

CITY OF ST. AUGUSTINE, FLORIDA

Aggregation Task Force Meeting
December 2, 2004

The Aggregation Task Force met in formal session on Thursday, December 2, 2004 at 3:00 p.m., in the de Aviles Room at City Hall. The meeting was called to order by Commissioner Donald Crichlow and the following were present:

1. ROLL CALL

Members: Donald Crichlow, Commissioner
Gerald Dixon, PZB member
Irene Arriola, Realtor
Philip McDaniel, Affected member
Geoffrey Dobson, Zoning Attorney for the Committee

Absent: Ronald Stafford, Non-affected member

City Staff: Karen Rogers, Recording Secretary

Also Present: James L. Zimmerman

2. Approval of Aggregation Task Force Minutes of November 4, 2004

The minutes of November 4, 2004 Aggregation Task Force meeting were approved as presented.

3. Discussion and Approval of Revised Aggregation Ordinance by Geoffrey B. Dobson

Ms. Arriola noted that the ordinance was intended to apply to the RS-1 and RS-2 Zoning Districts; however, that was not specified in the ordinance.

Mr. Dobson stated that non-conforming lots of record only occurred residentially; therefore, it did not have to be specified in the ordinance.

Mr. Dixon said he would question that, because he knew of an instance of a commercial lot that fell into that category.

Mr. Dobson questioned whether the instance regarded setbacks.

Mr. Dixon replied that it had been about size and frontage.

Mr. Dobson stated that the ordinance referred to area rather than frontage. He said that there was a minimum frontage requirement in some HP Districts.

Mr. Dixon said that he was referring to CM-1 or CM-2, and there could also be some instances on San Marco Avenue.

Commissioner Crichlow questioned whether the Code called for minimum frontage for commercial lots.

Ms. Arriola said that she believed so, although it was not significant.

Commissioner Crichlow said that if there was a minimum frontage and size of lots in areas other than RS-1 and RS-2 they could be non-conforming.

Mr. Dobson said that he would research the matter.

Mr. Dixon stated that it would be easier to specify RS-1 and RS-2. A brief discussion determined where the zoning districts would be specified

in the ordinance, and that Mr. Dobson would further research the matter.

Commissioner Crichlow said that during the previous meeting the task force had discussed the matter that any property could be sold or transferred whether or not it was conforming.

Mr. Dobson said that selling or transferring part or a piece of property was in essence re-subdividing and there were restrictions on subdividing. He said that the real question was whether one could build or get a Certificate of Occupancy on the property.

Commissioner Crichlow referred to the word conveyed in the ordinance.

Mr. Zimmerman pointed out that one could convey a small corner of a piece of property.

Mr. Dobson added that the ordinance was forbidding an increase in non-conformity. He said that the existing theory was that if a portion of a non-conforming lot was sold the non-conformity was increased, and that was not permitted under the existing law. He said that the ordinance added to the existing law while remaining with the original theory of the Zoning Code. He stated that the property owner could convey property as long as they liked, but a building permit would not be issued for the property.

Commissioner Crichlow questioned whether the task force wanted to review the changes.

Mr. Dixon said that there appeared to be some language missing.

Mr. Dobson said that the last major change had to do with the 25% and 50%.

Commissioner Crichlow said that he would like to approve the draft ordinance and move on.

Mr. Dobson added, subject to the clarification that the ordinance was applicable to RS-1 and RS-2 unless his research proved that it was not needed.

MOTION

Commissioner Crichlow MOVED to approve the aforementioned. The motion was SECONDED by Mr. McDaniel and approved by UNANIMOUS VOICE VOTE.

4. Discussion concerning how to reach the public regarding the proposed ordinance

Commissioner Crichlow questioned what they would do to advertise the ordinance for public input.

Mr. McDaniel referred to the minutes in which it had been determined that when the final draft of the ordinance was approved it would go before the Commission for their direction, and Mr. Dixon had pointed out that the City could organize public meetings similar to the seawall and VIC parking garage meetings. He added that he thought it was the task force's charge to get the public's input.

Commissioner Crichlow stated that they could make recommendations to the Commission.

Mr. Dixon suggested they draft a simple illustrative flyer that could be included in City water bills with a date for a public meeting.

Mr. McDaniel questioned what they would do about the property owners that did not receive a water bill.

Mr. Dixon said that a public meeting would be advertised in the newspaper also, and that was about the best that they could do.

Mr. Dobson said that the only legal requirement would be how it was advertised, and he added that if it was advertised in the legal section it could be easily overlooked.

Mr. McDaniel stated that they had to make every effort to reach the owners of non-conforming lots.

Commissioner Crichlow noted that 85% of the lots in St. Augustine were non-conforming.

Mr. McDaniel questioned how many of them were not built on and would not receive a water bill.

Mr. Dixon replied very few, because many of those lots were connected to lots with homes on them.

Mr. McDaniel questioned how much effort it would be to research who owned lots that did not receive a water bill. He said that he could not imagine it would be a lot of work.

Mr. Dobson stated that they would have to go through the Property Appraiser's records.

Ms. Arriola said that she had done that a year earlier, but it would be changed since then. She said that within a few days and with a letter from the Mayor she had been able to get a huge list of everyone that owned property in the City from St. Johns County. She added

that they would have to physically identify the properties.

Mr. McDaniel said that he remembered the original color print out of all the lots.

Commissioner Crichlow said that had only been one neighborhood, and he was not certain how accurate the document was.

Mr. Dixon suggested that the newspaper would probably do a story on the matter.

Ms. Arriola stated that there should be something about the ordinance in the newspaper before any public meetings were held.

Commissioner Crichlow noted that they were thinking of the seawall process.

Ms. Arriola questioned how many meetings they would have.

Mr. Dixon stated that as the ordinance was currently written he did not believe there would be that much controversy. He said they had essentially eliminated a developer from tearing down one house on four lots and building four houses.

Multiple conversations took place simultaneously.

Ms. Arriola noted that Cathy Dupont would be able to disseminate information to the neighborhood associations. She suggested that the water bill should be printed in a bolder font to attract attention.

Mr. Dixon noted that modified height and volume of structures on non-conforming lots was the other major

change proposed that affected all non-conforming lots.

Mr. Dobson said that would attract the attention of property owners in Lincolnville.

Mr. Dixon said there were also examples on Davis Shores.

Commissioner Crichlow noted that they could make those recommendations to the Commission. He said that when the ordinance was presented to the Commission, (and the task force enlisted him to make the presentation) he would have staff take his illustrations and convert them into a more simple and legible form.

Mr. McDaniel suggested that when the illustrations were done the City put a slide show on the website regarding the aggregation ordinance for the benefit of the public.

Ms. Arriola questioned whether they were experiencing the calm before the storm.

Mr. Dobson stated that historically the storm would come after the ordinance was approved.

Commissioner Crichlow stated that the ordinance would affect how the City looked in 10-years, and he wanted the City to be prepared by not allowing numerous large structures on non-conforming lots where one house had previously existed.

Mr. Dixon disagreed stating that they would see people buying two lots with two houses on them in order to tear them down and build one larger house.

Commissioner Crichlow agreed that could happen; however, from a developer's standpoint it could go the other way also.

Mr. Dixon said that the ordinance would prevent a lot of negative things from happening.

A discussion resulted regarding the possibilities that the ordinance would prevent.

Commissioner Crichlow stated that the ordinance would probably go before the City Commission in January, and they would keep the task force in tact until they found out they were no longer needed.

Mr. McDaniel questioned whether they would keep meeting monthly.

Commissioner Crichlow recommended not scheduling another meeting.

Mr. Dobson stated that upon completion he or the City Clerk's Office would send copies of the ordinance to the members of the task force, and if they had any objections they should contact him.

Commissioner Crichlow stated that he would work on the graphics, and he requested that Ms. Rogers notify the task force members when the ordinance was scheduled to be on the agenda.

5. Other Business

Mr. Dixon said that Commissioner Crichlow had suggested the task force take on another task, but they needed to find out if they were disbanded or reaffirmed.

Commissioner Crichlow said that he imagined the task force would be disbanded, but reborn under a new name. He said that anyone that was interested in being on the committee to examine the appearance of construction outside of HP-1 should make it known. He said that outside of HP-1 the City only had zoning regulations that affected setbacks and the entrance corridor guidelines. He said that if construction met the zoning requirements anything could be built in any style. He added that some citizens had expressed concerns about what could be built in their neighborhood. He said they needed to see if there was a way to address the matter and whether enough of the neighborhoods wanted the matter addressed.

Mr. McDaniel said that was the key, because if 15 people wanted to preserve their little historic area it might not be the sentiments of the majority. He said they would have to have a significant number of citizens with a clear vision of what they wanted.

Commissioner Crichlow said that discussion regarding the matter would be philosophical. He said he thought that it would be worth the group getting together for discussion, and he thought they should bring in a couple of other folks like David Nolan, Paul Weaver or Charles Tingley. He said that it would be good to have members that were a little more tuned-in and sensitive to the matter.

Mr. McDaniel said that the architect Less Thomas was real tuned-in.

Ms. Arriola said that it would be good to have someone that brought something more specific to the table.

Commissioner Crichlow said that whomever they chose would have to have some architectural orientation, and Messrs. Nolan and Weaver were architectural historians. He concluded that he was satisfied with the proposed ordinance, the task force had been persistent, and they would see where it would go from there.

6. Discussion of Next Meeting Date

(Discussed in Item 5.)

7. Adjournment

The meeting adjourned at 3:47 p.m.¹

¹ Transcribed by Karen Rogers, Recording Secretary