

MINUTES

KEY COLONY BEACH CITY PLANNING & ZONING COMMITTEE ELEVATION & LAND DEVELOPMENT WORKSHOP

Wednesday January 15, 2020 9:30 A.M.

City Hall Auditorium

Call to Order, Pledge of Allegiance and Roll Call: The public hearing of the Key Colony Beach Planning and Zoning Board was called to order by Chairperson Raspe at 9:30 a.m. followed by the pledge of allegiance.

Present: Joey Raspe, George Lancaster, Gary Furtak, Trudy Troiano, and Kathryn McCullough. *Excused:* Alternate Steve DeCrow and Alternate Ron Anderson. *Also Present:* City Administrator Chris Moonis, City Clerk Rebecca Todd, City Attorney Tom Wright, Building Official Gerard Roussin. Public - 7

1. **Discussion:** The increase of building heights in Key Colony Beach due to the increase in FEMA flood elevation requirements and any other Land Development Regulation modifications presented.
2. **City Attorney Thomas Wright:** Attorney Thomas Wright stated the process of amending a Land Development Regulation. The process is set out in Section 101-172. An amendment to this chapter may be suggested by the city commission, the planning and zoning committee or any property owner directly affected by the provisions or map change in question. All proposed code amendments are submitted to the Planning & Zoning Committee for their study and recommendation. They are to set a date, time and place for their public hearing and provide public notice of the pending amendments. At the completion they recommend to the city commission in writing what their recommendations are regarding those proposed amendments. They may recommend approval or disapproval or make changes in the amendment as appears to be appropriate. After the city commission receives the recommendations from the planning & zoning board, they give notice in a newspaper as to a public hearing set by the city. After the public hearing, the commission may approve or disapprove or make changes to the proposed amendment. The first of two readings of the amending ordinance shall be held at a regular or special meeting. The enactment of the proposed amendment must be noticed once at least 10 days prior to its second reading and adoption, in a newspaper of general circulation in Key Colony Beach. There are instructions in the ordinance regarding the contents of that public notice. When it's read for a second time, it would be adopted after the second reading. It becomes effective 10 days after adoption; however, we are also required to submit these changes to the state for their approval. The city commission may by an affirmative vote of four members at a regular or special meeting enact an emergency ordinance without complying with the requirements in the above paragraphs. Attorney Wright stated his concern of the aesthetics of the City with odd lot configurations, suggesting the Committee consider unintended consequences of building height. Attorney Wright also stated his concern with the raising of duplexes if a neighbor has an objection.
3. **Mayor John DeNeale:** Mayor DeNeale stated what was previously discussed in the Commission's LDR Workshop held on December 11, 2019. Mayor DeNeale stated city hall

is 2.24 feet below current flood elevation standards. Building Official Roussin was asked to provide an estimate of what the City Hall would look like after we receive the new flood maps and new building code changes and it left our current City Hall 7.79 feet below base flood elevation. The City is at risk, if the building heights are not adjusted, of losing the residents discount of 15% discount off flood insurance. Mortgage companies are looking at not giving 30-year mortgages to flood prone areas, and bonds will not be available either, etc.

- 4. City Administrator Chris Moonis:** City Administrator Moonis stated there are several references in our city's adopted Comprehensive Plan regarding our Land Development Regulations. Future Land Use, Policy 1.1.2 states: "Continue to use the updated flood plain and coastal construction provisions from the City's Land Development Regulations to ensure new development at topographic elevations sufficient to minimize flood impact." Eventually the city will be looking at the road heights, bridge heights, and stormwater management related to road height. The county and the individual cities are analyzing whether the roads are high enough for the potential increase in sea level rise. Moonis also suggested for homeowners on Sadowski Causeway and 7th Street to consider the possibility of a developer coming into the city to redevelop with modernized construction and completely redevelop the look of the city's entrance.
- 5. Chairperson Joey Raspe:** Chairperson Joey Raspe stated during initial conversations, the City was considering 38 feet residential and 42 feet commercial. The revised staff recommendations are 40 feet residential and 45 feet commercial. Presently, residential is 30 feet, unless you are on Sadowski Causeway which is 20 feet. During the initial discussion, another thing discussed was giving the same increase to all residents. Chairperson Raspe stated he would like to restrict parking based on how many rooms a vacation rental has. Committee Member McCullough stated that as a homeowner, she would not like having a limit on how many people can visit her at once. Raspe also requested for city staff to investigate changing our recycling day from Tuesday to Saturday.
- 6. Building Official Gerard Roussin:** Building Official Roussin stated FEMA put out new potential flood zone maps all over the U.S. The elevations and the way they measure the elevations have changed. One flood map change affected 8 different areas of our Land Development Regulations regarding stormwater, water retention, base elevation of a home, etc. The proposed new flood maps have changed rather substantially throughout the island. The center of the island was our highest point determined an AE6 zone, now changed to an AE8 zone. The city's datum point will be changed to an NAVD88 datum point. Florida Building Code is considering adding 1-2 feet of freeboard in the new Building Code to be released on top of the FEMA map changes. The Sadowski Causeway has changed to a VE10 zone making the surrounding homes undevelopable. Building Official Roussin stated he thinks it's a chance for us to consider redevelopment of the city and bring the entire city up to the same high standards.
- 7. Committee Member Trudy Troiano:** Committee Member Troiano stated based on the different zones of the city we could consider different standards for different zones. Although it will not be mandatory for all residents to immediately stilt their homes, the rise in flood insurance will put homeowners under economic pressure to stilt their homes quickly.

- 8. Committee Member George Lancaster:** Committee Member Lancaster stated the Committee has been discussing runoff concern with fill. Attorney Wright stated we should look at prohibiting fill if it causes runoff to a neighboring property. Building Official Roussin stated currently the properties that do have fill are engineered to retain their stormwater.
- 9. Committee Member Gary Furtak:** Committee Member Furtak questioned if it would be mandatory for homeowners to raise their homes once the new building heights are established. Building Official Roussin stated the properties would be grandfathered in as a non-conforming unit. However, if there is substantial damage to the property and/or if any substantial changes will be done to the property, they must come completely into compliance with all the new codes.
- 10. Committee Member Kathryn McCullough:** Committee Member McCullough stated she does not think the city should make any changes to the LDR's without having the finalized flood maps from FEMA. Building Official Roussin stated the maps are currently in the work map stage in the public's hand, in 6 months they do a 90-day review, following a 90-day review to any objections. The finalized maps will approximately be finalized by January 2020.
- 11. Citizen Comments:** John Grimes, 14th Sadowski Causeway, stated he hired a hydrologist to do a study on his home, which is in a VE10 zone. If the Committee were to restrict Sadowski to only 20 feet, it does not give the homeowners on Sadowski room to add a metal roof for further storm protection. Grimes would like for the Committee to lift the restrictions on Sadowski from only being able to have 1 story homes to 2 story homes. Committee Member Troiano stated the Committee is only considering raising the height limit enough to allow the residents to get stilts, not any additional stories.
- Nancy Franklin, 35 Sadowski Causeway, stated she does not agree with 7th Street and Sadowski Causeway to continue being restricted to one story.
- Cheryl Boehm, 33 Sadowski Causeway, stated that she believes Sadowski Causeway and 7th Street should have the same building height restrictions as the rest of the city. Committee Member McCullough stated when residents purchased their homes on Sadowski Causeway and 7th Street they were aware of the zoning restrictions that limited homeowners to 1 story. Boehm also did not agree with the idea of requiring both duplex owners to stilt their homes at the same time for aesthetic reasons. She suggested an architectural review by the neighbor is a better idea.
- Gail Cortelyou, 30 Sadowski Causeway, stated she would like Sadowski Causeway and 7th Street to have the same building height restrictions as the rest of the city.

The meeting adjourned at 11:25 a.m.

Respectfully submitted,



Rebecca Todd, City Clerk