



MINUTES
WORKSHOP CITY COUNCIL MEETING
PROPOSED LAND USE REGULATIONS
APRIL 24, 2000 AT 7:00 P.M.
CITY HALL, 116 FIRST STREET
NEPTUNE BEACH, FLORIDA

Pursuant to proper notice a Workshop Meeting of the City Council of the City of Neptune Beach was held April 24, 2000, at 7:00 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance:

IN ATTENDANCE:

Mayor George F. Vaughn, Jr.
Vice Mayor Edward S. Jones
Councilor Ronald Patronik
Councilor Thomas A. Tankersley
Councilor Robert D. Shimp
City Manager Richard A. Linn
Assistant to the City Manager Terry Klein

City Clerk Lisa Volpe, CMC
Deputy City Clerk Karla Strait
Building Official Dan Arlington
Assistant to Building Official Piper Turner
Member PDRB, Brian Greenwood
Member PDRB, John Weldon

Absent:
City Attorney Christopher White

Call to Order/Roll Call The Mayor called the meeting to order at 7:00 p.m.

Mayor Vaughn explained that the meeting was a continuation of the review of the Proposed Land Use Regulations and would pick up where we left off with Section 27-227 Part 5.

Group Two Article IV, Land Use Mayor Vaughn read each section aloud and asked that any concerns or recommendations be addressed at the end of each section.

Section 27-222 Councilor Shimp asked permission of council to readdress Section 27-222, Purpose of intent of zoning districts, part 9, The Central Business District zoning district is intended to a mix of commercial uses and compatible residential uses that will encourage an urban intensive, pedestrian oriented neighborhood ambiance. Councilor Shimp strongly urged that residential uses of condominiums be denied in the Central Business District.

A lengthy discussion ensued. There was no consensus from council and Section 27-222 remained it question to be re-addressed at a later date.

Section 27-227 Part 5 ARTICLE IV, LAND USE SECTION 27-227, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS PART 5, RETAIL, GENERAL.

There was a question regarding " primarily enclosed building". John Weldon explained that that wording was put in because K-mart and Scotty's and some of the other tenants

were exhibiting wares outside in the front of the stores and the Planning and Development Review Board wanted to include that. But that it also prohibited individuals from going out and selling things on the streets in the open area.

Mayor Vaughn recommended submitting this section back to the consultant for clarification.

Section 27-227 Part 6 ARTICLE IV, LAND USE SECTION 27-227, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS PART 6, ADULT ENTERTAINMENT AND SERVICE.

Discussion ensued regarding the definition of Adult Entertainment and Vixen's.

City Manager Linn explained that this section included adult bookstores and adult motion picture theater's only and nude and semi-nude dancing would be discussed in Chapter 4 Section 26 under nude entertainment.

It was recommended to receive legal advice upon the sale of Vixens and having the Consultant add the definition of adult entertainment and service.

There was no consensus from council and Section 27-227, Part 6 remained in question to be revisited if not covered in subsequent parts of the code.

Section 27-227 Part 7 ARTICLE IV, LAND USE SECTION 27-227, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS PART 7, DRY CLEANER.

There was no discussion and no recommended changes to Section 27-227, Part 7.

Section 27-227 Part 8 ARTICLE IV, LAND USE SECTION 27-227, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS PART 8, PARKING LOT.

There was no discussion and no recommended changes to Section 27-227, Part 8.

Section 27-227 Part 9 ARTICLE IV, LAND USE, SECTION 27-22, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS, PART 9, FIRE STATION.

There was no discussion and no recommended changes to Section 27-227, Part 9.

Section 27-227 Part 10 ARTICLE VI, LAND USE, SECTION 27-22, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS, PART 10, POLICE STATION.

There was no discussion and no recommended changes to Section 27-227, Part 10.

Section 27-227 Part 11 ARTICLE VI, LAND USE, SECTION 27-22, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS, PART 11, AMBULANCE SERVICE.

There was no discussion and no recommended changes to Section 27-227, Part 11.

Section 27-227 Part 12 ARTICLE IV, LAND USE, SECTION 27-227, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS, PART 12, POST OFFICE.

The definition of Post Office was questioned relating to a drug store type service that may be welcomed.

Define Post Office.

Section 27-227
Part 13

ARTICLE IV, LAND USE, SECTION 27-227, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS, PART 13, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL AND FRATERNAL.

Discussion ensued regarding grandfathering of the F.O.P. Lodge on Forest Street, the church on the Ocean and the church on Davis Street.

There was no discussion and no recommended changes to Section 27-227, Part 13.

Section 27-227
Part 14

ARTICLE IV, LAND USE, SECTION 27-227, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS, PART 14, RADIO AND TELEVISION BROADCASTING.

There was no discussion and no recommended changes to Section 27-227, Part 14.

Section 27-228

ARTICLE IV, LAND USE, SECTION 27-228, USES PERMITTED BY SPECIAL EXCEPTION.

Consensus: **CHANGE WORDING FROM "PLANNING AND DEVELOPMENT REVIEW BOARD" TO "COUNCIL" MAY PERMIT THOSE USES, AS LISTED IN TABLE 27-226-1 THAT REQUIRE A SPECIAL EXCEPTION PERMIT ACCORDING TO THE PROCEDURES AND CONDITIONS OUTLINED IN ARTICLE III OF THE CODE.**

Section 27-229

ARTICLE IV, LAND USE, SECTION 27-229, MINIMUM LOT AREA REQUIREMENTS.

Discussion ensued regarding density and the smaller lot area requirements. Dan Arlington explained that the lots were not big enough for the 6000 square foot requirements.

Member of the Planning and Development Review Board, John Weldon was asked to explain why they wanted to change the minimum lot area requirements.

Mr. Weldon stated that the board had a lot of pressure from the land owners in the R-4 district to preserve their property rights and had not intended to increase density.

Councilor Tankersley suggested tabling Sections 27-230, 27-231(a), (b)(1), (b)(2), (b)(3), (b)(4), and (b)(5), 27-232 and 27-233 that referred to table 27-229-1 until a legal opinion had been received.

Section 27-229 was tabled to a later date.

Section 27-230

ARTICLE IV, LAND USE, SECTION 27-230, MINIMUM LOT WIDTH REQUIREMENTS.

Section 27-230 was tabled to a later date.

Section 27-231

ARTICLE IV, LAND USE, SECTION 27-231, FRONT YARD SETBACK REQUIREMENTS.

Section 27-231 (a) was tabled to a later date.

Vice Mayor Jones requested review of Section 27-231(b).

Discussion of Section 27-231(b)(1) ensued regarding the footprint bill.

Consensus: **TO RECEIVE A LEGAL OPINION REGARDING THE FOOTPRINT BILL.**

Vice Mayor Jones felt that Section 27-231(b)(2) oceanfront lots should be addressed as an overlay.

There was no discussion and no recommended changes on Section 27-231(b)(3)

Vice Mayor Jones felt that Section 27-231(b)(4) oceanfront lots should be addressed as an overlay.

Discussion of Section 27-231(b)(5) ensued regarding the wording at the end of the section " ten feet from the from the front face of the principal building. It was agreed to insert the word "back" after "ten feet" making the sentence read "ten feet back from the front face of the principal building.

Section 27-232 ARTICLE IV, LAND USE, SECTION 27-232, SIDE YARD SETBACK REQUIREMENTS.

Section 27-232 was tabled to a later date.

Section 27-233 ARTICLE IV, LAND USE, SECTION 27-233, REAR YARD SETBACK REQUIREMENTS.

Section 27-233 was tabled to a later date.

Section 27-234 ARTICLE IV, LAND USE, SECTION 27-234, MEASUREMENT OF MINIMUM REQUIRED YARD SETBACK.

There was no discussion and no recommended changes to Section 27-234.

Section 27-235 ARTICLE IV, LAND USE, SECTION 27-235, USE OF FRONT, SIDE, AND REAR YARDS

There was no discussion and no recommended changes to Section 27-235.

Section 27-236 ARTICLE IV, LAND USE, SECTION 27-236, MULTIPLE USE OF REQUIRED YARDS PROHIBITED.

There was no discussion and no recommended changes to Section 27-236.

Section 27-237 ARTICLE IV, LAND USE, SECTION 27-237, BUILDING AREA REQUIREMENTS.

There was no discussion and no recommended changes to Section 27-237(a)(b) or (c).

Discussion of Section 27-237(d) ensued regarding changing the square footage of the gross floor area in R-4 zone from 1100 square feet to 800 square feet.

There was no discussion and no recommended changes to Section 27-237(e)(f)(g)(h) and (I).

Section 27-238 ARTICLE IV, LAND USE, SECTION 27-238, MAXIMUM LOT COVERAGE.

Section 27-238 was tabled to a later date.

Section 27-239 ARTICLE IV, LAND USE, SECTION 27-239, BUILDING HEIGHT LIMITATIONS.

Section 27-239 was tabled to a later date.

Section 27-240 ARTICLE IV, LAND USE, SECTION 27-240, BUILDING ELEVATION.

Discussion ensued about the twelve inches in the commercial districts. Building Official Dan Arlington explained that FEMA had guidelines and the higher we make them the more points we received.

Public Comments Rae Brady, was concerned about non-conformity and felt there was a problem with past, present and future intent.

Mary Truta, 701 Valley Forge Road North, expressed concerned about section 27-335, parking of recreational and commercial vehicles.

Harriet Pruette, 217 1/2 Magnolia Street, felt that there was a lot of confusion over the Proposed Land Development Regulations.

Jo Anne Waddill, 115 Oleander Street, recommended including "except as provided in Article" when necessary and was also concerned about the footprint bill and the PUD.

Lynda Padrta, 1113 First Street, felt that if the footprint bill would not work that the whole Proposed Land Development Regulations was of no use to people east of Third Street. Ms. Padrta was also concerned about the density.

Adjournment There being no further business, the meeting adjourned at 9:48 p.m.

George F. Vaughn, Jr., Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____