



PLANNING AND ARCHITECTURAL REVIEW BOARD MEETING MINUTES

Tuesday, April 08, 2025 at 5:30 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136

1. Call the meeting to order

Suzie Johnston called the meeting to order at 5:30pm.

2. Pledge of Allegiance

Suzie Johnston led the Pledge of Allegiance.

3. Roll Call / Determination of Quorum

Present: Suzie Johnston, Boudie Estberg, Barbara Revels, Joann Soman, Lisa Smith and Scott Chappuis

Absent: Paul Chestnut

Staff Present: City Attorney Drew Smith, City Planner Lupita McClenning and Secretary Michele Ficocello

4. Approval of Meeting Minutes

a. March 11, 2025

Barbara Revels made a motion to approve the meeting minutes; Joann Soman seconded. Motion passed unanimously.

5. Deletions and changes to the agenda

None

6. Old Business

None

7. New Business

- a. ORDINANCE NO. 2025-XX: AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING APPENDIX A, LAND DEVELOPMENT REGULATIONS, ARTICLE II, ZONING, SECTION 2.05.06, "HEIGHT REGULATIONS," OF THE CODE OF ORDINANCES; AMENDING THE METHOD OF DETERMINING ROOF HEIGHT FOR CERTAIN RESIDENTIAL ROOF-TYPES, INCLUDING GABLE, HIP, AND GAMBREL ROOFS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Drew Smith presented the item. Discussion ensued and included commercial vs. residential, using average between peak and eave to calculate building height, proposed amendment to add a forty-two (42) foot cap on building height, determining average lot elevation, building at a higher elevation in a flood zone effecting building height, existing code elevation regulations, building height is measured from finished floor elevation, recent ordinance amending base flood elevation was recommended at plus three (3) not plus two (2). Public comment was opened. Joseph Pozzuoli, local architect, spoke in favor of proposed amendment. Jordan Farkas, resident, spoke in regards to local regulations limiting height of electrical outlets and raising base flood elevation. Public comment was closed.

Joann Soman made a motion to recommend approval of item 7a.; Lisa Smith seconded. Motion passed unanimously after a roll call vote.

- b. ORDINANCE 2025-XX: AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING PROVISIONS OF APPENDIX "A," LAND DEVELOPMENT REGULATIONS, RELATING TO ARTICLE II, ZONING; AMENDING SECTION 2.06.02, "PARKING;" AMENDING THE SCHEDULE OF OFF-STREET PARKING REQUIREMENTS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR CONFLICT AND PROVIDING AN EFFECTIVE DATE HEREOF.

City Attorney Drew Smith presented the item. Discussion ensued and included challenges with calculating minimum parking requirements for restaurants, occupancy load vs. fixed seating, proposed amended ordinance eliminates secondary calculation of fixed seating leaving formula calculating occupancy load based on the square footage, proposed amendment is broadly applied but does not take away the existing exemption for certain districts, code section correction in amended ordinance on line 42 should read section 2.04.02.7.1. Downtown Design Guidelines Regulations, clarification on line 71 paragraph three (3) section 2.06.02 as it relates to proposed amendment, easing off on certain regulations with existing parking concerns when commercial property abuts residential property. Public comment was opened. No comments were received. Public comment was closed.

Lisa Smith made a motion to recommend approval of item 7b.; Barbara Revels seconded. Motion passed unanimously after a roll call vote.

- c. Discussion regarding irrigation requirements.

City Planner Lupita McClenning presented item. Ms. McClenning stated, after discussions with Elected Officials and City Management, they were opposed to requiring irrigation. The reasons for opposition included utilizing potable water to irrigate, simply the requirement itself and the City would not be irrigating the public parking lots. Ms. McClenning explained the public parking lots currently being updated will utilize a xeriscape, which needs to be established with water for at least a year. Ms. McClenning further explained, the way the Code is being interpreted by City Staff is you are not required to have an irrigation system, but you are required to submit a proposed irrigation plan which satisfies the regulations set by St. Johns River Water Management. The proposed amendment to the code would delete section 5.04.01 (n). Ms. McClenning stated Senate Bill 64, an unfunded mandate, will require the City to dispose of one million gallons of affluent a day by the year 2035. The City has already put in their first phase of purple pipe to assist with requirements. Further supporting documents were provided to the Board at the meeting (attached to minutes). City Attorney Smith directed the Board to the change in the language on page 17 of the agenda packet, the word proposed, which led to striking 5.04.01 (n) all together which would be the proposed ordinance. Discussion ensued and included further clarification on the purpose of this proposed ordinance, required screening, definition of xeriscape, types of screening, types of landscaping, reuse water, previous requirements by the City for reuse water, irrigation in public parking lots and enforcement of maintaining landscaping. The City Attorney clarified the proposed ordinance would clarify if you do not have a need for irrigation, you do not have to put in irrigation. The City Attorney advised the Board, they can make a recommendation of this item and Staff will draft a proposed ordinance for Commission consideration.

Lisa Smith made a motion to recommend approval as amended striking through Section 5.04.01(n) located on page 17 of the original agenda packet.; Joann Soman seconded.

Public comment was opened. Joseph Pozzuoli, local resident/architect, spoke about clarification of requirements and Caliber Car Wash history. Public comment was closed.

Motion passed unanimously after roll call vote.

8. Other Business

None

9. City Planner Report

a. Updates and Action Items: 2025 Work Plan & Timeline

City Planner Lupita McClenning presented the item and outlined the details included in the report.

10. Board Comments

Board comments included mirror lake district boundary, requirement of building on a stem wall in the mirror lake district and homes being built without a stem wall particularly a home being built now on S 26th, Daytona and Lakeshore, Discussion of the consequences for PAR Board Members missing more than two (2) consecutive meetings where the State requires a Board Member cannot miss more than three (3) consecutive meetings.

11. Adjournment

Vice-Chair Chappuis made a motion to adjourn the meeting; Boudie Estberg seconded the motion. Chair Johnston adjourned the meeting at 6:13pm.

Section 2.06.02.1 Off-street parking.

In all districts and in connection with every use, with the exception of those zoning districts within the Downtown Mixed-Use District and the Downtown A1A Retail Corridor as defined and regulated by Section 2.01.02.7.1 Downtown Design Guidelines, there shall be provided, at the time any building is constructed or any existing building is moved, altered, added to or enlarged or reconstructed, or if there is a change in the category of use listed in the schedule of off-street requirements which requires issuance of a new business tax receipt and/or certificate of occupancy, off-street parking space in accordance with the requirements as set forth herein.

(Note: Any nonconforming use may replace an existing nonconforming use if the parking requirements under the schedule are less for the new nonconforming use.)

- (1) Size and access—An off-street parking space shall consist of a parking space having minimum dimensions of ten (10) feet in width by twenty (20) feet in length for the parking of each automobile, exclusive of access drives or aisles thereto. The parking plan must be so arranged that each automobile may be placed and removed from the property without the necessity of moving any other automobile to complete the maneuver.

Street or sidewalk areas may not be used for off-street parking purposes as herein defined. Individual ingress and egress drives extending across the public sidewalks and curbs and connecting the off-street parking spaces to the public street areas shall not exceed a maximum of twelve (12) feet for a one-way drive and twenty-four (24) feet for a two-way drive. The number and placement of such drives is to be subject to the approval of the planning and architectural review board before being installed.

- (2) Number of parking spaces required—There shall be provided at the time of the erection of any structure or at the time any structure is enlarged or increased in capacity by adding dwelling units, guest rooms, floor area or seats, or at the time any use or occupancy of an existing building is changed to a use or occupancy which increases the requirements for off-street parking, minimum off-street parking facilities with adequate provisions for ingress and egress, in accordance with paragraph (1) of this section and the schedule of off-street parking requirements.
- (3) Location of parking spaces—Parking spaces for all uses or structures which are provided as required parking in conformance with the schedule of off-street parking and other applicable provisions shall be located within two hundred (200) feet and have the same zoning district, as the principal use or structure they are intended to serve.
- (4) Collective provisions—Two (2) or more owners or operators of buildings or uses of the same type of zoning classification requiring off-street parking facilities may take collective provision for such facilities, provided that the total of such parking spaces

when combined or used together shall not be less than the sum of the requirements computed separately and provided that the combined facility is compatible with the zoning uses being served.

- (5) Interpretation—The planning and architectural review board shall interpret the minimum required number of off-street parking spaces for any use not listed in the schedule of off-street parking requirements.
- (6) **Landscaping—All parking areas shall be properly screened, landscaped, and lighted in accordance with Section 5.04.00, Landscaping/Trees.**

Ten (10) percent minimum of the gross parking area is to be devoted to living landscaping, which includes grass, ground cover, plants, shrubs and trees. The gross parking area is to be measured from the edge of the parking and/or driveway paving and sidewalks, extended five (5) feet in all directions, but is not to include any area enclosed by the building or covered by a building overhang.

Such landscaping shall be maintained (i.e., watered, fertilized, pruned, etc.) and periodically replaced if necessary.

- (7) Perimeter screening—All parking lots and vehicular use areas shall be screened from all abutting properties and/or rights-of-way with a wall, fence, hedge or other durable landscape barrier. Any living barrier shall be established in a two-foot minimum wide planting strip. This living barrier shall be at least thirty (30) inches high at the time of planting and shall attain a minimum height of three (3) feet one (1) year after planting. A non-living barrier shall be a minimum of three (3) feet high at time of installation. In addition, one (1) tree in each forty (40) linear feet or fraction thereof shall be provided in the perimeter landscape planting area. Trees referred to in this section shall be of a species common to North Central Florida and having an average mature spread of crown of greater than fifteen (15) feet and having trunk(s) which can be maintained in a clean condition over five (5) feet of clear wood. Trees having an average mature spread of crown less than fifteen (15) feet may be substituted by grouping the same so as to create the equivalent of a fifteen-foot crown of spread. Trees species shall be a minimum of eight (8) feet overall height immediately after planting. Hedges, where installed, shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen thirty-six (36) inches high within a maximum of one (1) year after time of planting. The remainder of the required landscaped areas shall be landscaped with grass, ground cover, or other approved landscape treatment excluding paving. All property other than the required landscaped strip lying between the right-of-way and off-street parking area or other vehicular use area shall be landscaped with at least grass or other ground cover.

This shall include the off-property swale between the actual pavement of a public street or alley and the right-of-way/property line. Appropriate provisions of this section may be waived in the following situation:

Where a proposed parking area or other vehicular use area abuts an existing hedge, wall or other durable landscape barrier it may be used to satisfy the landscape barrier requirements of the subsection provided that said existing barrier meets all applicable standards of this ordinance and protection against vehicular encroachment is provided for hedges.

- (8) Interior landscaping —Interior areas of parking lots shall contain planter islands located so as to best relieve the expanse of paving. A maximum of twelve (12) parking spaces in a row will be permitted without a planter island.

Interior areas of vehicular use areas shall contain planter islands located so as to best relieve the expanse of pavement. This section may be modified under the following circumstances:

- (a) When a strict application of this section will seriously limit the function of an area the required landscaping may be relocated with the approval of the planning and architectural review board.
 - (b) In an industrial project the planning and architectural review board may lower the overall landscape area from ten (10) percent to five (5) percent of the gross parking area. This reduction would apply only to the interior requirements. Perimeter minimums will not change.
- (9) Planter islands shall be a minimum of fifty (50) square feet in area and shall contain at least one (1) tree having a minimum clear trunk of five (5) feet and a minimum overall height of eight (8) feet. The remainder shall be landscaped with shrubs, lawn, ground cover or other approved material not to exceed three (3) feet.

In instances where healthy plant material exists on a site prior to its development, the above-mentioned standards may be adjusted to allow credit for such plant material if, in the opinion of the planning and architectural review board, such an adjustment is in keeping with and will preserve the intent of this ordinance.

- (10) Lighting—All parking lots and vehicular use areas shall be well lighted. Lighting is to be designed not only from the standpoint of safety and resistance to vandalism, but for visual effect. It should avoid any annoyance to the neighbors from brightness or glare. Low lights of a modest scale can be used along with feature lighting emphasizing plants, trees, barriers, entrances and exits. The fixtures are to be selected not only for their functional value but for their aesthetic qualities. They are to be considered furniture of the parking lot visible both day and night.

Sec. 4.02.01. - Intent and purpose.

It is the intent and purpose of this division to implement procedures that promote water conservation through the more efficient use of landscape irrigation. The St. Johns River Water Management District has responsibility and exclusive authority under F.S. Ch. 373, for regulating the consumptive use of water and the declaration of water shortage emergencies.

Sec. 5.04.00. - Landscaping/Trees

Section 5.04.01 General criteria.

- A. Emphasis shall be placed upon landscaping as a means of achieving beauty in the community. It will be required on all projects, and in some projects and areas, it will be the primary tool available.
- B. Landscape design and planning shall be integrated with the overall area design concept and not be considered merely as an afterthought. Toward this end, proposed landscaping schemes will be evaluated as to their relationship to the existing natural landscape, developed and other proposed landscape, including those on adjacent properties and street rights-of-way and the building or buildings existed and proposed.
- C. The existing natural landscape character shall be preserved whenever possible. As an example of this, in an area containing a stand of trees, the developer should preserve as many of these trees as possible and further landscape in a complementary manner, rather than destroy the existing trees and replant with a type of vegetation foreign to the immediate natural environment.
- D. **Landscaping includes not only trees and plantings, but paving, benches, fountains, exterior lighting fixtures, fences, and any other item or exterior furniture.** All items of the landscape are to be selected not only for their functional value but for their aesthetic value, and must complement the whole.
- E. **One (1) of the uses of landscaping will be to screen. It is the masking out or concealing of any objectionable area. The achievement of this is left to the designer, whether by walls, fences, mounds of earth, or vegetation.** It must be complimentary to the whole as outlined above. Screening shall be employed in parking lots, and to mask from the public view of adjacent properties such service areas as trash and garbage areas, outside equipment of unaesthetic character, and accessory buildings or areas not enhancing or in keeping with the aesthetics of the project or neighborhood. Screening of air conditioning units and other mechanical equipment shall be accomplished in a manner that does not interfere with the proper operation and/or maintenance of such equipment.
- F. Landscaping shall be designed in such a manner as to impact its aesthetic character when viewed from any area accessible to the public or from adjacent properties. This is to include view from high rise and bridges.

G. All landscaping and plantings designated on the plans approved by the planning and architectural review board shall be installed in accordance with the specified height, spread and quality before a certificate of occupancy is issued.

H. Xeriscape landscaping techniques using native vegetation shall be required landscaping for all new construction.

I. Plant materials used shall conform to the standards for Florida No. 1 or better as given in "Grades and Standards for Nursery Plants", Part I, Current Edition, and Part II, State of Florida, Department of Agriculture, Tallahassee, or equal thereto. Grass sod shall be clean and reasonably free of weeds and noxious pests or diseases.

J. Grass areas may be sodded, plugged, spread or seeded except that solid sod shall be used in swales or other areas subject to erosion. Seed where used shall be of a variety which will produce complete coverage within ninety (90) days from sowing. Where other than solid sod or grass seed is used, nurse grass seed shall be sown for immediate effect and protection until coverage is otherwise achieved.

K. Installation—All landscaping shall be installed in a sound workmanlike manner and according to accepted good planting procedures with the quality of plant materials as described. All elements of landscaping shall be installed so as to meet all other applicable ordinances and code requirements.

L. Landscaped areas shall require protections from vehicular encroachment. Car stops shall be placed at least three (3) feet from the edge of such landscaped areas. Where a wheel stop or curb is utilized, the paved area between the curb/wheel stop and the end of the parking space may be omitted, provided it is landscaped in addition to the required landscaping provided. Car stops shall be located so as to prevent damage to any trees, fences, shrubs or landscaping by automobiles.

M. Maintenance—The owner, occupant, tenant and the respective agent of each, if any, shall be jointly and severally responsible for the maintenance of all landscaping. Landscaping shall be maintained in a good condition so as to present a healthy, neat and orderly appearance at least equal to the original installation and shall be kept free from refuse and debris. Any dead vegetation and landscaping material shall be promptly replaced with healthy, living plantings.

N. All **proposed** landscaped areas shall be provided with an approved irrigation system.

O. Drainage—Adequate drainage is the responsibility of the property owner and must be accomplished according to the Comprehensive Land Use Plan and wherever possible through natural means such as grassy swales.

P. All landscaping materials shall be either bonded or guaranteed by the owner of the premises for a period of one (1) year after the approval or acceptance thereof by the city.

Section 5.04.02 *Criteria for parking lots and vehicular use areas.*

(A) Parking lots and other vehicular use areas are to be designed as an aesthetic asset to a neighborhood and to the building, group of buildings, or facility they serve. A parking lot is to be considered an outside space, a transitional space which is located between the access (such as roads) and the building, group of buildings or other outside spaces, which it serves. The parking lot, because it is viewed from above as well as at eye level, should be designed accordingly.

(B) **Parking lots, vehicular use areas, and their parked vehicles are to be effectively screened from the public view and from adjacent property and in a manner that is attractive and compatible with safety, the neighborhood, and facilities served.**

(C) The atmosphere within the parking lot and vehicular use area is to be park-like rather than the harsh hardstand of paving. Trees are of primary importance in the landscape. They are not to be minimized in either height or quantity. The tree imparts, especially in a relatively flat area, a sense of three-dimensional space. It casts shadows that reduce the monotony of the expanse of paving and creates a refuge from the tropical sun. The pavement is to be more than wall to wall asphalt. It is recommended that pavement be varied in texture or color designating lanes for automobile traffic, pedestrian walks and parking spaces. Bright colored pavement is to be used only with restraint. In order to create a pleasant atmosphere, **it is recommended that consideration be given to sculpture, fountains, gardens, pools and benches. Design emphasis is to be given to the entrances and exits to the lot. Trash, refuse and unaesthetic storage and mechanical equipment should be screened from the parking lot.**

Comprehensive Plan 2018

9.0 - REUSE WATER PRACTICES

The city does not currently have a reuse system or service area, and will be conducting another Reuse Feasibility Study as required by its CUP. At such point that a reuse system becomes feasible, the city would then develop some reuse practice and incorporate into its comprehensive plan. However, the City's comprehensive plan already does contain some reuse practices, as summarized below.

Investigating use of gray water for irrigation in multifamily developments (Policy D.1.6.4)

** In 2018 the city did not have a reuse system. The city is currently installing its first annual phase of reuse from Moody Blvd to S 3rd Street.*

8.0 - WATER CONSERVATION PRACTICES

The city has implemented a variety of water conservation practices. For example, the city implements a water conservation rate structure. In addition, the city is implementing its Water Conservation Plan that was submitted as part of the CUP process. The City's comprehensive plan also includes other water conservation practices. A summary of these policies is below. The City plans to maintain these practices and improve upon them when feasible.

- Implementation of City's Water Conservation Plan (Policy D.1.6.2)
- Implementation of water conservation rate structure
- Requirements for native plants (Policies E.2.5.3 and E.2.6.3)
- Education program (Policies D.1.6.2)
- Building regulation enforcement (Policies D.1.6.1-D.1.6.5)
- Monitoring water consumption trends (Policy D.1.4.1)
- Intergovernmental coordination of water conservation (Policies G.1.4.4-G.1.4.7)
- Coordination for limiting landscape watering (Policy D.1.6.2)
- Metering requirements (Policy D.1.6.5)