

**GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS
PLANNING COMMISSION & PUBLIC HEARING
MEETING MINUTES**

Thursday, November 12, 2015

6:00 PM

Board of County Commissioners Meeting Room
7 East Jefferson St
Quincy, Florida

Present: Commissioner Regina Davis, At - Large Member, Chair
Commissioner Dr. Gail Bridges – Bright
Commissioner Frank Rowan
Commissioner Gerald McSwain
Commissioner Edward J. Dixon
Commissioner John Youmans
Commissioner Marion Lasley
Commissioner Lori Bouie
Commissioner Roger Milton, School Board Representative
David Weiss, County Attorney
Allara Gutcher, Planning & Community Development Director
Jill Jeglie, Senior Planner
Willie Brown, Principal Planner
Beryl H. Wood, Deputy Clerk

Absent: Commissioner Mari VanLandingham
Commissioner David Tranchand
Commissioner William Chukes

1. PLEDGE OF ALLEGIANCE

Chair Davis called the meeting to order at 6:00 p.m. with a quorum present. She then led in the pledge of allegiance to the US Flag and asked each person to silence their electronic devices for the duration of the meeting.

2. INTRODUCTION OF MEMBERS/ROLL CALL

Each member present stated their name and district for which they represent.

3. APPROVAL OF AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

4. APPROVAL OF MINUTES - October 15, 2015

UPON MOTION BY COMMISSIONER DR. BRIDGES – BRIGHT AND SECOND BY COMMISSIONER ROWAN, THE COMMISSION VOTED 9 – 0, BY VOICE VOTE, FOR APPROVAL OF THE OCTOBER 15, 2015 MINUTES.

5. **DISCLOSURES AND DECLARATIONS OF CONFLICT**

Chair Davis disclosed that on Item #7 she had worked previously in the past and at the present date has a work relationship with the Engineer Firm, Preble-Rish, Inc.

6. **PUBLIC HEARING (LEGISLATIVE), Monroe (CPA-2015-05) – Consideration of an application for a Small Scale Comprehensive Plan Future Land Use Map Amendment to change the designation from Agriculture -2 to Rural Residential on two parcels totaling 3.6 acres located on the east side Concord – Bainbridge Road (CR 157) on Tax Parcel Id#2-07-3N-1W-0000-00214-0200 and 2-07-3N-1W-0000-00214-0000.**

Mr. Willie Brown presented the Public Hearing on the Small Scale Comprehensive Plan Map Amendment. A request for Small Scale Comprehensive Plan Amendment on two parcels totaling approximately 3.6 acres of land southeast of the FL – GA HWY and Concord – Bainbridge intersection along the east side of Concord – Bainbridge Road from Agriculture – 2 (AG-2) to Rural Residential (RR) identified as Tax Parcel Id #s 2-0-3N-1W-0000-00214-0200 and 2-07-3N-1W-0000-00214-0000.

Mr. G. Monroe with Land Corp. Inc., agent representing the property owners, has requested a Small Scale Comprehensive Plan Map Amendment from AG -2 to RR to allow the development of single family residential homes on smaller lots that what is allowed in the AG-2 category. One parcel has a single family residence and the other contains a barn. Both parcels are non-conforming in the AG -2 category, which requires a minimum of 10 acres per residential dwelling, which combined are 3.6 acres. Tax Parcel Id# 2-07-3N-1W-0000-00214-0200 has 1.6 acres and Tax Parcel Id# 2-07-3N-1W-0000-00214-0000 has 2 acres.

The applicant held a Citizen’s Bill of Rights meeting on Thursday, October 29, 2015 at 6pm on the subject property. There were 3 persons in attendance. No one objected to the amendment. The meeting convened at 7pm.

Mr. Brown said the Planning staff recommendation is for the approval of the G. Monroe Comprehensive Plan Future Land Use Map Amendment from AG -2 to RR (CPA-2015-04). He noted there was a letter submitted addressing interests and concerns with this request by Kim and Heather Bowman.

Chair Davis asked for discussion from the Council.

Commissioner Lasley commented that staff didn’t mention access to the 16 acres.

Mr. Brown explained access would be provided from Colquitt Bainbridge Road to 16 acres, it would be to the east. There is an existing single family dwelling on the northern parcel, but because that property is Ag 2 the criteria is to only allow for 1 dwelling per 10 acres. That property only has 2 acres, so it presently is non-conforming. The southern parcel is 1.6 acres in the Ag 2 district and is non – conforming to the land use category in size. The applicant proposes is to provide an access easement through that lot to get to the rear to access the 16 acres. The 16 acres is landlocked, he does not have access to the public right-of-way. He said you can't issue a building permit on a lot that is non – conforming and that is why the applicant is seeking the Land Use Amendment.

Commissioner Lasley inquired about the additional 16 acre parcel.

Mrs. Gutcher commented the subject of the amendment is 2 parcels outlined and the 16 acres are not related to the request. The request is to amend 2 parcels totaling 3.6 acres.

GE Munroe Rogers, 107 E 6th Avenue, Havana, FL addressed the Commission. He apologized if the request was somewhat confusing, but explained there is a 16 acre parcel that is due east to the 1.6 acres. The owner of the 16 acres owns the 1.6 acres. He only wants to build one house on the 16 acres. He only wants to have access on the non-conforming property. He explained the house with 2 acres would then become conforming.

Commissioner Dixon asked where the access point was to the property.

Commissioner McSwain inquired if all requirements of the applicant been met.

Mr. Brown replied yes, they have met all obligations to include the Citizen's Bill of Rights Meeting, the ad had been placed in the newspaper, surrounding properties within a 1000ft of both properties have been noticed. He said they have met the obligations of the County's Land Development Code.

Commissioner Lasley inquired was there some reason they can't use access from the Concord neighbor's road to the piece of property from the 1.6 acres.

Mr. Rogers said originally that was what was intended, but when it was purchased 1.6 acres was factored into the appraisal with the bank to build the house. He said they never realized they couldn't get a driveway across the 200 foot strip.

Commissioner Dixon commented his concern was if we are making another portion Rural Residential and it does open. Then there is nothing we can do to make new property Rural Residential in an area that is in the growth area of the County.

Mrs. Gutcher reminded the Commission there is a policy stated in the Comprehensive Plan that states in order to become Rural Residential you have to be adjacent to Rural Residential use.

Commissioner Lasley asked Mrs. Gutcher why is the timberland to the south of this property all the way to the east. It's a huge piece of property. She asked why it was Rural Residential.

Mrs. Gutcher explained the map was created well before her time at the County. She said the map was dated in 1996.

Commissioner Bouie recalled in earlier times such as the 1990's you could simply state what you wanted your property to be upon purchase and it would be granted. She asked for a point of clarity as to why they couldn't give them the language to say it's a right-of-way.

Mrs. Gutcher said they can't get a drive-way permit unless they are conforming legal lot of record and stated that was the issue at hand.

Chair Davis asked for public comment and there was none.

UPON MOTION BY COMMISSIONER MILTON AND SECOND BY COMMISSIONER DR. BRIDGES – BRIGHT, THE COMMISSION VOTED 9 – 0, BY VOICE VOTE, FOR APPROVAL OF OPTION 1: TO RECOMMEND APPROVAL OF THE G. MONROE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT FROM AG - 2 TO RR (CPA -2015-04).

7. **PUBLIC HEARING (LEGISLATIVE), Quincy Senior Living Facility (CPA-2015-06) – Consideration of an application for a Small Comprehensive Plan Future Land Use Map Amendment to change the Future Land use designation from Heavy Industrial to Urban Service Area on fourteen (14) acres located on the northeast corner of a 131.5+ acre parcel (Tax Parcel Id#3-17-2N-3W-0000-00344-0100) located on Strong Road.**

Ms. Jill Jeglie presented the Public Hearing on the Quincy Senior Living Facility map. She said this hearing is required to offer a recommendation to the BOCC for adoption of a Future Land Use Map (FLUM) amendment from Industrial (IND) Future Land Use (FLU) category to the Urban Service Area (USA) FLU category.

The applicant Quincy Senior Living, LLC is represented by Nevin Zimmerman, with Jonathan Sklarksi, P.E. of Preble – Rish, Inc. as authorized agent, and requests the FLUM amendment to the USA category for approximately 13.912 acres of the 131.5± acre parent parcel owned by Frances M. Kelly and identified by Tax Parcel Identification #3-17-2N-3W-0000-00344-0100.

The Planning staff recommendation is for approval, Option 1 – that the BOCC adopt the Future Land Use Map Amendment as drafted or amended.

Commissioner Lasley asked how many acres where a small scale amendment? She said she thought it was less than 10 acres.

Ms. Jeglie said yes it's typically less than 10 acres, but could go up to the maximum of 20 under §163.218737, Florida Statute. She said they are asking for no more than 14 acres.

Commissioner Lasley further inquired was the 13.912 acres part of the larger 131.5± acres. She discussed the importance of preserving the Urban Service Area with a variety of uses. She said there was a problem with these creating high density residential situations in the middle of a heavy industrial zoning.

Ms. Jeglie confirmed it was and once the amendment moves forward they will do a lot split, which is required by local law to make a legal parcel.

Mrs. Gutcher explained that it would be considered a mixed use category. It is a category that encourages the mixture of different types of uses.

Chair Davis shared her opinion and asked would you really want heavy industrial in this area, since the school is there and other residential areas. She said it was her belief to have something conducive.

Attorney Nevin Zimmerman, 221 McKenzie Avenue, Panama City, thanked the Commission for having them. He said that he is the attorney for the applicant, Quincy Senior Living, LLC which is owned by a not-for-profit corporation American Covenant Senior Housing Inc. out of Georgia. He said they held the Citizen Bill of Rights and the meeting went well, there were some good questions and the answers were obtained. He said the whole area is moving toward health related facilities. He said the proposed project is a 65 unit senior living facility, out of the 65 units 7 would be memory care and 50 would be affordable housing. He voiced this was great for the community because all others that are similar are full. He said it will result in 33 jobs for the citizens.

Commissioner McSwain asked how the 65 units would affect Strong Road traffic.

Justin Ford, Engineer of Preble – Rish, commented there was a traffic study done on Strong Road and it has sufficient capacity and this project wouldn't affect the level of service.

Commissioner Dixon asked what your project would mostly resemble in term of size.

Mr. Zimmerman stated he wasn't sure of the square footage, but would get that information in. He introduced Bill Bogan, with Bogan Public Management who handles the financial side of things. He said today they were here for land use and next month they would be back for a Development Order.

Harold Bazzel introduced himself to the Commission. He said the units are self-contained with kitchens, bedrooms, and additional amenities. The square footage of the 2 bedroom 1 bath units is 950 sq. ft, and for 1 bedroom at 600 sq. ft. There would be 48 units that would be 1 bedroom 1 bath and there are 2 units that would be 2 bedroom one bath and then there 7 memory care units.

Commissioner Dixon asked Ms. Jeglie about the information obtained to make their decision regarding them being able to move from 10 acres to 20 acres.

Ms. Jeglie commented it was part of the study provided to staff regarding the economic development impact. She pointed out most of the information was in the Attachment 2 that was provided to the Commission.

Commissioner Lasley asked could Heavy Industrial businesses go in. "I'm not opposed; just concerned about the Heavy Industrial zoning that surrounds it."

Kirby Palm, 3 Wilders Way Havana, FL addressed the Commission. He commented that he was not affiliated with this in anyway and just pointed out there where only 2 Heavy Industrials in the area. He felt this proposal fits.

Commissioner McSwain asked has the applicant complied with all the required obligations.

Ms. Jeglie responded they had done what's required up to this point.

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER MCSWAIN, THE COMMISSION VOTED 8 – 1, BY VOICE VOTE, FOR APPROVAL OF OPTION 1: TO RECOMMEND THAT THE BOCC TRANSMIT THE FUTURE LAND USE MAP AMENDMENT AS DRAFTED OR AMENDED TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY FOR REVIEW. (Commissioner Lasley opposed the motion.)

Note: Chair Davis wanted to abstain from voting. County Attorney Weiss advised she could vote and her vote was affirmative.

Commissioner Dixon commented on Strong Road that the traffic should be addressed.

Commissioner Dr. Bridges – Bright left at this juncture of the meeting.

8. **PUBLIC HEARING (LEGISLATIVE), Capital Improvements Element (CPA-2015-03) – Recommendation of transmittal of the Capital Improvements Element to the Board of**

County Commission for consideration to transmit to the Department of Economic Opportunity for review.

Jill Jeglie discussed the Public Hearing on recommendation of the transmittal of the Capital Improvements Element to the Florida Department of Economic Opportunity for review as a more concise, understandable and defensible document which will “protect the substantial investments in public facilities that already exist and shall plan for finance of new facilities to serve residents in a timely, orderly, and efficient manner” in Gadsden County, as quoted from §187.201 (17)(b)(3), Florida Statutes, as applicable. She stated the last time the Capital Improvement Element was updated was in 2009. She said this particular document includes a Capital Improvement Schedule that should be updated annually. She said they are working with the County Budget Administrator also on an annual basis to bring forward a Capital Improvement Schedule to the BOCC every year and then this document would be updated.

She recommended Option 1: Recommend that the BOCC transmit the Capital Improvements Element as drafted or amended to the Department of Economic Opportunity for review.

Chair Davis asked for comments.

Commissioner Dixon asked was the thought process not to include a Capital Plan that includes money or any way obligates the County.

Ms. Jeglie stated it is to include those facilities or and improvements required to maintain the level of service. It doesn't include things such as maintenance and pavement of roads. She said the amount of the threshold was \$25,000 previously listed and they kept that amount.

Commissioner Dixon commented on the Capital Improvement Schedule that he saw coming up.

Mrs. Gutcher pointed out they don't look at the Capital Improvement Element for safety issues, its primarily level of service. If, for example, the trips get to a point where the capacities of the road is failing then that is when it should have to be addressed in the Capital Improvement Program.

Commissioner Lasley recalled on the tables that were presented the only issues that you feel need to be listed in this element are transportation, repaving and parks.

Ms. Jeglie replied it's not a matter of what they feel, it is what is programmed. We went to various departments that control those facilities as required by the Comprehensive Plan and those are the projects they had programmed. A lot of projects were not a level of service that the County is responsible for.

Commissioner Lasley asked about solid waste programs, water and sewer expansion and fire service along with EMS, indigent care and medical care programs that were previously included.

Ms. Jeglie explained what happened previously is that there were a lot of projects that were not a level of service projects. She said they had reduced this to the projects that maintain need level of service that the County is responsible for. She said sanitary and sewer, portable water is either provided by the City of Quincy, Talquin or various municipalities, not the County.

Commissioner Rowan motioned that they approve Option 1 as stated by the Planning Commission. It was seconded by Commissioner Bouie.

Commissioner Lasley said she had several comments. In table 8.1 Level of Service Standards (LOS) in the Potable Water section it states that it is by individual or general water use permit through by the North Florida Water Management District. She felt the language there was also central water and sewer hookups that are available in the County should be added as well.

Mrs. Gutcher said what they are required to do by §163.3180, Florida Statutes is have current standards for sanitary sewer, solid waste, drainage and potable water. She commented the statutes used to include parks and transportation, but these were removed back in 2011 from statute. As an entity, a governmental agency for the services that we provide to the citizens, we are required to maintain a certain capacity in order to accommodate for the growth over a certain year period (most times 10 years, also you're supposed to look at 20 years). The County does not provide solid waste services, sanitary sewer services, or potable water services. Therefore, we don't have capacity issues; everything in the County that is issued is by private water, well and septic tank systems. She commented if a development comes in and they need to connect to a public utility they would either go to Talquin or one of the municipalities that offer the service. They would then have to retrieve a letter from those agencies before they get a development order from the County that states there is added capacity to serve those developments.

Commissioner McSwain called the question.

Commissioner Lasley commented the document is flawed with errors and items that need to be clarified. She asked if she could present them.

Attorney Weiss said the procedure is if there is a motion to call the question then you vote on whether or not you want to call the question and it's not debatable.

Chair Davis called for a motion on the question called.

UPON MOTION BY COMMISSIONER ROWAN AND SECOND BY COMMISSIONER MCSWAIN, THE COMMISSION VOTED 6 - 2, BY SHOW OF HANDS, IN FAVOR OF PROCEEDING WITH THE MOTION BEING CALLED. (COMMISSIONER DIXON AND COMMISSIONER LASLEY OPPOSED THE MOTION.) (Motion passed.)

UPON MOTION BY COMMISSIONER ROWAN AND SECOND BY COMMISSIONER BOUIE, THE COMMISSION VOTED 7 – 1, BY SHOW OF HANDS, IN FAVOR OF OPTION 1: RECOMMEND THAT THE BOCC TRANSMIT THE CAPITAL IMPROVEMENTS ELEMENT AS DRAFTED OR AMENDED TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY FOR REVIEW. (Motion passed).

9. PLANNING COMMISSIONER QUESTIONS AND COMMENTS

Commissioner Lasley expressed that the Capital Improvement Element was a flawed document and she felt it should be fixed before being forwarded.

10. DIRECTOR'S COMMENTS - Allara Gutcher

📅 Workshop - December 3, 2015 (Thursday) at 6:00p.m. discussion on Solar Farms

11. ADJOURNMENT

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE CHAIR
DECLARED THE MEETING ADJOURNED AT 7: 14 P.M.**

GADSDEN COUNTY, FLORIDA

REGINA DAVIS, CHAIR

ATTEST:

**BERYL H. WOOD, DEPUTY CLERK
For NICHOLAS THOMAS, CLERK
Gadsden County, Florida**