

**CITY OF VERO BEACH, FLORIDA
CITY COUNCIL SPECIAL CALL/WORKSHOP MINUTES
THURSDAY, JANUARY 26, 2023 9:00 A.M.
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

PRESENT: John Cotugno, Mayor; Linda Moore, Vice Mayor; Tracey Zudans, Councilmember; John Carroll, Councilmember and Rey Neville, Councilmember **Also Present:** Monte Falls, City Manager; John Turner, City Attorney and Tammy Bursick, City Clerk

1. CALL TO ORDER

A) Pledge of Allegiance to the Flag

Mayor Cotugno led the Council and the audience in the Pledge of Allegiance to the flag.

B) Roll Call

The City Clerk performed the roll call.

2. ITEMS FOR DISCUSSION:

- A) Request a discussion with City Manager and Staff regarding the need to amend the City of Vero Beach Zoning regulations to include another beachside overlay district. This district would serve as a road map for future beachside re-development within the RM-10/12 zoning district lying between the western limits of the existing Ocean Drive overlay district and Eagle Drive. Lastly, the new district should include the residential development designated as R1 and R1A lying between Eagle Drive and A1A in order to provide protections which inhibit conversion of single-family residential lots into parking lots to serve the future demand of the surrounding commercial and multi-family properties. – Requested by Councilmember John Carroll**

Mr. Carroll commented that he discussed some of this item at the January 3, 2023, City Council meeting, but no vote was taken and it was postponed until today's meeting. He briefly went through his biography and said that while he is an Engineer by trade, he has done a lot of planning work and fully understands what the Code entails. He went through a Power Point presentation on the Proposed Beachside Overlay District (attached to the original minutes). He would like a motion today to direct City staff to solicit a proposal from a licensed Planning and Design firm to prepare a comprehensive overlay plan to address issues of urban design, land use, circulation and parking, open space, public improvements and pedestrian streetscape, signage, building design characteristics, historic preservation and development incentives.

Mr. Neville liked this concept and felt that it was well thought out. He said it is a small area that they are talking about.

At this time, Council went through items 2-CA), and 2-CB) then came back to item 2-B) on today's agenda.

- B) Holistic Analysis of Downtown Vero Beach – Address outstanding issues in the Downtown and to implement a plan of attack in conjunction with the re-paving of the Twin Pairs. The issues**

include but are not limited to Public Safety (traffic and homeless), Existing Overlay District (zoning and parking), Primary Uses (historical, commercial, and residential), future assistance from Treasure Coast Regional Planning Council. – Requested by Councilmember John Carroll

Mr. Carroll went over his Power Point presentation entitled Holistic Analysis of Downtown Vero Beach (attached to the original minutes).

Mr. Neville commented that the area of downtown needs to be redefined before they consider an overlay. He noted that Mr. Carroll was requesting a motion to direct staff to solicit a proposal from the Treasure Coast Regional Planning Council to prepare a comprehensive master plan for downtown to address issues of urban design, land use, circulation and parking, parks and open space, public improvements and pedestrian streetscape, signage, building design characteristics, historic preservation and development incentives.

C) Staff's Report

A) Neighborhood Protection and Preservation

Mr. Jason Jeffries, Planning Director, put five (5) memos together as it relates to the central beach issues. They consist of the Neighborhood Protection and Preservation, Beachside Overlay District, Revisions to Commercial Zoning Districts, Old Dixie Land Use Study and Downtown Master Plan. At this time, he went over the Neighborhood Protection and Preservation document that he prepared. The Planning and Zoning Board has been discussing this and recommended that staff continue researching neighborhood protection policies. He said he is focused on the following research: Neighborhood Protection Policies (Comprehensive Plan Text Amendment) and Neighborhood Protection Overlay Zoning. He said that the potential policy recommendations begins with the Comprehensive Plan Text amendments. He needs to prepare a text amendment to the Land Use Element Objective 13, General Neighborhood Principles to add or expand policies. They need to create a new stand along Neighborhood Protection Element and prepare specific neighborhood plans that analyze unifying characteristics, propose specific regulations with standards based on need, desirability and level of support. The next steps in the planning process would be to do some background research on the review of other community Comprehensive Plans, identify neighborhood issues, have neighborhood meetings, develop initial goals and objectives, prepare an analysis of policy options and adopt these selected policies.

Mayor Cotugno asked Mr. Jeffries is this something that can be done in-house or would it be contracted out.

Mr. Jeffries said that they may want to contract this work out. He said that next month a Selection Committee will be formed to review RFP's received for having planning consultants under a contract that the City can call when they need their services. He said someone from this list of experts may be able to help with this process. He said right now they are handling this in-house and may be capable of continuing to handle it in-house. He said that this not only covers the central beach area, but would affect all of the surrounding neighborhoods.

Mr. Neville recalled that there are three (3) houses on Holly Road where new houses have been built and many trees have been taken out on these different properties that he felt could have been saved.

Mayor Cotugno commented that this would be a combination of zoning changes and Comprehensive Plan text amendments.

Mr. Jeffries explained that they would first deal with the Comprehensive Plan and then the Land Development Text Amendment.

Mrs. Zudans agreed that this has to be neighborhood driven. She said they don't want the City to get into the situation where they are creating a Home Owner's Association (HOA) for that certain neighborhood. She said they don't want to stretch government control over what is happening in a neighborhood. These discussions need to be driven by the neighborhoods themselves.

Mr. Jeffries expressed that they have already adopted Floor Area Ratio (FAR) requirements for residential development, which he said is very unusual. He said that most zoning Codes only have this for commercial development. He explained that the FAR is the maximum floor area that someone can build on a piece of property. It is all floor area that is enclosed including the garage.

Mr. Jeffries said that he would be presenting additional information to the Planning and Zoning Board over the next couple of months and they will begin having neighborhood meetings.

B) Beachside Overlay District

Mr. Jeffries showed on the map (area 3) where the proposed overlay district would be. He briefly went over some zoning history. He said the first Zoning Code was established in 1926, which consisted of permitted single-family, multi-family, boarding houses and places of worship. Then the next Zoning Code was established in 1948 where the current zoning split along Eagle Drive was put into place. There was the western portion of R-1 & R-1A single-family residential areas formed and the eastern portion of R-2, which is multi-family residential which permitted R-1 uses, multi-family hotels, lodging houses, clinics and guest houses. Then the 1963 the Zoning Code removed hotels as a permitted use from the R-2 district. In 1970 Ordinance 1104 amended the R-2 district, added offices as a permitted use and removed boarding houses and lodging houses. The 1978 Zoning Code established current permitted conditional use structures, R-2 zoning district then the 1986 Zoning Code restructured the 1978 Zoning Code where R-2 became RM-12 and then in 1987 they combined the RM-10 and RM-12 to RM-10/12. Ordinance 91-06 amended the RM-10/12 zoning and removed administrative services, clubs and lodges, professional offices, medical service as a conditional uses and added specific criteria for limited expansion or change of use for conditional uses approved prior to 1991.

Mr. Jeffries talked about the Comprehensive Plan Policies. He said with Objective 4 – Redevelopment and Infill Principles the City should encourage and facilitate infill and redevelopment through the Land Development Regulations (LDR). They need to implement long term strategies for revitalization of established multi-family zoned residential areas and potential mixed-use areas. In Policy 4.3 the City should consult with realtors, builders, business organizations, property owners and other stakeholders. In Objective 13, which is the General Neighborhood Principles they should reinforce Vero Beach as a community of neighborhoods and promote neighborhood conservation and preservation. The next steps in the planning process would be to do background research and collect data, identify issues, develop initial goals and objectives, prepare analysis of development options and adoption of selected development options.

Mr. Carroll felt that it was imperative to move forward with this idea so there are not multiple storage units being built and they don't have to be ashamed of what transpired because the City could not do anything to stop it.

Council agreed with prioritizing what needs to be done first and once they have a finished product they are able to show the community how it works.

Mayor Cotugno opened public comments at 9:46 a.m.

Mr. Mike Johansen brought up his neighborhood which is near Bethel Creek. He said that there are a lot of people living in homes who don't own them and they should be allowed to have input in the neighborhood meetings.

Vice Mayor Moore said as long as someone is a resident of the City then their comments are valid.

Mr. Jeffries added by being a stakeholder that everyone's input should be part of the discussion and have a voice.

Mrs. Anna Brady commented that she has an extensive background in historic preservation and knows a lot of the history in Vero Beach. She cautioned Council when approaching historic districts, etc. She has been an advocate for a long time that they need to update their historic resource survey/study. She said the last one done was in 1990 and there is a huge gap of information that could be helping the Planning Department when that survey/study is updated. She said when it comes to the architectural details they should encourage people coming here to design buildings that fit in. She commented that the character of neighborhoods are not all in the R-1 zoning.

Vice Mayor Moore asked Mr. Jeffries if he would be proceeding with the historical survey/study brought up by Mrs. Brady.

Mr. Jeffries agreed that the survey/study does need to be updated. He said that historic preservation is a tool, but one of the more recent trends is there are a lot of people who do not want to be told what they can or cannot alter, such as what color they can paint their house. He said in the neighborhood protection zones they preserve the neighborhood with setbacks and the size of structure not to be limiting, but more palpable to the neighborhood. That is why they are pursuing overlay protection zones.

Mrs. Brady explained that paint is not typically regulated. She said that community engagement and education is such a big part of this. They need to look at the character of the neighborhood first and then decide how to move forward.

Mrs. Linda Hillman welcomed all the new City Councilmembers. She said when looking at the different neighborhoods, such as Original Town where she lives there are five (5) churches and two (2) of them have been granted parts of City streets. There have been historic homes taken down by the churches to increase their sanctuary size. She said they are killing their neighborhoods by knocking down these beautiful homes.

Mr. Carroll explained his purpose in bringing this up was to authorize staff to go forward with the research and address the overlay district in the zoning code.

C) Revisions to Commercial Zoning Districts

Mr. Jeffries reported that the Planning and Zoning Board discussed the permitted uses in commercial zoning districts. He is researching potential amendments to the City's commercial zoning districts. The Planning and Zoning Board recommended revising the permitted use definitions for consistency across the zoning districts and update the land use terminology. To add new special purpose districts for commercial districts with specific objectives and policies in the City's Comprehensive Plan and revise the permitted uses in the existing commercial districts. The existing LDR use terms are too broad, outdated and they need to add updated use terms. In the City's Comprehensive Plan it shows the new commercial zoning districts as being Downtown (adopted DTW zoning district), Ocean Drive/Cardinal Drive (adopted overlay district), Beachland Boulevard (add new zoning district), Royal Palm Pointe (add new zoning district and Miracle Mile (add new zoning district). On the map, Mr. Jeffries showed where the C-1A districts and C-1B districts are located. He said the next steps to take regarding the revisions to Commercial Zoning Districts would be to complete the use of the matrix analysis; prepare new or revised use definitions; prepare new commercial district standards; prepare revised Chapter 61 and Chapter 62 zoning districts; looking at implementing a moratorium, having property owners and stakeholder meetings and rezoning the commercial districts. He said in looking at these five (5) items the Planning and Zoning Board saw item A) – Neighborhood Protection and Preservation and item C) Revisions to the Commercial Zoning Districts as priorities. He said presently staff is working on both of these items in-house.

Mrs. Zudans commented that Council needs to take into consideration that these are the priorities of the Planning and Zoning Board.

Mr. Monte Falls, City Manager, said that the Planning Department will continue working on items A) and C) and Mr. Jeffries will bring back a memo to them on how he feels it would be best to attack the other items on the list and come up with the best way to move towards doing a Retail Marketing Study for downtown.

Mayor Cotugno commented that the Master Plan for downtown depends on the traffic study. He said they need to be coming in at the same time because that is important.

Mr. Carroll added that with every study done downtown there has been a master plan study done.

Mr. Falls agreed that they all know that they are going to need those things. However, there are some things that have to be done first like getting permission from Florida Department of Transportation (FDOT) to do a mock up on the Twin Pairs and then Council can decide if they want to go forward with having Kimley-Horn do a traffic study.

Vice Mayor Moore commented that the Retail Market Study would come before the Master Plan Study.

Mr. Falls expressed that they need to see how much money they have in the budget to do these things. He knows that money was allocated at budget time for a downtown planning study, which could be used.

Mrs. Zudans said they also need to have FDOT look at reducing the speed limit.

Mr. Falls said that they would have to do a speed reduction when doing the mock up.

D) Old Dixie Land Use Study

E) Downtown Master Plan

Mr. Jeffries commented that there has been interest by different people to do some things downtown and there are some things holding them back. He said the good part is there are very little vacancies downtown, but the zoning needs to be looked at. He went over the history of past plans for downtown. In 1987 there was a Concept of Vero Beach done, in 1990 the Downtown Vero Beach Redevelopment Program established a CRA, in 1992 the Downtown Vero Beach Redevelopment Plan adopted a plan that lead to the DTW (Downtown Zoning District), in 2000 the DTW Revitalization Strategy prepared for Vero Beach Main Street to provide a marketing strategy, in 2006 the Downtown Charrette was done which prepared for Vero Beach Street to document a vision for downtown and in 2008 a downtown action plan was done by the City to prioritize projects. He showed on the map what the different areas are designated as. He said some of the issues for downtown now are to look at how to attract new development.

Mr. Falls brought up the existing density in downtown, which is 17 units per acre. He said that has to be looked at by investors who of course want to get a return on their investment. In order to move to the next level they need to find a way to do some of the things that people want to do there within the required density and zoning.

Mr. Jeffries stated that the City needs to have a Retail Market Study done. He has talked to Mr. Bob Gibbs out of Michigan who is the national expert on this topic. He said that Mr. Gibbs will tell them what the demand for urban retail is in the downtown area and not “sugar coat” it. He said that the study will cost approximate \$25,000, but felt that it was well worth it.

Mr. Falls expressed how nice downtown Ft. Pierce looks and what they have accomplished mainly from the funding mechanism that they use, which is CRA funding. He said at one time the City Council adopted a CRA district for downtown and then it was rescinded. He was not saying that having a CRA is the answer, but there is some financing mechanisms that can help. He then explained what a CRA was. He said it is a tax increment for financing. A CRA is formed where city and county tax dollars are reinvested into the downtown area. He said that the County has to agree to do this also. He said there are other mechanisms that cities use to do some of these things.

Mayor Cotugno brought up how successful they were in doing the Three Corners project and they could do something similar downtown. They took this piece of property in this community and moved it along where they came up with a plan with heavy community involvement. His vision for downtown is that they do something similar. Bring it through the community so they buy into what they are doing. Financing is premature at this time. He has had meetings and discussions with different people on how to move forward. He brought up affordable housing and how they get involved with affordable housing in the downtown area. There are 13 acres located at the Old City Nursery that could be used for workplace affordable housing. He referred back to the downtown area and said that what has been done down there so far has been successful, but they need to bring downtown to the next level and there needs to be community involvement. They need to have this discussion as they move forward and model it like they did with the Three Corners project.

Vice Mayor Moore agreed these were all great ideas, but these things could take a long time. She brought up changing the zoning where the Old City Nursery site is located to allow affordable housing. This will not be a quick change to accomplish.

Mr. Jeffries agreed. There would need to be a Future Land Use change done and since that land is protected under the Charter a referendum is needed. He said they would be looking at about two (2) years before anything is done to that property.

Mayor Cotugno commented that the process with the Three Corners project was successful and the community bought into it. He said unless you get the community to buy into it, it won't happen. He agreed that it takes time. He reiterated the citizens want to have input and they want to make sure their neighborhoods are protected, etc.

Mr. Carroll commented that every Comprehensive Plan change has public input. The Three Corners project was just a planning exercise.

Mrs. Zudans appreciated wanting to move forward on these items, but they need to make sure that in moving forward that everything is done correctly. They have to do things in a way that it is going to be long term. She said just moving quickly on things is not necessarily the best way to approach matters.

Mr. Neville felt that there was a gigantic difference when talking about the Three Corners project and downtown.

Vice Mayor Moore brought up that so many of the studies done over the past for downtown have advised increasing the density downtown, but it still has not been done. They should be doing what these studies are telling them to do.

Mrs. Zudans brought up the comments made earlier by Mrs. Hillman about the churches buying up property for future expansion. She said this could change how the different neighborhoods look. She suggested addressing this matter when looking at the next steps for downtown.

Mr. Jeffries would be happy to look at the standards for doing this. He said that they categorize churches as a place of worship and not by the size. They could look at allowing a certain size for churches in the area. He said they have to be careful because of constitutional issues.

Mrs. Zudans agreed they were talking about looking and doing a lot of different things. She asked if a moratorium was needed to happen at this time concerning the zoning.

Mr. Jeffries said that they needed to be a little further along in the planning process before putting a moratorium in place.

Mr. Neville wondered if Mr. Jeffries has looked at the new Florida Statute in place relating to municipalities approving affordable housing in residential and commercial areas. He said that it has been done in Tampa.

Mr. Jeffries explained that they would still need to follow their Comprehensive Plan and they would have to go to the voters to decide if they want to take the Old City Nursery out of the Charter. He has not had time to really research this new Statute.

Mayor Cotugno opened public comments at 10:47 a.m.

Ms. Gabriel McCary (spelling may not be correct) asked to define what affordable housing is.

Mr. Jeffries explained that it is defined by State Statute and there are different types of affordable housing. He said the medium income in this County is \$60,000.

Mr. Matt Haines, Executive Director of MainStreet Vero Beach, told Council to think of MainStreet as a resource to help them with this. He said pursuant to community discussion, he would like to offer to manage and monitor a round table type discussion with people located on downtown mainstreet. He would be happy to host this forum and have the people who are affected become involved. This is one of the first steps taken to enlist the community.

Mrs. Anna Brady commented that at one time she was the Historic Planner in Ft. Pierce and the process that the Mayor was talking about is very similar and it worked great. She agreed it is a process and it takes time. She said in Ft. Pierce they had pictures displayed on the walls of their vision and design of what the City could look like and kept the pictures displayed at City Hall as different Councilmembers changed.

Mrs. Barbara Ruddy felt this discussion was fabulous. She liked what Mr. Haines was offering. She said it would get things moving faster.

Ms. Vicky Gould loved the whole discussion about the Master Plan for downtown, but wanted to mention a few things relating to the Twin Pairs. She briefly commented on the Twin Pairs.

Mrs. Linda Hillman commented that over the past month, she has sat outside at the coffee shop downtown on different days and times and said you take your life into your hands by sitting on that corner of 14th Avenue. She said it is dangerous because of the speed those cars are going traveling. She addressed the churches again. She recalled that St Helen was deeded from the City Tallahassee Avenue so the children in their school could be picked up and dropped off. St. Helen owns 11 pieces of property between Tallahassee Avenue and the street behind it. She said out of the 11 houses only two (2) of those houses are occupied and the rest are empty. She said that for each home they only pay \$100 a year in taxes. She said mark her words there are plans to take these houses down.

Mayor Cotugno called for a break at 11:00 a.m. and the meeting reconvened at 11:15 a.m.

Mrs. Elsa Fuller commented that she lives in the Cultural Art Village and wakes up at night hearing the cars speeding down the road like they are racing each other. She said that it goes on sometimes for 30 minutes.

Mayor Cotugno closed public comment at 11:18 a.m., with no one else wishing to speak.

Mr. Neville told Mrs. Fuller that she needs to call the Police Department and report the cars racing down the road when she hears them. He said that needs to stop.

Vice Mayor Moore brought up traffic studies and asked if they are done both day and night. Mr. Falls said they are monitored for 24 hours.

Mr. Falls commented that FDOT has not said yes to their mock for the calming situation yet. He said that they will continue to push FDOT to allow them to do this mock prior to the application for lane reduction. This will show if they have community support or not.

Mr. Neville recalled that there was a recent letter to the Editor about the traffic on the Twin Pairs and that someone needs to sit in a chair and monitor the traffic and the person who wrote the article wanted the City to remain as it is. He said he did monitor the traffic and showed pictures of what took place. This was done on yesterday. He arrived at 7:30 a.m. on 20th Avenue (showed pictures). He did not see a

problem with reducing the lanes in this area. He noticed that people were texting while driving down the street and that it is hard to cross the street if there is traffic.

Mr. Falls came across an old article where they were discussing the new bridge and how it worried the City. In that article they talked about the Twin Pairs and how it would spur up heavy traffic. He just thought he would share that. He said that Mr. Mitts will continue to work with FDOT in letting them do the mock.

Mrs. Zudans agreed that having the mock was a good suggestion in deciding if they should get rid of lanes or not. She brought up slowing traffic down to 25 mph in that stretch to see if that could work until they do the resurfacing project.

Mayor Cotugno asked Mr. Mitts when the FDOT resurfacing project is scheduled to take place.

Mr. Matthew Mitts, Public Works Director, said that construction is scheduled to start in 2026.

Mr. Falls expressed that FDOT did agree to reduce the speed to 35 mph.

Mrs. Zudans commented that she travels through Okeechobee quite often and their speed limit is 25 mph and there are always police officers ticketing that area. She said maybe they should look at reducing the speed limit on the Twin Pairs to 25 mph and increase having police officers in the area. She said this might be worth doing as a temporary study of the area.

Mr. Falls explained in doing the mock they will have to reduce the speed limit.

Mayor Cotugno brought up speed flow and it has been shown that narrowing the width of lanes helps with speed reduction.

Mr. Carroll stated that the most important thing to do is to keep moving forward and working together to make this community a better place.

Mr. Jeffries was hearing that it was the consensus of Council to do a Master Plan for downtown. He plans to take this in steps and phases. They would first review the status of the previous downtown plans, look at doing an Urban Retail Market Study, research the downtown shop ability analysis, look into an Architectural Design Study, update the Action Plan and do the Downtown Master Plan. He reiterated that they would be going out for planning consultants in February and should have those firms in place by March.

Vice Mayor Moore asked if they would start looking into the funding sources while getting a study.

Mr. Jeffries explained that would be in the implementation phase.

Mayor Cotugno asked how long it will take to address the first three (3) steps. Mr. Jeffries said with the first two (2) steps they could be a part of phase one and happen within the next two (2) months. Mayor Cotugno said that there is money to do this. Mr. Jeffries explained the money budgeted was for the study on Old Dixie Highway. He asked are they pushing that aside.

Vice Mayor Moore wondered if all of these areas were related to the study.

Mr. Falls said what they could do is push Old Dixie Highway into the Master Plan for downtown and take that money and use it towards the Urban Retail Market Study. He asked how they wanted to handle the other items brought up by Mr. Jeffries at today's meeting.

D) Public Comment

Mayor Cotugno asked at 11:57 a.m. if anyone had any public comments to make.

Mrs. Barbara Ruddy commented that she goes downtown at least seven (7) or eight (8) times a week. She observes like Mr. Neville did, that the traffic is fast, but she never sees the police department issuing tickets.

Ms. Vicky Gould agreed that it sounds reasonable to slow traffic down would help with the speed of traffic. However, research shows that the roadway is designed for speed and lowering the speed is not going to do anything. She said what they need to do for their community is get ahead of things like allowing the storage unit before it actually happens.

Mr. Falls brought up the area where the storage unit is being built. He said that was zoned mixed use and different things could have been built there. However, the only viable offer the property owner received was from someone who wanted to build a storage unit there.

Mrs. Elsa Fuller hoped that they would look into reducing the speed to 25 mph around 19th Street in front of the school (Flick). She said people bypass Route 60 and go down that road.

Mr. Falls said that they can look at the speed limit in front of the school (Flick) because it is in their jurisdiction.

Mayor Cotugno closed public comments at 12:02 p.m., with no one else wishing to speak.

E) ADJOURNMENT

Today's meeting adjourned at 12:02 p.m.

/tb