

**TOWN OF WELAKA
SPECIAL-CALLED TOWN COUNCIL MEETING
(Land Development Code)**

March 5, 2024, 6:00 PM

Honorable Willie Washington, Jr. Council Room
400 4th Ave., Welaka FL 32193

MINUTES

(This meeting was broadcasted for view only on the Town of Welaka's Facebook page)

- 1. MEETING CALLED TO ORDER:** by Mayor Watts at 6:00 PM.
- 2. PLEDGE OF ALLEGIANCE & INVOCATION** by Finch.
- 3. ROLL CALL Taken by Town Clerk, Meghan Allmon:**
Mayor Jamie Watts - present, Council President Jessica Finch - present, Councilwoman Kimberly Dugger - present, Councilwoman Kathy Washington - present, Councilwoman Tonya Long - present, and Town Attorney Patrick Kennedy - present. Five Council Members are present. We have a quorum.
- 4. APPROVAL OF CURRENT AGENDA:**
Motion to approve current 3/5/24 agenda made by Finch and seconded by Dugger. Motion passed 5/0.
- 5. LAND DEVELOPMENT CODE Town Council Review**
- ARTICLE 2: Zoning Districts and Permitted Uses
Watts – asked Kennedy to run the meeting. Some pieces were undefined and thank Kennedy and the Zoning Board for doing a great job cleaning up the old Land Development Code. This is how we protect the charm of the Town.
Kennedy – pulling together what we have not without making large changes. The red text in the doc is new language but does not change the meaning. Gaps were filled and explained. More work to do down the road. He will go through this one page at a time with the Council.
Watts – will keep the Meeting around 1 ½ hours long tonight.
Kennedy – beginning has not a lot of changes. The MRH section is a new one with mobile homes. We don't have any mobile home parks and made it its own zoning category rather than a sub-section. Lazy Days is our current recreational vehicle resort. The industrial provisions section was toned down to a light section.
Washington – do we have a map?
Kennedy – he just updated the map but does not have it here tonight.
Watts – enforce the conservation easement?
Kennedy – if the property has a conservation easement on it, then we can enforce it.
Finch – conservation, a parcel owned by Putnam Land Trust located behind Palmetto Street, they can change it?
Kennedy – yes, they can ask for it with a public hearing and a site plan where the Council gets involved.
Dugger – the current zoning categories, are they correct?
Kennedy – yes for what they are and would like to point out the nuances to see if the Council is happy with them.

Dugger – should be correct any zoning districts in the Town?

Kennedy – that’s the point, to not impact the uses and we’re updating the map. A few minor adjustments to reflect lot size and sportsman harbor and newer subdivision language will be used. A variance is not needed every time. This is the attempt.

Kennedy – Page 2 language, we needed cleaner language here when dealing with split zoning.

Finch – like C1 next to residential?

Kennedy – yes, correct to avoid a whole zoning process if you can.

Kenney – Page 3, created a new table. These categories will be consistent with this table. Apartments for example, you’d have to change the FLUM and Town map. Section 2-107 – this allows for a process we don’t have in our code. These provisions are exclusive. If we list it under SR1 and not SR1A, then SR1A uses are not allowed. This formalizes the process we started 6 months ago. The Town Council can decide the final decision when presented info from the Zoning Board.

Kenedy – Page 4 – decisions can be appealed to the Town Council if the person doesn’t like the Zoning Board’s decision.

Kennedy – Page 5 – this category comes up with more broad uses, rather than a specific use list. Look at these and see if you’re happy with how they’re described. Borrowed this code from Putnam County and ours is similar now. Some categories in Section 2. Use Categories are listed here and are not even used in the Town yet.

Page 7 – heavy industry – none of our zoning even allows this right now.

Washington – Section 2-204 – if they have a barn and they want to clear it out for a venue, can they do that?

Kennedy – this is under the Agricultural Zoning section, they should not commercially rent it out for a venue use without asking the Zoning Board. It would originally be zoned as Ag. If it’s your own personal party, that’s fine.

Watts – home-based businesses ok?

Kennedy – we cannot zone those out and yes, you can have that.

Watts – attorneys, real estate agents, some of those run out of their home.

Kennedy – basically an office is run out of your home and may be the same zoning as a clinic but a clinic generates more traffic. We don’t want to un-do what state law has allowed.

Dugger – is a salon allowed from your home?

Kennedy – they’ll need their state license.

Watts – zoning requirement and square footage comes into play and is not allowed.

Washington – is someone wants to have a kennel at their home next door to you, is that ok?

Watts – that’s what this home-based business section is referenced about.

Kennedy – people passing these laws don’t live in these kinds of areas so they don’t care. The Comprehensive Plan trumps anything in the Land Development Code.

Kennedy – SR1A allows mobile homes. There is Conditional Use information starting on Page 13. This includes small farm animals, playgrounds, golf courses and other uses also. A PUD may be needed.

Kennedy – Page 13, updated the setback square feet section here also. Made this better for property owners here.

Page 14 – Vested Subdivisions – in Sportsman Harbor, you must maintain the current plat. If you have a 55’ wide lot, you cannot split it into 2 lots. If you want more than 3 feet also, you must go to the Zoning Board. Some lots aren’t a problem, but some are difficult. It’s a way to ease the permit process, if they need more, they can apply for a standard variance.

Page 14 – SR1A, reduced the yard width. The 10-foot easement has been used for every surrounding code for the standard set-back. Removed the 10% verbiage.

Finch – no CUP in SR1A?

Kennedy – there are none currently. Just houses. We can look at the home-based business FL Statute, and if we need to adopt some further details, we can.

Kennedy – MR-1 – not a lot of changes here for multi-family residential.

Dugger – same conditional uses as SR1 allows on Page 13?

Kennedy – yes. We edited some of the 2-304.2 verbiage too.

Page 16 – Ag Zoning – revised this section. General use would be allowed, and it will include wild game preserves, dude ranches, etc. Cannot picture these here but they may be coming soon to Welaka. You never know. Tried to list the main and generalized uses.

Page 17 – added Section 2.304.3 Dimensional and Intensity Controls here since we didn't have any. Also, 3 stories, 35 feet, is as tall as you can get. Trying not to change too much but now's the time to change it. Take the average height of the peak when measuring a building.

Finch – are the condos 35 feet tall?

Kennedy – most likely but not sure since they're 3 stories tall.

Kennedy – kept the mobile home park size at 5 acres and PZB wanted 10 acres.

Finch – why are the two RVR and MHP so different?

Kennedy – they're different uses and some mobile home parks allow RV's.

Finch – what about Trail Boss?

Kennedy – does not have RVR. All trailer parks here have RV's in there whether they're allowed to or not. If the County is doing something that makes sense, we can mirror it.

Dugger – if Trail Boss is not correct, are we setting ourselves up for a lawsuit later on?

Kennedy – it's commercial so it allows residential now. They're allowed to stay for as long as their structure stays conformed. If it becomes a non-conformed home; they would have to apply for a special usage permit.

Kennedy – this older Land Development Code was adopted at the same time Lazy Days was getting approved. We don't have anything specific in the books for a campground. Lazy Days started out at 15 acres. We should look at amending or coming up with new regulations for tourist commercial zoning. State law allows for 25 per acre.

Kennedy – added minimum separation between sites that wasn't currently present. Added water/sewer within 200 feet, they must use it.

Watts – onsite treatment facility in here allowed?

Kennedy – it will be centralized facility. The DEP is recognizing this, and it has fancier monitoring.

Watts – some of these are required in the protected springs areas.

Kennedy – Page 21 – Tourist Commercial – right now we don't have enough control of we can and can't do. It's small 3-5 acre lots currently.

Watts – some places have glamping, rustic but beautiful and comfortable.

Kennedy – Section 2-308.4 – Conditional Use Permitted.

Finch – what is Andersen's zoned as currently?

Kennedy – Tourist Commercial.

Finch – allowed to serve alcohol?

Watts – yes, they're allowed. See line # 817-819.

Kennedy – follow at a minimal, the RVR minimal district rules.

Page 23 – C1 – these use categories take in all the uses we already say are allowed. We can develop a table of uses in the future and build the list up and put on a separate table if you'd like. He included medical clinics and some that distribute pharmaceuticals and we can treat them all the same with a prescription from a doctor. Medical marijuana is included here also. This section sets the stage for being not allowed.

Lines 901-902 – C2 and C1 are so much alike already. 10,000 square feet is the biggest C1 building allowed. We can control the size and structure. We don't want the 40,000 sq. ft. grocery store in the middle of Town because it would dominate the Town and land.

Watts – Alachua County has dealt with this a lot. Big box stores must be more than 10,000 sq. ft. to be profitable.

Kennedy – restaurants and retail establishments are a perfect size at 10,000 sq. ft. or less.

Finch – Line # 842 – a lot of the RV's that come into Welak Lodge, they don't meet this minimum, this

is not an RV then?

Kennedy – correct, this would be a park model, a stationary home.

Finch – Welaka Lodge has 2 homes like this with huge porches. Does this include outdoor living space also?

Kennedy – no. We can edit this section now and let the Zoning Board know.

Page 24 – C2 – pyramid effect. What's allowed in C1 is also allowed in C2. Over by the condos, there's designated future land use commercial. If you're trying to do multi-family, you shouldn't have future land use commercial there also.

Page 25 – eliminated laundry mats and don't allow bowling alleys, etc. Added the max sq. ft. sections.

Long – currently the sale of alcoholic beverages, it reads that this is not allowed?

Kennedy – correct, this is how it reads.

Long – sells on and off premises and has state licenses for this.

Kennedy – this is the way it was originally approved and written.

Long – would like something in writing saying that her business is grandfathered in.

Kennedy – vesting determination document is needed then. Grandfathered in would mean that you cannot rebuild if there was a fire, unless you got permission.

Long – would like this in writing with current mayor and council and town attorney.

Dugger – how can we change this for Long now? To modify the code?

Watts – doing it this way, would open the flood gate for everyone.

Finch – Shrimps would have to rezone to do this. Some restaurants need to sell alcohol to make the income to survive.

Kennedy – beer/wine permitting is allowed, but there's a CUP needed, and people must behave.

Watts – currently written, it's not allowed under C1. If we change the zoning to C2, we open ourselves up to more usage for others also.

Kennedy – cannot make this section too loose.

Dugger – the next business will challenge this.

Watts – should we add this in C1 as a conditional use?

Long – food has to be 51% also.

Finch – who's monitoring this?

Kennedy – sales monitoring?

Finch – retail wine sales ok? Where would it fit here?

Kennedy – on C2 with CUP.

Watts – add this under C1.

Dugger – protect our current businesses and not have to jump through hoops.

Watts – Outback had to go through all the steps for beer/wine.

Kennedy – we only had 1 person with this request. Should you change this?

Finch – there will probably be more in the future.

Kennedy – can look into what Deland does. We can address this in the CRA plan also to address these issues. He can bring back some of these ideas.

Watts – wants to support the businesses and not change the zoning, but rather give them what they want easier.

Washington – check into Deland?

Kennedy – there's a wine bar there that sells food and wine.

Washington – check out Crescent City.

Finch – they have 1 commercial zoning district. There isn't an example in Crescent City that she'd like to use.

Kennedy – Page 25 Light Industrial. We'll stop here for this meeting

Washington – map on the monitor for the next Special Meeting, to show where all the C1 is.

6. PUBLIC COMMENT: None.

7. ADJOURNED: 7:28 PM