

MINUTES  
REGULAR MEETING – PLANNING BOARD  
December 21, 2017

Minutes for the Regular Planning Board Meeting for the City of Daytona Beach, Florida, held on Thursday, December 21, 2017 at 6:00 p.m. in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

Board Members Present:

Cathy Washington, Chair  
James Neal, Vice Chair  
Tony Barhoo  
Jeff Hurt  
James Newman  
Tony Servance

Staff Members Present:

James Morris, Deputy City Manager  
Richard Walton, Planning Director  
Dennis Mrozek, Planning Manager  
Jason Jeffries, Redevelopment Project Manager  
Hannah Ward, Planner  
Carrie Avallone, Assistant City Attorney  
Marianne Pulaski, Planning Technician  
Becky Groom, Board Secretary

1. **Call to Order**

Ms. Washington called the meeting to order at 6:00 p.m.

2. **Roll Call**

The roll was called and members were noted present as stated above.

3. **Approval of the Minutes** - November 16, 2017

**Board Action:**

A motion was made by Mr. Newman, seconded by Mr. Barhoo, to approve the minutes of the November 16, 2017 Planning Board meeting as presented. The motion carried unanimously.

4. **Land Development Code Text Amendment – Article 5, DEV2017-139**

Richard Walton, Planning Director, presented the staff report which is included as part of the packet. Mr. Walton stated the Planning Division is requesting approval of an amendment to the Land Development Code that would allow Warehouse, storage and distribution, as permitted by right in all Industrial districts and Business Automotive districts as well as a Special Use Permit in the Business Retail district. Mr. Walton stated this change will correct conflicts between the current Land Development Code and the former code in the list of Permitted Uses.

Mr. Newman asked how this would affect businesses such as Trader Joe's and stated he is concerned about large trucks traveling through residential areas.

Mr. Walton stated most of the discussed businesses would be small and not in the larger districts and noted there are limits on traffic and its impact in residential areas.

James Morris, Deputy City Manager, stated the warehouse uses are smaller and are incubations for small businesses and there is an insignificant amount of traffic for such warehouses. Mr. Morris stated there are restrictions for impacts to the streets and outside storage.

**Public Comments:**

There were no public comments

**Board Motion:**

A motion was made by Mr. Hurt, seconded by Mr. Neal, to approve Land Development Code Text Amendment – Article 5, DEV2017-139, in accordance with the staff report as presented. The motion carried unanimously (6-0).

5. **Discussion – Tattoo Establishments, DEV2017-130**

Ms. Washington stated staff has provided a definition of Single Family and Multi-Family to the Planning Board, as requested by the Board.

**Staff Presentation:**

Dennis Mrozek, Planning Manager, presented the staff report which is included as part of the packet. Mr. Mrozek stated previously the Planning Board reviewed a request to allow tattoo establishments in the BA zoning district and removed prohibitions of tattoo establishments in the Redevelopment areas. Mr. Mrozek stated a tattoo business has been located in the permitted district on Beville Road. Mr. Mrozek stated there have been other applications for tattoo businesses in areas other than the BA zoning district which required rezoning the property to BA or processing the application through a Planned Development process. Mr.

Mrozek stated the Planned Development process is a lengthy and expensive process. Mr. Mrozek stated staff would like input from the Planning Board on possibly permitting tattoo establishments in areas other than the areas where they are currently permitted.

James Morris, Deputy City Manager, stated previously an application was received and approved to locate a tattoo establishment on Main Street. Mr. Morris stated the applicant purchased and remodeled a home in the area and garnered respect from the area residents. Mr. Morris stated it is difficult to distinguish between a hair salon, barber shop, or tattoo establishment since they are all a personal service. Mr. Morris stated staff is asking the Planning Board to look at where tattoo establishments can be located from a policy perspective and provide direction to the staff which will ultimately be forwarded to the City Commission.

Mr. Hurt stated it appears it would be easier to have a discussion as to where we do not want tattoo establishments located. Mr. Hurt stated he believes several people did not see the location of a tattoo establishment on Beach Street as a good fit. Mr. Hurt stated there seemed to be concern that if the applicant for the business on Beach Street sold his business, the next owner may not comply with the rules as the initial owner intends to do. Mr. Hurt stated he feels there should be restrictions on the location of tattoo parlors.

Ms. Avallone stated the issue of proximity to residential use could be addressed.

Mr. Newman stated his concern with the Beach Street request was the proximity to residential uses.

Mr. Hurt stated he believes a tattoo establishment could be located on Beach Street and maybe a better place would be on the street level, but not contiguous to a residential area.

Mr. Morris stated the Board may want to consider like kind uses that would be appropriate or inappropriate.

Mr. Hurt stated when the Board reviewed affordable housing, a clause was placed in the agreement that it had to be compatible to the neighborhood and maybe that is something that is needed here.

Mr. Mrozek stated some uses do have requirements for separation of residential and commercial and that would have to be included in this as well.

Jason Jeffries, Redevelopment Project Manager, stated Beach Street is intended to be mixed use. Mr. Jeffries stated retail and restaurants are to be located on the ground floor; and multi-family, upper floor residential, and office and business services are allowed on the second floor. Mr. Jeffries stated there are some non-conforming uses, such as the dentist office, that has been in place since the early 1980's.

Mr. Morris stated staff believes tattooing is a personal service, similar to a nail or hair salon. Mr. Morris stated compatibility may be hard to assess in terms of characteristics.

Mr. Barhoo asked in what zones personal services are permitted and if those would be areas where tattoo parlors could be located.

Mr. Newman stated previously the beachside area had many tattoo parlors and that is what prompted the restriction by the city. Mr. Newman stated looking at the paperwork provided by staff, there are many areas where tattoo parlors can currently be located.

Mr. Barhoo stated restricting locations near residential areas would be key.

Mr. Morris stated compatibility and treating it as any other personal service will provide some direction to staff. Mr. Morris stated staff will prepare some additional suggestions and provide those to the Planning Board for review and discussion.

Mr. Hurt suggested staff bring something back regarding compatibility.

Ms. Washington stated she would like to see buffers between residential and commercial addressed.

**Public Comments:**

There were no public comments.

6. **Other Business**

a. Downtown/Ballough Road Redevelopment Board Report

Ms. Washington stated she did not attend the December meeting of the Downtown/Ballough Road Redevelopment Board.

b. Midtown Redevelopment Area Board Report

Mr. Barhoo stated the Midtown Redevelopment Area Board did not meet in December.

c. Beachside Redevelopment Area Board Report

Mr. Newman stated the Beachside Redevelopment Board did not meet in December.

d. Public Comments

There were no public comments.

e. Staff Comments

Ms. Avallone stated she has accepted the position as City Attorney in New Smyrna Beach and will be leaving the City of Daytona Beach next week.

Mr. Walton apologized for the delay in the Board members receiving their packets and indicated that since the packages were sent on time, the Christmas mail rush could have been the issue. We will monitor and adjust if needed.

**Election of Officers:**

Mr. Hurt nominated James Newman to serve as Vice Chair. Mr. Newman was voted unanimously as Vice Chair.

Mr. Newman nominated Ms. Washington to serve as Chair. Ms. Washington was voted unanimously as Chair.

Mr. Hurt stated he would be willing to serve as Secretary. Mr. Hurt was voted unanimously to serve as Secretary.

**Election of Redevelopment Board Representatives:**

The Board agreed unanimously to have Mr. Barhoo continue to serve as the representative for the Midtown Area Redevelopment Board; Mr. Newman as the representative for the Beachside Redevelopment Board; and Ms. Washington as the representative to the Downtown/Balough Road Redevelopment Area Board.

f. Board Comments

There were no Board comments.

**Adjournment**

There being no further business, the meeting adjourned at 6:50 p.m.

  
Cathy Washington, Chair

ATTEST:

  
Secretary