



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**LAND DEVELOPMENT REGULATIONS**  
**FEBRUARY 10, 2003 AT 7:00 P.M.**  
**CITY HALL, 116 FIRST STREET**  
**NEPTUNE BEACH, FLORIDA**

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Pursuant to proper notice a Special Meeting of the City Council of the City of Neptune Beach was held February 10, 2003, at 7:00 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance

IN ATTENDANCE:

Mayor Richard A. Brown  
Vice Mayor James Gilbert  
Councilor Harriet Pruette  
Councilor Larry Shealy  
Councilor John Weldon

City Manager Richard A. Linn  
City Clerk Lisa Volpe, CMC  
Building Official Dan Arlington

Absent:  
City Attorney Christopher White

Call to Order/Roll Call

The Mayor called the meeting to order at 7:00 p.m.

**OPENING COMMENTS**

Mayor Brown stated the meeting was called to discuss how and when to continue the review of the Proposed Land Development Regulations. He added the review had been a lengthy process and council members have changed throughout that period. It was important to remember they could not start with a clean slate. He felt problems and inconsistencies in the code needed to be cleaned up in a manner that would be respectful of property rights and would not decrease property values.

Vice Mayor Gilbert stated he looked forward to continuing the review of land regulations.

Councilor Shealy stated the current Land Development Regulations had caused a lot of indecisiveness in the past. He was looking forward to cleaning up the code.

Councilor Pruette stated the original intent of the review was not to completely rewrite the code but to clean up the language and inconsistencies. She stated the citizens wanted to keep Neptune Beach the way it was. She wanted to know what the inconsistencies were in the code and what had been changed since beginning the review.

Councilor Weldon stated the intent was not to change Neptune Beach. He felt the way to preserve and maintain the ambiance was to structure the code to protect the community. His six years experience on the Planning & Development Review Board made him aware the code was severely flawed.

**DISCUSSION**

Councilor Weldon offered the following background information:

About five years ago a review committee was formed consisting of City Manager Linn, himself and three or four other people. The committee determined they needed a consulting firm specializing in land uses to guide them through the process. The first order of business of the committee was to send out a proposal for bids and review the applications for a consulting firm. For several months they interviewed eight different firms and narrowed it down to Ivey, Harris, & Walls. The consultant started addressing the Planning & Development Review Board, the city staff, and the City Council about how to approach the project. They sent out a survey to the citizens and categorized what they liked about Neptune Beach. The consultants then started reviewing the code piece by piece first with the Planning & Development Review Board and then with the Council. The review with the Council was never completed.

Councilor Weldon stated that without an effective organized code the city would be vulnerable to changes beyond its control. He asked for a commitment of the Council to complete the project.

Vice Mayor Gilbert felt the Council should commit to one night a month to complete the review.

Councilor Shealy asked should it start over at the Planning & Development Review Board level or be taken up where the Council left off. Councilor Weldon responded the Planning & Development Review Board had already reviewed it and suggested starting at the council level.

Council questioned if changes made by previous councils, and the ordinances passed since the last update, were incorporated into the draft document.

City Manager Linn informed the latest update from Ivey, Harris, & Walls was from the year 2001. The document did not include changes from the October 8, 2001 and the May 28, 2002, Council meetings or Ordinances passed after 2001.

City Manager Linn spoke with Gary Dickens, Ivey, Harris, & Walls, and the firm was interested in completing the process. Mr. Linn recommended sending the information from the two council meetings and the ordinances that were not included in the draft to the consultant to be incorporated into the document. The cost of completing the review would be between \$7,000 and \$10,000 total, including five meetings with the consultants and the final legal review with Rogers, Towers, Bailey and Gay. Mr. Linn stated the code should include redevelopment since the city was 96% built out.

Councilor Weldon stated a consultant was necessary. Ivey, Harris and Walls were already involved in the process and knew more about it than anyone new they could hire.

City Manager Linn suggested starting out by inviting the consultants to a meeting asking them to explain the changes that were recommended by previous councils.

Mayor Brown suggested council hear from the public and staff before bringing the consultants back in. He did not want the consultants telling them what to do with each meeting. He wanted to see exactly where the flaws were in the old code and where they had been corrected in the new code.

Councilor Shealy agreed with Councilor Weldon that \$40,000 has already been spent on the project and should move forward.

Councilor Gilbert stated the Council should receive the material two weeks before the meeting so they had plenty of time to review it.

City Clerk Volpe stated each Councilor should make sure they had the latest version for each meeting and discard any old versions. She suggested having the consultants update the document with all changes to date and start from that point.

Councilor Pruette stated she would like to see exactly where the flaws were in the old code and where it had been corrected in the new code.

John Webber, the fire marshal for the City, stated the Council should start with the definitions because they would be carried out through each section of the code. The Council should come to a consensus on every change they wanted to make in each section. He asked them to think about what they wanted Neptune Beach to be in the next ten years.

Councilor Weldon agreed that the definitions would carry through each section and could be modified at that point if necessary.

Councilor Gilbert stated the most important thing to him at this point was to get the correct material in advance.

Councilor Pruette stated the money was not in the budget and questioned where the funds to pay the consultants would come.

City Manager Linn replied the money would come out of the contingency fund which held \$100,000.

Councilor Weldon asked for a consensus to rehire Ivey, Harris, & Walls to complete the project.

City Manager Linn stated he would send Ivey, Harris, & Walls the documents to incorporate into the draft and ask them to prepare a proposal. He would present the proposal at the February workshop meeting.

Councilor Weldon proposed to go ahead and schedule the next meeting and if there was an objection to the proposal they could postpone it.

City Manager Linn recommended scheduling the meeting on Monday, March 10, 2003 to review group one.

Consensus: **TO HOLD A MEETING ON GROUP ONE OF THE LAND DEVELOPMENT REGULATIONS ON MONDAY, MARCH 10, 2003.**

#### **PUBLIC COMMENTS**

Judy Bost, 115 Walnut Street, approved of moving forward with the Land Development Regulations review. She was concerned about illegal parking.

Lynda Padrta, 1113 First Street, ask that the city require the consultants to provide an electronic copy of any documents for the staff and the public.

Ron Powell, 1830 Nightfall Drive, member of the Planning & Development Review Board, stated a lot of money and work went into the reviewing the Land Development Regulations and he would like to see the project completed.

For the Record Councilor Weldon asked City Manager Linn to brief the Council on the security precautions the city staff had undertaken in response to the federal government raising the security threat level to orange.

City Manager Linn stated because it was not on the agenda and was not advertised to the public the topic could not be discussed.

City Clerk Volpe stated a letter from Chief Brandt regarding the heightened threat level was placed in the council mailboxes earlier in the day.

Adjournment

There being no further business, the meeting adjourned at 8:25 p.m.

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Richard A. Brown, Mayor

ATTEST:

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Lisa Volpe, CMC, City Clerk

Approved: \_\_\_\_\_