

**FRUITLAND PARK CITY COMMISSION AND PLANNING AND ZONING BOARD
JOINT WORKSHOP MEETING MINUTES**

February 13, 2020

City Hall Commission Chambers

506 W. Berckman Street

Fruitland Park, Florida 34731

6:00 p.m.

A joint workshop meeting of the Fruitland Park City Commission and the Planning and Zoning (P&Z) Board was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, February 13, 2020 at 6:00 p.m.

Commission Members Present: Mayor Chris Cheshire, Vice Mayor John L. Gunter, Jr., Commissioners Christopher Bell, Patrick DeGrave, and John Mobilian; **P&Z Board Members:** Vice Chair Phillip Pearle, Fred Collins, Dan Dicus, and Walter Birriel.

Members Absent: Al Goldberg, P&Z Board

Also Present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Police Chief Erik Luce, Community Development Director Tracy Kelley; Library Director Jo Ann Glendinning; Parks and Recreation Director Michelle Yoder; Deputy Fire Chief Tim Yoder, Fire Department; Human Resources Director Diana Kolcun; Terry Ribble, Assistant Public Works Director; and City Clerk Esther B. Coulson.

1. CALL TO ORDER , INVOCATION AND PLEDGE OF ALLEGIANCE

ACTION: 6:00:23 PM After Mayor Cheshire called the meeting to order, Reverend Jerry Kingery, Heritage Community Church, gave the invocation and Police Chief Luce led in the Pledge of Allegiance to the flag.

2. ROLL CALL

Mayor Cheshire requested that Ms. Coulson call the roll .and a quorum was declared present.

ACTION: 6:01:44 PM, 6:11:32 PM, and 6:20:02 PM. No action was taken; however, later in the meeting, Mayor Cheshire recognized the presence of the Scout Master Troop 143 at this evening's workshop and indicated that their presentation on the community merit badge will be held at the February 27, 2020 regular meeting.

It being further into the meeting, Mayor Cheshire recognized the presence of District 2 School Board Member Dr. Kristi Burns who will be attending the P&Z Board meetings as a non-voting board member to the P&Z Board.

3. PROCLAMATION – Memoriam – “Dale Bogle Day”

On behalf of the city commission, Mayor Cheshire read into the record a proclamation proclaiming February 13, 2020 as *Dale Bogle Day*; extended deepest condolences to his family and loved ones, and joined the community to honor Dale's selfless devotion and

dedicated hard work where his legacy will live on in memories for many years to come knowing that through his accomplishments, too numerous to mention, commission is privileged to have known that he had left the city in a better place.

ACTION: 6:05:00 PM Mrs. Terri Bogle accepted the proclamation with gratitude.

Upon Mayor Cheshire's suggestion and **by unanimous consent, the city commission and planning and zoning board approved dedicating the naming of the future public works building as *The Dale Bogle Public Works Building*.**

4. LAND DEVELOPMENT REGULATIONS

Mayor Cheshire recognized the land development regulations (LDRs) to be in order at this day's meeting.

ACTION: 6:11:49 PM **By unanimous consent, the city commission and planning and zoning board agreed to take the following items out of order on this evening's agenda and accepted the suggestion by LPG Urban Planners Inc. to review the following chapters:**

- **Chapter 150, General Provisions**
Mr. Beliveau noted the changes under Chapter 150, General Provisions.
- **Chapter 151, Definitions Interpretations**
Mr. Beliveau explained that changes under Chapter 151, Definitions Interpretations are forthcoming.
- **Chapter 152, Administration**
Mr. Beliveau did not address Chapter 152, Administration.
- **Chapter 153, Concurrency Management System**
Mr. Beliveau noted the following changes under Chapter 153, Concurrency Management System; namely, updates to the comprehensive plan where the Florida Legislature removed concurrency from the regulation; thus, the public schools provision -- already referenced -- was relocated to subsection 153.020: a) 6), and section 5.3 of the interlocal agreement with the Lake County School Board references the requirement for the city to coordinate with the board on all proposed residential projects where such process is already outlined under subsection 153.040:a)2)b)2), school concurrency determination procedures of the LDRs.
- **Chapter 157, Subdivisions and Plats**
Mr. Beliveau announced that the provisions under Chapter 157, Subdivisions and Plats were reviewed by Ms. Geraci-Carver, LPG Urban Planners, and Booth Ern Straughan & Hiott Inc. (BESH) (engineers, surveyors, land planners consultants retained by the city) who have since made revisions on the review process and procedures as well as code requirements as mandated by Florida Statutes.

- **Chapter 158, Stormwater**

Mr. Beliveau reported that Chapter 158, Stormwater has been updated to reference the St. John's River Water Management District's (SJRWMD's) guidelines as requested at the September 26, 2019 joint workshop and indicated that a more stringent language on the new maintenance bond has been included.

- **Chapter 159, Utilities**

Mr. Beliveau relayed Ms. Coulson's reference to the oil and grease management program addressed under Grease Traps Ordinance 2010-002; Grease Trap Maintenance/Replacement Liens Ordinance 2015-022 and Sewer Grease Traps Discharge Regulation Ordinance 2015-005 and confirmed that he and staff will review with BESH to include same.

- **Chapter 161, Building and Fire Codes**

Mr. Beliveau explained that Chapter 161, Building and Fire Codes were revised to reference the fire and building codes *as adopted by the city commission*. He indicated that any changes made by the city commission would not impact the LDRs but would reference the city commission's actions; recognized the number of fire code subcategory items that the city should also be implementing, and emphasized the need for said items to be reviewed, updated and adopted.

Mr. La Venia addressed the need to eliminate weather radios under subsection 161.020 d) i) and indicated that Mr. "Jeff" Jeffry Gerling, the building official retained by the city, ought to be contacted in that regard.

After discussion, Commissioner Bell recognized the implementation of the Public Alert Certified Weather Radio Installation following the 2007 aftermath of the tornados that destroyed the Town of Lady Lake and Mayor Cheshire, in acknowledging current technology, recalled the advent of same after The Villages joined the Fruitland Park area where weather radios were to be installed in their homes.

- **Chapter 165, Environmental Protection Regulations**

Mr. Beliveau referenced the changes under Chapter 165, Environmental Protection Regulations as it pertained to the new environmental laws and controls and permit requirements under SJRWMD.

- **Chapter 154, Zoning District Regulations**

As a result of the major modifications in the comprehensive plan, Mr. Beliveau reviewed the changes under Chapter 154, Zoning District Regulations and noted the text changes he made as a result of an earlier meeting he had with Ms. Coulson.

Mr. Beliveau outlined the language under subsection 154:030:d) 1) A) iii) customary accessory structures - referencing sizes and square footage which were removed and addressed his intent to review same under Chapter 156, Miscellaneous Regulations - Accessory Uses and Structures. He pointed out discussions held at the August 10, 2019

joint workshop relating to accessory structures and accessory dwelling units and defined and outlined the stipulations of same in the code.

With respect to subsection 154:030: d) 8) B), iv), C-2 “General Commercial”, Mr. Beliveau reviewed the removal of mobile home sales, motor vehicle and boat storage facilities, motor vehicle dealer sales, and motor vehicle sales as principal uses; noted the placement of same in the special exceptions use category, and identified the only place of such principal uses to be industrial.

ACTION: 6:20:19 PM By unanimous consent, the city commission and planning and zoning board accepted the changes under Chapter 154, Zoning District Regulations as previously cited.

ACTION 6:24:51 PM By unanimous consent, the city commission and planning and zoning board permitted the public to be heard at this evening’s workshop.

Mr. Tim Coates, City of Fruitland Park resident, voiced concerns on the zoning changes and the property located on Dixie Avenue zoned as C-2 and C-3. He referred to a 1995 document with the city from a previous owner depicting a fence line on 801-806 South Dixie Avenue and showing the zoning designation as C-2 and indicated that he does not want his rights to be removed.

Mayor Cheshire suggested that Mr. Coates meet with Mr. La Venia and Ms. Kelley to resolve his concerns as the LDRs are being reviewed at this evening’s meeting.

- **Chapter 156, Miscellaneous Regulations**

Mr. Beliveau reviewed the changes where all the sizes of accessory structures under subsection 154:030:d) 1) A) iii) Zoning District Regulations, were relocated to subsection 156:010: e), Accessory Uses and Structures, Size Limitations.

Mr. Beliveau questioned placing limitations on accessory dwelling; regulating lot size maximum coverage areas, or leaving the language on accessory dwellings, with amendments, where the maximum size of accessory dwellings are 600 square feet or 40 percent of the principal structure. He recognized that there is no maximum size for accessory structures which are garages as they are strictly based on available lot coverage to which Mr. La Venia interjected are limited by the amount of lot coverage by impervious surface.

Mr. Beliveau pointed out the proposed accessibility dwelling unit impact fee ordinance for consideration before the Lake County Board of County Commissioners February 25, 2020 regular meeting which will create a new section on the waiver or deferral of educational impact fees for accessory dwelling units and noted the language . . . *a self-contained dwelling with its own entrance, cooking accommodations, and complete bathing facilities, which shares a parcel or lot with a single-family dwelling unit. An Accessory Dwelling Unit may be attached or detached to the primary*

residence and must remain under the same ownership as the primary dwelling. An Accessory Dwelling Unit shall not exceed 800 square 12 feet

ACTION: 6:27:07 PM and 7:42:18 PM After extensive deliberations and by **unanimous consent, the city commission and planning and zoning board directed LPG Urban Planners Inc. to amend the provisions under Section 156.010, Accessory Uses and Structures to include a standalone accessory structure or accessory dwelling unit of 600 square feet not to be rented or sold with the proviso of three percent of the main structure that allows for 25 square feet home equivalent to approximately 1,000 square feet and the primary structure to be initially up to 1,250 square feet. Further, the city commission and planning and zoning board accepted the city attorney’s statements to consider a special exception use and site plan review as an attachment to the property with the respective site plan to be subject to review by the governing body.**

Later in the meeting and after Mayor Cheshire referred to references relating to tennis courts under subsection 156.030: e) 5) A), Exemptions and Structure and subsection 156.040: a) In General and upon Commissioner DeGrave’s suggestion, **the city commission and planning and zoning board agreed to replace the words “tennis courts” with “recreational courts”.**

- **Chapter 168, Variance Procedures**
Mr. Beliveau highlighted the changes under Chapter 168, Variances Procedures.
- **Chapter 155, Conditional Uses and Special Exceptions**
Mr. Beliveau did not address Chapter 155, Conditional Uses and Special Exceptions.
- **Chapter 160, Site Development Plan Approval**
Mr. Beliveau did not address Chapter 160, Site Development Plan approval.
- **Chapter 162, Transportation Standards**
Mr. Beliveau did not address Chapter 162, Transportation Standards.
- **Chapter 163, Sign Regulations**
Mr. Beliveau outlined the changes to Chapter 163, Sign Regulations to be based on the consensus reached at the September 26, 2019 joint workshop on the drafting of language where the change of occupancy would trigger the signage on the building structure and not the freestanding monument (multi-tenant) sign for the street frontage allowing up to five years and recognized that under subsections 163:050: b) there are no limitations on sunsetting nonconforming signs which is implemented upon transfer of property ownership.

ACTION: 6:55:43 PM and 7:37:45 PM After lengthy discussions and upon Commissioner DeGrave’s suggestion, **the city commission and planning and zoning board, by unanimous consent, directed the city attorney, prior to changing the time period, to research and report back, under subsections 163:050 b) 4) and**

163:050 b) 5), the continuance of nonconformities, the time frame to comply and the meeting of current standards on the change of use and occupancy/tenancy or ownership of a nonconforming monument sign structure.

After discussion and upon Mayor Cheshire's suggestion, the city commission and planning and zoning board, by unanimous consent, agreed that the provisions under subsection 163.050:c)1), repairs, maintenance and improvements be addressed after the city attorney has submitted her findings.

Under subsection 163.050:c)2), Mr. Beliveau referred to the addition of language.

Following much discussion, Mr. Beliveau pointed out the direction at the September 26, 2019 joint workshop meeting regarding subsection 163.070: c)1)x)a), Shopping Centers/Multi-Unit Complexes and staff's redefinition of same.

ACTION: 7:28:45 PM It now being 7:30 p.m. and by unanimous consent, the city commission and planning and zoning board agreed to continue the joint workshop and complete the remaining items on this evening's agenda before adjourning to convene to the special city commission meeting.

Following Commissioner DeGrave's inquiry, Mr. Beliveau acknowledged the change made under subsection 163.070:c) 1) vii), permanent signs.

After discussion and in response to concerns voiced by Commissioner DeGrave to subsection 163.040:21, where he has identified signs placed on unused vehicles for the purpose of advertising which are visible from the right-of-way, Ms. Geraci-Carver indicated that she will review the matter further and report back.

Later in the meeting and Mayor Cheshire referred to his concerns raised at the November 14, 2019 regular city commission meeting regarding distraction of digital signs within the city to motorists.

After much discussion, Mr. Beliveau pointed out the changes under subsection 163.020: c) 11), application for permit and agreed to add provisions relating to brightness.

Chapter 164, Landscape Requirements and Tree Protection

Mr. Beliveau referred to the city commission's position at its August 2, 2018 workshop regarding the removal provisions under Tree Protection Landscape Ordinance 2008-015; distributed the tree removal and mitigation requirements and tree map for review, and indicated that the city's code does not address development as they only need to meet the landscape requirements and do not have to replace the trees when they are removed. (Copies of the respective documents are filed with the supplemental papers to the minutes of this meeting.)

- **Chapter 166, Wellfield and Aquifer Protection**
Mr. Beliveau did not address Chapter 166, Wellfield and Aquifer Protection.
- **Chapter 167, Historic and Archaeological Resource Protection**
Mr. Beliveau did not address Chapter 167, Historic and Archaeological Resource Protection.

Mr. Beliveau did not address the following Appendices:

- o **Appendix 1, Road Functional and Classification Trip Generation**
- o **Appendix 2, Water and Sewer Utilities Standard Specifications**
- o **Appendix 3, Vegetative Community Descriptions**
- o **Appendix 4, Sample Design Standards**

4. OTHER BUSINESS

There was no further business to come before the joint workshop at this time.

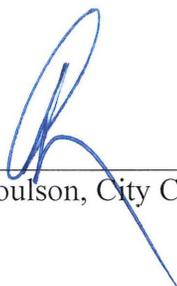
5. ADJOURNMENT

The meeting adjourned at 7:44 p.m.

The minutes were approved at the April 16, 2020 special meeting.

Signed _____

Esther B. Coulson, City Clerk



Signed _____

Chris Cheshire, Mayor

