

1 **MINUTES OF THE ORANGE CITY PLANNING COMMISSION MEETING**, held on  
 2 Wednesday, March 1, 2017 at 6:00 p.m. in Council Chambers, 201 N. Holly Avenue, Orange City,  
 3 Florida.

4  
 5 **1. CALL TO ORDER**

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 7 The meeting was called to order at 6:00 p.m. by Chair Schwartz and roll call was taken.

8  
 9 **ROLL CALL:**

10  
 11 **PRESENT:** Chair Fran Schwartz, Commissioners: Amy Campbell, Vernon Stafford, Michelle  
 12 Polgar, Martin Harper (*6:17 p.m.*); Kathaline Salzano, Staff Members: Rebecca  
 13 Mendez, Development Service Director; Carol McFarlane City Planner, Deputy City  
 14 Clerk, Melani Brown

15  
 16 **ABSENT:** City Attorney William Reischmann

17  
 18 **2. PLEDGE OF ALLEGIANCE**

19  
 20 **3. APPROVAL OF MINUTES February 1, 2017**

21  
 22 **Commissioner Campbell moved to approve the minutes of the February**  
 23 **1, 2017 Planning Commission meeting as presented, seconded by**  
 24 **Commissioner Harper, and approved by a consensus of the Planning**  
 25 **Commission.**

26  
 27 **4. PUBLIC HEARINGS - None at this time.**

28  
 29 A. **COND-10-16-1222:** This is a conditional use application from Michael Wojtuniak,  
 30 engineer for the property owner, James Grealis, to allow mini-warehouses to be  
 31 constructed and operated on a 2.6-acre parcel identified as parcel number 8002-00-00-  
 32 0260, zoned CG-1, General Commercial Restricted.

33  
 34 Becky Mendez, Development Services Director, reported that agenda item 4A would be heard at the  
 35 next Planning Commission meeting due to notice requirements not being met.

36  
 37 B. **Ordinance No. 569:** Land Development Code Amendment regarding  
 38 Improvement Guarantees and Commercial Truck Parking in Residential  
 39 Areas.

40  
 41 Carol McFarlane, City Planner, recalled that at the January 4, 2017 Planning Commission meeting  
 42 the Commission directed staff to draft an ordinance amending Land Development Code regulations  
 43 on Performance and Maintenance Guarantees, and commercial truck parking in residential areas.  
 44 She stated that these were generally housekeeping items.

1 Ms. McFarlane advised that currently regulations for Performance and Maintenance Guarantees are  
2 located in three (3) different chapters of the Code of Ordinances. She explained that a Performance  
3 Maintenance Guarantee bond is provided by developers to ensure that tangible goods or equipment  
4 dedicated to the City remain in good operation for one year before the City takes possession. The  
5 proposed text amendment will place these regulations under one chapter and will reduce the  
6 guarantee amount from 110% to 15% of the construction costs of the improvement(s).

7  
8 Currently, the Code prohibits commercial vehicles such as motor homes, recreational vehicles, and  
9 lawn care business vehicles to be parked in front of at residential locations. However, there is  
10 nothing Code Enforcement can do to enforce the Code because the definition of a commercial  
11 vehicle is vague. The new code amendment incorporates the United States Department of  
12 Transportation definition that a commercial vehicle is any vehicle that is one (1) ton or over. This  
13 amendment will make the Code more enforceable.

14  
15 Commissioner Polgar asked for a clear definition of a commercial vehicle. Ms. McFarlane replied  
16 that a commercial vehicle is defined as a vehicle used in commerce to transport property or  
17 passengers. Ms. Mendez noted the definition of a commercial motor vehicle has been added to  
18 Exhibit 1 of the Ordinance.

19  
20 Chair Schwartz noted for the record that Commissioner Harper had arrived.

21  
22 **Commissioner Polgar moved to forward Ordinance No. 569 with a**  
23 **recommendation of approval to the City Council, seconded by**  
24 **Commissioner Harper, and passed with a 6/0 roll call vote of the**  
25 **Planning Commission.**  
26

27 C. **Ordinance No. 571:** Land Development Code text amendment regarding residential  
28 accessory structures.

29  
30 Ms. Mendez presented the discussion on the Land Development Code text amendment regarding  
31 residential accessory structures. Referring to a PowerPoint presentation (a copy of which is attached  
32 and becomes a permanent part of these minutes) she recalled that this matter was discussed at the  
33 January 4<sup>th</sup> and February 1<sup>st</sup> Planning Commission meetings.

34  
35 Ms. Mendez advised that the current regulations with regard to residential accessory structures are  
36 vague, subjective, and difficult to interpret and enforce. The purpose of the amendment is to provide  
37 clarity and to regulate the design, bulk and mass of residential accessory structures to protect the  
38 neighborhood character and to allow flexibility.

39  
40 Ms. Mendez discussed the design standards in detail. She noted that accessory structures must use  
41 similar construction materials and design elements for elevations that are visible from the right-of-  
42 way and adjacent properties. An accessory structure is exempt if it is 120 square feet or less and if  
43 the structure is located behind the principle building.

44  
45 Ms. Mendez noted that there are no bulk and mass standards in the Code except the cumulative area  
46 of all buildings that can go on a lot. To make sure that accessory structures are subservient to the  
47 primary structure, staff is proposing a maximum 50% floor area coverage for the primary structure

1 and a 75% maximum cumulative floor area for properties that are one acre or less. Accessory  
2 structures for larger lots have a maximum of 100% of the primary structure. Ms. Mendez displayed  
3 examples of allowable accessory structures. She advised that staff is recommending that the  
4 Planning Commission find this amendment consistent with the Comprehensive Plan and forward it  
5 to the City Council with a recommendation of approval.

6  
7 **Commissioner Campbell moved to change the maximum cumulative**  
8 **floor area for accessory structures from 75% to 60%, seconded by**  
9 **Commissioner Polgar.**

10  
11 A discussion of the Commission ensued, including concerns about the allowable percentage of  
12 accessory structures on lots.

13  
14 **Motion failed by a 4/2 roll call vote of the Planning Commission**  
15 **with Chair Schwartz, Commissioner Polgar, Commissioner Harper**  
16 **and Commissioner Stafford voting “no”.**

17  
18 **Chair Schwartz moved to forward Ordinance No. 571 to the City**  
19 **Council with a recommendation of approval, seconded by**  
20 **Commissioner Polgar, and passed by a 5/1 roll call vote of the**  
21 **Planning Commission, with Commissioner Campbell voting “no”.**

- 22  
23 D. **Ordinance No. 572:** An amendment to the Code of Ordinances regarding the  
24 demolition of historic properties.

25  
26 Ms. Mendez provided a detailed PowerPoint presentation regarding demolition of historic  
27 properties (a copy of which is attached and becomes a permanent part of these minutes). She stated  
28 the purpose of the demolition Ordinance is to ensure historic properties are protected from  
29 demolition by providing procedures for review. She recalled that this matter was discussed at the  
30 January 4<sup>th</sup> and February 1<sup>st</sup> Planning Commission meetings noting that the Commission’s  
31 recommendations were incorporated.

32  
33 Ms. Mendez advised that this regulation will apply to structures that are 50 years or older located in  
34 the historic district. If a historic property owner wishes to demolish a home a building permit  
35 application must be submitted. The permit application will be reviewed by staff and will require a  
36 site visit and GIS data. The Development Services Director will review any applications that will  
37 have a minor impact on the area. Additional information may be requested and the determination  
38 will be based on criteria. Applicants can appeal to the Historic Preservation Board if their  
39 application is denied. The Historic Preservation Board will review all applications that will have a  
40 major impact on the historic district. The Board may require additional information and  
41 determination will be based on criteria. Applicants can appeal to the City Council if their  
42 application is denied. Ms. Mendez discussed the criteria and conditions of approval for demolition  
43 permits.

44  
45 Ms. Mendez concluded her presentation by stating that staff is recommending the Planning  
46 Commission find the amendment consistent with the Comprehensive Plan and forward the

1 amendments to the City Council with a recommendation of approval.

2  
3 Commissioner Harper asked if there was any room for redesign of the historic homes. Ms. Mendez  
4 replied with an explanation of the standards and the materials that could be used in the redesign of  
5 historic homes.

6  
7 **Commissioner Harper moved that the Planning Commission find**  
8 **Ordinance No. 572, Demolition of Historic Structures consistent**  
9 **with the Comprehensive Plan and forward to the City Council with**  
10 **a recommendation of approval, seconded by Commissioner**  
11 **Campbell and passed by a 6/0 roll call vote of the Planning**  
12 **Commission.**

13  
14 **5. DISCUSSION ITEMS** None at this time

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16 **6. STAFF/COMMISSION COMMENTS**

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18 A. First Quarter 2017 Action Report

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20 Ms. Mendez explained the First Quarter 2017 Action report. She advised that the City Council  
21 requested a quarterly summary of the matters reviewed by the Planning Commission.

22  
23 Ms. Mendez announced that Commissioner Frank Wilson has resigned from the Planning  
24 Commission.

25  
26 Chair Schwartz announced that she attended the Florida Planning and Zoning Association (FPZA)  
27 meeting and that she attended the new card room opening.

28  
29 Commissioner Polgar thanked staff and fellow Commissioners for their work.

30  
31 **7. CITIZEN COMMENTS**

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33 **8. ADJOURNMENT**

34  
35 There being no further business, Chair Schwartz adjourned the meeting at 6:44 p.m.

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37 **RESPECTFULLY SUBMITTED:**

**APPROVED ON**

38  
39  
40 \_\_\_\_\_  
41 Melani Brown  
42 Deputy City Clerk

\_\_\_\_\_  
Date