

**CITY OF PALATKA  
PLANNING BOARD AGENDA  
January 7, 2014**



1. Call to Order.
2. Roll Call.
3. Approval of Minutes of the December 3, 2013 meeting.
4. Appeal procedures and ex-parte communication.

**5. OTHER BUSINESS**

Election of Chairman

Election of Vice-Chairman

**6. OLD BUSINESS:**

- Case 13-46:** Administrative request to amend Municipal Code Sec. 94-161 and 94-162 to establish an overlay zoning district to provide for design standards and use restrictions in downtown zoning districts.
- Case 13-50:** Administrative request to amend Municipal Code Sec. 94-295 Landscaping and Tree Protection (General landscape requirements) to provide standards for fencing; and amend Buffering and Screening Code Section 94-303 regarding landscape buffers applicable to conditional uses.

**7. NEW BUSINESS:**

- Case 13-53:** Request for a conditional use to expand an existing church use in the Downtown Business district.

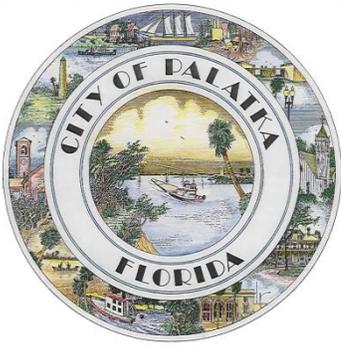
**Location:** 511 St. Johns Ave.

**Applicant:** First Baptist Church of Palatka, Inc.

**ADJOURNMENT**

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, AT THE EXPENSE OF THE APPELLANT. F.S. 286.0105

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY BUILDING DEPARTMENT AT 329-0103 AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATIONS.



**CITY OF PALATKA  
PLANNING BOARD MINUTES - Draft  
December 3, 2013**

The meeting was called to order by Vice-Chairman Daniel Sheffield at 4:10 pm. **Other members present:** Earl Wallace, Anthony Harwell, George DeLoach and Joseph Petrucci. **Members absent:** Chairman Carl Stewart, Lavinia Moody, Judith Gooding and Joe Pickens. **Also present:** Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney Donald Holmes.

**Motion** was made by Mr. DeLoach and seconded by Mr. Harwell to approve the minutes for November 5, 2013 meeting. All present voted affirmative, motion carried.

Vice-Chairman Sheffield read the appeal procedures and requested that disclosure of any ex parte communication be made prior to each case.

**NEW BUSINESS**

**Case 13-51:** Request to annex, amend the Future Land Use Map to RL (Residential-Low Density) and rezone to R-1A (single-family residential).

**Location:** 2410 Tommy Ave.

**Owner/Applicant:** Vincent and Gloria Thompson

Mr. Crowe advised that this request was made due to the need for water and that the request meets all annexation Land Use and Rezoning requirements. Staff recommended approval of the request,

Motion made by Anthony Harwell and seconded by Mr. DeLoach. All present voted affirmative, motion carried.

**Case 13-52:** Request to annex, amend the Future Land Use to PB (Public Buildings and Grounds) and rezone to PB-2 (Public Buildings other).

**Location:** 1400 N. State Rd 19

**Owner:** Marc Spalding

**Applicant:** Putnam County School District

Mr. Crowe advised that this case was originally advertised for PB and PB-2 zoning but he is recommending industrial land use and zoning designations, which are comparable to the advertised request. The industrial zoning and land use will allow for more impervious surface, which is more suitable for the Applicant's needs to develop a school bus maintenance facility. He added that the current School Board facility is located in a residential neighborhood which is unsuitable for such a use.

Mr. Petrucci asked what other uses would be allowed in M-1 zoning, since the site was across the street from a park.

Mr. Harwell added that billboards and adult entertainment facilities are allowed in M-1.

Mr. Crowe advised that is true, but added that there are distance restrictions between adult entertainment facilities and parks in place that would prohibit such uses in this location.

**Motion** made by Mr. DeLoach and seconded by Mr. Petrucci to approve the request as recommended by Staff. All present voted affirmative, motion carried.

**WORKSHOP DISCUSSION - Case 13-46:** Workshop discussion regarding administrative request to amend Municipal Code Sec. 94-161 and 94-162 to establish an overlay zoning district to provide for design standards and use restrictions in Downtown zoning districts.

Vice-Chairman Sheffield explained that no action would be taken during this workshop, that this is an opportunity to share concerns and ideas for the proposed amendment. He added that due to the number of people here today, there will be a time limit of five minutes for each person in an effort to allow all to speak.

Mr. Crowe explained the rationale for the amendment, displaying maps of the historic buildings and vacant parcels within the downtown area. He said the proposed amendment follows the Main Street program's approach of encouraging pedestrian generated uses such as restaurants, retail and personal services and is designed to ensure that development and redevelopment is compatible with the historic downtown character. Of the buildings downtown, from St. Johns to Main St., there are 16 significant historical buildings (12%), 63 contributing historic buildings (45%) and 60 noncontributing (43%). He explained that significant structures include the train station, City Hall Larimer Center, St. James Methodist Church, Bethel A.M.E. Church, Dairy Queen, Moragne building, James Hotel, Shelley building, Atlantic National Bank, Putnam County Courthouse, 417, 617-627, 726 and 801 St. Johns Av. and Angels Diner. He added that the amendment would recognize and help to retain the rich historic architecture of downtown, complimenting the North and South historic districts. The amendment would also help to protect and provide certainty for downtown property owners and developers as well as enhance property value. Staff is proposing two zones for the downtown areas, the retail core (St. Johns Ave from the river to 11<sup>th</sup> St.) and the periphery (all other areas within the downtown zoning area). There are certain institutional and other uses that do not generate foot traffic. He said that the current code explains the intent of downtown zoning is intended to provide "pedestrian oriented retail/entertainment" that discourages uses likely to create friction with pedestrian movement. Mr. Crowe referenced Palatka's 1964 Comprehensive Plan, which expressed the need to free up parking for retail uses by eliminating non-retail uses. He also referenced a landmark 1962 Washington, DC study and a 1959 Cleveland study, both of which support the need for concentration of retail to stimulate pedestrian activity. Several other reports, surveys and analyses referenced including *2010 Downtown Naperville Pedestrian Gap Analysis*, *2009 Downtown Milwaukee Streetfront Retail Strategy*, *2004 Downtown Tallahassee Pedestrian Connectivity Plan* and *2003 Fort Lauderdale: Building a Livable Downtown*. He added that all of these studies and many more all say the same thing, which is that you must create an environment that is conducive to foot traffic and pedestrians, where you have uses that attract customers to support the retail core. He explained that the use restrictions were proposed for the retail core only and the current uses would still be allowed in the periphery areas. The list of restricted uses for the retail core include package liquor store, drive-through restaurants, accessory structures (such as garages, sheds, decks and boathouses), boat repairs/marinas, government uses, appliance store, arcade, auction houses, bait & tackle shops, convenience stores, grocery stores, marine hardware and supplies, dry cleaning, Laundromats, car washes, outdoor amphitheaters & parks, expansion of nonconforming uses and child care as an accessory use. These uses do not have any stigma attached to them - the City is simply trying to preserve the main shopping

street for retail shopping and restaurants. He reiterated that uses such as institutional, government offices and churches are uses that generally attract specific and narrow segments of the population, as in the case of churches for example –churches vary across the board, with some having activities throughout the week and others being inactive for much of the week. There is no way to regulate activity. Institutional uses generally have vacant storefront windows which tend to stem the activity of foot traffic.

He explained that the design standards are also proposed for the retail core only. The proposed design standards are intended to be administered by staff to allow for expedited review and to provide for clear-cut standards while allowing some flexibility. There is an avenue for appeal of Staff's interpretation of the standards to the Planning Board of staff decision. Mr. Crowe added that his research included the review of several thriving nearby areas with downtown design standards in place, such as Apopka, Deland, Eustis, Gainesville, Mt. Dora, Ocala and St. Augustine. He stated that staff's research has found that to have a successful downtown you need to have certain safeguards in place that provide a certain base level protection of the core retail function and he believes that the City owes it to the businesses downtown to preserve the retail area. The Overlay would also include design standards that protect the historic architectural character of downtown while complimenting the North and South Historic Districts. He explained that the design standards are proposed to provide basic standards for alterations and new construction. The standards are intended to be flexible while providing a redevelopment-friendly district. The design standards are proposed for alteration of building exteriors and also for new construction. The standards address awnings and canopies, emphasize store entrances and storefront windows, and the protection of architectural features. Basic color standards prohibit fluorescent colors so as to not present a jarring contrast with downtown buildings. Exterior materials in the retail core and periphery must be brick or stucco. Retail core lighting shall resemble period lighting, particularly gooseneck light fixtures. The design standards also propose that all storefront windows be maintained, as this is considered critical in attracting foot traffic. Historic building roof lines shall be maintained in the retail core. The standards would require future signs along Reid Street be ground signs, in an effort to reduce sign clutter, which detracts from downtown revitalization.

Mr. Petrucci asked if the existing non-conforming buildings and uses would be exempt from the code amendment. Mr. Crowe answered that after being vacant for more than six months, uses must conform to the use standards.

Discussion ensued regarding the recommended design suggestions for the proposed Hampton Inn. Mr. Harwell said he met with the Planning Department as the Planning Board had requested to recommend some architectural design ideas for the proposed building, versus the boxed style that was submitted, and that he submitted some design elements that he thought would be appropriate. Mr. Wallace said that he has seen some of the suggested design ideas that Mr. Harwell put together and likes them better as it didn't appear to substantially change the building, but rather gave it more of an old time feeling. Mr. Crowe advised that staff's understanding of the Board's motion was to work with Mr. Harwell on some design suggestions and forward them to the developer, which Staff accomplished. He added that a corporate hotel like the Hampton Inn is bound by the Hilton Hotel's corporate design standards and, as previously discussed, there are certain parameters that have to be considered. Mr. Crowe stated that Staff believes that a lot of progress has been made from the boxy design originally submitted. Elements of interest have been added to the architecture, such as splitting the building into bays and adding faux balconies and alternating roof lines. He believes that the amended design will comply with the design standards for downtown.

Mr. Rudd, Palatka Main Street Manager stated that he wanted to focus his comments on looking at the results the City and the citizens want to get. Currently the City has a 25% vacancy rate and 50% of properties are non-retail on St. Johns Avenue. The first step is to quantify what is wanted for St. Johns Avenue. A mixed use central business district downtown with residential, offices, professional services, churches and shops is the

desire, but to be successful, somewhere in there must be a core or concentration of retail. He presented some picture of what is currently along St. Johns Ave., pointing out the many spaces converted from retail to offices, churches and other non-retail and non-service type uses with closed and darkened windows. He showed those retail spaces that engage the sidewalk, with open display windows and tasteful sidewalk displays. Mr. Rudd stated that this is what helps the district to grow, that retail needs other retail to grow and share customers. It draws the pedestrian down the sidewalk, from the bakery to the book store and to next shop and so forth. This is what makes the pedestrian want to keep going to see what is next. When people get to an area where there is no more retail and or large gaps, studies have shown people tend to turn around and leave when they can no longer see what comes next. Comparing photos of what is existing and what is desired for St. Johns Ave., he reiterated that current regulatory environment is not giving us what the City and the citizens have expressed a desire for and that is a thriving downtown. He ended by saying that he believes that the proposed changes will create a gradual point of change over time. As things change out we begin to move the district to a retail corridor, just one street, to strengthen the entire central business district which strengthens the entire community. If we want to get different results, we must do different things.

Vice-Chairman Sheffield invited public comment.

Gail White, 117 Rivers Edge Drive, East Palatka, stated that the plan looks great and asked for clarity of the overlay area. Mr. Crowe explained that the proposed use changes are for the retail core area (along St. Johns Ave.) only. The rest of the area within the Downtown Business and Downtown Riverfront districts are referred to as the periphery with different use restrictions but with some basic design standards for new construction and signage. Ms. White stated that her church, (First Baptist Church of Palatka) have met with staff and reviewed the proposed changes. She asked if there is a building loss, albeit hurricane, fire, etc...would the overlay prevent them from rebuilding and would a conditional use permit "before" this overlay provide protection to rebuild for the existing churches that are currently invested in Palatka. Mr. Crowe replied that the most all of the existing churches in the downtown zoning districts, with the exception of the 800 block, are outside the retail core and would not be affected by this amendment. The 800 block Holy Word church would be recognized as an approved conditional use, which is effectively zoned for the church use. St. Mary's Church is a legal nonconforming use, meaning it can continue indefinitely in its present state.

Bob Hartwig, 543 West River Rd., asked if the First Presbyterian Church is within the periphery area and if there were any type of catastrophe they would go through the normal procedures to rebuild. Mr. Crowe replied that is correct as this church is within the South Historic District which is not intended for inclusion in the overlay area.

Robert Lemon, 111 Easement Ln., Welaka, thanked the Board for having the workshop and staff for all of the hard work and thought into the overlay, rezoning and design standards and believes that they are necessary to have some continuity in a small town like Palatka. He added that the River front is Palatka's gem and main draw. He suggested that the city may want to look at having the proposed hotel reserve the first floor for retail. He added that all small towns down town areas across the country are hurting due to malls and the big box retail. A lot of other cities have created a retail environment with coffee shops, antique stores, retail to promote their "ace in the hole" be it beach or river etc... He asked if the proposed design standards would require existing businesses to upgrade. Mr. Lemon ended by recommending that the two items; the overlay zoning and the architectural review or design standards be considered separately. Vice-chairman Sheffield reiterated that Mr. Crowe had explained the standards would only be for new construction and major exterior improvements. Mr. Crowe added that the hotel will be facing Memorial Parkway and not the retail core of St. Johns Ave. (and thus not subject to the retail core standards), however in the purchase agreement there is a strip of land adjacent to St. Johns Ave. that is reserved for retail development.

John Poitevent, 269 River Dr., East Palatka, asked for confirmation that the First Presbyterian Church on 2<sup>nd</sup> street and the apartments on 3<sup>rd</sup> Street are not within the overlay zoning. Mr. Crowe answered in the affirmative.

Calin Lester, 695 Calin Rd., asked if storm water retention would be affected. Mr. Crowe advised that City and St. Johns River Water Management District requirements would have to be met.

Mr. Holmes referred to the Municipal code regarding distance restrictions as applied to adult entertainment facilities.

Mr. Petrucci asked how the existing county offices would be affected by this amendment. Mr. Crowe advised that such uses on the south side of St. Johns Ave. would be allowed to continue as legal nonconforming uses, but that any significant additions to these uses would not be allowed. Uses on the north side of this street in the 400 and 500 block would be excluded from the retail core and would be part of the periphery.

Neal Chancey, 2615 Lane St., commended the Board, Staff and Mr. Rudd for their efforts in doing a great job. He said that there is no doubt that we all want the City of Palatka to have economic growth and uniformity, whatever it takes to rejuvenate and reinvigorate is important to bring in new revenue, not by raising taxes, but new revenue. He spoke in support of the First Baptist Church of Palatka, as Chairman of Deacons, and their planned family life center. He questioned if this would be an allowable or grandfathered use, understanding that there may have to be negotiations of possible storefront uses along St. Johns Avenue. He asked what good is it if we gain economic value to our city but loose the hearts and minds of our young people. Adding that he believes that their multi-million dollar family life center will reach the hearts and minds of many, giving a source of encouragement of families, enhance a source of business in that area, and aesthetically will be state of the art.

Cynthia Benz, 4498 Summer Haven Blvd Jacksonville, stated that she agreed that plans for controls are necessary, the proposed ideas sound reasonable but cautioned us against any extreme measures that based on old information and comparisons from dissimilar areas.

Kirby Kennedy, 106 Lisa Lane, thanked the Board for tabling this request, for a workshop and allowing the First Baptist Church time to work with city administrators. He said that the church has had two meetings with the city and believes that they are making great progress on being able to coming to some kind of compromise on allowing the church to move forward with Phase 1 and Phase 2 of the Church's expansion plans. He explained that Phase 1 is the purchase of the TD Bank building and the renovation of the two story building into educational space for preschoolers, children and some adults, leaving the one story building for workshops and such. Once that building is paid for (anticipated for 2018), Phase 2 will involve building a new family life center, demolishing the one-story building that is currently there. He read a letter from the Putnam County Ministerial Association requesting that the City of Palatka amend the proposed prohibition of churches in the downtown retail core, and recommend the language be amended to read that churches are discouraged but not prohibited from locating in the retail core area fronting St. Johns Avenue.

Roberta Correa withdrew her comment request. Michael Gagnon withdrew his comment request.

Brian Hammons, Putnam County Planning and Development Director, stated that the public has a large investment in County-owned land and buildings downtown and asked if the use were non-conforming, the first time they were to apply for permit to work on that building what they would have to do. Secondly, he submitted that the government uses downtown are actually professional office uses and it appears the government use designation refers to who owns the property and not the actual use being conducted there. He urged staff to

class governmental office in with the professional office designation. Mr. Crowe advised that a legal nonconforming use would be allowed to continue in that location indefinitely.

Mr. Holmes referenced section Sec. 94-114. Nonconforming lots, structures and uses;

§ (g) Repairs and maintenance: Nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof. Mr. Holmes added that there does not appear to be any mention of value cap or percentage for repairs and maintenance, however; §(d)(2) Nonconforming structures, states: Should such structure be destroyed by any means to an extent of 60 percent or more of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this chapter.

Mr. Harwell asked why the Courthouse was being exempted and did it include the accessory buildings to the west of the courthouse. Mr. Crowe replied that the Courthouse and the accessory buildings have a significant presence and that the intent is to limit County agencies using storefront buildings downtown outside the government complex.

Robert Taylor, 241 Crystal Cove Dr., referred to a portion of staff report of Oct 22, 2013. He stated he is in support of the design guidelines. He believes that they are a bit aspirational and time will help heal some of the wounds. He commented that the guidelines are not historic design guidelines and 15 or so buildings are now being identified as significant. He said that there should be more than the Planning Director and a historic preservation student to decide what is historically significant. Mr. Taylor added that he believes that the public has a significant investment in the properties as a taxpayers and believes that the decision making body should be increased to possibly include be that taxpayer, a downtown building owner, and a member of the county. He believes in preserving and protecting our historic buildings, but is concerned with relegating that authority to a few people. The design guidelines in some areas appear to try to legislate or create historical features which he is opposed to, and believes that the buildings should stand on their own merit. Some of the standards have been in place for years and years and such as reflective glass and awnings below eight feet, yet there are several buildings that are not in compliance. He suggested that someone other than the Building Official should look at these plans to ensure the guidelines are enforced and the city map needs to be defined very clearly as it relates to the north and south historic districts, the central business district and how it relates to downtown business and riverfront as the lines overlay at times and create confusion.

Alex Altman said that there were an extreme number of restrictions and regularity standards which will be required for new business and create a hardship in an already tough economic time. He believes that what makes Palatka special is that it is different, and referred to Angel's Diner as with many others that are a prize for Palatka, that would not be allowed as they are under the proposed design standards.

Vernon Adams, 5262 Silver Lake Dr., referred to the Constitution and the protection of freedom of religion. He stated that churches are a vital part of our community and urged the Board not to restrict churches. He added that there are enough regulations and pressures choking existing business, and many of them are struggling and barely hanging on. He stated that he believes that the proposed standards would impose hardships on many of the existing businesses.

David Harrell 271 East River Rd., East Palatka, wants to know how the amendment can help him rent his spaces. He stated that he is opposed to the amendment.

Kenny Eubanks, 141 Ranch Rd. East Palatka, said he cosigned the check to get a main street manager, and expressed his wishes that some of these changes should not be made.

Dawn Perry, 2370 West River Dr., stated her objections to the overlay and referenced a federal law that prohibited discrimination against churches.

Mr. Crowe advised that the design regulations in the periphery areas would be much less restrictive than in the retail core and would allow new uses such as Angel's Diner.

Mr. Petrucci commented that in his opinion churches would be best served around the residential communities and commercial areas are best served for commercial uses. He added that he believes that the differences between Palatka and some surrounding communities like St. Augustine and Gainesville is that these towns create a feel or a theme to separate the downtown from the malls and big box stores.

Don Holmes commented that the decisions should not be based on feelings. The question needs to be based on whether it is appropriate to put an overlay on one 11-block area of one street and restricting non-retail uses to create a retail entertainment district.

Vice-Chairman Sheffield questioned the issue of property rights for existing property owners. He asked if there were any considerations, or protections for existing building owners. Mr. Holmes advised that grandfathering does just that as it allows the use to continue until such time as it goes away. Mr. Crowe added that the State changes the Building Code minimum standards on occasion and all are required to meet these minimums.

Mr. Harwell asked Mr. Crowe questions regarding some of the design standards for existing and new construction.

Mr. Holmes asked Mr. Crowe if there were any considerations made for a variance. Mr. Crowe replied that if it pertains to a strict dimensional standard, a variance could be applied for, if it is related to more of an interpretational item, an appeal of Staff's decision would go to the Planning Board.

Mr. DeLoach said he was in retail for 35 years, and for 12 of those years he was president of the Downtown Merchants Association, and they went to nearby downtowns to determine what could be done to improve downtown. He said that he believes that downtown Palatka can thrive again and he added that supported the overlay.

## **OLD BUSINESS:**

**Case 13-50** Administrative requests to amend Municipal Code Sec. 94-295 Landscaping and Tree Protection (General landscape requirements) to provide standards for fencing; and amend Buffering and Screening Code Section 94-303 regarding landscape buffers applicable to conditional uses.

\  
Mr. Crowe requested that this item be tabled to the next meeting.

**Motion** made by Mr. Deloach and seconded by Mr. Petrucci to table this item to the January, 2014 meeting. Motion passed unanimously.

## **OTHER BUSINESS**

The 2014 meeting calendar was presented and approved:

January 7th  
February 4<sup>th</sup>

March 4<sup>th</sup>

April 1<sup>st</sup>

May 6<sup>th</sup>

June 3<sup>rd</sup>

July 1<sup>st</sup>

August 5<sup>th</sup>

\* September 9<sup>th</sup>

October 7<sup>th</sup>

November 4<sup>th</sup>

December 2<sup>nd</sup>

\* Note: September's regularly scheduled meeting date falls next to the Labor Day holiday; it is staff's recommendation that this meeting be held on the 2<sup>nd</sup> Tuesday of the month.

Vice-Chairman Sheffield advised of Chairman Stewart's resignation, and asked for the Board to consider a replacement for Chairman at the next meeting.

### **ADJOURNMENT**

With no further business, meeting adjourned.

**Case 13-46**  
**Request to Amend Zoning Code**  
**(Downtown Overlay Zoning)**  
**Applicant: Building & Zoning Dept.**

## **STAFF REPORT**

**DATE:** December 27, 2013

**TO:** Planning Board Members

**FROM:** Thad Crowe, AICP  
Planning Director

### **APPLICATION REQUEST**

A request to amend Zoning Code Section 94-149, 94-161, and 94-162, applying overlay zoning standards to the Downtown zoning districts and adjacent areas within the C-2 zoning district. The Board considered this item at their November meeting and also held a public workshop on the item at their December meeting.

### **APPLICATION BACKGROUND**

Like other Florida downtowns, downtown Palatka has a unique character as a result of its traditional architecture and historic development pattern. There are currently no design or development standards in place that protect downtown from incompatible development other than the following language in the development standards section of the Downtown Business and Downtown Riverfront zoning districts: "architectural and aesthetic appearance shall be maintained and compatible with the unique historic character downtown." Staff believes that more specific standards are needed to implement this directive. Staff has developed a set of draft design guidelines over the last year, working with Palatka Main Street and Downtown Palatka, Inc. to keep these groups informed and obtain their input. The draft overlay zone standards are attached with this staff report.

In brief, the overlay standards identify two downtown areas: the retail core and periphery. The retail core consists of properties fronting on St. Johns Ave. between the Riverfront Park and 11<sup>th</sup> St. and the periphery includes the remainder of the areas zoned DB (Downtown Business) and DR (Downtown Riverfront), generally the areas between Reid St. and St. Johns Ave. and between St. Johns Ave. and Laurel St., as well as areas zoned C-2 south of Main Street and along Reid St between the riverfront and N. 11<sup>th</sup> St. To avoid overlapping design standards Staff has excluded the South Historic District from the overlay zoning district.

The standards provide a customized list of uses for the retail core that include retail, service, and professional office uses. In the retail core the following uses have been removed from the list of DB and DR zoning district allowable uses: bait and tackle shops, convenience stores (no gas pumps), grocery stores, marine hardware and supplies shops, package liquor stores (no drive through facilities), and houses of worship and accessory facilities. Also in the retail core the following uses were removed from the list of DB/DR allowable accessory uses: appurtenant structures that are accessory to existing residential dwellings and boat repair and sales associated with a marina have been removed from the list of accessory uses. Finally within the retail the DB/DR list of conditional uses would exclude car washes, dry cleaning and laundry, (freestanding) dwellings, marinas, parking lots, and outdoor amphitheatres.

Such use restrictions are intended to promote pedestrian activity as called for in the intent sections of the DB/DR zoning districts (to provide a “pedestrian oriented, retail/entertainment” that “discourage(s) uses that are likely to create friction with pedestrian movement”).

Staff has made the argument before to the Board that uses that are not retail, restaurant, or personal services uses lack the foot traffic and storefront window displays that promote a vibrant downtown pedestrian environment that “pulls” pedestrians down the street. Research has shown that empty lots, parking lots, and government/institutional uses do not consistently generate pedestrian activity that provides for needed downtown synergy and vitality. Such uses lack the activity and longer hours of operation that sustain street life. Other uses such as bait shops, convenience stores, grocery stores, car washes, marinas, etc. do not make sense in the context of a retail core for reasons of location or function.



*Figures 1 and 2: Retail and restaurant uses provide visual interest and pedestrian generation that entices more shoppers and visitors to the downtown area*

The overlay standards include design standards for exterior alterations and new construction – interior construction is not regulated by these zoning standards, but is still subject to building, fire and other applicable codes.

Exterior design standards cover awnings, balconies, exterior materials, lighting, landscaping, roofs, storefronts, signs, windows, street walls, and fencing, limited building paint color regulations,. These standards guide redevelopment and development toward compatibility toward the historic appearance of pre-WWII buildings.

New construction would meet color, exterior building material, and street tree standards and would also be subject to other regulations, including the prohibition of new driveways and parking lots on St. Johns Ave., recognizable building entrances, design protocols for parking garages, and compatibility standards pertaining to building massing/height/proportion/lot placement.



Figures 1, 2, & 3: exterior design standards illustrations

The standards would be administered by the Building and Zoning Department, with an avenue for appeal of staff decisions to the Planning Board.

**PROJECT ANALYSIS**

Per Section 94-38(f)(2) of the Zoning Code, the Planning Board must study and consider proposed zoning text amendments in relation to the following criteria (if applicable), shown in underlined text (staff response follows each criterion).

The planning board shall consider and study:

a. The need and justification for the change.

**Staff comments:** Palatka’s downtown is a unique, historic area with tremendous potential for redevelopment. One benefit of decades of slow economic growth is the extent of historic resources in the downtown. Many historic commercial and residential buildings remain along St. Johns Ave., particularly in the 200-400 and 600-800 blocks. Outliers in the downtown periphery along a number of streets (Main St., Oak St., and Reid St.) add to the downtown’s historic fabric. There are also numerous vacant lots in the downtown area, providing considerable redevelopment potential for the area. A successful downtown is dependent on ensuring that there is a critical mass of retail and restaurant uses with minimal interruption by low pedestrian-generating and incompatible uses. As noted below, numerous policies of the Comprehensive Plan support this application.

b. The relationship of the proposed amendment to the purposes and objectives of the city's comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this chapter and other city ordinances, regulations and actions designed to implement the comprehensive plan.

**Staff comments:** The following Comprehensive Plan Objectives and Policies support the overlay standard amendment.

- Objective A.1.2 calls for the City to implement the policies to provide for redevelopment and renewal of blighted properties.

- Objective A.1.4 of the City's Comprehensive Plan Future Land Use Element notes that the City shall ensure the protection of natural resources and historic resources;
- Objective A.1.5 of the City's Comprehensive Plan Future Land Use Element notes that the City shall increase public awareness of the historic significance of the City and provide incentives to maintain and restore historically significant areas and structures within the City limits;
- Policy A.1.5.1 of the City's Comprehensive Plan Future Land Use Element notes that historic resources shall be protected through designation as historic sites by the State or City;
- Policy A.1.5.1 of the City's Comprehensive Plan Future Land Use Element notes adaptive reuse of historic structures shall be given priority over actions that would harm or destroy the historic value of such resources;
- Policy A.1.6.1 requires that the City provide incentives which direct development to infill in areas of the City with in-place water/sewer lines and paved road. These incentives may include, but not be limited to providing additional permitted land uses through special use designations under the City Zoning Code such as approved "mother-in-law" units with separate kitchens or home office operations for limited business activities.
- Policy A.1.6.2 minimizes scattered and highway strip commercial by directing commercial development to occur in a planned and compact manner through in-filling within already developed commercial areas as identified on the Future Land Use Map.
- Objective A.1.8 calls for the City to establish a program that provides the means for innovative development planning. The end goals of the program are to provide:
  - Flexibility and efficiency in site design to reduce infrastructure costs, improve interior circulation patterns, and promote open space;
  - Development that is adapted to natural features in the landscape such as wetlands, vegetation and habitat, and which avoids the disruption of natural drainage patterns; and
  - A mix of land use to promote convenience in the location of related uses and to reduce travel congestion and costs.
- Section 54-71 of the Municipal Code notes that the structures within the city provide visual evidence of the city's significant role in the economic, political and architectural development of northeast Florida, wherein the city for a substantial period in the 19th and 20th centuries occupied a prominent place in a regional tourist and industrial economy;
- Section 54-71 of the Municipal Code notes that it is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of properties of historic, cultural and aesthetic merit are in the interest of the health, morals, prosperity and general welfare of the people of the city;
- Section 54-71 of the Municipal Code notes that the City shall effect and accomplish the protection, enhancement and perpetuation of districts, structures and sites which represent distinctive elements of the city's cultural, social, economic, political and architectural history; and

#### **STAFF RECOMMENDATION**

Staff recommends approval of Case 13-46 adopting the attached overlay zoning standards for the downtown area.

# ***PALATKA DOWNTOWN OVERLAY ZONING (DRAFT)***

**December, 2013**



# PALATKA DOWNTOWN OVERLAY ZONING (DRAFT)

## PALATKA DOWNTOWN OVERLAY ZONING (DRAFT)

### Table of Contents

1.	INTENT.....	2
2.	DOWNTOWN ZONES.....	2
	A. Retail Core.....	3
	B. Periphery.....	3
3.	ALLOWABLE USE.....	3
	A. Retail Core.....	3
	B. Periphery.....	6
3.	DESIGN STANDARDS FOR EXTERIOR ALTERATION.....	6
	A. Awnings and Canopies.....	6
	B. Balconies or Porches.....	7
	C. Color.....	7
	D. Exterior Materials.....	7
	E. Illumination.....	7
	F. Landscaping.....	8
	G. Roofs.....	8
	H. Storefronts.....	8
	I. Signs.....	8
	J. Windows.....	9
	K. Streetwalls.....	10
	L. Fencing.....	10
4.	DESIGN STANDARDS FOR NEW CONSTRUCTION.....	10
	A. Corner Buildings.....	<b>Error! Bookmark not defined.</b>
	B. Driveways and parking lots.....	10
	C. Entrances.....	10
	E. Parking garages.....	11
	F. Proportion.....	11
	G. Roofs.....	11
	H. Setbacks.....	11
	I. Width.....	11

- INTENT.** The downtown overlay zoning is intended to recognize the unique and historic function and appearance of the downtown retail business district and the surrounding area. The Overlay provides regulations to help ensure that new infill buildings and the renovation of existing buildings will blend with the fabric of the physical environment of Downtown Palatka, its existing buildings and the overall streetscape and not present a jarring contrast with existing community character and architecture. The Overlay also encourages uses that contribute to a vibrant and active shopping and business area.
- DOWNTOWN ZONES.** The downtown area consists of two specific areas: the retail core and periphery.

## PALATKA DOWNTOWN OVERLAY ZONING (DRAFT)

- A. **Retail Core:** this area includes properties fronting on St. Johns Ave. between the Riverfront Park and N./S. 11<sup>th</sup> St., excluding properties fronting on the north side of St. Johns Ave. between N. 4<sup>th</sup> St. and N. 6<sup>th</sup> St.
- B. **Periphery:** this area includes all areas zoned DB (Downtown Business) and DR (Downtown Riverfront), excluding the Retail Core and South Historic District, and also includes areas within the C-2 zoning district south of Main Street between the riverfront and N. 11<sup>th</sup> St.

### 3. ALLOWABLE USE.

Listed allowable and conditional uses of this section will replace those found in the DB (Downtown Business) and DR (Downtown Riverfront) zoning districts. All other provisions of the DB and DR zoning are still applicable. Allowable uses and other standards within the Periphery zone are subject to the underlying zoning district.

(k) The retail core, identified as all properties fronting on St. Johns Ave. between the Riverfront Park and 11th St. are subject to the following use, activity, and structure regulations, as well as development and design standards set forth in Sec. 94-202. (Revised text indicates departures from the DB and DR zoning use regulations.)

1. General retail establishments which include:

- a. Antiques and collectibles.
- b. Appliances.
- c. Arcades.
- d. Art.
- e. Arts and crafts.
- f. Auction houses.
- g. Bakeries (retail).
- ~~h.~~ ~~Bait and tackle shops.~~
- ~~i.~~ ~~h.~~ Bicycle shops.
- ~~j.~~ ~~i.~~ Billiard parlors and indoor recreation and amusement facilities.
- ~~k.~~ ~~j.~~ Books and periodicals.
- ~~l.~~ ~~k.~~ Cameras (including incidental repair) and photographic supplies.
- ~~m.~~ ~~l.~~ Candy and confectionary shops.
- ~~n.~~ ~~Convenience stores without gas pumps.~~
- ~~o.~~ ~~m.~~ Delicatessens.
- ~~p.~~ ~~n.~~ Department and discount stores.
- ~~q.~~ ~~o.~~ Electronics and appliances (including incidental repairs).
- ~~r.~~ ~~p.~~ Farmer's markets, as defined and regulated by section 94-201 of the Zoning Code.
- ~~s.~~ ~~q.~~ Flowers and gifts.
- ~~t.~~ ~~r.~~ Fish and seafood shops (retail).
- ~~u.~~ ~~s.~~ Furniture stores.
- ~~v.~~ ~~t.~~ Gifts.
- ~~w.~~ ~~u.~~ Gourmet shops.
- ~~x.~~ ~~Grocery stores.~~
- ~~y.~~ ~~v.~~ Hardware stores.
- ~~z.~~ ~~w.~~ Health food shops.

## **PALATKA DOWNTOWN OVERLAY ZONING (DRAFT)**

- ~~aa~~.x. Hobby shops.
- ~~bb~~.y. Jewelers (including incidental repair).
- ~~cc~~.z. Leather goods and luggage.
- ~~dd~~. Marine hardware and supplies shops.
- ~~ee~~.aa. Mobile food vendors and push carts.
- ~~ff~~.bb. Musical instruments and supplies.
- ~~gg~~.cc. Office equipment and furniture and supplies.
- ~~hh~~.dd. Pet stores.
- ~~ii~~.ee. Pharmaceuticals.
- ~~jj~~.ff. Plant shops.
- ~~kk~~.gg. Specialty foods.
- ~~ll~~.hh. Sporting goods.
- ~~mm~~.ii. Sundries and notions.
- ~~nn~~.jj. Wearing apparel.
- ~~oo~~.kk. Any retail establishment which incorporates any of the above.

(2) General service establishments shall include:

- a. Aquariums.
- b. Barbershops and beauty shops.
- c. Bars, nightclubs, or taverns (See chapter 10).
- d. Coffee shops.
- e. Copy, mailbox, or shipping shops.
- f. Dance studios.
- g. Fitness centers.
- h. Fraternal organizations.
- i. Health spas.
- j. Interior designer studios.
- k. Job printing.
- l. Martial arts or comparable physical activities studios.
- m. Museums and galleries.
- ~~n. Package liquor stores without drive-through facilities (See chapter 10).~~
- o. Photographic studios.
- p. Restaurants without drive-through facilities.
- q. Shoe repair shops.
- r. Tailor shops.
- s. Travel agencies.
- t. Trophy and awards sales and assembly.
- u. Upholstery and reupholstery shops.

(3) Professional establishments shall include:

- a. Architectural and related services.
- b. Attorney offices.
- c. Business offices.
- d. Dental offices.
- e. Financial offices without drive-through facilities.
- f. General professional services.

## **PALATKA DOWNTOWN OVERLAY ZONING (DRAFT)**

- g. Investment offices.
- h. Medical offices.
- i. Real estate offices and related services.
- j. Surveyors offices.
- ~~(4) Houses of worship and accessory facilities.~~
- (5) Residential uses, subject to development standards set forth in this section.
- (c) Permitted accessory uses, activities, and structures. Permitted accessory uses, activities, and structures which are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures are allowed and must be located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership. The operations and/or structures must be consistent with the character of the district. Unless otherwise expressed herein, uses not specifically listed as accessory shall be prohibited. Permitted accessory uses, activities, and structures are as follows:
  - ~~(1) Appurtenant structures (i.e. garages, sheds, swimming pools, decks, boat houses) as an accessory to existing residential dwellings.~~
  - ~~(2) Boat repair and sales as an integral part of a marina.~~
  - (3) Laundry facilities as an integral part of a hotel or marina.
  - (4) Outside sale and display of goods at city approved functions and events.
  - (5) Warehousing and/or storage completely enclosed within the principal building.
  - (6) Meeting space and limited retail sales as an accessory use to hotels.
  - (7) Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.
  - (8) Making of goods for sale at retail on the premises, with no odor, fumes, or other emissions detectable to normal senses from off the premises.
  - (9) Manufacturing, fabrication, and assembly activities associated with the retail sale of arts and crafts, with no odor, fumes, or other emissions detectable to normal senses from off the premises.
  - (10) Other uses that in the written opinion of the Planning Director are customarily accessory and clearly incidental and subordinate to permitted or permissible uses, are located on the same premises as the permitted or permissible use or structure, and do not involve operations not in keeping with the character of the district.
- (d) Prohibited uses, activities, and structures. In addition to the expressly prohibited uses, activities, and structures listed herein, any uses, activities, or structures not specifically listed shall be prohibited. Prohibited uses, activities, and structures are as follows:
  - (1) Adult entertainment establishments, uses, and activities (as defined and regulated by chapter 3 of the Municipal Code).
  - (2) Communication towers.
  - (3) Drive-through facilities.
  - (4) Manufacturing, fabrication, and assembly activities, except as a conditional accessory use.
  - (5) Outside sale, display, rental, or storage of construction equipment, rental trucks and trailers.
  - (6) Residential dwellings on the first floor constructed or converted after May 1, 2003.
  - (7) Roadside vending.

# PALATKA DOWNTOWN OVERLAY ZONING (DRAFT)

- (8) Rooming and boarding houses.
- (9) Warehousing and/or storage, except as an accessory use.
- (10) Other uses not specifically cited in the list of permitted and conditional uses of this section.
- (7) Conditional uses, activities, or structures. Unless otherwise expressed herein, uses not specifically listed as conditional shall be prohibited conditional uses, activities, or structures are as follows:
  - a. ~~Car wash facilities~~
  - b. Colleges, vocational schools and preschools.
  - c. Community production or movie theaters.
  - d. Convention facilities.
  - e. ~~Dry cleaning and laundry retail service and self service establishments.~~
  - f. ~~Dwelling, one family or single family, excluding parcels abutting St. Johns Avenue.~~
  - g. Hotels and motels.
  - h. ~~Marinas, with or without fuel dispensing facilities.~~
  - i. Multi-level parking facilities and commercial parking lots.
  - j. Outdoor recreational activities (i.e.: watercraft rentals; rental of bicycles; rental of mopeds or scooters with a motor rated not in excess of two brake horsepower and displacement not to exceed 50 cubic centimeters; trolleys or carriages for hire).
  - k. ~~Outdoor amphitheaters and parks.~~
  - l. Residential dwellings consisting of three or more units located above the first floor of a commercial use.
  - m. The expansion or reconstruction of any use which existed within the district on the effective date of the establishment of the district which is not otherwise permitted or permissible.

## B. Periphery.

Allowable and other uses within the Periphery zone are subject to the underlying zoning district.

### Sec. 94-202 - Design standards for exterior alteration in downtown zoning districts.

The following standards are applicable to exterior alteration of existing buildings within the Retail Core and are applicable to the Periphery if specifically noted. The standards apply along with existing Zoning and Sign Code provisions, however in the event of a conflict between these standards and Zoning and Sign Code provisions, these standards shall prevail.

#### (a) Awnings and Canopies.

- (1) *Location.* When utilized shall either extend at least 60% of the length of the building or storefront, or placed above entrance doors. Awnings may project out up to three feet from

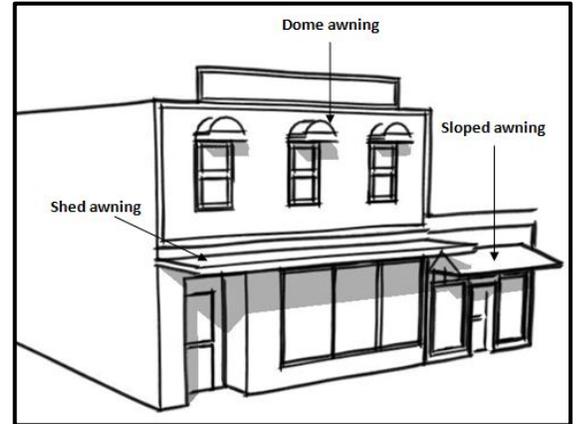


Fig. 1 Awning dimensions

## PALATKA DOWNTOWN OVERLAY ZONING (DRAFT)

the back of the curb, and be at least eight feet above sidewalk grade.

- (2) *Types Allowed.* Allowable awning types include shed, sloped, or dome (over window or door); mansard awnings are not allowed.
- (3) *Materials Allowed (Awnings).* Allowable materials are canvas, acrylics, metal, aluminum, and poly-cotton fabrics.
- (4) *Materials Allowed (Canopy).* Allowable materials are wood, metal, and aluminum.
- (5) *Multiple Awnings.* Multiple awnings (not canopies) are appropriate for storefronts within a single building, however the awnings shall be similar in terms of style and shape.
- (6) *Obscuring Architecture.* Awnings and canopies shall not be placed directly on important architectural features such as transoms or decorative glass and shall not obscure more than 30% of length of window.
- (7) *Symmetry.* Awnings shall be centered on the building, storefront façade, windows, or doors.



**Fig. 2** Appropriate awning types

(b) **Balconies or Porches.**

- (1) *Clearance.* Shall be at least eight feet above sidewalk grade.
- (2) *Materials Allowed.* Shall be made of painted wood or steel, or shall match abutting wall material.
- (3) *Projection.* Can extend up to three feet from the back of curb.

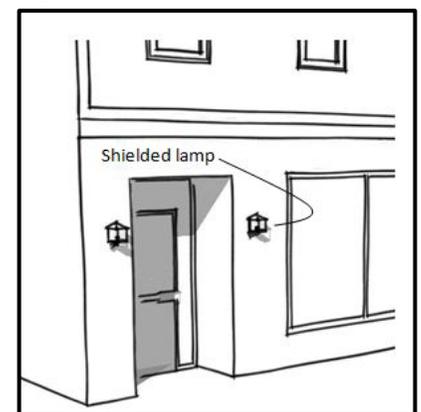
(c) **Color.**

- (1) *Prohibited Colors.* Fluorescent colors are prohibited, as are luminous paints and synthetic reflective materials (also in Periphery).
- (2) *Unpainted Natural Elements.* Unpainted natural elements such as stone or brick shall not be painted (not applicable to building exteriors that are currently painted).

(d) **Exterior Materials.**

- (1) *Building Materials.* Building exteriors shall be brick or stucco (also in Periphery).
- (2) *Window Materials.* Wood windows and doors, with hardiplank or similar material allowed if such material closely resembles wood finish. Metal windows and doors finished in baked enamel are allowed. Unfinished metal or raw aluminum windows and doors are prohibited.
- (3) *Wood Substitute.* Hardiplank or similar material may be used as a substitute for wood, if such material closely resembles wood finish.

- (e) **Illumination.** Buildings shall have shielded/hooded lighting except that buildings and trees may be up-lit. Fixtures shall be consistent with period lighting such as goose-neck fixtures.



**Fig. 3** Shielded light fixtures

# PALATKA DOWNTOWN OVERLAY ZONING (DRAFT)

(f) **Landscaping.**

- (1) *Street Tree Placement.* Street trees should be strategically placed to provide for “gateways” at intersections, to provide for shade, and should not obscure architecturally significant buildings (also for Periphery).
- (2) *Street Tree Spacing.* Street trees should be planted in conformance with an approved downtown streetscape plan (also for Periphery).

(g) **Roofs.** Buildings shall have flat roofs with parapets allowed.

(h) **Storefronts.** Storefronts frequently define the character of commercial buildings and entrances, with display windows, trim, cornices, and decorative detailing being particularly important. Door and window location creates a distinct rhythm on the facade of a building. When rehabilitating a storefront, such original or historically significant features, materials, and design elements shall be retained and repaired.

(i) **Signs.** In addition to standards set forth in 62, Sec. 94-161(j)(1) and Sec. 94-162(j)(1), the following standards shall also apply

- (1) *Externally Lit Signs.* Externally-lit signs shall be lit with incandescent-spectrum bulbs. Lighting shall be limited and directed to not allow for glare and spillover light trespass (also for Periphery).
- (2) *Internally Lit Signs.* Internally lit signs are prohibited except for backlit channel letters used for wall signs.
- (3) *Neon Signs.* Neon signs are limited to



Fig. 4 Awning and window signs

window and projecting signs and may flash, but scrolling or other movement shall not be allowed. “Open” signs are excluded from the two-sign maximum if they are less than ten square feet.

- (4) *Building Name Sign.* A wall sign is allowed for a single building to indicate building name, construction date, and address, limited to areas immediately adjacent to the building parapet, with each sign not to exceed 20 square feet in size.

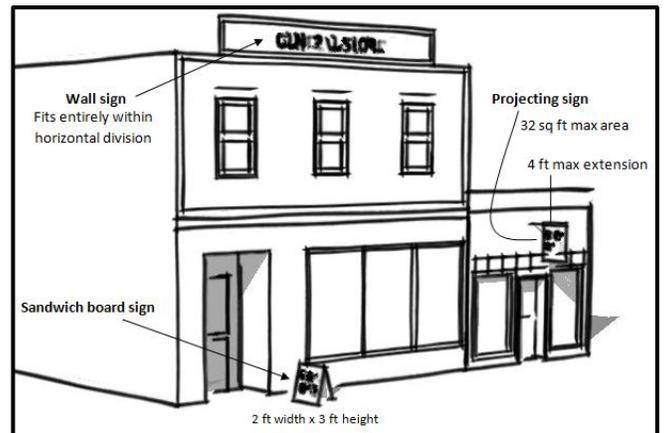


Fig. 5 Sign locations

- (5) *Sign Material.* Sign material shall be durable and include the following: metal (iron, steel, brass, copper, aluminum and other natural finishes); painted metal, including powder-coated or enameled metals; wood (painted or natural, including carved or sand-blasted lettering); vinyl or other sheet claddings (for backing panels or cut lettering only); glass; fiberglass, high-density urethane foam, and similar “cast” or formed materials to create three-dimensional objects, including individual lettering.

## PALATKA DOWNTOWN OVERLAY ZONING (DRAFT)

The use of cardboard, plywood, paper, or similar impermanent material for sign material is prohibited.

(6) *Sign Uniformity on Single Buildings.* Signs located on a single storefront shall complement each other either with type (all awning signs for example), color, or design.

(7) *Wall Sign Location.* Wall signs shall fit entirely within horizontal elements of buildings and should not cover up architectural treatments. Acceptable areas include sign bands, continuous flat wall surface free of window and other openings or architectural features, areas between the top of the storefront and the sill of second floor windows, sign boards already in place and designed for such use, and panels at the top and bottom of show windows. Signage will fit entirely within horizontal divisions to the extent feasible. Where no architectural divisions exist or are evident, signage will be proportionately scaled to the façade and placed to respect window and door openings.

(8) *Wall Sign Material.* Wall signs can take the form of mounted board signs or individually mounted (channel) letters.

(9) *Wall Sign Dimensions.* Maximum size shall be 125% of storefront frontage linear feet, up to a maximum of 100 square feet. Maximum width shall be 70% of the storefront or overall façade width. Maximum height shall be 25% of building height.

(10) *Window Sign Area.* Window sign area shall not exceed 50% of storefront window area, although gold leaf window signs can account for an additional 15% of window area, and all-gold leaf lettering can account for up to 75% of window area.

(11) *Window Sign Material.* Window signs shall only be painted on the interior or exterior of the window or use decal materials, with the exception of “for sale” or “for rent” signs, which shall be limited to six square feet, one per storefront.

(j) **Windows.** Windows shall be required on all elevations visible from public rights-of-way, with the following standards applicable only to the Retail Core:

(1) *First Floor Windows.* First floor facades shall include storefront windows to occupy at least 60% of first floor wall area.

(2) *Muntins.* Flush or snap-in muntins are historically inauthentic and are prohibited.

(3) *New Windows.* New windows shall be similar in shape and size to documented original windows or shall be or resemble one-over-one style.

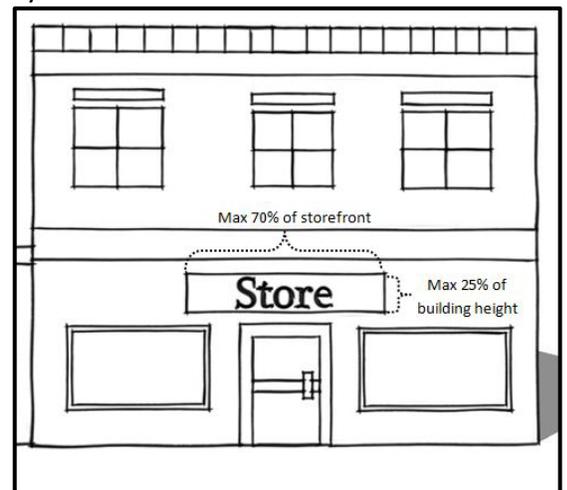


Fig. 6 Wall sign dimensions

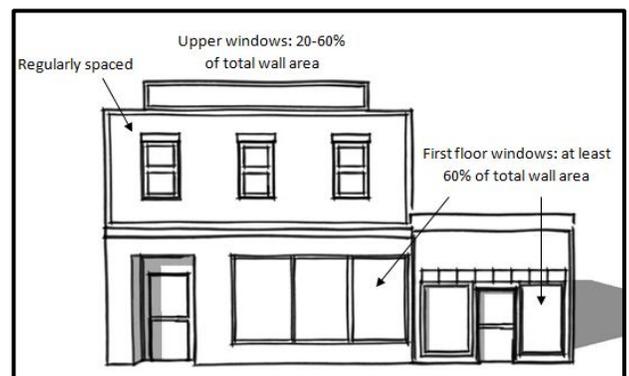


Fig. 7 Window spacing and verticality

## PALATKA DOWNTOWN OVERLAY ZONING (DRAFT)

- (4) *Obscuring.* Original upper floor windows shall not be obscured or removed.
  - (5) *Opacity.* Windows shall contain clear glass and transmit at least 50% of visible daylight.
  - (6) *Upper Floor Windows Required.* Upper floor windows shall comprise between 20% and 60% of the total building wall area. No more than 15 feet of horizontal distance of wall shall be provided without windows.
  - (7) *Upper Floor Window Spacing.* Upper floor windows shall be regularly spaced.
  - (8) *Verticality.* Doors and windows must be vertical and not horizontal (except for first-floor storefront windows). Sliding doors are prohibited.
  - (9) *Window Regularity and Ornamentation.* Buildings shall have similar-shaped windows in regard to window hoods or trim.
- (k) **Streetwalls.** Streetwalls between two and three feet in height are required along the length of any parking lot, vehicular use area, or other interruption between buildings, excluding driveways. The streetwall must be masonry or brick that complements adjacent buildings architecture. Streetwalls shall be installed within two years of the adoption of this ordinance.
- (l) **Fencing.** Wrought iron or wood picket fencing is allowed, or fence material that closely resembles the appearance of these fencing types.

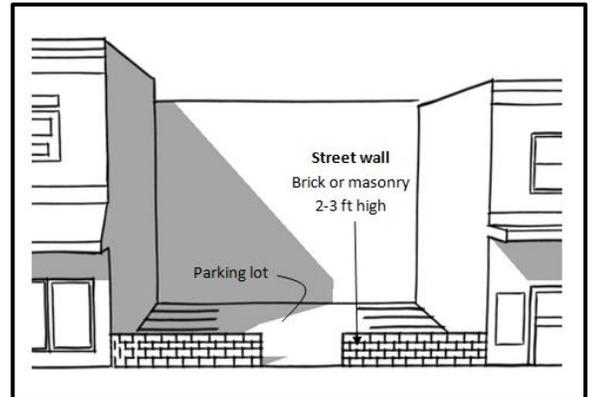


Fig. 8 Streetwall

### Sec. 94-203 - Design standards for new construction within downtown zoning districts.

The following standards are applicable to new construction, and redevelopment when improvement value exceeds 50% of property value within the Retail Core and are applicable to the Periphery if specifically noted.

- (a) **Driveways and parking lots.** New driveways and parking lots are not allowed on St. Johns Avenue, and existing driveways shall be eliminated for new construction and also for property improvements that exceed 50% of the value of the property.
- (b) **Entrances.** Buildings shall have front entrance designed to be attractive and prominent architectural feature. Buildings shall incorporate lighting and contrast in mass, surface detail, or finish to give emphasis to entrance.
- (c) **Height.** Buildings height shall be similar to that of adjacent buildings, except that any new building may have a height up to 60 feet.

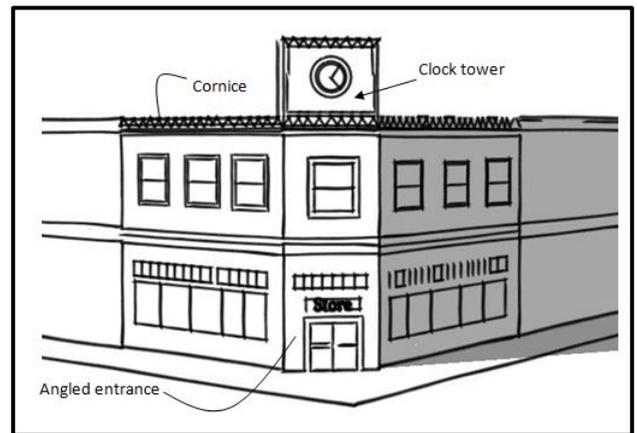
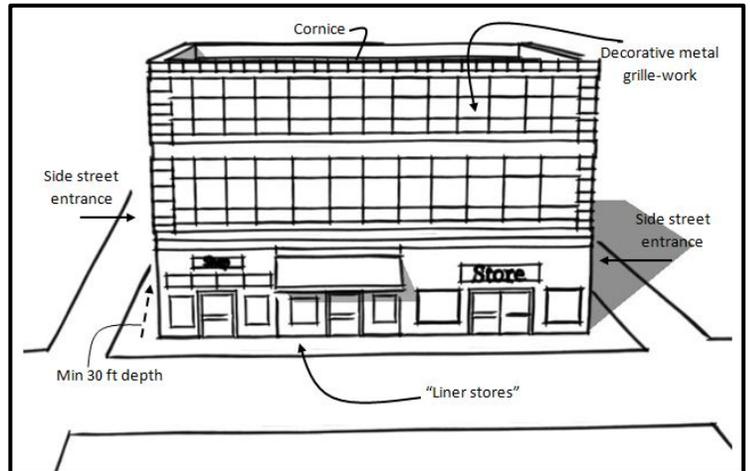


Fig. 9 Embellished corner building with angled entrance

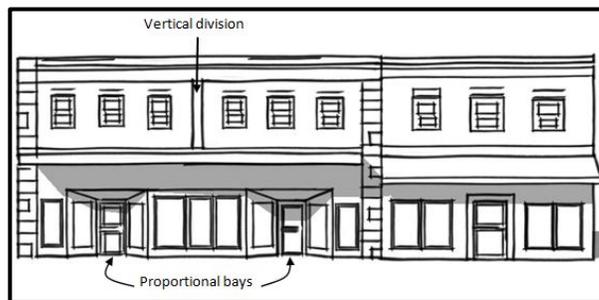
## PALATKA DOWNTOWN OVERLAY ZONING (DRAFT)

- (d) **Parking garages.** Parking garages shall be located behind “liner stores” with minimum storefront depth of 30 feet; entrances shall be from side streets; architecture of parking garages fronting on public streets shall achieve an architectural unity with existing buildings; and design features shall include brick, stucco, cornices, or a combination of architectural features which enable the parking garage to better blend with the area. Exterior walls shall include decorative metal grille-work or similar detailing which provides texture and partially and/or fully covers the parking structure opening, or vertical trellis or other landscaping. (Also applicable for Periphery.)



**Fig. 10** Parking garage

- (e) **Proportion.** New construction and facade rehabilitation shall maintain horizontal and vertical spacing of elements similar to other buildings on the block.
- (f) **Roofs.** Flat roofs are required. Flat roofs shall be enclosed by parapets at least 24 inches high, or high enough to conceal HVAC equipment (also for Periphery).
- (g) **Setbacks.** Buildings shall form a consistent, distinct edge, spatially delineating the public street through maximum building setbacks that vary by no more than five feet from those of the adjacent building.
- (h) **Width.** Where new buildings will exceed the historical 30 to 40 feet in width, the facade shall be visually subdivided into proportional bays, similar in scale to the adjacent buildings. This can be done by varying roof heights, or applying vertical divisions, materials and detailing to the facade.



**Fig. 11** Similar width and proportion of new construction

# Request to Amend Zoning Code

(Revisions to Landscaping, Tree Protection, and Buffering and Screening Standards)

Applicant: Building & Zoning Dept.

## STAFF REPORT

**DATE:** December 27, 2013

**TO:** Planning Board Members

**FROM:** Thad Crowe, AICP  
Planning Director

### APPLICATION REQUEST

Revisions to the Landscaping and Tree Protection and Buffering and Screening sections of the Zoning Code (Articles VI and VII) regarding fencing and also buffers applicable to conditional uses.

### APPLICATION BACKGROUND

Staff presented a comprehensive set of revisions to the Tree Protection and Landscaping and Buffering and Screening sections of the Zoning Code, which the Planning Board recommended approval for. The City Commission requested that Staff hold a public workshop on the changes, which Staff will do this coming spring. Another look at these codes revealed that there is a need for additional standards regarding an important component of landscaping, namely fencing. In addition Staff has some concern about the lack of applicable conditional use buffers. Proposed changes are shown below with what was previously considered by the Board in underlining, and revisions to that in underlined and shaded text.

The change below would implement the necessary goal of landscaping parking lots and road corridors, not just areas adjacent to lower intensity uses.

#### **Sec. 94-303. – Applicability of regulations (Buffering)**

- (b) Conditional uses ~~A change in land use or zoning~~ shall be subject to this article.
- (1) Existing uses with no parking lot or building expansions shall only be required to meet uncomplimentary use buffers adjacent to single-family uses or zoning, roadway and vehicular use buffers, and parking lot tree requirements. Each change of use shall require the greater of one tree planting or 25% of the required trees and linear buffer.

Very visible blighting elements of many of the City's commercial corridors are chain link fences in various stages of repair. The change below is intended to only allow darker colored chain link fencing behind or beside buildings, and to only allow barbed wire or razor wire atop fences in areas that are behind buildings and hidden from public view.

#### **Sec. 94-295. – General landscape requirements**

- (b) *Installation and maintenance.* The installation and maintenance of landscaping shall be subject to the following:
- (2) *Maintenance*
- e. Fencing. The following fence types are allowed within streetyards: wood and wrought iron (or materials closely resembling wood or wrought iron) picket fences, up to six feet

in height. These fence types are also allowed in non-streetyard areas along with wooden or similar material stockade or privacy fences; and dark green, black, or other dark colored chain link fences. Barbed wire, razor wire, and similar material are only allowed behind buildings or in areas that are obscured from view from nearby roadways or other public areas.

## **PROJECT ANALYSIS**

Per Section 94-38(f)(2) of the Zoning Code, the Planning Board must study and consider proposed zoning text amendments in relation to the following criteria (if applicable), shown in underlined text (staff response follows each criterion).

The planning board shall consider and study:

a. The need and justification for the change.

**Staff comments:** the following justifications are applicable.

- Improved appearance of commercial corridors
- Increase in property value of commercial corridors

b. The relationship of the proposed amendment to the purposes and objectives of the city's comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this chapter and other city ordinances, regulations and actions designed to implement the comprehensive plan.

**Staff comments:** the following Comprehensive Plan or Community Redevelopment Area Plan policies (shown in *italics*) are applicable to this amendment. This amendment is in keeping with the goals, objectives, and policies of both plans. In regard to the policies listed below, the amendment is in line with stated purposes of promoting infill and mixed-use development, renewing blighted properties, encouraging the use of existing commercial areas, and practicing innovative development planning.

## **FUTURE LAND USE ELEMENT**

**Objective A.1.2** 9J-5.006(3)(b)2

*Upon Plan Adoption, the City shall implement the following policies in order to provide the means for redevelopment and renewal of blighted properties.*

**Policy A.1.6.1** 9J-5.006(3)(c)

*Provide incentives which direct development to infill in areas of the City with in-place water/sewer lines and paved road. These incentives may include, but not be limited to providing additional permitted land uses through special use designations under the City Zoning Code such as approved "mother-in-law" units with separate kitchens or home office operations for limited business activities.*

**Policy A.1.6.2** 9J-5.006(3)(c)3

*Minimize scattered and highway strip commercial by directing commercial development to occur in a planned and compact manner through in-filling within already developed commercial areas as identified on the Future Land Use Map.*

**Objective A.1.8** 9J-5.006(3)(b)9; F.S. 187.201(16)(b)3

*Upon Plan adoption, The City shall establish a program that provides the means for innovative development planning. The end goals of the program are to provide:*

- Flexibility and efficiency in site design to reduce infrastructure costs, improve interior circulation patterns, and promote open space;*
- Development that is adapted to natural features in the landscape such as wetlands, vegetation and habitat, and which avoids the disruption of natural drainage patterns; and*
- A mix of land use to promote convenience in the location of related uses and to reduce travel congestion and costs.*

**LANDSCAPING AND TREE PROTECTION (ZONING CODE ARTICLE VI)**

- (1) Improve the aesthetic appearance of commercial, governmental, industrial and residential areas through the incorporation of landscaping into development in ways that harmonize and enhance the natural and manmade environment.*
- (3) Provide direct and important physical and psychological benefits to human beings through the use of landscaping to reduce noise and glare, and to break up the monotony and soften the harsher aspects of urban development.*

**STAFF RECOMMENDATION**

Staff recommends approval of Case 13-50 revising specific sections of Zoning Code Article VI and VII as paraphrased below:

1. conditional use eventual compliance with parking lot landscaping and vehicular use and roadway buffers; and
2. fencing standards as outlined on pages 1 and 2.

**Case 13-53**  
**Request for a Conditional Use for Church Expansion**  
**511 St. Johns Ave.**  
**Applicant: Robert Taylor, AIA, on behalf of 1<sup>st</sup> Baptist Church**

## STAFF REPORT

**DATE:** December 30, 2013

**TO:** Planning Board members

**FROM:** Thad Crowe, AICP  
Planning Director

### APPLICATION REQUEST

The request is for a conditional use allowing expansion of existing church, as required by Zoning Code 94-3. Required public notice included newspaper advertisement, property posting, and letters to nearby property owners (within 150 feet).

### APPLICATION BACKGROUND

The church is located within a DB (Downtown Business) zoning district. New churches and expanding churches in this zoning district require conditional use approval. The church has operated in its existing location historically well before the adoption of the City's Zoning Code and therefore is "grandfathered" from various Zoning Code requirements. However any expansions require conditional use approval for both the existing church use and the expansion area as well, and the expansion area must meet Zoning and other Code standards. The Church proposes to convert the two-story portion of the old TD bank building (the part of the building located along S. 6<sup>th</sup> and St. Johns) to children's classroom space (Phase 1). Phase 2 involves the demolition of the mid-block building, and construction of a multi-purpose building with an approximately 3,200 square foot footprint. This building would have limited frontage and a secondary



Figure 1: Project location

entrance on St. Johns Avenue and would have a main entrance facing Oak St. and another secondary entrance facing S. 6<sup>th</sup> St.

**Please note that the Applicant’s narrative and site plan are attached with this report.**

**PROJECT ANALYSIS**

The church is located in a mixed-use area just south of downtown which includes single and multi-family dwellings, institutional uses (mostly churches), and office uses. Three residences are located to the west of the site along S. 6<sup>th</sup> St., the downtown retail area is adjacent to the northern part of the site, the St. Monica Catholic Church social hall is to the east of the site, and the Baptist Church sanctuary and office/classroom building is to the south of the site.



Figure 2: Dwelling at 120 S. 6<sup>th</sup> St., SW of site



Figure 3: Dwelling at 116 S. 6<sup>th</sup> St., W of site



Figure 4: 520 Oak St., W of site



Figure 5: 1<sup>st</sup> Baptist Church sanctuary and classroom/office building, S of site

Criteria for consideration include the following (italicized), as well as the general finding that the conditional use will not adversely affect the public interest.

*a. Compliance with all applicable elements of the comprehensive plan.*

Staff Comment: The application is not in conflict with applicable elements of the Comprehensive Plan.

*b. Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*

Staff Comment: Vehicular/Pedestrian Access and Traffic Flow.

Surrounding streets have sidewalks and provide for good pedestrian access. An internal sidewalk system provides access through the site and parking lot. Vehicular access to the property is also good, with a strong surrounding grid of local streets. The east and south parking lots, each with a one-way loop are connected and provide good internal circulation. Another one-way loop driveway on the west side of the new building provides for additional parking. Staff believes that the proposed vehicular and pedestrian circulation pattern is acceptable.

*c. Off-street parking and loading areas, where required, with particular attention to the items mentioned in subsection (4)b of this section and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.*

Staff Comment: The Downtown Business zoning district exempts uses from minimum parking requirements. However parking areas must meet design and landscaping requirements of the Zoning Code, and the site plan does meet such standards. However the drive aisles in the east parking lot exceed minimum width requirements. Staff recommends that these drive aisle width be reduced to allow for landscaping along the east side of the new building, to provide for a more attractive appearance of the parking area and the building.

*d. Refuse and service areas, with particular reference to the items mentioned in subsections (4)b and c of this section.*

Staff Comment: As a requirement of the Zoning Code, an enclosure area must be created for refuse containers. This will be located at the northern end of the west parking lot.

*e. Utilities, with reference to location, availability and compatibility.*

Staff Comment: The property is appropriately served by utilities.

*f. Screening and buffering, with reference to type, dimensions and character.*

Staff Comment: The Downtown Business zoning district exempts uses from the landscape buffer requirements of the Zoning Code. However the Applicant has voluntarily provided a landscape buffer to the north and east of the house located at 520 Oak St. Staff supports the use of this buffer, which averages around eight feet in width. It should also be noted that parking lot landscaping is required. The site plan meets the requirement that each parking row be terminated with a landscape island, and each island will contain a shade tree. As stated previously Staff recommends that plantings be provided along the east wall of the new building, and also along the part of the building facing Oak St.

*g. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district.*

Staff Comment: The Applicant has not provided any information on new signage. All signage must meet the standards of the Sign and Zoning Codes.

*h. Required yards and other open space.*

Staff Comment: The Downtown Business zoning district does not require any minimum open space or building setbacks.

*i. General compatibility with adjacent properties and other property in the district.*

Staff Comment: In this case compatibility would be determined by the input of neighbors on whether the Church is a use that does not negatively impact the neighborhood with traffic, noise, or other nuisance activities. Neighbors within 150 feet of the property have been notified of the application and to this date Staff has not heard from anyone. The presence or absence of supporters or opposition at the public hearing will assist the Board in determining compatibility. Given the longstanding presence of the church in the neighborhood, Staff believes the existing development is compatible to adjacent and vicinity properties.

Staff has in other applications raised the issue of the strong need to preserve retail uses in the downtown retail core of St. Johns Avenue. To that end, Staff has requested that the Applicant preserve a mid-block section along that street for future retail use. This 60-foot wide by 65-foot deep strip of land will be conveyed to the City following the completion of Phase 2 at no cost with a provision that if the City or a private partner does not develop the property for retail use within a 15-year period, then the property will revert back to the Church. If the property reverts back to the Church, any use other than retail would be subject to conditional use review.

*j. Any special requirements set out in the schedule of district regulations for the particular use involved.*

Staff Comment: There are no special requirements for churches within the R-2 zoning district.

*k. The recommendation and any special requirements of the historic preservation board for uses within the HD zoning district.*

Staff Comment: This property has the unusual distinction of being partially located within the South Historic District (the district boundary runs east-west through the middle of this block, bisecting the proposed building). Staff has proposed in the past that when there is dual board jurisdiction over an application that the Historic Preservation Board will have single jurisdiction over appearance-related issues such as building and sign design, which is this Board's main emphasis, while the Planning Board will have jurisdiction over the site design and other aspects directly related to the criteria for consideration.

*Impact on Public Interest*

Staff Comment: A review of the criteria above indicates that the proposed conditional use would not present a substantially negative impact on the overall public interest of the surrounding area and the City as a whole. The public interest has been served by requiring the preservation of the retail strip, which will not only help in the City's downtown revitalization efforts but will also reduce the loss of taxable revenues from the remainder

of the property passing into nonprofit status. No comments or objections were received from other City departments, vicinity property owners, or members of the public.

**STAFF RECOMMENDATION**

As demonstrated in this report, this application generally meets most of the conditional use criteria. Staff recommends approval with the following conditions.

1. Approval of the site plan shall be valid for a period not to exceed ten years after the approval of this application.
2. The Applicant shall preserve a mid-block section along St. Johns Ave., as shown on the site plan, for future retail use. This 60-foot wide by 65-foot deep strip of land will be conveyed to the City at no cost with a provision that if the City (or a private partner working in conjunction with the City) does not develop the property for retail use within a 15-year period after the approval of this application, then the property will revert back to the Church.
3. The Board shall relegate the responsibility of design review for the proposed building to the Historic Preservation Board.
4. The drive aisle width in the east parking lot shall be reduced to allow for landscaping along the east side of the new building, to provide for a more attractive appearance of the parking area and the building.
5. Plantings shall be provided along the part of the building facing Oak St.

ATTACHMENTS:      APPLICANT SITE PLAN AND NARRATIVE

Robert E. Taylor  
AIA Architect PA

710 St. Johns Ave / PO Box 267  
Palatka, Florida 32177 / 32178-0267

Robert E. Taylor, Architect  
FL Corp Registration No. AAC000589  
CA Registration No. RA007674  
NCARB No.. 40804

09 December 2013

CONDITIONAL USE JUSTIFICATION STATEMENT

SUBJECT: First Baptist Church  
New Family Life Center  
Palatka, Florida, 32177

PURPOSE:

This Conditional Use Justification Statement has been prepared and submitted under Palatka Municipal Code, Sections: Downtown Business (DB) District, Sec. 94-162 and Chapter 10 - Alcoholic Beverages, Sec. 10-3 - Location Restrictions, (b).

The Parcel is located in the Downtown Business (DB) District, Sec. 94-162, (a), which was established for the purpose of providing a transitional buffer between the Downtown Riverfront (DR) District and the more intensive uses which would be inconsistent with the intent of the Downtown Riverfront (DR) District. This district would provide a broader range of activities and uses that would support development within the Downtown Riverfront (DR) District. The proposed use was specifically listed as permitted under (b) Permitted principal uses, activities, and structures as: (4) Houses of worship and accessory facilities.

The First Baptist Church Ministry is an established religious institution. The current Building was constructed in 1924. To provide for the expansion of the First Baptist Church Ministry, they would like to develop a New Family Life Center on a parcel that is adjacent to the existing Church.

A few years ago a Conditional Use was granted to a licensed establishment to locate within 300 feet of several established religious institutions, Chapter 10 - Alcoholic Beverages, Sec. 10-3 - Location Restrictions, (a). The First Baptist Church did not object to this conditional use.

The First Baptist Church is requesting a Conditional Use, under Chapter 10 - Alcoholic Beverages, Sec. 10-3 - Location Restrictions, (b), to locate within 300 feet of an established licensed premises.

This Conditional Use will be in harmony with the existing buildings and usage of surrounding areas. The New Family Life Center has been designed to blend with the Historic First Baptist Church to not be conflicting with the neighborhood or adjoining properties and to be beneficial to the public welfare.

Two Site Plans have been prepared, indicating:

SD1.0 Existing Site Plan, Phase 1

- a. This Plan shows adaptive reuse of the existing Buildings with no particular modifications to the exterior, except permitted signage to identify the property as First Baptist Church.
- b. Existing paving, utilities, landscaping and walkways are to remain, except as required for maintenance and accessibility.

SD1.1 Site Plan Phase 2

- a. Proposed placement of structures on the property, provisions for ingress and egress, off-street parking and off-street loading areas, refuse and service areas, and required yards and other open spaces.
  1. Existing driveways modified to accommodate new Building and parking areas.
  2. Paving in this area will be re-designed to accommodate contiguous property Owner's use with new driveways.
- b. The Building currently is served by underground utilities from the City and power company which includes a generator. Plans generically show mechanical equipment locations where proposed utilities may hookup.
- c. Screening and buffering is not required for the Downtown Business District for adjacent parcel uses.
  1. Final design of the Church facilities will coordinate with the City to accomplish required buffers for street frontages and driveways.
  2. Landscaping buffer will be provided between proposed parking and driveways from and existing Residence at the southwest corner.
  3. Screening has been provided by an existing fence for an existing generator.
  4. New fencing to be provided for a new dumpster/ service areas.
- d. Proposed landscaping is generically shown. Provisions will be made for trees protected by city regulations.
- e. Proposed signage and lighting, including type, dimensions and character to be shown as project develops and will conform to City requirements.
- f. Current Zoning does not require minimum yards. Open spaces to be provided to enhance view of architecture.
- g. The new Building has a pitched metal roof, stepped down from taller existing Building at the north, to better relate to human scale.
  1. Colors were selected to blend with existing Building color scheme.
  2. Showing use of compatible Building materials.
  3. Traditional design elements used on new Family Life Center repeated on existing TD Bank Building so as to relate new to existing.
  4. Pitched and colored roofs are intended to be metal with colors compatible with historic colors.
  5. Outside wings of New Family Life Center are lower eave heights to relate to heights of adjacent Residential properties
- h. The New Family Life Center has been designed to be compatible with the Palatka South Historic and surrounding properties.
- i. An area of approximately 60' x 65' is shown as "Future Retail Space" at the northeast corner of the Site. This space is to be reserved for future development by the Church or some other mutually acceptable entity (acceptable to the Church and City) as an inducement for the City to support its application for the Conditional Use approval which, if approved, will ride with the land as long as it is owned by First Baptist Church.
- j. The City hereby agrees to continue the Conditional Use (assuming it is approved) to allow construction/ completion of Phase 2, as shown on the enclosed drawings, for up to ten years to allow the Church to develop its ultimate plan.

- k. This “reserved property” will remain available for “Future Retail Space,” for a fifteen year period, after which the Church may opt to utilize it for their own purposes, including construction of additional Church facilities, without further concessions to the City except to comply with then current Building and Zoning ordinances.
- l. The possible transfer of ownership of the reserved property and the terms of the transfer are not part of this statement.

The First Baptist Church New Family Life Center will bring people to Downtown Palatka, not just on Sunday mornings, but during week long events and activities at various times for meetings, indoor sports activities, structured and unstructured exercise or aerobic activities, socials and church related events. These same people will use the various business, restaurants and retail shops during their stay in Downtown Palatka to promote and enhance economic development.

End of Justification Statement

