

**CITY OF BELLEVIEW
WORKSHOP MEETING
AGENDA**

**BELLEVIEW CITY HALL
COMMISSION CHAMBERS**

January 28, 2008

6:00 PM

Mayor TAMMY MOORE
Seat 1 MICHAEL GOLDMAN
Seat 2 KENNETH R. NADEAU
Seat 3 WILMA LOAR
Seat 4 CHRISTINE C. DOBKOWSKI

IF A PERSON SHOULD DESIRE TO APPEAL ANY DECISION MADE BY THE BOARD OR COMMISSION A VERBATIM RECORD OF THE PROCEEDINGS WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED MAY BE NEEDED. IT IS YOUR RESPONSIBILITY TO HIRE A COURT REPORTER TO MAKE A VERBATIM TRANSCRIPT, OR A TAPE OF THE MEETING CAN BE PURCHASED FOR \$5.00/TAPE AT THE CITY CLERK'S OFFICE. THE CITY IS NOT RESPONSIBLE FOR ANY MECHANICAL FAILURE OF RECORDING EQUIPMENT.

This meeting has been properly noticed *PD*

AGENDA

LRD REWRITE - DISCUSSION

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LDR REWRITE WORKSHOP

Mayor Moore called the meeting to order and turned the meeting over to Mr. Shrum. Mr. Shrum stated he was looking for comments and would go through each Chapter.

Pg. 5, Article III, Transportation Concurrency Procedures:

Commissioner Goldman stated to shy away from the traffic mitigation developer proportion fair share process. We identified the traffic issue which needed to be taken care of and the developer will pay their fair share. We should set the wheel in motion to do it because the longer it takes the more it would cost. Mayor Moore stated if the City did not have the money she would have a problem doing that; we were limited because the City gets the same amount of revenue every year and the costs of roads keeps going up each year.

Commissioner Goldman stated it was not just roads, it was everything from capital improvements on down; they identified a need 15 years ago for the water treatment plant update, but nothing was done for it; so now the citizens were on the hook for a 30 year mortgage. It could have been bought and paid for with money that was in the bank.

Commissioner Goldman stated as we identify issues that need to be done, there was always that worry if we get only get a portion of the money from someone else then the rest of the cost would be a taxpayer issue. People get mad when we spend money wastefully. Example: he watched the bus people take a survey on the bus about raising their fares and as a result they were not afraid to raise them because the people knew they had to do that.

Mr. Shrum stated when you identify an issue you had to be able to fund it and the capital improvement element would address that more.

Commissioner Nadeau commented that this information was clearly over the heads of 95% of our citizens and needs to be reduced to everyday language. Something that gets the job done with the least amount of work on Mr. Shrum's part and easiest to understand on the developer's part would suffice. Mr. Shrum stated that clear and concise and easier to use had been discussed at a previous meeting.

Commissioner Loar stated hopefully the application the citizens fill out was simpler than this. Mr. Shrum stated his department reviewed the application with the individuals.

Pg. 14, Chapter 106 Environmental Protection

Commissioner Nadeau asked if there were any fresh water marshes in the City and PWD Monroe stated there was one in Cobblestone. Mr. Shrum stated there were regulations already in place for water marshes.

Commissioner Dobkowski stated to take the well field protection recommendations from the last meeting and formulate them into something we could look at. The Commissioner stated that every new development had to account for its own drainage but she would like to see shared retention areas so there were not a lot of them through out the City. Mr. Shrum stated they would revisit retention areas.

Commissioner Goldman stated that the well head protection Article 7 should be moved up to Article 2 and redefined more. The Commissioner stated he agreed with the retention ponds and would like to see a more centralized water retention system.

Pg. 19, Chapter 110 Floods

Commissioner Nadeau asked if the City had received the new maps back and the PWD stated he had them but they were not adopted yet. The county had issues with the ones they received back, but the City did not have any issues with our maps, but we have to go through the process to adopt an ordinance. The Clerk asked if we should make the ordinance more general rather than specific and PWD stated probably because it would be revised constantly.

Commissioner Dobkowski asked who was the City's Administrating Officer under Sec 110-71 and Mr. Shrum stated that was the Clerk.

Pg. 25, Chapter 114 Landscaping and Trees, this was the ordinance that was redone recently.

Commissioner Dobkowski stated there needed to be some clarification for the buffering between parking and the right of way because one of the Churches was making renovations and only held events at night 16 days out of the entire year. The lawyer's office was opened in the day and one night a year they had a staff meeting and they, too, would be required to have a buffer there. The Mayor stated buffers were distinguished between zonings. Commissioner Dobkowski stated to clarify the buffers between parking and driveways and Mr. Shrum agreed to do that.

Mr. Shrum stated that the whole process of the development regulations was to define what you envisioned for the development in the community. Commissioner Dobkowski stated that St. Theresa's Church did not want to put a buffer in because it was a money issue, but we had to enforce that fairly. Mr. Shrum stated the lights in the parking lot was another issue but any parking designed in that manner had to have a buffer. Mr. Shrum agreed to do some clarification on that issue.

Commissioner Nadeau stated if they cut down so many inches of trees they had to replace them; Mr. Shrum stated that was already in there. Commissioner Nadeau stated do we agree with trees offsite; Mr. Shrum stated that option was discussed but not provided for.

Pg. 37, Chapter 118 Parking, Sidewalks and Streets:

Commissioner Goldman stated he wanted to have permeable pavements addressed. PWD Monroe stated that would be a huge mistake because it worked for awhile but there was no way to keep them from

clogging up. Commissioner Goldman stated over the life of the road which was 17 years you would lose 20% if it was permeable. The Commissioner stated in his private subdivision they had to repair the roads and it was better than having water shed off onto the roads and into the retention ponds. Commissioner Goldman wanted to address parking in private communities and the streets; Mr. Shrum stated he would address the options and technology of permeable asphalt/concrete.

Mr. Shrum stated he would look at the early draft of parking on Pg. 37. Commissioner Dobkowski stated that lighting could be more user friendly and loading zones as well.

Commissioner Nadeau stated Section 118-31 parking of Commercial Vehicles could the tonnage be the same in paragraphs 1, 2 and 5. The Commissioner stated he wanted consistency and simplicity for the commercial vehicles in residential areas.

The Clerk stated that parking on Pg. 42 the table inset was not consistent with the one in the zoning ordinance so that needed to be changed. Also under Sec. 118-94 Amount of Parking required for businesses needed to be looked at specifically. On Pg. 44 Sec 118-97 buffering was listed in there as well as in Sec. 114. Mayor Moore stated that in Sec. 118-96 it discussed small businesses sharing parking regulations like the retention areas.

PWD Monroe stated that drainage was addressed but not the parking and Mr. Shrum stated there were no specific regulations for on street site parking. Mayor Moore stated other than on 441, the City does not have on street parking. Mr. Shrum stated it was or could be allowed as a non-conforming use and they had to clarify how that would work and for which situations.

PWD Monroe stated to address street parking in front of your house which was allowed as long as you were not damaging the right of way. Check to see if that was still in the code because once the grass died it was an erosion problem and that had happened several times in the City.

Pg. 53, Chapter 122 Planning

Mr. Shrum stated this Chapter sets up the Local Planning Agency. Commissioner Dobkowski asked if the City was required by State Statute to have a P&Z Board and Mr. Shrum stated we were required to have a Local Planning Agency. The Clerk stated the Local Planning Agency could be the Commission, but the different boards gave the Commission more insight and Mr. Shrum stated the boards were appointed by the Commission.

Pg. 55, Chapter 126 Signs, Mr. Shrum stated that they needed to come back with a revised resolution for the moratorium. Commissioner Goldman stated it needed to be enforceable to be equitable because of the trucks with signs on sides and unlicensed vehicles. PWD Monroe stated the signs were exempted on Pg. 59 and Commissioner Nadeau stated they were was also exempted on Pg. 62 section 126-101. Mr. Shrum stated that allowed a nonconforming sign to continue until no longer used. Commissioner Loar stated on Pg. 60 #8 addresses the Chicken Time sign. Commissioner Nadeau stated the Chicken Time sign sat there for 4 years with expired tags and flat tires. Ms. Pittsley stated that was the section that the City used to cite them.

Pg. 68, Chapter 127 Site Plans And Drainage Plans: Commissioner Dobkowski stated that was the issue we had with the parking spot being less than 200 ft. The Clerk stated that problem had to do with site

and drainage. Commissioner Dobkowski stated if it was under a certain amount of coverage it would have insignificant impact on the drainage. Mr. Shrum stated a waiver for drainage for minor impact and define the word minor. The Clerk stated she and the PWD years ago worked on revising that but the 35% rule should be spelled out. The PWD stated it should not be put back but it needed to be addressed because there were a lot of existing lots that could not meet our code. The City had to meet St. Johns and align the language with theirs. The PWD stated the City was required to meet a 10 year storm; St. Johns goes up to a 100 year storm. PWD Monroe stated that he and City Engineer Abshier would be looking at those chapters which needed to be two separate chapters.

Pg. 36, Chapter 130-7 Subdivision Classification

The Clerk stated this needs to be clarified and simplified. Commissioner Dobkowski stated she would like to have a disclosure on the application for the type of subdivision ex. 55 or over. The PWD stated it seemed like there should be a specific zoning clarification for that as well so that the City had some control of where they go. Mr. Shrum stated currently they don't have to disclose that until the final plat.

Commissioner Dobkowski stated that the Ordinance states where group homes could be placed. PWD Monroe stated we limited where the adult entertainment could be in the City but you could not eliminate it totally. Mr. Shrum agreed and stated that the City could not restrict uses all together and had to make allowances for them.

Commissioner Goldman asked if the City could tell subdivisions what sod they should use or not use and Mr. Shrum stated people were moving away from that because of the water requirements. Mr. Shrum stated the current regulations were simple; you had to maintain what you put in. Mayor Moore stated that it needed to be enforceable without staff spending a lot of time. Mayor Moore stated give them an incentive i.e. if they don't plant St. Augustine then they would not have to put in so many hedges, etc. Mr. Shrum stated he would review the sod requirements for landscaping and look at draught tolerant sod.

Commissioner Dobkowski stated at the site plan the City would look at the buffers and plants and the Clerk stated that was part of the commercial process, but not for residential. Commissioner Loar stated she did not care what type of grass went in the subdivisions and did not think that needed to be included.

Pg. 89, Chapter 134 Zoning

Mr. Shrum stated that this chapter needed to be broken down into multiple chapters.

Commissioner Nadeau stated on Pg. 118, Section 134-237 B-4 Special Exceptions, a penny arcade was listed. Currently, we see a growing number of game rooms whereat you pay a fee to play slot machines; where would they fit in here. The Commissioner stated he also wanted to know if in Section 134-238 M-1 Special Exceptions a brewery could stay in an R-4 with a special exception. Mr. Shrum stated that the table uses need to be re-evaluated but we need to be cautious of the existing uses if modified because they could have legal issues as far as property rights.

The Clerk stated this whole section was antiquated and needs to be reformatted. Commissioner Nadeau stated on Pg. 130 and Pg. 132 churches were not allowed in an R-0 then they should not be in an R-1. The Clerk stated that could be done through a special exception process and Mr. Shrum stated the Attorney would need to look at that.

The Clerk stated there needs to be a cross reference for the alcohol beverages ordinance with the zoning; churches were allowed in certain areas while businesses were not allowed next to a church. The Clerk stated that Subsection 2, Development Requirements need to be consistent and the zoning needs to be consistent with LDR and PUD.

Commissioner Dobkowski stated if we modify the zoning then the ones that were already there would be grandfathered in and Mr. Shrum stated if the use was eliminated in that area they would be affected when they pull a permit. The Commissioner stated then as long as they did not change their usage their rights would be kept in tact. Mr. Shrum stated they could keep what they had as long as they don't add to it.

Commissioner Dobkowski stated there was nothing in here about nail salons but since it was already there and if we change the zoning would we make them close down. Ms. Pittsley stated that nail salons were now classified as hair salons. Mr. Shrum stated we need to update the categories and Mayor Moore stated there were no computer businesses listed either.

Mayor Moore stated that the fence issue would be on the next Commission Meeting along with junk cars.

Commissioner Nadeau stated on Pg. 157 subdivision and foster care facilities needed to be redesigned in line with or mirror the State Law.

Mayor Moore stated there were setbacks for businesses but not many restrictions for commercial. Designate a small lot area as limited district and put them in those areas. PWD stated we could look at that for drainage and limit it by the lot size and give them a different set of regulations. Mr. Shrum stated that down town was a B-3 zoning. Mr. Shrum stated to keep in mind the landscaping buffer because you want to picture what your end product for development would look like. We have an end product for parking, loading and landscaping. As far as the enforcement of regulations, if you don't want to enforce them, don't have the regulations.

Mr. Shrum stated he would provide monthly updates to the Commission.

Meeting was adjourned at 8:05 PM

ATTEST:

Sandi McKamey, MMC, CPM
City Clerk/Administrator