

**CITY PLANNING AND ZONING BOARD MINUTES
THURSDAY, MARCH 21, 2019 - 1:30 PM
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

PRESENT: Vice Chairman, John Carroll (arrived at 1:49 p.m.) Members: Honey Minuse, Steve Lauer, Robin Pelensky, and Alternate Member #1, Richard Cahoy **Also Present:** Planning and Development Director, Jason Jeffries; Interim City Attorney, Kira Honse and Deputy City Clerk, Sherri Philo

Excused Absence: Ken Daige

Ms. Kira Honse, Interim City Attorney, called today's meeting to order at 1:30 p.m. She reported that Mr. Lawrence Lauffer is no longer serving on the Board in that he was Councilmember Lange Sykes appointee and his term has expired on the City Council. She said normally the Vice Chairman would run the meeting in the absence of the Chairman, but the Vice Chairman is not present. She noted that they do have Election of Officers on today's agenda, but because they only have three (3) regular members and an alternate member present it is up to the Board if they want to table Election of Officers and elect a Temporary Chairman to run today's meeting.

The Board members agreed to table Election of Officers to their next meeting.

Mrs. Pelensky nominated Mrs. Honey Minuse as Temporary Chairman. The Board members agreed.

I. PRELIMINARY MATTERS

A) Agenda Additions and/or Deletions

None

II. ELECTION OF OFFICERS

This item was tabled to the next Planning and Zoning Board meeting.

III. APPROVAL OF MINUTES

A) Regular Meeting – February 21, 2019

Mr. Lauer made a motion to approve the minutes of the February 21, 2019 Planning and Zoning Board meeting. Mr. Cahoy seconded the motion and it passed unanimously.

IV. PUBLIC COMMENT

None

V. PLANNING DEPARTMENT MATTERS

A) Discussion of Downtown Parking

Mr. Jason Jeffries, Planning and Development Director, briefly went over staff's memorandum dated March 13, 2019, regarding the Summary of Downtown 1992 Redevelopment Plan for Parking. He then gave a Power Point presentation on Downtown Parking (both items are attached to the original

minutes).

Mrs. Minuse asked if there have been any discussions about creating an Overlay District for downtown.

Mr. Jeffries said not that he is aware of.

B) Discussion of Proposed Temporary Uses

Mr. Jeffries reported that this subject came up because the City Council had concerns about PODs being left on people's property over long periods of time. He said because he had received other questions from the community as to what they can and cannot do and the Code did not address these types of uses, he took this opportunity to create a new Section in the Code. He then continued with his Power Point presentation under the Temporary Use Section.

*Please note that discussion and changes took place throughout the presentation.

Mrs. Minuse referred to the backup information regarding the proposed new Section of the Code (attached to the original minutes). She read in part from page three (3), Section 64.41 (c), Special Event, "*Special events shall not include activities to be conducted entirely within public parks or on public right-of-way property.*" She said they do have events where there are street closings.

Mr. Jeffries said that definition is currently in the Code. The reason it states that is because special events held in streets are done through a different process. It is not done through the Land Development Code, but is permitted through the Recreation Department.

Mrs. Minuse said they still need permits.

Ms. Honse explained that they do need permits, but not land use permits.

At this time, Mr. Carroll arrived at today's meeting.

Mr. Jeffries said that definition should not have been underlined because it is not new language. It is currently in Section 64.12 (b) of the Code so he will make sure that is noted.

Mrs. Minuse referred to page six (6), Section 64.45 – Standards for Specific Temporary Uses and Structures, (a) – Farmers Market (as a temporary use). A Farmers Market operating as a temporary use shall: (1), "*Operate on a continuous basis for no more than five months per year on a single site.*" She asked what does continuous mean.

Mr. Jeffries said this does not put a limit on the number of days. He said the way he reads the statement is that the Farmers Market could operate seven (7) days a week, but the Board could put a limit on it.

Mrs. Minuse asked doesn't that statement bring the Farmers Market right into it.

Ms. Honse explained that the Oceanside Business Association's Farmers' Market is kind of unique because they have a license agreement with the City to use the parking lot.

Mr. Lauer said that he would be opposed to a Farmers Market anywhere that would compete with the Farmers Market on Ocean Drive. He is afraid that this designation would allow competition for an

existing market that they would like to promote.

Mr. Cahoy asked if they could limit it to allow one (1) per district.

Mr. Jeffries said they could add the verbiage of one (1) per week and somehow word it so that it has to be held on a different day than an existing Farmers Market.

Mr. Carroll thought the number of days is what is important.

Mrs. Pelensky did not think they should limit the time they could sell.

Mr. Jeffries said that he could revise it to one (1) per week and have some type of language about not competing.

Ms. Honse said that she has a property issue with not competing with other Farmers Markets. She said that she understands their concern, but you don't keep out businesses because there are existing businesses.

Mrs. Pelensky said that she would be okay with one (1) day a week, 12 months a year, but she didn't think they should tell them what day.

Mr. Cahoy suggested that they strike the five (5) month provision.

Mr. Jeffries said that he would make the changes.

Ms. Honse referred to page eight (8) (e) –Temporary Factory-Fabricated Portable Building, A temporary factory-fabricated transportable building shall comply with the following standards: (1)(f), *“A temporary building providing temporary quarters for the occupants of a principal dwelling or nonresidential building damaged or destroyed by a fire, hurricane, or other physical catastrophe while the dwelling or building is being repaired or reconstructed.”* She said there is not a time frame and some of the concern is that person who doesn't diligently make repairs to their home.

Mrs. Minuse said it states under item (f), *“while the dwelling or building is being repaired or reconstructed.”* She asked is there a way they could have a mandate.

Ms. Honse said they could state that they have to have a building permit.

Mr. Jeffries said you don't want to require them to have an active building permit right away because after a storm it takes a while for plans, etc., so they want to allow a reasonable time frame to file for the permit. He said that he would add criteria for that.

Mr. Carroll suggested the verbiage; apply for a permit within 60 days.

Mr. Jeffries said they could add something where the Planning and Development Director can waive this provision and extend the deadline if they have an unreasonable event, such as what happened in 2004 where two (2) hurricanes hit back to back.

The Board members agreed.

Mr. Jeffries said that he will make that change.

Mr. Lauer referred to page nine (9), item (g), Temporary Not-For-Profit Car Wash. Temporary not-for-profit car wash services shall comply with the following standards: (1), *“The use shall be limited to no more than a total of 14 days per calendar year, per individual site.”* He suggested limiting the number of events that could occur to no more than one (1) per week. He questioned do they want to have someone operate a car wash for 14 consecutive days.

Mr. Jeffries said that he would make that change.

Mr. Lauer referred to item (h), Temporary Portable Storage Unit. Temporary storage in a portable storage unit may be permitted to serve an existing use on the same lot, subject to the following standards: (1), *“No more than two units shall be located on a lot.”* He asked what is a lot.

Mr. Jeffries said that is the parcel.

Mr. Lauer asked shouldn't it state parcel because a parcel could be including a number of lots.

Mr. Jeffries said he would change “lot” to “parcel” throughout this Section.

Mr. Cahoy said if after a storm where the home is being renovated and are storing their belongings in a POD, there is no way they can complete the renovation in 30 days. He asked how would they deal with that situation.

Mr. Jeffries said they could add a provision that under an emergency situation the time frame could be extended.

Mr. Cahoy asked would that only apply to a storm event. He asked what about other renovations.

Mr. Jeffries said during a storm event they want to allow some flexibility, but when someone has a planned renovation they should make allowances for storage.

Mr. Jeffries said another temporary use is outdoor commercial displays on sidewalks. He said they could add something where a business could have a small display without a permit as long as it is associated with their business.

Mr. Carroll said that he is not opposed to it, but sometimes it gets out of control when they are taking up sidewalk space.

Mr. Jeffries said that he would draft some language and if the Board doesn't want it they can eliminate it. Another temporary use is sidewalk sales, such as what they have on Main Street and Ocean Drive.

Mrs. Minuse asked if it would make sense if for example a sidewalk is 10-feet that they could have their sales at so many feet.

Mr. Jeffries said when he drafts this there will be a criteria that they have to have so many feet clear in order to make it ADA compliant.

Mrs. Pelensky said that she would just state that it has to be ADA compliant.

Mr. Lauer said the way this was drafted was very good. He said instead of trying to add on to

something, to add new Sections is very good drafting and it is great to see it presented this way.

Mr. Jeffries said that he will make the changes as discussed and hopes to bring this back before the Board for hearing at their meeting next month.

At this time, Mr. Jeffries continued with his Power Point presentation discussing the Work Plan Updates and Schedule.

VI. BOARD MEMBERS' MATTERS

None

VII. ADJOURNMENT

Today's meeting adjourned at 3:01 p.m.

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