

CITY OF ST. AUGUSTINE

Planning and Zoning Board Special Meeting September 19, 2023

The Planning and Zoning Board met in formal session Tuesday, September 19, 2023, at 1:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Mike Davis, Chairperson and the following were present:

1. Roll Call: Mike Davis, Chairperson
Charles Pappas, Vice- Chairperson
Jon DePreter
Carl Blow
Christina Tucker
Matthew Shaffer
Ashleigh Barnes

City Staff: Amy Skinner, Director, Planning & Building Department
Jacob Fredriksson, Planning & Building Planner
Jessica Beach, Deputy Director, Utilities
Isabelle Lopez, City Attorney
Michele Fudo, Recording Secretary
Elyse Wiemann, Recording Secretary

2. General Public hearings for Items Not on the Agenda

(none)

3. Presentation and Discussion Regarding Potential Resilient Shoreline Concepts and Ordinance

a.) Discussion with city environmental consultant WSP USA Environment & Infrastructure, Inc. (WSP) and Erin Deady, Erin L. Deady, P.A. to begin the discussion related to adopting a shoreline ordinance and updates to the City's Conservation Overlay Zone code to incorporate resiliency and sustainability initiatives.

Ms. Skinner presented the topic and highlighted the following items to be discussed:

- New seawalls
- repair and maintenance
- rip rap

- dock height
- living shorelines
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She introduced Erin Deady, P.A., who provided a brief presentation for the Board.

Erin Deady presented the topic to the Board. She provided information including examples of what other communities were doing regarding preservation of shoreline, and construction of seawalls. She provided information for the board to make informed decisions from a policy perspective.

Ms. Skinner questioned the reference to the term failure and was this an actual collapse or a failure to provide basic protection.

Ms. Lopez asked about the reference to code enforcement being used, she asked if there were examples of when it had occurred.

Ms. Deady replied that the concept was that shorelines should function as tidal or flood barriers and if they were not keeping those

waters at bay, they could be deteriorating or failing. She also referred to the City of Ft. Lauderdale as they have had experience with the code enforcement issue.

Mr. Davis noted that the west side of the Matanzas River was owned by the city; however, the east side was privately owned. He asked if there was a standard height that had been established for seawalls. He also asked if the city had the authority to force anyone to fix the seawall on their property.

Ms. Deady explained that the shoreline ordinances were not being promulgated to deal with storm surge, only with tidal flooding and sea level rise.

Ms. Lopez advised that the city had the authority but had enacted no rules.

b.) Planning and Zoning Board discussions

The Board discussed:

- Should incorporate real estate disclosure
- Encourage hybrid or living shorelines
- Maximum height of seawalls
- Some communities received grant money to repair seawalls
- Back Bay study was in progress, and should wait for the results before drafting an ordinance
- Questioned the impacts of sea level rise
- Questioned if the property owner would be responsible for maintaining water damage
- Asked if seawall repair, was government responsibility
- Building code changes have been made for structures to meet criteria
- Concerned that property owner would have unfair expenses
- Should engage with outside organizations like Florida Inland Navigation District (FIND) and the Marine Contractors Association to craft an effective ordinance
- Wanted to have more involvement from the community

- Make processes less bureaucratic for property owners
- Provide property owners options that can be handled administratively
- Government should be involved in maintenance rather than using ordinance
- Possibly could take away the ability of people being able to own waterfront property
- Property owner had the obligation to maintain above mean high, high water line
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- Type of construction of sea wall that would be appropriate
- Forcing upgrade could cause future issues with insurance
- Needed rules for crawl spaces under houses
- Current model flood plain ordinance language would help
- Should identify what types would be appropriate for each area riprap or seawall

Mr. DePreter noted that not all municipalities were the same. He asked if the State had set standards.

Ms. Deady explained the Always Ready Legislation, and she said this provided grants for vulnerability studies. She further explained that this standardized the data for the state to determine what action should be taken.

Discussion continued:

- Zoning overlay; clearly identify flood areas while being specific to the neighborhood
- Need more input from engineers and environmental consultants, etc.
- Supported encouraging the natural shoreline; right type right place theory
- Need better understanding how other municipalities acquired their plans
- Should discuss other options that can be added to existing code
- Should have a timeline for compliance

Ms. Skinner further explained that future development of Broudy property would require more than the current units. She said the city currently had an agreement to shuttle people from the lot.²

Ms. Barnes asked if there was a timeline for the Broudy project, as well as North San Marco, she asked if other sites had been selected and were there funds set aside. She expressed appreciation for the hard work that has gone into this project.

Mr. Fredriksson advised that the staff would provide that information.

The Board discussed:

- New trends were emerging for travel in the City
- Opposed to 25% reduction for new construction if lot was considered non conforming
- Valet parking was an option for onsite parking using tandem parking
- No support for change regarding Use by Exception requests

Mr. Shaffer asked for an explanation regarding the Fee in Lieu of parking verbiage, and would the staff handle that administratively or would it come before the Board. He added that he would rather it came before the board.

Ms. Skinner advised that a business could pay a fee per parking space instead of providing parking. She said the dollars would be placed in the mobility fund that would assist in the funding of parking projects.

Mr. Fredriksson indicated that Fee in Lieu of parking could be handled both administratively or by the Board. The Board would have to provide guidance.

Discussion continued:

- Use incrementalism for this project
- Could not give exclusivity to non-conforming lots
- Options for property owners

Ms. Lopez asked for clarity as they needed to know how to draft the ordinance.

Ms. Skinner asked the Board to consider the following four items in the staff report as the staff needed to know what was supported in the plan.

- 1.) A review and recommendation of the modified Sec. 28-372 which is now titled "Off-street parking provisions for neighborhood development"
- 2.) A review and recommendation of the initial parking reduction given to shared parking agreements. This is under letter 9f) within Sec. 28-373 – Required off-street parking.
- 3.) Setting the dollar amount for the parking in-lieu of fee. This is under letter (g) within Sec. 28-373 – Required off-street parking, and
- 4.) A recommendation on whether to use new multimodal parking requirements as an additional requirement or as a tool for vehicle parking space reduction. This was under letters (h) and (i) within Sec. 28-373 – Required off-street parking.

Mr. Shaffer noted he was not in support of item one and regarding item two; he supported shared parking but no incentives.

After further discussion the other Board members were in support of all four items with the noted conditions:

- Item One – under letter "b" include "except for residential lodging uses"
- Item Two – cap reduction percentage at 25 percent

² Mr. Blow left at 3:17p.m.

- Item Three - Staff can approve fees for less than 5 spaces
- Item Four – Set a maximum percentage for the total reduction of spaces

Mr. Davis asked if the Board had provided enough information for the staff to move forward with drafting the ordinance for the Commission.

Ms. Lopez asked if the Board wanted to review the ordinance prior to it being sent before the City Commission.

Mr. Davis replied that he would like the ordinance to be brought back to the Board for final review.

Public comment was opened:

BJ Kalaidi expressed appreciation for the board and the work that they do. She voiced her concern for parking on West King Street.

Mr. Pappas said there should be shade over the sidewalks.

Mr. Davis would like to see better lighting at the crosswalks.

8. Adjournment

Having no further business, Mr. Davis adjourned the meeting at 4:14 P.M.³



Mike Davis, Chairperson

³ Transcribed by Michele Fudo