

Planning and Zoning Minutes
December 11, 2017

Planning and Zoning Board Members:

Regina Dunay, Chairperson (Quorum)
Chris Rader, Board Member
Marion Rayburn, Board Member
Wade Fischer, Board Member (absent)
David Gragg, Board Member

Staff:

Drew Smith, City Attorney
Vince Jackson, Police Lieutenant
Sandy Repp, Deputy City Clerk

CALL TO ORDER

Chairwoman Dunay called the Planning & Zoning Board meeting to order at 6:30 p.m., followed by the Pledge of Allegiance. Deputy City Clerk, Sandy Repp, announced that there was a quorum with Board Member Fischer absent.

ADMINISTRATION OF OATH OF OFFICE

Deputy City Clerk Repp administered oath of office to instate Planning and Zoning Board Member David Gragg.

David Gragg is now seated at the dais.

APPROVAL OF MINUTES

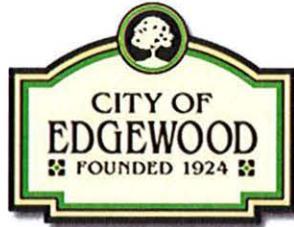
- **October 9, 2017**
Page 2 - the word “requires” was changed to “required” in the last paragraph of New Business #1.
Page 2 - Under Sign Ordinance, paragraph 4, “a” deleted and following verbiage was deleted: “that would be allowed if the sign was within code at the time it was permitted and erected.”
- **November 13, 2017**
Page 1 - Paragraph 1, line 1 under Unfinished Business added the word “were”. Paragraph 2, deleted the word “size” and replaced with “signs”.

Deputy City Clerk Repp noted corrections that were made to the minutes that were provided before the meeting.

Board Member Rayburn made the Motion to approve the October 9, 2017 and November 13, 2017 minutes with corrections; seconded by Board Member Rader. The motion was unanimously approved (4/0).

NEW BUSINESS

1. **Ordinance 2018-01 Extension of Moratorium of Uses**



Chairwoman Dunay introduced Ordinance 2018-01. The original moratorium ordinance was passed in August 2017.

Per Chairwoman Dunay, Mayor Bagshaw announced in the last City Council meeting that the two shopping centers at the corner of Holden and Orange Avenue have been sold and new development will go in there. Extending the moratorium will ensure there will not be new occurrences of these uses. There will be a report from Little which will be a summary of the questionnaires that were sent to Edgewood businesses and residents and that will determine how the City will go forward with uses in the Orange Avenue District.

Per Attorney Smith, this is a continuation for another 180 days or until the Orange Ave overlay is created, at which time the moratorium would expire because the zoning would be accomplished.

Chairwoman Dunay asked if there was further comment, and asked Board Member Gragg if he was informed about the zoning district along Orange Avenue. Per Attorney Smith, the new zoning district will be created and then the rezoning will occur to the district; it is a two-step process.

Chairwoman Dunay asked for a motion.

Chairwoman Dunay made the Motion to recommend approval of Ordinance 2018-01 to extend the moratorium for 180 days; second by Board Member Rayburn. The motion was unanimously approved (4/0).

The proposed ordinance will go to Council for first reading on December 19, 2017.

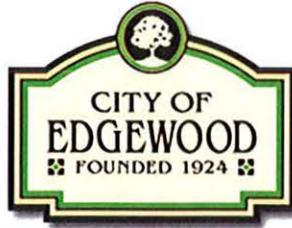
COMMENTS/ANNOUNCEMENTS

In response to Board Member Rayburn regarding Airbnb rentals, Attorney Smith, said that code regulates boarding houses the same way as Airbnb. In response to Board Member Dunay, Attorney Smith explained that Airbnb and short term rentals cannot be treated differently than long term rentals per State Law. Planner Hardgrove added unless you had code in place already, which is the case for the City of Edgewood.

The application for Rezoning for Orange County Public Schools should be on January's Planning and Zoning agenda. In response to Board Member Rader's question about using a Special Exception, Attorney Smith explained that a Planned Development (PD) gives the City more latitude on how the City interacts with the applicant. Per Attorney Smith, the standard on the rezoning portion of the PD would be about the same as the Special Exception, and both are quasi-judicial, but the PD gives the City more authority because of the developer's agreement. OCPS cannot get rezoning unless the City agrees to the developer's agreement.

Further discussion included that the City is waiting for the final Developer's agreement, which creates the criteria for the City's approval. In response to Board Member Rader, City Planner Hardgrove said that the Board will be presented with a recommendation from staff. After recommendation for approval or denial, or adding conditions of approval, the application will go to Council.

Chairwoman Dunay asked Deputy City Clerk, Repp for the next meetings who confirmed that the next Planning and Zoning dates would be January 8, 2018 and February 12, 2018

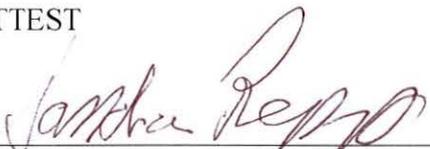


ADJOURNMENT:

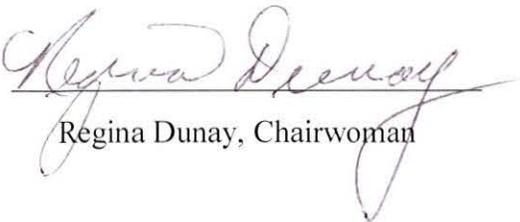
With no further business or discussion, Chairwoman Dunay asked for a motion to adjourn the meeting.

Board Member Rayburn made the Motion to adjourn the Planning and Zoning Board meeting; second by Board Member Gragg. Motion unanimously approved (4/0). The meeting adjourned at 6:58 pm

ATTEST



Sandra Repp, Deputy City Clerk



Regina Dunay, Chairwoman