be legal. The Code states for a specific portion of the corridor, in multi-tenant centers, four acres or larger, south of 434, all meaning the number of places the type of use can go is very limited. Courts have held that tattoo parlors are expressions of free speech, which is a reason to be cautious with how it is handled. The City Attorney's office recommended this path to fall in line with standard land use laws.

Discussion ensued over allowable uses is zoning districts along the main corridors.

Vice Chair Putz asked if there was a possibility that someone could sue and overturn this ordinance, resulting in the allowance of the use everywhere.

Mr. Kintner replied yes, but not this ordinance.

Chair Rebello reiterated her concerns over the tattoo shops being in the gateway zoning.

Mr. Kintner explained that this was more of a specific issue than a broad one that would open the doors for a large number of businesses.

Member Blum asked if there was a limit on how many tattoo shops could go in the qualifying plazas.

Mr. Kintner replied that the City Attorney advised not to put a number on it and to only set it on size and location criteria.

Member Blum inquired back to the tree regulations and whether it is on the property owner or the tree company removing the tree.

Mr. Kintner responded that single-family and duplexes were largely exempt from it, and what is in the ordinance applies to non-residential. In most cases it would be the developer dealing with the clearing of a site.

Discussion ensued on what constitutes the trailer type and size.

Member Blum asked if there was a limit on the number of special exceptions for the trailers.

Mr. Kintner responded that there was not a limit, but if the Commission were to approve a large number of them the Code might need to be changed to reflect what the Commission was making those decisions on. With this process a hardship had to be shown. Written notification to surrounding neighbors of the applicant also go out.

Discussion continued about trailer storage, use for work purposes and showing hardship for a special exception.

Chair Rebello asked if there was going to be a rule to ensure that the trailers were operable.

Mr. Kintner assured her that is already something that is covered and not changing. He added that the Commission can add criteria to their approvals on a case by case basis or overall.

Chair Rebello moved that the Land Planning Agency recommend approval of Ordinance 22-2227 to the City Commission as presented with further restriction on the tattoo portion, seconded by Member Blum, and carried by a unanimous roll call vote.

6. DISCUSSION AND SCHEDULE FOR FUTURE AGENDA ITEMS

None

7. ADJOURNMENT

Meeting was adjourned at 7:00 p.m.

Minutes approved by the Land Planning Agency: February 8, 2023

ATTEST:

JoAnne Rebello, Chair

Kristin Zack-Bowen, Recording Secretary