



MINUTES
WORKSHOP CITY COUNCIL MEETING
LAND DEVELOPMENT REGULATIONS
SEPTEMBER 27, 2004 AT 6:45 P.M.
CITY HALL, 116 FIRST STREET
NEPTUNE BEACH, FLORIDA

Pursuant to proper notice a Special Workshop Meeting of the City Council of the City of Neptune Beach was held September 27, 2004, at 6:45 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

STAFF:
City Manager Jim Jarboe
City Clerk Lisa Volpe, CMC
Dir. of Community Dev. Jason Cleghorn
Ass't to the Bldg Official Piper Turner

ABSENT:

City Attorney Christopher White

Call to Order/Roll Call

The Mayor called the meeting to order at 6:45 p.m.

Land Development

City Manager Jarboe stated this document has been a long process and is a good final product that may need some changes in the future. He introduced Community Development Director Jason Cleghorn and Brenna Durden from Lewis, Longman & Walker, PA. He explained they would be reviewing the changes made from the legal review. There are no major changes.

Ms. Durden began by giving the council copies of state law regarding the local planning agencies. She explained that the code suggested that the Planning and Development Review Board served as the city's local planning agency. The council discussed the local planning agency.

Art. I.

Ms. Durden commented on the definitions. She explained she had made some changes on condominiums, coastal construction control line.

Ms Durden suggested changing the definition of lot and lot coverage. Council discussed the repercussions to those definitions. Councilor Pruette questioned the 40 foot lot width requirement. Discussion ensued about lot size and density.

Consensus:

TO DELETE THE PHRASES "OF AT LEAST SUFFICIENT SIZE TO MEET MINIMUM ZONING REQUIREMENTS FOR USE COVERAGE AND AREA, AND TO PROVIDE SUCH YARDS ANND OTHER OPEN SPACES AS ARE HEREIN REQUIRED AND THE" AND "OF SUCH LOT SHALL" TO HAVE MS. DURDEN CLARIFY THE DEFINITION OF LOT COVERAGE.

Ms. Durden stated she had just tried to simplify the definition of lot coverage. It should be only any impervious surface. Vice Mayor Gilbert questioned the definition of impervious surface. The council discussed whether a pool was impervious surface. Ms. Durden stated that water bodies in the definition now would include retention ponds which are not impervious.

Consensus: **ADD POOLS TO IMPERVIOUS SURFACE AND DELETE WATER BODIES AND FOR THE CONSULTANT TO SUBSTITUTE A WORKABLE DEFINITON FOR LOT COVERAGE.**

Mr. Jarboe asked Mr. Cleghorn to point out anything else he had not changed so discussion could be made. Mr. Cleghorn stated there were not any more. He pointed out a couple of new definitions that were added.

Art. II

Councilor Weldon highlighted that Section 27 was changed so that the planning and development review board did not hear commercial variances but instead variances in C-1, C-2, C--3 and CBD. He suggested that conservation be added to that list since it is non residential district. Ms. Durden stated there were a few more places that need to be changed.

Consensus: **ADDING CONSERVATION TO 27-36 AND 27-39 (C) AN DELETE IT FROM 27-48 (2)**

Councilor Weldon brought for discussion that the code stated the Planning and Development Review Board had final decision for variances. Discussion ensued over this change.

Consensus: **TO STRIKE "AND MAKE FINAL DECISION" FROM 27-39 (C)**

Ms. Durden stated some changes will have to be made because of that deletion. She would make those before the final read.

Councilor Pruette emphasized PUDS should not be included in Article IV.

Art. III

Ms. Durden asked if there were any questions in Article III. She added definition of preliminary development plan and final development order. There was discussion. She commented a table for the entire procedure would be appropriate. Councilor Weldon agreed this could be done in the future.

Vice Mayor Gilbert questioned section 27-147 (7). Discussion ensued over required findings and precedent setting.

Consensus: **TO LEAVE SECTION 27-147 AS IS.**

Ms. Durden stated that in 27-149 variances had not been transferable and so she had added words to allow an applicant to request transferability. Council discussed this issue.

Art. IV

Council discussed PUDS. Ms. Durden stated it provides options but was not absolutely necessary. It is not a legal issue and could be addressed in the future. Mayor Brown stated it could be useful.

Ms. Durden let the council know she changed Section 27-178 and 188 so that an appeal had to be filed within 30 days.

Councilor Pruette asked why in Table 27-229-1 corner lot side yard setback was changed to 8 feet in R4. This issue, why and when it was changed, was discussed.

Councilor Shealy asked why 35 feet height was not changed. City Clerk Volpe stated the consensus was to treat that as a separate ordinance and first read would be on October 4th.

Mayor Brown questioned Section 27-222 and if goals could be used for or against variance applicants. Ms. Durden answered they could be used to support or deny a decision. Discussion ensued.

Vice Mayor Gilbert discussed that light manufacturing was added to C-2 by exception. Council discussed whether it should be included in the LDR's or left as its own ordinance.

Consensus: **TO PUT IT IN THE OCTOBER WORKSHOP AND TREAT LIGHT MANUFACTURING AS A SEPARATE ORDINANCE.**

Ms. Durden questioned moving and storage facility. She confirmed the council did not want this provision and therefore it was correct to cross it out. She also pointed out that adult entertainment was now by exception. This caused some discussion.

Art. V Councilor Pruette question 27-328 which gave distances of air compressor units. Discussion ensued.

Consensus: **TO KEEP IT AS IS AND CHANGE IT IN THE FUTURE IF IT BECOMES A PROBLEM.**

Art. IX No discussion on Article IX. Councilor Pruette did suggest educating citizen about trees.

Art. X. Vice Mayor Gilbert asked if section 27-479 required just one house to have sidewalk on a street. Discussion over the wording ensued. Ms. Durden suggested collecting a fee for sidewalk construction until enough as collected to do the entire block.

Consensus: **TO ALLOW THE CONSULTANT TO CHANGE WORDING SO SUBSTANTIAL MEANS 3 LOTS OR MORE IN RESIDENTIAL AREAS.**

Art. XIII. Councilor Weldon confirmed parking in CBD was reduced.

Art. XVIII Councilor Pruette wanted to know why principal was replaced with non residential in section 27-706 (2). She reminded Ms. Durden the council allowed the footprint bill to include commercial zones. Ms. Durden stated she agreed it needed to be changed but would take another look at it.

Consensus: **TO CHANGE NON RESIDENTIAL BACK TO PRINCIPAL.**

Councilor Weldon asked why platted was stricken in 27-705. Ms. Durden stated by putting in platted lot you are restricting someone from rebuilding on a metes and bounds lot (not part of a subdivision). Discussion ensued.

City Clerk Volpe questioned if the changes would be complete by the end of the week so that the second read could be on October 4th. Ms. Durden stated that would be fine. Ms. Volpe clarified that the 35 foot ordinance would be on first read in October and the light manufacturing would be at the October workshop.

City Manager Jarboe asked for a consensus to use Ms. Durden's firm for the comp plan.

Consensus: **TO USE LEWIS, LONGMAN & WALKER, PA. FOR THE COMP PLAN.**

City Clerk Volpe let the council know the final ordinance would not have bold and italicize. Councilor Pruette requested a copy of the changes made.

City Manager Jarboe stated there would be a grand opening for the new City Yard on October 7th at 6:00 pm.

Ms. Durden thanked the council and stated it was a good working document.

Adjournment

There being no further business, the meeting adjourned at 9:00 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____