

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting January 8, 2019

The Planning and Zoning Board met in formal session Tuesday, January 8, 2019, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Grant Misterly, Chairperson and the following were present:

1. Roll Call: Grant Misterly, Chairperson
Karen Zander, Vice Chairperson
Sarah Ryan
Carl Blow
Jon DePreter

Absent: Christina Opsahl, excused
Maurice Morrisette, excused

City Staff: David Birchim, Director, Planning & Building Department
Amy Skinner, Deputy Director, Planning & Building Department
David Harrell, Senior Development Review Planner
John Cary, City Attorney
Candice Seymour, Recording Secretary

2. General Public hearings for Items Not on the Agenda

The following members of the public gave comment:

- B.J. Kalaidi
- Sam Kaufman
- Hilly Zee

3. Approval of Minutes

MOTION

Ms. Ryan MOVED to APPROVE the December 4, 2018 minutes as presented. The motion was SECONDED by Mr. DePreter and APPROVED BY UNANIMOUS VOICE VOTE.

Agenda Modifications

Mr. Harrell announced that the applicant for item 7(a) had submitted additional information; however, staff had not had

ample time to review the newly provided documents.

After brief discussion, there was Board consensus to continue the application to allow staff time to review the documents and provide feedback for the applicant and Board.

MOTION

Mr. DePreter MOVED to CONTINUE application 2018-0153 to the February 5, 2019 meeting. The motion was SECONDED by Ms. Zander.

VOTE ON MOTION:

AYES: DePreter, Zander, Blow, Ryan,
Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

4. Comprehensive Plan Amendment & Rezoning

4. (a) 2018-0142 – Sean McNerney – Applicant
Scharf Roger W. Living Trust – Owner
60 West Avenue

To amend the Future Land Use Map designation from Residential Medium Density/Mixed Use to Commercial Medium Intensity & rezone from Planned Unit Development (PUD) to Commercial Medium-Two (CM-2).

Mr. Harrell read the staff report and said if the Board **CAN** find there is a need and justification for the Comprehensive Plan Amendment and Rezoning and it finds that the Comprehensive Plan Amendment and Rezoning **DOES** support the general planning program, then the Board **CAN RECOMMEND APPROVAL** of the Comprehensive Plan Amendment and Rezoning; however, if the Board **CANNOT** find there is a need and justification for the Comprehensive Plan Amendment and Rezoning and it finds that the Comprehensive Plan Amendment and Rezoning **DOES NOT** support the general planning program, then the Board **CANNOT RECOMMEND APPROVAL** of the Comprehensive Plan Amendment and Rezoning for **60 West Avenue**.

Sean McNerney reviewed the application.

The Board provided their ex parte communications.

9 certified notices were sent, 1 was returned in favor.

Public hearing was opened.

B.J. Kalaidi referenced photos from the meeting packet and spoke against the application citing concerns with intensification of the area.

Public hearing was closed.

The Board discussed:

- Concerns with parking sufficiency
- The history of the property which was CM-2 property prior to the existing PUD
- Possibility of creating a non-conformity since parcel did not meet size requirements for CM-2 zoning and Commercial Medium Intensity land use
- Existing land use was adopted for now-expired PUD
- Alternative to rezoning would be PUD amendment
- Concerns with traffic circulation capacity

MOTION

Ms. Zander MOVED to RECOMMEND DENIAL of application 2018-0142, 60 West Avenue, to amend the Future Land Use Map designation from Residential Medium Density/Mixed Use to Commercial Medium Intensity & rezone from Planned Unit Development (PUD) to Commercial Medium-Two (CM-2). The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

AYES: Zander, DePreter, Blow, Ryan, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. Use by Exception

5. (a) 2018-0158 – Keith N. Waheed – Applicant and Owner
268 W. King Street

To approve a new single family home within the Commercial Medium 2 (CM-2) zoning category.

Mr. Harrell 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 may **APPROVE** a new single-family home within

the Commercial Medium 2 (CM-2) zoning category with the following conditions:

1. The existing garage must have a demolition permit issued by the Department before any building plans can be approved for the new home
2. The HARB must approve a Certificate of Demolition for the existing home as a condition of the approval

Keith Waheed was available for questions.

The Board provided their ex parte communications.

19 certified notices were sent, 1 was returned in favor, and 1 had comments.

Public hearing was opened.

B.J. Kalaidi noted a discrepancy in the applicant's mailing address and noted allowable uses in the current zoning designation.

Public hearing was closed.

Mr. Waheed responded that he had visited the County Offices to correct the mistaken mailing address.

The Board discussed:

- HARB demolition process independent of approval
- Requested use was less intense than what was allowed per current zoning.

MOTION

Mr. DePreter MOVED to APPROVE application 2018-0158 with the staff recommendations that the existing garage must have a demolition permit issued by the Department before any building plans can be approved and the

HARB must approve a Certificate of Demolition for the existing home as a condition of the approval. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

**AYES: DePreter, Blow, Ryan, Zander
Misterly**

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. Variance

**6. (a) 2018-0169 – Jon Benoit, BEHST Builders, Inc. – Applicant
Steve Jacobs – Owner
38 Water Street**

To approve variances to increase building height from thirty (30) feet to thirty-two (32) feet, decrease roof pitch from 5/12 to 3/12, & encroach into the six point nine (6.9) foot setback for a proposed building addition.

Mr. Harrell 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 may be able to **APPROVE** variances to increase building height from thirty (30) feet to thirty-two (32) feet, decrease roof pitch from 5/12 to 3/12, and encroach into the six point nine (6.9) foot setback for a proposed building addition.

Jon Benoit reviewed the application.

The Board provided their ex parte communications.

19 certified notices were sent, 4 were returned in favor and 1 was returned opposed.

Public hearing was opened.

Dr. Natalino Carrea spoke in favor of the application citing larger and more important items on the agenda.

Public hearing was closed.

The Board discussed:

- Existing height appeared to be original roofline
- Roof pitch variance and how allowances were measured for dormers
- History of the structure and character-defining architectural features
- Concern for lack of HARB review in areas such as the one the historic structure was located
- Modernization and improvement of the structure without destroying the historic character

MOTION

Ms. Ryan MOVED to APPROVE the Variance application 2018-0169 to increase building height from thirty (30) feet to thirty-two (32) feet, decrease roof pitch from 5/12 to 3/12, & encroach into the six point nine (6.9) foot setback for a proposed building addition. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

AYES: Ryan, DePreter, Blow, Zander,
Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. Conservation Zone Development

7. (a) 2018-0153 – Bart D. Piniaz – Applicant
Carlapooh LLC – Owner
121 Spoonbill Point Court

To approve removal of more than fifty (50) percent of the tree canopy, including twelve (12) preserved trees (Cedars) within Conservation Overlay Zone 3.

Item was continued at the request of the Board to allow Staff time to review newly

submitted information. See Agenda
Modifications for motion to continue.

7. (b) 2018-0152 – Ryan Carter, Carter Environmental Services Inc. – Applicant
St. Marks Development Authority – Owner
709 S. Ponce De Leon Boulevard

To approve a proposed dock within Conservation Overlay Zone 1, proposed retaining wall, building, and site improvements in Conservation Overlay Zone 2, and removal of preserved tree(s) (Oaks) within Conservation Overlay Zone 3.

Mr. Harrell read the staff report and said based on a review of Section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** a proposed dock and retaining wall within Conservation Overlay Zone 1 and removal of a preserved tree within Conservation Overlay Zone 3 at **709 S. Ponce de Leon Boulevard**.

Ryan Carter reviewed the application.

The Board provided their ex parte communications.

33 certified notices were sent; however, there was no response.

Public hearing was opened.

B.J. Kalaidi was concerned with the tree removal and spoke against the application.

Tom Day spoke against the application stating that there should be no approval without a final site plan.

Charles Pappis stated that tree removals for commercial development should get the same thorough treatment as residential tree removal applications.

Cindy Wasserbauer asked that the Board consider all impacts that an approval would

have on the environment and neighboring properties.

Melinda Rakoncay spoke against the application with concerns for the tree removal without a concrete building plan.

Jennifer Lynch felt it was important to know exactly what was going to be put on the property before approving any tree removals or other changes to the property.

Elise Broderique felt that the natural resources of the City were an integral part of the City's attractiveness and environmental protection.

Susan Hill felt that natural shoreline armoring may be a better option than the proposed retaining wall.

Sam Kaufman spoke against the application.

Public hearing was closed.

The Board discussed:

- Previously approved plans were the same with exception of the retaining wall but required re-approval since the property was under new ownership
- Concerns regarding the parking calculations on the proposed site plan which would require the proposed tree removal
- Intent for the proposed rear deck

Rob Matthews fielded questions regarding parking concerns and the tree removal which required the removal of one tree to allow the drive aisle to meet building codes for parking lot access. He stated that seating for the proposed restaurant, which included the outdoor deck, would be dependent on available parking and requirements for the use.

Further discussion ensued regarding:

- Desire to see more detailed site plans
- Intent was to maintain existing asphalt
- Existing structure would be demolished and a new structure built
- Proposed dock would be accessory use to the restaurant
- Use could not be guaranteed and so parking could not be definitively calculated
- Lack of requirements for property owners to provide armoring
- Intent to have bulkhead and boardwalk along the entire shoreline of the San Sebastian river in that area
- No trees were being removed to make additional parking spaces
- Tree preservation techniques
- Storm water retention
- Approval of the bulkhead would allow staff approval of certain Conservation Overlay Zone 2 development
- Question from the applicant as to whether the rip-rap armoring did not amount to an improved shoreline which staff would require staff review to answer
- Desire to see further information regarding impact of development on scenic vistas and more detailed plans

MOTION

Mr. Blow MOVED to CONTINUE Conservation Overlay Zone Development application 2018-0152 to the February 5, 2019 meeting. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

AYES: Blow, DePreter, Ryan, Zander, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. (c) 2018-0163 – Ryan Carter, Carter Environmental Services Inc. – Applicant John Sebastian & James Farrell – Owner 919 Lew Boulevard

To approve a proposed dock within Conservation Overlay Zones 1 & 2.

Mr. Harrell read the staff report and said based on a review of Section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** placement of a proposed dock within Conservation Overlay Zones 1 & 2 located at **919 Lew Boulevard**.

Ryan Carter and James Farrell reviewed the application.

The Board provided their ex parte communications.

19 certified notices were sent, 3 were returned in favor.

Public hearing was opened.

B.J. Kalaidi was concerned with the overdevelopment of Conservation Zones.

Public hearing was closed.

The Board discussed:

- Proposed dock appeared to align with existing docks in the area
- Location of adjacent docks allowed for additional room for boat travel
- No bulkhead associated with the dock

MOTION

Mr. DePreter MOVED to APPROVE the Conservation Overlay Zone 1 application 2018-0163 as presented. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: DePreter, Blow, Ryan, Zander, Mistry

**NAYES: NONE
MOTION CARRIED UNANIMOUSLY¹**

7. (d) 2018-0167 – Ryan Carter, Carter Environmental Services Inc. – Applicant Fish Island Development, LLC – Owner PIN#: 1622100016 (Area roughly bounded by Plantation Island Drive S. projected to the Matanzas River, Matanzas River, State Road 312, then Plantation Island Drive S.)

To approve removal of preserved trees (Oaks & Cedars) for a linear retention pond to serve the neighboring parcel located at PIN#: 1622100021.

Mr. Harrell read the staff report and said based on a review of Section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** removal of preserved trees (Oaks and Cedars) for a linear retention pond to serve the neighborhood parcel located at PIN#: 1622100021 within Conservation Overlay Zone 3.

Ryan Carter, Gary Abbey, and Chris Reid reviewed the application.

The Board discussed:

- Ownership of the easement property
- Existing recorded easement needing renewal
- Noted designation on the plans of "temporary" retention pond
- Possibility of underwater storm water retention or a drainage pipe
- Recommendation to explore using pervious pavement for parking areas on the site to reduce the need for storm water retention
- Linear pond would be designed to serve neighboring commercial site only

¹ Brief recess from 4:39p.m. to 4:51p.m.

- Challenges of attempting to tie in with DOT or other private entity outfalls
- Possibility of maintaining storm water on site
- Width of linear pond to be 50 feet wide
- Dirt fill required and elevations on the site
- Four foot chain link fence on all sides of the pond with landscaping outside of the fenced area
- Open water with treed edges from proposed replacement oaks and cedars would attract wading birds
- Methodology of determining tree credits and debits included extrapolating a heavily wooded portion of the proposed impacted area
- No endangered species within the impacted area
- Impacted property was under active foreclosure and there was concern regarding approving the application which impacted a property which may not be controlled by the party granting the easement

The Board provided their ex parte communications.

15 certified notices were sent and 1 was returned opposed.

Public hearing was opened.

The following members of the public spoke in opposition to the application:

- Diane Blewett
- Jen Lomberg
- [No Name Provided]
- Dr. Richard Hilsenbeck
- Jon Hodgins
- Cheryl Beeler
- Susan Hill
- Lisa McGreedy-McGlinnet
- Maureen Long
- Cathy Goodwin

- B.J. Kalaidi
- Charles Pappis

Members of the public cited the following in their opposition to the application:

- Concerns with overdevelopment
- Lack of a complete tree survey and arborist report
- Less environmentally impactful options available
- Fracturing of natural environment, ecological impacts
- Destruction of wildlife habitats
- Impacts to the Matanzas River
- Maintaining landscaping and beautification along the 312 Corridor
- Large impact to serve and maximize square footage on another, smaller, property
- Creation of, in-effect, a man-made river
- Too many unknowns regarding the property including accurate tree debits, elevations, and property ownership

Public hearing was closed.

The Board continued discussion regarding the following:

- Property Ownership questions which staff advised did not prohibit the Board from moving forward with a decision for the application
- Potential wildlife impacts caused by fencing required due to steep side-slope
- Retention pond was a closed system with little to no water flow
- Water-flow of the retention pond during storm events
- Archeological studies on the property and possible impacts to those areas
- Proposed pond measured 1.33 acres to serve a property that is slightly over an acre

- Concerns with ecological and wildlife impacts and bisecting a large, contiguous habitat
- Other, less-impactful means to retain and outfall storm water
- Inability to evaluate tree impacts without a complete arborists report

MOTION

Ms. Ryan MOVED to DENY Conservation Overlay Zone Development application 2018-0167 to approve removal of preserved trees (Oaks & Cedars) for a linear retention pond to serve the neighboring parcel located at PIN#: 1622100021 based on the comments of the board regarding standards of review. The motion was SECONDED by Mr. DePreter.

There was discussion regarding continuing the application to allow the applicant time to review board feedback and questions and return with possible alternatives. The Board also advised the applicants that items B, D, E, and F of the review criteria needed to be addressed for the Board to consider approval of the application.

Ms. Ryan withdrew her motion.

MOTION

Ms. Ryan MOVED to CONTINUE Conservation Overlay Zone Development application 2018-0167 to the March 5, 2019 meeting. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

**AYES: Ryan, DePreter, Blow, Zander,
Misterly**

NAYES: NONE

MOTION CARRIED UNANIMOUSLY²

7. (e) 2018-0157 – Brian Lynn, Lynn Investments, LLC – Applicant

² Brief recess from 6:28p.m. to 6:38p.m.

Dominic Mercurio, Mwm Acquisitions, LLC – Owner **1370 U.S. 1 South**

To approve removal of more than fifty (50) percent of the tree canopy, including nine (9) preserved trees (Oaks) within Conservation Overlay Zone 3.

Mr. Harrell read the staff report and said based on a review of Section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** removal of more than fifty (50) percent of the tree canopy, including eight (8) preserved trees (Oaks) within Conservation Overlay Zone 3, with the following condition:

1. Trees Numbered 8 & 13 to be removed due to poor health with any overall tree debits to be addressed administratively via a landscape plan

Matt Lahti and Brian Lynn reviewed the application.

The Board provided their ex parte communications.

9 certified notices were sent; however, there was no response.

Public hearing was opened.

B.J. Kalaidi was concerned with the removal of the trees and asked that the applicant take an overhead shot that showed the remaining tree canopy after removal if it was approved.

Dr. Mark Gendzier from the veterinary hospital listed several trees that he felt could be saved or may be on another property. He encouraged an attempt to save more trees.

Dr. Virginia Quelch from the veterinary hospital also encouraged the preservation of additional trees by recommending that

the building be pushed further back from the property line and alter the site plan in other ways. She was also concerned with storm water retention impacts from the development. She noted that neighboring properties had strived to retain as many trees as possible.

Public hearing was closed.

The Board discussed:

- Trees 1, 2, and 4 appeared to not be within any construction footprints but could be impacted by the surfacing of the right-of-way
- Portion of existing Diesel Road was on the subject property
- Storm water retention would also take water from the property to the east as well as a portion of city right-of-way
- Possibility of Bulkheading the ponds to save additional trees
- Existing ditch system which was receiving water from the east
- DOT only allowed access to the property via Diesel Road
- Desire to see options to save the trees along US1
- Possibility of under-pavement retention

Applicant acquiesced to save trees 1, 2, 4, and 6. Trees 18 and 19 were under the jurisdiction of Public Works.

MOTION

Ms. Ryan MOVED to APPROVE Conservation Overlay Zone Development application 2018-0157 to approve removal of more than fifty (50) percent of the tree canopy amended to reflect retaining trees 1, 2, 4, and 6, as noted on the arborist report. The motion was SECONDED by Ms. Zander.

There was discussion regarding the trees to be retained, including the possibility of

endeavoring to retain trees 18 and 19 which would have required review by the Public Works Department due to their location along the right-of-way. There was also discussion regarding retaining tree 13 which was listed as in poor condition with a staff recommendation for removal.

Ms. Ryan AMENDED her motion to include the removal of tree 13 to provide the applicant flexibility to save the other trees. The amendment was SECONDED by Ms. Zander.

VOTE ON MOTION:

AYES: Ryan, Zander, DePreter, Blow, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

7. (f) 2018-0168 – Matt Lahti, Gulfstream Design Group – Applicant
Dave Quinney, Palms on Plantation, LLC – Owner
700 Plantation Island Drive S.

To approve removal of more than fifty (50) percent of the tree canopy, including seven (4) preserved trees (Cedars and Oaks) within Conservation Overlay Zone 3.

Mr. Harrell read the staff report and said based on a review of Section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** removal of more than fifty (50) percent of the tree canopy, including four (4) preserved trees (Cedars) within Conservation Overlay Zone 3.

Matt Lahti reviewed the application.

The Board provided their ex parte communications.

5 certified notices were sent; however, there was no response. One e-mail was received in opposition.

Public hearing was opened.

B.J. Kalaidi reconfirmed the correct parcel number. She asked that an approval be conditional of before and after aerial photos of the site.

Christopher Wiggin spoke in opposition to the application.

Marcia Daniels spoke in opposition to the application.

Public hearing was closed.

The Board discussed:

- Needing confirmation that the property was part of the Plantation Island Drive Storm Water Plan
- Parcel was only about 1.25 acres
- Fifty-seven parking spaces proposed
- Site elevation was around 6.5/7 feet and fill was required to develop the site
- Landscape plan as provided in the packet and planting locations
- Desire to see a landscape plan that shows where all trees were proposed to be planted
- A potential buffer along SR312 and additional plantings
- No specimen trees on the property

MOTION

Mr. Misterly MOVED to APPROVE Conservation Overlay Zone Development application 2018-0168 with the condition the that the applicant plant magnolias, oaks, and cedars and understory trees along the property line along SR312 to create a landscaping buffer between the project and SR312. The motion was SECONDED by Mr. Blow.

The board discussed that there would be approximately 21 trees minimum planted within the buffer.

VOTE ON MOTION:

AYES: Misterly, Blow, DePreter, Ryan

NAYES: Zander

MOTION CARRIED 4/1

8. Conservation Zone Development

8. (a) 2018-0154 – Sandy & Mike Wieber – Applicant

Blake F. Deal III – Owner
7 Bridge Street

To Recommend rezoning the property from Historic Preservation One (HP-1) to Planned Unit Development (PUD).

Mr. Harrell read the staff report and said if the Board does not require a second hearing and the Board **CAN** find there is a need and justification for the Rezoning and it finds that the Rezoning **DOES** support the general planning program, then the Board **CAN RECOMMEND APPROVAL** of the Rezoning; however, if the Board **CANNOT** find there is a need and justification for the Rezoning and it finds that the Rezoning **DOES NOT** support the general planning program, then the Board **CANNOT RECOMMEND APPROVAL** of the Rezoning.

Sid Ansbacher, Sandy Wieber, and Mike Wieber reviewed the application.

The Board discussed:

- Sixty people per event and no limit on events per month
- Music would be cut-off at 8:00p.m. and guests would be required to depart by 9:00p.m. with no guests allowed to spend the night
- Parking spaces both on and off site
- The traffic study
- The existing settlement agreement versus the proposed PUD
- HP-1 zoning did not allow special event venues
- Adequate parking versus proposed parking

- Existing settlement agreement had no provision for avoiding subleasing of the property

Ex Parte Communication:

13 certified notices were sent, 0 were returned in favor, 0 returned opposed and 0 had comments.

Public hearing was opened.

Erin Sullivan spoke in opposition to the application on behalf of her mother, June Sullivan, citing concerns with traffic and pedestrian safety impacts and negative impacts to neighboring real estate values.

Cathy White spoke in favor of the application citing that the applicant had operated their business so as not to disturb the neighborhood and felt that the area was already commercial so much that the requested approval would not be detrimental to the neighborhood.

Patricia Dobosz spoke in favor of the application

Earl Stratton spoke favorably of the applicant; however, spoke against the application citing concern for encroachment of an events venue and other commercial uses in the residential neighborhood.

Melinda Rakoncay felt that the property should return to HP-1 zoning.

Fred Hathorn felt that the PUD agreement would likely increase traffic, catering trucks, and other commercial activity on the property, particularly on Marine Street which was primarily residential.

Dilara Hafiz spoke in favor of the application citing that the applicant was seeking control of the property and the PUD would allow the applicant to control what happens on the property.

Hamid Hafiz spoke in favor of the application citing that approval of the application would promote economic activity and that review of the application was micromanagement.

Deborah Callahan noted that the application was part of a conditional agreement that increased the number and capacity of events and nightly bed and breakfast rentals. She noted that the Settlement Agreement had reduced the number and impact of events as intended. She spoke favorably of the applicant, but felt that approval of the application could be problematic if other ownership took over the property. She discussed parking concerns as well.

Public hearing was closed.

The Board continued discussion regarding:

- Bridge Street as the dividing line for commercial activity in HP-1
- No clear tie of the PUD to the neighboring bed and breakfast
- Concern with distance of parking spaces from the subject property
- Possibility of joining the subject property with adjacent bed and breakfast property was infeasible

MOTION

Mr. DePreter MOVED to RECOMMEND DENIAL of Rezoning application 2018-0154 to the City Commission based on the findings-of-fact by City Staff under Section 28-28.9(c). The motion was SECONDED by Mr. Blow.

There was a brief discussion regarding concern for losing residents within the city.

VOTE ON MOTION:

**AYES: DePreter, Blow, Ryan, Zander,
Misterly**

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

9. Other Business

9. (a) Discussion and recommendation regarding changes to the Tree Code

Freemont Latimer reviewed the changes to the tree code with a presentation and review of the new forms.³

The Board discussed:

- No current changes to credit and debit system
- Tree Fund had already been created
- Requiring floor plans and elevations for tree removal approval
- Landscape plan would be required as part of the site plan
- How preserved trees were determined
- Emergency tree removals
- Means to consistently mark trees on a property was difficult

Public comment was opened; however, there was no response.

MOTION

Mr. DePreter MOVED to RECOMMEND forwarding the updates to the City Tree Code to the City Commission with further discussion regarding requirements for site plans. The motion was SECONDED by Ms. Zander and APPROVED BY UNANIMOUS VOICE VOTE.

9. (b) Discussion and recommendation regarding changes to the City Animal Code

John Cary reviewed the ordinance.

Public Comment was opened and the following member of the public gave comment:

³ Attached to original minutes

- B.J. Kalaidi

Public Comment was closed.

The Board discussed:

- 120 pound weight limitation was determined by the standard definition of when a pig becomes considered a hog
- One pig per household limitation

MOTION

Mr. Blow MOVED to RECOMMEND forwarding changes to the City Animal Code to the City Commission with the recommendation to consider one pig not to exceed 50 pounds as part of the four household pets currently allowed per Code. The motion was SECONDED by Ms. Zander and APPROVED BY UNANIMOUS VOICE VOTE.

9. (c) Update regarding Comprehensive Plan EAR based Amendments and Community Involvement Process for 2019

Mr. Birchim announced the PZB/HARB workshop scheduled for the following day, January 9, 2019 at 1:00p.m. which would review the King Street Entry Corridor Standards as well as the Comprehensive Plan Update.

10. Adjournment

Having no further business, Mr. Misterly adjourned the meeting at 9:56 P.M.⁴

 *Sarah Ryan*
for Grant Misterly, Chairperson

⁴ Transcribed by Candice Seymour