

**Minutes
City of Dunnellon
Planning Commission
May 17, 2022, 5:30 p.m.
Zoom**

<https://dunnellon.zoom.us/j/83862688572?pwd=eGdndTIjMUVRK3JYK3EyWlkzMitNUT09>

Webinar ID: 838 6268 8572

Chairwoman D'Arville called the meeting to order at 5:31 p.m. and led the Pledge of Allegiance.

Roll Call

Members Present:

Brenda D'Arville, Chairwoman
John Pierpont, Commissioner
Dusty Walters, Commissioner
Kathy Dunn, Commissioner
Lisa Sheffield, 1st Alternate

Members Absent:

Mary Ann Hilton, Commissioner – present but asked not to participate

Staff Present:

Georgina Cid, Community Development Manager
Kelly Wyen, Planning Assistant
Patrick Brackins, Assistant City Attorney – via zoom
Bill White, Mayor
Louise Kenny, Councilwoman
Chief McQuaig, Police Department

Proof of Publication

The agenda was posted on the City of Dunnellon's website and City Hall bulletin board on Tuesday, May 10, 2022 and amended on May 16, 2022 to add item #4.

1. Approval Of Minutes

March 15, 2022 – Regular Meeting

Member Dusty Walters motioned to approve the March 15, 2022 minutes as amended. Lisa Sheffield seconded the motion. A vote was taken and the motion passed 5-0.

2. Discussion – Proposed Ordinance #ORD2022-05 Short Term Rental Properties

Ms. Cid read the agenda summary for item #2 describing the content of the proposed ordinance. Member Walters asked if there is a limit on how many vacation rentals by owner (VRBO) can be limited in a neighborhood or particular street. Atty. Brackins cited FS 509.032(7b), stating that

the legislature has limited city authority to regulate the frequency of rentals or to prohibit the rentals. Member Dunn asked if HOAs can have control over vacation rentals. Atty. Brackins answered yes. Chairwoman D'Arville stated she believes the owners would be registering with the Florida Department of Revenue and not the Department of Business and Professional Services (as stated in the proposed ordinance). Chairwoman D'Arville asked that Ms. Cid and Atty. Brackins verify that information. Member Dunn asked who an owner should appoint to manage the property if the owner lives out of state. Atty. Brackins stated that the ordinance will require the owner to designate someone, such as a property management company, to manage the property. Member Pierpont asked what the registration fee would be and whether it be one time or annually. Ms. Cid replied the topic has not yet been addressed. Member Pierpont clarified the purpose of this ordinance is to control noise and other violations potentially created by renters and he asked if there has been any thought about how this would be enforced. Ms. Cid said this ordinance is a work in progress and this is the beginning stage of developing the ordinance. Member Dunn said this effort should be applauded because VRBOs are changing the complexion of our neighborhoods. Member Dunn would like to require permits for VRBOs, collecting a bed tax and limiting the number of permits issued in a year. Chairwoman D'Arville said limiting the number would be challenging since the rental websites would not know the limits set by Dunnellon. Atty. Brackins stated that any type of tax and regulations for public lodging establishments is expressly preempted to the State. Member Dunn said the Comprehensive Plan, Section 1.5 (b) states transient lodging should be limited to eight units per gross acre and would like to limit the number of people in a home at one time. Atty. Brackins stated that the State overrides the Comprehensive Plan.

Member Dunn motioned to approve the recommendation to present the proposed ordinance to City Council without any changes. Member Walters seconded the motion. A vote was taken and the motion passed 5-0.

3. Discussion – Code & Site Plan Review – Commissioner Dunn

Member Dunn stated the city codes need review. People drive larger vehicles now, have boats and RVs. Member Dunn said the Planning Commission needs to come up with a plan to revise the code and presented photos from her neighborhood and around the city as examples of what she believes would be remedied with a revised code. She showed a picture of Dunnellon Laundromat with a dumpster in the front parking lot. She showed a picture of a Historic District home with a box truck parked in the yard, a home with household appliances and trash in the yard, a large jeep filled with trash parked in the front yard and several more pictures of dilapidated properties. She showed a picture of her home with an RV in the driveway, for which she previously received a violation courtesy notice and stated that her type of violation shouldn't be the focus of Code Enforcement efforts.

Member Walters asked when the city code was last revised and nobody could provide an answer. Chairwoman D'Arville asked Atty. Brackins what the proper way to address code review would be. Atty. Brackins said that the Planning Commission's responsibilities and roles are outlined in Chapter 94 of the Code within the City's Comprehensive Plan, Quasi-Judicial hearings, site plan review and is limited to new developments of certain size and scope (ex: replats, small

development...). Under Chapter 94, Planning Commission does not have authority to review or propose modifications to the city code. When the Planning Commission reviews the Comprehensive Plan, they can also verify the land development code is consistent with any changes the Commission made to the Comprehensive Plan.

Member Dunn asked if the Planning Commission can recommend to City Council that the codes get reviewed as a group, as it carries more weight than it would from an individual citizen. Atty. Brackins said they are certainly not prohibited from making general recommendations to the City Council. Member Walters asked how they can access the code. Ms. Cid said the code is available on the city's website. Chairwoman D'Arville verified with Atty. Brackins that they can, as citizens, review on their own time and provide a markup to the Community Development Manager.

4. Discussion – Proposed Police Facility

Ms. Cid presented the six properties being considered for the new police facility location. After the presentation, Member Pierpont asked why an RFP isn't issued for this; indicating that developers get creative with options the city may not have thought about. Ms. Cid stated that an RFP would be the second step, but a decision on what property to use needs to be made first. Member Pierpont said there may be something a developer sees that the city doesn't and that optioning the properties could be done during the RFP process to keep the properties available during the RFP process. Chairwoman D'Arville asked Chief McQuaig to speak about his opinion on the best site. Chief McQuaig said the goals are to save money and to build the best building to meet the Police Department requirements and standards. Chief McQuaig explained the existing Police Department site and property on either side would be the most beneficial, as the funds are available, and the city already owns the existing Police Department lot. That location allows a 5,000 SF building to be built. Also, money would not have to be borrowed. Member Walters said it's a great option. Chairwoman D'Arville commented there has been talk about a need for a police station since 2004, so it has been a long time coming.

Member Dunn asked where the estimates came from for building costs that were presented. Ms. Cid said those are estimates which had been received in the past and after reaching out to those contractors, updated costs were provided. Ms. Cid advised her the presentation only gave ideas and that it is up to Council to make the decision on what type of structure and which location will be best suited for a new police facility.

5. Public Comment

David Raulerson, 19601 E Pennsylvania Ave., said he is a commercial and residential owner. He commented he had big plans four years ago to start a rental business. Mr. Raulerson discussed various ideas and parking issues at Blue Run. He voiced his concern of feeling dismissed when he mentions the word "kayak" when he comes to City Hall to discuss a business license. Chairwoman D'Arville thanked him for coming out and encouraged Mr. Raulerson to work with Community Development to get the proper approvals for his requests.

Mayor White stated the sale of the former Souls Harbor Church is being finalized. He said the city captured the two southern lots of the property and those lots will be available if and when

the City Council sees a need for its use. City Council is also focusing on where they can build a new police site, which will be on the next Council agenda along with other items such as boat ramp fees. Mayor White stated most municipalities charge boat ramp or parking fees for boat ramp use. The Council has control of the boat ramp and will continue to work on the proposed ordinance. He then spoke about a joint letter done by the DCBA and two other Chambers regarding the Northern Turnpike Extension. He said Council will be inviting the DCBA to its next meeting to discuss.

Mayor White added the Little League field is a public park and is open to anyone who wants to use it. He said because the league leases it, the league can set up rules and regulations for the field use and they have first right of refusal for use. He commented 72-hour notice is required if a travel team wants to use the field and a usage fee may apply.

Mayor White remarked Marion County has agreed to provide \$425,000 for a new restroom facility at Blue Run Park and an additional \$25,000 for a weather shelter. He said the city will budget an additional \$150,000 in FY22/23 to cover additional costs. He commented this park is a connection to the entire State's trail system.

Mayor White further commented the Blue Run Park Ordinance was put into place on April 1, 2022. He said this puts all the Management Plan Agreements into ordinance form to allow the police to enforce citations. He stated the ordinance also shuts down commercial activity in the park. He said other than Rainbow River Kayak Adventure, which is the County's hired shuttle service, no other kayak service is permitted to use the park.

Mayor White said with regard to Code Enforcement, there is so much that needs to be fixed from years of not having Code Enforcement. He commented as we move forward with Code Enforcement, pushback is expected as things have been allowed to happen over a period of time. He stated as you look around the city, there are obvious examples of code violation that need to be dealt with. Mayor White said he doesn't believe waiting for the city code revisions is feasible before enforcing the code. He stated we should enforce the obvious violations to help clean the city's appearance.

Finally, Mayor White said the city is also preparing to repave Cedar Street and Ohio Street, which has been a goal for quite some time.

Ms. Cid stated the city is working on the RFP for wayfinding signs. She said the design of the signs was previously presented to and approved by Council. She commented the RFP is strictly for the manufacturing of the signs and eventually the signs will be a standard throughout the city. However, due to budget constraints, the signs will be initiated in the Historic District only.

Member Walters asked about the status of the vision statement revision for the city. Ms. Cid stated public meetings have to be scheduled for the revisions and we are currently focused on other areas, primarily Code Enforcement. She said there have been 43 Code Enforcement notices sent to date this year. The city will continue to enforce the Code and work on Code revisions.

Ms. Cid stated the city is now a member of Main Street and she will continue working toward establishing a 14-member board/committee/panel. She said nearly all positions are filled currently. Ms. Cid also indicated Code violations should be emailed to a staff member of Community Development at City Hall.

6. Adjournment:

A motion to adjourn was made by Chairwoman D'Arville and seconded by Member Pierpont. There being no further comments, Chairwoman D'Arville gavelled down and adjourned the meeting at 7:34 p.m.

Penned Signature of
Brenda D'Arville
Chairwoman

Penned Signature of
Georgina Cid
Community Development Manager