



**City of Palm Coast  
Minutes  
Planning and Land  
Development Regulation  
Board**

City Hall  
160 Lake Avenue  
Palm Coast, FL 32164  
[www.palmcoastgov.com](http://www.palmcoastgov.com)

***Chair Clinton Smith  
Vice Chair Sandra Shank  
Board Member James Albano  
Board Member Charles Lemon  
Board Member Hung Hilton  
Board Member Suzanne Nicholson  
Board Member David Ferguson  
Alternate Board Member Sybil  
Dodson-Lucas  
Alternate Board Member Larry  
Gross  
School Board Rep William Whitson***

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**Wednesday, May 17, 2023**

**5:30 PM**

**City Hall - Community Wing**

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- Public Participation shall be in accordance with Section 286.0114 Florida Statutes.
- Public comment on issues on the agenda or public participation shall be limited to 3 minutes.
- Other matters of concern may be discussed as determined by Committee during the meeting.
- If you wish to obtain more information regarding the agenda, please contact the Community Development Department at 386-986-3736.
- In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a reasonable accommodation to participate in any of these proceedings or meeting should contact the City Clerk at 386-986-3713, at least 48 hours prior to the meeting.
- It is proper meeting etiquette to silence all electronic devices, including cell phones while meeting is in session.
- Any person who decides to appeal any decision with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to hire a court reporter to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**Call to Order and Pledge of Allegiance**

*Chair Smith called the May 17, 2023 Planning and Land Development Regulation Board (PLDRB) meeting to order @ 5:30pm.*

**Roll Call and Determination of a Quorum**

*Present and responding to roll call were:*

*Chair Smith  
Vice Chair Shank  
Mr. Albano*

Mr. Hilton  
Ms. Nicholson  
Mr. Ferguson  
Mr. Gross  
Mr. Whitson

Excused:  
Mrs. Lucas  
Mr. Lemon

## **Approval of Meeting Minutes**

### **1 MEETING MINUTES OF THE APRIL 19, 2023 PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETING**

**Pass**

**Motion made to approve as presented by Vice Chairman Shank and seconded by Board Member Albano**

**Approved - 7 - Chairman Clinton Smith, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton, Board Member David Ferguson, Board Member Larry Gross**

## **Public Hearing**

### **2 SPECIAL EXCEPTION - SUPREME CUSTOM TATTOO - APPLICATION # 5416**

*Mr. Ray Tyner, Deputy Chief Development Officer, introduced this agenda item along with Ms. Estelle Lens, Planner, AICP, who gave a presentation which is attached to this record.*

*Mr. Fabian Fuentes, applicant, addressed the PLDRB members about his and his spouses' background as it relates to their tattoo and piercing business experience.*

*Mr. Ferguson asked if there are other tattoo parlors in Palm Coast. Mr. Tyner stated yes. Mr. Ferguson asked why then is there a need for a special exception? Mr. Tyner stated that there is a provision within the City's Land Development Code (LDC) involving this use within the General Commercial (COM-2) zoning district. A special exception is reserved for a use that should be looked at in more detail, possibly adding special conditions to make it more compatible with the neighborhood.*

*Vice Chair Shank asked if there will be any other employees, besides you and your wife. Mr. Fuentes said not at this time. She asked about sq. footage of the unit. Mr. Fuentes said he believes it is 700 s.f.*

*Mr. Ferguson asked about regulations regarding age limitations, and health department. Mr. Fuentes stated that both he and his wife are licensed for tattooing and piercing through the state. He also stated that the local health*

*department inspects the facility for compliance with their code. Mr. Ferguson asked who regulates the age of the clients. Mr. Fuentes clarified that there is required paperwork and that he believes the minimum age is 16 with parental consent (which is verified). Chair Smith stated that this license is regulated by the State and Mr. Gross stated that the regulatory authority is the FL. Dept. of Business Professionals.*

*Mr. Gross asked about the business' proposed hours. Mr. Fuentes stated that at this time they are looking at 11a-7p., possibly till 8p, but they plan on being closed on Sunday. Mr. Gross also asked what tattoo studio Mr. Fuentes worked at locally. Mr. Fuentes stated he worked at Elite Custom Tattoo in town.*

*Chair Smith opened this item to public comment at 5:45p and seeing no one approach the podium he closed this item to public comment at 5:46pm.*

**Pass**

**Motion made to approve as presented with staff conditions by Board Member Hilton and seconded by Board Member Albano**

**Approved - 7 - Chairman Clinton Smith, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton, Board Member David Ferguson, Board Member Larry Gross**

**3 TRAINING ON TRANSPORTATION PLANNING CONCURRENCY**

*Mr. Ray Tyner introduced this agenda item stated due to the brief agenda he wanted to take advantage of the available time to do some training with Mr. Phong Nguyen, Senior Planner, who gave a presentation which is attached to this record.*

*Mr. Gross asked about when the Level Of Service (LOS) D was adopted. Mr. Nguyen explained that the LOS is reviewed every 2 years and as of the most recent survey the LOS is not failing.*

*Mr. Tyner stated one cannot equate emergency evacuation with LOS. He said emergency evacuation is coordinated with Flagler County Emergency Services and the Northeast Florida Regional Council (NEFRC). Mr. Tyner also explained a traffic light requires a warranty study before being installed. Mr. Nguyen explained the regulations that are involved with the Matanzas Woods Interchange (County Road). Mr. Whitson asked about the measurement for the 6 levels of service. Mr. Nguyen reviewed the factors that are used to measure, the City uses AM and PM peak time on weekdays. The City performs traffic counts every two years.*

*Discussion ensued as to the LOS and its relationship to budgeting. Mr. Tyner discussed the adopted level of service is a balancing act with providing ease of traffic vs. possible impact on nature. Mr. Albano asked about the timing of traffic impact fees, Mr. Tyner discussed the timing of payment at the time of a subdivision submittal and these impact fees can only be used to address capacity impacts. Mr. Whitson added to the discussion by mentioning various funding sources, such as Transportation Planning Organization (TPO) grants,*

*Gasoline tax, etc. Discussion ensued of taking the time during the next two years when the Comprehensive Plan review will take place to review land uses etc. Big picture review of initial cost of the road, maintenance of the road, timing of lights. Mr. Gross mentioned the lack of public transportation and Mr. Nguyen discussed the restrictions involved with grants for public transportation.*

*Ms. Nicholson asked if there are any regulations that are used to determine the timing of the traffic study. Mr. Nguyen stated that there are regulations that does not allow the applicant to perform their Transportation Impact Analysis (TIA) during the summer and if it is done during a seasonal time of year, we use an average to determine LOS.*

## **Received and Filed**

## **Board Discussion and Staff Issues**

*Ms. Schaefer reminded the members of the June 29th @ 5:30pm Citizen's Advisory Task Force Meeting.*

## **Adjournment**

*Motion made that the meeting be adjourned by Mr. Albano and the motion was seconded by Ms. Nicholson. The meeting was adjourned at 7:05pm.*

*Respectfully Submitted by:  
Irene Schaefer, Recording Secretary*

## **Pass**

**Motion made to approve by Board Member Nicholson and seconded by Board Member Albano**

**Approved - 7 - Chairman Clinton Smith, Board Member Suzanne Nicholson, Vice Chairman Sandra Shank, Board Member James Albano, Board Member Hung Hilton, Board Member David Ferguson, Board Member Larry Gross**