



**CITY OF ST. PETERSBURG
COMMUNITY PLANNING & PRESERVATION COMMISSION
PUBLIC HEARING**

**The Sunshine Center, Auditorium
330 Fifth St. N.
St. Petersburg, FL 33701**

**DECEMBER 10, 2019
TUESDAY
2:00 PM**

MINUTES

Present: Jeff Rogo, Chair
Christopher "Chris" A. Burke, Vice Chair
Keisha A. Bell
Will Michaels
Gwendolyn "Gwen" Reese
Lisa Wannemacher, Alternate
Sharon Winters, Alternate
Thomas "Tom" Whiteman, Alternate

Commissioners Absent: Jeffery "Jeff" M. Wolf

Staff Present: Elizabeth Abernethy, Director Planning & Development Services
Derek Kilborn, Manager, Urban Planning & Historic Preservation
Britton Wilson, Planner II, Urban Planning & Historic Preservation
Ann Vickstrom, Planner II, Urban Planning & Historic Preservation
Michael Dema, Assistant City Attorney
Heather Judd, Assistant City Attorney
Katherine Connell, Administrative Assistant, Planning & Development Services

The public hearing was called to order at 2:00 p.m., a quorum was present.

I. OPENING REMARKS OF CHAIR

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE AND SWEARING IN OF WITNESSES

IV. MINUTES

The minutes from the November 12, 2019 meetings were approved by a consensus vote.

V. PUBLIC COMMENT – None**VI. QUASI-JUDICIAL PUBLIC HEARINGS****A. City File FLUM-57 Contact Person: Ann Vickstrom, 892-5807**

Request: An amendment to the Future Land Use Map (FLUM) from Institutional (I) to Planned Redevelopment-Commercial (PR-C) to allow for consistency to the Future Land Use Map, Comprehensive Plan, and Land Development Regulations.

Staff Presentation

Ann Vickstrom gave a PowerPoint presentation based on the Staff Report.

Applicant Presentation

Applicant Carlos Yepes, Manager of 2500 34th Street, LLC. was available for questions.

Registered Opponent

None.

Public Hearing

None.

Cross Examination:

City Staff:
Waived.

Applicant:
Waived.

Rebuttal/Closing Remarks

City Staff:
Waived.

Applicant/Owner:
Waived.

Executive Session

Commissioner Rogo: Commissioners we are in Executive Session, any questions, comments, by Commissioners or a motion?

Commissioner Burke: Obviously this is a pretty easy one, it makes perfect sense. It is just another example where we say everything, that is meets the infrastructure standards and we just keep kicking down the road the storm sewer and sanitary sewer. We have to stop sometime, right? There is no reason that we would reject this.

Commissioner Michaels: Yes, I think we have discussed that many times and the City is making good progress there but the level of service standard in particular and the ten (10) year flood factor that is used, I think that needs to be reviewed. On the whole I think the Applicant and the Staff have made a good case here for the request in particular they site policy LU3.6 which talks about weighing heavily the established character and this application does that. I move approval.

Commissioner Wannemacher: Second.

Commissioner Rogo: We have a motion and a second, any further comments or questions? Hearing none, clerk.

*Commissioner Michaels made a motion finding consistency with the City's Comprehensive Plan and Land Development Regulation.
Commissioner Wannemacher Seconded*

MOTION: *Approval of FLUM-57 application*

VOTE: *YES – 7 – Bell, Burke, Michaels, Reese, Rogo, Whiteman, Winters
NO – 0*

B. City File ZM-9 Contact Person: Britton Wilson, 551-3542

Request: An amendment to the official zoning map to change the zoning designation from Neighborhood Mobile Home (NMH) to Neighborhood Suburban Multi-family -1 (NSM-1) located at the site of the Lamplight Village mobile home park located at 8700 4th Street North.

Staff Presentation

Britton Wilson gave a PowerPoint presentation based on the Staff Report.

Applicant Presentation

Applicant Carlos Yepes, Manager of BDG Lamplight Village, LLC. was available for questions.

Commissioner Burke: Have you finalized your plans, are there any plans for affordable or workforce housing on this site?

Carlos Yepes: Under the current NSM-1 guidelines you are allowed to increase density and provide some workforce housing. We are looking at all of the options and we also have the new Coastal High Hazard Amendment that is going to pass. We are contemplating with Staff for the last four months. We are happy to see that happen in the City to allow us to build some workforce housing.

Commissioner Burke: Those plans are not finalized?

Carlos Yepes: Correct, no final plans yet, we are looking at the amendment that is going to happen and we expect that amendment to pass and hopefully it will pass and become the new rules by May of this coming year. We are integrating two plans, one with the current zoning that we are proposing and one with the added units.

Commissioner Burke: Thank you.

Registered Opponent

None.

Public Hearing

Mr. Aaron Malice, 603 86th Ave. N., attended to find out how large the project would be and get more information on the matter.

Cross Examination:

City Staff:
Waived.

Applicant:
Waived.

Rebuttal/Closing Remarks

City Staff:
Waived.

Applicant/Owner:
Waived.

Executive Session

Commissioner Rogo: We are in executive session, Commissioners any comments or questions?

Commissioner Winters: At the bottom of page 5 of the Staff Report there is information around one hundred and twelve (112) occupied mobile homes on the subject property and that with the option of workforce housing density bonus there would be 129 units in the new construction. Because this is in a Coastal High Hazard Area (CHHA) and flood evacuation zone in A, which makes it a really vulnerable property, it was previously mobile homes, but the current Comprehensive Plan language says that there will be no increases in density. This is effectively what's happening, there will be more people. I understand that there is underlying zoning that allows fifteen (15) units per acre. I assume that the mobile homes are not consuming that much. Technically this is an increase in density in a CHHA and that concerns me, if someone can comment on that.

Britton Wilson: Yes, the strict interpretation of that policy is no new increases in land use density, which this is not proposing any. However, your point to allowing density of workforce housing bonus that was incorporated into City Codes before the contemplation of the overall CHHA issues before us. It has not been excerpted out of that publication.

Commissioner Rogo: I am not sure I understand what you mean. Does that mean they can, if we give approval?

Britton Wilson: It is considered a density bonus, and that the density does not count and that is an incentive to encourage developers to build workforce housing. That is the way the ordinance has been developed for the

past decade.

Derek Kilborn: That is correct, the time that the prohibition would be applied to an application is if there was a map amendment request to the Future Land Use Map (FLUM). In this particular case because there is no change to the FLUM then that particular provision prohibition is not triggered. That is why this particular application is allowed to move forward even though it is in the Coastal High Hazard Area, separate from other applications that might also include a FLUM amendment.

Commissioner Withers: Just so I am clear, you are saying the affordable housing bonus overrides the prohibition on increases in density in Coastal High Hazard Areas.

Derek Kilborn: I am saying that the workforce housing bonus is interpreted as part of the zoning category and again the prohibitions only apply when we are looking at an amendment to the Future Land use Map. One does not apply here, that prohibition is not applied to this particular request.

Commissioner Reese: This is even a little more confusing to me because we are using different labels. Are we using different labels for the same thing? Are we saying, affordable housing, workforce housing what is the difference what is the similarity are they used interchangeably, and it would be less confusing if they were not? Would you clarify that please, which of course is completely different from low income housing, can you please tell me the difference, the similarity and what you are calling affordable and what you are calling workforce.

Derek Kilborn: Yes, I am sorry, workforce housing is the technical term that is used in the City's Land Development Regulations (LDR) and that is what the original question was speaking to. Is the density bonus for providing workforce housing units, that particular term has a very specific meaning. It is referring to units that are rent or fee-simple price regulated at 80/100% and 120% of area median income. The more generic term, affordable housing, is used very loosely but does not have a technical term in the sense of the code. For us workforce housing is the term that we use when discussing density bonus.

Commissioner Burke: We had a comment from Mr. Malice, of the public. He is a concerned neighbor; can you at least give him some idea of what some of the limitations are in this land use and zoning for height and things like that, at least some general information?

Britton Wilson: Yes, I will meet with the resident after this meeting. I will give him my card and go over the details.

Commissioner Burke: Thank you.

Commissioner Rogo: Commissioners do we have a motion?

Commissioner Burke: I make a motion that we approve based on the City's recommendation.

Commissioner Bell: I Second.

Commissioner Burk made a motion approving the application based on Staff's recommendation.

Commissioner Bell Seconded

MOTION: *Approval of ZM-9 application*

Marina District when this was occurring. The cards were originally designed because we were trying to get fifty percent (50%) of the residents along 37th Street, that was the initial design. We could not limit the cards being sent out just to 37th Street residents, we had to send it out to the entire, Maximo and Broadwater and all those. The initial reason was to get fifty one percent (51%) of the residents along 37th Street, by just checking, all we were looking for was fifty one percent (51%) of the residents along 37th Street.

Commissioner Reese: That still does not clarify for me why people were not given the choice of checking opposition or support, either way.

Jack Dougherty: Because, at that point we were thinking that we only needed fifty one percent (51%) support, we were just looking for support for the residents along 37th Street just the support number.

Commissioner Bell: Would it then be correct to, with your rationale, that those who did not respond, did you do some type of math to then take into consideration that those who did not respond may have been against?

Jack Dougherty: We thought that the meetings themselves with people who were in opposition that they would come and express their opposition at the meetings themselves. We were just looking for support for the idea. If there was not support for the idea, if people did not think it was a good idea, we would not have gone forward with it. Just to give you an indication, the way it was originally done, is the board itself, there were nine (9) members of the Skyway Marina District Board, we were throwing out ideas as to how to brand the area better. This was one of the ideas we came up with eight (8) of the nine (9) members voted to go this direction, then we were looking for, the board thinks this is a good idea, do the residents of the neighborhood think this is a good idea also. That is why those cards were sent out, those were originally sent out way back in 2018. We have been working on this for two (2) years now. I can talk about the concerns about the FDOT also if you would like to at this point.

Commissioner Rogo: Sir, I think you have given us a card so maybe in your three (3) minute presentation, if you would address that for us.

Applicant Presentation:

None.

Registered Opponent

None.

Public Hearing

Helen Larson, 4201 37th Street S. spoke in opposition to the application;
Dave Buschman, 429 77th Ave. N. did not speak and did not support or oppose the application;
Jack Dougherty, 4601 34th Street S., spoke in support of the application.

Commissioner Reese: I just wondered, for Staff, I know recently part of Interstate 275, it is either 175 or 375, I never remember which that was renamed/co-named the C. Bette Wimbish Highway. I know it is not impossible, I just wanted to get any ideas from Staff. I know it may be difficult, many things are, but I know it is not impossible if they were able to get part of an interstate co-named. Can you give me a little bit more clarification?

Derek Kilborn: It is 375, the one you are referring to. It is my understanding that those names have been applied through acts of the State Legislature. That is a very unique action at a very high level, and I do not know that a rename or a co-name in this instance would rise to that level of action. We as Staff have deferred to the actions of the Skyway Marina Board and the conversations that they have had with FDOT on this question.

Frank Bozikovich, 4485 37th St. S., spoke in opposition of the request.

Lowell Dexter, 4255 37th Street S., spoke in opposition to the request.

Executive Session

Commissioner Reese: I am not going to vote in favor of this for several reasons. I have been concerned over the increase in requests we have been getting for co-naming and renaming streets throughout the City. I am very familiar with this area and I know that there is only, maybe from 46th Avenue to wherever the Publix shopping center is, that would be commercial in both sides. Maximo Marina on one side and the back of the shopping center, where the UPS Store is on the other side and then around to Publix, one side is the Publix shopping center, but the other side is Maximo Moorings residential. It is more residential than anything, it is a single lane road. There is already traffic problems on it. I am not going to vote in favor of this co-naming. I just wanted to speak clearly to my reasons or my rational, why, thank you.

Commissioner Michaels: Well it is, again one of these for me, it is difficult decision. We have a Staff report which is saying that the proposal meets five (5) criteria and is partial meeting one (1) of them, the issue being the duplication of parts of the name. Yet we have the folks who live on the street here, that are very concerned about this long term on their street. I guess I am just pointing out that there is a balance here.

Commissioner Winters: I also have a concern about the co-naming/renaming issue and the, I guess as a tax payer I am concerned about the Staff time that goes into these. I really think, it was pointed out in the Staff report there are lots of ways to market an area. I understand the reason behind wanting to do something, but I think you can do a lot with signage and other forms of marketing that will also have impact.

Commissioner Rogo: I too am a nearby neighbor, Isla Del Sol, I travel through the Marina District, Skyway Marina District, at times during my day and I see the two (2) attractive monument signs that are both pretty much on 34th Street and the district is trying to brand itself as a business district a mixed use center and there again I see 34th Street or US 19 as the location, business center or the mixed use center, not 37th and I too am. I wish you could have spent two (2) years on 34th and see where we stand as opposed to having to kind of push the 37th re-naming and now co-naming. Any further comments Commissioners or a motion? Legal if you can maybe help, the Staff recommendation is against, should our motion be positive?

Attorney Dema: It must be, so you have to move approval, and then vote accordingly.

Commissioner Reese: I move approval of the Staff's recommendation as listed in our report.

Commissioner Rogo: I am not sure...we can't do that.

Attorney Dema: You must move approval of the application for the co-naming and then vote accordingly.

Commissioner Burke: I will make a motion that we approve the co-naming of the street as presented by the Applicant.

Commissioner Whiteman: So, do we add conditions in the Staff report?

Commissioner Burke: Subject to the final condition of the Staff recommendation.

*Commissioner Burke moved approval of the request subject to Staff recommendations.
Commissioner Whiteman seconded.*

MOTION: *Motion failed.*

VOTE: *YES – 0
NO – 7 – Bell, Burke, Michaels, Reese, Rogo, Whiteman, Winters*

B. City File LGCP-2019-03 Contact Person: Britton Wilson, 551-3542

Request: This is a City-initiated amendment requesting to amend the Comprehensive Plan pertaining to provisions of the Coastal High Hazard Area (CHHA). The proposed text amendments would allow consideration of land use plan amendments, which increase density subject to balancing criteria.

Staff Presentation

Britton Wilson gave a PowerPoint presentation based on the Staff Report. Elizabeth Abernethy was available for questions.

Commissioner Rogo: Commissioners, questions for Staff?

Commissioner Winters: On Criteria J:

Location within an Activity Center, Target Employment Center, Special Area Plan or Multi-modal Corridor – the requested amendment is within and existing or proposed Activity Center.

Proposed, are there areas that are proposed that you do not really know about? That seems...

Britton Wilson: An application can be made in the future for expanding or creating a new Activity Center, it would follow the land use map amendment process.

Elizabeth Abernethy: Elizabeth Abernethy, Director of Planning and Development, to just further what Britton was saying, it is conceivable that when we are done with our 2050, we are going to be looking at our Activity Centers and Employment Centers and we could be expanding those depending on what we hear from the community through the 2050 process. There is nothing currently on the table to change anything but that could be a result of our 2050.

Commissioner Winters: How long have these been in place? I am new to the state I do not have the history. Have we been doing this for a long time, creating these Activity Centers?

Elizabeth Abernethy: I will defer to, I know the answer is yes, but I know that...

Derek Kilborn: I am not sure the exact time, at least two (2) decades. It definitely goes back beyond two (2) decades but my experience with the City has been nineteen (19) years. It definitely existed pre nineteen (19) years.

Attorney Dema: Special area plans were like the DRIs (Development of Regional Impact), in the Gateway area and Intown and those go back to the early 80s.

Commissioner Winters: So, you can say there has been a lot, a good bit of investment in these areas.

Derek Kilborn: That is correct, what is probably more familiar to this Commission in terms of Activity Centers, Special Area Plans would be the Innovation District. The district was just recently classified Activity Center as well as Central Avenue. You will recall there was a Central Avenue Revitalization Plan in 2012. Following that, the Central Avenue spine was made an Activity Center to reflect the initiatives in that plan. That reflects, I think, why these particular references are in here as it requires more front-end planning work in order to be established as an Activity Center. When you look at Central Avenue and the Skyway Marina District, when you look at the Innovation District, there was a very extensive planning process over several years that led up to, first the plan and then the Activity Center designation that followed. Because of the planning work that goes into those particular initiatives, those are seen as a little different than the generic application that might just come in over the counter to rezone from Neighborhood Suburban (NS) to some other higher threshold.

Commissioner Winters: Thank you, I guess my concern is the word proposed in there, because essentially it opens us up to just creating new lines to fit within the proposal.

Derek Kilborn: The word proposed is designed to allow for some of that flexibility that was basis for this conversation in the first place. Acknowledging that in order to become one of those categories listed, they are going to have to go through a more detailed planning process upfront. Any conditions that might be unique or specific to a particular location and concerns especially with coastal resiliency, could be worked in on the frontend to that planning document and the overall masterplan, for that area.

Commissioner Winters: Thank you, I appreciate that information very much.

Commissioner Rogo: Commissioner Michaels, you had a question?

Commissioner Michaels: I have a few questions, if my questions go to long, if somebody has a question I can stop and then comeback. With the process, I have spent a lot of looking at this, to me this is the most important issue to have been brought before the Planning Commission in six (6) years or so. I think, as we all do, needs to be looked at very carefully. We did get, today, we got the additional proposal or recommendation that makes four (4) of the criteria be weighted as mandatory minimum review criteria, etcetera. I just want to clarify that, are we saying that an application that came before the Commission would have to meet all four (4) of those criteria?

Britton Wilson: Yes, sir that is correct.

Commissioner Michaels: Thank you, I had some questions about the policies, and one is the policy that relates to not increasing infrastructure or services, CM 10A. My question there is, why are services being deleted?

Britton Wilson: It was Staff's concern that that was restricting the ability for police and fire to offer services to this area and that was not what was intended.

Commissioner Michaels: Okay, it would seem to me that the reason for that policy would be the concern about increasing density in the Coastal High Hazard Area (CHHA) putting an additional burden on the City services. I am just speculating here, that may be the reason why that was removed. I noticed where the policies that are being consistent with this proposed change, CM 10B what is omitted is City shall direct population concentrations away from known or predicted Coastal High Hazard Areas consistent with the goals etcetera. What was the reason for omitting that?

Elizabeth Abernethy: I will jump in, it is not the intention of the City to start directing populations to the CHHA. We did not see a need to change that, that is still the policy. Now a change that allows incremental or de minimus additional population, additional people, we do not see as directing population to the Coastal High Hazard Area. We would not see an inherent conflict in an application coming forward say on a mobile home site that changed the density from fifteen (15) to twenty four (24) units per acre as directing population to the Coastal High Hazard Area. Did that answer your question?

Commissioner Michaels: I think so.

Elizabeth Abernethy: We want to keep that policy about, where we are directing our population as is.

Commissioner Michaels: But it is not listed as a policy that proposed changes in keeping with, is was not one of your polices.

Elizabeth Abernethy: We are not asking for any changes to that policy.

Commissioner Michaels: You are not asking for any changes to a dozen policies, what you are citing as being consistent with this proposed change?

Elizabeth Abernethy: Okay I understand what you are saying, I thought you were asking why we weren't proposing to change it, I misunderstood.

Commissioner Michaels: So, is that just an oversight, an error?

Britton Wilson: Oversight.

Commissioner Michaels: Oversight, okay. Then I guess a legal question, would be how do we make a finding of consistency with the Comprehensive Plan when we are proposing to change an important part of that plan?

Attorney Dema: That is an amendment has to be consistent with the overall plan, because you are changing it, does not mean you cannot make the finding of consistency. You are looking at the entirety of a three hundred (300) page plan and some limited, some amendments to that and how do they fit in with the overall tenor of the Comprehensive Plan and Staff has set forth those dozen or so policies that they think establishes the grounds for finding that consistency and will likely add another one based on your suggestion Commissioner Michaels. Generally speaking, the consistency finding for amendments is done based on the balance of what is left in the plan and you see how that fits in with it going forward.

Commissioner Michaels: Even though we are changing an important part of the Comprehensive Plan the proposed changes on balance, doing the balancing, would be other policies that there is harmony there. We can then make a finding of consistency, that helps. I did prepare a memorandum for the Commissioners, I understand that it has been distributed, I had some proposals for strengthening, I guess one of my concerns with

what has been presented to us and I might say, I do think that providing some flexibility is appropriate here. What I am concerned about is that the flexibility may lead to very significant changes in the density of our residential population in the Coastal High Hazard Areas. That would be unacceptable, and we cause problems for our City so I am trying to find ways to limit if you will the density that might otherwise occur. One proposal was to designate criteria G also as a minimum mandatory criterion. Perhaps making exceptions for mobile homes and trailer parks which are obviously very vulnerable, and it would be desirable to replace them. What does the Staff think about that, designating criterion as mandatory?

Elizabeth Abernethy: Well. I can see that, there could be situations where that might be too limiting. What comes to my mind is, say a redevelopment of a shopping center on MLK or 16th, that currently might have fifteen (15) dwelling units per acre, we want to increase that to be more consistent with our multi-modal corridor strategies and policies by allowing redevelopment with mixed use and I can see where we might support increase say from fifteen (15) to twenty (20) dwelling units per acre. Instead of townhouses we can have a multi-family project in concert with a mixed-use commercial project. Those are kind of circumstances where I would think that the policies about supporting multi-modal transit and land use types that help to drive transit might be weighed against the concern of an additional thirty (30) or forty (40) units being placed in a Coastal High Hazard Area. That was our concern that it might be too limiting to some of the other policies that might.

Commissioner Michaels: What if instead, in the words of the Staff memos so forth were two (2) one was mandatory one was the other was prioritized or priority. What about instead of using mandatory we can use the word priority there? In other words if we got, we got an application which says yes we are going to replace this mobile home park but it is going to increase the density on that particular site to some extent, not an unreasonable extent, and at the same time we were undertaking some action that would reduce density on another site. That would seem to me to be an obvious thing for the Commission to approve and then we would make that a priority.

Elizabeth Abernethy: So, I am almost hearing, make three (3) tiers, a mandatory then a higher priority and then a lower priority?

Commissioner Michaels: That would be true, you would have the four (4) mandatory and then after the four mandatory the remaining criteria that particular one would be prioritized, in other words, if you had an obligation that proposed to increase density on one side but reduce it on another side so that there was no net increase in density then that would be considered, what is the language we have been using, great weight would be given to that including the application.

Elizabeth Abernethy: I hear what you are saying, I have to think about how we would word something like that. I do understand what you are trying to do, is trying to set three (3) different tiers of priority for the criteria.

Commissioner Michaels: That would be the case...

Attorney Dema: I just want to flush that out make sure I understand what you are saying Commissioner Michaels, and I apologize for interjecting. I think the situation is a little, it would present itself in fewer circumstances than you would think. I think an applicant would have to have control of enough property within the CHHA where they were seeking the density increase, they could also go to another piece of property they owned and downzone their property essentially. In a case where an applicant is seeking simply an increase in density or intensity, I do not think the City could unilaterally come in and try to downzone something else unless they had control of, unless we had control of the property. I think the situation would present itself

maybe not that often unless they were larger parcels or multiple parcels and under the ownership of a particular applicant. To make it mandatory would be...

Commissioner Michaels: I understand it would not be frequent, but it would likely happen. Apparently, it would happen enough so that you have included as a criterion in the proposed...

Attorney Dema: Right, I guess that would be my argument against it being mandatory.

Commissioner Michaels: Pushing aside mandatory the it would be designated as a priority. Again, Staff are using the word priority maybe we need to define what you mean.

Elizabeth Abernethy: That is one of the criteria that came through the County, that was in the Countywide Rules not one that we drafted internally. That is something again that we are, unlike the County or the Special Planned Area, to begin with to be able to, where somebody could control multiple parcels. Your language about reducing the mobile homes and trailers, it is really captured in our L, which is reduction of storm vulnerable structures. That is the new criteria that we were proposing that we would want to do a balancing criterion as well.

Commissioner Rogo: May I ask, maybe for additional clarification on that. I think I know the answer but let's try it out anyway. Are we talking about a single owner or take a case like and Activity Center, lets say Carillon, someone who is with in the CHHA has come to us and asked for an increase in density on one parcel within Carillon. Can they propose or could the City impose a reduction in density in another part of Carillon or another part of the Activity Center? Does it need one owner?

Elizabeth Abernethy: Or an owner's consent. We would want the consent of owners.

Commissioner Rogo: That is what I thought the answer was but thought I would broach that to see if that flew at all to what you are striving to accomplish. (To Commissioner Michaels) I am going to take you up on your offer and ask a couple of questions, maybe some other Commissioners have some as well. We are pleased to come back to you because you have put a lot of time and thought into this issue. Ms. Wilson, did you say that forty-one percent (41%) of the City's area is now included in the CHHA, four (4) one (1) forty one percent?

Britton Wilson: That is correct and looking for the land use map showing percentage of which land use category is actually in the Coastal High Hazard Area. We have twenty five percent (25%) area is preservation twenty three percent (23%) is low density residential, water is another ten percent (10%).

Commissioner Rogo: It just appears to be something less than forty one percent (41%) so that is why I ask.

Commissioner Michaels: I think it is more like eighteen percent (18%), the whole City is about one hundred and seventy five square miles (175 sq. miles).

Britton Wilson: These numbers also exclude right of way, so if you add right of way to it.

Commissioner Michaels: To me, I would go back and double check the forty one percent (41%).

Britton Wilson: Okay.

Commissioner Rogo: Just a lot of white as opposed to red and yellow that.

Commissioner Burke: These numbers do not corollate to that. These numbers are the percentage of this type of use that are in the Coastal High Hazard Area. She is not saying that forty one percent (41%) of the City's land is included in the Coastal High Hazard Area, correct? You did not mean to imply that?

Britton Wilson: It is my understanding that forty one percent (41%) of the City's land mass is within the Coastal High Hazard Area.

Commissioner Bell: Wow.

Attorney Judd: Not including the right of ways, so the right of way is the streets the sidewalks, everything the City owns was taken out of that calculation. You take that calculation it is forty one percent (41%) of the right of way available to build on land.

Commissioner Wannemacher: Right of way is a large area, a very large area.

Attorney Dema: The City is about sixty two square miles (62 sq. miles). That is sixteen thousand three hundred and twenty eight acres (16,328) is twenty five point five square miles (25.5 sq. miles) divided by sixty two (62) just using a rough estimate is forty one point one percent (41.1%) of the City so.

Commissioner Rogo: Thank you.

Elizabeth Abernethy: Thank you Michael.

Commissioner Rogo: Ms. Wilson before you go away from the podium, could you define for us disturbed area? Is that an area that has some existing development as opposed to an area that does not have any kind of development?

Elizabeth Abernethy: I will go ahead and answer for Britton, it is not defined in our code but that would be my understanding, something that had development on it, a parking lot, a building, a developed site.

Commissioner Rogo: Thank you.

Commissioner Burke: Obviously a lot of work has gone into this, what are the top three (3) benefits that the City will receive as a result of this change should it pass?

Elizabeth Abernethy: I will have our team help us out here, I did not think about the top three (3). One would be provide some additional flexibility with re-development and balance on other priorities such as promoting multi-modal development and re-development in our City. Reducing storm vulnerable structures, taking, I think we have a map of the number of structures that were built prior to the regulations. We have over eighteen thousand (18,000) structures in the Coastal High Hazard Area now that do not meet our current minimum standards. Again, incentivizing re-development that results in structures that meet today's standards we see that as an asset for the City. That is two (2), what was the third one.

Commissioner Burke: I do not want to put you on the spot, I guess I was really looking at, I think a huge benefit of this is going to be replacing some of these storm vulnerable structures with these fortified structures. In my mind having one hundred (100) people on a plot of land in vulnerable structures or one hundred and twenty five (125) in that same plot of land in fortified structures is a huge benefit to us. Do you anticipate that

should this pass, that we will see an increase in replacement of those vulnerable structures?

Elizabeth Abernethy: That would be our intent.

Commissioner Burke: I see that as the main benefit.

Elizabeth Abernethy: The companion amendments that are now, have been moving forward as a result of our thinking on this issue, to increase our building code with the additional two feet (2 ft.) of freeboard and the additional wind load as well as the land development code changes to mandate providing hurricane evacuation of re-entry plans and to address some of our sustainability goals and policies. As a package of amendments, we really see this as helping our City move forward and addressing both sea level rise and vulnerability and flood hazards.

Commissioner Burke: Certainly, the reduction in density is not aligned with a lot of the things that the City is seeking to do. They are talking about bringing in new industry and bringing in home offices and things like that, well we have to increase density to fill those jobs. We have an employment rate below four percent (4%) so I think that this would be a great benefit to the City.

Commissioner Whiteman: Just a couple of clarifications, if Jabil wanted to build out there where they are now, that is in the Coastal High Hazard Area, right? So if Jabil wanted to build a new manufacturing building where there international headquarters are, they build it, what do they have to do? That is a high density.

Elizabeth Abernethy: Correct and I think currently they are in an Activity Center and Employment Center. As long as they did not want to add housing on their site for their work force than they probably would not have any issue. If they wanted to do mixed use and bring in some type of residential component, that would be could be an issue.

Commissioner Whiteman: Let me give you an example, Bayfront Medical Center, is it in Coastal High Hazard Area or not?

Elizabeth Abernethy: The majority of the north portion of the Innovation District is not, I do not believe any of the land that is owned by Bayfront is in the Coastal High Hazard.

Commissioner Whiteman: Okay, if someone wanted to build a skilled nursing facility there, can they build it?

Elizabeth Abernethy: As long as it is not in a Coastal High Hazard Area.

Commissioner Whiteman: So on Beach Drive, someone could not build one now?

Elizabeth Abernethy: Not in those portions that are within the Coastal High Hazard Area.

Commissioner Whiteman: We have all those ones on Beach Drive, the skilled nursing facilities or the ALF or whatever they could not build new ones?

Elizabeth Abernethy: They are not allowed to expand if they are in the Coastal High Hazard Area, correct. Not all of them are, I mean I know you can zoom into that area.

Commissioner Whiteman: Even on that map I could not figure out what was covered for sure. The streets, you can't read.

Elizabeth Abernethy: We definitely do have nursing homes and ALFs in our City that are in the Coastal High Hazard Area. There is Shore Acres, Bon Secours up on 4th Street.

Commissioner Whiteman: But you are going to prohibit them from expanding?

Elizabeth Abernethy: Yes, we currently do, we do not allow.

Commissioner Burke: Can you just clarify, we currently prohibit them from expanding and what you are proposing here will not in anyway change that current prohibition.

Elizabeth Abernethy: That is correct.

Commissioner Wannemacher: Just a quick comment, does Duke Energy have some kind of overlay for burying their powerlines or transformers in the Coastal High Hazard Area that corresponds with what we are doing in the City.

Elizabeth Abernethy: Not that I am familiar with.

Commissioner Wannemacher: I was just curious if they had a plan that they were taking all of this into consideration as well because that is a big component.

Elizabeth Abernethy: That is a good point, we will reach out to them, but I do not have any knowledge that they have a plan. I know that there some areas in the City that have been lobbying for that. It is a huge cost and how that is handled is usually what is at issue.

Commissioner Wannemacher: Speaking of cost, I mean, for instance going from requiring buildings to withstand one hundred and forty five (145) miles per hour versus one hundred and fifty five (155) miles per hour, that will result alone in expediential increase in construction cost. It is not just a 1 for 1 increase when you make the code stronger in such a fashion. It will mean really expediential increases in cost for even public, municipal construction and workforce housing construction which will be more difficult to achieve. The extra two (2) feet of freeboard, that is a big, it is going to be a big increase in construction costs.

Elizabeth Abernethy: We have done some preliminary costs estimates with a consultant who was going to be providing us with another final report that will accompany those changes. That has been taken into consideration and we will have some feedback from a consultant on the additional cost on those items as well.

Commissioner Wannemacher: Great, thank you.

Commissioner Reese: As it relates to L., reduction of storm vulnerable structures not limited to mobile homes, trailers and residences. I am concerned about the residences, when would the requirement to meet the FEMA elevation requirements be, when would that pertain to residences? Would it be upon sale of a current residence and someone else is buying it? Would it be if and when it is damaged or destroyed by a storm or would it just be levied upon the owner of the property that they must now bring their property up to the standards?

Elizabeth Abernethy: The current proposal for the land development and the Building Code changes would apply to anything more than a two (2) unit project, multi-family and it is new construction. Current requirements for single family and if your expanding your single family is part of our FEMA flood

requirements, two (2) additional feet of freeboard for new construction and substantial improvements. Commissioner Rogo: Any additional questions of Staff? We will have an opportunity to ask them questions when we go into executive session. I do have some cards.

Applicant Presentation

None.

Public Hearing

Peter Belmont, 102 Fareham Place North, spoke in opposition to the application;
Maureen Sheedy, 2515 Oakdale Street South, spoke in opposition to the application;
William (Bill) Dahl, 105 23rd Ave SE, spoke in opposition to the application;
Robert Burn, 155 18th Avenue SE., spoke in opposition to the application;
Cathy Harrelson, 257 32nd Avenue North, spoke in opposition to the application;
Joshua Rumschlag, 234 21st Avenue South, spoke in opposition to the application;
Merribeth Farnham, 156 21st Avenue South, spoke in opposition to the application;
Karl Nurse, 176 21st Avenue SE., spoke in opposition to the application;
Carlos Yepes, 300 Beach Drive NE # 3001, spoke in support of the application.

Executive Session

Commissioner Rogo: Thank you, I have no other cards, looking around the audience it looks as if everyone has spoken. Commissioners any additional questions or..

Commissioner Whiteman: May I ask Karl Nurse a question?

Commissioner Rogo: Sure.

Commissioner Whiteman: Karl when you said, put it to bed, what did you mean, how would you change this?

Karl Nurse: I would eliminate the ability to increase density in the high hazard area. Leave that as it is, if you want to do some things to have additional requirements to lower risk of flood, that is fine. In fact, I was the City Council member that pushed for the two feet (2 ft.) above freeboard for residential. It took me two steps to get there but yeah, I just would not change the zoning, I apologize, the land development regulations.

Commissioner Michaels: I have been trying to find a way to tailor this so that it would make sense to support it, but I do not think I have been very successful. I read the Urban Land Institute Report that was given to the City Council about a month or so ago, I do not think that was distributed to the Commission here. They recommended in that plan, I will just read this:

Urban Land Institute Technical Assistance Panel
City of St. Petersburg
Zoning Standards for Multi-Family Development in the Coastal High Hazard Area
June 18 and June 19, 2019

- Develop a more-fine grain approach to land use in the CHHA by:

- Consider limited future density in areas that may be subject to daily tidal flooding due to sea level rise in the next couple of decades. Comprehensive infrastructure improvements should continue to be targeted in areas to prevent sunny day flooding.
- Target specific areas for buyout, in the even of future disaster within respective loss geographies. These areas can serve as coastal defense.

I also read the Sustainability Plan which emphasizes the earmarking of green spaces around the edge of the City in the Coastal High Hazard Areas as a way to effectively mitigate to some extent potential future flooding. I also read the Norfolk Plan which Staff addressed here, reference too, if you read that Norfolk Plan through, and I do agree that it is a good model for St. Petersburg, they have carved out a set of criteria that relates only to the Coastal High Hazard Area. They have in fact completely redone their comprehensive plan and their other vision documents. Those documents do designate areas within the Coastal High Hazard Area that are going to be left, they are going to join adjacent water bodies. In other words, they are not going to build on those areas. I guess where I am at with this right now, is I would like to get rid, I would like to see the mobile homes that are high hazard structures in the Coastal High Hazard Areas replaced with better housing, but I think what we are lacking right now is that total integrated perspective. We are taking a piece of this and we are not looking at how this interrelates, like raising streets for example. We have had no discussion whether or not in ten (10) or fifteen (15) years we are going to have to raise streets within certain areas of the Coastal High Hazard Area. I think those are things we need to get on the table before we make a decision like this. I think where I am at with this right now is, I would refer it to the 2050 visioning process. Let's look at it comprehensively, let's build more of a consensus, let's understand what is going on, get more facts and do this a better way than I think we can do it today.

Commissioner Winters: I have a question for Mr. Kilborn before I comment on the bottom of page 26 in the minutes from last month's meeting, you commented about, you called it zombie development, properties that are essentially distressed that sit in Coastal High Hazard Areas and developers are not willing to invest because they cannot increase density. This is probably my sole concern around this, because I can't really support this change, but I am concerned about this particular issue of having distressed properties sitting there in Coastal High Hazard Areas. Is there another way that this particular issue could be addressed other than making a code change or comp plan change?

Derek Kilborn: Sure, it could potential, I guess to kind of frame out your comment a little bit more for maybe people who are watching and were not part of that conversation. I think at that time we were representing that there are distressed commercial properties in the City along some of our corridors that would be great candidates for redevelopment and new investment and that some of that activity is paralyzed at the moment because in order to do that they require a property or two to the rear that is currently zoned single family perhaps but is in the Coastal High Hazard Area. They attempt to consolidate property that makes the redevelopment work number, but the numbers do not add up. We continue to have the distressed property there rather than have a new building that perhaps meets the current flood and storm requirements in the Florida Building Code. That is a concern of ours, in order to perhaps incorporate that back lot or side lot they would require a Future Land Use Map amendment which they could not get approved for because the Comprehensive Plan says we are not authorized to review those. That has been a driving factor for us to bring up this conversation. One way to approach it as an alternative would be to more narrowly focus on just commercial development or commercial redevelopment. I think that might get into constraining some other efforts that have already been previewed in some of our special area master plans that have been adopted. I had some notes here to run down as a summary statement for some of the public comments that we have heard. I think at the moment right now there is a way to perhaps look at that where you are just focused on commercial, to answer your question.

Commissioner Winters: Okay thank you and we had an example earlier in the meeting where a mobile home park in a Coastal High Hazard Area, a developer was willing to get rid of the mobile home park to build multi-family and it would probably be more expensive project if the land development regs are changed requiring more resiliency in the construction, it would increase the cost as Commissioner Wannemacher pointed out. There are still ways to address this issue because of the underlying zoning. Thank you for your comment. I just want to comment, on where I am with this, I found the public testimony powerful and I appreciate everybody showing up today. I also found the Sierra Club's letter quite compelling and they made a number of points that were reiterated today. I go back to my gut reaction to this proposal a year and a half ago, sitting at home reading it, I just thought to myself, this just sounds like an incredibly bad idea. The more I studied it and the more hearings I went to and the more conversations I observed, I have to say I have been very impressed with the energy that City Staff and Counsel have put into this, they have been very, very thoughtful about it. I still come back to my gut. I just think this is a really bad idea, it is a very pragmatic approach and I think what we are looking at here is, we have economic development is an issue because when you look at the Staff Report, one of the opening sentences states:

About same time the CHHA map was updated in 2016, City Staff was working on the adoption of a new planning area known as the Innovation District, when it became clear that this policy could limit the planned vision for the district.

So this started as a conversation around economic development. I think some of us believe that there is a big issue around public safety here and there the environmental reality that we are all aware of. To me, public safety issues and the environmental reality win the day. I just think that we have to be very attentive to that as members of this Commission and other elected and appointed officials and I feel that burden quite powerfully right now.

Commissioner Reese: Thank you, I would like to share my thoughts about it too. I am not able to support the amendment, to support this at this time. I really, I thank Commissioner Michaels for all of the work that he did, I read it in detail, and I agree that we are in the middle of this incredible 2050 Visioning process and this does not, to me, need to be taken in to consideration separately from that process. I think this is something that should be part of the 2050 Vision, I am also impressed with the letter from the Sierra Club, one of the things that I would like to say that concerns me, and I have heard it today. The fifth paragraph of the Sierra Club's letter, where it talks about geographic and strategic sense to shift to South St Pete CRA and the City's higher elevation areas. Which is primarily part of the City that is inhabited most by the African American population is greatly concentrated there. We have always had concerns and Karl Nurse has disagreed with us at times on the use of the word gentrification, but that is a concern in our community. When I saw that, that is one of the first things, and I have heard some of the people in the audience refer to that particular part of our community. We are seeing gentrification and we are seeing someone else mentioned that in Old Southeast that things come in and price the residents out of the communities they have lived in forever. We are seeing that in the CRA district and South St. Pete, so I heard you and I am aware of that. I just wanted to point that out, that is not why I cannot approve this today. I just believe that it requires more thought more involvement more community engagement and that because we are in the midst of the 2050 Vision Project that is where it belongs.

Commissioner Burke: I think the proposal has a lot of merit. Taken as a whole if we are able to replace some substandard housing stock with fortified housing stock at the same time ensure that we have proper sheltering and proper evacuation, I think that ultimately has a lot of merit and will do us a lot of good. We are going to need to increase density in the City of St. Petersburg if we want to meet the other objectives which is primarily bring better jobs bring in corporate headquarters and things like that into the City. Two good points were

made, if forty one percent (41%) of the City is in this area, fifty nine percent (59%) is not, so we have some area there to increase density. Currently just by natural economics we will be replacing a lot of our housing stock. One of our people spoke about homes being torn down and mc-mansions being built next door. Maybe you do not want a mc-mansion next door but that is an increase in our housing stock. I think that this has merit, but I think maybe we are premature, I think that this really, we are putting the cart before the horse. We really need to look at the bigger picture like Commissioner Reese said. This probably needs to be part of a bigger plan for the City moving forward. It is to early for me to vote for it.

Commissioner Rogo: I have to harken back to one of the first questions you asked Commissioner Michaels and that is can we find an amendment to the Comprehensive Plan to be consistent. The Comprehensive Plan takes up a little more meaning now for me then when it did when you asked the question earlier, it takes on more meaning than it did when you asked the question earlier. We are addressing a very significant provision in our Comprehensive Plan and considering making a very substantial change to it. Whether or not we are consistent or for or against, I am not quite sure. I suspect that we are here to make just that decision, is this consistent and all of our conversation and discussion will be forward to City Council along with that recommendation or lack of recommendation. Do we have a motion for consistency with the Comprehensive Plan? Please Derek, I know you wanted to make some comments and several people have said what an important conversation this is so let's take the time we need to take, thank you.

Derek Kilborn: I do appreciate that I did not want to get off topic. I think it relates and what I wanted to do was just go back and address some of the comments you heard in the public comment portion if you do not mind. First there was a reference to the ULI Report. I do want to remind the Commissioners that in January there was a Committee of the Whole (COW) and the ULI Report was included in the package that you had from that meeting. That material was provided at that time. There was a comment about money and greed being a driving influence in this particular conversation, I think it was mentioned by another individual who said if that was the case, and I am paraphrasing, Staff would not be recommending any balancing criteria, we would just recommend removing the prohibition and that is not the case. What Staff is bringing to you as a recommendation is a total of twelve (12) evaluation criteria four (4) of which would be mandatory in order to move forward. I know former City Council member Karl Nurse, we work a lot on projects together and I am sure it was not intended the way it was received but we are professional Planners. We are held to a particular ethical standard and we approach every application, every subject or initiative with a Planners prospective and we try provide our professional input on those cases. We do not take direction from top down in violation of any ethical standards that we commit ourselves to. In this particular case for over a period of two years we think that the question merits a serious conversation. We've tried to construct for the City a deliberative process that involves not only this Commission but also the City Council and professionals in other areas who can bring their technical expertise to the table. As part of that we brought the Urban Land Institute into the discussion, we have had a number of meetings with Forward Pinellas and Emergency Service personnel throughout the County. We have spoken to our own City departments and agencies, Public Works and Engineering on this issue, all of those materials and feedback have been collected and provided at every stage of the process. As planners we are trying to give you an opportunity to have this serious discussion in a deliberative way, we think we have done that, and we do not think as Planners that we have compromised or surrendered our own integrity in doing that. In this particular case, Staff agrees with the points that have been made. On general planning principal it is a good thing to try and move populations out of harms way and because of that the City has worked aggressively in the last few years on planning initiatives that are not in the Coastal High Hazard Area. I mentioned earlier in 2012 we adopted the Central Avenue Revitalization Plan in the Central Avenue Activity Center, that increased density is along the Central Avenue spine to sixty (60) units per acre; that is a substantial density increase and that is entirely outside the Coastal High Hazard Area. That density number mirrors in some ways what we are seeing being developed downtown right now. That was an

initiative to move population away from the coastline. The Union Central Master Plan was mentioned, that is going through the adoption process. Again, that will result in potentially substantial density increases and allowances in our intent to move people to a more central location in the City. We, this year, adopted changes to allow an expansion of Accessory Dwelling Units (ADUs) that adds nine thousand six hundred parcels (9,600) to the list of qualified properties that can now build ADUs, looking at that map most of those are locations are outside the Coastal High Hazard Area. We are having a discussion now about Neighborhood Traditional Mixed Residential (NTM) again, that is allowing for "Missing Middle" housing opportunities, increased densities, two (2) to four (4) units per parcel. Most of those locations are outside the Coastal High Hazard Area. We are doing a lot of different things to help incentivize increasing density, increasing new construction and development outside the Coastal High Hazard Area. That being said, we also have some significant Activity Centers and some substantial planning initiatives that are already in place and we cannot turn our back on those either. How do we continue to reinvest in those areas in ways that further enhance the work that has already gone in, while at the same time, we are pursuing these other initiatives to move people towards the center. Carillon Town Center is a major location for our economic and workforce development initiatives. Skyway Marina District, we are seeing a lot of new development down there and again, with Ceridian Tower down there, they are a driving tool for our workforce and economic recruitment. Those things are important to us, there has been a lot of planning work there, those areas already exist and that is why that limitation is in one of the criteria. How do we focus on those existing Activity Centers target Employment Centers, Multimodal Corridors and finally is that reference to Multi Modal Corridors, and you can see in the map here, where that Multimodal Corridor is primarily along 4th Street corridor north of 54th Ave. We have some obsolete commercial properties up there that are definitely due for redevelopment and improvement and if it means capturing some of those parcels at the back to consolidate lots and redevelop them, that is something that is important to us, particularly as we also try to synchronize our transportation and land use policies, using corridors that already exist. For us that has been our approach to this, we think that we have constructed a fair and deliberative process for not only this Commission but everybody who has been involved and we hear your comments about St. Pete 2050 and that has been discussed as well and if that is where the Commissioner goes today with their recommendation, we will honor that. I just wanted to make sure you understood our perspective and how we have approached some of these things. Finally, I noticed the one comment that I missed was related to eminent domain, the City does not have an active eminent domain policy, we have no intentions of using eminent domain in situations as was described. Thank you for the time to respond to those comments.

Commissioner Rogo: We appreciate it, thank you very much.

Attorney Dema: We are barred from using eminent domain for economic development purposes under State law in response to the *Kelo v. New London* case, *Kelo v. City of New London*, 545 U.S. 469 (2005). The Supreme Court said that was okay and then, I think, thirty nine (39) states immediately came out and said no, not okay. It is strictly limited to transportation type, right of way.

Commissioner Rogo: Commissioners one thing that has come to my mind, is we are not a true democracy. Can we turn an important issue like this into a discussion of public process such as the Vision2050, I do not know? I have some trouble envisioning that happening. Do we have a motion finding consistency with the Comprehensive Plan?

Commissioner Whiteman: Can I ask a question first? If we make this motion as in the Staff Report and it gets turned down or approved, whichever way it goes, if it is turned down do, we have the ability to then make another motion to punt it to the 2050 or are we dead?

Attorney Dema: You can make a recommendation via motion. If you recommend denial, this is going to Council one way or the other, it will just travel with that recommendation. If you wanted to make an additional motion should you say it fails to be approved and you make an additional motion, then we would transmit said motion results to Council as well.

Commissioner Michaels: Well, to get it off the table I will move approval of the Staff recommendation regarding the proposal before us.

Commissioner Whiteman: Second.

Commissioner moved on approval finding the text amendments consistent with the City's Comprehensive Plan.

Commissioner Whiteman seconded

VOTE: **YES – 2 – Rogo, Whiteman**
NO – 4 - Bell, Burke, Michaels, Reese, Winters

Motion failed

Commissioner Burke: Is this on City Council's Agenda this week?

Attorney Dema: No not yet.

Commissioner Michaels moved the Commission recommend to the City Council that the proposal being considered here today for the Coastal High Hazard Area be referred to the Vision 2050 process.

Commissioner Winters Seconded.

VOTE: **YES – 3 – Bell, Michaels, Reese,**
NO – 4 - Burke, Rogo, Whiteman, Winters

Motion failed

VII. CPPC MEMBER/STAFF COMMENTS, ANNOUNCEMENTS

Commissioner Rogo: Do we have any Staff announcements or Commissioners any announcements before we adjourn?

Derek Kilborn: I am sorry what was your question?

Commissioner Rogo: Do you have anything you wish to present to us at the conclusion of our meeting, any updates or news to share?

Derek Kilborn: This time you came to me and I don't have anything, so I will take this opportunity to remind everybody St.Pete2050 is now an active process and we encourage anybody who has not already done so to go to the City's website, StPete2050.com. We have an open online survey right now. We have been getting a lot

of great feedback through that survey so far and it is really important for people to be engaged. That survey is a great opportunity for individuals to express their opinions outside the normal traditional methods, which is coming to a scheduled City meeting or rec. center, you can engage that survey 24/7. At minimum please do that and invite your friends and family to do it. We will be announcing, shortly, the community, there is a second round of community workshops that will be coming up the last week in January the first week in February, we will be posting those over the next week.

Commissioner Rogo: Thank you, I believe it was Commissioner Whiteman who had the suggestion that someone who might be interested in serving on our Commission we continue to seek out someone to join us, at least someone to join us because we still have the vacancy. I think you have been suggested to present the name to Derek or to City Council members to bring it on to the Mayor.

Commissioner Winters: I have a question for Ms. Abernethy, that came up at the last meeting. You had mentioned there was proposed legislation regarding regulations and zoning on single family neighborhoods. Where is that at, that troubles me.

Elizabeth Abernethy: I noticed in recent update there is a companion Senate Bill, it is moving forward. We will be monitoring it and I guess we can follow up with an email so that you can contact your legislators to let them know you are concerned about those limitations. It would significantly undermine the design regulations we have in our conditional district. We are, as Staff, very concerned about that proposed legislation.

Commissioner Rogo: This is one of those years where the Legislature meets in January.

Attorney Judd: That is correct.

VIII. ADJOURN

With no further items to come before the Commission, the public hearing was adjourned at 5:10 P.M.