

**LAND PLANNING AGENCY
Longwood City Commission Chambers
175 W Church Avenue
Longwood, Florida**

**MINUTES
August 14, 2018
6:00 P.M.**

Present: Judy Putz, Chair
Elias Khoury, Member
JoAnne Rebello, Member
Chris Kintner, Community Development Director
Shad Smith, Public Works Director
Phil Kersey, Building Official
Robert Walter, City Engineer
Anjum Mukherjee, Senior Planner
Kristin Zack-Bowen, Recording Secretary

Absent: Glenn Kirwan, Vice Chair

1. CALL TO ORDER

Chair Judy Putz called the meeting to order at 6:04 p.m.

2. ADDITIONS AND DELETIONS

None

3. APPROVAL OF THE MINUTES FOR

A. Regular Meeting held January 9, 2019

Member Elias Khoury moved to approve the minutes from the January 9, 2019 meeting. Seconded by Member JoAnne Rebello and carried by a unanimous vote.

4. PUBLIC COMMENT

No public comments.

5. PUBLIC HEARING

A. ORDINANCE NO. 19-2156

AN ORDINANCE OF THE CITY OF LONGWOOD, FLORIDA, AMENDING THE LONGWOOD DEVELOPMENT CODE, ARTICLE III DEVELOPMENT DESIGN STANDARDS, ARTICLE V SUPPLEMENTAL STANDARDS, ARTICLE VI SIGNS, ARTICLE IX HARDSHIP RELIEF, AND SPECIAL EXCEPTIONS, ARTICLE X

ADMINISTRATION, AND ARTICLE XII HERITAGE VILLAGE URBAN CODE TO STREAMLINE AND UPDATE THE LONGWOOD DEVELOPMENT CODE, AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND EFFECTIVE DATE.

Chris Kintner presented the staff report. Mr. Kintner explained that from time to time staff tried to bring forward changes to the Longwood Development Code (LDC) that don't necessitate an ordinance of their own but are improvements that could be made in a general update. There are a few changes to setback requirements. Mr. Kintner added that one thing included was expanding the hardship relief and special exception notification requirements to make them more uniform across all applications.

Member JoAnne Rebello asked about reducing setbacks for accessory structures.

Chris Kintner clarified that it was only in situations where a commercial industrial parcel is located next to another commercial industrial parcel and only when it creates any practical impacts.

Chair Judy Putz added that she liked the notification of property owners being moved up to 500 feet.

Chris Kintner explained that it will all be standard and also include homeowners' associations.

Member JoAnne Rebello asked if most of the Ordinance is because of discussions amongst staff, Federal, State or a combination.

Chris Kintner replied that this Ordinance was almost exclusively staff generated from issues we have run into. The section regarding the sidewalks is bringing it in line with the Florida Greenbook Standards.

Member JoAnne Rebello asked for confirmation that the changes were not in relation to any specific project.

Chris Kintner replied that was correct. He added that none of it was development generated.

Chair Judy Putz opened the floor to the public hearing.

John Polasek, P.O. Box 908, Sanford, FL 32772 spoke in favor of the Ordinance. Mr. Polasek stated that he represents a company that has a piece of property under contract and part of the language will allow them to move forward.

Member JoAnne Rebello moved to close the public hearing seconded by Elias Khoury and followed by a unanimous vote.

Member Elias Khoury moved that the Land Planning Agency

recommends approval of Ordinance 19-2156 to the City Commission, Seconded by JoAnne Rebello and carried by a unanimous roll call vote.

B. ORDINANCE NO. 19-2158

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF LONGWOOD AMENDING THE LONGWOOD DEVELOPMENT CODE SECTION 1.10.00 – DEFINITIONS; REPEALING SECTION 4.5.0 – FLOODPLAINS AND FLOOD ZONES, ARTICLE IV, PART III, LONGWOOD DEVELOPMENT CODE TO ADOPT A NEW SECTION 4.5.0 – FLOODPLAINS AND FLOOD ZONES, TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; AMENDING SECTION 9.2.3 OF ARTICLE IX HARDSHIP RELIEF AND SPECIAL EXCEPTIONS; AND AMENDING THE LONGWOOD CODE OF ORDINANCES, CHAPTER 18 – BUILDINGS AND BUILDING REGULATIONS TO ADOPT TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, TRANSMITTAL, APPLICABILITY, AND AN EFFECTIVE DATE.

Chris Kintner explained that this Ordinance is largely based on a Floodplain Management model Ordinance that was approved by FEMA and that we worked closely with the Division of Emergency Management (DEM) at the State level. It repeals the existing 4.5.0 floodplains and flood zones and provides updates to it. The Florida Department of Emergency Management provided the model Ordinance and worked with staff to prepare it and include local changes. Documents have been reviewed by DEM for consistency with State and Federal law, as well as our City Attorney. It also includes some changes to City Code Chapter 18 Building.

Shad Smith explained that this was mainly updates that the Florida Department of Emergency Management recommends because of the updated Ordinance.

Chris Kintner added that there is one section where there were a lot of changes regarding hardship relief and special exceptions. They were required to have an opportunity for variances and that City Commission would be the agency to hear that.

Shad Smith explained that a lot of it was consolidation and cleaning up the language.

Member JoAnne Rebello asked if the Florida Building Code changes how it affects this.

Phil Kersey replied that this lines up with the Florida Building Code Standard. There are items in the Florida Building Code that are actually not applicable to the Code such as utility structures and storage tanks that are exempt. The Floodplain Management Ordinance will allow the City to control how those things are developed inside the jurisdiction. The Florida Building Code references ASCE 24, which is a standard for any type of construction in a flood

hazard area. The code has been updated to keep up with these standards and stay in line with the Building Code. The State works with the Federal agencies to keep it in line. Every 3 years the State will adopt a new Building Code, but any changes in it will line up the floodplain management.

Member JoAnne Rebello asked if these changes will affect our City or residents in the case of a Hurricane or event, and does it affect how we get reimbursed from FEMA.

Phil Kersey replied that it doesn't affect that and actually benefits the City by allowing residents to get flood insurance at a discounted rate if we adopt this and conform.

Member JoAnne Rebello asked if it would change our current floodplain.

Shad Smith replied that it wouldn't change the floodplains determined, it just makes sure our Codes are in line.

Discussion ensued about the definition of functionally dependent uses.

Member Elias Khoury moved that the Land Planning Agency recommends approval of Ordinance 19-2158 to the City Commission, Seconded by JoAnne Rebello and carried by a unanimous roll call vote.

C. ORDINANCE NO. 19-2159

AN ORDINANCE OF THE CITY OF LONGWOOD, FLORIDA, AMENDING CHAPTER 18 REGARDING BUILDINGS AND BUILDING REGULATIONS; PROVIDING FOR THE ADOPTION OF THE FLORIDA BUILDING CODE 6TH EDITION; ESTABLISHING NEW HOURS FOR CONSTRUCTION; PROVIDING FOR A GENERAL UPDATE OF BUILDING STANDARDS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Chris Kintner explained that the primary goal of the Ordinance was to update the City Code to reflect current Building Code, this includes the amended Florida Building Code, Chapter 1: Scope and Administration, shown in Exhibit A. We have Chapter 1 from the previously adopted code cycle which this is replacing. When you look at Exhibit A the changes are largely coming from the Building Officials Association of Florida (BOAF) Model Administrative Code for the 6th edition. BOAF has a model code to help ensure consistency between the different agencies enforcing the Building Code. Mr. Kintner added that there was also a proposed exemption for hours of operation.

Member JoAnne Rebello asked how this affects historic structures.

Phil Kersey replied that it does reference historic structures in the Building Code. Mr. Kersey explained that the Administrative Chapter is the governing idea of how he enforces the Codes. Most of the historic structures will show up in the existing Florida Building Code. It won't change the way it has been enforced until today. The outlines in the Building Code look at whether or not

you're going to change the occupancy in the historic structure, what you're going to do to it and bring you back to the Secretary of State for the guidelines on how to deal with historic structures. There's no difference in the verbiage with that and no hardship or added aggravation to any type of Historic District than in place today.

Chris Kintner added that everything Phil Kersey is talking about is strictly from a building perspective, so separate of that we have the Historic District Code Book which is unchanged by this.

Member Elias Khory asked if there were guidelines that dictate what is a necessity or what puts public safety at risk as far as the exception for hours of operation.

Phil Kersey replied that one of the things he has been pushing is site security. Mr. Kersey added that he has been working with the Police Department to say something if they see it. On commercial sites where most of the hazards would be it is mandated and controllable. Mr. Kersey noted that the reason this came up was that Chapter 18 states the hours, but nowadays things move quickly and we have to figure out how to work with them where it's not going to influence the general public. Mr. Kersey gave some examples of situations where it would have been helpful to allow alternate hours of operation.

Chris Kintner added that some of this is forward-thinking if you have a project in the industrial park where you aren't up against residential there is no flexibility built-in for that.

Chair Judy Putz mentioned a Longwood resident on the news that had a roof put on incorrectly.

Discussion ensued about the resident and the responsibilities of the inspectors.

Phil Kersey explained that the Administrative Chapter of the Florida Building Code guides his job. Mr. Kersey noted that in regards to a reroof, or any roof, he has implemented steps to help the roofing contractors with the process and the rain. Mr. Kersey stated that he gets up on the roof when safety permits and has the equipment to see what is going on from the ground when he cannot safely get on the roof. Mr. Kersey also explained that they are currently looking for an in house building inspector in order to look out for the best interest of the City. Mr. Kersey continued to give background on the Florida Building Code and how he enforces it.

Member JoAnne Rebello asked if section 18-39, Fire Fees, was new or old.

Chris Kintner replied that the only thing changing is the section going from the 2011 edition to the 2015 edition, and updating that to the current code.

Member Joanne Rebello asked if we are thinking of instituting a fire fee.

Phil Kersey replied no, and that part of the adoption December 31, 2017, is when this code cycle took effect, so we needed to update this. The 2015 National Fire Protection Association (NFPA) cycle is part of the 2017 Florida Building Code Cycle.

Member Elias Khoury asked for clarification on the process of roofing permits and the fact that the City is not held liable for the quality of work or craftsmanship, just that they do the work up to code.

Phil Kersey replied that was correct and that they must do it up to code and manufacturers installation specifics. The City and Building Officials are not liable for workmanship.

Member Elias Khoury moved that the Land Planning Agency recommend approval of Ordinance 19-2159 to the City Commission, Seconded by JoAnne Rebello and carried by a unanimous roll call vote.

6. DISCUSSION AND SCHEDULE FOR FUTURE AGENDA ITEMS

Chris Kintner stated that there wouldn't be a meeting next month, and gave updates on various projects underway including a Request for Proposals for the redevelopment of downtown. He also provided updates on Starbucks and Taco Bell opening to the public, South Seminole Hospital improvements, LA Fitness, Publix, the UPS expansion in 2020, and Alta Apartments.

7. ADJOURNMENT

Chair Putz adjourned the meeting at 6:55 p.m.

Minutes approved by the Land Planning Agency: 01-08-2020

_____/S/_____
Judy Putz, Chair

ATTEST:

_____/S/_____
Kristin Zack-Bowen, Recording Secretary

The Official signed minutes are on file in the City Clerk's Office.