

CITY OF ST. AUGUSTINE

Planning and Zoning Board Special Meeting August 26, 2021

The Planning and Zoning Board met in formal session Thursday, August 26, 2021, at 9:58 a.m. in the Alcazar Room at City Hall. The meeting was called to order by Christina Opsahl, Vice- Chairperson and the following were present:

1. Roll Call:

Christina Opsahl, Vice-Chairperson
Grant Misterly
Sarah Ryan
William Masson

Absent: Jon DePreter, Chairperson, excused
Carl Blow, excused
Mike Davis, excused

City Staff: David Birchim, Director, Planning & Building Department
Amy Skinner, Deputy Director, Planning & Building Department
Isabelle Lopez, City Attorney
Jessica Beech, Storm Water Engineer & Chief Resilience Officer
Richard Schauland, Building Inspector
Ruben Franklin, Director, Public Works
Elyse Anderson, Recording Secretary

2. General Public hearings for Items Not on the Agenda

(None)

3. Discussion and Recommendation Related to the Building Code Task Force

3. (a) Planning and Zoning Board discussion and recommendation regarding Incentives to Encourage Sustainable Development Practices

Mr. Birchim provide a memo with the staff conclusion that spoke of the goals to provide incentives for stem wall and pier construction; however, they were unable to develop any meaningful incentives. He said they would be instituting a robust drainage and grading plan requirement for new residential construction that would safeguard other properties from flooding. He said there were no proposed incentives for pier or stem

wall construction at this time. He asked for other opinions as they were open to other perspectives.

Public Comment was opened; however, there was none.

Mr. Birchim and the Board discussed:

- Not a zoning incentive but perhaps a financial incentive for Stormwater fee
- Stormwater fees were not a meaningful incentive as they were \$8.50 per month
- Reducing as an incentive would not offset the cost for construction
- If reduced, the fee would have to come from the City's general fund to offset the cost
- Not a similar charge for stormwater like there was for a utility connection, only a tap fee

- To reduce financially would need a nexus between the fee and the construction technique
- Drainage would lead to a Stormwater fee but unsure if that would work to provide tax incentives
- Issue was in fairness, and it had to be related to the Code to offset or charge
- If in a low-lying area would be required
- Another option could be if building slab on grade having to pay an extra fee the Stormwater system
- Justification would be needed for extra fee
- Stormwater system within City was stressed
- Data and analysis had to be provided for the fee
- If drainage problem persisted data would be required
- Program could be mandatory without incentives for new construction
- Stormwater master plan was being updated by the City and could consider options once completed
- Capacity of the water system needed better understanding
- Understand where water came from and where it went
- Justification of fees could be provided once updated
- Not only residential but commercial construction or any type of impervious surface

3. (b) Staff update regarding Grading and Drainage Plan and 70% Impervious Surface Ratio (ISR)

Jessica Beech presented the topic, and the goal was to have a lot grading plan for all residential permits that would produce an increase of 200 sq. ft. or more of impervious surface and for all flood plain management permits. She stated this was necessary since properties had brought in fill to elevate their homes to mitigate against flood damage, but this unintentionally caused flooding onto adjacent properties and under this

recommendation, the water would be diverted the water to the City's storm sewer system or another approved collection point. She said for the lot grading plan and the approval process, if implemented, it would ensure the code would be followed to help alleviate flooding onto the adjacent properties. She said they were looking for a tentative date for implementation and had several requirements:

- Spot elevations showing where all the roofed and impervious area
- Include the neighboring properties to capture the spot elevations around surrounding properties that might have been impacted or affected
- Show the existing in the purposed ground elevations
- Demonstrate if the stormwater would not be impacted or directed to an adjacent private property

She said the lot grading plan would be reviewed and approved by the Public Works Department and during review if not sufficient the City would work with the applicant to propose other options. She stated the applicant had to show what approach was being taken on the plan and would be reviewed by the building official for final approval. She stated in the post development phase after building had taken place, the applicant would provide a lot grading plan to show proof of what was approved was built accurately and the City staff would verify and then the certificate of occupancy could be issued by the building official.

Ms. Beech stated there was an example of a draft plan, checklist, a sample survey, and contact information for the Public Works Department and Planning and Building if applicants had questions or concerns. She provided an example of a survey from St. Johns County and how it could be used, and an example of what could be done on the property that was commonly used for the

stormwater master plan depending on grading.

Ms. Beech provided information from the Building Code Task Force January meeting about the grading plan. She asked for Board comment on several items:

- Square Footage recommendation
- Date of implementation
- Input on examples of the lot grading plan and survey

Public comment was opened:

Charles Pappas spoke about the previous item and thought the City might be missing an environmental impact fee which could be used for resiliency, flood mitigation, and the impacts on each development. He said that could be used as an incentive if met or lower the cost of the impact fee.

BJ Kalaidi said she felt that the quicker this could be implemented the better. She felt that contractors would rush to lay slabs when they saw the word “mandatory pier construction”. She stated everyone was aware of the drainage issues and a grading and draining plan could help.

Public comment was closed.

Board discussion:

- 200 Sq ft. was small to trigger the grading and drainage plan
- Site plan example was helpful
- Purpose was to keep rainwater from flowing onto neighboring properties and direct to City Stormwater system or another water body
- Elevations shown on site plan were not clear on how to move water into swale
- Example showed water moving onto the neighbor’s property
- Looked to show negative numbers for elevations

- Board had a draft and what public would access would be listed in CAD
- Example would be more realistic to assist the homeowner
- Numbers were not negative but was unclear on the example
- Example showed the wetland and that wetlands would not be touched
- Have examples as simple as possible while conveying what was needed
- Perhaps engage local builders or engineers for input and provide examples for reference
- Would need time to be refined before released
- Staff suggested implantation date of October or January
- Thought most properties drained towards the road or the wetland
- Between the home and the adjacent property line was the key area but not clearly defined
- Staff would provide examples to help homeowners
- Homeowner could do the grading plan using a professional survey
- Survey would need to be signed and sealed for accuracy
- Should be prompted for a major addition or new construction
- Perhaps 1,000 sq ft. to trigger needed plan
- Could cause issues for people who did not understanding a drainage plan
- For commercial use, 500 sq. ft. would cause a drainage plan to be implemented
- To help manage storm water fill dirt was brought in for new construction or reconstruction
- Have had cases where smaller projects caused an impact on neighboring properties
- Task Force stated 200 sq ft. but staff thought that was too small and suggest 400 sq ft. but was open to other suggestions

- Did not want to make a regulation where people no longer received permits
- Could it be a percentage or a substantial improvement
- Substantial improvement tied to the evaluation on the building compared to the evaluation of the improvement, would be more beneficial to have square footage number
- Could be a new single-family home or improvements to a lot that met a certain threshold
- Would want to see each example: threshold, flat number, or sliding scale for a percentage of the lot

Ms. Ryan suggested not providing a date for implantation without having the entire Board available and able to provide their feedback to the Staff.

Mr. Birchim stated they could prepare some of the suggestions from the Board and table topic until everyone was available.

Mr. Misterly asked if a home built on piers needed a grading plan.

Mr. Birchim stated a grading plan was needed but would not be much of a plan.

4. Discussion and Recommendation Related to Mobility Planning in the City of St. Augustine

4. (a) Introduction and Presentation of the Mobility Planning and Mobility Fee Technical Report and Sample Fee Schedule by the City's Mobility Consultant, Jonathan Paul, AICP, Principal, NUE Urban Concept

Jonathan Paul, Principle of New Urban Concepts, provided a presentation to the Board on the mobility plan and fee schedule. He said the mobility plan was a 20-year vision on how the City desired people to

move about the community and the mobility fee was new and would be paid by new development and not existing homeowners, unless they were to expand their use. He said the fee would pay for the transportation usage. He said the City did not have a roadway or impact fee unlike the County. He reviewed the following topics with the Board:

- Steps to Implement a fee
- Moving towards safer streets for all
- 2040 Mobility Maps
- Benefits of a Mobility plan and fee
- Dual Rational Nexus and Rough Proportionality test
- Assessment area versus benefit districts
- 2040 Mobility Plan fee Assessment Maps
- Use Categories, Land use and representative land use
- High Daily Trip Generator
- What the next steps for implantation would be¹

Public Comment was opened.

Charles Pappas stated he was pleased to hear there would be a mobility plan and the City was trying to find way to fund it. He said his issue with it was having two different zones for the mobility calculations as most residents lived outside the historic districts and this gave the perception that those residents would be paying for the mobility issues. He encouraged the Board to review the different types of fees for different types of development.

Public comment was closed.

Mr. Misterly stated he had questions about the Ordinance in the packet and he had sent those over to Staff.

Mr. Paul noted that he had reviewed the comments and questions provided to him from staff and thought that 95% of the

¹ Break 11:12 a.m.- 11:16 a.m.

questions could be answered by the administrative manual. He said that would be worked on next which allowed them more flexibility to provide examples.

Board Discussion:

- Square footage was the easiest way to calculate fees
- Seats would be easy to bring in without assessing a fee
- Working on parking update
- Fee for housing was based per square foot
- Strong correlation between affordability and size
- Terminology on table should align with the City zoning code
- Gross square foot included all areas under roof and all areas used to carry out primary function of the business except stormwater, parking, buffers, and access
- Special use would be a use by exceptions process
- A required fee for special events would impact mobility
- Seasonal events did not normally pay a fee; however, the venue could
- Reviewed special events which, if large enough, could be charged a fee
- Mobility plan should cross reference to special event fees
- Ordinance should reference the Institute of Transportation Engineers (ITE) trip table
- Should also reference when there were updates overtime
- Fee amounts were uncertain since St. Augustine was well developed
- St. Johns County fees varied greatly from City fees
- Questioned charging more fees since there were greater traffic impacts and City was unique
- Should food trucks be reflected since they were a growing trend and would

fall under the fast-food category without drive-thru

- Guidance needed to redevelop a facility
- Calculation depended on the existing use versus the future use
- Public schools were exempt
- Encouraged a public workshop since mobility affected people in the Historic Districts differently
- Administrative manual would solve most issues, which should provide examples of how it would guide staff on certain issues
- Thought the 90-day notice should be after this took place to provide notice of what was being imposed
- Great tool to work with new development and all the aspects of a project and not only traffic
- Community would evolve from a traffic focus to a multi-modal impact assessment which still required certain developments to review intersections, parks and required access
- Restaurants were based on square footage

4. (b) Planning and Zoning Board discussion and recommendation

Ms. Skinner stated the next workshop would be October 28, 2021.

5. Adjournment

Having no further business, Mrs. Opsahl adjourned the meeting at 12:00 P.M.²



Grant Misterly, Chairperson

² Transcribed by Elyse Anderson