

## AGENDA PLANNING AND ZONING BOARD MEETING CITY OF ST. AUGUSTINE BEACH TUESDAY, JANUARY 17, 2017 7:00 PM.

City Hall
2200 A1A South
St. Augustine Beach, FL 32080

#### NOTICE TO THE PUBLIC

THE PLANNING AND ZONING BOARD HAS ADOPTED THE FOLLOWING PROCEDURE: PERSONS WISHING TO SPEAK ABOUT TOPICS THAT ARE ON THE AGENDA MUST FILL OUT A SPEAKER CARD IN ADVANCE AND GIVE IT TO THE RECORDING SECRETARY. THE CARDS ARE AVAILABLE AT THE BACK OF THE MEETING ROOM. THIS PROCEDURE DOES NOT APPLY TO PERSONS WHO WANT TO SPEAK TO THE BOARD UNDER "PUBLIC COMMENTS."

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. <u>APPROVAL OF MINUTES OF REGULAR PLANNING AND ZONING BOARD MEETING OF DECEMBER 20, 2016</u>
- V. PUBLIC COMMENT
- VI. NEW BUSINESS
  - A. Election of Chairperson and Vice-Chairperson of the Planning and Zoning Board, per Section 11.02.01.H, the election of officers will take place every year as the first order of business at the regularly scheduled meeting for the month of January
  - B. Request for Approval of Tree Removal, pertaining to the removal of an oak tree having a trunk greater than thirty (30) inches in diameter at breast height (DBH), per Section 5.01.02.A.10 of the City of St. Augustine Beach Land Development Regulations, for proposed new construction of a single-family residence at 115 14<sup>th</sup> Street, St. Augustine Beach, Florida, 32080
  - C. Continuation of discussion of possible changes to parking regulations on public streets, pertaining to the numbered and lettered streets east and west of A1A Beach Boulevard, continued from the Board's regular monthly meeting held Tuesday, December 20, 2016
- VII. OLD BUSINESS
- VIII. BOARD COMMENT
- IX. ADJOURNMENT

#### NOTICES TO THE PUBLIC

In accordance with the Americans with Disabilities Act, persons requiring special accommodations to participate in this proceeding should contact the City Manager's Office at least 24 hours in advance of the meeting date and time at the address listed above, or telephone 904-471-2122, or email <a href="mailto:sabadmin@cityofsab.org">sabadmin@cityofsab.org</a>

For more information on any of the above agenda items, please call the City of St. Augustine Beach Building & Zoning Department at 904-471-8758. The agenda information may also be accessed from the meeting schedule information on the City's website at: <a href="https://www.staugbch.com">www.staugbch.com</a>



# MINUTES CITY OF ST. AUGUSTINE BEACH PLANNING AND ZONING BOARD REGULAR MONTHLY MEETING TUESDAY, DEC. 20, 2016, 7:00 P.M.

City Hall

2200 A1A South

St. Augustine Beach, FL 32080

#### I. CALL TO ORDER

Chairperson Jane West called the meeting to order at 7:00 p.m.

#### II. PLEDGE OF ALLEGIANCE

#### III. ROLL CALL

BOARD MEMBERS PRESENT: Chairperson Jane West, Vice-Chairperson David Bradfield, Jeffrey Holleran, Steve Mitherz, Roberta Odom, Elise Sloan, Zachary Thomas, Senior Alternate Hester Longstreet.

BOARD MEMBERS ABSENT: Junior Alternate Kevin Kincaid.

STAFF PRESENT: Building Official Gary Larson, City Attorney James Wilson, City Manager Max Royle, Police Commander James Parker, Public Works Director Joe Howell, Recording Secretary Bonnie Miller.

#### IV. APPROVAL OF MINUTES OF NOVEMBER 15, 2016 REGULAR MEETING

Motion: to approve the minutes of the November 15, 2016 regular monthly meeting. Moved by Roberta Odom, seconded by David Bradfield, passed 7-0 by unanimous voice-vote.

#### V. PUBLIC COMMENT

There was no public comment on any issue not on the agenda.

#### VI. NEW BUSINESS

A. Request for approval of two tree removals, pertaining to the removal of trees having a trunk greater than thirty (30) inches in diameter at breast height (DBH), per Section 5.01.02.A.10 of the City of St. Augustine Beach Land Development Regulations, for proposed new construction of a single-family residence at 429 Ocean Forest Drive, St. Augustine Beach, Florida, 32080

Mr. Larson said the address of the property for which the two tree removals are requested is 429

Ocean Forest Drive, Lot 88, in Anastasia Dunes Subdivision. The site plan for the house on this lot has been reviewed and accepted by Anastasia Dunes Homeowners Association's architectural review board. At question is a 40-inch DBH oak tree in the center of the bathroom of the home, and there is also a 30-inch DBH oak tree located in the house footers on the south side. He needs approval from the Board to remove these two trees before he can issue the clearing permit.

Ms. West said for clarification, City Code only requires that the applicant come before the Board to request approval for tree removals if the trees have a DBH greater than 30 inches. She asked which of the criteria listed in Section 5.01.02.A of the Code is pertinent to these tree removals, and if there is any additional criteria the Board should be considering for the issuance of this permit.

Mr. Larson as shown on the submitted site plan, there are 40-inch DBH oaks in front of the house that will be saved. There is no additional criteria for the Board to consider, as all the Board is doing is observing the location of the trees within the footprint of the house, and saying yea or nay to the removal of the 30-inch and 40-inch DBH oak trees so the clearing permit can be issued.

Ms. Sloan asked if this falls under Section 5.01.02.A.2, which says conditions for tree removals include the removal of trees necessary to construct proposed improvements.

Mr. Larson said yes.

Ms. West asked if the City's Tree Board has any say on this, or if this goes before the Tree Board as well as this Board.

Mr. Larson said the Tree Board has no say in this whatever.

Mr. Holleran asked if there is any advice from an arborist about the issue of removing these trees.

Mr. Larson said this isn't an issue for an arborist to weigh into, as the trees are within the proposed footprint of the house construction. The tree ordinance says when a tree is within the footprint, it can be removed, but trees with a DBH greater than 30 inches require approval from this Board.

Chris Cagle, 663 Bahia Court, St. Augustine, Florida, 32086, said his company's name is S & P Kustom Homes, and he's the contractor for the property owners. This lot currently has many trees on it, which they've tried to work around, but there's no way to move the house to save the 40-inch DBH oak tree in the center of the footprint. Family of the property owners own the next two lots to the south, which are Lots 89 and 90, and they plan on leaving Lot 89 vacant, as they have a house on Lot 90 and want to leave a buffer between their home and his clients' house.

Steve Kocerka. 412 High Tide Drive, St. Augustine Beach, Florida, 32080, said he's the property owner of the lot for which these tree removals are requested. The two trees in question unfortunately cannot be saved without compromising the foundation and footers of the house.

**Motion:** to approve the removal of the two trees in question as requested for new construction of a single-family residence at 429 Ocean Forest Drive, St. Augustine Beach, Florida, 32080. **Moved** by Mr. Holleran, **seconded** by Mr. Bradfield, **passed 7-0** by unanimous voice-vote.

B. Continuation of discussion of possible changes to parking regulations on public streets, pertaining to the numbered and lettered streets east and west of A1A Beach Boulevard, continued from the Board's regular monthly meeting held Tuesday, November 15, 2016

Ms. West said to get a little guidance from staff, the Board has been tasked to make some sort of recommendation to the City Commission. So that she understands what the scope of the discussion is, she asked exactly what the Board has been tasked to report or recommend to the Commission.

Mr. Wilson said parking is obviously an ongoing problem, and what the Commission is trying to figure out is what the City should do in regard to parking on public streets. For example, the City could allow residents only to park on these streets, designate only certain areas for public parking, or not allow any parking at all. At last month's meeting, the Board heard comments and opinions from members of the public, and with this input, the Board has been asked to put public comment together with staff recommendations to make a recommendations to the Commission.

Ms. Sloan said Mr. Royle mentioned in his staff memo the inconsistences in the Code regarding the parking regulations, as there are different regulations on every street, so it's not only hard for residents and visitors to figure out where parking is and isn't allowed, but for the police to know what they're supposed to be doing to enforce the parking regulations.

Mr. Thomas said he hasn't heard an answer as to whether or not the number of parking spaces the City has affects the City's funding for beach renourishment, and if it does, the number of spaces the City actually needs to meet the quota for this funding. He also asked how many spaces the City has now, and if parking on the beach helps fulfill the quota for beach renourishment funding.

Ms. West asked for public comment, and said they'll come back to Board comment later.

Melody Ott, 107 15<sup>th</sup> Street, St. Augustine Beach, Florida, 32080, said one of the many things she and her family love about St. Augustine Beach is that it's clean, safe, and a friendly place to live. When they bought their home on 15<sup>th</sup> Street almost 13 years ago, there was no parking allowed on the street, and there still is no parking allowed on it. They never anticipated that parking on their street would one day be an option, as it is a very narrow street which doesn't have any sidewalks. She believes the development of a strategic and effective parking plan is necessary, and agrees City police are tasked with a very challenging job of enforcing who knows what on which street. She urged the Board to consider the very negative impact parking on public streets would have on the community. Parking lots and designated areas are safer, offer opportunities for proper trash disposal, and allow beach residents to enjoy the quiet beach homes they paid a lot of money to buy without worries about crime, property damage, and restricted access on their streets.

Kathleen Metz, 11 D Street, St. Augustine Beach, Florida, 32080, said all of her parking resides in the right-of-way of D Street. A few months back, the City Commission made a decision to not allow parking in the right-of-way, which means she has now has nowhere to park. As Commander Parker explained to her, the police are only enforcing the parking restrictions based on complaints, and as her neighbors don't have an issue about how her parking is set up, she hasn't had anyone complaining about it, but her current parking in the right-of-way is technically illegal. She was

hoping something could be put in place so there's no parking allowed in the street, but homeowners can actually use the right-of-way between their properties and the street to park their vehicles.

Ms. Odom said as the parking regulations affect a lot of people in the community, herself included, she'd hate to have a blanket set of regulations for the entire City. However, she likes Ms. Metz's suggestion to allow homeowners to park in the right-of-way on their streets, even though it's not always easy to determine where the rights-of-way of some of the City's streets are.

Mr. Thomas said again, he'd like to know the number of parking spaces the City is required to have to be eligible for funding for beach renourishment, as he thinks this is a critical question.

Mr. Howell said he understands the argument and question as to how many parking spaces the City is required to provide for beach renourishment funding, but has no idea what that number is.

Ms. West said there is federal, state, and local funding for beach renourishment, so the requirements for parking at each and every level may be different. Parking is tied to public access, because the federal government doesn't like to renourish the beaches of private property owners, but wants to make sure there is a public access nexus. Whether or not this boils down to an actual number is something they don't know, but this would probably be an appropriate starting point, as Mr. Thomas suggested, because beach renourishment is basically the economic engine for the City, and the City fails without it. While she hates to postpone this discussion, she doesn't see moving forward with recommendations for parking as being a fruitful endeavor without this basic data.

Ms. Sloan said coming back to the other issue, as there is a lack of consistency with all the different parking regulations in the Code, she suggested they discuss how to get consistency within the regulations. They've been given examples of parking plans from a lot of different cities that have parking permits for residents, and thinks they should consider whether or not this could be viable here, as they need to consider other options to come up with a parking plan that's consistent.

Mr. Bradfield said he met with Mr. Royle and the County and still was not able to get an answer as to the number of parking spaces the City is required to provide to qualify for beach renourishment funding, which is shocking to him. Until they get this answer, they're really having a reckless discussion about possibly putting the City's beach renourishment funds in jeopardy, which anyone who hasn't seen the beach prior to it being renourished can quite understand.

Ms. West said having litigated many dredge-and-fill projects, there is the possibility that there is not actually an answer to the question the Board is posing. She can tell the Board that there has been federal funding for stretches of beach renourishment in Palm Beach County, where there is complete private ownership of beachfront property with no public parking whatsoever.

Mr. Bradfield said the number of people using the beach today compared to 2001, when the beach renourishment started, is wildly greater, yet beach access today compared to what it was then is far less fluid and less consistent, with beach access in the State Park and other areas now cut off.

Mr. Mitherz said if there can be an actual number given, the City needs to comply with whatever this number is, but be that as it may, so far, this hasn't cut into the City's beach renourishment

funding. He discussed with Mr. Larson and Mr. Howell getting some parking on 2<sup>nd</sup> Avenue behind the Courtyard by Marriott, where there's a 60-foot right-of-way. Since there's drainage there, if this area could handle the weight of vehicles that are parallel parked, it might be able to accommodate 20-30 cars from 5th Street to 7th Street. Also, the beachwear shop on the corner of A1A Beach Boulevard and 11<sup>th</sup> Street has 25-30 parking spaces in its parking lot, and it always seems to be empty, so maybe these parking spaces could be rented, leased, or bought out by the City for public parking. While there are certain streets in the City that allow parking on the rightof-way, there should certainly be no parking allowed on sidewalks on any street, as this is a safety issue. Mr. Howell provided the Board with aerial maps in color, which are great, as they show all the City-owned plazas and public parking areas on the east and west sides of the Boulevard from Pope Road to F Street. He'd like to keep the parking currently allowed on the rights-of-way of certain streets, but for most of the other street rights-of-way, he'd like to see no parking allowed. He brought up a few other small issues, such as the Sunshine Shop, on the corner of 3<sup>rd</sup> Street and the Boulevard, which has parking behind it for customers but doesn't, he believes, have a sign in front of it designating the City plaza as a public parking area. Across 3<sup>rd</sup> Street from the Sunshine Shop is the Kookaburra coffee shop, which does have a sign in front on the City plaza designating public parking, but the sign isn't clear in designating all four of the public parking spaces in front as public parking. Also, he asked if it's legal for the bed-and-breakfast on B Street to have signs in the right-of-way saying anyone parking there does so at their own risk and may be towed.

#### Mr. Wilson said it's not enforceable.

Mr. Holleran said he thinks it may be worth the City's while to possibly purchase some of the empty lots shown on the aerial maps provided by Mr. Howell, to create public parking lots, and so not affect the residents by allowing vehicles to park in street rights-of-way on their lawns. The purchase of these vacant lots for parking could be financed by raising property taxes by a percent or half-percent, or by putting in parking meters to pay for them. The City could have a parking meter program, as the City of St. Augustine does, which could include a discount parking pass for residents. He feels the City should be grabbing up these vacant lots before big hotel developers come in and buy them and take more parking away from residents and visitors.

Mr. Wilson said there's a cost benefit analysis done by the federal beach renourishment funding program that which involves a lot more than parking. Mr. Bradfield is right in that parking and public availability and access is one thing, but there are a bunch of other factors involved, including whether the beach has been renourished before and if so, what the renourishment maintenance plan has been, and that sort of thing. If staff can find the cost benefit analysis the last time the sand was pumped on the beach, which the County probably has, they'll be able to see exactly how much the public parking aspect of this was, and what the other considerations were, as there are a million considerations, and they'll probably have to get in line for money behind other places based on need. The question as to whether there is any sort of budget for the outright purchase of vacant lots by the City is one Mr. Royle could probably answer. The City just got done with a bond issue, and borrowing money for the additional land it just bought for Ocean Hammock Park, so he's not sure where this puts the City as far as having money left in savings to purchase more property.

Mr. Mitherz said perhaps the County could partner up with the City to help purchase property for a parking lot or garage that might accommodate 50-100 vehicles or more, as he feels there's some

responsibility on the County's part, since some of the demand for the increase for more parking comes from the County and the tourist industry's promotion of the area as a vacation destination.

Ms. West said perhaps a prudent next step, in following along with Mr. Holleran's suggestion, is maybe some sort of identification of potentially available lots the City could purchase for public parking. She asked Mr. Howell if he thinks this would be a reasonable endeavor to explore.

Mr. Howell said he certainly hasn't looked at this, and honestly doesn't know that looking at each individual available lot, searching the property value, which is not necessarily an indicator of what the market sale price would be, and then determining how parking might apply to that lot, is really within his responsibility or purview. As this hasn't been handed to him, he's not taking it on.

Mr. Thomas said if there is no exact number dictating how many parking spaces the City needs to provide for beach renourishment, he thinks a resident parking pass program would be a good thing to consider. Parking can be restricted to daytime hours only, and if property owners have guests coming and staying overnight, they can use their parking pass, and park in their easement, and their guests can park in their driveway. A resident parking program could also provide the funding for an offsite shuttle service, give the police consistency in what they're able to enforce, and it also addresses the high traffic areas, where residents are currently dealing with trash thrown in their yards and people parking on their lawns. He still thinks this town is for the residents, not the tourists, so it seems to him a local resident parking pass would specifically benefit the residents.

Mr. Wilson said he thinks the catalyst for all of this was the complaints from residents about all the parking on their streets, and this is one of the things that needs to be brought back to the forefront of this discussion. As this is what started this whole thing, he doesn't know that in the end the beach renourishment issue is going to make a big difference. The Board can suggest the City look into purchasing property, but he thinks the main catalyst for this discussion has been how they can help the residents deal with the issues relating to parking, so the Board may want to steer back in that direction, as he thinks the neighborhoods are really what this is all about.

Ms. West said taking into consideration Mr. Wilson's suggestion that the Board guide the discussion back to dealing with some of the issues raised by the residents, in the staff memo provided to the Board regarding parking points to consider, item number six states the public right-of-way is dedicated for the use of the public, not private use, and staff's opinion is that for the sake of clarity and enforcement, no parking should mean no one can park at that location, and if parking is allowed, this should mean anyone can park at that location. As this kind of gets back to the consistency issue, she thinks this is something the Board can tackle separately and apart from knowing what the beach renourishment parking number might be, so if they can leave the beach renourishment part out of it, she'd like to get suggestions for parking on the rights-of-way only.

Mr. Mitherz said he doesn't think parking should be allowed on the pavements of streets themselves, as this is a quality-of-life issue, but parking on rights-of-way is a little trickier. By design, homeowners may want to have plants or landscaping on rights-of-way in front of their residences, which he can understand, so there might need to be some alternatives or compromises.

Ms. Sloan said Mr. Royle's memo to the Board suggests the Board ask Commander Parker what

changes to the parking regulations would help the police with enforcement.

Commander Parker said they weren't necessarily in favor of the decision to not allow parking on the right-of-way of D Street, as they knew there would be problems there with certain residents, who don't have anywhere else to park. There's going to be a lot of pushback from residents, no matter what the Board comes up with pertaining to parking on the rights-of-way, but he thinks whatever is decided, it should be something that is relatively uniform, so the police can enforce it.

Mr. Thomas asked what the downsides of a local parking permit program would be, aside from not providing anywhere for visitors to park. Local parking passes would allow residents to still have full use of their properties, and also bring in some extra revenue. The City of St. Augustine charges for parking, and has a local parking pass program.

Ms. West said for clarification, what Mr. Thomas is suggesting is a local parking permit program for residents only, allowing them to park on street rights-of-way, as this would still be a public use of the rights-of-way, even though it precludes visitors from out-of-town from parking on them.

Mr. Thomas said the City could issue temporary parking passes to non-residents as well.

Commander Parker said St. Augustine's residential parking pass program works in some cases, but what people have to understand is that literally, anyone, not just residents, can park in an improved right-of-way, because it belongs, and is open, to the public. When parking on the right-of-way was eliminated on D Street, he knew there were going to be problems, because it eliminated the public use of the right-of-way by prohibiting residents and visitors alike from parking on it.

Ms. Sloan asked why parking is prohibited on the east sides of D Street and F Street. From the information provided to the Board from staff, D Street has a 60-foot right-of-way width.

Mr. Howell said at a City Commission meeting earlier this year, once again, the parking regulations were being discussed, and there were three to five very vocal residents of D Street who spoke at this meeting about some of the problems they have with beachgoers parking on their street. Even though he had specifically shown photos of properties on D Street that have driveways and parking solely in the right-of-way, the Commission acted on these residents' complaints and said parking would be prohibited on the right-of-way at all times, and signs would be put up saying parking is prohibited. F Street has signs saying no parking is allowed but this is not supported in the Code, so he doesn't know how these signs got put up. However, as there is a provision in the Code that says signs may be put up by a duly authorized City official, and as these signs absolutely have the appearance of being regulatory signs, he'd have no problem believing the Public Works Department put these signs up at some point, maybe at the direction of the Police Department.

Ms. Sloan said some streets, then, have no parking allowed on them at any time, and some have other regulations. She's lived here for a while, and had no idea the City had as many public parking lots and spaces as it does. There's a lot of public parking she doesn't think people know about.

Mr. Bradfield said he noticed there are a lot of City plazas that aren't open for parking, and asked the reason why these plazas have been closed to parking.

Mr. Howell said there's a mix of parking on the City plazas, as some have been turned into public parking, some are shared with businesses as public parking and private parking, and some are landscaped. He has no idea how the plazas that are closed to parking got in the Code, as this really predates him, but he does know the City's Tree Board and Beautification Advisory Committee is intent on beautifying the plazas, and from the meetings he's attended, he doesn't think they consider parking as beautification. There are ways to create parking spaces on plazas and beautify and landscape them at the same time, but he's not sure how much the City wants to spend on five parking spaces with a lot of landscaping on a plaza, versus maximizing parking, if that's the goal.

Mr. Holleran said if the City buys some of the empty lots along the Boulevard, and turns them into public parking areas, signs could be put up on the adjacent streets saying residents only can park on them, and everyone else has to park in the public parking lots. As it seems as if the main issues of residents are people coming to the beach and parking on the streets in front of their houses, if parking on the right-of-way by residents only is allowed, this will eliminate the problems residents are having with tourists and other people parking on their streets and not respecting their properties.

Ms. West said she has to say that this idea really appeals to her, because at a certain point, local government can't hold everyone's hands and solve everyone's problems. However, she thinks it's imperative they not walk away from the right-of-way issue, which she doesn't think is connected to the beach renourishment issue. She believes there is a residential demand they should try to address as best they can, so the Board should make a recommendation to the City Commission, and if the Commission doesn't like it, let the Commission come up with something better.

Mr. Thomas said he thinks a lot of the issues concerning residents and parking are crucial to the time of day, as he doesn't feel these problems are necessarily happening at 9 o'clock at night. The parking problems occur during the hours of sunrise to sunset, when people are going to the beach.

**Motion:** to recommend to the City Commission that the City start a pilot resident parking permit program for the area east of A1A Beach Boulevard, between the hours of 8 a.m. to 5 p.m. daily, and also to recommend that existing public parking spaces and lots within the City be clarified. **Moved** by Mr. Thomas, **seconded** by Ms. Sloan, **passed** 7-0 by unanimous voice-vote.

Mr. Howell asked how this would affect short-term rental vacation properties. For example, will the owners of these properties be considered residents, or will their guests be considered residents? Also, the bed-and-breakfast on the east end of B Street, which is within the pilot parking program area, has signs in the right-of-way designating five parking spaces for their guests only, so he asked if this program will allow the inn to keep these parking spaces in place for their guests' use only.

Mr. Holleran said each property would have allotted parking passes, which the owners of vacation rentals would pass on to their respective guests.

Ms. Sloan said these are all details that would have to be worked out. The Board is just recommending that this type of parking program be considered.

Ms. West said again, the Board is not trying to solve every minute detail of the City's parking problems, they're just trying to move the ball forward. The motion and recommendation pertain

to one narrow issue only involving rights-of-way east of the Boulevard, so if the City Commission doesn't like it, the Commission can certainly amend it, and provide further clarification with additional public input. Regarding the beach renourishment issue, Mr. Wilson suggested the Board look into getting a copy of the cost benefit analysis of the parking with the County's parking spaces at the pier, and asked if this is something the Board can ask staff to do.

Mr. Howell said he essentially has nothing to do with beach renourishment.

Mr. Bradfield said he asked Mr. Royle several weeks ago to work with the County to get this, because it is so important and relevant to the discussion about parking.

Ms. West said she'll do a public records request on that, to try to drill down an answer to this. In the meantime, she has some homework to suggest to the Board, regarding the identification of lots within the areas on the maps provided by Mr. Howell for potential properties that might be available for purchase by the City for public parking areas. She thinks this is something to explore, though she doesn't want to put the onus of doing this on staff, as Mr. Howell made it clear this isn't something he feels comfortable with. As she's willing to delve into the beach renourishment parking spot allocation issue, she asked for volunteers from the Board who are willing to undertake identification of lots that could potentially be purchased by the City for additional public parking.

Mr. Bradfield said he thinks it's important to focus on 60-foot right-of-way areas, as these would be the most likely areas where additional parking could be created. As there are only three streets east of the Boulevard, 8<sup>th</sup> Street, 3<sup>rd</sup> Street, and D Street, that have 60-foot right-of-way widths, he'll take on the investigation and identification of these streets for potential additional parking.

Ms. West said okay. She asked if anyone would take on identifying and investigating vacant lots that might be purchased by the City for additional parking areas from 1<sup>st</sup> Street to F Street, which would consist of getting some basic information on them from the Property Appraiser's website.

Mr. Mitherz said he'll do the area shown on the map provided by staff from 1st Street to F Street.

Mr. Holleran said he'll do the area shown on the map provided by staff from 8 Street to 1st Street.

Ms. Odom said she'll take the next area, from  $15^{th}$  Street to  $8^{th}$  Street.

Mr. Thomas said he'll take from Pope Road to 15th Street.

Mr. Mitherz said in conjunction with the Board's recommendation to the Commission regarding the pilot program for parking for residents only on rights-of-way, he asked if the Board could also ask if the Commission is interested in purchasing lots to help solve the parking problem. The Commission may say no, there's no money to pursue this, and that would be the end of the story.

Mr. Holleran said to offset the cost, parking meters could also be considered.

Ms. West said that's a good point. She doesn't think the investigation and identification of lots that might be available for purchase by the City for additional parking is necessarily coming in the

form of a recommendation to the Commission, but they were asked to discuss this, and have assigned themselves stuff to do. She asked staff to please formally let the Commission know what they're doing, and in addition, they'd like a little guidance back as to whether or not there is any sort of budget for acquisition or perhaps the placement of a conservation or some other sort of easement that would allow for parking. If they could get some guidance on the budget parameters, this would be instructive to the Board as well in making recommendations to the Commission. The point is, they're not done, but they took a little baby step tonight, and will continue to revisit this issue after they get more data. She asked if this could once more be placed on the Board's next agenda, and at next month's meeting, the Board members will report back to staff and members of the public the results of the homework they've taken on regarding the investigation and identification of lots that might be available for purchase by the City for additional parking.

#### VII. OLD BUSINESS

There was no old business.

#### VIII. BOARD COMMENT

Mr. Mitherz said the parking on the east end of Pope Road, adjacent to the County's overlook park, has been closed since before Hurricane Matthew. He asked if this parking lot was damaged by the storm, and if it was, when the damage will be fixed so the parking can be reopened, as obviously from the discussion the Board just had, more parking is needed in the City.

Ms. Odom said at the Board of Realtors meeting today, they had a Federal Emergency Management District (FEMA) board discussion, and Mr. Larson was one of the panelists on this board, along with officials from the City of St. Augustine and St. Johns County. They all came together to give an informational presentation about Hurricane Matthew, and Mr. Larson made St. Augustine Beach look very well, as thankfully, the City didn't have too much damage due to the storm. She thanked Mr. Larson for his participation, as he gave an excellent presentation.

Ms. Sloan said beach access was just reopened last week, although you really do need a four-wheel drive vehicle to drive on the beach.

Mr. Bradfield said Hurricane Matthew very much showed that the beach renourishment that has been done absolutely saved St. Augustine Beach.

#### IX. ADJOURNMENT

The meeting was adjourned at 8:43 p.m.

Jane West, Chairperson

Bonnie Miller, Recording Secretary

(THIS MEETING HAS BEEN RECORDED IN ITS ENTIRETY. THE RECORDING WILL BE KEPT ON FILE FOR THE REQUIRED RETENTION PERIOD. COMPLETE VIDEO CAN BE FOUND AT WWW.STAUGBCH.COM OR BY CONTACTING THE OFFICE OF THE CITY MANAGER AT 904-471-2122.)

#### Memorandum

TO:

Members of the Comprehensive Planning and Zoning Board

FROM:

Gary Larson, Building Official

DATE:

January 10, 2017

RE:

Tree Removal, 115 14 Street

Please review the attached site plan. Inside the footprint of the residence there is a 36-inch diameter-at-breast-height (DBH) oak tree that requires removal. Approval is needed from the Board before the issuance of a land clearing permit for lot clearing to allow the start of construction.

applicant for a permit to submit a written opinion from a certified arborist for consideration by the city building official.

(Ord. No. 91-7, § 2; Ord. No. 03-13, § 1, 7-7-03; Ord. No. 08-07, § 1, 5-5-08; Ord. No. 11-14, § 1, 12-5-11)

#### Sec. 5.01.02. Conditions for tree removal.

A. The city building official shall issue the permit for removal of a tree if one of the following reasons for removal is found to be present:

- The tree is diseased, injured, in danger of falling or is endangering existing structures, utility services or creates unsafe vision clearance; or
- 2. Removal of the trees is necessary to construct proposed improvements in order to comply with a final development order issued pursuant to section 12.02.04 or 12.02.10 hereof; or
- The presence of the tree will cause a substantial likelihood of structural damage to a building, swimming pool, sidewalk, driveway, or similar improvement.
- 4. The tree is located in an area where a structure or improvement may be placed in accordance with other development provisions in the City Code, and retention of the trees and such that no reasonable economic use can be made of the property without removal of the tree, and the tree cannot be reasonably relocated on or off the property because of its age or size.
- 5. The tree or tree cluster is less than twenty (20) inches DBH, is located within the primary building pad, primary roof line, primary foundation line, swimming pool and swimming pool patio pad, or the portion of the driveway within fifteen (15) feet of the garage or carport entrance and these structures cannot be relocated.
- It is found to be in the interest of the general public's health, safety and welfare that the tree or trees be removed.
- 7. Notwithstanding the preceding conditions, if the tree is designated as a historic

- tree removal shall require permit approval from the comprehensive planning and zoning board.
- 8. Notwithstanding the preceding conditions, if the tree is providing habitat to legislatively designated endangered or protected bird species during nesting season even though the tree meets the criteria of this section removal shall require permit approval from the comprehensive planning and zoning board.
- 9. The tree is shown to be blocking the installation or proper working condition of a solar energy system (this does not authorize a property owner to remove a tree from neighboring property). Trees permitted to be removed pursuant to this subsection shall not require Replacement under section 5.01.03. For a new solar energy system installation, any permit issued shall be issued conditionally and only become effective upon review by a certified arborist and upon the installation and final inspection of the solar energy system being properly working and permitted.
- 10. Notwithstanding the preceding conditions, any tree having a trunk greater than thirty (30) inches in diameter shall require permit approval from the comprehensive planning and zoning board.
- 11. The tree is a palm tree or group of palm trees. A property owner may in any twelvementh period remove up to ten percent (10%) of the palm trees located on their property or at least one (1) palm tree without having to be subject to the requirements of section 5.01.03.
- B. Any tree removal shall be in compliance with the St. Augustine Beach Urban Forestry Standards and Specifications Manual.
- C. When issuing a permit, the city building official shall base the permit decision on the opinion of the city arborist. Should the city not have a city arborist, the city building official may

require the applicant for a permit to submit a written opinion from a certified arborist for consideration by the city building official.

D. The fee for obtaining a permit for removal of a tree shall be as set forth by resolution of the city commission. The fee shall also include an amount for the services of the city arborist, when applicable.

E. As part of the application for a permit, the applicant shall certify that the applicant has read, understands and agrees to comply with the St. Augustine Beach Urban Forestry Standards and Specifications Manual.

(Ord. No. 91-7, § 2; Ord. No. 98-11, § 1, 6-1-98; Ord. No. 08-07, § 2, 5-5-08; Ord. No. 10-04, § 1, 5-3-10; Ord. 11-14, § 2, 12-5-11)

#### Sec. 5.01.03. Replacement.

A. Trees removed under the provisions of section 5.01.01, Removal of trees, shall be replaced as follows: One DBH inch for each DBH inch removed or a fee in lieu thereof shall be paid. Replacement trees shall be of a size three (3) inches or greater and shrubs shall follow the latest version of the American National Standards Institute "ANSI" A300 (PART 6)- Transplanting Standards. Plant materials used in conformance with the provisions of this Code, shall conform to the Standard for Florida No. 1 or better as given in Grades and Standards for Nursery Plants, State of Florida, Department of Agriculture and Consumer Services, Tallahassee. Fees collected in lieu of replacement shall be placed in the city's Tree and Landscape Fund. Such fees are established as follows:

- a. Ten inches or less, two hundred fifty dollars (\$250.00).
- b. More than ten inches but less than thirty inches, five hundred dollars (\$500.00).
- c. Greater than thirty inches, one thousand dollars (\$1,000.00).
- e. Where the removed tree is a palm it shall be replaced by one foot clear trunk of like palm species for each clear trunk foot removed, or by one 3-inch DBH replacement tree for each three or fraction thereof palms removed, or, in lieu of replacement,

- a fee of fifteen dollars (\$15.00) per clear trunk foot removed shall be collected. Palms of less than five (5) foot clear trunks shall be valued at seventy-five dollars (\$75.00).
- f. Index trees removed illegally without a permit are subject to a three to one replacement, i.e., three inches replacement for each one-inch removed, or fees payable to the tree bank in Sections A(1( and A(2) above will be tripled.
- The city manager, or his or her designee, g. may waive the requirements or replacement described in this section under one or more of the conditions listed in section 5.01.02., Conditions for tree removal, subsection B. The owner of any lot within the city that does not have at least one (1) tree from an approved list in the front setback area as a condition for the issuance of a building permit for any structure on such lot shall be required to plant one (1) tree from the approved list no less than three (3) inches DBH. Any tree planted shall be classified as moderately to highly salt tolerant. Recommended species for replacement are found in the Replacement Tree List and Landscape Manual. Section 5.01.04. Protection of root structure of index and specimen trees.

B. The owner of any lot within the City that does not have at least one (1) tree from an approved list in the front setback area as a condition for the issuance of a building permit for any structure on such lot shall be required to plant one (1) tree from the approved list no less than three (3) inches DBH. Any tree planted shall be classified as moderately to highly salt tolerant. Recommended species for replacement are found in the Replacement Tree List and Landscape manual.

(Ord. No. 91-7, § 2; Ord. No. 99-16, § 1, 10-4-99; Ord. No. 03-13, § 2, 7-7-03; Ord. No. 08-07, § 3, 5-5-08; Ord. No. 11-14, § 3, 12-5-11)

### Sec. 5.01.04. St. Augustine Beach Urban Forestry Standards and Specifications Manual.

The "St. Augustine Beach Urban Forestry Standards and Specifications Manual" is hereby ad-



#### Eddie Creamer

#### **Parcel Information**

Strap:

1679700000

Mailing Address: 5 SURF CREST ST SAINT AUGUSTINE FL 32080-0000

Site Address:

Tax District:

551

115 14TH ST SAINT AUGUSTINE FL 32080-0000

Neighborhood Code: Use Code/Description: 674.00

Sec-Town-Range:

0000/Vacant Residential 34 - 7 - 30

Acreage:

0.18

Property Map: Click here for Map

#### **Valuation Information**

	2016 Certified Values	2017 Working Values
Total Land Value:	N/A	\$ 110,000
Total Extra Features Value:	N/A	\$ 0
Total Building Value:	N/A	\$ 0
Total Market(Just) Value:	N/A	\$ 110,000
Assessed Value:	N/A	\$ 110,000
Homestead Exemption:	N/A	\$ 0
Taxable Value:	N/A	\$ 110,000

#### **Legal Information**

#### **Owner Information**

**Exemptions** 

8-99 MINORCA SUBD LOT 27

OR4243/466

KLING GABRIEL, MEGAN

KLING MEGAN

#### **Sales Information**

#### Date of Sale Sales Price Sales Ratio Book & Page Instrument Code Qualified Vacant or Improved Reason Code

08/08/2016

\$ 187,500

58.67

4243 & 466

WD

Q

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#### **Building Information**

**Building Details** 

Structural Elements

This property is Vacant

#### **Extra Features**

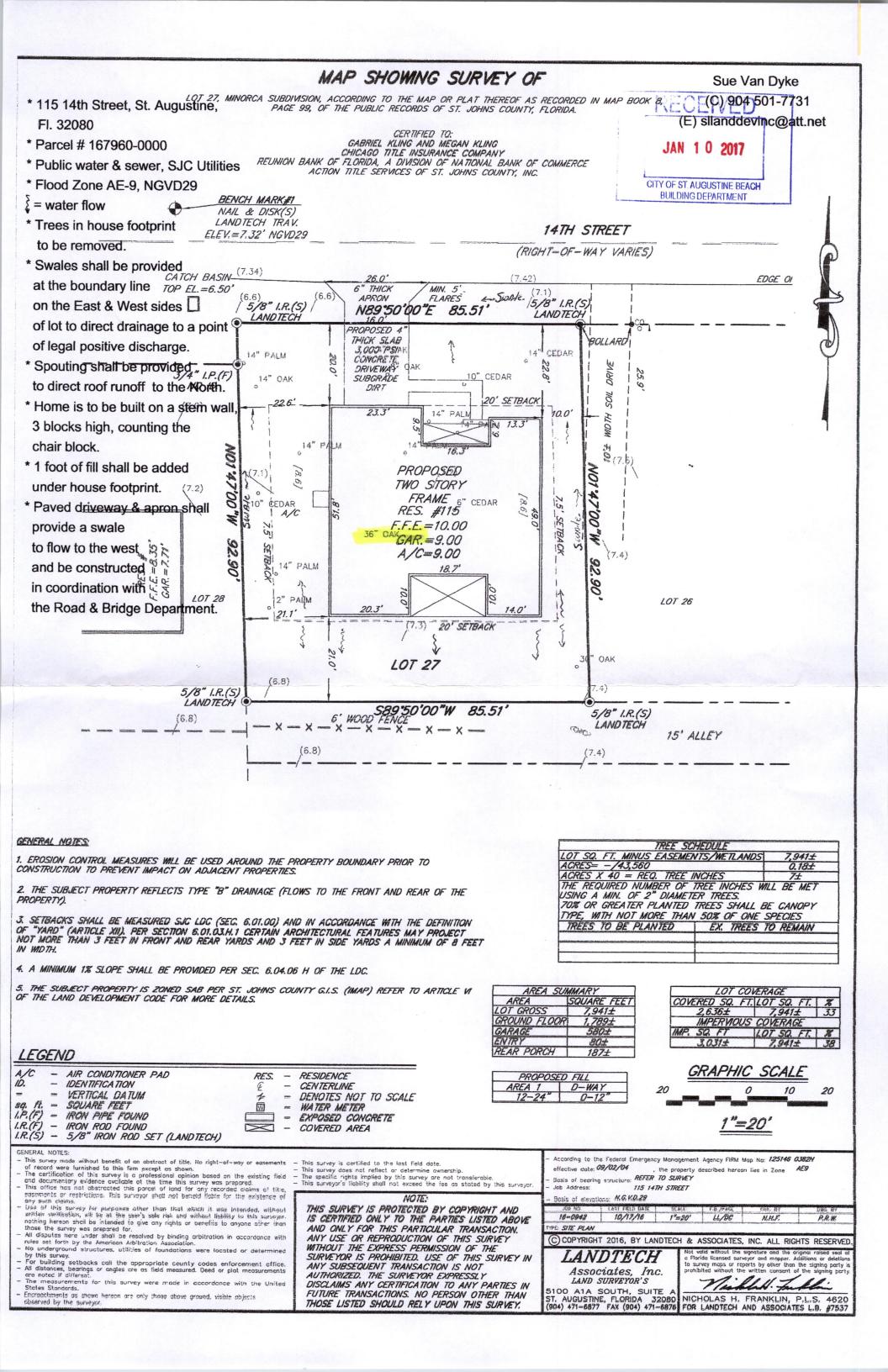
There are no Extra Features

**Previous Parcel (1679600000)** 

Next Parcel (1679700280)

#### DEC 2 8 2016 CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT **OWNER PERMISSION FORM**

ST AUGUSTINE BEACH	
ST. AUGUSTINE BEACH  DIOC DEPARTMENT BUILDING OFFICIAL	DATE: 12-27-16
CITY OF ST. AUGUSTINE BEACH	
BUILDING DEPARTMENT	
5.10 Irr	(an) and -11,00
FROM: EAK Adams Entire Inc.	(904) 814 - 7600
Contractor Name	Phone Number
P.O. Box 227	
Address	
St Augustina 71 32195	
St. Augustine, 71. 32085 City, State, Zip Code	
City, State, Zip Code	
This is to advise you that I hereby give permission to:	
	(-) -
Susan Ilan Dyke	(904) 501-7731
Susan Van Dyke Contractor/Agent/Name	Phone Number
636 Frances Ave.	
Address	
Audress	
C+ 1 71 22200	
St. Augustine 71. 32086 City, State, Zip Code	
City, State, Zip Code	
Who is my contractor/agent, to perform the following on my b	pehalf:
Submit & Accept All permitting	for all agricults
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	Signature of Owner
STATE OF FLORIDA	
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STATE OF FLORIDA COUNTY OF	Signature of Owner
STATE OF FLORIDA	Signature of Owner
STATE OF FLORIDA COUNTY OF	Signature of Owner  20/6 by Zak Adams
STATE OF FLORIDA COUNTY OF	Signature of Owner  20/6 by Zak Adams
STATE OF FLORIDA COUNTY OF	
STATE OF FLORIDA COUNTY OF	Signature of Owner  20/6 by Zak Adams
STATE OF FLORIDA COUNTY OF	20/6 Vov Zak Adams  das identification.  MMISSION NO./EXPIRATION/STAMP/SEAL:
STATE OF FLORIDA COUNTY OF	
STATE OF FLORIDA COUNTY OF	



#### **MEMORANDUM**

TO:

Jane West, Chair

David Bradfield, Vice Chair

Jeffery Holleran Steve Mitherz Roberta Odom Elise Sloan

D. Zachary Thomas

Hester Longstreet, Senior Alternate

Kevin Kincaid, Junior Alternate

FROM:

Max Royle, City Manager

DATE:

January 5, 2017

**SUBJECT:** 

**Parking** 

At your last meeting, the topic of the City possibly purchasing land for parking was mentioned. We provide here information that may be helpful for your discussion at your January meeting.

1. The City doesn't have the money to buy land for public parking, nor to convert plazas to parking lots.

As of the December report of the General Fund budget, the money in the City's General Fund unassigned fund balance or savings was only \$787,613, or only about six weeks of normal operations. This low amount leaves the City with a very limited financial cushion to meet significant emergency or unforeseen expenditures. At this time, the City needs to concentrate on rebuilding its savings.

2. The City cannot assume more debt.

The payment for debt in Fiscal Year 2017 is \$754,381. Money for this payment will come from such sources as property taxes. The City's total indebtedness, which will be paid off over the next three decades, is \$9,099,846.

3. The City's taxpayers shouldn't be responsible for buying land for beach visitor parking.

We suggest that money for such a purchase should come from the bed tax paid by visitors.

4. Related Matters

First, it's been suggested that Ocean Hammock Park should be used for off-beach parking. It now has 21 parking spaces. A few more spaces could be provided, but the park cannot be converted to off-beach parking for two reasons: a. The purpose of buying it was to keep it from being developed. The City obtained a \$4.5 million state grant to buy 11.5 acres of what was to be the

site for a 72-unit condo development. The main conditions of the grant were that the property is to be used primarily for park and recreational purposes, and as much of it as possible is to be left in its natural condition. b. A majority of the City residents who voted in the 2008 primary approved up to a half a mill in property taxes for 20 years being used for the purchase of land to protect it from development. They didn't agree to the use of their money to buy land for off-beach parking. That voter-approved millage is being used to pay off the bond debt for the purchase of the Ocean Hammock Park property.

Second, the City is now seeking an additional state grant of \$1.5 million to reimburse it for part of the \$4.5 million it paid to The Trust for Public Land, which acquired the remaining 4.5 acres of the condo site property on the City's behalf. The grant program is the same one the City used in 2009 to buy the 11.5 acres.

Third, using the plazas for off-beach parking. Several plazas already are used for public parking. They're located at 14<sup>th</sup>, 11<sup>th</sup>, 8<sup>th</sup>, 3<sup>rd</sup>, and A Streets. There are a few remaining plazas along the Boulevard that could be considered for parking. They are located at 8<sup>th</sup> Street (west of the Boulevard), 3<sup>rd</sup> Street (east of the Boulevard), and D Street (east and west of the Boulevard). When 8<sup>th</sup> Street west of the Boulevard is opened this year, parking could be put along it and on the plaza on its south side. The plaza on the north side has been nicely landscaped by the adjacent motel, while the plaza on the south side of 8<sup>th</sup> Street east of the Boulevard has been landscaped by the City. Whether the 3<sup>rd</sup> Street plazas east of the Boulevard could be used for parking is open to questions, because they may be isolated wetlands. The City's Beautification Advisory Committee will likely strenuously object to the D Street plazas being used for parking. The residents adjacent to the plazas on the east side of the Boulevard might also object. There is, again, the question of the City using money from its taxpayers for parking for beach visitors. In 2013, the City did explore the possible purchase of two lots on the north side of 8<sup>th</sup> Street, east of the plaza. The City had the lots appraised. The appraised value was \$325,000. The owner said the value was too low and refused the City's offer.

Fourth, the City has spent some money on parking improvements. In 2015, pavers were put along the north right-of-way of 16<sup>th</sup> Street west of the Boulevard. In 2017, there's money in the budget for pavers along the north side of 16<sup>th</sup> Street east of the Boulevard. Two other areas where pavers could be put: the south side of 5<sup>th</sup> Street and the north side of 4<sup>th</sup> Street, both east of the Boulevard. The Public Works Director has estimated that the cost for the pavers would be \$80,000. We suggest that the \$80,000 come from the bed tax.

Fifth, there are other areas now being used by beach visitors for parking on summer weekends. They include the 2<sup>nd</sup> Avenue between A and 1<sup>st</sup> Streets and 3<sup>rd</sup>, 5<sup>th</sup>, and 9<sup>th</sup> Streets west of the Boulevard. Whether 2<sup>nd</sup> Avenue between 3<sup>rd</sup> and 5<sup>th</sup> Street could be used for off-beach parking is questionable, because residents in the area will likely fight such a proposal. Finally, the Embassy Suites construction workers, Salt Life employees, and beach visitors park along the south side of Pope Road, west of the Boulevard. No parking is allowed on the north side of Pope Road.

Sixth, the owner of the Marriott Hotel has ten vacant lots between 7<sup>th</sup> and 8<sup>th</sup> Streets reserved for overflow parking from the Hotel. He's obligated to hold those lots for parking for the next two years. It might be possible to have a public/private partnership so that this parking lot could also

be used by beach visitors. However, unless bed tax money could be used to buy them, they will, in two years, revert to whatever use the Marriott owner wants. At this time, the land use designation for the lots is medium density residential.

Seventh, there is a policy question concerning public parking in the City: how much land in the City should be taken off the tax rolls and used for public parking? On busy summer weekends, the City cannot provide a parking space for every person who wants to visit the beach. We suggest that the emphasis should be on parking control, not on making as much land as possible available for public parking. Parking control can be enhanced by technological means, so that beach visitors can be informed in advance before they get to the City of when there are no more parking spaces on the beach and no more available off-beach parking spaces. They can then drive elsewhere for their day of afternoon at the beach.