

**CITY OF BROOKSVILLE
WORKSHOP
COUNCIL CHAMBERS
201 HOWELL AVENUE
MINUTES**

April 11, 2011

6:00 P.M.

Brooksville City Council met in workshop session with Mayor Frankie Burnett, Vice Mayor Joseph E. Johnston, III, Council Members, Joe Bernardini and Lara Bradburn present. Also present were Thomas S. Hogan, Jr., City Attorney; T. Jennene Norman-Vacha, City Manager; Janice L. Peters, City Clerk; Steve Baumgartner, Finance Director; Mike Walker, Parks and Recreation Director; Bill Geiger, Community Development Director; Richard Radacky, Interim Director of Public Works and Tim Mossgrove, Fire Chief.

The meeting was called to order by Mayor Burnett.

LAND DEVELOPMENT CODE

Review and discussion of the proposed Land Development Code (LDC).

Director of Community Development Bill Geiger indicated this is the third meeting to review the Land Development Code.

City Planner Steve Gouldman advised there are very few changes which he reviewed as follows:

Article I: General Provisions

Page I-5; Section 1-3.9 Rules of Construction; Paragraph B. Debt or Pledge

- Due to the issue with Southern Hills Plantation, Council Member Bradburn suggested clarifying the verbiage and he is working with City Attorney Rey to add language.

Article II: Zoning Districts, Uses and Lot Requirements

Page II-2; Section 2-1.2. Establishment of Zoning Districts; Paragraph 2.c. C1 Pedestrian Commercial district

- The description pertains to commercial activities in a relatively large trade area and major shopping facilities and is oriented towards general commercial activities. This is not a pedestrian oriented district so staff is going to appropriately rename it to "General Commercial District".

Page II-8 Table of Allowable Uses; Portable Temporary Storage Units and Cultural/Institutional Uses; Community Centers

- Portable Temporary Storage Units has been added as Conditional Use in the Commercial and Commercial and Industrial Districts.
- Community Centers will be changed from Permitted Use to Conditional Use.

Page II-16 Table of Allowable Uses; Neighborhood and General Public Service and Emergency Service Uses; Ambulance Services

- Ambulance Services will be changed from Permitted Use to Special Exception Use since there was not a lot of difference in impact of noise than Fire Stations, which is listed as Special Exception Use.

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Page II-17 Table of Allowable Uses; Railyards & Terminals

- Railyards & Terminals were added as Special Use under Commercial Districts C-1 and C-2 which, will bring this type of petition to City Council for a Public Hearing.

Page II-20 Footnotes; Number 5

- Clarification on building setbacks, “the edge of right-of-way” was added. He also added “City Council shall be notified of exceptions granted”.

Mayor Burnett suggested changing “shall” to “will”. City Planner Steve Gouldman stated he will make the change accordingly.

Article III Special Districts and Development Options

Page III-7 Downtown Overlay District; 2. Sign Standards; f. Projecting Signs; iii.

- There are some signs in the downtown area that hang over the public right-of-way so he proposed to change verbiage to “...it shall not extend beyond the back of the curb” or if no curb exists “...not beyond the edge of pavement”.

Council Member Bernardini asked is the lighting of the signs being addressed in any way. Steve Gouldman indicated this section does not address that issue. Council Member Bradburn advised Hillsborough County has addressed this issue on billboards by rating the lumens. Council Member Bernardini advised there is a sign on US19 that Hernando County needs to address. Director Geiger pointed out it is addressed under Article VII Sign Regulations Page VII-6 C. Lighting. He stated billboards are defined under freestanding signs regulation which has not been argued or challenged and confirmed he will look into the way the County is handling the situation and address it as necessary.

Article IV General Requirements and Supplemental Regulations

Page IV-7; Preliminary subdivision plat; 2.d. Vicinity map

- Verbiage was added to state “within a five-mile radius of the site”.

Page IV-22 Streets; 6.d. Improvements

- “Required sidewalks shall be constructed prior to the issuance of a Certificate of Occupancy” was added and F.S. was changed to read “Florida Statutes”.

Page IV-28; D. Stormwater Management Regulations; 2.

- “detention ponds” was added.

A brief discussion ensued regarding utilizing detention pond areas for community athletic fields when they are dry.

Page IV-29; F. Potable Water System and G. Wastewater System

- City Planner Steve Gouldman stated same language was added regarding sanitary and sewer and waterline.

Page IV-59; Number 11. Prohibited trees

- The list of prohibited trees was replaced by “All species listed in the Florida Exotic Pest Plant Council’s *Invasive Plant Species List* shall not be planted within the incorporated City.”

City Attorney Rey suggested adding “as amended” and Mr. Gouldman stated he would make the change accordingly.

Page IV-109; Number 2. Animals

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City Planner Gouldman recommended instead of maximum of four livestock animals and ten livestock fowl shall be permitted adding "...on residentially-zoned properties" to have some limit on the numbers.

He proposed adding Number 4. "Properties annexed in the City with ongoing agricultural uses shall be able to continue". Council Member Bradburn stated there is going to be more of a need for self sustainability in the future and residents should be allowed to have a couple chickens, as long as they are not roosters, on their property, including annexations. City Planner Gouldman clarified all annexations would continue as a Hernando County legal non-conforming use designation, but he did not agree with chickens being allowed in an urban setting and pointed out it could be changed in the future if the need arises.

Vice Mayor Johnston pointed out that ostriches or peacocks would pose a problem in residential areas. City Planner Gouldman advised that there is a minimum lot size of ten (10) acres required to raise livestock on residentially-zoned properties and indicated there are currently three (3) agricultural properties located within the City.

Director Geiger stated staff will work on language addressing the agricultural issue to prepare for future annexations that are adjacent to residential properties.

Page IV-130; Section 4-8.46. Neighborhood/Community Fair; Section B.

City Planner Gouldman indicated this subject was discussed but he did not make any changes because the definition of a fair includes block parties and a street closure permit would also have to be acquired. He further clarified this does not pertain to private events held within the confines of the owner's property.

Page IV-132; Section 4-8.49. Portable Temporary Storage Units on Single-Family Lot

- Number 2. "A sticker shall be affixed by the portable storage unit's owner to all portable storage units indicating the most recent delivery date, on which the portable storage unit was delivered to a property" was added.

Council concurred to change seven (7) days to two (2) weekends or fourteen (14) days. Director Geiger pointed out a caveat under B. that allows an extended stay of more than seven (7) days on single-family lots for permitted construction activity. City Planner Gouldman stated he would change it to fourteen (14) days along with "single-family lots" to "properties" under A. and B. and eliminate "single-family" under B. in the last sentence.

City Attorney Rey asked if this change would affect Wal-Mart and Lowe's having container storages in the back during season sales. Director Geiger stated that is addressed as part of the use of commercial property and there are specific areas that cannot be utilized for seasonal storage containers. City Planner Gouldman further clarified that businesses are not allowed to utilize storage containers as a permanent solution for additional storage space.

Pages III-16 Section F. Notice Number 3. and VIII-32 Number 2. Planning and Zoning Commission Hearings

City Planner Steve Gouldman stated with a variance for Special Use there is a required certified mail notice to property owners within 150 feet of that property. Council Member Bradburn noted that 150 feet does not cover many property owners and should go out further but cost was a factor. He proposed sending notice those within 150 feet via certified mail and then another 150 feet via regular mail covering a 300 foot radius at a lesser cost.

Discussion of variance signage followed in which Director Geiger indicated the signs have been increased in size as requested by Council Member Bernardini. Council Member Bradburn suggested the developer post and maintain signage for both hearings. Director Geiger confirmed that he

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would change verbiage accordingly and assured Council that City staff sends out notifications prior to the Planning and Zoning Commission hearing and documents their efforts with pictures of signage and copies of notices. Vice Mayor Johnston suggested verbiage that the petitioner is responsible for maintaining the sign on the property as designated through the date of final hearing. Director Geiger suggested the petitioner sign an affidavit to that effect, stressing that failure to follow the terms could delay the hearing.

City Planner Steve Gouldman indicated he will make the changes from tonight and send a draft copy to Planning and Zoning Commission Members, the Board of Realtors, Hernando County staff and Builder Association. He anticipates bringing it back to the Planning and Zoning Commission in June then back to City Council in the latter part of August or September.

Council Member Johnston asked about parking requirements. Council Member Bradburn pointed out handicap parking was discussed by Council but was not listed. She also stated the parking lot at Publix is never full and suggested parking requirements be modified. City Planner Steve Gouldman stated that with sustainable growth parking has become an issue. He stated the City's minimum parking requirement is generous and suggested the minimum shall be the maximum. During the holidays the retail stores need more space than usual and are handled through a Planned Development District to require bio-retention areas, pedestrian connections or more landscape areas for additional parking. Council Member Bernardini pointed out the Publix Shopping Center has many businesses that are currently vacant and will require use of those spaces once they are occupied. Director Geiger indicated the shopping center was built after the requirement was reduced to five (5) spaces per thousand from eight (8) spaces per thousand for retail centers noting staff is encouraging stabilized parking with impervious surfaces and more open space instead of asphalt and concrete.

Council Member Bradburn stated she admires the winding tree-lined roads in Tallahassee and Brandon and she has a vision to bring that same atmosphere to the City of Brooksville. Director Geiger suggested the streets be reviewed to retrofit during redesign process through Public Policy. Council Member Bernardini stated he would rather have straight roads with no trees to obstruct his line of vision while he is driving.

Mayor Burnett commended staff for their hard work on amending the Land Development Code.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 7:10 p.m.

Attest: Frankie Burnett
Mayor

James L. [Signature]
City Clerk

