



## **MINUTES OF THE PLANNING BOARD**

**October 12, 2021**

**MEMBERS PRESENT:** Chairperson Paul Ritz, Board Member Grundhoefer, Board Member Powell, Board Member Sampson

**MEMBERS ABSENT:** Vice Chairperson Larson, Board Member Van Hoose, Board Member Villegas

**STAFF PRESENT:** Assistant Planning Director Cannon, City Engineer Hinote, Engineering Construction Manager Mauldin, City Surveyor Odom, Help Desk Technician Russo

**STAFF VIRTUAL:** Planning Director Morris

**OTHERS PRESENT:** None

### **AGENDA:**

- Quorum/Call to Order
- Approval of Meeting Minutes from September 14, 2021.  
**New Business:**
- PROPOSED AMENDMENTS TO THE LAND DEVELOPMENT CODE - ENGINEERING SECTIONS 12-3, 12-4, 12-7, 12-8 & 12-9
- Discussion
- Adjournment

### **Call to Order / Quorum Present**

Chairperson Ritz called the meeting to order at 2:03 pm with a quorum present and explained the procedures of the Board meeting including requirements for audience participation.

**Approval of Meeting Minutes** - Board Member Grundhoefer made a motion to approve the September 14, 2021 minutes, seconded by Board Member Sampson, and it carried 4 to 0.

### **New Business** -

**2. PROPOSED AMENDMENTS TO THE LAND DEVELOPMENT CODE – (LDC) ENGINEERING SECTIONS 12-3, 12-4, 12-7, 12-8 & 12-9**

Chairperson Ritz explained these were staff-initiated revisions and not from citizens. Assistant Planning Services Director Cannon advised a lot of the City's departments were attempting to clean up Code language which was vague and codify processes already being performed which would make the Code more user friendly. Chairperson Ritz clarified the strikethrough and underline definitions and asked that staff provide an overview of the sections being revised.

Mr. Mauldin explained they took items they were already performing, and some of that language was off the checklist which they wanted codified in the LDC. In the event they faced an enforcement action, the LDC would provide the language for that enforcement; if it proceeded to the magistrate, he would know what section to reference. Having these items in the LDC would illustrate to the public that the City was trying to be fair and equitable across the board with how it handled different situations. Chairperson Ritz explained the Board was to deliberate and discuss these issues and determine if they were appropriate or should they be edited, and the outcome would be forwarded to the Council, since it was a change in legislation, for two readings prior to it becoming Code.

### **Section 12-3-121 Design standards and guidelines**

9., 10., 12.5., and 13. revisions were noted. Board Member Grundhoefer explained most of these affected civil engineers and asked if any input had been gathered from them. Mr. Hinote advised the items being considered by the Board were currently being enforced, and the intent was to codify the procedures and be able to refer to them when needed. They had not contacted civil engineers for input, however, every engineer submitting plans to the City knew this was the unwritten policy; out-of-state applicants would be able to reference the particular Code section for the requirements. Chairperson Ritz referred to 10. All existing driveways or aprons not being reused shall be removed from the site and confirmed engineers were already doing this, and this language in the Code would confirm the requirement. Mr. Hinote also indicated most of the revisions focused on issues being encountered which should have been addressed in the Code.

**Page 20**, 9. New pavers – Appropriate. 10. All existing driveways or aprons not being reused shall be removed from the site – Appropriate.

**Page 22**, 5. Street Cut & Patch – Appropriate. e. Sidewalks – falls in line with the CRA overlay standards. 13. Right-of-Way (ROW) Construction – Chairperson Ritz explained a permit was required to construct a driveway in the ROW. Mr. Hinote illustrated a process was needed for a knee wall in a ROW which should be a License to Use (LTU) permit to use City land, and improvement to land owned by the City should require an approval. Board Member Grundhoefer questioned if a project for a school was on three different roads with different entrances, and Mr. Hinote explained the applicant would be paying a driveway permit for each driveway on that project. Chairperson Ritz indicated the LTUs were evaluated on an individual basis by the Board.

(Section 11-4-72 was not in the purview of the Board.)

**Page 23**, **Section 12-4-1 Off-street parking** – g. parking space in the ROW – requiring an LTU. Chairperson Ritz emphasized that the ROW was not the citizen's property to develop.

**Page 25**, **Section 12-8-6 Design standards for stormwater management system** – (6) creates or exacerbates a flooding or erosion problem. Chairperson Ritz and Board Member Powell agreed this language helped with enforceability. Board Member

Grundhoefer indicated exacerbates would make sure a situation would not be made worse, but it if was bad now, it was grandfathered in. Mr. Hinote illustrated a particular property where there were standing water issues since the beginning; a development came in behind this property, building up the new property 4' and the pre-existing water issue which was 6" deep was now 1.5' deep, which meant the existing situation had been exacerbated. This language would protect property owners from additional water issues. (7) engineering review of new construction – Appropriate.

**Page 26, (8) erosion control plan** – Appropriate.

**Page 27, (These items were listed on the Plan Review Checklist.)**

f. stormwater pipe must be either RCP or DI (epoxy coated). Board Member Grundhoefer asked that RCP be spelled out – Reinforced Concrete Pipe, Ductile Iron pipe.

g. stormwater capture without excessive fill – Mr. Mauldin explained this language came from the CRA overlay language where the developer was trying to position a pond on a property, requiring it to be positioned in a certain place without taking topography into consideration. The language indicates the developer should not have to elevate the property to make the water run to the location they want to construct the pond. Mr. Hinote stated the City was attempting encourage the use of topography in the positioning of the pond. Board Member Grundhoefer suggested removing the word “additional.” Mr. Hinote suggested changing the verbiage to “positioned on the property to allow stormwater capture which utilizes existing topography to the maximum extent possible.”

h. Shoreline Protection Districts – Board Member Grundhoefer addressed “retention pond shall be elongated across width of property” and Mr. Hinote suggested “retention ponds shall be positioned to effectively capture pollutants.”

i. Maintenance entity – “MS4” changed to “Stormwater Collective Conveyance System.” Board Member Grundhoefer asked if he owned a private stormwater pond and wanted the city to maintain it, could it be deeded to the city. Mr. Hinote advised this had been done in the past, but the owner must show it was designed to city standards.

**Page 30, Section 12-4-3 Parking Lots** – (3) All pavement markings/stripping that provides immediate access to the public Right of Way (stop bars, cross walks, etc.) “shall be thermoplastic” was determined to be for longevity purposes. Appropriate.

**Page 31, (7) Measurement of parking stalls** – 90 degrees to one another for corners in order to avoid vehicular conflict – Appropriate.

**Page 32, Section 12-7-3 Procedure for subdivision approval** – a. Approval of preliminary plat by the Planning Board – a. Florida Statute § 472.027 – Mr. Odom advised he had contacted local surveyors and asked for their recommendations, along with the Property Appraiser’s Office since their GIS mapping was used to make sure we are coming into the 21<sup>st</sup> century; Paul Kelly with the city’s GIS was also contacted for input as well as Inspections and Planning. Chairperson Ritz pointed out Mr. Odom had created his own flowchart to address the “if / then” situations. a. dividing three or more lots - Board Member Powell mentioned Whispering Pines where the preliminary plat came to the Board for review, and Mr. Odom clarified that the process was clarifying that the application was being submitted to “Planning Services” first. b. general location sketch map – Mr. Odom advised “principal places of employment” was a judgement call that the surveyors could not certify.

**Page 33, (3) Approval of a combined preliminary/final plat of a subdivision** – Chairperson Ritz advised there were times when the preliminary/final plat had been one submission,

and this strikethrough would mean the Board would no longer see a preliminary and final plat of any subdivision together, but they would be separated and no longer the truncated approach. Mr. Odom advised this was defined by the State Statute Chapter 177.

**Page 34**, (b) (2) c. Prior to development of residential properties, the owner or owner's agent shall provide a proposed lot grading and erosion control plan - Mr. Odom explained the previous language was vague and open ended, and they were trying to provide scope and details. Board Member Grundhoefer pointed out it outlined the requirements, and the language was good. Mr. Odom advised for commercial properties, they had placed it back into the platting so the developers have to get a conceptual plan of what they think they want to do with the stormwater, but it did not have to be detailed; engineering could then view the plans for feasibility. He also pointed out in the checklist, heritage trees are now identified, and developers must show what is physically on the property and if the tree meets the LDC heritage tree description; if it does, it has to be shown also. Chairperson Ritz referred to (a) (1) d. (Page 33) "A master drainage plan at a scale not smaller than one inch equals 200 feet, shall be provided" which implies the Board will see it, and if it is not provided, it would not meet the checklist requirements. Staff pointed out It makes the technical review for staff more efficient as well.

d. The Planning Services Department shall notify the applicant of the approval or disapproval – "within nine (9) working days from submission" was agreeable. Board Member Grundhoefer advised if the approval was not provided within the (9) working days, the applicant could deem the plan approved. The "shall notify the applicant" was changed to "will" notify the applicant.

(3) Final approval a. Planning Services Department – b. "filed in accordance with Section 12-7-3(b.3.a). Appropriate.

**Page 36, Section 12-7-4 Design Standards** - I. Street right-of-way widths – chart – change to "Alley (private) in commercial or industrial areas" and "Alley (private) in residential areas." Appropriate.

**Page 37, Blocks** c. "Block width should be" – Appropriate.

**Page 38, Section 12-7-5 Required Improvements** – grammatical issues corrected.

**Page 39**, (b) Sanitary sewers – street and storm drainage changed to "sanitary sewer."

**Page 40**, No change.

**Page 41, Section 12-7-8 Preliminary plat** – (1) Drawn to a scale of 100 feet to the inch or less, show all improvements on the property and show all trees subject to section 12-6-2(d) of this Code – Appropriate.

(17) – All plats just include horizontal State Plane Coordinates – Mr. Odom explained this was to place the plat in its proper location within the GIS system for Chris Jones; it is currently in Escambia and Santa Rosa counties as such.

(2) – "and scale" was included in (1). Appropriate.

**Page 42, Section 12-7-9 Final Plat** – "F.S.ch." spelled out to Florida Statute Chapter 177.

**Page 42, Section 12-7-10 Final Approval** – (c) No building permits may be issued until the recorded final plat has been filed with the Planning Services Department – Appropriate.

**Page 43, 44 – Graphics – No change.**

Board Member Powell addressed Page 35 and 42 with the permit filing. Mr. Odom explained the plat was getting recorded at the Clerk of the Court and then needs to be filed with the Planning Services Department so the building permitting can use that information for their process moving forward. Recording with the County was one thing and filing on the 5<sup>th</sup> floor was another.

Chairperson Ritz indicated the 9 working days (Page 34) for approval or disapproval may or may not be edited by staff. He explained this document would be forwarded to Council for two readings, and the public could have the opportunity to address this prior to it becoming actual Code.

**Board Member Powell made a motion to approve the revisions with comments, seconded by Board Member Grundhoefer.** Assistant Planning Services Director Cannon clarified between Engineering and Legal, they would determine the best wording based on the intent of the Board's comments. **The motion then carried 4 to 0.**

**Open Forum – None.**

**Discussion – None.**

**Adjournment –** With no further business, the Board adjourned at 3:08 p.m.

Respectfully Submitted,

Cynthia Cannon, AICP  
Assistant Planning Director  
Secretary to the Board