



**Town of Ponce Inlet  
Planning Board  
Regular Meeting Minutes  
July 26, 2022**

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1    **1.    CALL TO ORDER AND PLEDGE OF ALLEGIANCE:** Pursuant to proper notice,  
2 Chairman Cannon called the meeting to order at 5:30 p.m. in the Council Chambers, located at  
3 4300 S. Atlantic Avenue, Ponce Inlet, FL, and led attendees in the Pledge of Allegiance.  
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5    **2.    ROLL CALL AND DETERMINATION OF QUORUM:**  
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7    Board members present:

8           Mr. Mauldin, Seat #1  
9           Mr. Kaszuba, Seat #2  
10          Mr. White, Seat #3; Vice-Chairman  
11          Mr. Cannon, Seat #4; Chairman  
12          Mr. Carney, Seat #5  
13          Dr. Iyampillai, Alternate #1  
14          Mr. Oebbecke, Alternate #2  
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16    A quorum was established with all members present; there were no absences. Chairman Cannon  
17 welcomed Dr. Iyampillai and Mr. Oebbecke.  
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19    Staff present:

20           Mr. Disher, Planning & Development Director  
21           Ms. Hugler, Office Manager (FD)  
22           Ms. Hunt, Assistant Deputy Clerk  
23           Mr. Mendenhall, Principal Planner  
24           Attorney Smith, Town Attorney (via ZOOM technology)  
25

26    **3.    ADOPTION OF AGENDA:** Chairman Cannon asked if there were any changes; Ms.  
27 Hunt requested to amend the agenda to include the Oaths of Office to two newly appointed  
28 members; there were no objections and other changes.  
29

30    *The agenda was approved as amended; by consensus.*  
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32           **A.    Oaths of Office** – Attorney Shepard administered the Oath of Office to Arun  
33 Iyampillai, Alternate Seat #1 and Mark Oebbecke, Alternate Seat #2. Rollcall was modified to  
34 include the attendance of the two new members.  
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36    **4.    APPROVAL OF MINUTES:**

37           **A.    June 28, 2022 Regular meeting** - Chairman Cannon asked if there were any  
38 changes; there were none.  
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40    *Chairman Cannon moved to approve the June 28, 2022 meeting minutes as presented; seconded*  
41 *by Mr. Mauldin. The motion PASSED 5-0, consensus.*

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**5. REPORT OF STAFF:**

**A. Administrative Variance Applications** - Mr. Mendenhall reported that there have been no Administrative Variance applications submitted for review.

**B. Other Reports & Updates** – Mr. Disher provided updates on the following projects: 1) *Traffic Study* – the Traffic Study is underway as part of the Comprehensive Plan update and will continue through the end of the weekend and will provide the data on weekend and weekday traffic; they also plan to measure pedestrian and bicycle traffic at certain intersection; 2) *Condo Inspection Law* – Staff is preparing the list of condominium properties (three stories and higher), and creating a database to track that information, preparing the notification letters; the Building Official is consulting with other Building Officials to create a uniform inspection process; 3) *Seawalls* - Staff is currently conducting research for the creation of an ordinance governing seawalls, including how building at different heights affects adjoining property owners and how it will relate to the Town’s resiliency goals; 4) *Planning Commissioner’s Training* – the APA-FL Planning Commissioner’s training is being held in Orlando on Tuesday, September 6<sup>th</sup>; it is a day-long workshop and is in-depth. The Town will pay the registration fee and mileage for any member wishing to attend.

Chairman Cannon asked if the two new members would benefit from attending the entire conference. Mr. Disher read the outline of the courses and reiterated that it is just the one day, geared specifically to Planning Commissioners.

Mr. Kaszuba referenced the Traffic Study and asked how the contractor is going to be able to count pedestrian traffic. Mr. Disher stated there are six cameras set-up at intersections to count pedestrian and bicycle traffic - it is not a facial recognition system; it just counts the traffic. Mr. Oebbecke referenced the Traffic Study and asked how well the company will be able to categorize the different vehicle types. Mr. Disher stated yes, the “tubes” will check the weight.

**6. CORRESPONDENCE/DISCLOSURE OF EX-PARTE COMMUNICATION: None.**

**7. HEARING OF CASES:**

**A. Final Development Plan #FDP 13-2022**

**Address: 100 Lighthouse Drive, Marine Science Center**

**Purpose: To review final site development plan for the Commissary Building; per Section 6.6.6 of the LUDC.** Mr. Mendenhall provided a presentation (Attachment #1) explaining the applicant’s request and necessity to construct a Commissary Building at the Marine Science Center (MSC). He stated the commissary building is needed to provide a sanitary location to prepare food for the birds, turtles, and other animals living and recovering at the Center. John Dillard, Zev Cohen & Associates, representing the applicant, was present to address any questions. Mr. Mendenhall reported that the plan has been reviewed by the DRT staff and the Cultural Services Board which have recommended approval. This Board’s duties include reviewing the application to determine if it meets the criteria of section 6.6.6 of the LUDC and to make a recommendation to the Town Council for the development plan. He stated the Commissary site is on the east side of the main facility and noted that it is currently developed with a small accessory storage building and is proposed to be removed. In addition, there is extensive vegetation and tree canopy surrounding the structures, and a limited area is proposed to be cleared to accommodate the proposed building. He noted the property consists of approximately 9.9 acres, has a future land

90 use designation as *Public Institutional*, and is zoned P/I (Public Institutional). [*Editor’s note: The*  
91 *9.9-acre figure is from the Volusia Property Appraiser. It includes the entire parcel owned by the*  
92 *State of Florida and leased by Volusia County on which the Marine Science Center and Lighthouse*  
93 *Point Park are located. The Marine Science Center portion is located north and west of Lighthouse*  
94 *Drive and is approximately 5.9 acres in size.*] He reported that the project site is within the  
95 Lighthouse Overlay District (LOD), which includes all properties located within 750 feet of the  
96 historic lighthouse. With regards to the existing structure and proposed Commissary building - the  
97 applicant has proposed to demolish an existing 96 square-foot vinyl shed to make way for the  
98 proposed 470 square-foot wooden building which will be placed on top of a 1,180 square-foot  
99 wooden deck. The height of the Commissary building, measured from finished grade will be 12.9  
100 feet; the architecture will be consistent with the existing MSC facility and comply with the design  
101 requirements of the LOD; the new structure will not impact the Lighthouse view. Regarding  
102 vegetation and trees – this is a heavily wooded lot with extensive tree canopy (90+%) and is  
103 therefore allowed to removed trees and vegetation from the driveway and/or footprint of the  
104 structure without having to replace them. There are 22 oak trees proposed to be removed, which  
105 range in size from 4 inches to 13 inches (DBH), along with five sabal palms; the removal is  
106 necessary to allow the proposed structure to fit in the chosen space with the least amount of impact,  
107 and to accommodate emergency access as recommended by the Fire Marshal. The proposed  
108 landscaping plan and two landscape waivers have been reviewed by the Cultural Services Board,  
109 which recommended approval. There are 48 saw palmetto plants and native grasses proposed for  
110 the site upon completion of construction and, the extensive canopy and existing trees and shrubs  
111 will provide significant screening and buffering for all adjacent properties. Mr. Mendenhall  
112 reviewed the criteria and stated whether the criterion is “met” or “not met”.

113

114 **LOD criteria review (2.16.E.1):**

115 a. The proposed development is consistent with the purpose and intent of the LOD.  
116 *This criterion is met.*

117 b. The proposed development is consistent with the Town’s Comprehensive Plan.  
118 *This criterion is met.*

119 c. The site is physically suitable for the project design and its construction phase. *This*  
120 *criterion is met.*

121 d. The proposed development minimizes and reduces to the greatest extent possible  
122 and where applicable, visual impacts and obstructions to the lighthouse from the Halifax River and  
123 the land area within the LOD boundary. *This criterion is met.*

124 e. The architectural style and building scale of proposed development reflects the  
125 historic setting and unique characteristics of this geographic area. *This criterion is met.*

126

127 **Final Development Plan Review Criteria (2.16.E.1):**

128 a. Characteristics of the site and surrounding area, including important natural and  
129 manmade features, the size and accessibility of the site, and surrounding land uses. *This criterion*  
130 *is met.*

131 b. Whether the concurrency requirements of article 5 of this code could be met if the  
132 development were built. *This criterion is met.*

133 c. The nature of the proposed development, including land use types and densities;  
134 the placement of proposed buildings and other improvements on the site; the location, type, and  
135 method of maintenance of open space and public use areas; the preservation of natural features;  
136 proposed parking areas; internal traffic circulation system; the approximate total ground coverage

- 137 of paved areas and structures; and types of water sewage treatment systems. *This criterion is met.*  
138 d. Consistency of proposed development with the comprehensive plan. *This criterion*  
139 *is met.*  
140 e. Conformity of the proposed development with this code and other applicable  
141 regulations. *This criterion is met.*  
142 f. Concerns of surrounding landowners and other affected persons presented as  
143 competent substantial evidence regarding one or more of the criteria of this subsection. *This*  
144 *criterion is met.*

145  
146 Mr. Mendenhall noted the Development Review Team (DRT) met to discuss the technical details  
147 of this project and all issues have been resolved. He stated that based on the findings of this report,  
148 staff recommends the Planning Board forward the proposed site plan package for the Marine  
149 Science Center Commissary Building to the Town Council with a recommendation of approval.

150  
151 Vice-Chairman White referenced the LOD and types of materials used, and asked if the use of  
152 aluminum or metal sheds is in keeping with the LOD? Mr. Mendenhall stated the proposed  
153 structure is not an aluminum or metal shed; the existing vinyl shed is going to be demolished and  
154 the proposed shed is site-built with a wood siding on it. Vice-Chairman White asked what the  
155 Board is being asked to approve tonight if the MSC plans to bring in two additional sheds, as  
156 shown on the Landscaping Site Plan, in the future – as that should not be included as part of this  
157 application. Mr. Mendenhall stated that those sheds are existing. Vice-Chairman White stated that  
158 he read in the report that the MSC plans to add future buildings; Mr. Mendenhall clarified that on  
159 the Architectural Elevations, there is a sketch showing a possible future shed on the new deck by  
160 the Commissary building but it was not on tonight’s agenda for consideration. Vice-Chairman  
161 White asked since the two aluminum sheds are existing, and they are proposing improvements to  
162 the property, is the MSC also required to upgrade the appearance of the sheds under the existing  
163 Codes? Vice-Chairman White further stated 470 square feet is a relatively small area and to take  
164 out 22 trees seems excessive; he expressed concerns with the quantity and size of trees being  
165 removed, asked where the ‘designated protection zone’ is located, and how much will be  
166 preserved. Mr. White he referenced a recent newspaper article reporting that the MSC plans to  
167 build a new bird habitat next year. Mr. Mendenhall explained the provisions for heavily wooded  
168 lots, noting that replacement would not be successful in this case, because of the dense shade and  
169 the fire department’s requirement for access. The designated protection zones apply to the front  
170 and side setbacks and the rear 10 feet of a lot and are commonly referred to as “buffer zones.” Mr.  
171 Mendenhall also confirmed that the MSC is not doing anything out of the ordinary , they are using  
172 the space they already have. Vice-Chairman White asked if the entire property is considered one  
173 lot or is each parcel a separate lot; and how will they manage stormwater retention? Mr.  
174 Mendenhall stated the parcel is treated as one property, under one ownership, with separate lots.  
175 Mr. Disher confirmed that the property is treated as one property for development purposes as it  
176 is under one owner and that is the State of Florida (who leases it to Volusia County). Mr.  
177 Mendenhall stated the applicant has submitted a stormwater retention, erosion, and grading plan,  
178 which has been reviewed and approved by the town’s engineer.

179  
180 Mr. John Dillard, Civil Engineer with Zev Cohen & Associates (applicant for the project),  
181 confirmed that there is a natural depression to the southeast of the proposed building, where  
182 stormwater runoff will be collected, percolated, and treated.

183

184 Mr. Kaszuba commented that it would be helpful to know how many buildings are proposed for  
185 the site, with a 5- or 10-year Master Plan, because there are 9.9 acres of land [*see Editor's Note*  
186 *above*], and we have no way of knowing how much of it will be covered with buildings and other  
187 structures. He asked if the MSC has any idea as to how much of the property will eventually be  
188 covered with buildings. Chairman Cannon stated that question will be addressed by the applicant.  
189 Mr. Kaszuba noted there is a large parcel between the north side of the MSC's property and behind  
190 the Oceanway Drive residences on the south side of the street and asked if that is part of the Marine  
191 Science Center property. Mr. Mendenhall stated that parcel is owned by the Lighthouse  
192 Preservation Association and is not part of the MSC property. Mr. Carney asked if the Commissary  
193 is being built to address current issues or is it designed to handle potentially larger issues in the  
194 future? Chairman Cannon stated that question will be addressed by the applicant. Mr. Oebbecke  
195 asked how the placement of A/C system(s) would be depicted; Chairman Cannon stated that  
196 question will also be addressed by the applicant.

197  
198 Chairman Cannon invited the applicant to address the Board's questions. Clay Ervin, Director of  
199 Growth & Resource Management, Volusia County, thanked the Board for this opportunity. He  
200 stated the size of the proposed building is not for future expansion, it is to address the existing  
201 commissary space and safety issues and to "right-size" the facility; it does not expand the gallery  
202 area or any other areas that are open to the public. The justification for this request is because  
203 behind the viewing window in the gallery, that entire space holds a commissary, a laundry, the  
204 operatory, offices, and storage - it is not safe or sanitary for treatment of our patients; we have had  
205 a patient on the operating table, other patients waiting in pre-op tubs, a member of staff working  
206 at the desk, a member of staff doing laundry, and another member of staff preparing foods for the  
207 sea life and our feathered friends in the aviary hospital. COVID brought it to light that we need a  
208 safer space so as to not put staff or the patients at risk. It became clear that a new building was  
209 necessary, and we needed to find a location that would have the least impact. Regarding a Master  
210 Plan, we plan to work with Town staff in coordinating a public meeting to review future plans for  
211 the Center; we understand the Town's concerns regarding increased traffic and other impacts, but  
212 our main goal is to maintain what we have but to do so in a safer manner by "right-sizing" the  
213 facility. This will allow us to continue the services that we provide to community, such as:  
214 education, rehabilitation of marine sea life and the avian life, and do so in a manner that is effective.  
215 Our goal is to have an Open House for staff and residents to see what our plans for the future look  
216 like; there is not a lot of money available for a major capital expenditure for expansion, so we have  
217 to be strategic. We are now starting to receive the monies that we were approved for within the  
218 past five to ten years. He noted that the total area 'under A/C roof' is approximately 7,000 square  
219 feet, the property is approximately 10 acres, which equates to roughly 435,000 square feet, so they  
220 are well within the 35% maximum building coverage. We are conscientious of the amount of  
221 vegetation to be removed and understand the community's concerns. Some of the trees must be  
222 removed based on the town's Fire Marshall. He noted his appreciation to the Town and for the  
223 opportunity to have this facility here.

224  
225 Vice-Chairman White asked Mr. Ervin if the existing aluminum sheds would be brought into  
226 compliance with the LOD; Mr. Ervin stated that those sheds were permitted by the town. Mr.  
227 Disher confirmed and explained that those sheds were permitted as accessory structures in a service  
228 area and are not visible to the public nor are they part of this site plan proposal. The shed that is  
229 coming out is being replaced and will match the style. Mr. Disher further clarified that a shed is  
230 for storage of *equipment* – the Commissary building is for use by *people* and that is the distinction.

231 This area has always been a service area for the MSC, and this is the first time this Board has  
232 reviewed an application for this portion of the property because no development request has been  
233 submitted for this area since the Center was built. Vice-Chairman White asked if a property owner  
234 in that area wished to install an aluminum shed, would that be allowed? Mr. Disher stated he was  
235 not able to answer a generic question because each application is reviewed on a case-by-case basis;  
236 he reiterated that the existing shed is *not* part of this proposal and there is nothing in the Code that  
237 would require them to upgrade it unless they were going to replace it. Mr. Ervin offered the  
238 following resolution: *that the shed depicted in the drawings will be consistent with the materials,*  
239 *colors, and appearance of the Commissary building.* Vice-Chairman White was satisfied with that  
240 response; he referenced the article regarding an approved 650 SF bird exhibit, slated to be  
241 completed in 2023 and asked Mr. Ervin to address the location. Mr. Ervin explained that there has  
242 been a nationwide outbreak of avian flu and many of the birds are not able to be released into the  
243 wild nor can they be placed with other birds (these are mostly raptors), therefore a safe place must  
244 be built for them where they cannot mingle with the rest of the bird population. A new exhibit is  
245 planned to be built adjacent to the walkway between the turtle hospital and the parking lot and bird  
246 hospital; it will be incorporated into the existing walkway and will be constructed out of wood and  
247 blend in with the existing area. He confirmed that the plans have not yet been proposed to the  
248 Town staff, as it is in the early planning stages. Mr. Disher added that there have been very  
249 preliminary discussions with County staff regarding master planning for this property so that the  
250 Board is not presented with a site plan every time there is a small building proposed on the site.  
251 Town staff has encouraged the County to think about long-range planning for this property and  
252 they have begun doing so.

253  
254 Chairman Cannon opened public comment. James M. Hunt, 1190 Herbert Street, Port Orange  
255 expressed his concerns about over development of this property; his organization has campaigned  
256 to preserve the area since the 1980s and does not want to see anything built that is not absolutely  
257 necessary (the five-minute time limit was extended to 10 minutes by consensus); he expressed  
258 concerns regarding tree protection and preservation of the existing native habitat. He asked why  
259 there are two trailers on the grounds and what are they used for? Chairman Cannon closed public  
260 comment.

261  
262 Mr. Ervin explained that the two trailers are associated with the outreach and educational  
263 programs; one trailer is used for the Center's educational programs; and the other trailer is used to  
264 store kayaks and equipment for the children's summer camps. He spoke with Chad Macfie, MSC  
265 Manager to explore the feasibility of storing the trailers elsewhere on site without disrupting the  
266 services for the summer camps.

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268 Chairman Cannon called a recess at 6:39 pm to allow Board members to complete and submit the  
269 Quasi-Judicial worksheets (Attachment #2); the meeting reconvened at 6:44 pm.

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271 Chairman Cannon moved to find the Final Development Plan #FDP 13-2022 for the construction  
272 of a Commissary Building at the Marine Science Center located at 100 Lighthouse Drive meets  
273 the criteria as set forth within and to forward to the Town Council with a recommendation of  
274 approval with the amendment that future structures will conform with the regulations of the  
275 Lighthouse Overlay District; seconded by Vice-Chairman White. The motion PASSED 5-0, with  
276 the following vote: Chairman Cannon - yes; Vice-Chairman White - yes; Mr. Kaszuba – yes; Mr.  
277 Mauldin – yes; Mr. Carney - yes.

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**8. BUSINESS ITEMS/PUBLIC HEARINGS:**

**A. Ordinance 2022-XX – LUDC Amendment for Mobile Food Vendors and Temporary Use Permits** – Chairman Cannon stated that he met with Mr. Mendenhall and Mr. Disher about this topic and discussed the following observations and concerns: the largest demand for food trucks will mostly occur on County property (beach and county parks), next would be on Town property during town-sponsored events, and lastly, in the business district where currently allowed; a letter had been distributed from the Ponce Inlet Business Association (PIBA) and noted that no one was present from PIBA to speak on this topic; enforcement would be handled by Code Enforcement, the Police, and Fire Departments; the Town can control where they are allowed, the number allowed, and the fee structure used to permit them – those are the only three levels of control the Town has available due to the State’s preemption. He noted that Mr. Mendenhall’s proposal is a vendor-applicant proposal, where the vendor will be required to provide the survey along with an application, the property owner’s authorization letter, and the vendor’s proof of state licensing and insurance. Chairman Cannon suggested the property owner obtain a permit instead, listing the vendor(s); understands that the Town must abide by the state’s regulations, but noted that it could be done without expanded government oversight; the ordinance should be completed as soon as possible, but should be done right and not rushed; and a discussion needs to be held regarding the “Outdoor Sales and Display Area” matrix and the wording in Section 6.6.17-A “*A temporary use permitted under this section may be housed in a mobile vehicle, a temporary structure, or a permanent structure that has been approved for that purpose by the Town.*” He stated his concerns that this wording in this section has nothing to do with food trucks and to include it here is confusing. Mr. Disher stated that he and Mr. Mendenhall met after their meeting with Mr. Cannon to discuss these comments and concerns. He noted that the fees have not yet been established - the town’s fee structure is based on the 2008 fee study, and any new fees should be proportionate to that and staff costs; to the question of whether the applicant should be the vendor or the property owner, the Board can recommend either way; staff is looking tonight for the Board’s direction on this ordinance; minimal government oversight is also staff’s goal; the Outdoor Sales and Display Area section can be removed from the matrix to avoid confusion and can be addressed separately at a later time. He reminded the Board that the main issue is finding a place for the mobile food vendors because the town cannot prohibit them from within the town limits. Chairman Cannon asked if the proposed fees would be submitted with the ordinance to Council? Mr. Disher explained that fees will be set by resolution and are prepared as a separate document and not determined by the board, but the Board could make a recommendation as to how the fees might be set. There was a brief discussion regarding a sliding scale relative to permits and the fees, and Mr. Disher stated the Board could make that part of its recommendation and noted that fees should begin at a base minimum to include staff time.

Mr. Mendenhall stated the proposed ordinance was prepared based on the Board’s feedback from its May 24, 2022 meeting and includes the Board’s recommended changes. He reviewed the revisions and proposed changes as suggested this evening:

Article 2 – the permitted use in the “Outdoor Sales and Display Area” use matrix has been removed;

Article 3 – Section 3.34

Added subsection A.2 - How Permitted, and subsections (a) and (b);

Added subsection E.2 – Business Hours, and subsections (a), (b), and (c);

Article 6 - Section 6.6 - Subsection 6.6.17

325 A - The language will be removed regarding a temporary use permit as it relates to  
326 a mobile vehicle and table 2.5 will be revised;

327 C. 1 - Change “survey” to a drawing that accurately depicts the location of where  
328 the mobile food vehicle will be located and identifies the number and location of required parking  
329 spaces for customers of the food truck vendor;

330 D – Add language to require proof of state or county license is required;

331 F – Add language that the owner may rescind permission or authorization upon a  
332 violation of any of the conditions outlined in the permit; or if Vendor abandons its space for XX  
333 consecutive number of bookings.

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335 Chairman Cannon asked why the Town would want to “chase down” the vendor for issues that are  
336 actually the property owners? Mr. Mendenhall stated because Town wants to be able to address  
337 the issue(s) with the vendor (the person responsible for creating the issue) and try to resolve it first  
338 with the vendor; the Town wants to stay out of the property owner’s business but, the Town retains  
339 the opportunity to cite the property owner if the issues are not resolved.

340

341 Mr. Oebbecke expressed concerns with generators and signage. Mr. Mendenhall stated that the  
342 generators must be kept on the vehicle per the regulations; regarding signage, the vehicle is  
343 typically marked so additional signage is not necessary or allowed.

344

345 Mr. Kaszuba asked if the Town has the right to ask the vendor if they have been banned from  
346 another jurisdiction; and expressed concerns with the “hours of operation.” Mr. Mendenhall stated  
347 that Town can ask them if they have been banned, but it is very difficult to prove (see Article  
348 6.6.17, Section G – Violations); regarding the hours of operation, the Board can recommend  
349 adding “a maximum of XX number of hours between 7:00 a.m. and 11:00 p.m. Attorney Shepard  
350 confirmed that the Town has the ability to regulate the number of hours.

351

352 Mr. Kaszuba asked if the Town can limit the number of MFVs allowed? Mr. Mendenhall stated it  
353 is based on number of available parking spaces, since the total number of spaces allowed in Town  
354 is limited, the maximum number of MFVs at any one time would be 10 or 11.

355

356 Mr. Oebbecke left at 7:40 p.m. due to medical reasons. Chairman Cannon stated his concerns of  
357 creating additional workload for staff; Mr. Mendenhall stated it is a standard review process like  
358 any other permit.

359

360 Mr. Carney referenced special event permits; Mr. Mendenhall stated that MFVs associated with a  
361 Town-sponsored special event are not subject to the standards in this section; Town-sponsored  
362 special events are approved by Town Council. Mr. Kaszuba referenced the PIBA letter and stated  
363 that MFVs should not be allowed on any Town-owned property; Mr. Disher stated that unless they  
364 are in conjunction with a special event, they are not; however, the Community Center and Ponce  
365 de Leon Lighthouse are Town-owned properties but are managed by non-profit associations on the  
366 Town’s behalf, so this would not apply to those properties. Mr. Mauldin agreed that they should  
367 not be allowed on Town property.

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369 Chairman Cannon opened public comment, hearing none, he closed public participation.

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371 Mr. Disher stated staff has made note of the Board’s comments and wants to know how the Board



372 wishes to move forward. Mr. Mendenhall clarified that the suggested fee structure should be on a  
373 sliding scale, for example, a 6-month permit = \$XXX and a 1-year permit = \$XXX; the board  
374 agreed. Vice-Chairman White suggested that a non-refundable processing fee, paid up front, to  
375 cover staff's time be required. The Board agreed.

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377 Dr. Iyampillai stated that the Town should be business friendly and food trucks are a good way to  
378 bring a community together.

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380 Chairman Cannon stated he is fine with the vendor, or the applicant submitting the application,  
381 and supports a fee based on a 6-month or 1-year permit.

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383 The Board concurred with the proposed changes, and requested this item be brought back for  
384 further consideration; 5-0 consensus.

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386 **9. PUBLIC PARTICIPATION:** Chairman Cannon opened public participation - hearing  
387 none, he closed public participation.

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389 **10. BOARD DISCUSSION:** None.

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391 **11. ADJOURNMENT:** The meeting was adjourned at 8:09 p.m.

392 Prepared and submitted by,  
393

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395 \_\_\_\_\_  
396 Peg Hunt, Assistant Deputy Clerk

397  
398 Attachment(s):  
399 1. FDP #13-2022 Presentation by Adam Mendenhall, Senior Planner  
400 2. FDP #13-2022 Quasi-Judicial worksheets