

Jefferson County Planning Commission
Meeting Minutes
July 8th, 2021

Commissioner Michael Schwier called to order at 6:03 pm.

Commissioner Byron Arceneaux led the opening prayer and Pledge of Allegiance to the Flag.

Physically in attendance: Commissioner Michael Schwier, Commissioner Bud Wheeler, Commissioner Byron Arceneaux, Commissioner Jacqueline Seabrooks, Commissioner Kimberly Odom, Commissioner Derrick Jennings, Attorney Scott Shirley, Planning Official and Interim County Coordinator Shannon Metty.

Attended via Zoom: Commissioner Roy Faglie.

Prior to beginning the Agenda Items, Commissioner Schwier introduced and welcomed newly appointed District Two Planning Commissioner, Kimberly Odom.

Agenda Item #2: Approval of Draft Minutes-June 10th, 2021, Meeting:

- Commissioner Wheeler motioned to approve Minutes. Commissioner Arceneaux second motion. Motion passed with unanimous approval.

Agenda Item #3: First Public Hearing of Temporary Use Ordinance:

- Attorney Shirley opened the discussion noting that after the last meeting he had extensive conversation with Sheriff McNeil about the sound concerns. The Sheriff's main concerns are having a definitive sound limit, having clear rules of enforcement for violators, and having clear penalties for someone who operates without or beyond the permit. After meeting with the Sheriff, Attorney Shirley had multiple conversations with Commissioner Betsy Barfield and Planning Official Shannon Metty.
- Discussion for Revisions of Temporary Use Permit Regulations-Led by Attorney Shirley.
 - Topic-Page 2 of 9: 9.14.3 Temporary Use Permit Application Requirements:
 - Attorney Shirley reviewed the changes discussed at the previous meeting.
 - Commissioner Barfield feels concern for event length. New recommendation a total of 6 permitted events not being more than 2 days in length. If applicant wishes to have an event longer than 2 days, they will need to apply for a Special Exception.
 - Commissioner Wheeler asked how this will affect the used car lot event which is held south of the Fire Station on US-19. Commissioner Schwier stated this event site is in the City. Attorney Shirley added that if this event were held in the County and not on property which is a devoted car lot it would need to apply for this permit.

Commissioner Faglie moved to approve these minutes on July 22nd, 2021.
Motion was second by Commissioner Seabrooks. Minutes were approved by all

- Commissioner Arceneaux asked what if the property was zoned for commercial activity? Attorney Shirley reviewed the ordinance stating Temporary Use Permits are only allowed in the Ag-20, Ag-5, and IB land use districts.
- Commissioner Wheeler asked who notes the violators? Attorney Shirley replied that in most cases an off-duty officer is onsite for security purposes. If further enforcement is needed it would be done through code enforcement, a daily fine may be issued, a civil citation may be issued, an injunction may be issued, etc.
- Commissioner Schwier asked if an event receives a permit for a 2-day event but takes the day prior to set up and the day after to break down, would this be allowed? Attorney Shirley stated yes this would be allowed as long as the event was not operating during those days.
- Commissioner Jennings referenced indoor and outdoor events held at the MLK Community Center, do they require a permit? Attorney Shirley stated that years ago there were several “venues” which were listed and are considered to be “grandfathered” as event venues. He stated that they can apply for a permit, but it is not required.
- Commissioner Arceneaux referencing the car lot scenario, this ordinance now specifies “outdoor sales conducted for a fee...” Attorney Shirley stated this was a good point, however they would be considered commercial activity.
- Commissioner Arceneaux asked was this meeting considered to be the first reading? Attorney Shirley stated yes, and changes were allowed as long as new subject matter was not added.
- Commissioner Seabrooks stated that with this ordinance, food vendors are required to have a license, what about vendors in a “pop-up flea market” scenario, would they be required to have a DBPR license? Attorney Shirley stated this was a good point, he will draft a clause.
- Topic-Page 3 of 9: Section A-6: Copy of latest tax payment report:
 - Attorney Shirley stated that this was to help ensure legitimate operators apply for this permit. He added that by requiring this information it will help bring revenue back to the County.
- Topic-Page 3 of 9: Section 3: Health, Food and Sanitation Provisions:
 - Attorney Shirley reviewed the changes discussed at the previous meeting.
 - New recommendation on potable water 1 gallon per day per 4 attendees.
 - Attorney Shirley reviewed and included copies of Florida Department of Health Rule 64E-6.0101 on Portable Restrooms and/or Holding Tanks.
 - New recommendation on sanitary sewer includes portable handwashing stations.

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- Topic-Page 4 of 9: Section 6 (continued from page 3 of 9)
 - Attorney Shirley reviewed the recommendation that “written” confirmation of event and location shall be provided to the Sheriff Department and the Fire/Rescue Department.
- Topic-Page 4 of 9: Section C: Notarized Signatures of the Owners/Permittees:
 - Attorney Shirley stated that in his discussions with Commissioner Barfield she recommended having the owner fill out the application so that they could potentially be held responsible for the event issues. Attorney Shirley stated that this is a good idea but feels an acknowledgement letter would be more effective.
 - New recommendation states the permittee and landowner are responsible for conducting the event in full compliance of the Land Development Code and special conditions of the Temporary Use Permit.
- Topic-Page 4 of 9: Section E: Noise Level:
 - Attorney Shirley reviewed the changes discussed at the previous meeting.
 - Sheriff felt the concern for the sound level. New recommendation clarifies the noise levels are not to exceed 60 decibels at the property line during the entire event instead of during the hours of 9pm to 7am.
 - Sheriff felt the concern of participants noise should be addressed. New recommendation clarifies that the event host will be responsible for maintaining the attendees.
- Topic-Page 5 of 9: Section F: Violations and Penalties:
 - Attorney Shirley reviewed the changes discussed at the previous meeting.
 - Sheriff felt the concern for those operating without a permit. New recommendation clearly outlines the penalties and references Florida Statute Code of Ordinances Section 1-8 and Section 125.69.
- Commissioner Wheeler acknowledged the hard work on this ordinance.
- Attorney Shirley read the title of the ordinance and stated this is the first and only reading. Commissioner Seabrooks motioned to move the ordinance to the BOCC. Commissioner Wheeler second. Passed with unanimous approval.
- Commissioner Schwier closed the Public Hearing at 6:31pm.

Agenda Item #4: Comments from the Public:

- Lucille Jones, County resident, began by thanking the commission for their efforts. She thanked the Planning Office for their assistance with her questions she has had over the last few weeks. She continued by stating she was coming before the Board to officially invite each member to her outdoor dining event that will be on August 14th, 2021, at 157 Jones Lane.

Commissioner Faglie moved to approve these minutes on July 22nd, 2021.
Motion was second by Commissioner Seabrooks. Minutes were approved by all

Agenda Item #5: Comments from the Planning Commissioners:

- Commissioner Wheeler asked about the Big Woods Subdivision. Mrs. Metty stated it will be heard at the meeting on July 22nd along with the update to the Flood Language. Attorney Shirley added that the flood revisions are needing to be completed before the CRS review. This information will include the plan to adopt “wet flood proof” standards. He ended by stating this meeting will require a quorum.
- Commissioner Schwier asked Attorney Shirley can you provide the information to the Board now so that we can review? Attorney Shirley stated it will be sent out by the end of next week. He added that FEMA is also drafting revisions.
- Commissioner Schwier asked Mrs. Metty to notify each of the commissioners of the upcoming meeting.

Commissioner Wheeler motioned to adjourn; Commissioner Arceneaux second.
Commissioner Schwier adjourned meeting at 6:44pm.

Respectfully submitted,

Renee' Long

Renee Long
Jefferson County Planning Assistant