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CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON MONDAY, **JUNE 14, 2021**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Ms. Johnson Scott left the meeting at 5:30 PM.

Present: Harold Albury; Marcia Baker; Nichelle Clemons; Michael Broderick; Bob Burdge; Gloria Johnson-Scott; Frank Creyaufmiller, Chairman

Staff Present: Jennifer Hofmeister, Planning Director
Rebeca Guerra, Assistant Planning Director
Brandon Creagan, Planner
Alicia Rosenthal, Executive Assistant

4. CONSIDERATION OF ABSENCES

All Planning Board members were in attendance.

5. APPROVAL OF MINUTES

a. Minutes from the May 10, 2021 meeting

Motion was made by Michael Broderick, and seconded by Bob Burdge to approve the minutes from the May 10, 2021 meeting.

AYE: Michael Broderick, Bob Burdge, Gloria Johnson-Scott, Harold Albury, Marcia Baker, Chairman Frank Creyaufmiller

Other: Nichelle Clemons (ABSTAIN)

Passed

6. NEW BUSINESS

a. Voluntary Annexation - 186 Melton Drive

Mr. Creagan gave an overview of the application. No one spoke for or against the annexation.

Motion was made by Marcia Baker, and seconded by Michael Broderick to approve the annexation.

AYE: Michael Broderick, Bob Burdge, Gloria Johnson-Scott, Harold Albury, Marcia Baker, Nichelle Clemons, Chairman Frank Creyaufmiller

Passed

b. Voluntary Annexation – King Orange Drive & Mura Drive

Mr. Creagan gave an overview of the application and answered questions from the Board on access and roadway improvements. Mr. Creagan explained that the proposed development will have to go through the Technical Review Committee process.

Motion was made by Michael Broderick, and seconded by Nichelle Clemons to approve the annexation.

AYE: Bob Burdge, Gloria Johnson-Scott, Harold Albury, Marcia Baker, Nichelle Clemons, Michael Broderick, Chairman Frank Creyaufmiller

Passed

c. Voluntary Annexation - Edwards Landing - 3 Properties

Mr. Creagan gave an overview of the application and he noted the annexation is part of the FPUA Annexation Agreements. Mr. Creagan stated a portion of the residential development has been completed, with a small portion on the corner for future commercial space, and subdivision applications will be forthcoming.

Motion was made by Nichelle Clemons, and seconded by Harold Albury to approve the annexation.

AYE: Gloria Johnson-Scott, Harold Albury, Marcia Baker, Nichelle Clemons, Michael Broderick, Bob Burdge, Chairman Frank Creyaufmiller

Passed

d. **Zoning Atlas Map Amendment - Kings Highway Commerce Park - 9 Parcels**

Mr. Creagan gave an overview of the application and answered questions from the Board. Mr. Creagan stated the parcels will be rezoned to CP-1 - Commercial Parkway for flex and warehouse space.

Jeff Iravani, Applicant Representative, answered questions from the Board on total square footage and subdividing the space. He stated the 1.9 million square feet will be developed in phases.

Motion was made by Michael Broderick, and seconded by Nichelle Clemons to approve the Zoning Atlas Map Amendment.

AYE: Harold Albury, Marcia Baker, Nichelle Clemons, Michael Broderick, Bob Burdge, Gloria Johnson-Scott, Chairman Frank Creyaufriller

Passed

e. **Zoning Atlas Map Amendment (PD Modification) - Harbour Cay Phase II - 835 Seaway Drive**

Mr. Creagan gave an overview of the application and answered questions from the Board. Mr. Creagan highlighted that the modification is a continuation of development at 825 Seaway Drive. He stated Phase II will have a 6,500 square foot retail building with 14 storage units, which were requested by the Harbour Isle residents. Mr. Creagan noted Kimley Horn reviewed the traffic study.

Ms. Baker asked if the right turn exit only driveway could be reconfigured with a more prohibitive slant to discourage people from entering and from making a left hand turn.

Brad Currie, Applicant Representative, explained that the access was approved by the Department of Transportation and there will be "No Left Turn" and "Do Not Enter" signs. Mr. Currie did say that they would look at a better design with curbing.

Mr. Albury suggested a gate at the exit to prevent vandalism and keep people from entering the exit only driveway.

Craig Mason, Developer, stated the storage space is open to the public and since there is only 14 units, it will not be a high traffic area.

Mr. Broderick stated the no loading and no parking capability at the storage units is a logistical issue that is somewhat hazardous.

Mr. Mason suggested stripping the loading space areas.

Motion was made by Michael Broderick, and seconded by Marcia Baker to approve the request subject to the following conditions:

1. Before a Certificate of Occupancy is issued, a Landscape Bond shall be submitted for all proposed landscaping, pursuant to City Code 123-6
2. Loading zone demarcation areas shall be marked in front of the storage units and be approved by the Planning department at the building permit stage.

AYE: Nichelle Clemons, Michael Broderick, Bob Burdge, Gloria Johnson-Scott, Harold Albury, Marcia Baker, Chairman Frank Creyaufriller

Passed

f. **Text Amendment - Chapter 125-187: Dwelling Rentals**

Ms. Guerra explained the text amendment would modify the Use Table eliminating the Conditional Use approval requirement for Dwelling Rentals. She said it would primarily affect the E-2, E-3, R-1, R-2, R-3, R-4, R-4A, and R-5 zoning districts and dwelling rentals are instead proposed to be permitted, by right, in every zoning district of the City. Ms. Guerra noted that by changing the location or duration of dwelling rentals, a City's grandfathered ordinance will lose its protection.

Ms. Hofmeister stated that the proposal is to remove the Short Term Rental approval process from Chapter 125 - Zoning and create a new section for its regulation in Chapter 22 - Licenses, Taxation and Business Regulations.

Ms. Guerra stated that it was the City Commission's consensus at today's Conference Agenda meeting to allow vacation rentals and short term rentals by right and remove the Conditional Use process for them.

Mr. Broderick explained the Conditional Use process is broken and E-1 zoning will lose its protection. He stated the Short Term Rental Task Force will remain in place and that the registration process includes strict enforcement and two full time Code Enforcement officers will be hired to facilitate this.

Ms. Baker suggested keeping the Conditional Use process for one year to see how the new regulations work out and to safeguard the city. Ms. Baker expressed concerns with vacant properties in the commercial districts being developed into motel/cottages without hotel requirements. Ms. Baker said the city would be imposing strong regulations on snow birds who rent three-four months out of a year.

Chairman Creyaufmiller detailed the number of hours being spent between staff, Planning Board members and City Commission discussing Conditional Uses for Short Term Rentals. He stated over 80% of the applications are approved because there is not enough competent substantial evidence.

Ms. Clemons stated since she has been a Planning Board member, the dwelling rental Conditional Uses take up the majority of the discussions and every application has been approved because there is no leg to stand on to deny the application.

Paul Schall, realtor, spoke in favor of vacation rentals and streamlining the process.

Hoyt Murphy, realtor, expressed concerns with Ocean Village and he stated there is a major difference between short term rentals and vacation rentals.

Kris Einstein, resident, asked for clarification on how the Short Term Rental grandfathering effects the Use Table.

Lisa Cataline, Manager for Coldwell Banker, stated that 120 of the 187 short term rental licenses in the city are for Ocean Village.

Chairman Creyaufmiller asked if Ocean Village will have to go through the registration process.

Motion was made by Michael Broderick, and seconded by Nichelle Clemons to approve the text amendment.

AYE: Nichelle Clemons, Michael Broderick, Bob Burdge, Harold Albury, Chairman Frank Creyaufmiller

NAY: Marcia Baker

Passed

7. COMMENTS FROM THE PUBLIC

There were no comments from the public.

8. DIRECTOR'S REPORT

Ms. Hofmeister provided the Board with a copy of the draft language for the Short Term Rental/Vacation Rental registration process. She asked the Board to contact Ms. Guerra with any questions they may have.

9. BOARD COMMENTS

Chairman Creyaufmiller asked Ms. Guerra to read off the Short Term Rental Task Force Committee members and he thanked the effort of all the members and said he was amazed at how fast the the proposal was completed.

10. ADJOURNMENT