

NEIGHBORHOOD COUNCIL MEETING
MINUTES
MARCH 23, 2016

The Neighborhood Council held a regular meeting on Wednesday, March 23, 2016 in the City Commission Chambers, 210 Sams Avenue, New Smyrna Beach, Florida. Mr. Hallacy called the meeting to order at 6:00p.m.

ROLL CALL

The following members were present:

John Hallacy
Deborah Bell
Fannie Hudson
Randy Herman

James Russell and Peggy Rivers were absent. Martha Skinner's replacement had not yet been appointed by the City Commission for the Neighborhood Council. Also present were Planner Steven Bapp; Board Secretary Tammy Dickerson and members of the public.

APPROVAL OF MINUTES

Motion by Mr. Herman, seconded by Ms. Bell, to approve the minutes of the regular January 27, 2016, Neighborhood Council Board meeting and the February 24, 2016 joint meeting with the Economic Development Advisory Board as amended. Motion passed unanimously, 4-0.

NO PUBLIC PARTICIPATION

NO OLD BUSINESS

NEW BUSINESS

- A. Review of the proposed Comprehensive Plan Amendments for the Coronado Island Neighborhood Plan

Mr. Bapp stated that the plans have gone through a series of public meetings and we are now going to talk about the specific goals, policies and objectives that would further support the Coronado Island Neighborhood Plan. He asked the Board if they had any comments on objective 7.

Mr. Herman asked if the Swoope site should be part of the Coronado Island Neighborhood plan.

Mr. Bapp stated that without expanding the Swoope site we still have the over congestion at the boat ramp. He stated that it was one of the neighbor's suggestions to expand that site. Mr. Bapp discussed all the policies of objective 7 with the Board.

Ms. Bell asked if the policies affect other neighborhoods also.

Mr. Bapp stated that is correct.

Mr. Herman stated that the traffic has been pretty backed up the last few days and asked if the city planned to use the portable signs directing traffic elsewhere. He asked if item e had to do with this.

Mr. Bapp stated that sensors can be put in the parking spaces and can be fed to through mobile phones where people could see where parking is available.

Mr. Herman stated that maybe scale should be included in one of the policies. He stated that in the public meetings that seemed to be a concern that the River Walk was out of scale.

Mr. Bapp stated that could be added to policy b.

The Board made a few changes to the policies of the Coronado Island Neighborhood Plan.

Motion by Ms. Bell, seconded by Ms. Hudson to move plan forward to the City Commission.

There was discussion among the Board members to continue the recommendation until the next scheduled meeting when all Board members were in attendance for any additional comments on the policies.

Ms. Bell and Ms. Hudson withdrew the motion and the second.

Motion by Ms. Bell, seconded by Ms. Hudson to continue the recommendation until the next scheduled meeting. Motion passed unanimously, 4-0.

B. Update on the reduced number of George Munson Bridge openings

Mr. Bapp discussed the process that the city went through to request less bridge openings in an hour.

Chairperson Hallacy asked what that was going to do to the road traffic since it will take longer if there is more boat traffic at the time of the opening.

Ms. Bell stated that she thinks the time spent on opening and closing the bridge is what creates the traffic.

Mr. Herman stated that he lives right by the bridge and most of the time its only one or two boats going through at one time. He stated that he was glad that this was moving forward and hated that it took so long.

C. Discussion on Short Term Rentals and the Bed and Breakfast Overlay Zone

Mr. Bapp discussed the areas where short term rentals and the bed and breakfast were allowed in the city.

Ms. Bell if this was policed by the city.

Mr. Bapp stated that we do have code enforcement but didn't know how she would be able to police it. He stated that if they are running a business without a license they would be subjected to those penalties.

Ms. Hudson asked what if someone wanted to stay in a place for 6 months.

Mr. Bapp stated that would be a long term lease and we don't regulate that.

Wade Mahood, 311 Florida Avenue, stated his name then addressed the Board. He stated that on one side of Florida Avenue short term rentals are allowed and the other side they are not due to the zoning on the street. He stated that the only cons for short term rentals is for the owners and the realtors that are making money off of short term rentals. He stated that realtors are lobbying to do away with short term rentals in the city. He stated that we can't stop enforcing this policy. Calling in to code enforcement on the owners that are doing this is the best way. He stated that realtors are bold enough to put signs in the yard to advertise short term rental.

Ms. Bell asked what the penalty was for short term rentals in the area were they aren't allowed.

Mr. Bapp stated that the city would issue a citation to the owner and then if they did it again they would go before the Code Enforcement Board.

Mr. Mahood stated that the question had come up before on who gets the citation the owner of the property or the realtor advertising the property for short term rental.

Mr. Bapp stated that his interpretation of the land development regulations is that it would be the property owner that is responsible.

Mr. Mahood stated that he doesn't understand why someone can't go to the realtors and ask them to stop the short term rentals.

Mr. Herman asked why the Neighborhood Council Board couldn't write a letter to the Realtor Board about these concerns about short term rentals if nothing else to remind them of the areas of where the short term rentals are allowed.

Ms. Hudson stated that maybe the homeowner and the realtor both need to be penalized for this.

Chairperson Hallacy asked Mr. Bapp if there was anything that this Board could do.

Mr. Bapp stated that the Board could address the Board of Realtors and also make a recommendation to the City Commission.

Debra Dugas, 200 North Pine Street, stated her name then addressed the Board. She stated that this does affect the residents in the area this is happening. She stated that there are areas where this is legal. She stated that we need to try to enforce this.

Ms. Hudson asked if maybe there could be enforcement over the weekends on the short term rentals and the fines could pay for the salary of that employee.

Mr. Mahood stated that the people they would be dealing with on the weekends would be the people on vacation not the homeowner and the city can't interfere with someone's vacation.

Ms. Hudson stated that if they can at least observe that it is happening and then enforce it with the homeowner and the realtor.

Mr. Mahood stated that he has been told by Code Enforcement to report it happening and this is very difficult situation.

Mr. Bapp suggested the Board make a recommendation to the City Commission.

Motion by Ms. Bell to recommend the City Commission to inform and endorse the code for short term rentals.

There was discussion among the Board members on the motion.

Ms. Bell amended her motion to the Neighborhood Council has received comments from residents and would like to recommend the City Commission look in the issue of short term rentals and the Neighborhood Council supports the code for short term rentals, seconded by Mr. Herman. Motion passed unanimously, 4-0.

D. Discussion on the Neighborhood Council assuming duties of the Beachside Residents Task Force

Mr. Bapp stated that the Beachside Resident Task Force board is to sunset after their next meeting and the Neighborhood Council will take over the duties of that former Board. He stated that there will be a new resolution created for the Neighborhood Council to take over those duties.

COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

- Ex-officio beachside task force member update

The following was stated by Mr. Herman.

The following is a short summary of the 03/02 Beachside Task Force meeting furnished by Deb Dugas; I was unable to attend this meeting.

The first three agenda items were focused on sidewalks and pedestrian and bike access/safety:

The pilot demonstration project on Cooper Street has gone through numerous iterations, and is now near completion. Cooper has traffic calming devices in place and soon will have a four foot sidewalk on the western border. The eight foot bike/walking pathway was reduced to four feet after a strong protest/petition from neighbors on the street. The accidents that have occurred at Cooper and Oakwood are being studied by the police and city engineers for consideration of a four way stop sign (which was approved in the CC meeting of 03/07). The traffic calming work will be evaluated in the near future by the city to see if it is effective in reducing speed and accidents.

North Pine will get a sidewalk from Flagler to Crawford, alternating on the east and west sides of the road. Public testimony at the Task Force has resulted in a pilot 'short term' (30 minute) parking spot at the Flagler Post Office. Many older and handicapped folks have stated they have been unable to find a park close to the Post Office with increase in traffic. A 'no parking' sign has been placed on driveway into the Jessamine lot due to cars parking there and blocking traffic.

A comprehensive plan for remaining sidewalks will be considered in Phase III of the city's master sidewalk plan. There are still gaps on many streets, such as S Pine between Ocean and Flagler and on Copper between Ocean and Lincoln. This progress needs to be monitored and will include community meetings to insure neighborhood input is taken into consideration.

There is still a strong community interest for a master bike plan for the beachside and especially on a north/south axis as well as an east/west axis. Flagler and Peninsula are deemed too congested for a bike lane. Ultimately it would be good to see bike paths all the way to the south to Smyrna Dunes Park. Khalid said currently a complete bike route on beachside will not be forthcoming due to funding limitations.

Traffic issues remain as Beachside increases in popularity and with limited parking and narrow streets, this problem is not going away. The Task Force has received a variety of suggestions as to how to improve flow and safeguard neighborhoods. For example many folks expressed concerns about the intersection of South Pine and Jessamine with limited visibility of stop signs due to parked cars (esp. SUVs). Speed bumps were discussed and this problem will be examined by the City.

After the sunset of the Task Force an access point for citizen input will be reduced, hence another issue for the Neighborhood Council to consider.

At one meeting a consensus was reached for a designated truck route and the Merchants Group of Flagler agreed to work with their distributors to coordinate early morning (6-10 am) deliveries. Mr. Flick the developer for the new Marriott Hotel has also suggested a designated truck route, as his establishment will bring trucks to the very difficult intersection of North Atlantic and Flagler. It is unclear what the next step needs to be, to insure the informal agreement of merchants and the police can move forward to establish a designated truck route and times.

Short-term rentals is another issue of concern for residents on beachside. Currently the only way to limit the practice is for residents to call code enforcement. The city is referring this concern to the new Planning Director.

Khalid reported that the Central Beach Project is near completions, almost a year ahead of schedule. The Task Force praised the city for the regular meetings that were held to hear citizens' concerns and update on progress of this huge project. Congratulations to all who helped make this happen.

Finally the Beachside Task Force is concerned about how their recommendations are handled and passed to the City Council. It is important that all advisory boards can show to the citizens that their concerns are being taken seriously. A document will be prepared for the last meeting to send to the CC with the Task Force's final concerns and recommendations.

Mr. Bapp stated that Chief Coffin is working with the merchants on Flagler to create a truck route.

Mr. Herman stated that he won't be at the next Beachside Resident Task Force meeting but Chairperson Rivers will be attending the meeting.

REPORTS AND COMMUNICATIONS BY THE STAFF

- April 2016 Development Activity Report

Mr. Bapp stated that the activity report will be updated next month.

Ms. Dugas stated that as a member of the Beachside Resident Task Force she thinks these Boards are important in listening to the residents and hopes the Neighborhood Council will continue their journey.

With there being no further business, the meeting was adjourned at 7:35pm.