

PLANNING BOARD MINUTES

October 21, 2019

4:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Tiffany Secka, Chairwoman
Marvin Shavlan, Vice Chairman
Mark Grill, Member
Bev Jackson, Member

ABSENT: Tom DeYampert, Member

ALSO PRESENT:

Andrew Dickman, City Attorney
Ginny Keeter-Bodkin, Deputy City Clerk
Wesley Wright, Community Development Director
Lynn Rosetti, Senior Planner
Brandon Berry, Planner I

1. Changes to the Agenda

There were no changes to the agenda.

2. Audience Comments

There were no audience comments.

3. Approval of Minutes

a. 9/16/2019

Member Grill made a motion to approve the 9/16/2019 minutes as presented. The motion was seconded by Vice Chair Shavlan and approved by a unanimous roll call vote.

City Attorney Dickman stated that the Action Items involve changes to the Land Development Code, to be reviewed by the Local Planning Agency.

Chair Secka adjourned and reconvened the meeting as the Local Planning Agency.

4. Action Items

- a. Ordinance No. 2019-xx – To amend the Land Development Code, Section 22.4. – Type, quality and size of plant material; Section 22.14. - Tree removal permit requirements**

Community Development Director Wesley Wright reviewed the drafted amendments of Sections 22.4 and 22.14 of the Land Development Code with the board. City Attorney Dickman suggested adding language to define new construction and establishing best practices as guidance for staff. Mr. Dickman also suggested changing verbiage in Section 22.14(a) to “Unless pre-empted by state law...” and removing Section 22.14(b).

There was no public comment prior to board discussion.

Vice Chair Shavlan made a motion to recommend that proposed Ordinance 2019-xx, to amend the Land Development Code Section 22.4 and Section 22.15, be presented to the City Commission for approval with the following amendments: Define ‘new construction’ and establish best practices (in Section 22.4) and change section (a) to ‘Unless preempted by state law’ and strike section (b) (in Section 22.14). The motion was seconded by Member Jackson and approved by a unanimous roll call vote.

- b. Ordinance No. 2019-xx – To amend the Land Development Code, Section 3.10 – Vested rights and nonconformities**

Mr. Wright reviewed the proposed amendments to Section 3.10 of the Land Development Code.

There was no public comment prior to board discussion.

Member Jackson made a motion to recommend that proposed Ordinance 2019-xx, amending the Land Development Code Section 3.10, be presented to the City Commission for approval as written. The motion was seconded by Member Grill and approved by a unanimous roll call vote.

- c. Ordinance No. 2019-xx – To amend the Land Development Code, Section 2.1 – Words, terms and phrases defined; Section 3.12 – Variances**

Mr. Dickman stated that he would like to evaluate moving the definition of pervious in Section 2.1 to another section or striking. Planner I Brandon Berry reviewed the consultant/staff proposal to rebrand the current Hardship Variance to Unnecessary and Undue Hardship Variance and add Practical Difficulty and Administrative (de-minimus) Variances. Mr. Berry explained each type.

There was no public comment prior to board discussion.

Member Jackson made a motion to recommend that proposed Ordinance 2019-xx, amending the Land Development Code Section 2.1, be presented to the City Commission for approval with the amendment that the definition of the term 'pervious' be moved to another section or stricken. The motion was seconded by Member Grill and approved by a unanimous roll call vote.

**d. Ordinance No. 2019-xx – To amend the Land Development Code,
Section 3.14 – Appeals**

Mr. Wright reviewed the proposed amendments with the board. Mr. Dickman clarified that Land Development Code Appeals Section 3.14(a) does not apply to building permits. He suggested recommending approval of section (a) to the Commission and that Sections (b) and (c) should be further considered.

The Chair called for public comment and there was none. Board discussion followed.

Member Grill withdrew his first motion and moved to recommend that proposed Ordinance 2019-xx, amending the Land Development Code Section 3.14, be presented to the City Commission for approval with paragraph (a) as written, but striking paragraphs (b) and (c). The motion was seconded by Vice Chair Shavlan and approved by a unanimous roll call vote.

Chair Secka adjourned the Local Planning Agency meeting and reconvened the meeting as the Planning Board.

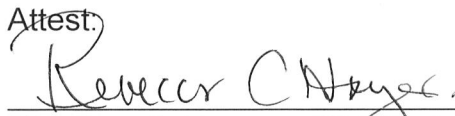
5. Discussion Items

a. None.

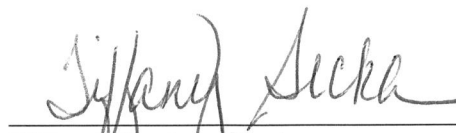
6. Adjournment – Next Meeting: 11/18/2019

There being no further business to come before the Board, the meeting was adjourned at 5:38 p.m.

Attest:



Rebecca C. Haynes, City Clerk



Tiffany Secka, Chairwoman

Minutes approved on: 11/18/2019