

## CITY OF ST. AUGUSTINE

### Planning and Zoning Board Regular Meeting December 1, 2020

The Planning and Zoning Board met in formal session Tuesday, December 1, 2020, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Jon DePreter, Chairperson and the following were present:

#### 1. Roll Call:

Jon DePreter, Chairperson  
Christina Opsahl, Vice-Chairperson  
Grant Misterly  
Sarah Ryan  
Mike Davis  
Carl Blow  
William Masson

#### City Staff:

David Birchim, Director, Planning & Building Department  
Patrick Doty, Senior Development Review Planner  
Denise May, City Attorney  
Candice Seymour, Recording Secretary

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#### 2. General Public hearings for Items Not on the Agenda

(None)

#### 3. Approval of Minutes

##### MOTION

Mr. Blow MOVED to APPROVE the November 3, 2020 minutes as presented. The motion was SECONDED by Mr. Davis.

##### VOTE ON MOTION:

AYES: Blow, Davis, Masson, Ryan,  
Misterly, Opsahl, DePreter

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

#### 4. Use by Exception

##### 4. (a) 2020-0118 – Connie Fuller, Key Lime Oasis, LLC – Applicant and Owner 9 Saragossa Street

To approve a use by exception for offsite parking for three short term rentals, in the form of three on street parking spaces,

##### **within Residential, single-family-one (RS-1) zoning.**

Mr. Doty read the staff report and said based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a use by exception for off-site parking for three short term rentals, in the form of two (2) on street parking spaces within RPPP Zone SAR-001 and one (1) on-site, within Residential, single-family-one (RS-1) zoning at **9 Saragossa Street / PIN 205530-0000.**

Connie Fuller reviewed the application.

The Board provided their ex parte communications.

32 certified notices were sent, 1 was returned in favor, 13 returned opposed and 10 had comments.

Public hearing was opened.

Rick Spence felt that approval of the application would set a precedent for use of residential parking for short-term rentals. He

believed the intent of the short-term rental restrictions was to control on-street parking. He did not think the request met exception requirements.

Guy Porter voiced concerns that approving the application would cause several other rental properties to get residential parking passes. He advised that the Board deny the application because short-term rentals were commercial uses.

Tom Day spoke against the application, noting that there were 21 rooms available for rent on Saragossa Street, and only 12 residential parking spaces available on-street. He believed that requests for parking passes would continue.

Judith Seraphin Liphardt, believed that the vacation rental regulations were meant to control parking and relieve the stress on the street. She noted that parking and traffic were already issues in the City. She believed parking in the garage was reasonable.

Van Cogley felt that short-term rentals created questions and concerns regarding the definitions of terminology within the parking code. He added that the parking garage was not far away and parking concerns could be alleviated if she could purchase parking passes for the garage.

Charles Pappas said his only issue with the application was that the purpose of the residential parking pass program was to maintain the residential feel of the neighborhood.

Public hearing was closed.

Ms. Fuller responded to public comments noting that only half of Saragossa street was zoned RS-1. She added that other vacation rentals along Saragossa Street that were mentioned maintained parking on site, unlike her property. She added that she historically used the guest parking passes for her vacation rentals, and that the subject property was her primary residence.

Reuben Franklin, Public Works Director, gave a brief overview and facilitated discussion regarding the residential parking program zones.

The Board discussed:

- Commercial enterprises were not allowed to use the residential parking program zones
- Short-term rentals were considered residential uses based upon the state's definition of vacation rentals
- Long-term residential leases did not require an exception to acquire a parking pass
- Deficit of parking spaces in the area
- Uses by exception did not set a precedent and were all considered case-by-case based on facts presented
- Residential parking versus visitor parking needs and the City's mobility goals to reduce commuter traffic
- Current residential parking program permits were renewed annually
- Short-term rental regulations offered use of residential parking permits as one of three options for parking including off-street parking leases at a private parking lot within 400 feet of the subject property and the parking garage
- Commercial nature of short-term rentals
- Private parking lots were allowed in residential neighborhoods if design criteria were met
- Exception was necessary to meet parking requirement and register the short-term rentals
- Applicant was a St. Johns County resident
- Concern that the application did not promote the public, health, safety, or welfare of the public
- Educating the public of vacation rental parking requirements
- Application could reduce commuter traffic and prevent guests from

driving around town searching for public parking

There was discussion regarding whether the applicant would be amenable to continuing the application to allow her to return for an exception for spaces in the parking garage. Ms. Fuller responded in the affirmative.

#### **MOTION**

**Mr. Blow MOVED to CONTINUE application 2020-0118 to the January, 5, 2021 meeting. The motion was SECONDED by Mr. Masson.**

#### **VOTE ON MOTION:**

**AYES: Blow, Masson, Davis, Ryan, Misterly, Opsahl, DePreter**

**NAYES: NONE**

**MOTION CARRIED UNANIMOUSLY**

#### **5. Other Business**

##### **5. (a) 32 Avenida Menendez – Neighborhood Development notice for PUD Amendment**

Mr. Doty gave a brief overview of the subject, which was included on the agenda to meet noticing requirements and did not require any action by the Board.

##### **5. (b) Discussion of potential Land Development Code updates**

Amy Skinner, Deputy Director of the Planning and Building department, gave an overview of the subject. She asked the Board for consensus of direction regarding updating the Land Development Code for consistency with the newly adopted Comprehensive Plan.

The Board discussed:

- The need to weigh public impacts of updating the code
- The Comprehensive plan and Land Development Code update process

Mr. Birchim listed efforts to update the Land Development Code already in progress including:

- Creation of the Building Code Advisory Task Force to review flooding and in-fill development
- An already created draft of the sign code
- Draft update to the Parking Code

The Board continued discussion, highlighting code updates that should be considered, including:

- Any already-drafted ordinances that could move through a quick review and approval
- Ordinances related to resiliency
- Limiting development in Coastal High Hazard Areas
- Greenway corridors
- Mobility Plan update and implementing a mobility fee
- Possible increased density bonuses tied to goals such as affordable housing
- Increased buffering standards for multi-family houses
- Encouraging infill
- Relaxing height requirements in flood-prone areas to allow for additional freeboard
- Changes to the landscaping ordinance to reduce restrictions on heavily treed lots

Additional Board discussion included:

- Recommendation for workshops prior to codes being passed
- Utilizing consultants for certain code changes such as mobility

**6. Adjournment**

Having no further business, Mr. DePreter  
adjourned the meeting at 3:33 P.M.<sup>1</sup>



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Jon DePreter, Chairperson

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<sup>1</sup> Transcribed by Candice Seymour