

**THE LYNN HAVEN PLANNING COMMISSION WILL HOLD
A REGULAR MEETING ON NOVEMBER 2, 2021, AT 5:30 P.M.
IN THE LYNN HAVEN GARDEN CLUB, 307 OHIO AVE, LYNN
HAVEN**

REGULAR AGENDA

REGULAR MEETING:

1. Call to Order
2. City Stormwater Map Presentation by Phil Mount (NPDES)
3. Minutes of October 5, 2021, Regular Meeting
4. Large Scale Future Land Use Map Amendment – Albibi, Riyadh & Rashda; Parcel #08922-060-000, 08925-010-000, 08925-020-000
5. Amendment to the Unified Land Development Code; Section 6.06.03 Storm Water Standards
6. Amendment to Unified Land Development Code – Minimum Lot Area in 1911 Historic Plat
7. City Planner's Report

Materials related to the above applications may be inspected by the public at the Planning & Permitting Department, 817 Ohio Ave, during regular business hours. Comments may be made orally at the meeting or in writing at any time on or before the meeting date. The Planning Commission will receive public input and comments on the proposed agenda items and may make a recommendation to the City Commission.

The agenda items above may be forwarded by the Planning Commission to the City Commission at the Regular City Commission meeting on Tuesday, November 9th, at 9:00 a.m., at the Senior Activity Club Facility, 905 Pennsylvania Ave, Lynn Haven, Florida.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (Florida Statute 286.0105).

***In accordance with the Americans with Disabilities Act and 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this proceeding should contact the Planning Dept. no later than two days prior to the proceeding at telephone number 850-265-2121 for assistance. If hearing impaired, telephone the Florida Relay Service numbers (800) 955-8771 (TDD) or (800) 955-8770 (VOICE), for assistance.

CITY OF LYNN HAVEN
PLANNING COMMISSION
REGULAR MEETING
October 5, 2021

The Lynn Haven Planning Commission's Regular Meeting was held on Tuesday, October 5, 2021, at 5:30 p.m., at the Garden Club:

Present Jerry Whitworth, Chairman
 Jeffrey Snyder, Vice Chairman
 Gary Knuckles
 Stanley Parron
 Robert Waddell
 Brandon Aldridge, City Commissioner
 Kevin Obos, City Attorney
 Vicki Harrison, Planning Specialist

Absent: Neil Jones
 Joseph Ashbrook

Board member, Mr. Snyder, made a motion to excuse Mr. Jones, and Mr. Ashbrook, from the meeting, as each member notified staff of their absence,

Second to motion: Mr. Knuckles,

On vote: Waddell: aye
 Knuckles: aye
 Parron: aye
 Snyder: aye
 Whitworth: aye

Motion passed: 5-0

2. Approval of Regular Planning Commission meeting minutes of September 7, 2021.
Board member, Mr. Waddell, made a motion to approve the September 7, 2021 minutes,

Second to motion: Mr. Snyder,

On vote: Waddell: aye
 Knuckles: aye
 Parron: aye

Snyder: aye
Whitworth: aye

Motion passed: 5-0

Ms. Harrison read Form 8B regarding Mr. Neil Jones abstaining from voting during the September 7th Planning Commission meeting for agenda Item #5; he has a special private gain or loss.

3. Development Order Application - North Bay Haven Charter Academy; Marine Science & Administrative Building – 1 Buccaneer Drive

Ms. Harrison stated the applicant/owner is Larry Bolinger, who was present. The agent is Doug Crook, P.E., Panhandle Engineering, who was present. The parcel # is 11344-020-000, located at 1 Buccaneer Drive, and is approximately 24± acres in size. The land use is Traditional Neighborhood Development (TND), and it is located within the Corridor Overlay. The existing use on the site is a charter school. The reviewing engineer, Chris Shortt, P.E., Dewberry Engineering, was present to answer any questions.

Ms. Harrison stated the applicant is requesting development order approval to construct a new classroom and administrative building, plus supporting sidewalks and utilities on the Bay Haven Charter Academy school site. There will be two (2) floors of 8,437 sq.ft. each, totaling 16,874 sq. ft. The first floor will have six (6) new classrooms and the second floor will be an administrative area with twenty-three (23) additional offices, storage, workrooms, and conference room. We have been told that there will be twenty (20) additional staff, and although the school is currently at capacity, they have the ability row by 15% every year.

The site plans have been reviewed and have been found to be in compliance with the City of Lynn Haven Unified Land Development Code (ULDC) and Florida State Requirements.

This agenda item was brought to the Planning Commission on August 3rd, at which time the Commission recommended that the City Commission deny the application, which the City Commission did. Since that time, the City Manager and Public Works Director, Bobby Baker, who was present, met with Mr. Bolinger at the school site and discussed remedies for the traffic issues. Mr. Bolinger has been coordinating with the City. The City Commission requested that the item be brought back to the Planning Commission considering these discussions and remedies, prior to being brought back to them.

Mr. Bolinger provided a copy of the letter to the Planning Commission that he submitted to the City Commission at the August 24th meeting.

Mr. Whitworth passed the gavel to Mr. Snyder as he had some questions for Mr. Bolinger. Mr. Whitworth stated in the first part of the narrative, it states there will be twenty (20) additional staff, and the school is at capacity with the ability to grow by 15% annually. Mr. Whitworth stated in

reading the letter submitted by Mr. Bolinger, it states no additional staff nor additional students. Mr. Whitworth asked for clarity as to why one says 15% and the other states none, and clarity for the number of staff. Mr. Snyder passed the gavel back to Mr. Whitworth.

Mr. Bolinger stated he did not know where the number twenty (20) for staff came from. That when this item came originally before this board, his understanding is that someone from staff may have contacted someone at the school that may not have had the proper information. There will be twenty (20) offices on the second floor, and in the letter, he presented to the City Commission at the August 24th meeting, it states there will be seven (7) additional staff. Mr. Bolinger explained the 15% rule is in place because Bay Haven Charter Academy and North Bay Haven Charter Academy are both Schools of Excellence which is determined by the Florida Department of Education. They do have the ability to grow student enrollment by 15% annually, but they have to get permission from the district, as the district is their sponsor. He stated in 2011 and 2012 they did grow by 15% annually. In 2012 they reached student capacity, and it has remained at capacity, so they will not be enrolling any new students.

Mr. Bolinger address the school traffic concerns with the apartment development on Highway 390. He sated he has worked in the school system a number of years, and during that time, he has worked with numerous contractors that have worked on developments near schools. The schools will coordinate with the contractors for workers to work during certain hours, etc., so it does not impede the schools' traffic. Mr. Bolinger stated Reliant South and other contractors understand the need for the workers to work around the school schedule to prevent traffic jams, etc., and all of them have always done a good job working with the schools.

Mr. Bolinger stated at the County Commission meeting today, they approved the Titus project. This will provide another ingress/egress into the school, and they will adjust the school hours, etc., as that project comes along.

Mr. Parron stated he did not read in any information he had at the first meeting that there was a plan for the classrooms to replace the portable buildings, so the portable building will be removed. Mr. Bolinger stated that is correct, and that Lynn Haven has a three (3) year moratorium to remove the portable buildings. Mr. Whitworth stated it is a one-to-one swap. Mr. Bolinger stated that is correct.

Mr. Waddell asked about the request for the cost share of the traffic study. Attorney Obos stated City Manager Gainer wanted him to pass along that an RFQ has been sent out for a traffic engineer to contract with the City; once one is selected this traffic study will be one of the task orders for the traffic engineer.

There were no public comments.

Board Member, Mr. Snyder, made a motion to approve the Development Order as presented,

Second to motion: Mr. Knuckles,

On vote: Waddell: aye
 Knuckles: aye
 Parron: aye
 Snyder: aye
 Whitworth: aye

Motion passed: 5-0

4. Development Order Application - Diego's Taqueria & Margarita Bar, Inc., dba Diego's Burrito Factory; 1809 Ohio Ave

Ms. Harrison stated the applicant/owner is Diego's Taqueria & Margarita Bar, Inc., doing business as Diego's Burrito Factory. The agent is Doug Crook, P.E., Panhandle Engineering, who was present to answer any questions. Ms. Harrison stated the parcel numbers are 11667-010-000, 11659-000-000, 11667-006-000, 11651-000-000, and the land use for these parcels are Commercial and Mixed Use. The parcel size is approximately 1.96± acres and is currently vacant. The parcel is located within the corridor overlay and is not located in the CRA. The reviewing engineer, Chris Shortt, P.E., Dewberry Engineering, was present to answer any questions.

Ms. Harrison stated the applicant is requesting development order approval to redevelop this site which used to have the Club Sun tanning salon located upon it. The applicant is proposing to redevelop the site for a new restaurant along with accompanying required parking, landscaping, and infrastructure improvements.

The existing building is 3,800 sq. ft. in size, and the applicant will not be increasing the building size but has purchased the adjacent parcels to accommodate additional parking, stormwater ponds, and additional entrance from E. 18th Street. The stormwater system will remain private.

The site plans have been reviewed and have been found to be in compliance with the City of Lynn Haven Unified Land Development Code (ULDC) and Florida State Requirements.

There were no public comments.

Board Member, Mr. Snyder, made a motion to approve the Development Order as presented,

Second to motion: Mr. Knuckles,

On vote: Waddell: aye
 Knuckles: aye
 Parron: aye
 Snyder: aye
 Whitworth: aye

Motion passed: 5-0

5. Planning Specialist Report

Ms. Harrison thanked everyone for attending the meeting. She stated the Planning Department has received some submittals, so there should be a November meeting.

With there being no further business or discussion, the meeting adjourned at 5:47pm.

Jerry Whitworth, Chairman

prepared by Vicki Harrison



DEPARTMENT OF DEVELOPMENT & PLANNING

817 Ohio Ave - Lynn Haven, FL 32444

(850) 265-2121

STAFF REPORT

ULDC Amendment

Planning Commission Meeting

November 2, 2021

Application Information

Applicant: City of Lynn Haven
Owner: N/A
Agent: N/A
Project Name: Unified Land Development Code (ULDC) Amendment
Section 6.06.03 Stormwater Standards/Flood Control
Facilities
Requested Action: ULDC Amendment Recommendation

Summary of Request and Background Information

The City of Lynn Haven is proposing to amend Section 6.06.03 (c) (15-17) of the Unified Land Development Code (ULDC) to add the 100 year frequency storm events and certain criteria exemptions.

Additional Information

The proposed amendment is to Section 6.06.03 (c) (15-17) of the ULDC specifically, and can be seen in the strikethrough version of the proposed Ordinance attached.

Submitted by:
Amanda Richard
November 2, 2021
Attachments: Ordinance # 1121

ORDINANCE NO. 1121

AN ORDINANCE OF THE CITY OF LYNN HAVEN, FLORIDA, AMENDING SECTION 6.06.03 STORMWATER STANDARDS OF THE LYNN HAVEN UNIFIED LAND DEVELOPMENT CODE RELATED TO FLOOD CONTROL FACILITIES; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, the Florida Constitution and Chapter 166, Florida Statutes confer upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, Section 6.06.03 of the Lynn Haven Unified Land Development Code (the “ULDC”) establishes specific minimum flood control attenuation requirements; and

WHEREAS, the City desires to amend such requirements to add the 100 year frequency storm events and certain facility criteria exemptions;

NOW THEREFORE, BE IT HEREBY ENACTED BY THE PEOPLE OF THE CITY OF LYNN HAVEN, FLORIDA:

SECTION 1. From and after the effective date of this ordinance, Section 6.06.03 (c)(15-17) of the ULDC is amended to read as follows (deleted text, ~~stricken~~; new text, **double underlined and bold**; comments, [*bracketed and italics*]):

15. Flood Control (Quantity)

a. At a minimum, facilities shall be provided to attenuate a storm event of critical duration so that post development storm water off-site peak discharge shall be no greater than the predevelopment rate. The 2, & 25, **and 100** year frequency storm events shall be analyzed for the 1, 2, 4, 8, **and** 24 hour durations to determine the storm event of critical duration. Design rainfall

distributions for these facilities shall be obtained through a statistical analysis of historical long term rainfall data or from acceptable sources.

b. ~~At a minimum, facilities should be provided to route and accommodate the 100 year storm.~~ **The outfall structure of all stormwater facilities shall be capable of discharging all 100-year storm events without overtopping the pond banks.**

c. At a minimum, facilities should be provided to attenuate a **the 2, 25, and 100 year** storm events of critical duration so the post-development stormwater rate in downstream reaches shall be no greater than the pre-development rate in downstream reaches. Guidance criteria for detention facility sizing are located in **Chapter 62-346 F.A.C.**

d. Methods for determining the time of the concentration are located in **Chapter 62-346 F.A.C.**

e. Methodologies for calculating peak discharge are located in Chapter 62-346 F.A.C.

f. Facilities discharging to tidally-influenced water bodies shall be exempt from these flood control requirements.

16. Runoff from parking lots shall be treated to remove oil & sediment before it enters receiving waters.

17. The banks of detention & retention areas shall be sodded & sloped at a gentle grade, 4 feet horizontal to 1 foot vertical, or less, into the water as a safeguard against drowning, personal injury, or other accidents; to encourage the growth of vegetation; & to allow the alternate flooding & exposure of areas along the shore as water levels periodically rise & fall. **This maximum pond slope may be increased if public access to the pond is restricted by a fence or other acceptable means.**

SECTION 2. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 3. The appropriate officers and agents of the City are authorized and directed to codify, include, and publish the provisions of this Ordinance within the Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained.

SECTION 4. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2021.

CITY OF LYNN HAVEN,
FLORIDA

BY: _____
Jesse Nelson, Mayor

ATTEST:

Vickie Gainer ,
City Manager/Clerk

First Reading: November 9, 2021

Second Reading: _____



DEPARTMENT OF DEVELOPMENT & PLANNING

817 Ohio Ave - Lynn Haven, FL 32444
(850) 265-2121

STAFF REPORT

ULDC Amendment
Planning Commission Meeting
November 2, 2021

Application Information

Applicant: City of Lynn Haven
Owner: N/A
Agent: N/A
Project Name: Unified Land Development Code (ULDC) Section
4.02.01
Requested Action: ULDC Amendment Recommendation

Summary of Request and Background Information

The City of Lynn Haven City Commission is proposing to amend Section 4.02.01 of the ULDC to revert the minimum lot area requirements in the Low Density Residential Future Land Use map district located within the 1911 Historic Plat Area back to how they were prior to changes that were made by Ordinance # 965 in December 2012.

Additional Information

The proposed amendment is to Section 4.02.01(B) of the ULDC specifically, and can be seen in the strikethrough version of the proposed Ordinance attached. The amendment removes the ability for people to split two (2) 50' x 150' lots into two (2) 75' x 100' lots, thereby creating two 7,500 sq. ft. buildable lots. Prior to Ordinance # 965, a buildable lot had to be at least 15,000 sq. ft. in size, unless it had been recorded as an individual 50' prior to 1975, or there had been an uneven number of lots purchased and recorded, in which case the number of dwelling units that could be constructed were identified in Table 4.02.01(B) 4., 1911 Historic Plat Reconfigurations.

This item came before the Planning Commission on August 3rd, and the Board's recommendation was passed on to the City Commission on August 10th. The City Commission have been deliberating over the proposed changes and requested that there be clarification of some of the ordinance content, following which the ordinance should be brought back to the Planning Board for recommendation.

Submitted by:
Amanda Richard
November 2, 2021

Attachments: Proposed Ordinance # 1117 & Adopted Ordinance # 965

ORDINANCE NO. 1117

AN ORDINANCE OF THE CITY OF LYNN HAVEN, FLORIDA, AMENDING SECTION 4.02.01 OF THE LYNN HAVEN UNIFIED LAND DEVELOPMENT CODE RELATED TO MINIMUM LOT AREA IN THE 1911 HISTORIC PLAT OVERLAY DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR AN IMMEDIATELY EFFECTIVE DATE.

WHEREAS, Section 4.02.01(B) of the Lynn Haven Unified Land Development Code (the "ULDC") establishes specific additional requirements for residential lots within the 1911 Historic Plat Overlay District (the "1911 Plat"); and

WHEREAS, the City amended such requirements via Ordinance # 965 on December 11th, 2012; and

WHEREAS, the City Commission now desires to repeal certain of those prior requirements;

NOW THEREFORE, BE IT HEREBY ENACTED BY THE PEOPLE OF THE CITY OF LYNN HAVEN, FLORIDA:

SECTION 1. From and after the effective date of this ordinance, Section 4.02.01(B) of the ULDC is amended to read as follows (deleted text, ~~stricken~~; new text, underlined; comments, [*bracketed and italics*]):

B. Specific ~~additional~~ requirements for the 1911 Historic Plat Overlay District (1911 Plat).

The minimum lot area for construction of a dwelling unit within the ~~LDR~~ low density residential district in the 1911 Plat is ~~7,500~~ 15,000 square feet. The minimum lot width for construction of a dwelling unit in the 1911 Plat is 75 feet. For parcels that have property frontage along an alley as shown by the 1911 Plat, the minimum lot area for construction of a dwelling unit shall be 13,500 square feet.

A single-family dwelling may be constructed on a lotparcel with less than a-15,000 square feet or less than 75 feetfeet of lot width if-thein the low density residential district within the 1911 Plat under the following conditions:

1. Front and side setbacks for a residential unit shall be met.

2. The parcel consists of any single lot or a combination of an odd number of multiple lots which was platted & recorded in the official records of are contiguous along a single street in a single block as shown on the 1911 Plat.

3. The combined lots were assessed in the County prior-to-tax rolls as a single parcel or an odd number of contiguous parcels as of January 14, 1975.

~~[Please note that the table “When all of these conditions apply, the number of dwelling units allowed shall be according to Table 4.02.01(B)(4):~~

Table 4.02.01(B) ~~4: 1911 Historic Plat Reconfigurations” is stricken in its entirety].~~

<u>Assessed no. of lots as of 1/14/1975</u>	<u>Maximum Buildable Lots</u>	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
<u>1</u>	<u>1</u>	<u>7,500</u>	<u>50'</u>
<u>3</u>	<u>2</u>	<u>11,250</u>	<u>75'</u>
<u>5</u>	<u>3</u>	<u>11,250</u>	<u>75'</u>
<u>7</u>	<u>4</u>	<u>11,250</u>	<u>75</u>
<u>9</u>	<u>5</u>	<u>11,250</u>	<u>75'</u>

SECTION 2. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 3. The appropriate officers and agents of the City are authorized and directed to codify, include, and publish the provisions of this Ordinance within the Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained.

SECTION 4. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED, AND ADOPTED this ___ day of _____, 2021.

CITY OF LYNN HAVEN,
FLORIDA

BY: _____
Jesse Nelson, Mayor

ATTEST:

Vickie Gainer,
City Manager/Clerk

First Reading: August 10, 2021
Second Reading: _____